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HOUSE OF REPRESENTATIVES

TUESDAY, AUGUST 12, 1941

The House met at 10 o'clock a. m.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Most merciful and gracious God, whose Fatherly heart opens with love in response to our many needs, we rejoice that Thou art rich toward all who call upon Thee.

We thank Thee for the gift of life with its joys that cheer us and its trials that teach us to put our trust in the Lord God Omnipotent, who is too wise to err and too kind to injure.

In these days of struggle and of challenge may we courageously declare ourselves to be the pilgrims of a larger hope, for Thou art our refuge and strength.

Help us to live by faith and to labor in faithfulness for the building of a better world when peace and prosperity shall be the blessed heritage of mankind everywhere.

Hear us in the name of Him who is the Author and Finisher of our faith. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Baldridge, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 191. An act for the relief of Franklin Stencil and Domonic Stencil;

H. R. 587. An act to extend the provisions of the act entitled "An act to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes," approved September 2, 1937;

H. R. 1352. An act for the relief of Norman Carlin Brown, a minor;

H. R. 1354. An act for the relief of Herman R. Allen;

H. R. 1576. An act for the relief of Emily Barlow;

H. R. 1606. An act for the protection of walruses in the Territory of Alaska;

H. R. 2010. An act for the relief of Wade H. Erwin and Vonnie Erwin;

H. R. 2182. An act for the relief of John S. Small;

H. R. 2212. An act for the relief of Raymond W. Reed and Rose Reed;

H. R. 2431. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Carr China Co.;

H. R. 2434. An act for the relief of Margaret S. Holten;

H. R. 2688. An act granting an extension of patent to the United Daughters of the Confederacy;

H. R. 2753. An act for the relief of Lewis Jones;

H. R. 3206. An act to afford greater protection to the purchaser of patent rights;

H. R. 3752. An act to amend an act entitled "An act to punish the willful injury or destruction of war material, or of war premises or utilities used in connection with war material, and for other purposes," approved April 20, 1918, as amended November 30, 1940;

H. R. 4045. An act for the relief of Tony Cirone;

H. R. 4085. An act to extend the times for commencing and completing the construction of bridges across the Monongahela River in Allegheny County, Pa.;

H. R. 4150. An act to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes;

H. R. 4231. An act granting the consent of Congress to the South Carolina State Highway Department to construct, maintain, and operate a free highway bridge across the Santee River at or near Leneudes Ferry, S. C.;

H. R. 4306. An act to extend the times for commencing and completing the construction of a toll bridge across the Wabash River at or near Mount Vernon Posey County, Ind.;

H. R. 4315. An act to legalize the construction by the Big Creek Bridge Co., Consolidated, of a bridge across the Tug Fork of the Big Sandy River at Nolan, W. Va.;

H. R. 4338. An act to provide for adjustment of the inactive-duty pay of certain transferred and retired members of the Fleet Reserve;

H. R. 4582. An act to permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products in the District of Columbia;

H. R. 4660. An act to amend the act entitled "An act to provide aid for needy blind persons of the District of Columbia and authorizing appropriations therefor," approved August 24, 1935;

H. R. 4732. An act granting the consent of Congress to the Department of Highways, Commonwealth of Virginia, to construct, maintain, and operate two free bridges across the New River, one at Bluff City and the other at Eggleston, in the State of Virginia;

H. R. 5122. An act to extend the times for commencing and completing the construction of a bridge across the Monongahela River, between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania; and

H. R. 5839. An act granting increases in pensions to certain widows and dependents of persons who served in the military or naval forces of the United States during the War with Spain, the Boxer Rebellion, or the Philippine Insurrection.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 647. An act for the relief of Gilbert E. Jackson and Helen Jackson, individually, and as the natural guardians of Edwin Jackson, a minor;

H. R. 3484. An act to provide retirement pay and hospital benefits to certain Reserve officers, Army of the United States, disabled while on active duty;

H. R. 4100. An act for the relief of the legal guardian of Louise Holcombe, a minor, George Holcombe, and Cliff Evans;

H. R. 4131. An act to amend the District of Columbia Traffic Act, as amended;

H. R. 4498. An act to provide for the admission to St. Elizabeths Hospital of insane persons belonging to the Foreign Service of the United States;

H. R. 4529. An act for the relief of John Henry Hester;

H. R. 4599. An act to authorize the Federal Security Administrator to accept gifts for St. Elizabeths Hospital and to provide for the administration of such gifts;

H. R. 4769. An act authorizing the designation of Army mail clerks and assistant Army mail clerks;

H. R. 4784. An act to amend the act relating to preventing the publication of inventions in the national interest, and for other purposes; and

H. R. 4813. An act to amend section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 377. An act to repeal sections 512, 513, 514, 515, as amended, 3744, as amended, 3745, 3746, and 3747 of the Revised Statutes;

S. 807. An act for the relief of Eva Mueller;

S. 858. An act to provide for the presentation of silver medals to certain members of the Peary Polar Expedition of 1908–09;

S. 904. An act for the relief of C. D. Henderson;

S. 1207. An act to change the times for holding terms of the District Court for the Eastern Division of the Western District of Tennessee;

S. 1363. An act for the relief of Sioux Skyways, Inc.;

S. 1428. An act for the relief of Walter M. Anderson;

S. 1430. An act for the relief of Ivan Richard Witcher and Nellie Witcher;

S. 1479. An act for the relief of Mary S. Gay;

S. 1581. An act for the relief of George Wells and Mamie H. Wells;

S. 1587. An act to provide rental allowances for officers without dependents on sea duty when deprived of quarters on board ship;

S. 1627. An act to provide for a quinquennial census of industry and business and for the collection of current statistics by the Bureau of the Census;

S. 1637. An act to authorize the conveyance to the State of Illinois for highway purposes only, a portion of the Naval Training Station, Great Lakes, Ill.;

S. 1649. An act to authorize the payment of certain claims of employees of the Bureau of Reclamation arising out of loss of tools destroyed by fire at Parker Dam, Ariz.;

S. 1650. An act for the relief of Joseph V. Brc ierick;

S. 1655. An act for the relief of Victor M. Lenzer, former special disbursing agent, Department of Labor;

S. 1677. An act authorizing subsistence allowance provided for aviation cadets to be paid to messes in manner as prescribed by the act of March 14, 1940 (Public, No. 433, 76th Cong.);

S. 1678. An act to authorize the Secretary of the Navy to grant to the city of San Diego for street purposes a parcel of land situated in the city of San Diego and State of California;

S. 1695. An act for the relief of Reginald H Carter, Jr.;

S. 1698. An act to amend the act reorganizing the administration of Federal prisons;

S. 1701. An act to provide for pay and allowances and mileage or transportation for certain officers and enlisted men of the Naval Reserve and Marine Corps Reserve and retired officers and enlisted men of the Navy and Marine Corps;

S. 1708. An act for the relief of Susannah Sanchez;

S. 1782. An act to authorize the payment of a donation to and to provide for the travel at Government expense of persons discharged from the Army of the United States on account of fraudulent enlistment;

S. 1813. An act for the relief of Harry F. Baker; and

S. J. Res. 78. Joint resolution requesting the President to proclaim October 9, 1941, as Leif Erikson Day.

The message also announced that the Senate had adopted the following resolution (S. Res. 155):

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. ALBERT G. RUTHERFORD, late a Representative from the State of Pennsylvania.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Senate communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

The message also announced that, pursuant to the provisions of the above resolution, the Presiding Officer named Mr. DAVIS and Mr. GUFFEY as members of the committee on the part of the Senate.

EXTENSION OF REMARKS

Mr. GATHINGS. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an editorial appearing in the Memphis (Tenn.) Commercial Appeal entitled "Profits Unlimited."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. NELSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a radio address delivered by myself.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HILL of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the CONGRESSIONAL RECORD and include therein an article in the Times-Herald comparing the draftee system in Canada with that of the United States.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(By unanimous consent, Mr. PIERCE, Mr. THILL, and Mr. PLOESER were granted permission to extend their own remarks in the RECORD.)

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a recent editorial from the Deposit Times.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an article written by one of my constituents.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an editorial, Is the National Being Taken Down the Road to Socialism?

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. The Chair prefers not to recognize anyone to address the House for 1 minute this morning, according to the announcement made yesterday.

Mr. LELAND M. FORD. To revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WINTER. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the Newton (Iowa) News of last week.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an article by Bill Cunningham in the Boston Herald showing the necessity for giving our selectees equipment with which to train.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DAY. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an editorial from the Chicago Tribune.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JOHNSON of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include therein a radio address delivered by myself over the Mutual Broadcasting System.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an address delivered by our colleague the gentleman from Wisconsin, Hon. FRANK B. KEEFE, over the Columbia Broadcasting System on the evening of August 8.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter received from a constituent of mine from Appleton, Wis., with a short article attached.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to extend my remarks and include an article from the New York Times and a letter from the Department of Agriculture.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a statement and a set of tables worked out by Mr. Linder, commissioner of agriculture of the the State of Georgia, on the unfair percentage of national income that the farmers have received.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BURGIN. Mr. Speaker, I ask unanimous consent to extend my remarks and include an article from the Charlotte (N. C.) Observer.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a brief letter from a constituent of mine.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a speech given Saturday night by Colonel Lindbergh.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CREATING GRADE OF CHIEF WARRANT OFFICER IN THE ARMY

Mr. MAY submitted a conference report and statement on the bill (S. 162) to strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes, for printing, under the rule.

REQUISITION OF PROPERTY FOR DEFENSE OF UNITED STATES

Mr. MAY submitted a conference report and statement on the bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States.

AMENDING THE SELECTIVE TRAINING AND SERVICE ACT OF 1940

Mr. MAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 222, declaring a national emergency, extending terms of enlistments, appointments, and commissions in the Army of the United States, suspending certain restrictions upon the employment of retired personnel of the Army, making further provision for restoration of civil positions to members of the Army on relief from military service, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 222, declaring the existence of a national emergency, and for other purposes, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. The time for general debate stands as follows:

The gentleman from Kentucky has 48 minutes remaining; the gentleman from New York has 45 minutes remaining.

The Chair recognizes the gentleman from Kentucky.

Mr. MAY. Mr. Chairman, I prefer that the gentleman from New York yield time first.

Mr. ANDREWS. Mr. Chairman, I yield such time as he may require to the gentleman from Pennsylvania [Mr. DITTER].

Mr. DITTER. Mr Chairman, less than a year ago a selective-service training bill was passed by the Congress. It was enacted as a defense measure. It was predicated on certain solemn assurances unreservedly made by its proponents. I supported it as a defense measure and accepted the assurances at their face value. Training for possible service in the defense of a national policy advocated and adopted by both major political parties in their national conventions was the fundamental principle upon which the arguments for its passage were based. That it had any other purpose was not divulged to the Congress or to the country. Quite the contrary. The suggestion that it might have was emphatically and categorically denied. The original plan for an 8 months' training was changed to 12 months on the recommendation of the Army. That this recommendation was based on anything other than the experience of military experts or that the opinions of these men were colored by extraneous considerations were not disclosed. In the absence of suspicion, denials on these points were not to be expected. The suggestion that the bid was a forerunner of an expeditionary force was branded as absurd.

Today we are asked to approve a drastic change—a change of such proportions that little, if any, of the original spirit of the measure would remain.

Nor can we overlook the fact that the proposed revision of the law included the suggestion that the Congress declare the existence of a national emergency. Obviously the proponents of the changes now before us were hesitant to take this step at this time. That it is in contemplation is evident by the report of the Committee on Military Affairs when it says that such action "may require extended debate," and proposes to "leave for future consideration by the Congress the question whether it will declare the existence of a national emergency." Taken in connection with the other proposed changes, these observations by the committee are significant.

The decision we are called upon to make, Mr. Chairman, is a momentous one. I doubt whether any more important issue or one with more far-reaching consequences will be decided by this Congress unless a resolution for war is presented to it. The course of many tomorrows with depend upon our decision today. With so much at stake, neither prejudices nor passions dare be persuasive. Only as the right of an honest, conscientious and informed judgment is permitted to show us the way can we hope to discharge our sworn duty.

When the proposed changes were first suggested, I approached the question with an open mind. If they were justified by facts submitted, I was prepared to advocate them. I have carefully studied the hearings and have followed the course of the debates in both bodies. But as yet I have failed to find a justification upon which to base a support of the measure now before us.

As I see it, Mr. Chairman, we are asked to approve the changes in the law solely on the dogmatic opinions of those who a year ago advocated the adoption of the original plan. What they recommended then, they disavow now. Have we any reason to expect that their present recommendations will not prove to be their future disavowals? To raise this question does not necessarily impugn their motives. But, if we were persuaded to accept the urgent suggestions of a year ago, and now find these suggestions repudiated, surely we should have facts and figures, rather than glib generalities, as a basis upon which to reach a decision. And what is more, Mr. Chairman, the men who are affected by our decision have a right to make a similar demand.

I confess, Mr. Chairman, that I was much disturbed as I sought factual foundation upon which to base my decision, by the information that political consideration played a part in the recommendations of a year ago. If, as it has been admitted, "a cold military proposition" became "a plain garden variety of political consideration" when the original plan was advocated, we should certainly be on our guard against a further trespass on our confidence as changes are urged. Facts, not phrases, will help prevent a similar misfortune at this time.

I believe it is regrettable that the President has not seen fit to take the Congress and the country more into his confidence in his foreign policy generally, and on the matter under consideration particularly. Movements have been furtive rather than forthright. The American people have been kept in the dark, groping blindly, urged to accept obediently, rather than approve intelligently. Ignorance breeds doubt and suspicion. Have we reached the point where the Government dare not disclose to our people what its purposes are? Can self-reliance be sustained on dogmatic opinions? Is our destiny to be dictated, or is it to be determined by the deliberative decision of an intelligent people? That there is doubt and suspicion—far too much to be lightly dismissed—cannot be denied. To attribute this disturbing situation to defeatism or to a lack of patriotism only aggravates the condition. If there is to be confidence, there must be candor; if there is to be trust, there must be trustworthiness; if there is to be faith, there must be forthrightness. No reasonable man with any sense of patriotism would urge the disclosure of plans for our own defense which are in line with national policies approved by the Congress. But, Mr. Chairman, self-government has reached a low ebb if it cannot be trusted with sufficient facts upon which an intelligent and informed opinion can be based. The administration's failure to give facts is the cause of much of our difficulty in considering the legislation before us at this time. The people have been urged to follow blindly. Is it to be wondered that there is hesitation and uncertainty? The Congress has been urged in the same way—with the same results. Candor and forthrightness have their own rich reward in trust and confidence.

Here is a field that I am afraid has not been entered, let alone explored. To me this appears to be a tragedy. What is needed, and sorely needed, today is not obedience but devotion. Self-government has no survival value unless its foundations are laid deep in the minds and hearts of an informed and an inspired people. I am persuaded, Mr. Chairman, that the proposed changes which we are considering today do not have the approval of the majority of our people. Were they to be informed—informed fully and freely and frankly—their disapproval might very readily become an enthusiastic support.

It has been argued, Mr. Chairman, that the proposed changes should be approved because of the psychological effect that such approval would have on aggressor nations. Again, an opinion, not a fact. Is it to be supposed that an ever-increasing trained service force, and an ever increasing number of men in training, in accordance with the plan which was approved originally by the Congress, would impress an aggressor as an evidence of weakness or submissiveness? I am much more concerned about the possible effect of a breach of good faith on the morale of our own men than I am of the psychological effect on a possible adversary. The most potent factor that can be brought into play for its psychological value is the competency and capacity of our gigantic industrial machine. Here is a place for psychology. Here is a possible notice which might be served on all nations with no chance that it would be misread or misunderstood. If, as it has been said, our defense program is an all-out endeavor and if the peril is such as to warrant the changes sought by this measure, the delay in putting our industrial machine into high gear should be explained. At this very

moment, differences between management and men are causing serious interruptions in production at plants which are vital to our defense effort. The same conditions have prevailed throughout the past year. I need not discuss the cause of the conditions in most instances. They are well known. But I do believe, Mr. Chairman, it is high time that the problem of production be dealt with. I am wholeheartedly in favor of showing to any aggressor that we intend to protect our rights. But the argument that the psychological factor is important as we consider this bill would be more convincing were any evidence at hand to prove that the administration intended to meet its responsibility in the field of industrial relations.

I am no recent convert to the cause of national defense. My record on this point has been established. Were I convinced—no, I shall say that were there any facts at hand which would be convincing that the requested changes in our training program were necessary for our national defense, I would make but one choice—to support the resolution. The needs of the Nation must come first. The pleasure or the privilege of the individual must be secondary, but in the absence of facts and figures upon which to base an honest and deliberative decision that a change is necessary, I have no other choice than to abide by the assurances given at the time the original plan was projected. A judgment worth having must be a judgment based on a fairly detailed knowledge of the facts. The President has felt that facts cannot be disclosed. If he is in possession of such facts as would substantiate his opinion of our peril he can take one of two courses—give them to the Congress so that the Congress may act, or exercise the power which he now has to change the term and the type of the men called for training.

No one here will deny, Mr. Chairman, that skillful strategists have been at work to edge the country closer and closer to conflict. Subtle persuasiveness has been doing its part. Propaganda of a powerful character has been doing its work. Despite these efforts the country has refused to approve a participation in the conflict, especially since the ideology of democracy against dictatorship has been dissipated by the Communist alliance. Be that as it may, however, Mr. Chairman, if, in the judgment of the President, if in the judgment of the proponents of this measure here in the House, the time has arrived when the issue of war should be met, let that issue be presented to the Congress forthrightly and frankly. If the policy of measures short of war is to be changed, one clear, positive, unavoidable duty rests on the proponents of this measure who favor a change—the duty to come from under cover, to desist from subtleties and strategy, and to permit the Congress to pass judgment on that fateful issue. To edge us closer and closer to a point where there is no turning back can hardly be counted on as a course which will challenge a devotion to duty or to a unity of purpose. I repeat, Mr. Chairman, if there is to be confidence, there must be candor; if there is to be trust, there must be trustworthiness; if there is to be faith, there must be forthrightness. Only as confidence, trust, and faith are established can we hope to succeed.

Mr. ANDREWS. Mr. Chairman, I yield such time as he may desire to the gentleman from Oregon [Mr. MOTT].

Mr. MOTT. Mr. Chairman, 11 months ago the Congress enacted and the President approved the Selective Training and Service Act. It provided, among other things, that each man inducted for military training and service should—

> serve for a period of 12 consecutive months, unless sooner discharged, except that whenever the Congress has declared that the national interest is imperiled such 12 months' period may be extended by the President for such time as may be necessary in the interests of national defense.

The Selective Training and Service Act also provided that at the expiration of his 12 months' period the selectee should be released from active service with the Army and transferred to a reserve component for a period of 10 years. He could be recalled for active duty in event of war or a national emergency declared by Congress. The act also provided that not more than 900,000 selectees should be in training and service at any one time, that they should be inducted in monthly quotas and discharged in monthly quotas, so that there would be a continuous rotation which would provide at all times an active Army in being of between 1,500,000 and 2,000,000 men, and at the same time build up a trained reserve from which the active Army could be supplied and augmented in time of war.

You will notice, Mr. Chairman, that in writing this legislation the Congress did two things. First, it provided that the selectees should not be kept in active service for a longer period than 12 consecutive months unless the Congress itself, by affirmative action, declared the national interests to be imperiled, in which event it could authorize the President to extend the period for such time as the Congress might deem necessary in the interests of national defense. And secondly, it placed a limit on the number of selectees which could be inducted annually. Both of these measures were taken for the purpose of keeping the policy-making power within the control of the Congress, where admittedly such power belongs, and for the purpose of insuring itself and the country that the selective-service program would be carried out in the way the Congress planned it. All of this was done after careful and detailed consultation with the Chief of Staff, in lengthy and exhaustive open hearings, and after he had endorsed and urged the passage of the act in the manner and form in which it was reported from committee and enacted by the Congress.

Now, after 11 months of operation of this act under his exclusive jurisdiction and supervision, General Marshall comes to us and tells us that the Selective Training and Service Act is all wrong. It is wrong, the General contends, not merely in its detailed provisions, such as the provision fixing the active service of selectees at 12 consecutive months, instead of a longer specified period, and limiting the number of selectees in training at any one time to 900,000. It is also wrong in principle, according to the General. It is wrong in principle because in the present opinion of the Chief of Staff no legal restrictions of any kind should have been written into the act. General Marshall now says that all selectees should serve for an indefinite term, that they should be released from active duty not in accordance with any law on the subject but solely in accordance with his judgment as to when they ought to be released. He says also that the number of selectees to be trained each year should be left entirely to his discretion, as well as the number to be transferred to the reserve component. He says that although he has no present intention of asking for the induction of not more than 300,000 new selectees during the coming year, the legal limitation of 900,000 per year should be removed entirely. He says he wants no legal restrictions of any kind, either as to selectees, National Guard men, Reserve officers, or enlisted men in the Regular Army. He asks that the Congress amend the act by eliminating the language by which the Congress retains control over the policy of selective service. He asks the Congress simply to declare an emergency and to give to the President the authority to raise, train, and retain in service a conscript Army without any legal restrictions whatever as to size or term of service. With such unlimited authority the Chief of Staff now says he can function. Without it he now says he cannot.

Without reviewing in detail the testimony given by General Marshall, the Chief of Staff, when he was called upon last year by the Military Affairs Committee of the House to give his views and offer his suggestions on the Selective Training and Service bill then pending, I simply want to call your attention to the fact that General Marshall endorsed and approved the bill, not only as to the principle of the basic congressional control involved in it, but also as to its detailed powers. He said the bill would enable him to create, train, and perfect the kind of an army and the kind of a Reserve he wanted. And he also said that with that army, so created, trained, and perfected, under the plan provided in the bill, he could defend the Western Hemisphere against any contingency which he could foresee. At that time he said he wanted to build up an army of about 1,700,000, which is precisely the size of the army he says he now requires, and which is the size that the army, created and trained under his supervision, will be before the end of this year. From the record, therefore, it would appear that General Marshall got exactly what he asked for in the present selective training and service bill.

A majority of the members of the Military Affairs Committee, after listening to the testimony of the Chief of Staff on the pending extension bill, apparently were convinced the general is now right, and conversely, they were convinced that the general was wrong when he offered his testimony and opinion on the original draft bill 11 months ago and when

he urged the committee to report the bill substantially in the way they did report it and with substantially all of the restrictions which he then agreed were proper. The bill now before us, which was drafted under General Marshall's supervision, and which embodies the whole of General Marshall's conception of what a conscript army ought to be, contains only one provision different in language than that which the Chief of Staff wanted. He recommended to the committee the outright declaration by Congress of a national emergency, which would give the President full wartime powers. Instead of this, the committee followed the formula prescribed in the original act and declared simply that the national interests were imperiled. The actual authority given the President under this bill, however, is virtually as broad as it would be under a congressional declaration of national emergency, and it is, as I have said, entirely unlimited insofar as legal restrictions are concerned. With the enactment of this bill the Congress authorizes the President to create and retain a conscript army of unlimited size in which the conscript serves for an unlimited term, and at the same time the Congress, through this bill, surrenders to the President every vestige of authority which it now has over the selective service except the doubtful authority to repeal the law by concurrent resolution.

It would be difficult to imagine any more drastic change of policy or any more complete abdication by the Congress of its policy-making power, than this bill proposes. It is pertinent to inquire, therefore, the real reason for the proposed change before we consider the granting of any such powers to the President. General Marshall, echoing the views of the President in his recent broadcast to the people of the Nation on the subject—a transcript of which, you will remember, the President sent up to the Congress with the statement that it was "a message to the Congress"—says that there are two principal reasons which make this far-reaching change in the law imperative. In the first place, he says, the Nation is imperiled and that the situation which now confronts us is much more serious than that which obtained when he endorsed and urged the passage of the Selective Training and Service Act. In the second place, he says he has tried hard to operate under the provisions of that act and that he has found it will not work. He says he cannot begin to release the selectees gradually, month by month, as they reach the end of their 12 months' service, as required by the act, because to do so would disrupt the Army. He says this is so even though the first contingent will not be transferred to the Reserve until November, and even though the number to be released at that time will amount to only 13,106 men, out of an army of 1,500,000. The largest number of soldiers who will be released from active service in any one month up to July 1942, will be 153,159, or about 10 percent of the Army, and the average monthly number will be about 50,000, or approximately 3 percent of the whole Army. This monthly release, the Chief of Staff declares, will disrupt and disintegrate the Army, even though under the law new selectees may be inducted each month as replacements in numbers equal to or exceeding the number of selectees released.

To a layman the general's statement that it is impossible to rotate this small number of selectees monthly in accordance with existing law, without disrupting an army of 1,500,000 men, would seem to be mathematically untenable. We must remember, however, that the general's opinion on this matter is the opinion of an expert and not that of a layman, and that its soundness or unsoundness must be examined and tested accordingly.

There is a proper and well-established method of doing this and I shall undertake to do so in the proper place in this discussion. But before doing this, however, we should examine the first reason given by the Chief of Staff to justify this proposed change in the law, namely, that the national interests are imperiled to the extent he says they are. For unless that can be established as a fact, then the Congress, under the provisions of the Selective Service Act itself, would have no authority to authorize the President to extend the period of service of selectees beyond the period of 12 months. Unless that is established, then unquestionably the Congress would be breaking faith with the selectees if it extended the period of their service beyond the 12 months now provided by law.

The question whether the national interests are imperiled can be answered, in my opinion, in only one way. I believe the national interests are imperiled. They were imperiled when the present Selective Training and Service Act was passed. They have been imperiled ever since. They will continue to be imperiled as long as the present wars continue to rage in Europe, Africa, and Asia. Whether the national interests are imperiled now to a greater extent than they were when the first conscription bill was passed is another question. It is a speculative question on which the opinion of an informed layman may be as good as that of a military expert.

As to whether the national interests were imperiled at the time of the passage of the present conscription bill, we must agree that they were. That is the reason we passed the bill. Had it been otherwise we would not have been justified in passing it. Most of us here today were Members of the Congress then. We attended the hearings before the House Committee on Military Affairs. We studied the testimony of the witnesses given at the hearings. We took part in the debate. We were familiar with all the phases of the international crisis which impelled us for the first time in our history to consider conscription in peacetime as a proper means of acquiring a military establishment which could successfully defend this nation and the Western Hemisphere in event of any contingency. You will recall that we all considered that contingency to be approaching us with lightning speed. We were right in so considering it, for with the year preceding the introduction of the conscription bill the Hitler juggernaut had swept through Europe destroying everything before it and crushing and annihilating the most powerful armies of Europe. First Poland, then Belgium and Holland, then Norway, then France. Not only was the French Army, which was rated as the finest on earth, completely obliterated in a matter of a few weeks, but the entire British Army was driven off the Continent and all of its equipment was captured or destroyed. Britain lay apparently helpless under the bombing of an air force greater than that of all other nations combined, and in the opinion of many of our military experts Britain was as good as finished. The time she could hold out was reckoned in months, and it was feared further that with the fall of Britain might also go the British Fleet, perhaps to be used against us by Hitler.

But, Mr. Chairman, there was another grave reason which impelled us to resort to conscription in a time of technical peace. The peril which confronted the United States in so positive a way from abroad was no more serious than that which in a negative way confronted us at home, for the hearings on the conscription bill disclosed that so far as actual effectiveness was concerned, we virtually had no Army. We had a pitifully small Regular Establishment, which had apparently remained static since the World War and, particularly, in the face of a new world-shaking war which had already been in progress for more than a year. The Army was not only too small to be of use; it was obsolete. It had not kept up with the needs or the methods of modern warfare. It lacked modern guns, tanks, and other equipment with which to fight a modern war, and if it had been faced at that moment with the task of defending the Nation against what many believed to be an inevitable attack, we hesitate to think of what the consequences may have been. We also had a small National Guard and a Reserve Officers component. But the whole establishment was too small to be effective. It had not been trained to fight modern mechanized armies and it had no adequate equipment with which to fight them.

I do not wish to criticize. This is not the time for criticism. But I have never been able to understand what the responsible heads of the Army, from the Commander in Chief down, were doing all that time or what they intended to do during the 12 months preceding the introduction of the conscription bill, which as you know, was not an administration measure and which was never asked for either by the Commander in Chief or by the Chief of Staff, so far as the record shows, until after the bill was introduced. I say I have never been able to understand it and I say no satisfactory explanation has ever been given for this delinquency by any of our military experts, particularly by the Commander in Chief and the Chief of Staff, upon whose expert advice and opinion we are now asked to place implicit faith and credit in our consideration of this unprecedented proposal—a proposal to turn the entire jurisdiction of the Congress over to them, and a proposal which they now say at this belated date is the only thing which will give us an adequate army.

I do not understand it. I am not a member of the Military Affairs Committee.

I have been hoping during the course of this debate that some member of that committee would step forth and give some plausible explanation as to why the Army was in the condition it was when the Conscription Act was passed. They have not done so. I do not criticize the Military Affairs Committee, but as a member of the Naval Affairs Committee I say to you that such a situation could never have happened in the Navy, a situation wherein the United States Navy was impotent to act in the face of a year-old world conflagration by reason of lack of men, lack of training, or lack of the most modern fighting equipment. And I humbly believe, Mr. Chairman, that when the hearings before the Military Affairs Committee on the conscription bill disclosed this utter lack of readiness on the part of the responsible heads of the Army, the people of the United States reverently thanked God that at least they had a Navy—a Navy which had not been asleep—a Navy which then was and now is, and which always will be, the best, the most modern, and the most powerful in the world—a Navy which is always fully manned, fully trained, and completely prepared to fight whenever and wherever the occasion may demand it, and incidentally, Mr. Chairman, a Navy which never in all of its 150 years of continuous existence has had to resort to conscription—either in peace or war.

These observations, Mr. Chairman, are by no means relevant to the issue before us because they have a direct bearing on the question as to how far we are now justified in accepting at face value the present opinions of the experts who at this late date begin to tell us what kind of an army we ought to have and who dogmatically insist that the only way to obtain that army is to give them blanket authority to create it in their own way without any legal restrictions whatever, either as to its size or as to the length of service of the selectees.

I contend, for this reason, that it is pertinent to inquire why those in responsible charge of the Army, who now advise a wholly unprecedented departure from our established tradition and custom, did not advise the Congress of the real needs of the Army long before the original conscription bill was introduced. It is pertinent, since we are now asked to accept their opinion without question, to inquire why these military experts allowed the Army to remain static through a long period of admitted danger, why they did not begin an obviously necessary program of expansion of the Army and the building up of an effective Reserve at least as early as the Navy began its expansion program. The experts say now that peacetime conscription was the solution to the problem which confronted them then. In this I agree with them. I voted for the original conscription bill.

But, if this is so, I think it is pertinent to inquire of the experts, who now ask us to follow them blindly in their new proposal, why they stood mute on the proposal for more than a year and why they waited for the Congress to propose conscription in the first place. The military experts are supposed to be the advisers of the Congress in matters of this kind. Why did they stand mute until the Congress called them? And, finally, in endeavoring to evaluate the soundness of their opinion on the proposal they now make, it is pertinent to inquire of them, who now say the existing law is wrong, why, less than a year ago, they accepted and endorsed every feature of the present conscription bill, both as to principle and detail and vigorously urged its passage in its existing form. Under the well-established rules of evidence, it is proper to bear these things in mind and to give due weight to them in examining the experts upon their proposal, which presently I shall undertake to do insofar as their expert opinion affects the real issue involved in this bill.

I have already stated that in my opinion the national interests are imperiled. For the purpose of this argument, therefore, it is not necessary to go into the question of whether they are imperiled now to a greater extent than they were when the Congress proposed and introduced the selective training and service bill last year. It is General Marshall's contention that they are, and I am inclined to agree with him, not so much by reason of anything he said before the committee, as by reason of certain well-known facts and information which are possessed by everyone who reads the newspapers and which are by no means in the exclusive possession of the Chief of Staff or of any other military expert.

General Marshall's statements in support of his contention that the situation is worse now than it was a year ago were for the most part rather vague, as will be apparent to anyone who reads his testimony in the printed hearings, and his testimony given in executive session of the Military Affairs Committee, which does not appear in the record but to which I had the privilege of listening, was, in my opinion, but slightly more definite. He did say that he had some information which he could not give even in executive session, and I am willing, of course, to accept his statement in that regard at its full face value. On the other hand, it must be remembered that one of General Marshall's supporting witnesses, Mr. Grenville Clark, who has perhaps studied this question for a longer period of time than any other man in the United States, and who vigorously supports the general's proposal in toto, stated to the committee that all of the information there is upon this subject has been published from time to time in the public press and that everyone who is sufficiently interested has had the opportunity of being fully informed.

However that may be, we all know in a general way what the situation is now and why the national interests are imperiled today. We know that since the passage of the present act the Japanese factor has entered more strongly into the picture, and so have the Russian and African factors. There can be no question that the national interests are still imperiled, and that fact alone is sufficient under the provisions of existing law to warrant the Congress in extending the term of service of selectees if, but only if, in the judgment of the Congress it is necessary in the interests of the national defense to do so. The whole question, therefore, is whether it is necessary.

From the very beginning of my study of this bill I have said that the argument for some short and definitely limited extension, for example, an extension of 6 months, is not without merit. But after the most careful study that I have been able to make—and that study has included the reading and the close examination of every word of testimony given by every witness who appeared before the House and State committees, both on the pending bill and on the original conscription bill—I am prepared to say that, in my judgment, there is no merit whatever to the argument in support of this bill in its present form which proposes a permanent conscript army of unlimited size, in which the selectees are to be held for an unlimited term, to be released solely in the discretion of the President and the Chief of Staff. To this proposition I am unalterably opposed, for it is my humble but my most earnest conviction that to pass this bill in its present form would not create an effective army. It would destroy its effectiveness. It would ruin its morale. It would constitute an absolute dictatorship in the hands of the President and the Chief of Staff over the lives and fortunes of millions of our citizens of military age and would unalterably damage and weaken the national defense.

Because my convictions in this regard are contrary to those of the military experts who appeared before the committees of the House and Senate, and because the opinions of the experts, when confined to their own field, would be entitled to more weight than mine, I must endeavor to show that, as to the particular question involved, the opinion of the experts should not be accepted in the face of what I believe to be preponderance of the evidence, entirely outside the expert field, that if the proposals of the experts, as embodied in the present form of this bill, are carried out, the result would be disastrous.

It must be remembered, in the first place, that what General Marshall wants and what this bill provides for is not an extension of the period of the service of the selectees for 6 months, or 12 months, or 18 months, or any other period. What he has asked for and what this bill provides is the removal of all legal restrictions both as to length of service and as to the number of the selectees to be inducted annually. He asks to create an army of whatever size he chooses and to keep the soldiers of that army in service for whatever length of time he chooses, and this is precisely what the bill provides for.

It must be remembered further that not all of the testimony of the Chief of Staff in support of this proposal lies within the field of expert evidence or opinion. In fact, I believe that any lawyer who has had experience in the trial of cases and the examination of expert witnesses will agree that very little of the General's testimony can be classified as expert testimony. This is not because General Marshall is not a military expert, which assuredly he is, but because most of his

testimony, that is to say most of his opinion evidence, was given on questions which do not require opinion evidence and upon which opinion evidence would not even be admissable in a court of law. The General is qualified, for example, to give his opinion as an expert on the question whether his proposal, if put into practice, would create an effective army. He said it would, and I would be the last to question his opinion on that because it is the opinion of an expert on a subject definitely within his own field. If he said an army created by this method would be more effective than one created under the law which we now have, I would not even question that opinion, because that, too, would be the opinion of an expert testifying on a purely military matter. But, on the other hand, when the General says that to create and maintain an army of unlimited size and indefinite term of service with all legal restrictions removed, would best serve the national interests, then he is expressing his opinion on a question of national policy, and in the field of national policy the Chief of Staff neither is nor is he supposed to be an expert. National policy under the Constitution is a question for the Congress and not for the Chief of Staff, even though that policy has to do with the Military Establishment.

I believe the Congress concurs generally in this statement. The philosophy behind the Chief of Staff's proposal is inherently abhorrent to the basic idea of democratic procedure. From a purely military angle there is perhaps no doubt that the totalitarian method of creating an army, such as the Chief of Staff proposes, would be the most effective. It is the method which has long been employed by Hitler, by Mussolini, by Stalin, and by the totalitarians who control the Japanese Government. In a democracy, however, we think that we can accomplish the objectives we want and need, even military ones, and still do it under democratic processes.

The Senate has already passed upon this all-important question. Although the Senate Military Affairs Committee reported a bill in all respects identical to the House bill, the committee itself was obliged to offer a committee amendment on the floor of the Senate striking out the provision for an indefinite term of service for selectees and substituting therefor a provision for a definite additional term of 18 months, so that under the bill as it passed the Senate the selectees would be obliged to serve for a period of 2½ years instead of 12 months. But the Senate repudiated the idea of an indefinite term. There is little doubt that the House committee will be obliged to offer a similar amendment, for I believe it is generally conceded that without such amendment this bill has no possible chance of passage by the House. The basic philosophy and the basic demand of the Chief of Staff in this bill, therefore, stands repudiated by the Congress, and in whatever form it may be enacted it will not provide for a permanent conscript army, the members of which are to serve for an indefinite period and to be released solely at the discretion of the President and the Chief of Staff.

The question remains then whether it is necessary to extend the period of service of selectees at all and, if so, for what additional period.

On this particular question the opinions of the experts are not only admissible but they are also definitely important, because this is a question properly within their own field. Dismissing then General Marshall's contention that selectees should serve for an indefinite term, there is left us for consideration the contention of the majority of the Military Affairs Committee that a much longer term than that provided under existing law is necessary for efficient training and service.

Fortunately for us who, as laymen, are obliged to question the opinion of military experts on this point, General Marshall, in his testimony before the House and Senate Military Affairs Committees on the selective training and service bill last year, has made a complete record showing that 12 months is a reasonably sufficient period both for the purpose of the training and the service of selectees. The General's testimony in this regard is clear and definite and it is supported by the testimony of all of the other high-ranking Army officers who appeared with the Chief of Staff before the committees in support of that bill.

You will recall, Mr. Chairman, that the selective training and service bill (H. R. 10132, 76th Cong., 3d sess.) originally provided for a period of 8 months' training in service. The group of people who assisted in the drafting of this bill—see page 9 of the hearings—included, in addition to the gentleman from New York [Mr. WADSWORTH], Mr. Grenville E. Clark, Gen. John McCauley Palmer, Col. William J. Donovan, President Conant, of Harvard, and Mr. Elihu Root, Jr., all of whom had been studying this question continuously for years before the General Staff ever publicly expressed approval of any form of peacetime conscription. They had unanimously decided that the proper period for training and service of selectees was 8 months, and this was the period which the Military Affairs Committee wrote into the original bill.

Now let us see what General Marshall had to say about the bill generally and about the period of training and service, particularly. On page 100 of the hearings you will find this statement of General Marshall to the Committee:

General MARSHALL. It seems to me that compulsory service and training of some sort is so necessary that there is no longer time for debate except as to the details of the legislation required. This particular bill has been drawn by the Training Camp Association, and, in general, meets the ideas of the War Department. Only very minor corrections, in our opinion, are necessary to make it a satisfactory measure.

On page 104 of the hearings the gentleman from Indiana [Mr. HARNESS], a member of the committee, asked the Chief of Staff this question:

Mr. HARNESS. This called for 8 months' training. What was your thought about that?

General MARSHALL. That is too short in our opinion.

Mr. HARNESS. What would you say?

General MARSHALL. A minimum of a year, but from our point of view we would prefer a longer period, of course.

It will be noted that neither here nor elsewhere in his testimony did General Marshall insist that a longer period than 12 months was necessary. On the other hand, he stated that with a 12-month period he could not only train and rotate the selectees and have them transferred to the Reserve as trained soldiers, but he even suggested that it might be possible to do the same thing with the National Guard soldiers. On page 111 of the hearings the chairman of the committee asks this question:

The CHAIRMAN. Just one thing, General, that I would like to say. I think you made a statement a while ago that at the end of the first year the National Guard would probably be sent back home and be through?

General MARSHALL. Assuming the general emergency has subsided, we believe that by the end of the year the National Guard might well be released from active duty.

The reason General Marshall made this observation, as appears clearly from the record, is that he believed, and this was his expert opinion on the matter, that with some eight or nine hundred thousand selectees coming into the service month by month each year, he would always have a trained army in being of at least one and a half million men and that he would be building up at the same time a trained Reserve through the transfer of trained soldiers year by year into the reserve component.

Neither was there any doubt in the general's mind that within a 12-month period he could equip these selectees for combat against a modernized European army. On page 110 of the hearings the general is asked this question:

Mr. KILDAY. There is no danger of calling these men from their home pursuits and then not having them turned out at the end of a year as modern soldiers, but a soldier of the World War type, you feel that you can give us definite assurance as to that?

General MARSHALL. Yes, sir.

The opinion of the Chief of Staff on these questions is supported by the testimony of many other Regular Army officers who appeared as witnesses with General Marshall. The testimony of all is to the same effect. The committee covered the point with the utmost thoroughness and it is clear from the record that had the Chief of Staff entertained any different opinion as to the term of service required he would have said so and that the committee very likely would have accepted his advice upon this point as it accepted it upon every other point in the bill.

Now it is contended by some that General Marshall, through the experience he has gained in training the Army under existing law, has come to the conclusion that a very much longer period of training and service is required than he at first thought; a period, in fact, two and a half times as long. The record does not support this contention. The contention of General Marshall is not that he requires an additional 18 months, or 2 years, or 3 years, instead of 1 year. His contention is he requires an indefinite period, and that the only kind of effective Army to have is one whose members are required

by law to stay in service until the President and Chief of Staff, in their own discretion, say they shall be released. The testimony of General Marshall on the pending bill, so far as the 12-month period itself is concerned, is simply and solely that it works an administrative hardship on him. He does not say that the selectees are not well trained at the end of 12 months. His testimony discloses simply that it is inconvenient to discharge the selectees at the end of that time, and that in some isolated cases, such, for example, as the garrisons in Alaska and Iceland, it is a practical impossibility to do so. If this is true, and I am quite willing to accept his opinion as a military expert that it is true, then I believe he should be given a reasonable and sufficient administrative leeway. I believe an amendment permitting him to keep selectees in service for an additional period of, say, 6 months, in cases where it is either impossible or contrary to the best interests of the service to discharge them, would be justified.

For such an amendment I would be willing to vote. But aside from this, General Marshall's own testimony as a military expert convinces me that no long extension of the term of active duty, such as the proposed 18 months, is either justified or desirable. There is no doubt whatever in my mind, and I say this after the most careful examination of the General's testimony that I can make, that General Marshall under the present law, with an amendment such as I have suggested, not only can but he will create the finest Army of its size in the world, an Army which, according to his testimony, will be large enough and well enough equipped, and well enough trained to successfully defend the United States and the Western Hemisphere against any possible contingency which he can now foresee.

I have the greatest confidence in General Marshall's ability to do this. I am convinced he can do it without adopting the totalitarian method of creating and retaining an army, without running the risk of destroying the morale of the Army, and without obliging Congress to surrender its policy-making authority over selective service. For this reason, it is my hope that a bill amended in the way I have indicated may pass. But for the reasons I have stated I shall be constrained to vote against any bill which provides for an indefinite period of service or which extends the service of selectees for a period longer than the Chief of Staff himself has testified is necessary to create and train an army competent to successfully defend this Nation and the hemisphere.

Mr. ANDREWS. Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. WOODRUFF].

Mr. WOODRUFF of Michigan. Mr. Chairman, I rise to speak against this bill. I rise to speak against it, first, because it proposes to break faith with the draftees themselves; it proposes to break faith with the mothers and fathers and with the wives, and the sisters and brothers of those boys; and second, because the bill, so far as it applies to extension of the period of service is entirely unnecessary. I rise to speak against it because the President of the United States, as the Commander in Chief of the armed forces of the United States, is asking this Congress to pass an act to give him authority which he already possesses by virtue of previous enactments of the Congress, and which he can exercise in his capacity as President of the United States, and as the Commander in Chief of the armed forces of the United States.

I mean to say, Mr. Chairman, that as President of the United States and as the Commander in Chief of the armed forces of the United States, Mr. Rocsevelt should be ready to take responsibilities as well as salutes.

It has already been pointed out on this floor, and I rise today to emphasize the point that under the terms of the Selective Service and Training Act of September 16, 1940, every man drafted for a 12-month training period automatically becomes, upon the expiration of his 12-month training period, a member and a part of a reserve component of the organized military reserves. As such, within 30 seconds after his 12 months' training period is ended he could be served, wherever he is, with a Presidential order calling him as a reservist into service, which simply would mean his continuance in the service for a period expiring 6 months after the President shall have declared the end of the unlimited emergency under which the Nation is operating at this time.

Furthermore, and in this I disagree with a point made during this debate, the National Guard is a part of the Organized Military Reserves of the United States and can be called into service or kept in the service so long as a national emergency shall be declared by the President to exist.

Let me read you the exact language of the section covering the draftees. It is section 3 (b) and reads as follows:

Each man inducted under the provisions of subsection (a) shall serve for a training and service period of 12 consecutive months, unless sooner discharged, except that whenever the Congress has declared that the national interest is imperiled, such 12-month period may be extended by the President to such time as may be necessary in the interests of national defense.

Now let me read you section 3 (c), which provides specifically that the draftee shall, immediately upon the expiration of his 12-month training period, become a part of a reserve component. Section 3 (c) reads as follows:

Each man, after the completion of his period of training and service under subsection (b), shall be transferred to a reserve component of the land or naval forces of the United States; and until he attains the age of 45, or until the expiration of a period of 10 years after such transfer, or until he is discharged from such reserve component, whichever occurs first, he shall be deemed to be a member of such reserve component and shall be subject to such additional training and service as may now or hereafter be prescribed by law.

Now, Mr. Chairman, let me read you section 343 of chapter 20 of title 10 of the United States Code, covering the Organized Reserves of the United States. That section reads as follows:

Members of the Regular Army Reserves may be ordered to active duty only in case of emergency declared by the President, and when so ordered shall be furnished transportation and subsistence allowances at Government expense—

And so forth. This clause says further, Mr. Chairman:

Within 6 months after the termination of the emergency declared by the President they shall be placed on an inactive status or discharged, whichever is appropriate.

It is perfectly clear, Mr. Chairman, that the President now possesses ample authority to retain both the National Guard, the other Reserves, and the draftees in service for an indefinite period.

Now, Mr. Chairman, I want to say that I voted against this original conscription bill. I intend to vote against this proposal now pending before this House, because I consider that there was a definite, unequivocal, unmistakable understanding between the fathers and mothers, and the brothers and sisters, and the wives, as well as with the draftees themselves, that these boys would not be retained in the service longer than 12 months. I consider that to take recourse now to "weasel words" and fox phrases in the act which were carefully omitted or slurred over in all discussions at the time the draft bill was considered, is so dishonest and unfair that it will not only shatter the morale and the esprit de corps of the draftees themselves, but it will do irreparable damage to the faith and confidence in their Government of the fathers and mothers and brothers and sisters and wives of the men whose confidence will thus have been betrayed.

I cannot conceive that any fair-minded person can fail to see what a dangerous thing is proposed here.

There is no question in law as to the President's power as President and as Commander in Chief to hold these men in the service if he sees fit to do so. I am confident that the legal authorities of the War Department would take the same view of this matter that I do insofar as regards the authority of the President to hold both the National Guard and the draftees in the service.

If the President chooses to hold these men in the service that is his responsibility.

I personally feel—and I am sorry that circumstances and conditions compel that feeling—that this bill is simply a forerunner to prepare the people of this country for still another demand—that the Congress enact legislation empowering the President to send these men anywhere in the world he chooses to fight.

Mr. Chairman, if, when this bill reaches final passage, it still contains the provision for an extension of the draft, I hope it will be overwhelmingly defeated.

The minority views submitted by the minority members of the Committee on Military Affairs are as follows:

MINORITY VIEWS

The two principal arguments advanced for the passage of House Joint Resolution 222 are—

1. The national interest is imperiled.
2. Unless this resolution is immediately passed our Army will rapidly disintegrate.

While there is some validity attached to each of these arguments, upon close and complete examination they will not stand the test of reason.

When a war of such gigantic magnitude as the present one is being waged, naturally, the interest of every nation is more or less imperiled, but it is the view of the minority that the danger to our safety or security is no greater now than it was when the National Guard and Selective Service Acts became law.

The President in his message of July 21, 1941, to the Congress on this subject declared "that the danger today (to our national safety) is infinitely greater" than it was a year ago. Gen. George C. Marshall in his testimony before our Committee on Military Affairs likewise states "that a national emergency now exists." However, neither the President nor the Chief of Staff would elaborate upon this broad general statement. No specific evidence and no definite data were offered to substantiate their contention. When pressed to give reasons for his blanket and dogmatic statement General Marshall said "unfortunately, it is not in the public interest to make a public statement of all we know." Our answer to that is that if the United States' interest is imperiled or if we are in danger of any immediate attack, certainly the enemy has knowledge of the facts and nothing can be gained by hiding any information from the American people. Certainly it would not injure us for our citizens to know what Hitler himself must already know.

With all deference to both the President and the Chief of Staff it is our opinion that the crisis today is not as grave as it was 1 year ago or when the selectees were first inducted into the military service. We then had approximately 300,000 men on active duty. Today we have 476,000 Regulars, 400,000 National Guard men and Reserve officers, and 600,000 selectees, or a total of almost one and one-half million men in active training and service. Our air force has been enormously augmented and already we have provided funds for an additional 152,000 men for this arm of the service. Not only our land and air forces but our naval forces also have been greatly increased and strengthened during the past year. The Navy has taken only volunteers, who have been sufficient in number to meet the demand. Today we have approximately 270,000 men on active duty in our naval forces. Our two newest and mightiest battleships, the *North Carolina* and the *Washington*, as well as a large number of other naval and cargo vessels, have recently been put into active service. While we are still sadly lacking in equipment, tremendous progress has been made in the production of ordnance. We are incomparably stronger today than we were a year ago and it is obvious that each day as the warring nations spend their strength and become weaker, the United States each day is growing stronger. Perhaps the reason our committee was not given specific and detailed evidence why the danger to the national safety today is "infinitely greater" than it was a year ago is because the administration does not take the American people into its confidence.

Winston Churchill only this week told the British Parliament that Britain's strength has doubled and that she is making progress on all fronts. He did not claim that the battle of the Atlantic had been won, but that it had "moved impressively in our favor" and that shipbuilding is keeping pace with war demands. He also claimed that Germany's air superiority "has been broken" and that the Nile Valley "is much safer." No one will for a moment deny or doubt that England is much stronger today than she was a year ago, due in part to American aid. How, then, can our position be weaker than it was? When we enacted the National Guard and Selective Service Acts, Germany and Russia were allies but today Russia's well-trained and mechanized millions are sapping much of the strength of the Nazi war machine. Indeed, the stubborn resistance shown by the Soviet regime has surprised the world, and even Mr. Churchill said that Russia was manifesting "magnificent strength and courage." When all these many facts and factors are carefully considered it becomes plain that our position today is certainly no more grave than it was a year ago.

While this resolution declares only that "the national interest is imperiled" it is difficult to distinguish, at least in effect, this language from a national emergency. The two phrases are different sides of the same coin and the meaning is practically the same. The minority believe that the evidence and the facts do not support or warrant a declaration such as the President and General Marshall would have us make. Nor is such a declaration essential for our national defense. The danger from the increased powers given them by such a declaration would perhaps be far greater than the threat from any nation abroad. We would destroy democracy here before we could establish it elsewhere. To declare a full emergency or to extend the service of selectees would likely be the prelude to another American expeditionary force. General Marshall testified that he has never entertained the idea of another American expeditionary force and we do not doubt his word, but unfortunately the Chief of Staff does not make that decision. The President and the Secretaries of War and Navy might decide otherwise. Only Congress can hold them in check.

Now for the second argument of the proponents of this resolution. It is claimed that unless the selectees are retained beyond the 12-month period of their service the Army will be disrupted. No doubt the Army would be put to some inconvenience, but it would not be disrupted. Men constantly have to be replaced in the Army. Some die, a few desert, others are sometimes killed, and eventually there is a complete turnover. Both the President in his message to the Congress on this subject and General Marshall in his testimony before our committee say that unless the service of selectees is extended two-thirds of our men in the Army and three-fourths of its officers will suddenly disappear. This statement is very misleading. Of course, if all these men and officers were discharged in one day, it would indeed be a calamity, but the truth of the matter is demobilization is staggered over a period of time that will not cause disintegration of our armed forces. Testimony before our Committee on Military Affairs shows that the approximately 600,000 draftees now in service entered the Army as follows:

November	13,806
December	5,521
January	73,633
February	90,238
March	153,159
April	123,207
May	56,896
June	79,522

It is obvious that the largest number of draftees who will leave the Army in any one month up to July 1942, under the present law, will be 153,159. These are scheduled to go home next March, and between now and then the proper number of men necessary could be inducted to replace them. That would be only about 10 percent of our present Army and would not, in our opinion, disrupt the whole organization. If the men are properly inducted, in a gradual, steady, and efficient manner, it could be so arranged that even a much smaller number would be prevented from leaving the Army in any one month. This would not destroy the Army nor would it imperil the Nation's defense. It would insure us a quick turn-over in our Army and it would give us many more trained men.

To prolong the period of the selectees now in our armed service and to freeze them there would produce a static army, instead of building up a mighty reserve by rotating the inductions. Frederick the Great, one of the greatest generals of all time, under compulsion, was limited by treaty to maintain an Army not in excess of 100,000 men. By intensive training for short periods he constructed a military machine that was without peer in his time and which later defeated some of the greatest powers in Europe. It would seem that we can create a mighty military machine by taking in different groups of young men each year and building up a powerful Reserve. General Devers, one of the ablest men in our Military Establishment, who has been in command of the Ninth Division at Fort Bragg, testified that his division, half of which are selectees, are now ready for combat service with less than a year's training. Instead of weakening our national defense this rotation of selectees will actually strengthen it. Russia would have fallen before now had it not been for the vast reserves she had to call into service.

General Marshall testified that our garrisons in the Philippines, Hawaii, and Panama are manned for the most part by Regulars and that only about 1,200 selectees would have to be brought back soon from Hawaii and about 1,800 from Alaska. The minority cannot see that the 3,000 selectees to be brought back from these posts will disrupt our present Army of 1,476,000 men. It is rather difficult to understand why selectees with little or no training should be sent to Hawaii and Alaska and the Chief of Staff must have known when he sent them when their term of service expired.

The minority, therefore, cannot agree that the national interest is imperiled more now than a year ago, nor do we believe that our Army will rapidly disintegrate unless this resolution is immediately passed. There are, however, several good provisions in this resolution with which we agree and which we feel should be enacted into law. Realizing that we do face a real danger, believing in an adequate national defense as strongly as anyone could, eager to maintain the morale of our Army, and desiring at the same time to exercise all caution to avoid a shooting war, the minority are willing to authorize the President to extend for such periods of time as may be necessary in the interest of national defense the periods of service of the National Guard, the reserve components of the Army, and the retired personnel of the Regular Army, provided that the authority conferred upon the President may be revoked at any time by a concurrent resolution of the Congress.

We do not feel that Congress should at this time continue selectees in our Army beyond their 12-month period of training and service. While the Selective Service Act states that the selectees could be retained longer than 1 year if Congress declared that the national interest is imperiled, it was generally understood at the time the act was passed by the young men themselves, by their parents, and by the public that their period of training and service was to be for 12 consecutive months. The young men were called from their farms, their businesses, and their vocations with this distinct understanding, and made their plans accordingly. For us to keep them longer than that would be a breach of faith, or at least considered so, on the part of the Government. This, in our opinion, would seriously disturb the morale of our men, and our opinion is based upon and supported by conversations with men in the

service and with their parents who testified before our committee. We do not believe that failure to retain the selectees for more than 12 months would lead to our Army's disintegration, but we do believe that if the selectees are forced to remain longer than their 12-month period it will lead to demoralization of the Army.

No doubt many of these selectees will volunteer to remain in the service for the duration of the emergency declared by the President, particularly if their morale is anything near as good as the generals testify. Other selectees are being placed in officers' training camps and these men no doubt will want to remain in the service. We also are satisfied from the testimony of General Marshall, but even more by the language of the National Guard and Selective Service Acts, that the President during the period ending June 30, 1942, has the power to order into active military service for a period of 12 consecutive months any or all of these selectees for further training and service as members of the Reserve should he deem it necessary for the strengthening of the national defense. Section 3 (c) of the Selective Service Act, Public, No. 783, specifically states that each selectee after the completion of his period of training "shall be transferred to a reserve component of the military or naval forces of the United States." Section 1 of the National Guard Act, Public Resolution No. 96, gives the President the power "to order into the active military service of the United States for a period of 12 consecutive months each, any or all members and units of any or all reserve components of the Army of the United States * * *. It would seem, therefore, that so far as the selectees are concerned House Joint Resolution 222 is unnecessary since the President already has the authority to recall them if needed.

The minority also objects to section 6 of the present resolution because it removes the limitation on the number of men who may be in active training and service at any one time. Under present law the number of selectees is limited to 900,000. Since we now have only 600,000 in active service it is apparent that 300,000 more can be called. This number added to our present total strength of 1,476,000 plus the 152,000 which we have provided for the Air Corps would more than equal the 1,700,000 which General Marshall testifies is a sufficient force to defend the Western Hemisphere. It must also be kept in mind that we have already lifted the lid so far as enlistment in the Regular Army is concerned. Indeed some of our high military officials are not in favor of increasing our personnel any further until we can furnish them with proper equipment. Modern, mechanized warfare has demonstrated that a few men highly trained and well equipped are far more effective than millions of men who are ill equipped. Why should we freeze the present contingents into the Army indefinitely and then lift the 900,000 lid off the number of selectees, usable at any one time, unless it is to build a huge Army to send to Europe, Africa, or Asia? In the language of our President we want to make sure that our "defense is for defense." We do not want another Army of 4,000,000 men for an expeditionary force.

We heartily favor section 3 of the resolution which permits the Secretary of War to release from active military service those persons who would suffer undue hardship if retained on active duty and those men who had attained the twenty-eighth anniversary of the day of their birth on or prior to July 1, 1941. Section 4 of the resolution should also be enacted since the retired personnel of the Regular Army are needed as much as the National Guard to train raw recruits and selectees. Section 5, which insures to all persons who shall have entered active military service subsequent to May 1, 1940, the same reemployment benefits as are now provided by the Selective Training and Service Act of 1940 in the case of persons inducted under that act, should likewise be approved. We also believe that section 7 which authorizes enlistments in the Army of the United States without regard to any particular component should be adopted. Flexibility in the assignment of personnel is essential to the building of a strong Army.

The minority are for all-out national defense, but we have viewed with grave apprehension certain steps of this administration which have brought us closer and closer to the verge of war. We want to do everything we can to protect our interests, to insure our safety, to promote national unity, to maintain a high morale of both the Army and our citizenry, to invite neither disintegration nor demoralization of our armed forces, and we feel that for the reasons stated in this report the training and service period of the selectees now on active duty should not be extended beyond the 12-month period. Should our situation become more critical than it now is the President can call them back into the active service under existing law.

DEWEY SHORT,
L. C. ARENDS,
CHARLES R. CLASON,
PAUL W. SHAFER,
THOMAS E. MARTIN,
CHARLES H. ELSTON,
FOREST A. HARNESS.

Mr. ANDREWS. Mr. Chairman, I yield such time as he may desire to the gentleman from North Dakota [Mr. BURDICK].

Mr. BURDICK. Mr. Chairman, when the Selective Service Act was passed on September 7, 1940, those who spoke for the measure, including the House majority leader, repeated time and again that it was a measure to prevent war; that our boys should be trained; that 12 months' time would be sufficient for that purpose; that those who served a year would be replaced by new ones coming in so that in time we would have, in case of an emergency, an army of several million trained men. The House, in passing this act, even went so far as to attempt to hold positions in private industry for the men when they finished their training. This, of course, could not be done constitutionally, but it was done, nevertheless, as a gesture of good faith with the draftees.

Every draftee in our training camps today was inducted into the service with that understanding and actual promise made by the Government.

What will our position be if we change that term of service now to 2 years or 30 months, or even longer? This Congress will be branded as an arm of the Government that has directly double-crossed and misled the men in training. If this Government cannot keep faith with those who will defend it, just what patriotic sentiment will there be among the soldiers to do the defending? Can fighting men have confidence in a government that has double-crossed them in a few months?

The argument has been advanced that the Selective Service Act provided that in case of an emergency the men may be recalled into service. Is the present Army all we expect to have? Are we to abandon our plan of training millions to be ready for actual war and hold the few we have in the service to do the fighting? If training is so essential to our safety, let us keep on training and not now ride on the backs of the few men who are now in the service. If training for them has been a good thing and has strengthened our national defense, let us train more and let those who are trained go back to their homes and await a call to an emergency.

There is no emergency now, unless those in the control of the Government have done that which in their own conscience dictates that we now have such an emergency. Nothing on the surface of things indicates such an emergency. Germany has not yet been able to swim the English Channel; Germany has taken on new antagonists; Germany has taken over many governments within her reach, but can she keep them so well organized as to permit her to come 3,000 miles across the Atlantic to attack this country or any country in the Western Hemisphere? Germany understands what constitutes the Western Hemisphere, even if our ruling officials do not. No one in this country ever dreamed that Iceland, Dakar, Africa, Ireland, and the Far East were in the Western Hemisphere until the President announced it.

It is nothing but a pipe dream to think that Germany could land troops in the United States if there was any evidence that she intended to do so. From all the information I can secure, and reviewing it as one who intends to fight to the last line to protect this country against invasion, I see nothing in Germany's dream for a United States of Germany that contemplates including this country.

If Germany wants a United States of Europe and can put it over, that is the business of Europe and not ours.

If we desire to plant in the hearts of the people of this country respect for government and confidence in the causes that we deem worth fighting for, we must keep faith with the boys we are training to defend this country. We cannot afford to take a contrary course. The will to defend this country is more powerful than machines and engines of war. Let us keep that will strong and keep it based on honesty and integrity. If we now abandon our word, break our promises, or double-cross our own men, we, by so doing, break the Nation's will to defend the United States. I say that this will result; and I, for one, will not go back on my contract under the "slim end" pretext that we are about to be invaded and that, therefore, a crisis exists. When no such situation exists, let us keep our word.

It is bad enough to double-cross foreign governments, and we have always prided ourselves that we have not done this. How much worse it is to double-cross our own soldiers. This proposal to retain the men longer in service than that promised is, if we do it, the most perfidious thing, the most dishonest thing that this Government has ever done. Let us keep the respect and confidence of the people, and let come what will.

Mr. ANDREWS. Mr. Chairman, I yield such time as he may require to the gentleman from Indiana [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, it is my firm belief that the pending legislation will have a greater influence on the building of our defense forces in this country than any other commitment which may come before the House. Every boy who has been inducted into the service is watching the action of the Congress on this particular subject. The people of our country eagerly await our determination of the policy respecting the retention of the boys beyond the 1 year of their service. I feel the weight of the responsibility of our action here because I am convinced that any action which the Congress may take, which will tend to break the faith with the understanding of the boys at the time they were inducted into the service, and which same understanding has been repeated thereafter, will have a very great weight upon the morale of the boys in the Army. We cannot afford to commit any act which will break or diminish the morale of our defense forces. To the contrary, we must do those things only which will build and increase the morale of our soldiers.

May I say, Mr. Chairman, that those who sponsor this legislation present the two principal arguments for the passage of House Joint Resolution 222, which are as follows:

(a) The national interest is in peril; and

(b) Unless the pending resolution is passed immediately our Army will disintegrate very rapidly.

When we analyze the force of every argument presented in behalf of the passage of the resolution, based upon the premises aforesaid, we are constrained to say that they will not stand the crucial test of reason. Our defense preparations must stand upon the basis of sanity, justice, and reason—otherwise they will fail.

At the time we began our active preparation for our defense, in order that our Nation may be secure, we will remember that our Regular Army was small, the National Guard was below its normal strength, and our Navy was at a very low ebb in personnel. At that very time the Nazis had invaded many of the European countries and the savage attacks upon the British Islands was at its greatest height. The invasion of England seemed but a matter of days. The European situation was very critical. It appeared that England would fall. That dark picture was before us. But we will remember, when we turn through the pages of past events, that that situation has changed materially within the past few weeks. While the President, in his message of July 21, 1941, stated that "the danger today is infinitely greater than it was a year ago," and Gen. George C. Marshall, Chief of Staff, in his testimony before the Committee on Military Affairs, stated "that a national emergency now exists," yet no specific evidence was given to substantiate those assertions. Of course, if we are in greater peril than we were 1 year ago, the people of this country are entitled to know of it, and they are entitled to know the reasons for such assertions made that we are in greater peril than we were heretofore.

Mr. Chairman, as we are engaged in this debate, we wonder where the President of the United States may be? It is publicly reported that he, with his Chief of Staff, and with his Secretary of War and his Secretary of the Navy, are holding a secret conference on a battleship with Winston Churchill and others on the Atlantic Ocean. If such a conference is being held, it is veiled in secrecy. If such a conference is now in progress, no one can tell what commitments the President has made, or will make, by which he will seek to bind the people of our country. Why all of this secrecy regarding this war and regarding our defense? The people want to know the facts about it. They are entitled to know the facts. There should be no secrecy if we are in peril.

If our peril is greater than it was 1 year ago, the President should let the people, or the representatives of the people, know what that greater peril is. If we are approaching this war so that we will soon become involved in it, our people should know of that situation because it is the sons of our Nation—it is the boys from the homes in our country—who will have to fight in that war in case it should come. There should be no secrecy about it. The people should know the facts.

But, Mr. Chairman, I do not believe—I cannot believe—that the danger today is infinitely greater than it was 1 year ago, because we have builded our Army, our Navy, our Air Corps, and every branch of the military and naval service; we have appropriated staggering sums of money for our national defense; we have additional battleships, destroyers, and submarines; we have equipment and munitions of war which we did not then have; we have tanks, planes, and guns in far greater quantities than we had 1 year ago. We are preparing for our defense. If we are in greater danger than we were 1 year ago, that is a challenge to our ability to produce and prepare for our defense, and it is a challenge to those in the Army and Navy who have had full charge of this preparation; it accuses those of utter inability to do the job to which they were assigned. Are we in greater danger than we were 1 year ago? England is far better prepared than she was 1 year ago; she has more planes and more guns; she has reorganized her Army; she has taken the offensive in the air. Germany has suffered greatly because of the bombing raids made by the R. A. F. Germany was unable to cross the Channel 1 year ago, and she, with her recent losses and reverses, is less able to cross the Channel and invade England than she was 1 year ago. Then, Mr. Chairman, Russia has come upon the scene, and while we do not agree with her philosophy of government, yet she has waged a great defense against the attack of Germany. The loss of manpower, equipment, and finances in that war with Russia has impaired the force and power of Germany. That war is not yet finished. That war has been of material assistance to England, because she has had the opportunity to reorganize and further prepare for her defense and for offensive action. Therefore I am constrained to say that I am convinced Germany is weaker than she was 1 year ago and England is stronger; our country is much stronger than we were 1 year ago. We are far better prepared for our defense now than we were 1 year ago.

The question here involved is, Shall we keep our boys in the service who were conscripted under the compulsory-draft law beyond the 1 year? It was the original plan to train the boys for 1 year, then send them home but to retain them in reserve, and to then take other boys into the camps for their training. This would have developed a large army in a short space of time, at far less expense than to keep all of the boys in camp throughout this so-called emergency. This plan would strengthen our Army, because it would give us a large reserve of trained men. The plan, above mentioned, was frequently stated in debate when the draft law was under discussion in both the House and Senate. The President mentioned the plan, and not longer than a few short weeks ago the President again assured the fathers and mothers that when the boys had completed their 1 year of training they would be sent home and other boys would then have the opportunity to secure their training and the new selectees would take their places. At least the boys in the camps understood that they were to train for just 1 year and then they would be sent home, but they would remain in reserve, subject to call in case of our involvement in war. That was precisely the understanding the boys had, and that is the understanding the boys still have; and that is the understanding the fathers and mothers and the people had and still have respecting these boys. I am firmly convinced, Mr. Chairman, that if this proposed legislation is passed, it will have a material and a disastrous effect upon the boys in the training camps; it will destroy, to a large degree, the morale of those boys, and it will destroy the morale of the people of our Nation.

Mr. Chairman, if the boys who are now in camp should be retained, as it is now proposed in this measure, and additional boys should be inducted into the service and sent to the camps in the large number proposed, every camp in our country would have to be enlarged in order to accommodate the additional boys inducted. With the very great cost that would entail to the people—the taxpayers—and in the face of our staggering national debt at this moment, which is rapidly approaching the sum of $100,000,000,000, and with other requests for more money which will soon come from the President, we have the serious view of a general financial break-down before us. These are very serious threats to our country, and to our form of government. This very serious view of our financial condition, as we behold it, may well destroy our liberty and freedom in this Nation. To these we must hold fast. We must never surrender those elements which have made our Nation great. There are other very serious implications involved. We are yet at peace, and I sincerely hope we can forever remain at peace. We do not want any part in this war. We want to keep out of it. Yet we have those in very high places in our

Nation who appear to have a desire to cause our involvement in this war—regardless of cost in money and in men; we have the warmongers who want war. The people of this Nation want peace. And if these people who want war finally succeed in causing our involvment in this war, we will be faced with a Treasury which is entirely empty, and with a staggering debt upon us. One of the essentials for defense in case of war is a well-filled Treasury. This element of defense we will not have, because of the tragic spending of money by this administration before we began to prepare for our defense.

May I urge, Mr. Chairman, that we prepare for our defense soundly and wisely. We must not break the faith with the boys upon whom we must rely for our defense, by making a promise to them before they were inducted into the service, and then repudiating that promise after they are in the service, and by "changing the rule" when there is no necessity for it. May I say that the President of the United States has the full power to call the Reserves of our Army for active duty at any time he may so desire. When the boys serve their 1 year of training, and have returned home as Reserves, the President has the power to call them into active duty at any time in case of war, or in case of a great national emergency. That time has not yet come. The boys who have served in camps for 1 year should be permitted to go home, as Reserves. They were not all inducted at the same time; they were staggered into the service, and they would be, likewise, staggered out of the service to go home as Reserves. This would not disrupt the Army in any degree. The new men would immediately take their places under a well-organized plan of induction, and they would train along with our experienced soldiers, which would aid them in their progress as soldiers.

Mr. Chairman, I cannot cast my vote to break the faith with the boys of this Nation. We must rely upon the valor and the fortitude of those boys in case of war. We must not commit any act, no matter how insignificant it may appear, which will break the morale of our boys in the Army. Without a high morale among our soldiers, we will have but a makeshift of an army. Let us not impair the efficiency of our troops by rushing this measure through, which will be a direct repudiation of a promise. Let the President act, as he is empowered to act, in case of necessity, but let us keep the faith with the boys of our Nation.

Mr. ANDREWS. Mr. Chairman, I yield such time as he may require to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Chairman, the Draft Act passed by Congress and approved on September 7, 1940, contained three important limitations: First, it limited the training service to 12 months; second, it prohibited the sending of members of the National Guard or the draft outside of the Western Hemisphere; third, not more than 900,000 could train at any one time.

The administration has been urging that these limitations and restrictions be cut out and had a bill introduced in the Senate which cut out the 12-month limitation and extended the period of training and service indefinitely. It removed the limitation of 900,000 and permitted the President to call any number of draftees into the training service that he might desire. While many of the administration leaders favored the cutting out of the provision prohibiting the sending of members of the National Guard and the draftees to serve beyond the limits of the Western Hemisphere, it was passed by for the present. No doubt they will urge it be changed in the near future. The administration had already violated this provision of the law by sending our marines to Iceland which is in the Eastern Hemisphere. The Senate by a close vote amended the bill extending the period of training and service 18 months beyond the 12 months for draftees and members of the National Guard and also extended for 18 months the period of service of those who had volunteered and enlisted for 3 years or more, and the Senate also removed the 900,000 limitation and gave the President the right to call any number of draftees, even millions. The Senate adopted an amendment increasing the pay of noncommissioned officers and privates $10 per month. I cannot agree with the Senate on removing the 12-month limitation or the 900,000 limitation, but I do favor the $10 increase of pay per month for noncommissioned officers and the privates of the Army. The Senate bill came to the House and was referred to the Military Affairs Committee, of which our colleague the gentleman from Kentucky, A. J. MAY, is chairman. He and the majority of his committee struck out all of the Senate bill after the enacting clause and reported the amendment now before us which strikes out the 12-month limitation of training service of the draftees and National Guard and makes the service extend for an indefinite period beyond the 12 months. The draftee could be held for 2 years or 10 years or so long after the 12 months as the President should order.

The May amendment also strikes out the 900,000 limitation provision of the present law and gives the President the authority to call into service and training as many of the draftees as he may desire even though it should be many millions. The May bill also strikes out the $10 pay increase for the noncommissioned officers and privates. I strongly oppose both of these provisions in the May bill because, first, they are unnecessary, second, they break faith with the American boys and their parents and give the President the power to hold for service and training for an indefinite period an unlimited number of draftees which may be used by the President and his interventionists to involve us in the European-Asiatic-African war. I am advised an amendment will be offered to the May bill to increase the pay of the noncommissioned officers and privates in the Army $10 per month. This is a salutary amendment. The pay of our noncommissioned officers and privates is too low. I shall vote for this amendment and I regret it will not provide larger increases. The young men who have been taken from their homes, business, professions, their farms, schools, and other activities are making a great sacrifice for our country. Munition makers and other industrialist groups are making big profits and workers are receiving high wages. It is not fair to have one part of our population doing all of the sacrificing and another part receiving all of the profits.

CLAIM OF DANGER NOT SUPPORTED BY THE FACTS

The President in order to justify the breaking of faith with the American boys and their parents and to enable him to create a standing army of millions of men declared this country "is in infinitely greater danger now than it was a year ago." I respectfully take issue with the President on this statement. I have read the hearings before the Military Affairs Committee and I have been observing closely the events that have transpired in the world since September 16, 1940, when the draft act was passed. There were no facts presented to the Military Affairs Committee that had this resolution under consideration upon which to base or justify the President's claim. The President, General Marshall, and other backers of this resolution undertook to justify their failure to give to the committee and to Congress or the American people evidence in support of their statement by saying it is not in the public interest to state what these perils or dangers to the country are. If this country is in greater peril now than it was a year ago it must be from Germany, Italy, and Japan and the war lords of those countries. If Germany, Italy, or Japan is about to strike a blow at the United States the leaders of those countries know all about it and there is no reason or common sense why the President or other officials should withhold this information from Congress and the American people. If the war lords of Italy, Germany, and Japan know what they are going to do to this country why not let the Congress and the American people know what the peril is. The fact is this excuse is given by the backers of this resolution in order to frighten the American people and the Congress and keep concealed their real purpose in trying to pass the May resolution before us. They know they cannot state any facts that would show this country is in infinitely greater peril than it was 1 year ago.

WHAT ARE THE FACTS?

One year ago Germany, Italy, and Russia were full-fledged partners in this ruthless war of aggression. In fact, Hitler never would have invaded Poland but for the backing of Russia. Russia has all along been furnishing Germany oil, food, and other war supplies. Italy was going good at that time. She had moved a great army 70 miles in the East; she was threatening the Suez Canal. Now Italy has been practically put out of the war and Germany and Russia are engaged in one of the greatest and bloodiest wars in all history. In due time Germany may conquer Russia, but in doing so, she will have lost millions of men, killed, wounded or captured; tens of thousands of tanks, planes, bombers, and a tremendous quantity of other essential and necessary war materials. This campaign will have cost the German nation billions of dollars, and Germany then

will not be getting the supplies that she received from Russia before this attack, and while this war with Russia has been going on, the English, for 2 months or more, have been bombing almost undisturbed Germany and countries occupied by her.

It is said the industrial production in those areas have been reduced 40 percent. A year ago, Denmark, Norway, Belgium, Holland, Poland, and France had been over-run and conquered. Germany had at least 3 to 1 superiority in the air over Britain and she bombed Britain and her military objectives day and night, and it looked as if it would be impossible to prevent Britain from being actually invaded by Germany. The British had suffered one of her greatest defeats in all her history at Dunkirk. The English authorities are now saying, that they are equal in air power to Germany and will soon surpass her.

When the Selective Service Act was passed a year ago there was great fear that Germany would break the English blockade. They were daily sinking thousands of tons of the English and allied ships. The English Government reported that during the month of July 1941 the English sunk 450,000 tons of German shipping and that sinking of English and allied tonnage had dropped off approximately 25 percent, and has decreased at a much more rapid pace during the month of August.

During the past year Britain has increased her navy, her merchant ships, planes, guns, tanks, and all kinds of war materials. The British say they are in a much stronger position than they were a year ago. No one now seriously contends that Germany can invade Great Britain. Lloyd's, great English insurance company, is betting 1,000 to 1 no attempt will be made to invade the United States. No one now claims any nation can invade the United States or even the Western Hemisphere. The 1940 election is over. These wild claims are now forgotten.

What about the United States? On September 7, 1940, when the Draft Act was passed, we had fewer than 300,000 men in our military service. We, today, have over 1,500,000 men in the active military service. These are made up of approximately 500,000 Regulars; more than 400,000 National Guards and Reserve officers, and more than 600,000 draftees, and thousands are being taken into these several units of our National Army day by day. Our air force has been greatly strengthened by thousands of men. Congress has provided for an additional 152,000 for our air force alone. We have tens of thousands of young men in the United States who are anxious to get into the Air Service. Since September 1940 we have turned out thousands of pursuit, bombardment, interceptor, and attack planes. The production of some of these units has increased more than 1,200 percent, and they will continue to increase by leaps and bounds. Tanks, guns, and shells have reached mass production. Hundreds of plants, factories, and shipbuilding yards to provide war materials and to build ships have been constructed during the last year, and production in these plants, factories, and yards is going forward at a tremendous pace.

Mr. Knudsen, who is the real head of our war production management, stated recently that by the first of the year our production of materials will surpass any nation on the globe. No combination of nations in the world equals the combined production of Great Britain and the United States. We have turned over to Great Britain billions of dollars of cash, credits, ships, guns, planes, and other war supplies.

It is said that President Roosevelt and Britain's Prime Minister Churchill, had a meeting at sea to plan what would be done after Great Britain and her allies win the war. The British officials say we are furnishing to them supplies in greater quantities than we did to them during the first World War. A year ago we had the finest and best Navy in the world. During the last year we have added a great number of the finest and best battleships, cruisers, destroyers, and submarines ever built. Our Navy now could successfully defend this country against the combined attack of all the navies of the potential enemies of the United States. The personnel of our Navy has increased to nearly 300,000 men. I might say in passing there is not one drafted man in the Navy. The Navy insists that all of its men must be volunteers. The Navy thinks they make the most efficient sailors.

Many of us in the House and Senate favored a real test of the volunteer system for our Army. We believe that the Army could have secured all the men necessary to defend this Nation in that way. We pay the sailors more than we pay the soldiers. The last month before we adopted the Draft Act, more than 43,000 young men in this country without any special effort on the part of the War Department or the administration to secure enlistments volunteered and were accepted in the various branches of the Army, and the number of volunteers were increasing rapidly. Since the Draft Act was passed, only a few thousand have volunteered each month. When the Draft Act was passed, thousands of young men were on the waiting list trying to get into the Navy and the Air Service. With these impressive facts, how can the President, or anyone, say that this Nation is in infinitely greater danger today than it was a year ago? But the President and his associates had to make a claim something like this in order to justify their demand that we break faith with our American boys, and put at the President's beck and call at such times and in such numbers as he as he might desire the fifteen or more millions of draftees. The American boys, many of whom volunteered after the draft, certainly were taken into the service under the belief that they were to be discharged at the end of 1 year, and would become members of the Reserve.

I was on the floor of the House and I heard our colleague the gentleman from Kentucky [Mr. MAY], and others, who urged the passage of the draft bill, state that these boys were to have 1 year's training. The President of the country emphasized 1-year training. American boys, fathers, and mothers believed these statements. Some other Members of the House and myself in our speeches pointed out that there was a joker in the bill and that when the boys were once taken into the service efforts would be made to keep these draftees in the service for such a time as the President might desire, and now we have before the House the May bill that extends indefinitely beyond 12 months the time of service of these draftees and the National Guard. In other words, the President, under the May bill, could keep these men in the service as long as he desired. We had been told by many of our leaders in the Army that the European war may last from 5 to 10 years. Tens of thousands of young men arranged their business, financial and other affairs, for 1 year's service. They confidently expected at the end of the year they would be discharged and returned home. These young men have been grossly deceived. Those in charge of this resolution in the House are still expressing the desire for this unlimited time of service and unlimited number of men to be called. They are beginning to realize, however, that they may not be able to secure this unlimited period of service, and these proponents may finally agree on an additional 18 months—making 2½ years of service all together instead of 1 year, but there will be a joker in that provision. It will give the President the right to hold them for one or more additional extensions of service and, in effect, would be an unlimited period of time.

I am very much opposed to increasing this service 1 month, or for any period of time. If we expect to keep up the morale of our Army and the American people, we must keep faith with these boys, their parents, and the Nation. We must not resort to deceit and subterfuge. Such acts would surely break down the morale of our Army. We got them in the Army with the understanding that they would be discharged in 1 year, and now we change without giving them an opportunity to be heard. In fact, they are threatened with prosecution and punishment if they protest.

THIS MEASURE UNNECESSARY

These draftees, as those in our other Army units, are patriotic. They would be willing to serve any length of time or undergo any sacrifice, even to the giving of their own lives to defend the United States and defend the Western Hemisphere insofar as its defense is necessary to protect our own country. No one dares to say there is not as much patriotism among these draftees who insist that this Nation keep its contract with them as there is in the House, the Senate, or any other group, and I am sure they are more patriotic than a lot of the interventionists, warmongers, Wall Street bankers, and munition makers who are trying to involve us in this European-Asiatic-African war for profits and other ambitious and selfish considerations, but who will not fight or have sons to offer for the sacrifice. I have been impressed by the number of old men and elderly women who will not be called to the service and who have no sons in the service, but are fanatically engaged in efforts

to get other mothers' and fathers' sons in this bloody and costly war in Europe, Asia, and Africa. I have much respect for those who urge us to enter this war who will themselves go into the battle or who have sons that will take their places at the battle front and will not seek and be given soft Government jobs. We have no business meddling in the war of Europe, Asia, and Africa. We should arm to the teeth on land, on the sea, and in the air to defend our own country and if the American people could only believe that this is the policy of this administration, there need never be any fear, because there would be more men than necessary for our Army, naval, and air forces.

It is claimed that if these draftees were released it would disband one-third or more of our Army and would greatly disrupt our Army. This certainly is not true and is not supported by the facts. It was made for the purpose of deceiving and misleading the American people. The Draft Act provides that the President can call into the service and have at all times in training 900,000 draftees; this in addition to our Regular Army, National Guard, and naval forces. Approximately 17,000,000 men registered for the draft last fall and about 1,000,000 more were registered July 1. While a year will soon have passed since we passed the Draft Act up to this time only about 600,000 draftees have been taken into the Army and are being given training. This is 300,000 less than the draft law provides. The administration has offered no reason why 300,000 more were not brought into training for 1 year under the draft and thereby bring it up to the full quota of 900,000 draftees authorized by the Draft Act. On the side we are informed by some of our Army officers and it was so stated on the floor of the Senate that we did not have the camps, materials, or equipment or provisions to take care of the additional 300,000. Yet we are called upon today to force through a bill here that will hold the draftees for an indefinite period of time beyond the year and to remove the 900,000 Draft Act restriction and make the sky the limit as to the time of service and as to the number that may be called into the service. The War Department began drafting men in November 1940. The 600,000 drafted men now in the service were not all drafted in the same month or at the same time. Some have been taken in every month beginning with November 1940; only 600,000 have been taken in during all of these months.

The Army officers say that 80 to 90 percent of these young men desire to remain in after their year has expired. If this be true there is no necessity to pass this act to force them to stay in. It is likely possible that many of these young men would continue in the service even though we did not pass this act. Of course the year of the first draft will expire November 1941. If all went out November 1941 that went in November 1940 there would only be 13,000; 5,000 in December 1941, and 73,000 in January 1942, and 90,000 February 1942, and so on. In no month would there be a sufficient number of men go out to materially disturb an army of 1,500,000 men. The Army now has the right to call in 300,000 more draftees and that would almost cover all men that would go out in November, December, January, February, March, April, May, and June, 1942, and as these went out the Army could call in a like number of men to take their places so that we would have at all times 900,000 draftees in training.

It is suggested that we could not train our soldiers in 12 months. In the last World War young men were trained and put into the service as officers in 3 months and thousands upon thousands of young Americans were put into the battle line before they had been in the service for as long as 4 months. If we can train and make officers in 3 months we certainly ought to train privates in 12 months. Sergeant York, the great World War hero, had only been in the service a little over 10 months when he performed his great feat of heroism on Flanders field.

After the World War under the Treaty of Versailles Germany was not permitted to have more than 100,000 men in her army. She had short periods of training. She would train one group for a short period of time and let them out and place them in the reserve and then call in another group and in this way Hitler did much to build up his mighty war machine. If we train 900,000 each year and let them out and place them in the Reserve and then call in another group we would have a great reserve force of trained men in this country able to defend this Nation in case we were attacked. No good reason has been offered or can be offered for keeping one group of young men in for 2½ years or longer. If a young man is so inept that he cannot receive all the training necessary to become a good soldier in 12 months he should be turned out because of his lack of aptitude for training and get somebody in his place who has the intelligence and aptitude to make a good soldier.

General Marshall, Chief of Staff, stated in his testimony about 1 year ago that we only needed about 500,000 well-trained, well-equipped men to defend this country and he said we needed not more than 1,750,000 to defend our country and all of our possessions and the Western Hemisphere. He says he strongly opposes this Nation sending our boys to fight in Europe, Asia, or Africa. Under the present law governing our Army, National Guard, Reserve officers, and draftees, and increase of our air reserve we now have approximately 1,750,000 men and if we call in the additional 300,000 draftees authorized by the present draft law we would have more than 2,000,000 men and there is no excuse for keeping these draftees in the service beyond 12 months. It can be seen at once that we would build up a stronger military force in this country by constantly increasing the Regular Army and air force and training 900,000 young men every year and adding them to the Reserve to be called in the event of war.

Of course, many of us believe it is the purpose of the Administration to become an active belligerent and engage in a shooting war on the side of Great Britain in the European, Asiatic, and African war, and they have extended the time and removed the 900,000 limitation in order to build up a great expeditionary force. I believe that is their purpose, and that is another reason why I strongly oppose this measure. It is suggested that we have sent these draftees to remote places to our Army posts and it would disrupt the Army to call them back again in 12 months. Practically every soldier in Panama, Puerto Rico, Hawaii, the Philippines, and Alaska and Iceland are Regular soldiers and are not draftees, and would not be affected by the 12-month limitation. A few draftees have been sent to the Hawaiian Islands and the Philippine Islands. They constitute almost a negligible number compared to the Regulars at those posts. But why did they send these draftees to these remote places when they knew the law provided for 12 months' service. They wanted to use that as an excuse to change the draft law and break faith with the American people. The truth about it, and General Marshall admitted it and so did Chairman MAY in their debate that politics caused the 12-month limitation to be written into the law last year. The election was on. They wanted to get the draft law through and they wanted to sugar-coat it with a 12-month term and deceive the American people, secure their votes and win the election. Those in authority no doubt had it in mind when the Draft Act was passed to do the very thing they are doing now. Many of us urged a year ago this would be done, and it is now being done. The American people in the last few years have been deceived in so many ways by the President and his associates, and the faith of the people has been so shaken that we could do nothing better now to strengthen the faith of these boys, their fathers and mothers, and raise the morale of our fighting forces than vote this resolution down and have our country stick to its contract.

WHO, WHEN, AND WHERE ARE WE TO FIGHT, IF AT ALL?

The question arises, Who, if anyone, when, and where are we to fight? If these questions were answered, we could better determine the size and extent of our Army and equipment. General Marshall said we need about 500,000 well-trained, well-equipped men to defend the United States and all her possessions, and we would not need over 1,750,000 to defend the Western Hemisphere, and we certainly have no business in being in any war, except in defense of our own country and our possessions, and the Western Hemisphere.

The President and the Congress have announced that they favor the Monroe Doctrine. The Monroe Doctrine means that we will not meddle in the domestic and political affairs of Europe, Asia, and Africa, and we will not permit them to meddle in the affairs of the United States and the Western Hemisphere. Neither Germany, Italy, nor Japan has laid the weight of a straw on any American citizen or his rights. Neither have they attacked or threatened to attack the United States, or any of our possessions, or the Western Hemisphere. No country wants to take on the United States in any war. Ger-

many got her fill of the United States in the last war.

The policy of this administration to interfere and meddle and undertake to control the countries of Europe, Asia, and Africa is our real danger. It is not our policy. We have no foreign policy. We are merely saying "me too" to the policy of Great Britain. President Roosevelt, many members of his Cabinet, and other leaders in his administration, international bankers and munition workers have insisted that the war over in Europe is our war, and our first line of defense is—any place on the face of the earth.

Under the lend-lease-give-away bill, which I opposed, the President was given unlimited power with almost unlimited resources to meddle with the domestic and political affairs of every country in the world and to carry on undeclared wars in every part of the globe, and he is doing that very thing. We butt into every scrap that Great Britain wants us to butt into. There has never been a great nation in all the history of the world that has been so completely possessed by another nation as has our country been during the last 18 months by Great Britain. The President has attempted to tie us hand and foot to defend the British Empire on every part of the globe, and that will bring to this Nation plenty of grief. I should like very much to see Great Britain win. However, my first interest is in the United States. We should not in our partiality for any nation involve this Nation in a shooting war in Europe, Asia, and Africa. We should take no steps for any nation that would involve us in that war. Our Army, Navy, and air force should be used only in defense of this country.

Great Britain has been served through the centuries by loyal and able statesmen. She started in the year A. D. 1170 with only 50,000 square miles. She at that time did not have control of Ireland, Scotland, and Wales. She took Ireland and Wales by conquest. Through all of these centuries Great Britain has added large territories to her possessions, so that today the British flag waves over and she has control of more than 16,000,000 square miles, which is more than one-fourth of the earth's surface. She has one-fourth of the earth's population—500,000,000; 430,000,000 of these are subject people. She has already increased her territory in the present war by more than 1,000,000 square miles. Where there are two islands in the Seven Seas, Great Britain either has one, or both of them. The deposed kings and emperors of many countries of Europe have now found refuge in London. Great Britain is tied up with all of them, and our President has attempted to tie us up with all of them and their wars. Great Britain has a million more square miles in the Western Hemisphere than we have, and by reason of the location of this vast territory in the Western Hemisphere, we must by necessity defend it in order to defend ourselves. The United States is the only country in the world that has raised a hand to defend the British Empire in this war. Other countries have fought for a time, and Russia is now fighting, not because of her desire to defend the British Empire, but they fought when and only when they were attacked.

Why has not Great Britain more friends among the nations of the earth? A study of her history for 900 years shows that she has taken territory and important rights from every country in the world through the many wars that have been fought in Europe, Asia, and Africa, except the United States, and we had to fight and defeat her twice in order to be free. From '61 to '65 Great Britain tried to divide our Republic. Britain is a jealous country. She cannot bear to see any other country approach her in political, economic, or commercial prestige.

Our President talks about freedom of the seas. Great Britain has never favored freedom of any sea for any nation except herself. We have placed troops in Iceland, not to defend our own country, because no one has threatened us, or our rights, on land or sea. Iceland is 2,500 miles away from our shores. It is a few hundred miles from Europe's shores. Britain wanted us to do it and we did it. The President did not consult Congress or the American people about sending our boys to Iceland. A part of our fleet is now off the coast of Australia, and near the Dutch East Indies, five or six thousand miles away from our western shores. Britain owns a great deal of the East Indies. Our Navy and our men are there to protect and defend the British Empire. A number of our bombers and fighting planes and men are now at Singapore on the Malay Peninsula in Asia, on the shore of the South China Sea. We have no possessions there. These American soldiers and sailors are there to protect the British Empire. We have ships and men on the Red Sea, more than 12,000 miles from New York. Our ships, planes, guns, and men are being sent whenever Great Britain demands it—not to protect and defend the United States and the Western Hemisphere, but to uphold and preserve the British Empire.

Britain still owes us nearly $6,000,000,000 she got in the last World War. This great debt she has repudiated. We have already given her $7,000,000,000 more, with a billion or two dollars of supplies and war equipment. Of course, they are not going to pay it back. In a few weeks Congress will be called upon to vote another $7,000,000,000 to Russia and Great Britain. What for? To protect and maintain the British Empire and Stalin and his bloody regime. Our equipment and money are now being used to help Russia hold the territory that she took from Finland, Latvia, Esthonia, Lithuania, and Rumania. We hear a lot of talk now from the President about taking possession of part of Africa, the Azores, Cape Verde, Canary, and other islands from Portugal and Spain. All of these are many, many thousands of miles away from our shores. If we carry out these pledges of the President to preserve the British Empire, then our front lines will be as the President says, "on any and every sea and in every country." With these pledges that our President has made to preserve the British Empire, in order to carry them out it is necessary to break faith with our American boys and to give the President authority to call into the service an unlimited number of the young men of this country. It is because of these conditions that the industrial life of this Nation must be entirely changed by reason of priorities of materials and other considerations. A high administration spokesman, Hon. Leon Henderson, says that 5,000 factories not engaged in war production must go out of business and 2,000,000 workers thrown out of employment. It is for these reasons, also, that the House, the other day passed the greatest tax bill that was ever passed by this Nation or any other nation in peace or in war in 50 centuries of the world's history. It is for these reasons that there has already been forced through Congress appropriations and contractual authority more than $55,000,000,000 in the name of national defense. This huge sum is 60 percent more than the entire cost to this Nation of the other World War, and the American people have seen nothing yet of taxes. They will soon wake up to find the national debt $100,000,000,000

For some time certain Englishmen and Americans have been urging a union of the United States and Great Britain. Our forefathers made us an independent Nation. Are we again to become a colony or a dominion of the British Empire? It is now urged that the United States and Great Britain must police and control the entire world after the war. This will mean that we must control more than a billion people. What vast military and naval establishments will be necessary for this purpose, and what a tremendous burden will be thrown upon the backs of the American people. If our destinies continue to be tied up with the British Empire, it means we join the endless wars of Europe, Asia, and Africa. It means through the coming years millions of American boys must sacrifice and give their lives in foreign lands and on foreign seas. It means an unbearable tax burden on all our people, rich and poor alike. It means bankruptcy and ruin. Worst of all it means we must give up our freedom and become a great militaristic nation. The only way we can get into this war is to butt into it. We can expect to get nothing out of it except blood, tears, bankruptcy, and ruin. Mark my words, Great Britain will come out of this war with at least another million square miles of territory added to her world-wide Empire.

This measure before the House to keep these boys in the service and remove the limitation of 900,000 is just another step in a great scheme to involve us in this ghastly and bloody World War. Shall American taxpayers, the tears of American fathers and mothers, and the blood of American boys underwrite for centuries to come the British Empire? We are keeping our draftees in the service and sending them to foreign lands. Canada, Australia, and other British Dominions, with the exception of one, has a draft law of about 4 months for home service, and they receive much larger pay than American boys. They cannot be sent out of Canada, Australia,

or other Dominions to fight for the British Empire except on their own free will and voluntarily; and we are now and will continue to finance the British Empire and keep our boys in the draft. There can be no justification for this bill, and I strongly and vigorously oppose it. I pray this administration may give more consideration to our own country and our own people.

Mr. ANDREWS. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Chairman, House Joint Resolution 222, in its provisions, proposes to extend the period of training for the men drafted in the Army under the Selective Service Act, otherwise known as the Conscription Act, for a period longer than 1 year, and for such periods of time as may be necessary in the interest of national defense.

General Marshall, less than a year ago, informed the Military Affairs Committee of the House that with 480,000 men, fully equipped and well trained, no nation on earth could land a hostile army corps on our shores, even though they held command of the sea.

I voted against the conscription bill. I believed, when the bill was before the House of Representatives, that it proposed to substitute a policy of compulsion for patriotism. Our ancestors fled Europe to escape that policy and its fruits. Compulsory military training has never saved the countries of Europe from the ravages of war.

The Conscription Act took nearly a million and a half young men out of their homes, from their firesides and families and friends, out of their normal life, and forced them into military camps and training. They became parties to an understanding with their Government to serve 1 year under the most rigid restrictions and discipline, for subsistence and a nominal allowance in money.

They had confidence and faith that their Government would carry out its part of the agreement with them. They are in the Army now. They are in uniform. They have done their duty. They have carried out their part of the understanding. The time is near at hand when their term of service will expire. The United States Government, not at war, fixed the period of training at 1 year. Canada, a belligerent, and at war, fixed the period of compulsory training of her young men for home defense at 4 months, and then sends them back into civil life. All foreign service—for those Canadian boys—is on a basis of voluntary enlistment. On what grounds, or for what reasons, does the Government of the United States now say to its young men: "We will not keep faith with you; we will break our part of the agreement, no matter how sacred it may be. You must remain in the Army, although we are at peace with the world"?

No one in authority, including the President of the United States, has indicated how long these boys will be asked to remain in the service or where they will be sent to serve.

Events have happened in the world since the Conscription Act went into effect, and the United States, in its foreign policy, has taken steps which have edged us a little nearer to the brink of war, but no nation thus far has even threatened to attack us, much less invade us.

We are not a neutral Nation. We have committed many acts of hostility sufficient to embroil us in war if the nation or nations against whom they have been committed chose to take up the challenge.

Unless the President and high officials of the armed forces of this Nation are willing to make known to the American people that we do face imminent danger of war, and inform our people that we are threatened with attack or invasion, and say frankly what that danger is, or whence a threatened attack or invasion is expected to come, certainly there can be no ground or sound reason for breaking faith with the young men of America and violating one of the most sacred agreements ever made by our Government—the Selective Service Act.

To demand that the draftees now in the military camps of this Nation remain under military discipline for a period longer than 1 year would be a tragic mistake and would do more to destroy the confidence and morale of the armed forces of this country than anything else.

We must remember, also, another exceedingly important point. Let us not forget that the patriotism and loyalty of soldiers—the morale or esprit d'corps—are as essential to an efficient and successful army as the equipment which we are furnishing at a cost of billions of dollars to the taxpayers. To destroy the patriotism, the faith in their Government, the confidence in the pledged word of high Governmental officials, the morale, the esprit d'corps of the soldiers by violating this solemn and sacred understanding with them will be to destroy that vitally essential morale which must prevail in our armed forces if they are to give their best and do their best in defense of their Nation, should defense become necessary.

Let us now look at another point. The question of short-term enlistments is not something that is determined by any events which have taken place or which may take place anywhere else in the world. The question of short-term enlistments has been a fundamental, elementary military question since the days when General Washington commanded the Revolutionary forces. In the Revolutionary War, in the War of 1812, in the Mexican War, in the Civil War, the question of short-term enlistments arose. Military history is filled with instances in which masses of men left the Army—actually in time of battle—because their enlistments had expired. Military studies abound in discussions of the effect of short-term enlistments in great numbers upon the Army under any given condition. If General Marshall knows now that to release these conscripted men, in accordance with the understanding, at the end of a year's training period, would be a "national tragedy" and "unthinkable," he must have known that fact a year ago when the Draft Act was being discussed in committees of the Congress. If he did know it, he kept silent then, knowing that it must arise as a fundamental problem when the end of the year's training for these conscripted men approached. If he did not know it, then he was unfit to be the Chief of Staff of the United States Army, or else, if it was not true a year ago, it is not true now.

The President of the United States has full access to the advice of the best military experts in the world, graduates of West Point, men on whom the taxpayers of the United States have spent millions of dollars to educate as responsible specialists in the national defense. Having access to that advice, if the President did not get it, something is dreadfully and drastically wrong with the officers and personnel of the Army. And, too, something was dreadfully awry with the Commander in Chief of the armed forces of the Nation. If the Chief of Staff, General Marshall, knows now that it would be an outrage, or a national tragedy, to let these men go at the end of their 12-month term of training, he must have known it a year ago, because it was just as much of a fundamental elementary military problem then as it possibly could be now. If the Commander in Chief of the armed forces did not know this a year ago, or if it was not true a year ago, he could not know it now, because it would not be true now.

Now, Mr. Chairman, General Marshall and the rest of the high military commanders, and the President of the United States may take their choice of either of these positions. It must be obvious to all fair-minded men that whichever proposition they assume will place them in the position they ask this Congress to assume, namely, of knowingly betraying the confidence of the fathers, and the mothers, and the brothers, and the sisters, and the wives, and the children, of the conscripted soldiers, and of the soldiers themselves.

To destroy faith and confidence, these most essential qualities in the breast of the American soldier, is to destroy the high requisite standard of a powerful fighting force. Such an act would shame the Stars and Stripes. Such an act would be the betrayal of the men who march under it and hold it aloft in freedom's breeze. Honor and loyalty to the Nation demand that this Government and the Congress of the United States and the President, keep faith with the people and particularly with those who have been called to defend this last citadel of freedom, our beloved Republic of the United States.

Mr. Chairman, let us not do this thing. Let us keep faith with these boys. Let us stand by the agreement. Let us again give notice to the world that the promise of the Government of the United States is as good as its bond. If we do not keep the solemn promises of the Government, the day will come when its bonds will be trusted by our citizens no further than its broken promises.

The danger to our national safety or security is no greater now than it was when the Conscription Act was passed. The national interest is not imperiled. No convincing evidence has been submitted from which anyone can come to that conclusion. If our national security is imperiled, then it is the duty of the President of the United States and the mili-

tary leaders of our country to make it known to the American people, who must defend it with their treasure and their blood.

The Army will not disintegrate by discharging the soldiers at the end of 1 year. It will be destroyed if we break faith with the young manhood of America.

For these reasons, I believe it to be a grave national mistake to enact this legislation, and, therefore, I shall vote against it.

If the national interest is imperiled, then the responsibility rests upon the President and high Government officials to furnish the evidence and submit it to the representatives of the people who are called upon to make a most solemn decision. If we cannot be entrusted with the facts, then no blame can attach to the Members of the House if a wrong decision is made. A million and a half young men are eagerly awaiting that decision, right or wrong. They are soon to learn whether or not their Government, our Government, is a Government of principle, a Government of character, or whether it is willing to break faith and fail—perhaps the first time in its history—to carry out its solemn pledge.

Mr. ANDREWS. Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. MURRAY].

Mr. MURRAY. Mr. Chairman, I feel it my responsibility in the few minutes allotted me to rise and speak for the fathers and mothers of this country who were told a year ago that their sons were needed for military training and who were assured that training for a year was the answer to the problem of preparing the land forces. The statements made at the time the Conscription Act was under consideration by the Congress were taken by the people of this country to be true declarations and promises and by asking for an extension of service of the selectees we would most assuredly be breaking faith with them.

The question of the extent of the peril of this Nation is indeed confusing to most people as well as to Members of Congress and the feeling that the greatest peril lies within this very country is ever increasing. We have seen our national-defense program molested by communistic activities, we have seen Communists coddled in various responsible branches of our Government. A year ago Communist Russia was an ally of Germany against Finland. Today England is alined with Russia against Germany and the United States is about to furnish implements of death and destruction to Communist Russia in the name of the "four freedoms." It has been well said that the danger to democracy is here, not abroad. That need of the "four freedoms" is in our native land and that despite the fact that there were not many millions in our country when our liberties were gained the multitudes that we now have can, with difficulty, retain the freedoms our fathers won for us.

Yes, indeed, the peril from within is daily growing. This country is honeycombed with war refugees and many foreign agents are in Washington seeking to influence legislation and evidently to assist in a program to prepare the American people emotionally and materially for war.

To offset these activities, do you not think that if the 600,000 young men now in training were allowed to return home and take up their places in the defense program in our shops and factories and on our farms that they would have a stabilizing influence in curtailing subversive activities and averting strikes in industries vital for national defense?

Do you not think that these 600,000 young men who have made the sacrifice of having spent a year in training for the small wage of $21 a month could not influence the people in their communities to assume their just share of the sacrifice necessary for our national-defense program?

All of the forces for war, although they may be said to be few in number, are using every possible effort to throw our country into disorder and to drag us into war by one means or another.

I am reminded here of an old Negro spiritual, Keep A-Inching Along, the words of which song when written:

Keep a-inching along, keep a-inching along,
War will come by and by;
Keep a-inching along like a poor inchworm,
War will come by and by.

And this truly expresses the spirit of the war party.

We have watched with grave concern the provocative steps taken by this administration which are moving this Nation closer to a shooting war, notwithstanding the fact that the vast majority of our people have used every means of expressing their opposition. The question today is not whether the people will stand by the President in this emergency but will the President keep his promises and stand by the majority of the people in their effort to stay out of war? In view of past events the people may well ask the meaning of the extension of the draft. What conclusion can be drawn from the demand for the violation of the promise made to the thousands of young men now in training? Can we afford to break faith with them? Would we not, indeed, be taking a far greater risk in breaking our promises to them than we would in the possible risk of a dictator? The selectees in service have been silenced, but their fathers and mothers have spoken, and it is our duty to heed their demands and to keep our promises.

The people of America are fully united in a program for national defense. We have a mandate from the people who believe in building an impregnable defense for this country in planes, guns, tanks, and ships that they may continue in their pursuit of the democratic way of a free independent America, and ours is the duty to carry out that mandate.

Mr. ANDREWS. Mr. Chairman, I yield such time as he may require to the gentleman from Wisconsin [Mr. HULL].

Mr. HULL. Mr. Chairman, in registering my opposition to this resolution, whose purpose is to add indefinitely to the terms of service of the National Guard, selectees, and Reserve officers who have been drawn into the Federal Army in the past year, I am not unmindful of considerations urged by proponents of the measure. It seems to me that as a matter of good faith to those who believed at the time of their induction into the Army they were being called for only 1 year the compact under which they entered the service should be respected. To pass this resolution in the form reported by the Committee on Military Affairs and retain the men in the Army beyond the period prescribed for their training would be such a violation of that compact that it would be resented, not only by those compelled to remain in the service but also by millions of our people who regard fair play and common justice as essential to that national unity about which so much is being said at this time.

Clearly it was the purpose of the Selective Training and Service Act at the time of its passage, about a year ago, to select and train in the Army not more than 900,000 men for a period of 12 months only, in addition to the National Guard and Reserves. That purpose was plainly stated at the time. After that period of training, those who received it were to be permitted to return to their homes and become a part of the Army reserves, subject to being called for active duty should the Nation become imperiled by invasion or otherwise.

Now all the promises made to all the people as to the purposes of the Selective Training and Service Act by the Chief of Staff and others of the War Department and by others in high positions are sought to be disregarded. When that act was passed the emergency which called it forth was apparent. Also it was apparent even then that there was small chance of the international situation becoming much less dangerous within the year. The provisions of the act and its purposes were set forth fully in view of that situation. Not until within the past 4 months has the idea been promulgated by widespread propaganda that the term of service should be extended, possibly for a year, as this resolution would authorize and permit.

The Army now numbers 1,476,000 men. Had the War Department called the additional men authorized by the act, there would have been 300,000 more under arms. The claim is made that some 3,000 selectees sent to Alaska and the Philippines will have to be recalled unless Congress passes this resolution, thus disrupting our Federal forces. Why men drawn into the service since November last to serve only 1 year, and without previous military training, should have been sent to such distant points is best known to those who sent them there. It seems evident, however, that the situation must have been known to those who issued the orders, and who are now responsible for any "disruption" their discharge from the Army would cause.

Congress is accustomed to claims of "national peril" when military measures are before it. In times like the present it may be said that the whole world is imperiled by the ruthless march of war-mad dictators. But Congress has dealt liberally with every phase of national defense. It has appropriated billions in providing for the necessary armament to protect our country under any and all

circumstances. It has done all that could be done to guard against the perils which exist and those which may arise. It also has passed the Selective Training Act to insure an army of such size and efficiency to defeat any or all attacks. That act provides not only for the present but for the future. It would authorize an army reserve of not less than 4,000,000 men.

It has kept faith with the people, who rightfully demand the fullest measure of protection for our country and its institutions. It should also keep faith with the young men whom it has called into uniform. Every promise made to them should be fulfilled as completely as has been the promise of effective national defense. If there are "weasel words" in the original act which qualified the promises a year ago unknown to those who responded to the call to service and realized only by those responsible, such words should not be an inducement to Congress to repudiate the compact which meant a year of service in 1940 and which still mean a year of service, and no more, now.

Mr. ANDREWS. Mr. Chairman, I yield 15 minutes to the gentleman from Ohio [Mr. ELSTON].

Mr. ELSTON. Mr. Chairman, I am in accord with this resolution so far as it provides for the retention in service of National Guardsmen and Reservists, if a proper limit is placed upon their service, but so far as it applies to men inducted under the Selective Service Act, I am opposed to it. I feel that certain sections of the resolution are objectionable so far as all groups are concerned.

When, almost a year ago, we took an unprecedented step and provided for compulsory military training and service in peacetime, we did not say that under no circumstances would we continue the period of training beyond 12 months. In this respect, therefore, there was no unconditional contract as between Congress and selectees under the act. But we did say, in clear and unmistakable terms, that the 12-month period of training would be extended only if Congress, and Congress alone, decreed that the national interest was imperiled. From this it is perfectly clear that we meant that the extension would take place only if the Nation were faced with greater peril than it faced at the time the act was passed. To this extent we imposed upon ourselves a moral responsibility which transcends even legal responsibility that we would not extend the training period beyond 1 year unless we believed, on good and sufficient evidence, that our national danger had increased. In determining the existence of national peril I submit it is for us to act upon the facts presented to us and not upon the opinion of others, however sincere those opinions might appear to be. To delegate to others the power to weigh the evidence and determine our peril would be an unwarranted delegation of our responsibility and the Nation will so construe it.

Though we are by law the judges of the facts we have been told that it would not be in the public interest for the American people or Congress to know the facts. Obviously, if we are threatened with peril, the threat comes only from our potential enemies who certainly know of their own plans. Under the circumstances it is rather difficult for us to understand why we should not be given the opportunity to judge the question of our peril, particularly when the founding fathers considered it safe enough to vest solely in Congress the extraordinary power to declare war.

I know it may be contended that some information cannot be disclosed because it involves military secrets, but I submit to you that any peril to this Nation comes from only one source, and that is Hitler or his allies. If it comes from Hitler, he knows about it. If he knows about it I know of no reason why the Members of this House and the American people should not also know about it.

Mr. MAY. Will the gentleman yield?

Mr. ELSTON. I could not resist yielding to my distinguished chairman.

Mr. MAY. I would like to say for the information of the gentleman—perhaps he did not know about it—that after General Marshall testified in executive session, first 3 hours openly, then 2 hours in executive session, as he requested, his testimony in executive session has been printed.

Mr. ELSTON. It is true that some of his testimony has been printed for the benefit of the Members of the House. If the Members have read it I am sure they will not find any specific evidence recorded therein which will justify us in saying that we are in greater peril today than we were a year ago.

The question of extending the period of training and service must be answered by Congress, and Congress alone. Had we intended it to be answered by the President or by the Secretary of War, the Secretary of the Navy, or the Chief of Staff, we would have said so when the Conscription Act was passed. Should we now let these officials, or any of them, decide the question for us, we have not only evaded a responsibility but we have perpetrated a fraud upon the young men who have been inducted or who have registered for training and service under the belief that we meant what we said a year ago.

Although the President and our Chief of Staff, General Marshall, express the opinion that our danger is greater today than it was a year ago, they offer no tangible evidence in support of their contentions. A comparison of conditions a year ago and now shows that both Great Britain and the United States are infinitely better off than they were when the Conscription Act was passed. A year ago we had almost 300,000 men in the military service. Today we have more than a million and a half. Of this number 669,500 are selectees, about 340,000 are guardsmen and officers, and the remainder members of the Regular Army. A year ago France had recently collapsed and the retreat from Dunkerque was fresh in our memories. It was expected that Hitler would soon attempt to invade the British Isles. Defense production had scarcely started in this country and we were giving no aid to Great Britain. Our Army was without modern weapons and there was no prospect of obtaining them soon. Today we are furnishing, or will soon furnish, England with war matériel worth billions of dollars. Production in both countries has increased enormously. Germany, on the other hand, is deeply troubled by Russia, who was looked upon as her ally a year ago. Italy has shown more weakness than was expected. Invasion of the British Isles becomes more remote as the months pass by.

In his speech to Parliament a few days ago, Mr. Churchill said that Germany's air superiority "has been broken"; that Britain is slowly "but impressively" forging ahead in the battle of the Atlantic, aided by production far in excess of the World War period. Mr. Churchill indicated that the Nile Valley "is much safer"; that Britain's strength has developed, and that she is progressing on all fronts, in part due to American aid; that she has doubled her bomb discharge on Germany, will double it again in 3 months, and redouble it in the following 6 months.

A few days ago a former British Cabinet member, Alfred Duff Cooper, upon arrival in this country said:

> The spirit of the people is good. The only criticism is that they are overoptimistic. Things are going very well in every direction. Great Britain is getting the full flow of American production. The material sent us has proved of enormous advantage.

A year ago there was no optimism in Great Britain. It exists today only because the people of that country believe that their peril has been greatly reduced.

While no one familiar with the facts would seek to discount the power of the Nazi machine or would suggest for a moment slackening the defense effort on all fronts, it must be admitted that Mr. Churchill's optimism is not without foundation.

It has been urged that if selectees are permitted to go home in accordance with existing law, the Army will disintegrate. In passing upon this question, as we would pass upon the question of our peril, let us resort to facts and not rely upon mere statements. The President, in his message to Congress, said:

> If two-thirds of our present Army return to civilian life, it will be almost a year before the effective Army strength again reaches 1,000,000 men.

This statement, I am sure we will all agree, is misleading, particularly if National Guard men and other reserve components of the Army remain in the service. As it is apparently conceded that guardsmen and other reserve groups should remain in the service, let us consider what will actually occur if the law is unchanged so far as selectees are concerned.

General Marshall has testified before the Senate and House Military Affairs Committees that he can defend the entire Western Hemisphere and all our possessions, including the bases recently acquired from Great Britain, with 1,700,000 men. The strength of the Regular Army is now more than half a million men. It is contemplated that this number will be increased in the near future by approximately 150,000. We have provided for an additional 152,000

for the Air Corps. This will increase the strength of the Regular Army, including the Air Corps, to more than 800,000 men. Add to this number the National Guard and other reserve groups now in the service and we have an Army of more than 1,200,000 men, without selectees. On the basis of these figures not more than 500,000 selectees would be required to make up the army of 1,700,000 desired by General Marshall. Should we continue to rotate the training of selectees and use the full 900,000 which the present act permits, there would always be a surplus of 400,000 men, and we would be preserving the system of training which we were informed a year ago was so highly desirable, and so necessary in order to build up a big reserve civilian army. It should be manifest to all of us that if we are to freeze into the service the selectees already chosen, it will mark a change of policy announced at the time the Conscription Act was passed, and the abandonment of a plan for the training of civilians. Pass this act and you will destroy that plan.

Section 2 of the resolution before us vests in the President the power to extend the period of service of selectees and all reserve groups, including the National Guard, for as long as he sees fit, limited only by the right of Congress to revoke such power by concurrent resolution. Reserving unto ourselves the right to revoke power by concurrent resolution is no excuse for delegating power that should never have been delegated in the first place. Limiting the time of service to 30 months and, at the same time, making the sky the limit so far as the number of selectees is concerned is a compromise in name only, if perchance it is not a clear evasion of a constitutional requirement. Article I, section 8, of the Constitution vests exclusively in Congress the power "to make rules for the Government and regulation of the land and naval forces." It may be seriously questioned that we are keeping within that mandate if we make the sky the limit and extend the period of training and service to 2½ years.

It is a simple matter to provide for the retention in service of the National Guard and other reserve groups, and to definitely fix their time of service. As to selectees, no additional legislation is necessary in order to continue them in the service for 1 year. In the so-called National Guard Act—Public Resolution 96, Seventy-sixth Congress—we gave to the President the right to call into the service any reserve component of the Army for a period not to exceed 12 months. In that act we fixed a limit not only upon the time of service but we also fixed a time limit within which men could be called out by the President for that limited service. Section 3 (c) of the Selective Service Act provides that all selectees, upon the completion of a 12-month training period, shall automatically become members of a reserve group liable for training and service for an additional 10 years, or until the selectee reached the age of 45 years whichever occurs first. In the same section, provision was made that persons within such reserve group could be called for further service under existing or subsequent law. Public Resolution 96 then existed and still exists, and it is conceded by the War Department that under it the President may, at any time before June 30, 1942, call out selectees who have completed their 12-month period of training for an additional period of 1 year.

As the President has already been given the power to keep selectees in the service for an additional 12 months, what possible excuse exists for further legislation upon the subject prior to June 30, 1942? Why should Congress do something which Congress has already empowered the President to do? The President may find it a disagreeable responsibility to order selectees to remain in the service for another year, but the fact remains that he may do so without further action on our part. If the time limitation of 12 months provided for in that resolution is insufficient, the time to say so is when June 30, 1942, is near at hand, and not now.

It has been contended frequently during this debate that 12 months is an insufficient period of time in which to train a soldier. If you will examine the hearings you will find that the military experts who have testified do not agree on this. Many are seated here today who can attest, by personal experience, to what was accomplished during the World War by men who trained less than 12 months. A few days ago Washington was visited by World War hero No. 1, Sgt. Alvin York. Sergeant York became the outstanding hero of the World War when in the battle of the Argonne, with a Springfield rifle and an automatic revolver he killed 20 Germans compelled the surrender of 132 of the enemy, including a major and 3 lieutenants, and captured 35 machine guns. For the purpose of this resolution Sergeant York would probably be considered insufficiently trained, as he performed his great feat only 10 months and 21 days after he was inducted into the service. Whittlesey's famous lost battalion was made up almost entirely of draftees very few of whom could have had more than 1 year of training and service. As a matter of fact, during the Word War we declared war, raised and trained an Army of several million men, transported them overseas, and gave sufficient help to win the war, all in less than 1 year and 7 months. It was September 5, 1917, before the first draftee entered the service and began to train, approximately 14 months before the Armistice. Some draftees found themselves in the trenches within 30 days after being called.

When we passed the Selective Service Act we were assured that a maximum limitation of 900,000 selectees in training and service in any 1 year was desirable. Now it is sought to remove that limitation through section 6. If section 6 should become law there would be no limitation. I have already given you figures which indicate that when the Air Corps is filled up and the Regular Army increased to where the War Department wants it, no more than 500,000 selectees would be required to make up the Army of 1,700,000 which General Marshall assures us is sufficient to defend the Western Hemisphere and all of our possessions and bases. Why then the lifting of the 900,000 limitation? I have heard no evidence that would justify it, and if you will search the hearings I do not believe you will find any. To date we have called up almost 670,000 selectees, and have an Army of over one and a half million men. If we called up all of the selectees now authorized by law we would have an Army of 1,800,000. When the Air Corps is completed and we add 150,000 to the Regular Army, we will have an Army of approximately 2,100,000 men. Under such conditions, is it necessary to make the sky the limit if our purpose is only to defend the Western Hemisphere and our possessions and bases?

In this connection let us indulge in a few figures with a view to determining what our manpower will be over the next year and a half if we make no change in existing law so far as selectees are concerned. I have just pointed out that when all selectees allowed by law are called for training we will have an Army of approximately 2,100,000 men. We will have that Army by November of this year when the first selectees in the service begin to go home or very shortly thereafter. As selectees will be released in the order in which they were called, it follows as a matter of simple mathematics that the selectees who leave the service in November will constitute but six-tenths of 1 percent of our entire Army; less than three-tenths of 1 percent in December; approximately 3½ percent in January; a little more than 4 percent in February, and slightly more than 7 percent in March, which was the month in which the greatest number of selectees have been called thus far. If we were to assume that all of the 900,000 selectees authorized by law were to be released uniformly, 75,000 would go home each month. This would constitute but 3½ percent of the total Army. If 3½ men out of every 100 cannot be replaced every 30 days without disrupting our Army, there is something decidedly wrong with Army management. If it will disrupt our Army to replace 3½ men out of every 100 every 30 days while we are in the process of training them, what are we going to do if our Army goes into action?

If all selectees are called before next November they will all be in a reserve group by November 1942. By that time we will have trained an additional 900,000 men, thus giving us an Army of 3,000,000 men, or 1,300,000 more than are needed to defend the entire Western Hemisphere and our possessions.

In view of these facts what possible reason can exist for lifting present limitations if an A. E. F. is not in contemplation by someone? Let us not forget that when the President first suggested the retention of selectees, guardsmen, and reservists in the service beyond 1 year, he also asked that the provision of the law limiting their service to the Western Hemisphere be lifted. In the face of overwhelming opposition throughout the country that suggestion was withdrawn—but only for the time being. Pass section 6 and you will take the first step toward the creation of an A. E. F., and make no mistake about it.

It may also be the last step. I believe it was the President who recently said at a press conference that the line between the Eastern and Western Hemispheres is an imaginary one. We are already occupying Iceland and it is not in the Western Hemisphere. Congress was not even consulted about it. By the same process we may also occupy bases in Ireland or Great Britain, or even the Azores, the Cape Verde Islands, or Dakar. It would not take a vote of Congress to carry out these expeditions. The passage of this resolution is all that would be needed. If you favor going to war and fighting anywhere in the world, it may only be necessary that you vote for this resolution. If, on the other hand, you are interested solely in the defense of the United States, your only safe course is to vote against it.

Mr. MAY. Mr. Chairman, I yield 17 minutes to the gentleman from Pennsylvania [Mr. FADDIS].

Mr. FADDIS. Mr. Chairman, this morning I received a letter in my mail on the pending bill warning me to be careful of my political scalp; warning me to take into consideration what would happen to me politically if I voted for this bill.

Mr. Chairman, I do not know when I received a shock equal to this since I have been a Member of Congress. To think that any man who is a Member of this body would take into consideration and weigh against the security of his Nation whether or not he was going to be returned to the House of Representatives. My God, what have we come to? To what depths have we sunk, when a man will consider his own political welfare before the welfare of the Nation? What kind of a soldier would a man like that make? What kind of a legislator must he be? I would rather be dead and in my grave. I hope those who will be swayed by any considerations of their political future will be few.

Mr. Chairman, in the consideration of the legislation before us we must take into account what this legislation will do for the Nation. We are not enacting this legislation for the benefit of any individual. We are enacting it to provide for the security of the United States. That question must be paramount above any other consideration. When we took these men into service under the terms of the Selective Service Act, we did not take them into the service to provide for their future as individuals; we took them into the service to provide an army for the use of this Nation in assuring our national security. When we did so, we did so with the intention of training them until they would be soldiers in a team; not individual soldiers, because the day of the individual soldier passed with the passing of the knight in armor on horseback. From that day on down to the present day the soldier has been a man in a team. If he is to render any service to the Nation, if he is to protect himself throughout his career as a soldier, he must be trained as one of a team. In any other capacity he will be indeed but cannon fodder.

Mr. Chairman, the most humiliating chapters of our military history have been brought on because of the refusal of the legislative branch of the Government to listen to the advice of the men in the Army and the Navy, who know their business, and to provide men for the Army and the Navy in times of peril with long enough terms of enlistment so that they may be of use to the Nation.

Anyone who is acquainted with the military history of this Nation must see time and time and time again instances where men with short-term enlistments have jeopardized the security of the Nation, have suffered unnecessary and severe loss of life, and have failed to accomplish the purpose for which an army is formed.

Washington struggled throughout 8 years of the Revolutionary War with this piecemeal policy. Men in the War of 1812 sat on the American side of the border, watched the Regulars on the Canadian side being defeated and would not cross to go to their assistance because they were not enlisted to go out of the Nation. Scott, in the Mexican War in 1848, lay for 3 months inactive in his invasion of Mexico because most of his volunteers had gone home, their time having expired. McDowell's men going to the first Battle of Manassas passed Union soldiers coming out because the term of their enlistment had expired.

Only a few months ago the House of Representatives passed a bill to provide travel pay for the members of volunteer units in the Spanish-American War serving in the Philippines, because they had been discharged in the Philippine Islands at the conclusion of the Spanish-American War and had been induced to reenlist during the Philippine Insurrection.

Is it not time that the legislative branch of this Nation begins to look with some confidence upon these patriotic, efficient, and highly trained men in our Army and Navy, men who have been accused here today of having political motives but men who have no other thought except the safety of their Nation? It is, indeed, ridiculous to hear those who have opposed all phases of this rearmament program quote as their authorities we who have absolutely no professional standing in military circles.

In this connection, and in answer to the gentleman from Ohio [Mr. ELSTON], who just preceded me, I want to say that the Chief of Staff in approaching this proposition made the statement himself that he was not influenced by the White House in his considerations. He made his recommendations on this matter purely because he believed the security of the Nation demanded them. I think it is a bad habit we have gotten into when we accuse officials of our Army and our Navy of being influenced in their decisions by political considerations. In my time I have never seen one instance where I believed these men were so influenced. Oh, it is true that under our system of government the President is the Commander in Chief of the Army and the Navy, and I believe that is a very wise provision. But just the same I say to you that I do not believe any man ever attained the rank of Chief of Staff of the Army of the United States unless he was a man possessed of independence, initiative, and a mind of his own, with enough courage to make his own decisions and speak his own mind. They have dared to speak the truth regardless of whether the opinion of the Commander in Chief might conflict or otherwise.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I am sorry I cannot yield.

Now, the question has been brought up that in keeping these men in service for a longer period of time than 12 months we are breaking faith with them. I want to refute this statement. Certainly every Member on this floor knows that an act of Congress is not a contract. An act of Congress is a law. It is not a contract into which two parties enter and which can be broken or which should be broken by the insistence of any of those affected by this act of Congress. In this case the idea of mutual assent to serve is entirely lacking. When we by law substituted induction for volunteering we imposed the duty to serve. These men were brought in to assist in providing for the security of the Nation. I submit to you in all fairness that it is up to the Congress to keep faith with the Nation. Not only is it up to us to do so but it is mandatory upon us to do so, because under the terms of the Constitution we are charged with maintaining the common defense and to provide regulations for the governing of the land and naval forces as well as other duties.

There has been a great deal of talk during the past year and a half about the administration endeavoring to force this Nation into a war. It seems to me that those who have engaged in talk of this kind certainly cannot have read, or certainly cannot have read with much understanding, what is in the papers regarding the affairs in the world at large. If they had, it seems to me that they would be cognizant of the fact that everyday circumstances are taking place which threaten our security and which may force us into war against our own desires. After all, the average nation goes to war not because it wants to but because circumstances compel it to do so in order to provide for its own security.

The average man looks upon this war as a war of the machine. He sees where Germany has geared her Army to the spirit of the age, mechanization, and he sees that they have been victorious a great deal of the time with the machine. So it is a great deal easier for him to sit and think of the machine doing the fighting than to think of giving himself or his sons to the service. But after all, he must remember this: In every machine, in every airplane, in every battleship, are men who make the machinery function, and behind every gun and behind every wheel and behind every control is a man, and that that man, because of the demands of the times, due to the machine age, must be more highly trained than ever were soldiers trained before. So therefore we must realize that the army of today requires a great deal more intensive training than an army of yesterday.

The Army officials never wanted any limitations in this Selective Service Act.

They stated from the outset that 12 months was not sufficient time to train men with the demands of modern warfare. They did not want any limitations, and that is where politics crept into it. Last year because we were approaching a political campaign there were some of them who wanted to follow the ideal expressed in the letter I referred to in the first part of my speech and clear their own skirts as much as possible in order that they might be reelected to the House of Representatives.

That is what brought on the limitations and that is what brought on the fight we are facing here today, not the ideas or wishes of the Chief of Staff nor of the General Staff. As a consequence, we have an army that is so constituted that we cannot employ it for tasks that may arise necessitating its employment. Not very long ago we felt, in the interest of our national security, we should send a force to Iceland. I do not believe any reasonable man can disagree with a movement of that kind. Iceland is certainly one of the outposts we need in order to organize our defenses in depth. Organization in depth is one of the requirements of modern warfare. But when we came to send this force to Iceland did we have any troops we could send among our infantry divisions, troops which should have been employed upon a mission of that kind? No, indeed; because we had so many of these selectees in our infantry divisions it was necessary for us to use a force which did not contain these men. Therefore we had to take marines who are not properly suited for a mission of that kind. We should have had the necessary infantry to use on such a mission. The army that we may have to face is superbly trained. Not only are they superbly trained but they have had that experience on the battlefield that makes them veteran soldiers. They have long ago gotten over the feeling of sickness in the pit of the stomach at the sight of dead and wounded men. Today they are hardened, veteran soldiers, and they have an overwhelming advantage over men who have never been in action. So today are we going to expose ourselves to the same old dangers to which we have from time to time been exposed? Are we going to run the risk of being forced to train our armies under fire with the unnecessary heavy casualties which will certainly result? If so, their blood will be on the hands of those who lack either the foresight or the political courage to do what the occasion requires.

I want you to bear with me just a moment or so and see what it will do to a regiment to mandatorily discharge all of the men as their times expire. The War Department does not want to keep these men indefinitely, neither do they wish to be required to discharge them at any stated time. Say we have a regiment of 3,000 men and over 100 officers. Many of the officers are in there for a short term, just as the men are. We have perhaps a third of these men coming up for discharge on the first of December. Then the last half of October will be devoted to physical examinations, making out service records, preparing certificates of discharge, checking their property into the hands of the supply sergeant, and making up a final account of these men. Many of the officers are being discharged also. Then when all this has been gone through with and the regiment has been disturbed for 10 or 15 days, they will take in an equal increment of new men. The various operations necessary to taking in these new men will again interrupt the regiment for a time. Then when these men have been taken in, they will be called upon to discharge another lot of men, and you will go through that disrupting process, and where are your regiments going to be? Under such a procedure no regiment can ever be in a condition of efficiency so that it may be used for any important mission. Let us not, by our actions here today, take any actions which will offer any encouragement to the leaders of our enemies, the leaders of Germany and Japan.

Mr. ANDREWS. Mr. Chairman, I am now going to yield to several gentlemen, and ask unanimous consent that they may be permitted to extend their remarks.

The CHAIRMAN. Is there objection? There was no objection.

Mr. ANDREWS. Mr. Chairman, I yield now to the gentleman from Wisconsin [Mr. THILL].

KEEP FAITH WITH THE DRAFTEES

Mr. THILL. Mr. Chairman, the war in Europe has been proceeding at a blistering pace for about 2 years. Thousands upon thousands of soldiers have been wounded or killed. Misery, suffering, and starvation have been the lot of the European peoples for many months and the end is not yet in sight. We can well imagine what the vast majority of individuals in Europe would give to come to free, peace-loving, and well-nurtured America. War may be the course chosen by despotic leaders, but it is seldom the course desired by the people as a whole. It has been my wish, my hope, and my prayer that the United States would keep out of the conflagrations now raging throughout the world. To that end I have voted for defense appropriation bills so that we might make our country so strong and powerful that no combination of aggressors dare attack it.

In building up the defenses of our country it is not only necessary to have ships, planes, guns, tanks, ammunition, and other war matériel, but it is essential that we have in our armed forces a high degree of morale. The Congress, controlled by the Democrats, and at the insistence of President Roosevelt, is now considering a bill to keep the selectees in service longer than 12 months. We can do little else that would make the draftees more disgruntled or that would do more to break down the morale of our armed forces, than to break faith with the boys now in our camps. When the selectees were called for training it was understood that such training period would be 1 year. The mothers, the fathers, the girl friends, and the boys themselves all believed that the service period would not go beyond 12 months. The plans made by all of these individuals were based upon the thought that the draftees could complete their service obligation within 1 year. Everyone thought that the Selective Training and Service Act of 1940 was just what its name implies, an act to provide for the training of our youth in the defense of our country. Now the proponents of House Joint Resolution 222 want to keep these boys in the service for a much longer period than that prescribed by the law. In effect they want to take those boys who by chance were called during the first year of the draft and keep them in the armed forces as soldiers. Not by choice, not by agreement, but forcefully will these boys be taken to form a gigantic army. Is it any wonder that some of us suspect the underlying reason for this bill is the formation of another American expeditionary force?

General Marshall testified that a force of 1,700,000 men was sufficient to defend the Western Hemisphere. Our present total strength is 1,476,000 men, and the present law provides for 300,000 more selectees who can be called, plus 152,000 men provided for the Air Corps. So it is obvious that we can now more than equal the number of men who, as stated by General Marshall, would be a sufficient force to protect our western half of the world. Why remove the limitation on the number of men who may be in active training and service at any one time? We can always pass legislation, in a day if necessary, as future events unfold and the need for additional legislation is shown. What sense is there, what justice is there, what logic is there in increasing our armed personnel until we can furnish the soldiers with proper equipment? Why disrupt our economy and place millions of men who are ill-equipped in our camps when modern mechanized warfare has shown that a few soldiers highly trained and mechanically outfitted can overcome thousands of soldiers?

Military experts have stated that our Army is in need of younger men. The very fact that Congress has seen fit upon the recommendation of the military authorities to lower the draft age to 28, indicates that youth is to be desired in our modern Army. By letting the present selectees go after their year of training we can take into the armed forces younger men who can be trained and then will eventually be placed in a powerful reserve. One of the divisions which is now ready for combat service is the Ninth Division at Fort Bragg. Half of this division is made up of selectees with less than a year's training. The rotation of selectees will actually strengthen our defense instead of weakening it. By permitting the present draftees to leave after a year and by taking in others to replace them we will be building up a reserve force of trained soldiers which will be a powerful aid to our defense in an emergency.

Certainly it will not disrupt our Army to allow the draftees now in service to leave after their period of training expires. To argue that our forces would disintegrate or be demoralized by replacing the draftees with new recruits, is talking nonsense. One might as well argue that our Army will disintegrate if several hundred thousand men are killed,

wounded, or become sick during a war in which we are engaged. It would be more sensible to argue that our military forces should practice discharging thousands of men from various units and replacing them with new soldiers so we can approximate conditions which appear in actual warfare. The following table shows that approximately 600,000 selectees entered the service of our country, as follows:

November	13,806
December	5,521
January	75,633
February	90,238
March	153,159
April	123,207
May	56,896
June	79,522

So you can see that very few men will leave the service before January 1 and the greatest number—153,159—will leave in March of 1942. During the next half year induction could be so arranged that less than 10 percent—about 170,000—of our present Army would leave during any one month. It is clear that such a procedure would neither destroy our Army nor imperil our national defense. Instead it would give us the necessary rotation in our Army and it would give us many more trained soldiers.

Some of these selectees are in outlying military posts—1,200 in Hawaii and 1,800 in Alaska. Obviously 3,000 selectees can be brought back from these posts as conditions permit without seriously interfering with our military program.

This Nation is much stronger today than it was a year ago. Our Army, Navy, and air force have been built up with tremendous strides. Anyone who is familiar with the world situation and our national defense must state that we are in less danger today than we were last year. Many military experts believed that our country was safe and secure even last year and certainly there is every reason for thinking that we are less vulnerable to attack this year than ever before. My position has been clear. It is one for national defense to the limit. I have viewed with suspicion those steps taken by this administration which day by day have brought us closer to war. I will oppose all moves directed toward putting this free Nation into the torture and torment of a bloody conflict against the will of the people. I believe that all true liberty-loving Americans want nothing of the calamity which war brings. They do not want to spend useless blood, tears, toil, and sweat. I will do everything in my power to protect the interests of the United States; to insure the safety of our free institutions; to build up our armed forces not only in matériel but also in morale; and to maintain those cardinal principles which have made this country the envy of every nation in the world.

Mr. ANDREWS. Mr. Chairman, I now yield to the gentleman from Pennsylvania [Mr. JARRETT].

Mr. JARRETT. Mr. Chairman, I voted against the original Selective Service Act, as I felt the voluntary enlistment system should be first tried out. But we will not go into that. I am now against any amendment to the Selective Service Act which will extend the time of service. The country was led to believe that this service would be for 1 year. It is true the bill provides that it could be extended in case of emergency. I cannot see an emergency. I agree with our colleague the gentleman from Missouri [Mr. SHORT]. Now let us look at this thing in the common-sense way. These boys were led to believe that the service would be for 1 year, then they could return to their jobs. They left their jobs and business for 1 year, and their hope for the future. It is true they had to, but they did so willingly. I feel the service of 1 year should train a soldier. They now pass into the reserve. Now it is only fair that while they were away during training earning $21 a month and others were at home in the defense factories and other industry making from $8 to $15 a day that these boys should be able to return home and get in on the armament program and have a chance to recoup at the pay of $8 to $15 a day. If they have been properly trained, and I say they have been, it will help to purify the national blood stream to have them back in industry. They have shown their loyalty and they will be better able to compete against the subversive elements at work in this country, returning them home will mean real national defense. It is true they are but a handful, but it will be a powerful handful if they show their training and I think they will. They kept faith with us. We must now keep faith with them.

Mr. ANDREWS. Mr. Chairman, I yield now to the gentleman from North Dakota [Mr. ROBERTSON].

Mr. ROBERTSON of North Dakota. Mr. Chairman, in the business world we find honesty is the best policy. Confidence has long been the cornerstone of all human relations. As we debate this resolution—House Joint Resolution 222—I think I hear the alarming words of a senatorial spokesman of the President. I am sure his remarks did not suggest peace. Rather, they prophesy war and a long war, and yet along this entire route, we have been told that our legislation was in the direction of peace—that our Government wanted peace.

I find myself troubled as I approach this vote. Like all of you, my first duty is to serve the country. This clear responsibility must rise above partisanship, but we ask the question, How can we best serve America? It seems to me that if we, as a Nation, are in danger, we should support the Nation's leadership; but likewise, it seem to me, if we, as a Nation, are in danger the leadership should, with plain, simple honesty, win confidence and national unity.

I ask you Members of Congress this question, as we travel this route, beginning with the legislation that took in the draftees under the Selective Training and Service Act, Were you in the 76th Congress told of the potentialities of war? Yes; that was the beginning of what I am inclined to call deception. Early in this Congress there followed the lend-lease bill. That was a peace measure, or a defense measure, as the proponents call it. Well do I recall the oratory on that important piece of legislation. Yes; as we view it in retrospect, common sense should have told us that with the passage of that act, some sort of convoy must follow, but convoys found no place in the wording of that bill. I think that bill was definitely a bill for the preparation of war and, I think honestly, the passage of this act today, especially after the statement of the distinguished Senator from Florida, is a war measure. It is the further use of a slipper horn to slide us nearer and nearer to trouble.

Like any normal American citizen, I like to feel I can support my President—particularly on matters of foreign policy. I think I should, in many respects, like to support him now, but the methods employed up to date, do not win confidence. Deception still prevails. We are told we must call upon the best authority in the land—the specialist, if you please—on this great question, and yet I am sure all will quite agree that the heads of the military departments have failed to make a good case before the committee.

If we as a Nation are in danger, surely there is a way, and a convincing way, to inform us. Why this division in the Nation today? Unfortunately, back of this whole war program stands the ghost of socializing America along New Deal lines. Much of the legislation in this Congress has lacked candor. It has been passed under the label of national defense and, all too often, in many measures there has been tucked away wording that further solidifies and entrenches the New Deal with its domestic ambitions. Too much has been done to obscure the facts. For 8½ years we have had emergency after emergency. As one engaged in business, I recall that the whole period has been a continuous state of concern. We have waited in hopeful expectancy for the return of normal conditions. We have waited in vain. Instead has come one imaginary emergency after another.

Surely there is a way to produce unity in a nation, and unity we must have, first of all, if the emergency is as grave as this legislation would suggest. The administration has charged that the Congress and the people as a whole do not realize the danger which faces this country. If that is true, then I ask, Whose fault is it? Certainly the administration has had every opportunity to prove that that danger does exist. This Congress has pleaded with the President and his advisers to lay the facts before them; to come with clean hands and with nothing held back. That is the American way. That is the democratic process. If the administration had done that; if it had proven with reasonable satisfaction that a national emergency does exist, I would not hesitate a moment to support the legislation now before us for consideration.

We have been presented with no such proof. Instead of an all-out defense effort, the administration has been trying, by subterfuge, to entrench its bureaucracy and promote a questionable program of social reform. In other words, the administration, by its own deeds, has created confusion and suspicion as to its objectives. All too many

people are suspicious that in many instances this defense effort is an attempt to do what the New Deal has failed to do since it launched its social and economic program 8 years ago. Too many people think that under the guise of "saving democracy" we may lose the system of free private enterprise which has made our Nation the greatest in the world. That is one reason we have disunity today. That is one reason why this Congress hesitates in granting unlimited powers to the Executive. There has been too much of insincerity, hypocrisy, and sham in this whole program. If we are to have unity, if we are to restore the confidence of the people in the destiny of our Nation, we must first have frankness, sincerity, and a clear view of the objectives to be attained; we must know definitely that maintenance of the American way of life is the over-all objective.

I say to you that simple honesty will unite this Nation; that a forthright policy in dealing with the Congress will do much to solidify our country. I cannot support this legislation giving the President such unlimited powers over the lives and destinies of our young men because, like thousands of others, I do not know where the administration proposes to lead us. We cannot thus lightly break faith with those who went into the armed service of our country with the definite understanding that at the end of 1 year they would be released. Until the President and his advisors are ready to take steps that will restore the confidence of the Nation in his leadership, I cannot conscientiously support this legislation. If this Nation enters the war, it will be behind a false front and with mixed objectives, first to entrench a program and second to defend a Nation. Such a course can only lead to disaster.

Mr. ANDREWS. Mr. Chairman, I yield now to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, the Selective Training and Service Act of 1940 says:

> Each man inducted under the provisions of section A, shall serve for a training and service period of 12 consecutive months, unless sooner discharged, except that whenever the Congress has declared that the national interest is imperiled, such 12-month period may be extended by the President to such time as may be necessary in the interests of national defense

Mr. Chairman, all that is necessary for the purpose of extending the period of service of selectees is for the Congress to declare that the national interest is imperiled. Then the President is authorized to extend the time to such time as he may deem necessary in the interest of national defense.

However, the Military Affairs Committee discovered in the course of its hearings on this bill, that if such a national emergency is declared—

> That nearly 50 statutes that were enacted during the World War are still the law of the land, and they would give the President, for instance, the power and authority to order men beyond the continental limits of the United States as he did during the World War.

These words I have quoted from the address of the chairman of the Committee on Military Affairs made on Friday last, and contained in the second column, page 6916, of the RECORD.

Now, Mr. Chairman, the Chief of Staff of the United States, and through him presumably the Commander in Chief, have come before us and asked that we declare a full national emergency, which would bring into effect all of the 50 statutes of the World War referred to by the gentleman from Kentucky, chairman of the Military Affairs Committee. Yet the gentleman from Kentucky and his committee have seen fit to doubt the wisdom of that course, and, in the language of this resolution—House Joint Resolution 222—have limited the emergency so declared to the sole purpose of carrying into effect the provisions of section 3 (b) of the Selective Training and Service Act of 1940. Was it the gentleman from Kentucky who said that he had full and implicit confidence and was willing to follow his Commander in Chief, or was it somebody else, or was it just political expediency that led him to compromise with the minority and exclude from the provisions of this act the 50 World War statutes? I hope the gentleman does not expect to reverse himself in conference with the Senate on this measure.

Mr. Chairman and my colleagues, I have read the testimony and have heard General Marshall say in person that he proposed a period of 18 months for the training of selectees for military service. I have read in the testimony and heard it said that the national interests demand an additional period of service for selectees. I recognize that under the existing formation of the United States Army it might be disastrous to let 500,000 or 600,000 men go within a few months next spring, and to bring in 500,000 or 600,000 new men to take their places. I am willing to concede that if this process be carried out in a relatively few months, then the national interest might indeed be imperiled through diluting the effective strength with that number of green, relatively untrained men. I am willing to concede that the defensive posture of the United States, or adequate national defense, whichever you wish to call it, might not be provided by so diluting our Army with green untrained men at that time. I am willing to concede that next spring and summer may be a very critical period in the history of the world, and of the United States, and that it might be unwise to so dilute the Army of the United States.

At the same time I make these concessions, it appeals to my reason that between now and then 500,000 or 600,000 men from the new selection might be adequately trained to take their places. However, in order to do that, I must recognize the truth in the fact that it would take hundreds of millions more of dollars for lands and new cantonments for the housing, appurtenances, and training equipment of these additional men while the rest remain in service.

Therefore, and in the interest of adequate national defense, I intend to offer an amendment which would allow the President to hold in service not to exceed an additional 6 months, the present selectees and the other components of the Army. I do this reluctantly, as I believe the original understanding with them should be carried out, but I do so in the interest of my country, its welfare, and its safety, and its adequate national defense.

Mr. Chairman, I voted against the Selective Training and Service Act of 1940, as I then stated, not because I did not wish our young men to be trained for the defense of their country—that I wanted then and want now—but because I did not believe that the terms of that act were equitable, nor based on sound practice. I favored what is commonly called the "Swiss system" for military training. I voted against it also, because it contained what is known as the Smith amendment, permitting the conscription of industry, which everyone knows leads on to the conscription of labor, and the ultimate setting up of the totalitarian state in this country. Some of the inequities of that bill have been cured by the practice of the War Department in not carrying out its terms in full. For example, the War Department has taken relatively few men between the ages of 28 and 35, and in this bill the more equitable limit of 28 years is established.

Now we find the truth of the whole matter set out in the hearings before the House committee, where the representatives of the Army have repeatedly used words such as the following: "We want to establish one basically sound force," and other correlative statements to indicate that the Commander in Chief wants to freeze into the Army everyone now in it for an indefinite period of time. In the other body, a spokesman for the Commander in Chief said they might have to stay in 5 years, 10 years, or more. I am against such unlimited service for any man, as I believe that all men should take their turn. Therefore, I shall vote against an unlimited grant of authority to keep these men in the Army, and if a definite limitation is not placed in the bill, I shall vote against it.

It would appear to me, as it does to many others, that this whole business has been badly handled. That while originally it may have been rightly conceived in the War Department, civilians from New York have been allowed to carry the ball and get their own pet legislation passed, in lieu of the proposals that the Army has been working on for 12 years. And its appears to me, as it does to others, that there has been much resort to political expediency, bordering on chicanery, not only in the passage of the original act, but in obtaining the passage of this joint resolution extending that act.

In the meantime, we have been led to a point near war, where we now find ourselves—largely by indirection. The Congress and the people are confused, they know not whither they are being led. Things have been done and are being done in secret, and no one knows how far we are on the road to war. It may come tomorrow, next month, or next year—and it may not come at all. We were told that never again would our young manhood be asked to set foot on foreign soil to fight, while at the same time, those responsible to the President ask that we declare war, when everyone

knows that the only place war is being fought is on foreign soil.

Evidently the President does not dare to come out and ask full dictatorial power, but he gets it bit by bit and piece by piece through legislation passed by this Congress and its predecessors. I have voted against these grants of power. Nevertheless they have been granted. I shall vote against the special grants of power contained in this House Joint Resolution 222.

However we have gotten there, our country is indeed in peril, and I sometimes believe that our way of life is more in peril from within our Government than from beyond our shores. These are difficult times, indeed, for anyone—including a Member of the Congress, to know what is right, what is good, and what is best for our country's interest. I cast the vote for my district as I now believe to be right and for the safety of my country.

Mr. ANDREWS. Mr. Chairman, I yield myself 15 minutes.

Mr. Chairman, at the outset let me say that during the last few months I believe there has been a definite trend in public opinion in the following directions:

A large majority of our citizens are strongly opposed to our intervention in the European war and, naturally, to an A. E. F., and this majority has increased rather than decreased in number in recent months.

At the same time people generally are equally determined in increasing numbers that we should be prepared to impregnably defend the Western Hemisphere and our own country. The Congress only last year passed an act restating our adherence to the principles of the Monroe Doctrine.

I share these two sentiments.

Let me also say that, this being true, all citizens generally are entitled to be informed on what our exact situation today is; just where we stand as a Nation and how well prepared we are in this connection. I refer, of course, to the reasons for the introduction of the present bill.

Almost every Member of the House who has spoken in opposition to this bill has denied the necessity therefor, stating that we are in better situation than we were a year ago, while at the same time holding that the President is gradually leading us into a more serious position. These two statements simply do not jibe.

I share your anxiety and apprehensions as to the acts and attitudes and statements of the President, but let us honestly analyze our situation today, in the light of 1 year's history. Soon after the passage of the Selective Service Act last year Germany entered into a treaty for joint action with Japan.

I believe that what the Congress and the whole people have to realize is that a great, conquering power is loose in the world; that the entire resources of an immensely powerful nation with a strong military tradition have been supremely organized not only to conquer all Europe, but to dominate the whole world. Until we face up to these simple facts, we cannot visualize the nature and the degree of the threat to our Nation.

After taking Austria, Czechoslovakia, Norway, Holland, and Belgium this course of conquest has been steadily and relentlessly pursued. We have seen the capitulation and with the news of the last week-end the complete subordination of France. We have watched vast and destructive attacks upon Britain, both by sea warfare and by the bombing of her forts, factories, and cities. While these attacks have failed to crush the spirit of the British people, they have inflicted a greater loss of life on sea and land than is commonly realized in this country. They have destroyed an enormous tonnage of merchant vessels and a large number of warships; and they have caused immense material damage to industrial resources and homes in Britain. We have witnessed the subjugation of Rumania, Bulgaria, and Hungary by coercion and threats. We have seen the military conquest of Yugoslavia, Albania, and Greece.

The net result of these vast events has been to give Nazi Germany actual possession or dominance of virtually all Europe. Now, we are witnessing the sudden and ruthless attack of Germany upon Russia—an attack which has already penetrated far inside the Russian borders and threatens to render Russia virtually, if not entirely, impotent. If Russia be conquered or rendered helpless, Hitler's conquests will have gone farther than those of any conqueror of modern times; his power will have increased to an extent that plainly constitutes a critical threat to every other country in the world.

We must face the fact that this danger may become still greater. In his testimony on July 17, General Marshall mentioned the possibility of the sudden overrunning of Spain, Portugal, and North Africa. Such an event would plainly endanger all of West Africa, and indeed the whole African continent, with tremendous implications for us. General Marshall also mentioned the urgent necessity of reinforcing our garrisons in Alaska for reasons which he did not specify but which any reasoning person can perceive. If the German invasion of Russia should run its full course through Siberia, the threat to our interests in the Pacific and our northwestern territory is plain.

We must further face the fact that German ambitions go beyond the conquest of vast territories and extend to the establishment of bases throughout the world and the ultimate control of all the oceans, as was publicly stated by Admiral Raeder, chief of the German Navy, in January 1941.

Beyond all this there is the doubtful position of Japan.

And during all this time the Nazis have been steadily raising hell in South America all the way from Argentina to Colombia and Mexico, approaching the Panama Canal.

But you say that we are in a more secure position today. How many people do you really think believe that? When the members of our Committee on Appropriations who are on their way to South America, not on a junket, come back to this country and their constituents, what do you suppose they will tell them? Did they go to South America for a rest? Did they go down there to be entertained by South American dignitaries? No; they will say that the situation in South America has become very serious.

When members of the Committees on Naval Affairs or Military Affairs and others on inspection tours visit our bases, our outlying possessions, the Panama Canal, Alaska, and other places, what do they say to their constituents? Is it that they went there for sea air; to sit on a beach in Bermuda? No; they say we are in a very serious situation.

When you on my side of the House voted almost to a man in favor of billions for increased armaments, matériel, ships, a merchant marine, and what not, not last year but this year, and most of you who voted against the original Selective Service Act—did you do so because you thought the situation was better this year than it was last? No; there was a reason for it, and the reason was that you knew the situation is worse now than it was then.

Since the act of last year we have acquired leases for bases in Newfoundland, Bermuda, the Bahamas, Jamaica, St. Lucia, Trinidad, Antigua, and British Guiana. Prior to the acquisition of these bases the United States had forces outside of the continental limits in Alaska, Panama, Puerto Rico, Hawaii, and the Philippines. In addition, we have established bases in Greenland and Iceland, and while opposed to our intervention in the European War and against an A. E. F., I consider these two bases in Greenland and Iceland for all real purposes a part of the Western Hemisphere and essential to our defense thereof.

To garrison properly all of these places we know it will take up to 800,000 men of the Army. Then take out your General Headquarters Air Force, services of supplies, special troops for antiair and other activities, and 29 divisions, 18 National Guard, and 11 Regular Army, and where do we get off?

At the present time we have over 600,000 selectees included in the Army, and hardly any of them have had more than 6 months' service. So that by next January only a very few of them will have had a year's service.

I think I know something of how long it takes to make a soldier; something of the training of the men who served in the last World War; and I can say truthfully from bitter experience that during our short service in combat we lost many enlisted men, noncommissioned officers, and commissioned officers in action, more than was necessary, because of lack of adequate training.

The demands of the present day for mechanized military training are much more severe, require more intense training, and a longer one. The nation that threatens our security has had its men in strict training as boys, later in labor battalions, and then in its armies now in a succession of successful campaigns. They are seasoned veterans with ample and modern equipment and a tradition

of overwhelming victory. What we must have now and for the immediate future is the best and most efficient Army we can attain at least for the coming year and possibly longer. An Army of the present size, each man with 1 year's service, and replace them then only with men who have had a thorough training.

May I say here now and definitely so, that the original Selective Service Act was not conceived by the President. It was introduced in the Senate by Senator BURKE and in this House by Representative WADSWORTH. The President was no more for it at the start than some of you were, and accepted it only upon the urging of his military advisers.

Let me say also just as definitely that the recommendations for extension of this act came to the Congress upon the sole responsibility of the Chief of Staff of the Army, on his own word, and without consultation with the President.

Personally, I prefer the provisions of the bill before us rather than those of the Senate, with its greatly extended limitation period. I do not believe that we will ever require selective service for that long; but who knows, who dares to prophesy or guess in these days? I would rather predict that the Yankees will win the world's series even though they have yet to win the pennant and then defeat Brooklyn or St. Louis to do so.

If I could have my way, we would enact simply the following and no more, by striking out the enacting clause of this measure and inserting thereafter:

> For the purpose of and pursuant to section 1, paragraph (c) and section 3, paragraph (b), of Public, No. 783, Seventy-sixth Congress "the Congress hereby declares that the national interest is imperiled."

What is the national interest? Is our everyday life the same as it has been; is our shipping going on as usual; are our citizens able to go where they will; do we know that everything is O. K.? No; we do not.

By the simple provision which I have just stated, the President would be empowered to do what is necessary. Moreover, all the present provisions of the Selective Service Act would be retained, including the limitation for service of troops within the Western Hemisphere only.

I am not so much concerned with the methods, but merely the necessity for its being done. I do not like the 30-month limitation, for I have an idea that long before that time the selective service trainees will have done their bit and returned home.

Personally I was opposed to the 12-month limitation last year, but I hoped from the start that inducted men would be through at the end of 12 months. It is true, also, that instances of undue hardship will arise from a service longer than 12 months, because of home circumstances and other reasons. These cases, as General Marshall has testified, will be properly taken care of. Two thousand a month at the present time are being released for good reasons. General Marshall himself has repeatedly testified that his disposition would be to turn the selectees home as soon as possible, once he has one completely trained Army and a new trained group of substantial size ready to take their places.

We all hate the situation that has been brought about by the aggressions of the dictators. We all hate war. We all hate the inconveniences and hardships that arise from the necessity of being prepared to defend the country as the price of retaining our integrity and our independence as a free people. We all hope that the impending crisis may soon pass, but all these legitimate hates and hopes do not alter the fact that in the world as it is today we must have an effective army of trained men ready to protect our hemisphere. Nor do our emotions change the fact that we cannot have such an army unless the time of service restrictions is removed.

At the same time, I must deplore the fact that our preparedness program has not progressed as it should have had the President or the Congress acted strongly on the strike situation. While we blame him and know he should have made changes in the set-up of this program, we can blame him no more than ourselves, for we have done little or nothing about the strike situation.

Herein I know we have not treated or played fair with the selectees, or any man in the military service, for that matter.

So I now come to my conclusion. It is not an easy thing to do. It is just as hard to vote for an extension as it is to serve under the extension, and I have had both experiences. My fervent hope is that we will extend this service. Maintain an Army of the desired strength; have it trained as efficiently as possible, and then stand on our feet in this country and the Western Hemisphere, ready to protect it. And I hope for even better than that with this extension—that, in the meantime, the World War will have terminated. When that time comes, whether in 6 months or 8 months, or 10 months, or 2 years, these men will have gone home knowing that they have stood for the security of this country just as well as those who, in the last war, went to France in an A. E. F., and even better, from the standpoint of the Nation; for, by their unselfish action, they will have contributed to peace for our country without our country's having become involved. I remain opposed to our intervention and to another A. E. F., but I, for one, am not willing to gamble on this proposition; and I shall cast my vote regardless of any consequences for what I know to be the soundest course for the security of our country and its future.

Mr. MAY. Mr. Chairman, I yield 17 minutes to the gentleman from Texas [Mr. THOMASON].

Mr. THOMASON. Mr. Chairman, it is with some misgiving that I undertake to follow the very able address of my friend from New York [Mr. ANDREWS], who is the ranking minority member of the Committee on Military Affairs. His argument was unanswerable. I think he convinced everyone who heard him that he was placing the welfare of his country above every other consideration.

He is a very modest man, but it would be interesting to the Members of this House if they should read the history of Mr. ANDREWS and his outfit in France during the World War. He knows from experience what war is, and he wants this country to be so well prepared that no nation would dare attack us.

The gentleman from New York referred to some of the inconsistencies of some of his Republican brethren. Before I begin my few remarks I would like to point out what I regard as another inconsistency. There are only two points at issue, as I see it, in this controversy. The first one is whether there was a contract with the selectees. Well, I do not want to be legally technical, and it is therefore unnecessary for me to agree with my friend from Pennsylvania [Mr. FADDIS] when he says there is no such thing as a binding contract with the Government, because it is not necessary to even discuss that question if you will read the act where it says that these men are in the service for 12 consecutive months, unless sooner discharged, except that whenever Congress has declared that the national interest is imperiled.

I wish some of you would go back and read the debate, not only in this House, but particularly in the Senate, when the Selective Training and Service Act was under consideration at the time of its passage. I think you will read with great interest the remarks of the then chairman of the Senate Military Affairs Committee, my late friend, Hon. Morris Sheppard, and likewise Senator LODGE and others who discussed this very question. Nearly all of the leading newspapers of the country discussed this very question of the continuation of longer than 12 months, provided the emergency still existed. Any man who read the bill knew that it contained this proviso.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. Yes; for a brief question.

Mr. HARE. Does it not follow that as long as this conflict continues in Europe the danger will increase?

Mr. THOMASON. I cannot conceive of how it takes any hearings before a committee or any evidence to say that this country is not still in peril. I wish to refer to the minority report on this bill that is signed by seven of our good friends on the Republican side. If you will turn to page 18 of that report you will find these words, which I say is even a more glaring inconsistency than the one pointed out by the gentleman from New York [Mr. ANDREWS]:

> There are, however, several good provisions in this resolution with which we agree and which we feel should be enacted into law. Realizing that we do face a real danger, believing in an adequate national defense as strongly as anyone could, eager to maintain the morale of our Army, and desiring at the same time to exercise all caution to avoid a shooting war.

We favor, in effect, retention of the National Guard and of the Reserves.

Well, they say there is a real danger. We say the national interest is imperiled. So I went into the library a few minutes ago to find out what the word "peril" meant. Mr. Webster says:

> A situation founded on the state of being in impending or threatening danger.

To save my life, I cannot understand how anybody would not feel that we are in impending danger.

Mr. THOM. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. No; not just now.

When you look back on what has happened in the world in the last 4 years, especially by Hitler and his army, I cannot conceive how any person can say that this country and our national interest is not imperiled. We are not getting nearer war. The war is getting nearer us. There is no such thing as neutrality in this country or anywhere else—you are either for or against Hitler. That is the paramount issue in this country today, and in fact in every country in the world. But if you look back at the history of what has happened during the last 4 years, Hitler has conquered 13 nations. I take the following from the record:

On March 18, 1938, Hitler occupied Austria, with 7,000,000 people. On October 1, 1938, Hitler takes the Sudetenland. March 15, 1939, Czechoslovakia, with 10,000,000 people. March 22, 1939, he takes Memel. September 1, 1939, he invades Poland with its more than 20,000,000 people. On April 9, 1940, he invades Norway and Denmark, with a total population of 7,000,000. On May 10, 1940, he begins his campaign on the western front and takes over Holland, with 8,000,000 people, Belgium with 8,000,000 people, and on June 17, 1940, France surrendered with 42,000,000 people. On October 14, 1940, less than a year ago he occupied Rumania, Hungary, and Bulgaria, with 35,000,000 people.

On April 6 of this very year—4 months ago—he attacked Greece and Yugoslavia and took over another 22,000,000.

On May 20, 1941—3 months ago—he took over Crete.

On June 20, 1941, he declared war on Russia.

I repeat, that in less than 4 years Germany has conquered 13 countries. She now dominates and has in enslavement over 200,000,000 people. Spain, Portugal, Sweden, and Switzerland are at her mercy. Virtually all of Europe today is in bondage. If Germany conquers England and her possessions she will then have under her domination over 1,500,000,000 of the less than 2,000,000,000 people in the world.

What did Hitler say his purpose was? What is he doing about his program? Why, he is ahead of his program; he is ahead of his schedule. Talk about peril. All these countries are under his control, and now Japan, his ally, moves to the south and west in French Indo-China and threatens the Philippines—and only yesterday, and again this morning, you saw in the papers where the Vichy Government is about to submit to his domination. This means he will soon occupy Dakar and in air-bombing distance of South America.

Mr. KEEFE. Mr. Chairman, will the gentleman yield for just a question?

Mr. THOMASON. In a moment, if the gentleman will permit me to continue.

Talk about the peril of the situation. It was bad enough a year ago, but when you realize that he has now captured 13 countries and getting nearer every day, I say our peril is greater than a year ago. Our military experts whom we must trust and who know what they are talking about will tell you that. They say the Germans are going to take Russia. There is no use living in a fool's paradise. Let me give you some more figures from the records. Our great Secretary of State, Cordell Hull, says the failure to pass this bill would have a serious and dangerous effect.

The land army of Germany is 260 divisions fully trained for combat. They are seasoned soldiers who have seen much combat. Ours is 33 divisions and many of them only partly trained. Germany now has 40 divisions in training that will be ready for combat service this year. This makes a total of 300 divisions of seasoned soldiers who have been trained since boyhood. They have been forced as boys to enter the army and when they get up to 18 or 20 years of age they are taught to be mechanics. As for planes, the Germans have 12,000 in their combat squadrons and 8,000 in training squadrons, or a total of 20,000 planes. Germany today has 8,000 tanks in her armored divisions and 22,000 tanks in reserve. She has a tank production of approximately 800 per month. I am just trying to give you some facts and figures. If I had time I would give you more accurate figures.

The combined strength of Germany, Italy, and Japan, is more than 10,000,000 troops of 449 divisions, with 37,000 fighting airplanes and 32,000 big tanks, a plane production of 3,160 per month and a tank production of 900 per month. Here we have hardly started. Our production is just getting under headway. As my friend from New York [Mr. ANDREWS] asked a while ago: "What have we been appropriating all this money for?" Go into the Appropriations Committee Room and you will learn that we have either appropriated or authorized $52,000,000,000 for national defense. Time after time in this very Congress since we met here on January 3d bills have passed through this House by unanimous consent, appropriating hundreds of millions of dollars, sometimes even billions for national defense, without a single man on either side voting against them. If we are not in peril what are we spending this money for? Why a two-ocean Navy? Why thousands of airplanes and tanks?

But, more than that, if we expect to meet this situation as Americans always meet a crisis, who is going to run these tanks and these planes that we are providing money to build? Somebody must man, operate, and repair all these machines, and they must be trained men. I regret there has been delay in production, arising from labor trouble, shortage of materials, and what not, but now production is coming off the lines in a very satisfactory way. A year from now we are going to have a mighty Army, I think certainly the best of its size in the world. With war threatening us on every hand, with Hitler saying in his book, Mein Kampf, enough for us to know that if Russia falls England is next on the list—brave old England. I hope she stands, but whether she stands or not, there is not a man on this floor but who knows we are next on the list. If Russia falls, I fear for old England.

As the gentleman from Pennsylvania [Mr. FADDIS] told us, this morning's mail brought us a letter from the gentleman from Michigan [Mr. HOFFMAN]. I regret he has made a political issue of this. This is not a political question, this is a bill for the preservation and security of our country. This is no time for politics. This is not a time to hate Roosevelt. This is not a time to hate Willkie. This is not a time to hate anybody who is a loyal and patriotic American. This is a time for a united people in this country, if we expect to survive as a Nation true to our ideals.

The flag that hangs behind the Speaker's desk has never yet trailed in the dust of defeat, and I trust that in the providence of God it never will, because it will never espouse an unjust or unholy cause. And so I think that if ever there was a time in the history of this country when we ought to be united and be certain of our defense, it is now. Politics can wait until the next election.

I have many figures at hand but not the time to go into detail. It is important to say that 576,000 of these selectees will pass out of the service in the next 6 months if this bill does not pass.

Do not forget these figures. Let us be fair about this thing. Today we have approximately 1,400,000 in the Army, over 600,000 of which are selectees. In addition to that, we have less than 500,000 in the Regular Army, and a little less than 300,000 in the National Guard.

Of those 576,000 selectees that are going out the first part of next year there are 14,000 of those boys in Puerto Rico, Alaska, and Hawaii. Here is the serious part about it, and I speak from the record, Mr. Chairman, because this has been testified to before our committee. From 75 to 90 percent of all the officers in every division are Reserve officers. What type of an Army would we have without them? We have marched up the hill, and we are fixing to march right down again.

I undertake to say that the most cheering wireless message that could be sent to Hitler today would be that less than a year ago we passed a selective service law providing for compulsory and universal military training in this country, and now we come along and say we will let the boys out, in spite of the great peril that exists to our country today. That is the very thing that Hitler and the Japanese want.

We are facing, as I see it, the most frightful crisis in all our glorious history. None of us wants war. None of us wants an A. E. F. We want defense and protection. I think this is the best life insurance policy we can buy. An Army that cannot win is the same as no Army at all. Money spent on an Army that cannot defend us is wasted. Let us leave the President out of the situation. Leave Secretary Hull out of it if you want to, although I believe everybody in the House trusts him. For the last year he has been telling us what the situation in the various parts of the world has been. He has given us due warning.

The gentleman from New York [Mr. ANDREWS] did not tell half the story about South America. I cannot quote anything that happens in executive session, but if you will read the New York Times, or if you will talk to people who have been down there, you will find that there are more than 200 German schools in Argentina. You will find that there are 1,200,000 Germans in Brazil, many of them actively organized, scattering their propaganda. They have numerous air bases, and they are in control of air lines, and they have bases within striking distance of the Panama Canal.

Mr. Chairman, I hope this bill passes, so that word may be sent to Hitler and all other active or potential enemies that regardless of what it costs in either blood or treasure we expect to defend this country and the ideals for which it stands.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. McCORMACK. Mr. Chairman, we are about to conclude general debate on this bill and will in a short time take the bill up under what is known as the 5-minute rule. The other day I took the floor and called attention to the fact that the matter we are considering today is the recommendation of the Chief of Staff of the United States Army, the man to whom the people of America must look to to guide and direct us in our preparations, the man to whom we must look to lead our armed forces on land in case of attack. His recommendation is not political in nature. He made his recommendation as chief Army officer at the present time, carrying out his business, his job, which is to take those steps that in the light of existing circumstances he thinks are necessary for the best interest of our country.

He transmitted his recommendation to the Secretary. He made it public to the American people at the same time. The President of the United States sent a message to the Congress and in the closing sentence of that message the President stated:

> The responsibility now rests with the Congress.

The other day the gentleman from New York [Mr. FISH], in a remark that I hoped he would withdraw said that "the Chief of Staff was a good soldier, but he had to obey the orders of the Secretary of War." I cannot picture any Chief of Staff who would be so derelict in his duty on military matters as to bow his opinion, which opinion is not only his personal opinion but the opinion of those who comprise his staff, fixed opinions which he felt are necessary for the best interests of our country, to the opinion of anyone else. The hearings in the Senate clearly show the testimony of General Marshall in which he said that he made those recommendations himself and that when he made them to the Secretary of War he released them to the public and, further, that they are his own opinions. He stated:

> In the first place, the matter before us is of such public importance, and the interest of the public and of the Congress is apparently so intense that it might be well to go back to my original recommendations in my biennial report, covering the period of my stewardship, from July 1, 1931, until June 30, 1941. It may clarify the atmosphere for me to explain that I made the specific recommendations regarding the extension of the 12-month period of service for the three categories purely on the basis of a military necessity for the security of the country. The Commander in Chief, that is, the President, had no knowledge that I was going to make them. My report was submitted to the Secretary of War, and at the same time was released to the press.

I hold in my hand a powerful telegram from the national commander of the American Legion, Milo J. Warner, which I will insert in the RECORD. This telegram was received this morning, and sets forth the fact that as the national commander he places the American Legion strongly and unreservedly behind the passage of this bill.

There is one primary duty that confronts us today, a duty that we must face and take without regard to the personal hopes, desires, or feelings of anyone, and that is to take such steps as are necessary to protect and defend our country, and to preserve the institutions of government we have inherited. When a crisis confronts our country everyone must expect to make sacrifices for the general welfare. Members of Congress must possess the courage to make sacrifices. As I stated a few days ago, "We are the trustees of the present and the future of our country." That is our job. It is our duty to perform it, without fear of the consequences. The question that confronts us is not "What we would like to do, but what we must do under the conditions that exist throughout the world today."

Last night there appeared in the Washington Star a statement of an interview with my distinguished friend, the gentleman from Missouri [Mr. SHORT], in which he is quoted as saying:

> The minority party opposition is opposed to 6-, 12-, or 18-months' extension of service.

He stated that that was the question involved, and then I quote him further:

> The question is whether we should break with the selectees at all.

That may be the question that addresses itself to my friend from Missouri, that may be the question that is paramount in his mind, but that is not the question that is paramount in my mind.

Mr. SHORT. Will the gentleman yield?

Mr. McCORMACK. In view of the fact I mentioned the gentleman, I yield.

Mr. SHORT. I would like to know what it is that has caused the majority leader and the Speaker to have changed their minds, because it was reported by the press a short time ago that they were opposed to any extension for the draftees.

Mr. McCORMACK. The gentleman from Missouri misquotes the majority leader.

Mr. SHORT. I am simply quoting the papers.

Mr. McCORMACK. I have only 10 minutes. I have answered the gentleman. The gentleman from Missouri misquotes the majority leader.

Mr. SHORT. I am quoting what the papers stated.

Mr. McCORMACK. I tell the gentleman I deny the statement. That is enough.

To me, it is not a question of whether we should break with the inductees, to me it is a question of whether we should break with our country and whether we should break with the trust that is imposed upon us by the past generations of Americans. All of us must make sacrifices when a crisis confronts our country.

I wonder if my friend the gentleman from Missouri [Mr. SHORT], and some others, think for a minute that they are going to fool the young men of our country. The young men of our country are patriotic, they are willing to make sacrifices when the Nation's interests are involved.

I resent the implied argument made by those who oppose this bill on the ground, as stated by the gentleman from Missouri, that those in the service are not willing to serve longer at this moment of peril; in other words, that they are not patriotic. The only ground upon which such an argument can be based is that where danger exists to our country those in the service now and in the future are willing to think of themselves first and our country second. No country could long survive where that thought generally existed.

Further, gentlemen fail to read the minds of these young men. Naturally, they would like to go home. That is a natural personal view for them to hold. But as citizens, with their love of country, the great majority of them are willing to make personal sacrifices for the country's best interest. If that were not so, if personal interest is placed in time of danger paramount to the national interest, than God help our country.

The great majority of the youth of our country are loyal, they are patriotic, they are willing to make sacrifices, and when they have done so, they will go back to their homes and communities proud of the service and the sacrifices they have made for their country. Then those who today try to belittle them by their specious and fallacious arguments will have to answer to them. I resent this argument, and I challenge it as false. The youth of America today are just as loyal and are just as willing to make the necessary sacrifices for our country as were the youth of any past generation of Americans.

Some say they will vote to extend the time of the National Guard and the Reserves but not of the inductees. Why this willing discrimination? Is it because they want our people to feel that the National Guard and those in the Reserves are more loyal and patriotic than the inductees? That is one of the inferences that can be drawn from their argument. If so, I challenge it. Is it because they feel that the voting influence of the National Guard and the Reserves is less than that of the inductees? That is a proper inference to draw from their arguments when they state they are willing to treat two groups differently than they treat another group. The justification for extending the time of the National Guard and Reserves is the changes that have taken place and with which our country is confronted.

Mr. Chairman, this is a serious moment. Republicans and Democrats, let us transcend our personal views and vote as Americans clearly and distinctly for the best interests of our country.

[Here the gavel fell.]

Mr. ANDREWS. Mr. Chairman, I ask unanimous consent that the gentleman from Indiana [Mr. GILLIE] be permitted to extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILLIE. Mr. Chairman, I rise to make known my opposition to the measure upon which we are about to vote, providing for the extension of the period of service for selectees beyond the 1 year provided in the Selective Service Act of 1940.

My position on this bill coincides with the position taken by the minority members of the Military Affairs Committee. I am willing to keep the National Guard, the Reserve officers, and the retired Regular Army personnel in active service as long as it is necessary to carry out our training program; but I fail to see the need for keeping selectees in service longer than 12 months.

Those who argue for the passage of this measure would have us believe that the release of selectees at the end of the original 12-month period would disrupt the Army expansion program. In so arguing, they completely lose sight of the original purpose of the Selective Service Act, which was to provide a large, continually revolving supply of trained men for the reserve pool of the Regular Army.

Certainly none of us desire to hamper the Army or endanger its program, but it is hard to believe that conditions have changed so greatly in the past year as to demand that we discard our original training plan and substitute it with a plan for a permanent, standing Army of unlimited proportions.

The only way that Congress can honorably keep selectees beyond the 1 year they were told they would have to serve is to find that the Nation is in greater peril than it was when the Selective Service Act was passed. No information has been presented to Congress to sustain such a claim. On the contrary, world events favorable to the Allies, coupled with the progress of our own defense program, indicate that the opposite is true.

Mr. Chairman, I think it is important for us to consider how the selectees themselves, whose vital interests are tied up in this legislation, feel about the prospects of remaining in service indefinitely. I have the keenest personal interest in their training and welfare, and the greatest admiration for their loyalty and good sense.

Only last month I had the privilege of serving a 28-day tour of active duty with the First Cavalry Division at Fort Bliss, Tex., during which time I came in close contact with hundreds of selectees. I observed nothing which would leave the slightest doubt about the patriotism of these men. They are a splendid lot, willing and eager to make whatever sacrifice their country's security demands.

Quite naturally, however, they wish to be sure, and deserve to be shown, that the sacrifices they are making, or may be called upon to make, are absolutely necessary to the national defense. All of them entered the service with the expectation that future groups of trainees would take their places at the end of a year.

Mr. Chairman, I submit that to change the rules at this stage of the game would be an unpardonable breach of faith on our part and would be so construed by these selectees. There is no blinking this fact. I speak from personal knowledge when I say that this is true. As for myself, I intend to have no part in it. I expect to vote against this measure and, in all fairness and honesty, I urge my colleagues to do likewise.

Mr. ANDREWS. Mr. Chairman, I yield the balance of the time on this side to the author of the original Selective Training and Service Act the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Chairman, it is pretty certain that I cannot add a great deal to this discussion. Practically every point at issue here has been discussed, and ably so, by the men who have spoken on both sides of the question. It shall be my effort in the very short time permitted to gather up a few of the loose ends perhaps and try to straighten out some of the conceptions that have been evidenced here about an army, and especially our Army at its present stage of development.

The great issue at stake here is whether or not we shall retain in service beyond their first 12 months these soldiers known as selectees. Incidentally that is a name I have always detested, but there seem to be no hope of wiping it out of our vocabulary. There are 640,000 of them. We have a population of 130,000,000 people. It is thus apparent that they constitute about one-half of 1 percent of the entire population of the United States. An understanding of that will convince anyone, I am sure, that we are not indulging in a severe draft upon the manpower of the country. Indeed, our whole Army, roughly, of 1,500,000 men, is only slightly in excess of 1 percent of our entire population. When one considers our population and our resources, our Army today is about the smallest Army proportionately on the face of the earth.

What sort of an Army is it to be if it is to be retained at that comparatively low figure, and I am not urging an increase in numbers? It must be the most efficient Army for its size, if we can make it so. At the present stage of development these 640,000 men are of an importance in this Army of ours far beyond their numerical proportions.

The gentleman from Ohio [Mr. ELSTON] has stated to the House, following out the suggestions of the minority report, that these selectees came into the Army in driblets, unevenly through the months, and that it will be just as easy for the War Department to let them out in driblets in an equal number of months without hurting efficiency. The trouble is that the minority report—and I refer to the minority with all respect—does not paint the entire picture.

True, the selectees came into the Army in uneven numbers from month to month, but they did not join the units of the Army in uneven numbers from month to month; quite the contrary in most cases. Very properly the War Department, in cooperation with the selective-service system, arranged it so that in most cases men should be drawn into the service from time to time, collected into groups, these selectees, and a specific group added to an existing unit of the Regular Army or of the National Guard to bring that unit to war strength. I will give you an example of it. Take the case of the Twenty-seventh New York Guard Division down at Fort McClellan, in Alabama. Those guardsmen went down there 12,000 strong on October 16 of last year. After shaking down for 3 months and building a new camp and training themselves and training a "training cadre" within their own ranks, that division received in 1 week's time 6,000 recruits from the draft. That was a wise way to manage it, because it made it possible for the division to take the 6,000 men as you take a freshman class into a college on the same day in the autumn and move them along in their training, so that at the end of their initial training they could be put into companies, battalions, regiments, brigades, and special troops, and at a definite period you would have a war-strength division, a team. That is what an army is composed of today—teams—teams beginning down with the squad, whose leadership is of enormous importance these days.

Now, suppose a bill such as this does not pass. Six thousand men in one group sometime next year will be taken away from the Twenty-seventh Division. And what have you done to the division? You have wrecked it as a team for at least 8 or 10 months.

This is the situation in unit after unit clear through the present Army of the United States. And the Army, which is just beginning to get good, must go a considerable distance farther before it reaches a point at which we can say it is efficient to the last word and down to the last man. If the selectees are not to be kept in, team after team will be smashed in the Regulars and in the guards, both.

Only yesterday I sought the figures from the Twenty-ninth Division in training over here at Camp Meade. There are seventeen-thousand-and-odd men in that guard division—8,200 of them originally were guardsmen, 9,500 of them today are selectees. True, those 9,500 in the Twenty-ninth Division did not all come into the division within a 1-week period, but they came within a period of a few brief weeks, and the division commander very properly used the increments as they arrived, not by scattering them clear through the entire division but by using his first increments to build up the artillery regiments, to put them at war strength right away and get their training started. Then an infantry regiment was brought up to war strength on a certain day, then another

regiment, and then another regiment, team after team. You take 9,500 men away from that division in a 2-month period, we will say, next year and you have wrecked every team in the division from a military standpoint.

There is your practical consideration, which, I am sorry to say, the minority report does not mention. It is proposed time like this. Frankly, I am disturbed—deeply, deeply concerned—that such a deeply, deeply concerned—that such a thing may happen to the Army of the United States in the year 1942.

Mr. MARTIN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I would prefer not to. I only have a moment.

Now, let us look at the world situation. It has been discussed and very ably, and, as I said at the beginning I may not be able to add anything to it. Using a football expression, Hitler has carried the ball from the beginning of this terrific game. He has given all the signals. He has made all the attacks. He has gained ground on every play. He still gains, he still carries the ball, he still gives the signals, and there are no rules in the game as he plays it, much less a referee. You see his activities today, plus the activities of Japan. A naval member of the Japanese Cabinet said only last week that the situation in the Far East was such that a mere spark would set off the explosion, and you all know that to be true. Against whom was the alliance between Japan and the Axis Powers primarily directed? Against the United States; have no doubt about it. And that alliance was made after we passed the selective-service law. Look at that far eastern situation. Is it of no concern to us; and is it not of more concern today than it was a year ago? See what the Japanese are doing. Every sensible man knows that our vital interests are menaced. Vital supply lines would be cut off and all Asia would be organized against the Western Hemisphere if the Fascist Government of Japan has its way in that part of the world, with its alliance with the Axis Powers of Europe. Just the other day our Government thought so seriously of that situation that it mobilized the Army in the Philippine Commonwealth and merged it into the Army of the United States. Is there a man on this floor who disapproves of that action? Not one. Is there a man on this floor who disapproves putting General MacArthur in command of that Army? Not one. But why was it done? Because the situation is serious to the extreme; something that did not exist a year ago.

During these months what has happened in France? I wish I had time to give some information on that. Month by month we have seen the Vichy Government yield to the pressure of Germany. Month by month, we have seen them give over to Germany. They have not stopped giving over; make no mistake about that. It was at Germany's insistence, of course, that the Vichy Government gave over Indo-China to Japan, on the road to Siam, the Malay Peninsula, Singapore, Australia, and the Dutch East Indies. There is where your pressure is coming, and coming stronger all the time.

Hitler rolls on through Russia today. Should he win, and it appears that he has a good chance to do so, he is more powerful than ever. His next demand upon France will be for northern Africa. And it may be of interest to you to know that ever since the armistice between France and Germany the German Government has compelled General Weygand and officers of the French north African Army to surrender their technical weapons, to disband troops. Tanks have been taken away from them and sent to Dakar. Heavy artillery has been dismantled. Even the French Foreign Legion, famed in warfare, has been decimated. Why? To make more easy infiltration by Germany into north Africa. They already have a bridgehead into north Africa in the shape of Spanish Morocco. Spanish Morrocco today is filled with troops of Spain, armed with German weapons of the last design. When will he give the signal? When he gets ready. That is the way he believes. The signal will go to Japan as well as to his own forces—when, none of us can tell.

I think Mark Sullivan expressed it pretty well the other day when he said that America is not moving toward war; the war is moving toward America. We are doing our best to fend it off, to hold it at arm's length. That is why we are organizing our defense. We are trying to do something from day to day which will discourage anybody from attacking the Western Hemisphere. The fend-off policy accounts for the acquisition of the island bases. So it accounts for the occupation of Iceland and Newfoundland. Would this House vote to retire the marines from Iceland today? I think not. It is not a move on our part toward war; it is an effort to fend off war. We all want it fended away. We all want to hold it at arm's length; but the way to hold it at arm's length is to perfect our defense, never to weaken it one little bit. We do not dare take chances, not for one moment. It is conceded that if legislation of this kind is not passed the defense of the United States will be seriously weakened for many, many months. That is the whole question before us, as I see it. I know it involves inconvenience. I know it involves some measure of sacrifice, but I have confidence in those men. I do not call them "boys." They are men. Take a look at them as you see them. They are men who will do their duty. American soldiers always do when they know that a great decision is made.

My prayer is, Mr. Chairman, that our decision shall be made in the interest of the safety of the United States.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, in the remaining 4 minutes I would like to make a brief explanation by saying that on yesterday I undertook to get a meeting of the House Military Affairs Committee, but could not, due to the fact that the House was meeting at 10 o'clock this morning. I therefore polled the committee.

I have at the desk five amendments which will be proposed as committee amendments, and in my time I would like to ask that they be read for the information of the House.

The CHAIRMAN. Without objection, the Clerk will read the five amendments mentioned by the gentleman from Kentucky, for the information of the House.

There was no objection.

The Clerk read as follows:

Committee amendments proposed by Mr. MAY:

(1) Page 4, after the colon in line 10, insert: "*Provided*, That extension of the periods of active military service, or training and service, in the case of any person subject to the provisions of this section, shall not, without his consent, exceed 18 months in the aggregate; except that whenever the Congress declares that it is in the interests of national defense to further extend such periods of active military service and training and service, such periods may be further extended by the President, in the case of any such persons, for such time as may be necessary in the interests of national defense:".

Amendment No. 3: Page 4, strike out lines ized" in line 25, insert, ", subject, however, to the condition hereinafter stated". And on page 4 strike out the concluding proviso in section 2, and insert: "*Provided further*, That the authority hereby conferred is subject to the condition that the delegation of such authority may be revoked at any time by concurrent resolution of the Congress."

Amendment No. 3: Page 4, strike out lines 13 to 24, inclusive, and insert:

"SEC. 3. The Secretary of War shall, when not in conflict with the interests of national defense, release from active military service those persons who apply therefor through the regular military channels and state their reasons for such release, and whose retention in active military service would, in the judgment of the Secretary of War, subject them or their wives or other dependents to undue hardship if retained on active military service. Any person so released who, in the judgment of those in authority over him, has served satisfactorily shall be entitled to a certificate to that effect, which shall be in the same form and have the same force and effect as a certificate issued under the provisions of section 8 of the Selective Training and Service Act of 1940, as amended. Any person so released shall be transferred to, or remain in, as the case may be, a reserve component of the land forces for the same period and with the same rights, duties, and liabilities as any person transferred to a reserve component of the land forces under the provisions of section 3 (c) of such act."

Amendment No. 4: Page 6, strike out lines 6 to 10, inclusive.

Amendment No. 5: Page 6, line 13, after "amended", insert "(1)", and beginning with the colon in line 16, strike out down to and including the period in line 20, and insert "and (2) by adding at the end thereof the following: 'Notwithstanding the foregoing provisions of this section the President is authorized to order the same member or the same unit into the active military service of the United States for more than one period, except that in the case of any such member any active military service under authority of this resolution in excess of 12 months shall be deemed an extension of active military service within the meaning of section 2 of the Service Extension Act of 1941.'"

Mr. MAY. Mr. Chairman, I yield to the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Chairman, I ask unanimous consent to extend my remarks at this point.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FOGARTY. Mr. Chairman, I have supported, and I will continue to support, every measure proposed in the interests of national defense. I am opposed to this measure because I am convinced it is not in the interests of national defense. I realize that this is a serious problem, and in order to do justice to the gravity of the situation I read all the hearings and as much else as was possible pertaining to this subject.

One of the items I read I want to recall to you gentlemen now. It appeared in the Washington Post for June 24, 1941. It was the report of an interview with General Marshall right here in Washington. He was talking about the same boys we are considering today. I quote the general—remember, this was not a year ago; it was not 2 months ago:

We want the selectees to continue to come in annual increments—

The Chief of Staff said—

we want them flowing into the camps and them back home again. When we send a man home, we will make room for another.

That gentlemen, is the statement of our own Chief of Staff in June of this year, a man in whom all of us have great faith.

I have read also the statements attributed to General Wavell and General Auchinleck, both to the effect that American men must be sent to Europe to defeat Hitler. I read the speech of Mr. Churchill in which he told us we are on the verge of war. I read also, in the RECORD, the speech of our Senator PEPPER, who waxed eloquent in telling us these boys will be in the Army at least 5 years, and perhaps a generation; that the war would not end until America had drawn its sword "across the ocean chasms." These things point the way we are traveling—to join in the European war.

That is why I oppose this extension, because I am of the firm conviction that it does not serve our purpose but serves only the purpose of European war lords who would have our boys slaughtered to maintain their positions and rescue them from the results of their own folly.

Help Britain win—yes. Give her everything that money can buy; but money cannot buy back the life of one American boy dangling from a barbed-wire barricade, with his belly blown out—and for what? For the same type of peace that came after the last war?

We take such a funny position, gentlemen. We talk about an association of nations—and fight for democracy—when we are giving help to the treacheous tyrant who has stifled all vestige of democracy wherever he was able.

Finland we have been so proud of. The only nation in the world who honored her obligation to this country. Now, because she fights Bloody Stalin to maintain her democracy and win back that which the ace double-crosser stole from her through ruthless warfare, we are supposed to consider that noble little Republic an enemy. We recently enacted legislation to relieve in some measure the strain of Finland's repayment of her war debt—this because of her sufferings at the hands of Joe Stalin, and now we give aid and comfort to the thieving scoundrel who today bombs her cities and subjects her civilians to the renewed horrors of war.

How can anyone suppose that after this war is finished Russia will give back to Finland the land and plunder it robbed her of? And can it be maintained that Stalin will reimburse Poland, Latvia, Estonia, and Lithuania? Are we to be a party to upholding Stalin's right to that booty?

If we prepare to engage in this European debacle, as Senator PEPPER urges—for 10 years or a generation—then what in God's name are we fighting for? How can we hope that the peace to be established will be humanitarian when we join hands with the plunderer whose agents are the sworn enemies of all free government? It cannot be democracy we fight for—nor for world trade. We did not profit by the last war in the matter of world trade. We have always been competing—most always unfavorably—with European countries and Asiatic countries for world markets. We have to compete with cheap labor, poor living conditions, and greedy selfishness. But the minute there is trouble we have to play the crusader and tour the world, ramming peace down the throats of people who later hate us for it and call us Uncle Shylock when we send the collector around for the installments.

I really believe the training these boys have received and are receiving has been good for them and for the country. But too much military training cannot do them or the country any good, and for that we have the War Department's word. On June 24 of this year all commanders were instructed by the War Department to discourage the reenlistment of 3-year regulars, because fully trained troops "offer little benefit to the Army."

I am no hypocrite, and I am not laboring under a terrible misconception on the question of our involvement in this European war. Go back to your districts, and what is the first question the man on the street asks of you—"Are the boys going to be sent over?" The dogs in the street know where we are heading; yet we stand here preaching national defense, and pay it merely lip service.

Tanks, planes, munitions, and food are going across the water. If we are worth our salt we will at least make certain that we keep the best kids in the world right here at home.

If die they must, then die they shall, but, please God, let their deaths be a sacrifice for home and not for a dream Utopia in an association of nations where we try to do business with tyrants of Stalin's type, double-crossers of Hitler's breed, militarists, monarchies, empires, and cowards; and when Old Glory has ceased to be an emblem of national freedom, and represents the three balls over the international hockshop, and Uncle Sam is no longer the grand Yankee but the cashier—paying the bills for a world police force.

If you gentlemen want to guarantee to the United States an adequate Army, with a huge reserve of young men who have had a full year of intensive training, then leave the bill alone. Maybe there is no danger of a new A. E. F., but you can guarantee there will not be by defeating this measure.

Let me give you a reminder of the sentiment of the country on the twentieth anniversary of our entry into the last war. This is from an editorial in the Providence Evening Bulletin, April 6, 1937. I quote:

What is American sentiment 20 years after the war? Unanimously it is never again! Never again! Never again. We are completely disillusioned. We saw the supposedly high idealism of the Allied cause and the war aims of Woodrow Wilson betrayed by the cynical peacemakers. They forced Germany at the ends of bayonets to make a bad peace—and the Germans did not forget. Twenty years after we see the war to make the world safe for democracy has produced more tyranny. Dictators are everywhere. * * * It is discouraging. The war upset the economic system of the world, intensified nationalism, let loose a violence that has not been checked. The severe depression is traceable directly to the war. * * * Nothing but sorrow and tragedy the war brought. Nobody gained—everybody lost. Twenty years after the war let us keep the conviction clear: Never again!

Mr. MAY. Mr. Chairman, I now yield to the gentleman from California [Mr. BUCK].

Mr. BUCK. Mr. Chairman, I expect to vote for this bill. I intend to do so because I consider its passage is vital to the interests of the Nation. I intend to do so because its passage at this time seems to me to be imperative.

We are not at war and, God willing, we will not be at war, provided those who not only have threatened the peace of the world but who so far by bloody means have imposed their will upon the greater part of Europe realize that we are in earnest in our decision to defend the rights and liberties of the peoples of the Western Hemisphere.

You may rest assured that the guiding spirit of the Nazi program will not be satisfied with a conquest of Europe, nor will his ally in the Far East, Japan, rest content with the territorial acquisitions that it has already made.

National socialism, the Nazi theory, is a philosophy of life or an economic doctrine, whichever you may consider it, which in order to be successful, assuming it can be successful in the long run, must be imposed upon the whole world. Abraham Lincoln said that this Nation could not live half slave and half free. Neither can the world live half under the democratic system that we have grown up under and know, and half under the Nazi system of totalitarian government. Whether we are at war or not, therefore, it is our prime duty to see to our defenses and in so doing we must assume that, should Hitler vanquish Britain and Russia, the Americas will be the next point of attack.

Under the terms of legislation heretofore enacted, we have been lending, leasing, and supplying ships, airplanes, arms, and ammunition to Britain. We have done so because Congress and the Executive in their wisdom have realized that it is not merely to our interest, but to our life to do what we can to stave off this danger that threatens the world. It is now proposed, among other things, that

the terms of the selectees chosen under the Selective Training and Service Act of 1940 be extended for an additional 18 months. A good deal of propaganda has been circulated to the effect that to do so would break a pledge which was made with the young men who were inducted into the service. Congress, however, reserved the right to extend such service provided it felt that the interest of the country was imperiled. The debate on this bill therefore has centered very largely around the question of whether the country is imperiled or not. If we have not felt that we were imperiled, why have we appropriated and voted contract obligations to the amount of approximately $40,000,000,000 for our national defense? If we did not think we were imperiled, why did we authorize the loan of approximately $7,000,000,000 worth of matériel and credit to the British Empire? Would it not be folly now, whether or not they are yet fully trained, and I question if they are, to release the selectees who were brought into training less than a year ago?

The citizens of this country should realize that there is a madman loose in Germany and that the whole civilized world, not only the United States, is imperiled by the philosophy of government which he and his associates have evolved. That philosophy would destroy all we have fought for and cherished since the inception of this Republic. Those of our citizens with average intelligence who cannot or do not understand this either have not studied the matter through or are blinded by partisanship or local considerations.

There is in Congress what is known as an "isolationist group." These Members have shouted for months that this is not our war but that America should defend itself and put itself in a position to defeat any attack that may come. Members of this same group Friday and today on the floor of the House opposing this resolution have been doing their best to destroy just such a defense as is being built up and trained under the terms of the Selective Service Act of 1940. All of those now opposing this resolution refused to vote for the original Training Act, but now they are going further and attempting to scuttle an essential part of our Army.

Is it mere blind partisanship that makes them take this attitude or is it fear of a Hitler victory? Shakespeare said:

> When our actions do not, our fears make us traitors.

One argument advanced on the floor has been that the extension of the time of service of the selectees is an effort to get us into war. This argument has been made by the isolationists against every step which Congress has taken to protect the Nation and to give aid to Britain. Now they demand that two-thirds of the Army be eliminated, after a period of training for only 1 year. That is too much for me to stomach. I am for the extension of the term of service, and I am for the other provisions of this resolution, feeling as I do that it is vital to our own defense.

This morning a group of lovely ladies called at my office. They said they represented America First and they were opposed to this resolution. Bless you, this resolution is for the purpose of protecting America first. While I hope and pray that we will never have to go to war to protect our liberties, I am not going to be found at any time in the position of knuckling down to anyone to avoid their defense, nor to appease anyone at the sacrifice of those liberties and our Nation's independence. There is not one man here who would not personally stand up and fight for what our ancestors fought for to leave to us.

America first, but in the Hitler program it is America last, after all the other nations of the world are conquered and brought under Nazi domination. Others have put in the RECORD that dire chronology which shows his progress of gnawing away like a rat the freedom and liberty of other nations. Thirteen of them are under his domination today. Their resources have been ruthlessly seized and exploited for Nazi benefit. Should the greater resources of Britain fall into his hands, do you not realize those would be used against us? Where is there a richer spoil to be obtained than in the United States of America?

My friends, the United States is definitely in peril. It will continue to be in peril as long as Europe is Nazi dominated. The declaration of this resolution, therefore, is not only wise and timely, but it is true and it is imperative that the selectees be kept in the service and that the number that may be in service at any time be increased. For these reasons, I urge upon you, my colleagues, that you forget local considerations, and looking forward toward the welfare of the Nation, vote for the resolution.

> Act, act in the living present!
> Heart within, and God o'erhead!

Mr. MAY. Mr. Chairman, I now yield to the gentleman from North Carolina, [Mr. KERR].

Mr. KERR. Mr. Chairman, I regret very much that it appears to be necessary for Congress to extend the service of our selectees. I deny that Congress is breaking faith with these young men by so doing. The statute under which these selectees were chosen specifically provided that they could be kept in the service beyond the period of 12 months if Congress "declares that the national interest is imperiled." Certainly—it must appear to this country that our national interest is imperiled or else there can be no justification for Congress voting $40,000,000,000 for our national defense, besides lending the British Empire about $8,000,000,000 worth of material and credit with which to protect her Empire in the war in which that nation is now engaged. If any living soul with average intelligence cannot see that the civilized world is now imperiled by the mad dictator of Germany and cannot understand that his philosophy of government and conduct is most inimical to our Nation's life and destructive of all that we have fought for and cherished for more than 150 years, then that soul must be shackled by prejudice or blinded by partisanship.

I shall never admit that the average American boy is averse to doing his duty as a citizen of this Republic. Four generations of these boys have been tested and their heroism and fidelity to duty are unsurpassed on this earth. The duty which they are now called upon to do is just what any generation might have been called upon to perform. Surely, we would not discredit this generation by intimating that they would not fight for this Nation which has extended to them privileges and opportunities far superior to any other boys on this earth. The opponents of this extended draft service insist that this administration is designedly conducting this Nation into a foreign war. I deny this emphatically. I have no brief for some of the advisers of the President of the United States, but I do not think that the President is following the warmongers of this Nation. I am convinced that his attitude in this serious matter is largely determined by the advice of the Chief of Staff of our Army, General Marshall. I have had the opportunity for 2 years to sit around the committee table and discuss this national problem with General Marshall. In my opinion, there is no man on this continent more familiar with the problems involved in this defense and more loyal to the history of this country than he is. He impresses those with whom he comes in contact with his superb military knowledge as well as his love for those ideals of life which have made this Nation great. I am satisfied that the President's viewpoint is largely the result of his confidence in the advice and ability of General Marshall. This world would not be fit to live in if we did not put confidence in our fellowmen. I do not believe that General Marshall or his inferior officers want to precipitate this Nation into a war any more than I believe that Gen. U. S. Grant or Gen. Robert E. Lee wanted this Nation to go to war in 1860.

I have supported every measure proposed in Congress which had for its purpose the defense and protection of this country and also those measures which extended aid to the British Empire. By doing this I hope and I believe that we will keep war away from our country and make it unnecessary to call our young men into war service or send them anywhere away from this continent. Under our program for defense, if it can be pursued for 18 months without molestation or interference, we will be equipped to resist the attack of any nation or any group of nations; no one will dare fight us. It is necessary, of course, that we shall have a well-trained and intelligent Army in order to man and operate the present machinery and methods of warfare, and the acquisition of this knowledge undoubtedly requires more service, more discipline, and more practice for our soldiers than was necessary in our previous wars. The extension of the draft service is an incident made necessary by the present war methods, and the comforts and opportunities which this Government is extending to our selectees surpass any such training ever extended to any other group of soldiers on this earth. For

these reasons I shall support this legislation and prefer to go along with the President, General Marshall, and our great Secretary of State, Cordell Hull.

The CHAIRMAN. The time of the gentleman from Kentucky has expired. All time for general debate has expired.

Under the rule, the substitute will be read as an original bill for the purpose of considering amendments. The Clerk will read.

The Clerk read as follows:

Resolved, etc., That the national interest and welfare of the United States are gravely imperiled by the international situation; that a national emergency therefore exists; and the President is hereby empowered to employ the armed land forces of the United States in excess of those of the Regular Army in the national defense.

SEC. 2. Notwithstanding the provisions of any other law, all enlistments, appointments, and commissions of limited time or tenure now existing and which may hereafter exist in the Army of the United States, and in every component thereof, are hereby extended and shall remain in force unless sooner terminated by direction of the President, for the period of the national emergency hereby declared and for 6 months following its termination.

SEC. 3. Notwithstanding the provisions of any other law, the limitation on the number of men who may be in active training or service in the land forces of the United States at any one time under the provisions of the act approved September 16, 1940 (Public, No. 783, 76th Cong.), is hereby suspended, and the President is hereby authorized to employ retired personnel of the Regular Army on active duty in such manner and to such extent as he shall deem necessary in the interests of national defense.

SEC. 4. Every person who, subsequent to May 1, 1940, and prior to the termination of the emergency above declared, shall have left a position, other than a temporary position, in the employ of any employer, to perform active military or naval service in the land or naval forces of the United States and who in the judgment of those in authority over him satisfactorily completes such service, shall, upon his relief or honorable discharge from such service, be entitled to a certificate to that effect, which shall include a record of any special proficiency or merit attained. Any such person who is entitled to such a certificate shall also be entitled to all of the rights, privileges, and benefits now provided by sections 8 (b), (c), (e), and (g) of the said act approved September 16, 1940, and, if the employment he shall have left to enter the military service was in the service of any federally owned or controlled corporation, agency, or instrumentality, shall be entitled to the same rights, privileges, and benefits with respect to such corporation, agency, or instrumentality. In any case where the position which such person shall have left shall, during his absence therefrom in such service, have been covered into the classified civil service of the United States, restoration to such position or to a position of like seniority, status, and pay shall be made notwithstanding the change of status of such position and without examination. Nothing herein contained shall be construed to deprive any person of any right which he would have enjoyed except for the provisions of this section.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the Congress, acting in accordance with and solely for the purpose of carrying into effect the provisions of section 3 (b) of the Selective Training and Service Act of 1940, hereby declares that the national interest is imperiled."

Mr. TARVER rose.

The CHAIRMAN. Does the gentleman from Kentucky desire recognition?

Mr. MAY. Mr. Chairman, I would be glad to yield to the gentleman from Georgia for whatever purpose he rose.

Mr. TARVER. Mr. Chairman, I do not desire to have the chairman yield to me. I rose to offer an amendment.

The CHAIRMAN. Does the gentleman from Kentucky desire recognition?

Mr. MAY. No.

Mr. SHORT. Mr. Chairman, I have an amendment which I desire to offer.

The CHAIRMAN. A member of the committee is entitled to preferential recognition. The Chair recognizes the gentleman from Missouri [Mr. SHORT].

Mr. SHORT. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. SHORT to the committee amendment: Page 3, strike out lines 21 to 24, inclusive, and insert:

"That section 3 (b) of the Selective Training and Service Act of 1940, as amended, is amended by adding at the end thereof the following: 'Any such man may volunteer for an additional 12-month period of training and service, and upon so volunteering shall, unless sooner discharged, serve for such additional period if he is acceptable to the land or naval forces, as the case may be, for such additional training and service. For the purposes of the limitation on the number of men who may be in active training and service at any one time, the number of such volunteers shall be disregarded.'"

Mr. SHORT. Mr. Chairman, so that I may apprise all Members of the House of this and two other major amendments that the minority proposes to offer, I ask unanimous consent that I be permitted to speak for an additional 5 minutes.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent to continue for an additional 5 minutes. Is there objection?

There was no objection.

Mr. SHORT. Mr. Chairman, there are many sections of this pending resolution which the minority favor and would like to see enacted into law. We propose to offer the pending amendment and two others. The first amendment that has been offered, which is the consensus of our minority of the Committee on Military Affairs, simply strikes out section 1 of the resolution, where Congress declares that our national interest is imperiled, which, in our opinion, is equivalent to a declaration of a national emergency, which would extend to the President in time of peace wartime powers. I call attention to section 3 (b) of the Selective Training and Service Act, which provides:

Each man inducted under the provisions of subsection (a) shall serve for a training and service period of 12 consecutive months, unless sooner discharged, except that whenever the Congress has declared that the national interest is imperiled, such 12-month period may be extended by the President to such time as may be necessary in the interest of national defense.

Mr. Chairman, if that portion of this resolution as agreed to by Congress declaring that our national interest is imperiled, then the time of service for all these persons, including selectees, may be extended by the President to such time as may be necessary in the interest of national defense. That is, they may serve for an unlimited amount of time, and so, instead of keeping this section 1, we offer an amendment that will permit or allow these trainees, at the conclusion of the 12-month consecutive period of service, to volunteer and serve for another year if they so choose, and if they are acceptable to the military and naval authorities.

We also take off the lid on the number of volunteers for the year period just as we have already taken the lid off those men who enlist in the Regular Army. In other words, they would not be included in the limit of 900,000 selectees who can now under existing law be in service at any one time. We feel that this is a good amendment, and unless it is adopted that the President would have power, of course, to extend the time indefinitely.

For the enlightenment and edification of both the gentleman from Massachusetts [Mr. MCCORMACK], and the gentleman from New York [Mr. WADSWORTH], I want to say I have talked to many of the selectees and I have been deluged with correspondence. I want to read brief excerpts from two letters that came in this morning's mail taken from innumerable letters I have in my office. One is dated August 6 and comes from San Mateo, Calif. It reads:

I am a trainee and have been in the service 10½ months, having enlisted for 1 year shortly after the passage of the Selective Service Act. During this period I have had ample opportunity to observe at first hand the reaction of the boys in training.

Regarding the morale, may I say that any extension of service would be disastrous in this respect. In spite of General Marshall's statement to the contrary, I can say that by passing the extension bill Congress will automatically create an army of "fifth columnists" far exceeding the fondest hopes of our enemies. The boys feel that they have been deliberately tricked and railroaded into this extended-service business. A bitter, disillusioned man makes a poor soldier. In time of crisis you cannot expect such a man to put forth any effort for a government which he feels has let him down.

And the boy appeals that I not disclose his name for fear, perhaps, of reprisals.

The other is dated August 10, and comes from Camp Bowie, Tex. It reads:

I am writing you at my own risk in order to let you know the true feelings of the draftees on the proposed time extension in the draft bill—

I agree with the gentleman from New York that these are red-blooded men, but this is how they actually feel about this bill. This draftee continues:

The principal reason that your mail hasn't been flooded with letters from draftees expressing their opinions is that we, the draftees, are forbidden to write to any of our Congressmen, etc., without the commanding officer's consent.

Almost to a man we feel that the proposed service extension is unjust and unfair in every respect. Many of us volunteered for 1 year so as to get our service over with. Since

we volunteered with that understanding, the Government is really committing a breach of contract in forcing us to stay longer than the time we were led to believe we would have to serve.

I am offering something substantial and definite, something from the draftees themselves. All that the gentleman from Massachusetts [Mr. McCORMACK] and the gentleman from New York [Mr. WADSWORTH] did was to deal in glittering generalities.

This is the first amendment, to strike out that section wherein the Congress declares that the national interest is imperiled. That would give the President wartime powers under a declared national emergency and would permit him to extend the service indefinitely of these selectees. Unless our amendment is adopted that very thing can happen.

The second we propose to offer is an amendment to the amendment to be offered by the chairman of the committee to section 1. I understood from its reading by the clerk that under it the components of the Army, the selectees, the National Guard, the reserve components, and the retired personnel of the Regular Army will have their service extended 18 months. In other words, we adopt the Senate provision. The minority of the House Committee on Military Affairs is anxious to go just as far as we possibly can, but we are going to offer an amendment to the committee amendment when we reach section 2 that will eliminate selectees from compulsory continued service but will allow them to volunteer for a year if they so wish. Then we limit the continued service of the National Guard, the reserve component, and the retired personnel of the Regular Army for 12 months. Under the language of the committee amendment the President would be given power under section 2 to continue in service the National Guard, the reserve component, the retired personnel, and enlisted men of the Regular Army for a 12-month period instead of 18, but we exclude selectees unless they want to volunteer.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. SHORT. In just a minute, if the gentleman will permit me to proceed.

A third amendment will be offered to strike out section 6 of the resolution that would lift the ban on the 900,000 limit to the number of selectees that can be in training at any one time.

We feel that this section is dangerous and that it is wholly unnecessary. General Marshall himself testified that he needed only 1,700,000 men with which to defend the Western Hemisphere. We already have over 1,521,000 men in our armed forces and there are almost 250,000 selectees who have never been inducted into the service. So under existing law the Chief of Staff can have an army in excess of that number which he claims is necessary to defend the Western Hemisphere and, do not forget, Mr. Chairman, in addition to these three amendments that we have offered, we want unity, we want to go along, we want to adopt sections 3, 4, 5, and 7. They are all good provisions that the minority are for.

There are three things we want to do. We want to strike out the declaration that the national interest is in peril. The second is in section 2, eliminating the selectees, but giving the President the power to continue in service for 12 months all National Guard, reserve components, and the retired personnel. We want to strike out section 6.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I merely want to make a very brief statement as to the meaning of this amendment and the purpose for which it is offered.

The House Military Affairs Committee unanimously adopted the first section of this bill, in which it is declared that the national interest is imperiled. The only amendment to the Senate provision which the House bill inserted was one offered by a member of the minority of the committee, which states "and solely for the purpose of."

The second proviso of this amendment or, rather, the closing paragraph which provides that for limitation on the number of men who may be in active training and service at any one time the number of such volunteers shall be disregarded, of course, would allow the number of volunteers to be in the Army in excess of the present limit of 900,000 at any one time. The provision which relates to volunteering is unnecessary for the reason that the law as it now exists permits such volunteering, if they desire to do so. It is the law of the land at this time. As a matter of fact, it is a provision of the original Selective Service and Training Act.

The only purpose of this amendment is to strike from this bill the foundation upon which it is based, which is the declaration that the national interest is imperiled. The amendment should not be agreed to and I therefore ask for a vote.

Mr. HARNESS. Will the gentleman yield?

Mr. MAY. I yield to the gentleman from Indiana.

Mr. HARNESS. I am sure the gentleman did not want to make the statement that that section was accepted unanimously by the committee. The chairman of the Committee on Military Affairs knows very well that the minority opposed that from the time it was placed under consideration until it was reported out.

Mr. MAY. Might I remind the gentleman that what I said was that the provision inserted by the minority there was agreed to unanimously? That is, that this act should apply and be enacted for the sole and only purpose of section 3 (b) of the Selective Service and Training Act in order to prevent the President from exercising power under numerous other statutes that are the law of the land. If I am not mistaken, the amendment was offered by the gentleman from Massachusetts [Mr. CLASON].

Mr. HARNESS. But not to the section. The gentleman means the words "acting in accordance with and solely for the purpose of carrying out this act." Those are the words the chairman has in mind; but the entire section declaring that the national interest is imperiled was opposed by the minority, and we still oppose it.

Mr. MAY. I did not say that. I said it would apply to that amendment. Of course, I know that the minority on the committee have been from the beginning opposed to removing the limitation which would limit the number of selectees at any one time in the service to 900,000. The view of the majority side of the committee has been, and is now, that it is shortsighted and unwise to impose so many restrictions on our military leaders, to whose judgment and leadership we must look for the defense of this country.

Mr. HILL of Washington. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington [Mr. HILL]?

There was no objection.

Mr. HILL of Washington. Mr. Chairman, this day we Members of the House of Representatives will make a momentous decision. It is my profound conviction that in our hands rests not only the welfare of our beloved country but also the fate of the world. What we here do will echo down through the years to come either for good or evil, for weal or woe. There are some in this Chamber who honestly believe that the best way to save democracy is to extend the draft service. All honor to them for holding to their honest convictions. There are others who as fervently believe that the only way to save our free institutions is so long as we are not actively in the war to use the democratic way of the volunteer system, keeping those we have trained in reserve for a real emergency of attack should it arise. All honor to them for holding to their honest convictions. There are still others who waver. For them I have the highest respect if their indecision rests on honest doubt as to the best method. Let us once and for all grant to all the Members of this House the highest and most sincere motives for their views and their votes.

As for myself, I long ago made my decision as to how I would vote should the question be presented. I made it when I cast my vote against conscription in the first place. In the CONGRESSIONAL RECORDS for the dates when that issue was debated you will find my reasons therefor. "Conditions alter cases" it is said. So they do as to matters of detail and policy—but never as to principle. Moreover, notwithstanding the loud cry of the press and interventionists to the contrary, I affirm and declare that the emergency is no greater than it was then—that there is no more danger now than then of an invasion of the Western Hemisphere, and that we are not—I repeat it, sir, we are not in active war at this time. Nor can we be until the Congress so declares. Furthermore, we who represent the people—the only sovereigns in these United States—are not going to declare war until there is an actual threat of an invasion of the Western Hemisphere. The people

have by their polls and by their letters and telegrams so spoken in no uncertain terms.

So first, by conviction I cannot vote for an extension. Secondly, it is the mandate of a majority of the people, at least of a majority in the Fourth Congressional District of the State of Washington. Many of those who even do not concur in my views write me that they want me to follow my own honest convictions, as I am here as their Representative. But let us go farther. It was clearly understood when the original draft law was enacted that the service was for the 1 year. Do not be misled by the statements of the interventionists. Read the debates of those days on the floor of both Houses. Furthermore, read the newspaper columns of those days and compare them with the same columns of these days. And I repeat and emphasize the fact that the present emergency is no greater than when conscription was enacted. With the two great war dogs snarling and fighting each other, let us fervently hope and pray that they will destroy each other. Should either win—and God forbid—which would you choose, nazi-ism or communism? As for me, I want neither. I want to build up an impregnable defense of the Western Hemisphere against any possible invasion of any foreign ism—be it fascism, nazi-ism, or communism. We can and must do this very thing.

It is declared time after time that our draftees are not yet trained. Well, where lies the fault? We have sent our equipment abroad so that our draftees have been trained with dummies and playthings. I saw an awkward squad being drilled without any equipment except khakis on an airport in my own district last month. It is my contention that had our equipment been kept at home all these young men could have been efficiently and properly trained for defense purposes in 1 year.

Then, again, a large Army is declared indispensable. I cannot concur in this. This is essentially a machine age. This holds true in warfare as well as in peaceful pursuits. Even the most cursory observation of events in Europe during the past year should convince reasonable men of this fact. Men are necessary—this is irrefutable—but only a fraction in proportion to the mass troops of even the last World War. We need far less men but they must be the best skilled men in their field. For this purpose tens of thousands would volunteer if the pay was anywhere near adequate. Oh, do not talk to me about patriotism. With war profiteers even now making their millions, with common laborers making as much in 3 days with overtime as a selectee gets in 1 month, do not talk to these selectees or their parents about patriotism. That is a word too sacred to be bandied about like that. Patriotism must and, by the grace of God, shall be applied to all men and women regardless of race, color, or creed and to corporations as well as individuals. There is only one brand of American patriotism and that is service and sacrifice by all and fairness and justice to all. We demand this even though you should pass this bill.

It has been and is my contention that for actual defense purposes of this hemisphere we should let these trained men as their year of service expires, leave active duty for their civil occupations again with the full understanding that as long as the present emergency continues, they are subject to call at any time in case of invasion, and, secondly, that every year for a brief period they report for active duty—the same as the National Guard. This is on somewhat the same basis as the Swiss system—a system which has kept Swiss borders inviolate for centuries despite her small population and small army.

[Here the gavel fell.]

Mr. HILL of Washington. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Washington [Mr. HILL]?

There was no objection.

Mr. HILL of Washington. Mr. Chairman, lastly may I call your attention to an article on a separate air force by Al Williams, who served for 23 years in the Air Corps, which was printed in the CONGRESSIONAL RECORD for July 29. There is conclusive proof from an experienced airman that if we could break down the opposition of the Army and Navy against a separate air department and build up the greatest air force in the world—which we could do if we kept our own marvelous planes at home—no possible invasion could be made by any dictator or group of dictators now living or in decades to come. We could stop any navy 500 miles from our shores—and Hitler knows this full well. Our "brass hats" do not seem to know it and they seem to control the policies of those urging extension and increase of our Army.

May I before I conclude say a brief word about at least one of the "four freedoms"? It is our duty to see these preserved and defended in the United States. One woman, intelligent and patriotic, came into my office yesterday and related the following incident: A friend of hers wrote a letter to a person high in official circles relative to the extension of time for the selectees. She was visited soon thereafter by a representative of one of the law-enforcement branches of the Government. He questioned her at length as to her purpose in writing. She asked if he were telling her not to write. He said, "You are putting words into my mouth." However, he let her know that she was being warned not to write. She said, "Wait until my friends hear about this." He replied that he would not advise her to tell her friends. She asked if she would be put in a concentration camp if she did. He said, "No; we will merely send a psychiatrist to visit you." In other words, St. Elizabeths for her. And this in free America.

Fellow colleagues, is it not more important to protect the right of free speech here in our own country than to try to guarantee it abroad? Is it not far better to convince and convert by example than to force upon an unready world even our splendid way of living and government? We are great enough, strong enough, good enough, if you please, to teach the world by precept and example that democracy can prevail, can succeed, can best serve the common weal.

For my stand on this and other noninterventionist issues I am threatened with political extinction and oblivion. So be it if necessary. Most of these threats come from extreme interventionists. But in the years to come I must live with my own conscience and not with these extremists—for which I fervently thank Almighty God. Believe me when I say that were this vote cast on the eve of an election and should it result in my defeat at the polls, so help me God I could not do otherwise. It may not be politically expedient, but I have and now want every voter in the Fourth Congressional District of Washington to remember this vote as well as all others on next election day. If I cannot express and vote my honest convictions, then I cannot claim the respect of my fellow men, much less my own self-respect and guidance of a kind providence.

On my recent birthday my office force presented me with a plaque on which are written these words: "A politician thinks of the next election; a statesman, of the next generation." How little—how very little claim I can lay to the latter distinction. But by the grace of God and the good will of real friends I can and will follow in the footsteps of those who choose to "think of the next generation."

Mr. PLUMLEY. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I am opposed to the pending amendment.

Mr. Chairman, I have received a letter advising me that, unless I vote against any extension of the time of service of those inducted into the Army, my term of service here will be shortened and my political hide tanned on somebody's barn door. Now I have been threatened before with worse things than that. Under such circumstances, this question arises in my mind, "What does it profit a man to gain the whole world if he lose his own soul?"

My friends, there is no such thing as political expediency. History proves repeatedly that those who have tried to be politically expedient have found their efforts to be a boomerang.

Not only the first reason given in the letter is bad, but all of them are. The first is particularly so, for in my judgment the measure of the man is found in whether or not he will vote in such a way as to save his own hide or will vote to protect the lives of the thousands who are in training for the defense of all of us. His constituents will have to be the judge of his motives.

Delayed as such training may have to be or may be because of reasons over which he may have had no control, the trainee is entitled to it and should have it.

I am opposed to the amendment.

I would like to read you a couple of telegrams I received yesterday. The first is from the commander of the Veterans of Foreign Wars, Department of Vermont:

Hon. CHARLES A. PLUMLEY,
Congressman for Vermont,
Washington, D. C.

The Veterans of Foreign Wars for the Department of Vermont urge you to support the

extension-of-service bill. Most Vermonters have confidence in the judgment of the War Department. Give our boys the training so few of us had. Unprepared and untrained will take a far greater toll of life and property

ROBERT A. ROSENBERG,
Commander of the Veterans of Foreign Wars for the Department of Vermont.

The second telegram, is from the commander of the Vermont Department of the American Legion and reads as follows:

Hon CHARLES A. PLUMLEY,
United States Congressman,
Washington, D. C.:

The Vermont Department, American Legion in convention assembled at Barre, July 26, unanimously adopted a resolution, copy of which has been sent you, calling upon Congress to enact legislation extending the period of service of those now in the Army until such time as the national crisis is over. To do otherwise is to jeopardize the security of our country, and give the "fifth columnists" their initial victory. We know you will give this legislation your fullest support.

EDWARD J. CASEY,
Department Commander.

These two telegrams tell the whole story in a nutshell, as I see it.

After all the tumult and the shouting die, there stands the inducted group, unprepared. That they are unprepared cannot be denied. No man dares say that they are prepared either to take care of themselves or to save the country, which has spent billions of dollars of the taxpayers' money in order to make it possible that these young men shall be trained in both respects.

The arguments of those who talk about the contract do not prove a thing except perhaps that they are against universal service, are opposed to military training, are playing politics, or as isolationists or pacifists they learned nothing from our experience in the World War—or that is the way it seems to me.

Every mother, wife, widow, sister, or sweetheart, or any girl child of any man who was in the World War does not want any member of her family to be in another A. E. F. Of course, she is right, and she is right when she insists that the way to keep them from being in another A. E. F. is for us to have the best prepared man Army in the world, no matter how long it takes. If I know American women—and most of them I do know are very sensible—they do not want their men relations unprepared for defense as were those of their relatives who went with the A. E. F. in 1917.

Let us say that somebody has fallen down with the arrangements for training. We know that is true, and woefully true, but is that any reason why the men should not be trained? It is not. Why should we take it out on these trainees whom we contracted to train—and have not—and offer them up as a bloody sacrifice on the altar of hate for those who have failed to do their duty or for any other reason?

A little inconvenience now, perhaps more than a little, no matter who is to blame for it, must not be permitted to deprive this country and these young men of an opportunity to live. That is what it reduces itself to in the last analysis.

I am for no short-sighted, ostrich policy which will permit a recurrence of the destruction, devastation, disaster, and depression that have followed us since the World War because of our lack of appreciation of what was necessary, even elementary, for preparation, for preparedness.

In the ardor of sacrifice, with a passion for ideals and unshakable loyalty to a cause, as fine a group of young Americans has been assembled as ever despised death or loved life. For lack of proper preparation which we could afford, we now propose to offer them up on the bloody altar of Mars. It is unthinkable. To turn them out unprepared by reason of our failure to extend the time long enough to prepare them for their job is neither sensible, nor fair, nor right, and is a breach of contract on our part.

To justify such action, some say we are in no greater peril today than we were a year ago. That is a fiction of wishful thinking, for the hard, cold facts dissipate the fog of oratory, the glittering generalities of which have left an impression more delightful than permanent, and which cloud the vision of those who listen to such statements.

What means this passionate discourse,
This peroration with such circumstance?

is a question it is always well to ask under such circumstances. It is time to take quiet hold of the realities when one is swayed by the emotions or superinduced to be swayed by those who can make a lion look no more than a cat.

The truth is found in the fact that our peril is greater. It is greater because, as Mark Sullivan says, the war is coming closer to America every day. The closer it comes, the more it becomes necessary for us to prepare ourselves as expeditiously as possible for defense. The fallacy of saying or thinking that defense will grow out of a 4,000,000-man army springing to arms has been exposed.

It is costly wisdom that is bought by experience, but

Experience joined with common sense
To mortals is a providence.

The uncalled-for sacrifice of men and brains and blood and brawn, out of sight and buried in foreign soil, in the last war because of a lack of preparedness, the responsibility for which lack rests on the Congresses of the days preceding the World War, was a high price to pay for the wisdom that should be ours.

The burden of responsibility for the crippled and maimed in body and mind who came back from overseas, and the blood of those dead who lie there is on the heads and drips from the hands of those who mistakenly insisted that there never could or would be a war and therefore opposed all forms of universal military training and blocked all attempts to prepare this country for war in a time of peace. We should not repeat that tragedy of errors.

We are in a greater peril today, as every day the war comes closer.

And war is coming closer. I say with Mark Sullivan that—

War is coming closer to America and its vital interests. It made a new jump of some thousand miles last week when Japan moved into Indo-China. It made a long jump in June, when Hitler attacked Russia; because, if Hitler crushes Russia utterly, he would be in Vladivostok and elsewhere in eastern Siberia only a few miles from Alaska.

This has been going on since the war began. When Hitler crushed France, his approach toward America in miles was not much, but in essential meaning, very great. We recognized it instantly. It was in the very month of Hitler's conquest of France that we set about our enormous increase of naval and military armament, and Congress began consideration of the draft.

War made another long leap toward us when France put her dependencies at the disposal of the Axis. Just as France put Syria at the disposal of Germany, and let Japan have Indochina, so might she let Germany make use of Martinique, which is within a few hours by air from the Panama Canal and our continental soil.

All this is war coming closer to the United States. It is not the United States going closer to war.

We know, too, that we must not wait until war makes the final leap upon us. We know that our defense must be not merely static. We know that if our defense is to be effective, it must at some point become offense—or, let us put it this way, prevention of offense by the Axis. It was in this spirit that we occupied Iceland; we occupied it to prevent Germany from occupying it first. We may need to make other such steps in the Atlantic. And in the Pacific, the time may be close ahead when we need to make a move, lest Japan move first.

I am opposed to the amendment, and I am for such extension of the service as in the judgment of the War Department is necessary to train these men properly. It would be not only most reprehensible but decidedly dishonorable for us to break our contract by depriving these young men of an opportunity to fit themselves properly and adequately for the service they are ready to give their country.

As John Eliot said:

Those rights that made our fathers freemen are in question. If they be not now the more carefully preserved * * * they will render us to posterity less free, less worthy than our fathers.

In the long vista of the years to roll,
Let me not see our country's honor fade.
Oh let me see our land retain her soul,
Her pride, her freedom; and not freedom's shade.

We must be fit in order to be free.

Mr. MARTIN of Iowa. Mr. Chairman, I move to strike out the last 2 words.

Mr. Chairman, the first paragraph of the committee substitute bill is as follows:

That the Congress, acting in accordance with and solely for the purpose of carrying into effect the provisions of section 3 (b) of the Selective Training and Service Act of 1940, hereby declares that the national interest is imperiled.

Let us refer to section 3 (b) of the Selective Training and Service Act. The last part of it reads:

Except that whenever Congress has declared that the national interest is imperiled, such 12-month period may be extended by the President to such time as may be necessary in the interests of national defense.

The minority members of this committee are opposed to declaring the national interests imperiled when it carries with it that indefinite and interminable extension at the call of the President. There is nothing more oppressive to morale than

an indefinite extension of service. I know what I speak about because I had the privilege in the World War of seeing the 7-year enlisted men kid the duration boys on the length of their enlistment. Perhaps it goes over your head a bit, but it was a very real experience to see the 7-year boys in my regiment kid the men that enlisted for the duration. You put an indefinite extension of enlistment on these boys, and you lower morale.

I wanted to get the attention of the gentleman from New York [Mr. WADSWORTH] during his talk to tell him that I am not wholly departing from General Marshall on that point. At pages 25 and 26 in the hearings General Marshall made the following statement:

> If there is a prolonged period of uncertainty, such as we now have, we wish to continue the rotation of the selectees as far as possible, in order to bring new men in for training. The longer we freeze the men in the ranks of the Army, the more difficult it will be to maintain their morale, unless real trouble starts. Then morale takes care of itself.

I think we are very logical in supporting General Marshall in that point of view and I, for one, do not wish to press down on the brow of these soldiers an indefinite extension, an interminable extension, of their period of service.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. MARTIN of Iowa. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. May I call the gentleman's attention to the fact that it is my understanding that an amendment will be offered to meet that point, making the period of time definite, 18 months.

Mr. MARTIN of Iowa. May I add, however, that the declaration of a national peril carries with it the enforcement of section 3 (b) as it now stands in the statute, and that is indefinite.

There are a few things I believe to be vastly important at this time as to how far we shall go in following the high-ranking general officers of the Army. If you look at the front page of the hearings, you will find there the six witnesses who appeared to support this bill and no others in support of it. Five of those six are generals of the Army. The sixth was Grenville Clark, who enjoys a very wide reputation as a militarist.

I agree with General Marshall on the effect of an interminable extension in its effect on the soldiers and when it comes to the purpose of building a solid civilian morale. I believe we should look into some of these problems from the viewpoint of our foreign policy and from the viewpoint of our economic structure and we should consult representatives of other departments of the Government.

[Here the gavel fell.]

Mr. TARVER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, in view of the fact that the chairman of the Committee on Military Affairs Committee promised me time under general debate which through circumstances beyond his control he was unable to accord me, I ask unanimous consent that I be permitted to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. TARVER. Mr. Chairman, I hope it may be possible to discuss this measure without being properly criticized as either a warmonger, a pacifist, a partisan, or a demagogue.

I have voted for every defense measure which has been proposed during the period of this crisis. I intend to vote for this one. However, that does not mean that I do not intend in the Committee of the Whole to submit myself at least one amendment and support others of a substantial character.

I believe that it is not only the right but it is the duty of the Members of the House to lend such aid and assistance as they can in the formulation of a reasonable, sane measure, and at the same time, after the judgment of the Committee of the Whole has been taken as to the form which the measure should take, I believe it to be my duty to support that judgment, although I may not be in accord with it in all particulars.

I heartily favor the retention in the service and the provisions in this bill providing for the retention in the service of Reserve Army officers and the National Guard. The terms of over 69,000 of the National Guard expire next month. It is imperative, in my judgment, that action should be taken now as to National Guard men and Reserve officers rather than to allow this at least partial disintegration of the Army.

I favor the removal of the over-all limitation as it is proposed in the bill upon the number of those who may receive training. I do not believe that at this time the Congress should take the action which is proposed in this measure with reference to selectees. The terms of the first selectees do not expire, as you know, until November and only the terms of 13,000 of them expire at that time. There is no necessity, in my judgment, for the haste with which we are asked to act here in determining, not whether an emergency exists now but whether an emergency will exist in November which will require the retention in service of these selected young men. I feel that we ought at least to accord to them the consideration that we have accorded to the membership of the National Guard.

It is said the Army has to plan, it has to know in advance just what to expect in order that it may make proper plans for the maintenance of the Army. What opportunity has the Army had to plan about the National Guard? Sixty-nine thousand of them go out of service next month unless we pass this law, and here we are at the middle of August undertaking to make some legislative provision on the subject. Cannot we extend to these thirteen-thousand-odd November selectees the same consideration that we have already extended to the National Guard? Can we not wait at least until the first of October to determine then whether it is probable an emergency will exist in November which would make it unwise that they should be discharged from military service?

I do not think any one knows at the present time what the situation is going to be in November. We are told by military experts that if Russia succeeds in holding the Germans until bad weather sets in along the last of September, that our emergency situation will be materially ameliorated. Why should we not wait until that time? It may be there is no possibility of it, but if there is a possibility that this crisis or emergency may pass without our having to continue beyond 12 months the service of these selectees, why ought we not to give the boys the benefit of the doubt? We are going to be here all the time. Congress is not going to adjourn. If a crisis exists or if a severe emergency still continues the first of October, it would not require long to make the necessary provision for the continuance of the service of the selectees. Why in the name of common sense should we undertake to do it this long ahead of the period when the act will become effective for any selectees at all?

There is this further thing and it has been discussed somewhat in the debate, but I do not think that sufficient importance has been attached to it. Under section 3 (c), of the Selective Training and Service Act, the President has the right to call these selectees back the next day after their discharge for an additional period of service which, under Public Resolution 96, Seventy-sixth Congress, third session, cannot be for over 12 months. There is no difference between the exercise by him of that power and the exercise of the authority which we are asked to delegate here, except that if the President calls them back under existing law it can only be for a 12-month period, whereas if he calls them back under the provisions of this bill, it will be indefinitely and can be from now on, in the discretion of the President. Why is it necessary that the Congress should at this time undertake to vest the President with additional authority, as to continuing the service of selectees? You, by declaring the national interest imperiled, vest him with the authority contained in section 3 (b) to continue their service indefinitely whereas he already has the authority, if he is so disposed to call them back to service for an additional period of 12 months under the present statute. Can we not afford to leave him with that authority which ought to be sufficient for the purpose for the present and at least defer until the early part of October consideration of whether or not the delegation of additional power to him is necessary?

I do not favor the disintegration of the Army. I am heartily in accord with everything that has been said with reference to the necessity of retaining in the service trained men. I do not think their discharge, so long as this period of emergency continues, ought to be for a moment considered, but at the same time I cannot understand why it is necessary this long in advance of the time when the first ones of the selectees will go out of the service, for the Congress to determine that at that time—not now, but then—there will be an emergency neces-

sitating their retention, not for 12 months, but for an indefinite period of time.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I will be glad to yield.

Mr. SHORT. And under the proposed amendment each selectee will be allowed at the conclusion of his 12 months' service to volunteer for another year.

Mr. TARVER. I am opposed to the amendment that the minority of the committee has offered. I am not supporting that and I do not wish to be misunderstood by the membership of the House. I do not think we would be justified in undertaking to depend upon volunteers to continue our Military Establishment under present conditions.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. SHORT. If the gentleman is not for the amendment and is in favor of retaining section 1, which declares that the national interest is imperiled, then he is going to vote to continue these selectees in service indefinitely?

Mr. TARVER. No; I am going to vote for the amendment which I am going to offer myself, if the parliamentary situation permits, which provides that:

Page 4, at the end of line 12, strike out the period, insert a colon, and the following proviso: "*Provided further*, That notwithstanding the foregoing provisions, the power of the President to require more than 12 months' service and training in the cases of men selected under section 3 of the Selective Training and Service Act of 1940 shall be limited to the powers delegated under section 3 (c) of said act."

I wish I had reason to feel as cocksure as some of my colleagues apparently do with regard to the many and important decisions we are constantly being called upon to make upon questions affecting the national defense. There are many men in Congress who apparently entertain no doubt whatever upon any issue. Part of them strongly oppose all defense measures and part of them vigorously support every item of such legislation proposed. I do not doubt that most, if not all, of them are conscientious. Perhaps there is not any excuse for indecision, and yet I cannot tell the truth and say that with regard to everything that has been done or is now proposed my mind rests entirely satisfied.

The press and radio of the country and propaganda in the mails are all so prolific of alleged information that is patently intended to influence public opinion, rather than to inform it, that it is with difficulty that grains of truth may be segregated from the chaff of error. So far as what is happening abroad is concerned, the average Member of Congress is unable from vastly different and conflicting reports to reach conclusions in which he has confidence. Under these circumstances it is but natural that we rely largely upon advices from our Commander in Chief, who has available sources of information in every country on the globe; from our Secretary of State, likewise having opportunity for contacts with qualified and capable informants throughout the world; and upon such advices in the press and on the radio as appear from lack of substantial contradiction to be unquestionable.

However, in the unsettled and unknown matters, there are many things that trouble me. I am not sure about everything, as some men profess to be. I read all I can, listen to all I can, and, yes, I pray all I can. I profess no high degree of piety, but if ever men needed a God they need Him now.

I have supported, as I have said, every defense measure that has been enacted since this emergency began. Some of them I have supported because my analysis of the facts available led me to the strong conclusion that they were necessary to the national welfare. Some of them I have supported in part because of my reliance in what I believed to be the sincere purpose of the Commander in Chief to keep our country out of war, if possible, and upon the advices of the men in the Army and Navy, whose life work has been keeping our national defenses strong, and who ought to know more about what we need than the man who has not had that kind of training. I expect to continue in general that policy. I believe we are in the midst of a terrible crisis in our national history, and that only by the most tremendous and united efforts will it be possible to keep our country safe. I believe it will be possible, I believe it will be accomplished, and I am not inclined to split hairs with those who have the same objective in determining just how it ought to be done. I shall lend what aid and influence I can toward seeing that it is well done.

There is no political consideration involved. I have been honored by being permitted to serve the people in one capacity or another for 32 years and I shall not tarnish that record of honorable service by casting a vote in this time of national emergency dictated by re- and Service Act provides:

Section 3 (b) of the Selective Training and Service Act provides:

(b) Each man inducted under the provisions of subsection (a) shall serve for a training and service period of 12 consecutive months, unless sooner discharged, except that whenever the Congress has declared that the national interest is imperiled, such 12-month period may be extended by the President to such time as may be necessary in the interests of national defense.

There are those who say that Congress made no promise to selectees regarding the period for which they would be inducted. I say it did. It did not promise them they would have to serve only 12 months, but it did promise them under the express language of this section that they would serve only 12 months "except * * * whenever Congress has declared that the national interest is imperiled," or when they are called from reserve status by the President under section 3 (c) which reads as follows:

(c) Each such man, after the completion of his period of training and service under subsection (b), shall be transferred to a reserve component of the land or naval forces of the United States; and until he attains the age of 45, or until the expiration of a period of 10 years after such transfer, or until he is discharged from such reserve component, whichever occurs first, he shall be deemed to be a member of such reserve component and shall be subject to such additional training and service as may now or hereafter be prescribed by law: *Provided*, That any man who completes at least 12 months' training and service in the land forces under subsection (b), and who thereafter serves satisfactorily in the Regular Army or in the active National Guard for a period of at least 2 years, shall, in time of peace, be relieved from any liability to serve in any reserve component of the land or naval forces of the United States and from further liability for the training and service under subsection (b), but nothing in this subsection shall be construed to prevent any such man, while in a reserve component of such forces, from being ordered or called to active duty in such forces.

Thus, there are two ways provided in the act itself by which the period of 12 months' service may be extended. One is by the declaration of Congress that the national interest is imperiled. The period for which this may be done is indefinite. The other is by Presidential action in calling a man to active duty after he has served 12 months and been placed in a reserve status "as may now or hereafter be prescribed by law." How is the exercise of such authority by the President now prescribed by law? I quote here the first section of Public Resolution No. 96, Seventy-sixth Congress, Third session, which is the existing law on this subject:

Resolved, etc., That during the period ending June 30, 1942, the President be, and is hereby, authorized from time to time to order into the active military service of the United States for a period of 12 consecutive months each, any or all members and units of any or all reserve components of the Army of the United States (except that any person in the National Guard of the United States under the age of 18 years so ordered into the active military service shall be immediately issued an honorable discharge from the National Guard of the United States), and retired personnel of the Regular Army, with or without their consent, to such extent and in such manner as he may deem necessary for the strengthening of the national defense: *Provided*, That the members and units of the reserve components of the Army of the United States ordered into active Federal service under this authority shall not be employed beyond the limits of the Western Hemisphere except in the Territories and possessions of the United States, including the Philippine Islands.

From this it will be seen that if Congress does not declare that the national interest is imperiled under section 3 (b), making the further stay of the selectee beyond 12 months indefinite, the President, the day after his 12 months is out, can call him back into the active service for an additional 12 months but no more. Why all this talk, then, about the Army disintegrating if we do not pass this bill as written? The terms of the first selectees do not expire until November, and only 13,000 of them then, with five or six thousand more expiring in December. I include here a letter from the Secretary of War with an attached statement, which explains itself:

WAR DEPARTMENT,
Washington, July 28, 1941.

Hon. M. C. TARVER,
House of Representatives.

DEAR MR. TARVER: Receipt is acknowledged of your letter of July 21 relative to the future monthly periods when the term of service for National Guard men and selectees will expire.

Enclosed is a tabulation showing the number of National Guard men inducted into the

military service each month, beginning September 1940. They are subject to correction, however, since no deductions have been made for losses from various causes. Figures are also given for the induction of selectees by month beginning November 1940.

These figures, with the appropriate corrections for losses, represent the number eligible after a year's training for release in the corresponding months from September 1941 to June 1942.

Sincerely yours,

ROBERT P. PATTERSON,
Acting Secretary of War.

Induction by months, 1940–41

Month	National Guard men	Selectees
September 1940	69,112	
October	36,843	
November	28,416	[1] 19,327
December	18,275	
January 1941	42,519	73,633
February	68,132	90,238
March	13,668	153,437
April	4,711	124,982
May		62,456
June	462	79,522
In service June 30, 1941	282,138	603,595

[1] Includes December.

For the sake of emphasis, I repeat, who knows now whether an emergency will exist in November when the terms of the first selectees will expire? Why should Congress make any declaration to that effect now? It is expected we will not adjourn; that we will be continuously in session until this emergency is over. We are told that if Russia holds the Germans in check until October 1, our national danger will be greatly decreased if not eliminated. Why should we not wait and see what the next 50 days bring forth? I agree that if an emergency then exists, we should so declare, because the law under which these men were drafted so provides. I do not agree that we should declare now that an emergency will exist in November when the terms of the first selectees expire, necessitating their continuance in service for an indefinite time.

How long will that time be? A hotheaded fanatic, who has been howling for war ever since this emergency began, is reported to have said the other day in another body that these boys must serve 5 or 10 years, or perhaps a lifetime. I am unwilling to accord with such statesmanship. I conceive that in some instances it is inspired by considerations foreign to our national welfare; in any case, it is foolish madness. I am not willing by legislative act to destroy the hope for lives of happiness of millions of American boys. So far as I am concerned, I voted to put them into involuntary military service because it seemed absolutely necessary to our country's defense; and when it comes to the question of extending that service beyond 12 months, I am willing to do it when it appears necessary to do it, and I do not want to do it before then.

Oh, it is said, the Army must know now; it must be able to plan. The Army knows now, or it ought to know, that this Congress will keep the utmost number of trained men available in the Army until the emergency is over. The Selective Service Act in effect so declares. It knows that the induction of additional men for training is in the discretion of the Army itself, subject to the over-all limitation in the size of the Army and the number of the selectees who may be in the service at one time.

Is it merely desired to remove that limitation? Then let us pass that part of the bill.

What is the other objection to delay, so far as the selectees are concerned? "Why," they say, "some of these men are stationed outside the United States and we have to get them back home if they are to be discharged."

There are about three or four thousand out of over 600,000 stationed outside continental United States. To talk about trouble in getting them home in a month if necessary is to reflect on the capability of the Army.

But it has been said the National Guard men and Reserve officers who have been called for 1 year's service will start going out of the service right away; the 1-year terms of over 69,000 National Guard men expire in September.

Pass this law, then, insofar as it applies to Reserve officers and National Guard men. I do not believe in allowing the Army to disintegrate until the emergency is over. These men will, in my judgment, gladly accept the call to continued duty, just as the selectees will, if, when their terms expire, the national interest requires it. What I am objecting to in this connection is determining now whether there is going to be a national emergency in November, when nobody knows, and by such determination making it possible for these men to be kept in the Army either indefinitely or for a long period of time.

It seems to me, sometimes, that there are high officials in the War Department who want a big army, whether there is an emergency or not. A big army means more big officers, higher salaries, far more numerous promotions. This emergency has already resulted in the making of so many major generals and lieutenant generals, not to speak of the smaller fry, such as colonels, majors, and what not, that the lists of nominations for promotions sent to the Senate from time to time have filled many pages. It may be that some of the Army officers who are behind this bill in all of its details so vehemently want us to act now because they are afraid that if we wait until October 1, there would not be any emergency justifying action, and the tremendous army they envision will be unnecessary. Whether that is true or not, neither the country, the Army, nor the selectees, can be hurt if Congress waits as long as it is possible to wait in safety before taking this drastic action. Pass the portions of the bill removing the over-all limitation on the number of men who may be in training at any one time; let them train all they want and can. Pass the part which will not allow these trained National Guard men and Reserve officers to be lost to the Army; and then wait a while to see if it is going to be necessary to keep these selectees more than 12 months. If, at the proper time, it appears then to be necessary, I should certainly vote to do it; but I dislike to decide that question now.

If this bill as applicable to selectees is to be enacted, then the provision in the Senate bill for $10 per month additional pay should be inserted. What does it matter if it costs $171,000,000? When did any of you ever raise the question of economy effectively when we have been pouring out these billions of dollars for defense, a large part of which went to pay men in aircraft and other defense industries $8, $10, maybe $12 or $15 per day in some cases? And some of whom were not willing to work for that, but by strikes for higher wages and shorter hours have so impeded the defense program that it is only 70 percent up to Army plans and hopes? Thousands of them are striking now at Kearny, N. J., on shipbuilding contracts aggregating over half a billion dollars. These selectees cannot strike; you have had the opportunity to do something about these labor disputes in defense industries and refused to do it; you are appropriating the money to pay these high wages. Who are you to say that a selectee is not entitled to $40 a month, $1.33 a day, when we are told that in his job his very life may soon be endangered and perhaps sacrificed?

I am for national defense, but I am not for everything that anybody wants in the name of national defense. I do not want any American boys sent to fight in Europe. I would not sacrifice the life of a single American boy to save Bangkok or Singapore, Chungking, or Moscow. I would like to see England win, but I believe we can protect ourselves, whether she wins or not. I want us to help her win in the ways we have been helping her, and I believe she will win, but I am not willing to send another A. E. F. to help her win.

These are my views. I know they are not popular views in many quarters. I do not call everybody who disagrees with me a warmonger. I question the good judgment, both of some of those who are howling madly for immediate involvement, and of some of those who want us to stick our heads, ostrich-like, in the sand and insist there is no danger. There are some parts of this bill, as I have pointed out, which I think the national interest requires shall be promptly enacted into law. I have presented my views with regard to other provisions which I think ought to be changed, and I shall support amendments to change them. But after the composite judgment of this Committee of the Whole, composed of Representatives from every section of the United States, is taken, I shall, if the bill is not then in all respects as I would have it, submerge my own convictions as to some portions of it, if I feel that on the whole its enactment will contribute to our national welfare. In this struggle for the survival of civilization, I am in a way a soldier, and after I have done what I can to influence the plan of operation and that plan has been decided upon by a majority of my fellows, I shall not join the ranks of those who would

hamstring every defense effort by insisting rigidly that every such effort shall be made in accordance with their own viewpoint or not at all.

Mr. MAY. Mr. Chairman, let us see if we cannot agree upon a time to close debate upon this amendment. I ask unanimous consent that all debate upon this amendment and all amendments thereto close in 30 minutes.

Mr. SWEENEY. Mr. Chairman, I object.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that all debate on this amendment and all amendments thereto close in 30 minutes. Is there objection?

Mr. WILSON. Mr. Chairman, I object.

Mr. TABER. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, in approaching this bill, to my mind we must consider what is for the best interest of the United States of America. That is our job, and it is our job to protect the interests of the United States of America. We cannot do it without providing in every way possible for the best kind of national defense, regardless of whether or not the administration has done what it ought to do in connection with the defense program, regardless of whether it has done what it ought to do in reference to these men. We must provide the men that are needed to take care of the situation.

When General Marshall was before the committee in 1940, on page 104 of the hearings he said in answer to a question of Mr. HARNESS—

> This calls for 8 months' training. What was your thought?
>
> General MARSHALL. That is too short in our opinion.
>
> Mr. HARNESS. What would you say?
>
> General MARSHALL. A minimum of a year; but from our point of view we prefer a longer period.

That, Mr. Chairman, to my mind, is the statement with which we went before the country. I did not promise any man that he would be let out of the service before the need for him was exhausted. I do not like this idea of subterfuge, and frankly this language on page 3, lines 21 to 24, of section 4, is a subterfuge. If we have a situation to meet, let us meet it; let us say to these boys in the service that we propose to permit them to stay in the service for 6 months additional or for 12 months additional, but let us not muddle the thing all up in the kind of language you have here. Let us say definitely that we propose to give them that much additional training. General Marshall in his testimony as it appears on pages 26 and 27 of the hearings says that he proposes to let them out as soon as the need for them goes by. Why can we not have a definite period, and let the Congress meet its responsibility instead of beating around the bush? That is what I do not like about this proposal. I hope before we get through with this that that kind of a solution may be arrived at. I hope that the Congress will not dodge its responsibilities and shove them onto someone else. I hope as we get to considering this bill that we will stop all this idea of anything except that the men in the service are patriotic Americans and that they are prepared to do what is necessary for the defense of the United States of America.

Mrs. NORTON. Mr. Chairman, today, with a war raging in Europe and Asia, we are face to face with realities and it may well be that the time has come for a show-down in America. Of course, none of us want war. Neither did the free countries of Europe, which have been swallowed by a war machine the like of which no sane human being could ever have imagined. That being the case, and all indications pointing our way when and if Europe and Asia are conquered, it is up to us to stop wishful thinking and become realistic. God knows that I do not want to see our country plunged into war. I pray daily that I shall not be called on to vote for or against war. It would be horrible. And, because I feel so deeply on the subject, I have given it much thought and my convictions are firm that the only way to keep our country free is to first give all possible aid to England, which is our first line of defense, and then to build the defense forces of our country so strong that not even Hitler would dare to challenge us.

I am not unmindful of the fact that to do this will necessitate great sacrifice on the part of every man, woman, and child in America today and probably for generations to come, but if we succeed in maintaining our freedom—our way of life—all the things our forefathers fought and sweated for that we might enjoy the liberties and comforts they were denied—then it would seem that no sacrifice on our part would be too great.

I am not unmindful of the tears that are being shed by many of the mothers of America whose sons are now in the service of their country. Nor am I unmindful of their desire to see that service terminated. But I would remind those mothers that their Government is responsible now for the ultimate future decision, which may not be in their favor if a few years from now we become involved in a war with pagan gangsters. I would also remind them that hundreds of thousands of casualties of the World War might have been avoided had our boys been better trained when the call came.

Clear thinking, free from personal wishes and stripped of all emotion, would seem to indicate that this is no time to gamble with the destinies of a great country. Regardless of possible personal advantage our duty and responsibility to our great country seems plain.

Only God knows what the future holds. All we know now is that we are living in a period of crisis, that regardless of everything else we must cooperate with the Commander in Chief of our Army and of those responsible for the welfare of our country. They are in possession of facts. It is their business to see that the defense forces are as strong as it is humanly possible to make them. We cannot and we must not take chances with the future of the greatest country in the world. To do so would be treason to the men who fought and died for our freedom and for the blessings we have enjoyed because of their faith and their hope that freedom of religion, of speech, and of the press was necessary to make a people and a country great. These have been our heritage—the greatest heritage that could come to humanity. It is ours not by right of working for it or of deserving it, but because of the sweat and blood of those who conceived it to be the greatest gift that could be bestowed on posterity. Can we break faith with those unselfish pioneers of freedom? Can we dare to say, "I am an American," with all that title implies and for selfish reasons close our hearts and our minds to the responsibilities we must face in defending our title. When we have a serious illness, we consult the best doctor. When we are engaged in a legal battle, we secure the best lawyer. It would seem logical, therefore, that, confronted with a problem about which we know so little, we must take the advice of those whose business and responsibility it is to know much. They may make mistakes, but we have no reason to believe our mistakes may not be greater.

Realizing all of these things, I believe it to be my duty as a Representative in Congress of a loyal district to vote for an extension of service in the hope that it may strengthen our defenses and eventually prevent the necessity of fighting in a ruthless war. I could take what for the moment seems the popular side of the argument and vote to send our boys home at the end of a year of training regardless. To do so would be to violate my conscience and my oath of office. I could not do this and consider myself worthy of having been born an American. During the past year many of our colleagues have been called to give a final accounting of their stewardship. Before another Congress meets many more will be called. I may be of that number. If so, I would not want to meet my Creator and have to acknowledge that for political expediency or lack of courage I had sold my country short when I had the rare opportunity of rising about selfish impulse and distorted facts to render service and show some appreciation for having been born an American. It is my hope that by our vote today we may serve notice on the "king of gangsters" that America means business.

Mr. GIFFORD. Mr. Chairman, I move to strike out the last two words. It was impossible for me to get any time during general debate. I make no tragic statement as to what the effect will be on myself if I vote one way or the other, pleading that conscience dictates sacrifice of our political future. I advise little of that kind of oratory at this time. Events will determine whether you are right or wrong. Public opinion will change overnight if there is any shooting. I voted for the repeal of the embargo, and quantities of mail threatened me then. I voted for the lend-lease bill, and quantities of mail threatened me then. I am indeed glad that I voted for both measures. I still firmly believe I voted right. I want to go along with any reasonable demands for defense; but today I am to vote with the minority on the committee. In their report I think they have proved their case. I have taken considerable pains to inquire into this matter. A large camp is within

7 miles of my home. I have visited and talked freely with the officers and many of the men. These many officers with whom I have talked said to me that 50 and even 90 percent of those boys were willing to continue in service. But I have talked to very many boys by themselves, and I could not find one who was willing to continue. It did not check up at all. However, the officers are Army men and feel that the boys are so well fed and cared for that they could be easily misled. The boys would hardly make and acknowledge complaint to them.

As far as the political significance is concerned, a great number of people have been made to believe it is really necessary to keep these boys; and it is possible that other boys who may be selected would like to have these fellows kept in so that they will not have to go. So that when you come to judge the majority on this question you are treading upon thin ice. You may just as well let your conscience be your guide in the matter, but do not get tragic about it. We will all rather be forced to vote our conscience, not being able to know or depend upon what public opinion really is and especially is it doubtful as to what it may be in the future.

I can assure you that events that will transpire will settle it. I greatly regret if anyone should think I am putting my country in jeopardy by an adverse vote on this bill. I am sure that I am not. Enlarge the Navy all you possibly can. You probably are going to need it, but I cannot see where, in what spot, or when, you will possibly need in the immediate future a large army. You cannot convince me of that. It has already been certified that about 1,500,000 soldiers are all that is necessary for defense. We have allowed for 1,900,000. It is plain that number is all that we can take care of and train for some time. They have not trained the men inducted, lacking material for such training. The boys who have served almost a year have had no opportunity to train with instrumentalities and they cannot be blamed. It is not their fault. Let some other boys take their turn as promised and there will now be plenty of time yet before sufficient instrumentalities for training will be put in their hands. I am told that in the camp in my own locality only one contingent had sufficient equipment in the way of those instrumentalities. Some boys declared they had been there about 4 months and had learned all that their officers knew to teach them. You ask the Regular Army officer if that is true and he hesitatingly says, "Yes, in regard to the National Guard it is quite true, as, of course, generally those officers themselves have not had extensive and sufficient training in modern warfare, although they are the highest type of individuals, willing and courageous."

I have always paid attention to the promises and views of the President in the last 8 years. I seldom have depended on his promises since his early reversals in 1933. Other facts have determined my decision on this matter, rather than any prejudices I may have because he may not have kept his promises made since he came into office. These were domestic questions. I now disagree with him in his plea that we are in much greater danger than 1 year ago. I wish I had the time to enlarge upon that.

[Here the gavel fell.]

Mr. GIFFORD. Mr. Chairman, I ask unanimous consent to proceed for one-half minute more.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. GIFFORD. My terminal facilities are not good. I do not want you to misunderstand me. I sympathize greatly with the President. I greatly admire his political sagacity. I think he has gotten there first on many occasions and gaged the public's approval quite accurately. We disagreed with him, but when we found public opinion was with him, we acquiesced. We awakened generally to a fait accompli'. He has great authority. He has great constitutional powers and can easily forestall delay and action by Congress. The public usually applauds his actions. I regret if I err today in his latest plea. He has cried wolf so many times and created a host of emergencies, especially on the home front.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. MAY. Mr. Chairman, I would like to fix some reasonable time on this amendment, if possible. I ask unanimous consent that all debate on this amendment and all amendments thereto close in 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. WILSON and Mr. O'BRIEN of Michigan objected.

Mr. FADDIS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this amendment is a move on the part of the minority who are reluctant to admit that the national interest is imperiled. As I went down to the dining room to get some lunch, I picked up the Evening Star of this day. There is the headline "Darlan to become dictator of France. All military powers put in the Admiral's hands."

Is there a man on this floor who has been following the international situation who does not know what this move means? The French admit there are two orders in this world. One is the German order and the other is the British. They have made up their minds, beyond the possibility of a doubt now, that they are going to follow the German order; that they are going to do everything they can to promote the supremacy of the German order. With the supremacy of the German order comes the supremacy of Japan also, because when Germany wins Japan wins twice as much. She wins a position twice the strategic importance of that of Germany, and control of strategic commodities twice as important as any that Germany can control. Make no mistake about it. If Germany and Japan win we become a second-class Nation, because we are then deprived of many of the strategic commodities so important to us, the most important of which is rubber. The American Nation travels on rubber. Millions of men go to work every day of the world from 10 to 50 miles in their own automobiles.

If we were deprived of rubber, our automobile industry would be destroyed. If we were deprived of rubber at this time and this traffic borne on rubber should be thrown upon our already existing systems of transportation, they would collapse. How, therefore, in the face of these conditions can anybody doubt that our national interest is imperiled? Oh, if you are willing to follow the same road that Norway, and Holland, and Belgium, and France, and the Balkan States followed, refusing to admit the existence of a peril, burying your heads in the sand like an ostrich in an endeavor to justify the mistakes of your leadership made some 20 years ago, continue on. The people will catch up with you. You cannot continue a policy of that kind and not come to personal disaster. I am not afraid the Nation is going to follow you in a policy of that kind. The American people as a class are too sensible. They are not going to follow you down that road in an attempt to justify the mistakes of your leadership when they turned down the League of Nations and insured the war which has come upon us. I say to you, therefore, "Vote down this amendment." Take a flat-footed stand that the national interest is imperiled, because every man who is following this situation knows it is. Where are the nations today who refused to meet this question face to face? They are numbered among the nations of the past. Let us insure that we are never so numbered.

[Here the gavel fell.]

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, although I recognize that time is all important, yet in view of the fact I could get no time during general debate and because I would like to make my speech all at one time, I ask unanimous consent that I may proceed for 2 additional minutes.

Mr. MAY. Mr. Chairman, reserving the right to object—and I shall not object to this request—unless we can get some reasonable agreement as to time for discussion here, I shall have to object to other requests for additional time.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The gentleman from New York is recognized for 7 minutes.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, if we are facing a great emergency today, it is not one that has arisen from any war that may be raging in some part of the world, nor from the threat of war. The seed of this emergency was planted in the Selective Service Act of 1940, in the sense that the administration failed to disclose frankly and fully to the American people just what that act contained. It is true there are provisions in it for extending the period of service. Likewise, in every insurance policy we will find a great many clauses that cannot be read without a magnifying glass. It

cannot be denied, Mr. Chairman, that the 1-year service period was played up with every brass instrument in the band, and the provision for extension of service was played down with every muted instrument in the orchestra. The boys who were led to believe that they were going to get a full college course in 1 year's time now learn, to their amazement, and chagrin, that they are still in the freshman class. They are hurt and discouraged. They are prevented by Army regulations from making their views known to us, but every now and then we hear their voices through the fog of imposed silence when they speak to us through the medium of a family member or a civilian friend. Here is an excerpt from a letter from a selectee that was transmitted to me by its recipient without the knowledge of the writer. In my judgment it epitomizes the consensus of the selectees:

> There is one outfit in camp—a whole regiment—that would "go over the hill" if the bill for longer than a year is passed. People think we are making progress, but we are not. We now have in our battery just two guns, which a few sergeants have fired, and we have been here about 6 months. The morale of the entire camp is very low. A battery in one regiment went "over the hill" from the top sergeant to the lowest private. If the Congress lets this bill go through it will be a breach of faith, and the men won't give a damn. The outcome is obvious. There is no interest in the Army here and no morale. It will be a fearful thing, and I hope it is not passed. God help the public if it is.

But this mood of resentment and disillusionment could be dispelled if the President would make the proper appeal to these boys and their families. If there ever was a time when Mr. Roosevelt should make one of his radio fireside chats to the people, that time is now. He should speak to them in somewhat the following vein: "My friends, the administration now realizes that a grave mistake was made when the selective-service bill was first before the Congress. At that time it should have been clearly and carefully explained to you that, under the terms of the bill, your sons, your brothers, and your sweethearts might be held for more than 1 year. That feature of the bill should have been given the same prominence in the headlines as the 12-month training feature."

Now, the Chief of Staff, and our other military experts, advise the Congress and me that the events of the past year, and the existing world situation, make it imperative that the draftees be held under arms for a reasonable period beyond 12 months. In the name of national unity and our common welfare, I appeal for your cooperation in carrying out the recommendations of our military authorities. Mr. Chairman, such an appeal would not fall on deaf ears. There is no place for dogmatism if a situation of such magnitude, and the American people are not being dogmatic in their opposition to the resolution now before us. I represent a district in which the spirit of nonintervention is particularly strong, but there are no more patriotic and loyal Americans anywhere than the people I have the honor to represent. I made a trip home the past week end for the express purpose of sounding out their sentiment on this measure. I talked with dozens of my constituents—mothers and fathers, boys home on leave from training camps, boys scheduled to be drafted, and other people not directly affected by the draft. With one accord, they are willing and eager to make every sacrifice for the defense of their country within the confines of the Western Hemisphere. They will go along with the administration on a reasonable extension of the service period, and I underscore the word "reasonable." But they oppose, with every fiber of their being, the holding of their boys under arms indefinitely to cope with perils to our national security which have not been proved to exist. In brief, I am prepared to cast my vote in behalf of my constituents for carrying out the real intent and purpose of the Selective Service Act—namely, the training of our boys for the defense of their homeland, and for no other purpose.

[Here the gavel fell.]

Mr. WHITTINGTON. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Missouri.

The gentleman from Missouri [Mr. SHORT], who offers this amendment, opposed the Selective Service Act. He advocated the volunteer system. He now undertakes to substitute for selectees volunteers. This would be a backward step. For the first time in 1940 the Congress decided to profit by the mistakes of the past and to provide for training an army in times of peace, by selecting men for the Army.

After careful consideration in 1940 Congress, in the national and international emergency, adopted the selective-service system and not the voluntary system. If it is necessary to draft men in the first place it is necessary to draft them for extended service. The amendment would cripple the administration of the Selective Service Act. The second proposition is that this amendment would eliminate the declaration that the national interest is imperiled. I believe the declaration should be made. We have heard much about keeping faith with the men in the Army, but who is there among us who would say if the United States were in a declared war that the selectees should not be retained? Congress should justify by declaration the retention of the selectees.

Before we provide for extending the time, I think we owe it to the selectees to make a declaration that the national interest is imperiled. The pending amendment analyzed is without merit. It provides that after 12 months the selectees may volunteer. No such statute is necessary because there is nothing to prevent any draftee who has served 12 months from volunteering now.

In the minority report it is asserted that the President can recall the selectees after the expiration of 12 months. Why quibble? If he has the authority, if the opposition to this bill is well founded, those who are opposed should advocate the repeal of that authority. It begs the question to say that the President has the authority and that it is not necessary to pass this legislation.

Mr. Chairman, we have appropriated $52,000,000,000 for defense—twice as much as we planned to appropriate a year ago—and there has been no objection by Members of the House. Why? The national interest is in greater peril than it was a year ago. The purpose of this bill is to declare that very thing to be true, to provide for the continuance, reasonably, of those who have been selected, and to provide for their discharge. We owe it to the men that we propose to retain longer in the Army until they can be released to make that declaration. The statement of the pending amendment that would provide for the repeal of that declaration is contradicted by the next section of the bill and the committee amendment to be proposed by the chairman wherein the Congress of the United States instead of delegating the power to the President stands up and boldly provides for the continuance of the selectees in service.

Mr. Chairman, the purpose of this bill is to strengthen the Selective Service Act, to make the Army stronger, in the gravest emergency ever confronting our people. The responsibility is on the Congress of the United States. We have had time in the past 6 weeks to strengthen our Army; we have had time to provide further for our national defense. Will we profit by Russia's resistance? There must be no relaxation; there must be no turning back. We shall either strengthen the existing Army, as provided in the bill now under consideration, or we will provide for demobilization of an untrained Army by the defeat of this bill. For my part I say there must be no turning back.

I extend by saying, as the President pointed out in his message of July 21, that a grave national risk is involved unless the present effective strength of the Army is maintained. It can only be maintained by the defeat of the proposed amendment and by the passage of the pending bill.

The Selective Training and Service Act of 1940, approved September 16, 1940, provided that the draftees should serve for 12 consecutive months unless sooner discharged, except, and I quote—

> That whenever Congress has declared that the national interest is imperiled, such 12-month period may be extended by the President to such time as may be necessary in the interest of national defense.

The purpose of the bill is to authorize such extension. As it passed the Senate the extension is limited to 18 months.

There is a provision in the bill as passed by the Senate that increases the pay of draftees $10 a month after the 12-month period.

The bill also provides for the release of those who would suffer undue hardships if retained. This provision would apply to married men and those with dependents.

The bill also provides for the release of draftees who attained the age of 28 on or prior to July 1, 1940.

There are other provisions in the bill, but the extension of the term of service is the heart of the bill.

On July 21, 1941, the President of the United States delivered a message to Congress urging that the present effective strength of the Army be maintained, that the period of enlistment be extended. In his message the President

recommended that there be an extension in order that the defense forces of the Nation might not be disrupted. At the same time be stated that the Army planned to release selectees from service as soon as practicable after the completion of the 12-month period.

Gen. George C. Marshall, Chief of Staff of the Army, appeared before the Military Affairs Committees of the Congress and supported the recommendations of the President. He stated that the limitation upon the size of the Army should be removed and that a reasonable extension of the time of service should be made and that, unless such extension was made, the Army would be disintegrated and disrupted. Selectees are distributed among members of the Regular Army; members of the National Guard and with selectees. There are members of the National Guard in Hawaii and there are selectees at various places in the Western Hemisphere.

The purpose of the Selective Training and Service Act is twofold: First, it is to train the individual selectee; and, secondly, it is to prepare and maintain an army for national defense. The extension is essential for both purposes.

Congress for the first time has seriously prepared for war. It is now for Congress, as I have stated, to strengthen or weaken that preparation. The purpose of the bill is to strengthen. It is evident that the selectees cannot be fully trained in 12 months. It is evident that dangers will appear if there is disruption and disintegration in the Army.

Dangers do not pass with the expiration of terms of enlistment Wars do not await congressional enactments. Preparedness is essential and training is imperative in preparedness.

NATIONAL INTEREST IMPERILED

The first argument in behalf of the passage of the bill is that the national interest is imperiled. The peril is greater and graver than it was in September 1940. Those who maintain that there is no greater danger are merely indulging in wishful thinking and in a false optimism.

We are living in a day of world crises. Whether war comes and whether it comes next month or next year, we must be prepared to meet it. The Army is the police force of the Nation. A police force must remain on the job. There is only one safe course to take. We should be prepared for the worst. We cannot afford to gamble with security.

Since the passage of the Selective Training and Service Act in September 1940, Hitler has conquered Greece, Yugoslavia, Crete; has invaded Africa; and for 6 weeks and more has been invading Russia. His oriental Axis partner, Japan, has entered Indochina and each day brings ominous threats from the Orient to the United States.

Is the emergency greater? Is the danger greater? Congress has spoken. A year ago we had authorized $20,000 000,000 for national defense Since last September the amount has been increased to $52,000,000,000. If the danger is not greater, Congress erred in making or increasing appropriations. By the lease-lend bill, by all the national-defense appropriations of the past 12 months we admit that the emergency is greater.

If airplanes are to be constructed, if tanks are to be manufactured, there must be men to man them. Machines cannot think; trained men are imperative. Is the danger greater? When Hitler invaded Poland on September 1, 1939, he had 54½ divisions. His divisions have multiplied with the passing months. When he invaded Russia 6 weeks ago Hitler had 260 divisions. He has 40 more divisions in training. If the Hitler threat was great in 1940, it is greater today.

Italy today is rejuvenated. In 1939 the Italian Army was approximately 1,500,000 men. Its present strength is 2,000,000.

Japan is in league with Germany. Who doubts that Germany and Japan will wage war at any time they think they can do so successfully? Whenever we cease to prepare, the danger becomes greater.

It is said that there is no danger from Hitler. The fact is that there is danger in the Western Hemisphere. His agents are in South America. He is fomenting a revolution in Argentina. The United States has banished or deported German and Italian consuls. "Fifth columnists" abound in the South American republics. Nazis are in Colombia, just south of the Panama Canal, spreading distrust of the United States and undermining the faith and confidence of the people of the South American countries in the integrity and purposes of the United States.

Statesmen in other countries refused to look the facts in the face; they refused to see danger; they refused to prepare; they maintained they were in no danger; they insisted that they were prepared to defend. Thirteen nations of Europe, without attacking, have gone down before Hitler. Will Congress make a similar mistake?

The danger is greater than ever before. The responsibility is on Congress. If there is no danger, why the burdens of taxation; why the greatest appropriations for national defense in the history of the country?

DISRUPTION AND DISINTEGRATION

Those who oppose say that the Army will not be disrupted. They admit that the Army would be put to some inconvenience; they maintain that those released will be replaced, but the Commander in Chief, President Franklin D. Roosevelt, and the Chief of Staff, Gen. George C. Marshall, say that, unless the service is extended, a majority of the men and officers will disappear. They maintain that the Army will be disrupted. We have followed the President. We have followed the Chief of Staff in the manufacture of guns and munitions. Why follow them respecting tanks and cannons and disregard them respecting men?

MECHANIZED WARFARE

There are those who opposed the Selective Training and Service Act in the first place on the ground that we needed mechanized equipment rather than men. We did need mechanized armaments, but we also needed men. Hitler has utilized mechanized armaments, but he has also trained men. Today he has five times as many men under arms as he had 2 years ago. It is a fallacy to assert that building tanks and constructing airplanes will eliminate the necessity for enlarging and increasing the Army. I do not underestimate mechanized warfare, but something has happened in Russia. Mechanized troops have bogged down. The most gigantic battles in history are being fought between Germany and Russia. There are tanks by the hundreds, but there are men by the millions.

FAITH

Again it is asserted that the enlistments should not be extended to keep faith with the selectees and that to make the extension would be to break faith. I have already pointed out that the Selective Training and Service Act provided that the draftees could be retained.

If war were now actually declared, who is there who would advocate releasing the draftees upon the expiration of 12 months? While war has not been declared, the clouds are more ominous in the Pacific, and they are more ominous in South America and in Europe than they were a year ago. The peril is greater. If the security of the United States is undermined, Congress would be breaking faith with the citizens of the country. Trained soldiers can only match trained soldiers. The legions of Germany have gone from victory in one country to another. They are seasoned. The need for trained soldiers is far greater today than it was a year ago.

PRESENT AUTHORITY

It is urged that under the Selective Training and Service Act the President of the United States has the authority to extend the terms of the enlistments. There are those who deny his authority. The opposition begs the question. If there is any doubt about the authority to make the extension, why quibble? Why not clarify the situation? Why quibble with national security?

DISTRUST ROOSEVELT

Many opponents maintain that they cannot trust the President of the United States. They criticize him in connection with establishing a base in Iceland. They do not oppose the marines being in Iceland, but they criticize the Commander in Chief for sending soldiers to Iceland until Congress authorized him to do so. They admit his authority as Commander in Chief; they admit the wisdom of his program. They know that if Roosevelt had not gone to Iceland Hitler would have gotten there first. It is absurd for those who gamble with the security of their country to put the grounds of their opposition in the distrust of President Roosevelt.

He is unique in history. He was reelected President of the United States for a third term less than 12 months ago. He is the spokesman for all of the people. There is nothing strange in the personal opposition to the President. Washington received similar treatment. Lincoln was abused and denounced as a dictator in his efforts to preserve the Union. We do not know the names of his detractors or his defamers, but the name of Lincoln lives on.

The opponents may criticize Roosevelt, but they dare not assert that they would oppose the United States defending our base in Iceland. They criticize the President, but they admit that it was wise to transfer destroyers to Great Britain. It is the same type of opposition. It is easy to find fault; it is easy to criticize, but those who criticize Roosevelt should match his accomplishments with their own.

POLICY

In the Revolutionary War, in the War of 1812, in the Mexican War, and in the War between the States the policy of short-time enlistments, the policy of relying upon voluntary enlistment, instead of the policy of voluntary enlistment coupled with conscription, the policy of bonuses and of gratuities has failed. Such policies have led to prolonged wars and have led to excessive costs of wars.

Washington was hindered and beset by short-term enlistments. In the Revolutionary War the invasion of Canada under General Montgomery ended in disaster and in the death of Montgomery because of the attempted assault on Quebec at a time when the Colonials were unprepared, rendered so because enlistments would soon expire.

In a written communication, Washington said:

> That this cause [limited enlistment of troops] precipitated the fate of the brave and much-to-be lamented General Montgomery, and brought on the defeat which followed thereupon, I have not the slightest doubt.

If Congress refuses to extend the enlistments, we will be repeating the errors of 1776, 1812, 1846, and 1861. The problem of short enlistments was the main military trouble which beset Washington in the Revolutionary War and Lincoln in the Civil War. Washington, in a communication to Congress dated August 20, 1780, said that the retreat across the Delaware in 1776, the Battle of Brandywine, and the sufferings of Valley Forge would not have occurred if it had not been for short-term enlistments.

The army of General Scott in the Mexican War following the battle of Cerro Gordo was almost depleted because of the expirations of the terms of volunteers.

In the War between the States the Battle of Bull Run resulted disastrously to the Union because of untrained troops and because of volunteers, some of whose terms of enlistments expired during the battle.

BONUSES AND GRATUITIES

Bonuses to volunteers and gratuities to volunteers were tried in the War between the States. They failed.

The provision in the Senate bill to pay selectees serving more than 12 months $10 a month additional is discriminatory. Why pay the draftee more than the Regular soldier? Why penalize the soldier who volunteers in the Regular Army for 3 years? Bonuses do not make soldiers; gratuities do not train armies. Patriotism and country count far more than money. Love of country and the desire to serve cannot be estimated in dollars and cents. Service cannot be bought. A mercenary soldier never won a battle.

DISCRIMINATION

The opponents of the pending bill deny that the terms of selectees should be extended, but they advocate that the periods of service of the National Guard, the retired personnel of the Regular Army, and the reserve components of the Army should be extended. They thus discriminate. They have no objection to the extension of service of members of the National Guard, but they oppose such extension for the selectees. If there is reason to retain the National Guard, there is reason to retain the selectees. If there is reason to retain the Reserve officers, there is reason to retain those who have been selected. The discrimination is wholly unjustified and wholly unjustifiable.

SMALLEST ARMY

The pending bill does not provide for an American expeditionary force. Armies can only be provided for by appropriations. Congress has made provision during the next fiscal year for an army of 1,700,000. The Chief of Staff, General Marshall, states that such an army is sufficient for the defense of the Western Hemisphere. This army could not be materially increased without materially increasing the appropriations for the maintenance of the Army. Congress would thus have another opportunity to pass upon the question of whether or not it is desirable to increase the size of the Army. There should be flexibility, but there is no intent materially to increase the size of the standing Army in the pending bill.

The United States today has the smallest Army among all of the great powers of the world. The other powers are armed to the teeth. While we have the smallest Army, we have made the most generous appropriations for the training and maintenance of that Army. We are determined to make our Army the most efficient.

THE RESPONSIBILITY

There is often criticism of the Congress. It is said that Congress has abdicated to the Executive. Congress sometimes indulges in criticism of the President. The fact remains that Congress passed the Selective Training and Service Act. It is the most constructive measure ever passed by any Congress to prepare in times of peace for war. Congress has a responsibility and so has the Executive in a great emergency.

The question is, Will Congress discharge its responsibility? If Congress fails to provide for an adequate army, for an efficient army, for a well-trained army, Congress cannot be heard to criticize the Executive with respect to his responsibility.

The President has met one emergency after another during his terms of office. He was inaugurated during a great emergency. He was reelected during the second World War. He has acted promptly; he has responded quickly in emergencies; he has not shirked executive responsibility. Will Congress shirk the responsibility that rests upon the representatives of the people in making our Army effective? Will taxes and appropriations be in vain; will they be wasted? The responsibility of making effective national defense now rests with the Congress of the United States.

It is said that after the Battle of the Marne someone asked General Joffre: "Who won the Battle of the Marne?" The General replied: "I do not know who won the Battle of the Marne, but I can tell you who would have lost it if it had been lost."

If the first Battle of the Marne had been lost France would have fallen in 1914 as France fell in 1940. If the first Battle of the Marne had been lost all of the world would have said that General Joffre lost the Battle of the Marne.

If the United States is not prepared to defend the Western Hemisphere, if the Army is not trained, if the Army is not maintained, upon whom will the responsibility rest? There can be but one answer. While the Congress deserves the thanks of the Republic for passing the Selective Training and Service Act and for providing for the first time for defense before the declaration of war, if the battle of preparedness is not won, if the United States is not defended, let it not be said that the battle of preparedness was lost by the House of Representatives.

Congress cannot afford to take chances with the security of the Republic. Congress cannot afford to make ineffective the billions of appropriations for national defense and the billions levied and to be levied against the taxpayers of the country by refusing to make effective the Selective Training and Service Act.

The refusal to extend means crippling the Army; it means disruption; it means disintegration; it means demobilization. If our Army is disintegrated, what will happen in South America? The South American republics will fall an easy prey to Hitler and to totalitarianism; they will undertake to get aboard the Hitler band wagon.

We pay tribute to Russia in her resistance to the Hitler machine. The Russians are fighting nobly and bravely. They did not attack; they are defending. Whatever else may be said of Soviet Russia they are fighting in defense of their own country. Whatever else may be said of prior wars, Russia at present is not the aggressor. Russia has surprised the world. Great Britain has been given a breathing spell by the invasion of Russia by Germany. So has the United States. Both Great Britain and the United States have been given a further opportunity to prepare.

There are those who mistake preparedness for aggression. The American people must not be misled. The United States is not moving toward war but war is day by day moving toward the United States. The supreme obligation resting upon the Congress is to keep that war out of America by keeping Hitler and Japan out of the Western Hemisphere. The United States cannot be defended unless the United States is adequately prepared, and the best way to prepare is to make the Army of the United States the most efficient in all the world.

[Here the gavel fell.]

Mr. GEARHART. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, though it is a known fact that the Axis Powers—Germany, Italy, and Japan and their lesser allies—have under canvas and in the field 25,000,000 perfectly trained and perfectly equipped soldiers, there are some amongst us who would disband our small, comparatively, insignificantly small, Army of 1,500,000. In the same breath each of them tells us that he stands for preparedness of this country; that he wants to build a national-defense establishment so strong that the soldiers of no nation nor combination of nations will dare place foot upon our sacred soil. Oblivious to their inconsistency, they would in blissful disregard of the consequence of their folly disband our small, half-trained Army of 1,500,000 men.

Oh, they say, there is no peril. Yet soldiers are marching, guns are being fired on every side, hostile airplanes plow the air. But, they protest, there is no peril.

The French regime is wobbling. Word reaches us today that Darlan, the puppet of Berlin, is soon to be set up as the dictator of all the French. Can it be said that that means nothing to America; that America is not in peril? Even the most obtuse should foresee the armies of Germany marching through what is left of free France, down through Spain into Africa, to Dakar, the jumping-off place to South America. When those German armies move into Spain the Portugese Government will be compelled to flee to the Azores, outpost of North America, where if America does not offer effective aid another nation of brave people who could see no peril will be ground under the heel of remorseless aggression. We will not have gone down the road to war, war will have come down that road to us. With the surrender of the Vichy Government, Martinque, in American waters, and the French colony on the northern shores of South America will come under Nazi control. Can America stand idly by when that transition occurs? Does not this spell peril to the country we love?

In the Far East the Japanese armies numbering millions are moving south, down into Indo-China. The once-proud armies of France are no longer able to resist their demands. Soon these conquering hordes will cross into Thailand, to ride rough-shod over the gentle people of that ill-fated country who ask naught but to be left alone to pursue happiness in their own simple way.

Their battleships patrol the waters of our Philippines, their bomb-laden airplanes threaten and menace Manila as we frantically muster the Philippine Scouts into the American Army, hastily throw up defenses against the anticipated raids upon our territory by a hostile army that has spent years in preparing for the assault.

In the face of all this, some say there is no danger. Oh, you who sit with me on my side of this aisle, you with whom I usually cast my vote, you from whom I on this issue regretfully part company, think carefully of what might be the consequences of the vote you are casting today. In all charity and kindness let me say that the vote you cast this day to disband the American Army, small as it is, might well be a vote the casting of which you may regret for the balance of your days. It is better to be safe than sorry.

America is the ramparts we watch.

[Here the gavel fell.]

Mr. CLASON. Mr. Chairman, I move to strike out the last six words.

Mr. Chairman, first of all I want it brought home to everybody that there is no purpose on the part of anyone, so far as I know, to disband the American Army. At the present time there are 1,531,800 soldiers and officers in the American Army, according to the War Department, and there are still more than 250,000 selectees who can be called up under the 900,000 limitation placed by the Selective Service Act of 1940. All that is asked is that all of the soldiers be placed upon exactly the same basis.

It has been pointed out that if the President decides there is any peril in November, as was stated by the gentleman from Georgia, he will have plenty of time right then and there to say that there is danger and to order any selectee who is about to be released to return to duty for 1 more year by the act of August 27, 1940. The purpose of the minority amendment is just this: As the law stands now the members of the National Guard, the Officer's Reserve Corps, the Enlisted Reserve, serve 12 months. They were ordered to duty for 12 months under the act of August 27, 1940. They can serve just that period, then have to be released. To that extent they are better off than the selectees who by virtue of that same law, when their present period of training runs out, can be called back for another 12 months' training. That is provided under the act of August 27.

Mr. POWERS. Will the gentleman yield?

Mr. CLASON. I yield to the gentleman from New Jersey.

Mr. POWERS. And the selectees may be called back within 1 minute after the time they are discharged and before they ever leave the camp?

Mr. CLASON. Yes. They may be discharged at 12 o'clock and can be called back by the President at 12:01 o'clock the same day. What the minority members by their amendments are asking is that the National Guard, the enlisted Reserves, and others, shall be in exactly the same boat with the selectees under the present law. If these three amendments are adopted, these groups other than the selectees can be called back for an additional period of 1 year. Those are the facts.

General Marshall himself testified that a year is the shortest time he would like to keep men in for training. General Devers says that at the end of 6 months his trainees are ready to fight. Major General Reckord says he is making great progress with his men at Camp Meade. You get the same story all down the line. Further, the big maneuvers are yet before us this year, before these boys leave by January 1.

Mr. POWERS. Mr. Chairman, will the gentleman yield?

Mr. CLASON. I yield to the gentleman from New Jersey.

Mr. POWERS. Many Members of the House back in 1917 became so-called 90-day wonders; in other words, they attended training camps and within 90 days were commissioned as officers. If they could make officers of us within 90 days then, they can certainly now make mighty fine noncoms and privates in a year with the material we have in these selectees.

Mr. CLASON. I believe Sergeant York is one of the finest arguments to show that an American can become a well-trained soldier in less than 1 year. I agree with the gentleman from New Jersey.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. CLASON. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. The gentleman has made a very good reply to the very eloquent argument made by the gentleman from California. The gentleman has pointed out that if we let these draftees out as their time expires, we yet can fill up all their places by the 250,000 and the new soldiers that will come in under the new draft, and we will not tear up the Army in any way at all.

Mr. CLASON. No; we will not. Further, General Marshall says that he intends to have not more than 1,700,000 men on duty on July 1, 1942, and on page 29 of the hearings he states that so far as he is concerned—these others talk about trouble in Japan, Africa, and elsewhere—he does not foresee any activity on the part of American troops in any foreign country.

[Here the gavel fell.]

Mr. SMITH of Connecticut. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the arguments advanced for this amendment seem to ignore one very important part of this problem; that is, that this is not a question, if there is danger in the world, of the number of men you may have individually in the status of soldiers; it is a question, and it was so intended in the Selective Training and Service Act, of not only the number of individually trained men but the number of units which may be available in case the units are needed to meet a threat. By units I mean the divisions and the corps and the armies that may be needed to meet a particular situation.

We have altogether in the Army 9 Regular divisions and 18 Guard divisions in the Infantry, 2 Regular Cavalry divisions, and 4 armored divisions. These divisions are made up of both Regulars and selectees on the part of the Regular divisions, and National Guard men and selectees on the part of the National Guard divisions. The percentage ranges from the First Division, which has 90 percent Regulars, down to the Fourth Armored Division, which has only 20 percent Regulars and 80 percent selectees.

We talk about peril. If there is peril, some of these units should be in shape to be used either to protect the bases or, if necessary, to move to protect the gov-

ernments whose overthrow probably will be attempted in South America, to be at hand in a place and in a shape as units so that they can be used. Otherwise, there is no purpose in having a great number of individuals in an army. The situation is such that you cannot assign those units to a task that may come up tomorrow in case a fight should start in the West Indies as a result of the turning over of Martinique to German domination, which, apparently, is coming.

You would not have units that you could use because you cannot operate units with men having the right to stop on a particular day wherever they might be.

It is not the intention of the Army to keep these men indefinitely. Anyone who read the whole testimony of General Marshall can see that, without picking out an individual phrase or sentence here or there. The Army wants to carry out both purposes of the Training and Service Act, to rotate the men through and build up a trained reserve, and at the same time have units available which can be used without a crippling restriction in the law. The amendment that is proposed would completely cripple the Army in the second respect.

There is no question as to the wording of the Selective Service Act. To attempt to quibble about meeting this situation of whether there is peril today by using a subterfuge is something that we should not countenance.

[Here the gavel fell.]

Mr. REED of New York. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I think the Members of the House understand my position quite clearly as far as this bill is concerned. I have stated repeatedly on the floor of the House that I am for national defense, and I shall vote for every bill that builds up our own national defense.

What is the issue here today? There is no escaping the fact that we are confronted with a great moral issue, one of the greatest and one of the most important moral issues that has been presented here in half a century.

What constitutes our national strength? There are many things of a spiritual character that enter into our national defense that are being overlooked. That which raises a country; that which strengthens a country; that which dignifies a country; that which spreads her power, creates her moral influence, and makes her respected and submitted to, bends the hearts of millions, and bows down the pride of nations to her, the instrument of obedience, the fountain of supremacy, the true throne, crown, and scepter is character.

The very basis of our Nation, the genesis of it, is in character. It was the spirit of Washington, his integrity, his fairness to his soldiers, that carried him through Valley Forge and carried him on to final victory. It was character that built our Constitution and when you vote here and break the promise, if you do, made with these soldiers and with their parents, you are stultifying the character of the United States, and you cannot have an army without a morale.

There has been much said here about team work. It is the spirit of the team that counts. No man in this House has dealt with more young men than I have over a long period of years in athletics, and when the spirit is right they are invincible. Broken shoulders, sprained ankles, broken ribs mean nothing to those boys when they are called upon to carry the ball over the line, but here you propose to do the ignoble, the dishonorable thing in dealing with these men whom you are asking, perhaps, eventually to fight in your own national defense. You cannot afford to mislead them. Start now and rebuild the Army on an honorable basis and then you will have an invincible army. Otherwise you will have a cancer eating at the very vitals of the invincibility which you are trying to establish for our national defense.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr REED of New York. I yield.

Mr. FISH. The gentleman now speaking, I want to say to the House, was a great coach of great Cornell football teams for many years.

[Here the gavel fell.]

Mr. SWEENEY. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, I did not support the peacetime conscription law. I characterized it on the floor of this House as a negation of democracy when it was passed. We had 4,000,000 men from 18 to 25 years of age roaming the streets of this country unemployed. If we had offered them sufficient money, $50 or $75 a month, and they had volunteered you would have had an army now of 2,000,000 men. The emergency was not here when the selective-service law was passed, and it is not here now. These emergencies are created up in the State Department and the War Department. They have a machine up there and they turn out emergencies every time we have a controversial question here. How long are they going to continue to fool the American people?

The big issue involved here, as I see it is that we made a contract with these American boys. Oh, some interventionist papers and Members of Congress say it was a unilateral contract with a big "if" behind it—that "if" was the emergency. What is the emergency? We ask for a bill of particulars and we do not get it. The Congress waits until after something is done and then they are told something about it. Fifty destroyers go to Britain and Congress has nothing to do with it and knows nothing about it. Our men are taken up to Iceland outside the Western Hemisphere and Congress is notified about it 2 or 3 weeks later. This is the American people's branch of the Government and you and I ought to know what is going on. Let's stop this government by subterfuge. These are our boys and we ought to know daily what is going on. The people of England at war know more about the international scene than we over here do. I have 300 letters in my office from boys who say, "Do not break that contract or we will go over the hill." This is bad for the morale of any military body, but we are to blame, not the boys. We made the contract. I fear they will walk out if they are to go into a fighting war just like the misled people of France and her soldiers who said, "What the hell are we fighting for," and the poor drafted soldiers of Belgium, who said, "What the hell are we fighting for?" I hope to God the soldiers of Germany and Russia say the same. I have told the story before of how wars are caused by the money trust and the international bankers of the world—some Jews, some Catholics, some Protestants, some atheists, but all strangers to Christ. War is a racket, the conditions existing in Europe for some time are not of our making. These boys in camp know that over across the border, in Canada, which is part of the British Empire, they have a 4-months' conscription law for home defense only, and these boys know that every piece of munitions and every bit of supplies that go from Canada to England are bought and paid for by the British Government, while poor Uncle Sap gives $7,000,000,000 to Britain and China and Russia, and is not getting anything for it. Our boys also know that poor, little Finland, who is now being crushed by Russia, is to be crushed with our aid. They know all this. A year ago we eulogized Finland on the floor of this House and passed a resolution to cancel her war debt because that gallant little nation paid on the line. Now, today, we are, through you action, thank God not through mine, by the appropriation of $7,000,000,000, to implement the lend-lease "give away" bill we are permitting aid to go to communistic Russia and Red Joe Stalin, who killed 20,000,000 people by the cruel process of starvation in the Ukraine. Read your history before you take a final step toward another expeditionary force. I have here an editorial from one of the Washington papers stating that the belief is there will be a panic or an actual revolution if you double-cross these boys. When an editorial can say that in a paper like the Times-Herald and say it boldly, it is time for the Members of the Congress to give sane and serious consideration to the problem you have before you today. I have been among these boys. I have talked with them. They are your boys and they are my boys. They are youngsters, and they will fight to defend the sacred soil of this country, but they have a strong suspicion because of the side-stepping you have been doing, consciously or otherwise, that they are being prepared as an expeditionary force and they will say boldly, "We will not go," and that is a dangerous situation. It is all right to hate Hitler, but let us love America more than we hate Hitler.

Henry Ford, the richest man in America, said, on the occasion of his 78th birthday celebrated recently, "Wars are caused by the munitions trust of the world. Nationalize the munitions industry, take the profit out of war, and wars in these modern days will cease."

[Here the gavel fell.]

Mr. DIES. Mr. Chairman, I move to strike out the last six or seven words. The security of our country requires us to extend the service period of the draftees. This will unquestionably work a hardship upon many of our soldiers

and their families. Before this emergency is over, all of us will be compelled to sacrifice to preserve our democracy. The least that Congress can do is to prevent inflation by imposing adequate taxation and greatly curtailing nondefense expenditures. As the Commander in Chief, the President should immediately expel the hundreds of Communists who are working for the Federal Government. Some of them hold responsible positions in the defense set-up. For instance, let us consider the case of Emil John Lever, who is principal field representative in the Labor Division of the O. P. M., with a salary of $5,600 per year. In 1927, Mr. Lever made the following speech, which was reported by the Daily Worker:

The leaders of the A. F. of L. and the four railroad brotherhoods claim that the American workers do not sympathize with the Russian workers. This is entirely false. The records of the conference of the international unions representing the workers in the United States and Canada prove conclusively that they were unanimously in favor of the recognition of the Soviet Union by the United States, and demanded the immediate resumption of trade relations. The Russian labor movement alone has shown the courage and the ability to take over the Government and industry. The rank-and-file American delegation was greatly impressed with the achievements of the Union of Soviet Socialist Republics. Millions of workers in the United States and Canada hope for the success of the Soviet Republics.

Mr. Lever was a member of the executive committee and treasurer of the Conference of the Progressive Labor Action.

Not only was he a member of it, but I have the names of others. Among others is the name of Tom Tippet, who sponsored a banquet for Mother Bloor and was a speaker at a conference called by Browder and Foster. Tippet was employed on June 2, 1941, as an Assistant Chief of Division of Rents, in Leon Henderson's organization, at a salary of $5,600 a year.

This organization sets forth its purpose in the following language:

It seeks to stimulate in the existing and potential labor organizations a progressive, realistic, and militant labor spirit and activity; it aims to inspire the workers to take control of industry and government, abolish the present capitalistic system and build a workers' republic and economic system operated for the benefit of the masses and not of the few.

I hold in my hand the record of Mr. Lever in the Communist movement. He is only one among many connected with this Government and with the defense program. The President can never prepare this country and preserve our form of government until he cleans house. When may we expect action, Mr. President? As the foe of totalitarianisms, there is much that you, Mr. President, can do in the city of Washington and in your own executive departments to demonstrate your dislike of the agents of totalitarianism who hold public jobs and are seeking to sabotage from within the American way of life and make it impossible for the American economic system to function.

I also have the record of a man in the War Department, a man who is in a position to render great harm to the American Government. I wish I had the time to read the record of this man, who is in the most important department of this Government at the present time—a man who does not believe in the American form of government; a man whose allegiance is to a foreign power. What I say is, if we believe in defense, and are going to prepare this country for defense, then the first step is for the President to stop dodging this issue, and get rid of the Communists and Fascists and Nazis, and when he does that, I will have more confidence in the safety of the country.

Mr. MAY. Mr Chairman, I ask unanimous consent that debate on this amendment and all amendments thereto close in 25 minutes.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that all debate on this amendment and all amendments thereto close in 25 minutes. Is there objection?

Mr. KEEFE. Mr. Chairman, I object.

Mr. O'BRIEN of Michigan. Mr. Chairman, I object.

Mr. DIRKSEN. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. MAY. Mr. Chairman, will the gentleman from Illinois yield to me to make a unanimous-consent request?

Mr. DIRKSEN. Yes.

Mr. MAY. Mr. Chairman, I ask unanimous consent that all debate upon this section and all amendments thereto close at 2:30 o'clock today.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that all debate upon this section and all amendments thereto close at 2:30 p. m. Is there objection?

Mr. WILSON Mr Chairman, I object.

Mr. MAY. Mr. Chairman, I move that all debate upon this section and all amendments thereto close at 2:30 p. m.

The CHAIRMAN. The question is on the motion of the gentleman from Kentucky that all debate upon this section and all amendments thereto close at 2:30 p. m.

The question was taken, and the motion was agreed to.

Mr. DIRKSEN. Mr. Chairman, I listened to our friend from New York, Mr. WADSWORTH, this morning, as he painted a dismal picture of Oriental danger. While he was talking it occurred to me that this is the same Japan that was appeased with high-octane gasoline up to 3 weeks ago, when the danger was evidently not so apparent as now; that this is the same Japan that is moving away from America and not toward America; that this is the same Japan that undertakes to occupy a country, not in the Western Hemisphere, but in the Eastern Hemisphere. I submit to you today, Are these appeals to fear the prelude for the elimination of the third and final restriction and limitation that was put in the act of 1940? We propose today to take two of these limitations from the act. Are we prepared to take the next one, and send the young men of America outside the Western Hemisphere?

I am informed that 30 minutes ago the radio announced that an announcement or notification was issued that unless we entered the war England would negotiate. Is that one of the reasons for the pressure, for the heat, for the intensity that is behind this resolution today?

Mr. Chairman, there is but one issue here before us, and that is the issue of faith. A Canadian colonel in 1918 watched the boys roll down a hillside, and wrote on a piece of soiled paper, "If ye break faith with us who die."

He was talking about the dead. We are talking about the living. I read every word of the debate on the original act in September 1940. The chairman of the committee, Mr. MAY, said:

At the expiration of their training period automatically they go back home.

That will be found at page 11368.

Mr. MOTT said:

Service is limited to 12 months (p. 11371).

Mr. HARTER said:

The training period is for 1 year (p. 11431).

Mr. CELLER, at page 11434 said:

Give these draftees a year's training. They are then to be returned to private and civil life.

Mr. KILDAY said, at page 11460:

So that at the end of his year's tour of duty.

Mr. SPARKMAN, on page 11488 said:

Trainees cannot, except in case of war, be retained longer than 12 months.

That is seven times that same thing in effect was said. In 1938 and 1939 and 1940 the Gallup poll put the question to the country and was in fact one of the most potent media for bringing the conscription issue before the Nation.

What was the question? They asked, "Do you think every able-bodied young man 20 years old should be made to serve in the Army or Navy 1 year?" It said nothing about the exception. It said nothing about a proviso. It said nothing of retention. It said nothing about extended service in case of an emergency.

Three weeks before the vote was taken on the Selective Service Act the Gallup poll again asked the question: "Do you favor increasing the size of our Army and Navy by drafting men between the ages of 18 and 32 to serve in the armed forces for 1 year?"

Did they say anything about a proviso? Did they say anything about an exception?

Seven days before we voted in this chamber on that act the Gallup poll again asked, "If the draft law is passed will you personally have any objection to spending a year in some branch of the military service?" One year! There is the emphasis. That is the bill of goods that we sold to America in 1940. Are we now to crown the infamy of repudiated pledges by saying to the young men, and to their parents in this country, in a rather anxious hour, "We shanghaied you into the Army. We have you there now. We will write the ticket for extended service." If so, I suggest that we change the name of

this law to "the Selective Shanghai Act" instead of "the Selective Service Act."

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. SHORT. The first section of this act provides that the Congress declares the national interest is imperiled. Section 3 (b) of the Selective Service Act says "in case the national interest is imperiled the President can continue these selectees in this country. The pending amendment to this section 1 of the bill, unless adopted, will allow, of course, a national emergency to be declared and the continuance of these selectees indefinitely?

Mr. DIRKSEN. Right.

Mr. SHORT. But if we adopt the pending amendment we strike out that first section but will allow every selectee who so desires to volunteer for 1 additional year's service at the conclusion of his present service.

Mr. DIRKSEN. Correct. I was at a War Department conference last Wednesday morning, and without conveying any secrets, here is the stated disposition of the types of troops in the outlying possessions: At the Philippines, all Regulars. In Panama, all Regulars. In Alaska, only 3 percent are selective service. In the four bases that we took over, 75 percent are Regulars. In Puerto Rico all are Regulars or National Guard. In Hawaii, only 3 percent or less are selectees. Will anybody be so bold as to say, in view of those official figures from the War Department to those who attended the conference last Wednesday, that as we progressively demobilize some of these boys whose period of service expires in the danger spots of the country in the outlying posts, there will be any danger of imperiling or diminishing the military effectiveness of the United States forces?

[Here the gavel fell.]

Mr. SPARKMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I want to say in the beginning that I feel this amendment goes to the very heart of this bill. Striking out that phrase "that the national interest is imperiled," strikes at the very heart of this bill.

A great deal has been said about selectees not wanting to stay in the service. I believe every person will admit that those selectees who have gone into service would be perfectly willing to stay in the service, and our papers have printed articles to that effect and most of the speakers have said they would be willing to stay, if they really believed the national interest was imperiled. Now, this is an occasion where the Congress has the right to say and has the opportunity of saying to our selectees that the national interest is imperiled, stating the very condition that you say, if shown to exist, that will make them willing to stay.

I do not believe anyone can question the fact that the national interest is imperiled. I think there has been sufficient discussion of that today.

Mr. THOMASON. Mr. Chairman, will the gentleman yied?

Mr. SPARKMAN. I yield.

Mr. THOMASON. Is it not true that the first draft of this bill that came to the House committee did provide for a national emergency?

Mr. SPARKMAN. That is correct.

Mr. THOMASON. And in order to meet the very criticism that is now being made we adopted the very exact language that is in the Selective Service Act?

Mr. SPARKMAN. That is correct.

Mr. THOMASON. And it is based upon the question of whether or not the national interest is imperiled. If so, we should say so.

Mr. SPARKMAN. That is absolutely correct.

If any of you have noticed, the signers of this minority report are exactly the same as signers of the report against the selective service, with the exception of our good friend from Massachusetts [Mr. CLASON], who has joined the others in signing this, and two other Members on this side who signed the minority report on the Selective Service Act but who are not here today. In that minority report the gentlemen said:

> The imminence of these perils is pure assumption.

I do not believe there is a Member of this House who has voted for these millions and even billions of dollars in the months that followed the filing of this report who today would say that those gentlemen were correct a year ago when they said that the very argument that we are in peril was pure assumption.

Mr. SHORT. Will the gentleman say where he found that? That is not in the minority views.

Mr. SPARKMAN. I am reading from the minority report signed among others by the gentleman from Missouri [Mr. SHORT], under date of August 29, 1940, Report No. 2903 of the Seventy-sixth Congress.

Mr. SHORT. That is a different act from this.

[Here he gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Indiana [Mr. WILSON] for 3 minutes.

Mr. WILSON. Mr. Chairman, the proponents of this bill have consistently inferred that the draftees are mere machines. If that inference is correct then I agree we should hold these draftees for the duration of the emergency. However, I disagree with those proponents of this measure. These boys are not mere machines. They are flesh and blood. They have a heart, a soul, and a morale. Morale is essential for any victory. We must not break faith with these boys and, therefore, destroy their morale. A 3-percent turn-over per month will certainly not disrupt our defense.

The CHAIRMAN. The Chair recognizes the gentleman from Louisiana [Mr. BOGGS] for 3 minutes.

Mr. BOGGS. Mr. Chairman, since becoming a Member of this body I have heard every phase of the foreign situation discussed on this floor, and I have never been presumptuous enough to participate in that debate without first spending many hours in study. I take the floor today in view of the fact that practically every speaker has referred to our army of draftees, and I want to attempt to correct the impression that it is composed of a group of men who are chafing at the bit to come home and who have no concern for the peril of our Nation.

I am a member of this generation of draftees. I marched up on last October 16 and registered with the other 16,000,000. They are not soft men. Very few of them are concerned about this illusory pledge we have heard so much about. Most of them are as concerned as all Americans should be with the welfare of this country. They were reared in an era of depression. They realize the merits and priceless value of American liberties, and they are prepared to give their bit so that the Nation may be strong and prepared. I feel that I know these men as well as any Member of this body. I was born and reared and lived with them, and to say that these men are chafing at the bit to get out of the Army is to cast a reflection upon their patriotism.

Mr. Chairman, I feel this issue more seriously than any that has been presented since I came to this body. I believe that the defeat of this legislation today will be a green light to the aggressors in the Far East and on the Continent of Europe. To those who say they are opposed to war I say: "Defeat this legislation and let Japan march into Siam and let Germany march into Dakar, and you will plunge this country into war quicker than anything else could." That is the issue.

For my part, I would rather be wrong about this than to have the responsibility on my shoulders of giving away the liberty and the security of my country.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from New Jersey [Mr. POWERS] for 3 minutes.

Mr. POWERS. Mr. Chairman, I realize that in the brief time allotted to me it will be impossible for me to discuss this subject thoroughly. However, I am going to ask, Mr. Chairman, that you bear with me until I state my position on this bill—that you bear with one who still has vivid recollections of what service in France means.

Mr. Chairman, during the past 8 or 9 months I have had at least 100 young men come to my offices in Trenton and in Washington. Their stories vary, but fundamentally are about as follows:

"Pop is not very busy in the store right now and he thinks I ought to go and get my 12 months out of the way. What do you think, Mr. Congressman?"

My reply always has been, "Yes; do it by all means."

I have had several young lawyers come in and say, "We are not very busy in my office. We realize we must serve a year and we want to serve. Would you advise us to go in now?"

I have always replied, "Yes; I would advise that."

Young men from the farms, young men from factories which are not now in defense production, have come to me for advice as to the wisdom of volunteering out of turn for their year of service. My constant thought has been for the welfare

of the Army and the individual welfare of the selectees. Because of this, I have always advised the young men to volunteer. I gave this advice last November and December to young men who, if they had waited their turn in the draft, would probably have not been called until now. I gave that advice because these young men had received the solemn promise of the Congress of the United States that they would be required for peacetime service of 1 year only. They and I believed that the promise of the Congress and the President would be kept, that this Government would not retract.

Mr. Chairman, if this original 12-month agreement with the selectees is broken, I am going to vote against the entire bill. I have no honorable alternative. No matter what the President and the rest of the Congress may do, I intend to keep the promise I made when I voted for the original Selective Service Act.

As is the case with most legislation sponsored by the New Deal, there has been combined in this measure now before us three components which do not have a similar standing. I refer to the fact that this measure extends the service of the National Guard, the Reserve officers, and the selectees. I cannot quarrel with the extension for the Guard and the Reserves. When any young man joined either of those branches he did so with the knowledge that he was subject to call to duty for any emergency, and for the duration of that emergency. The case of the selectees is entirely different. They were promised only one year of service—and the promise was made by the most responsible Government in the world—the Government of the United States. Let us not lie to them. Let us not break our word.

Mr. Chairman, I cannot agree with the contention made by the administration that if the service of the selectees is not extended our Army will disintegrate. We have now in service some half a million selectees, who were brought into the Army over a period of months, starting with last November. They will be discharged, not immediately, but also over a period of months. Furthermore, we must remember that there are still some 250,000 selectees to be inducted from the original registration, and hundreds and hundreds of thousands who registered last July 1. They will not only replace the selectees discharged after their year of service, but will actually swell the size of our Army to almost 2,000,000 men. It should be constantly remembered that Gen. George C. Marshall, the Chief of Staff, has stated publicly that to defend the Western Hemisphere he would only need an Army of approximately 1,700,000 men.

History has repeatedly taught us one elementary lesson. It is this: The morale of an Army is in direct proportion to the integrity of its Government. We have made a covenant with the selectees for 1 year of service. Let us abide by that covenant. Let us keep our promise.

Mr. Chairman and my fellow colleagues, I implore you; let us not destroy the morale of our Army, let us not tarnish the honor of our Government.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. MARTIN J. KENNEDY].

Mr. MARTIN J. KENNEDY. Mr. Chairman, I am opposed to the passage of House Joint Resolution 222 because, if passed, it would, in my opinion, do more harm to the cause of national unity than any other single legislative act. By voting for this resolution, we would automatically repudiate our agreement with the men inducted into the service under the Selective Service Act of 1940. They expected to be in training for a period of 1 year and they planned accordingly. Now it looks as if the administration wishes to extend the period of 1 year into some indefinite period of service. To do this would be a mistake.

Let us adopt an amendment to the Selective Training Act which would make service beyond 1 year optional and not compulsory. This would be according to the American principle and would not be resented by our people. The passage of House Joint Resolution 222 would destroy the morale, not only of the soldiers but also their relatives.

We, in Congress, can argue, debate, and discuss this problem, but we cannot deny that the real problem confronting the Nation is the lack of unity and the absence of enthusiasm among our American people for our so-called defense program.

Many parents of boys now in the Army, who live in my district and in other districts in New York City, find it impossible to obtain employment in industry engaged in defense work because they were born in a country now involved in war. To their utter amazement and bitter disappointment these parents learn that, although the Government has called their boys to serve in the Army, they themselves will not be employed in defense activities.

The Selective Service Act provided for 1 year's training. One year means 12 months or 365 days. It means no more! The Government must recognize this agreement with our trainees. We cannot have national unity and complete cooperation from our people unless we keep faith with them. We owe our citizens more than lip service.

It would be well to follow public opinion on a matter as vital as the Selective Service Act. In New York City, the papers which have the largest circulations, running into millions and which are read and supported by the masses are opposed to our tampering with the Selective Service Act, while editors of the "silk-stocking" press are daily screaming for war. My well-known opposition to all legislation, which in any way might be construed as antipeace legislation, makes it necessary for me to oppose the pending resolution.

Daily, we are told of the millions of people being killed and maimed in the war zone. Such statements about killings are made as if these unfortunate persons were machines and not human beings. The entire subject of disease, torment, and death is regarded as indifferently as the weather.

On other occasions, I have addressed the House of Representatives on the subject of peace. It is my intention to continue my efforts to change our national viewpoint from one of war preparation to one of preparation for world peace.

We support the program of national defense, we are sympathetic to the people in the war-stricken countries, but not to the point of becoming involved in that age old European intrigue. Our first duty as Congressmen is to the American people and we should never forget that obligation.

Because the passage of the pending resolution would aggravate the people of the country, it seems to me to be unwise and unnecessary.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, I offer an amendment as a substitute for the pending amendment.

The Clerk read as follows:

Amendment offered by the gentleman from California [Mr. HINSHAW] as a substitute for the amendment offered by the gentleman from Missouri [Mr. SHORT]: On page 3, strike out lines 21 to 24, inclusive.

Mr. HINSHAW. Mr. Chairman, I have offered this amendment in this form in order to clarify the issue before the House. No doubt the balance of the amendment offered by the gentleman from Missouri is important, but I think, perhaps, it could come at a later place in the bill.

Anyone reading section 1 of the pending measure will find that it declares the national interest imperiled solely for the purpose of effectuating section 3 (b) of the Selective Training and Service Act. That is, it is intended to have no other force and effect. Then in section 2 of the bill you proceed to amend section 3 (b) and do a few other things to the National Guard, and so forth. In other words, you have a duplication of effort in this bill and that effort is to extend the time of training for the selectees under the Selective Training and Service Act.

It seems to me it is entirely unnecessary to have section 1, but if section 1 is necessary then it is entirely unnecessary in section 2 to refer to selectees, because the President is empowered under section 3 (b) to extend the term of the selectees' service.

Mr. ELSTON. Will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from Ohio.

Mr. ELSTON. As a matter of fact, the amendment offered by the gentleman from Missouri does seek to strike out section 1.

Mr. HINSHAW. It does, but it goes further than that and it has language which I believe may be included later in the bill; therefore, I have offered this amendment. If the amendment is adopted, and whether it is adopted or not, I intend to offer an amendment later, unless someone else offers it first, to limit this additional service to 6 months. I do this on the basis of a statement of General Marshall that 18 months' service is adequate.

[Here the gavel fell.]

The CHAIRMAN. Without objection, vote on the substitute will be reserved until expiration of the time for debate on this section.

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, I have asked for this time to propound a question of the Chairman of the Military Affairs Committee of the House or any other distinguished lawyer in this body who is a student of our constitutional Government.

I notice on page 3, line 24, the declaration that the national interest is imperiled. I believe that statement to be a fact. I believe this Nation confronts the greatest peril it has ever faced in its entire existence. That is my personal opinion, but what I want to know from the chairman of the committee or any other distinguished lawyer is, What will be the effect of enacting that language into law? If the purpose of that language is to prevent the reviving and applying any unrepealed legislation still on the books from the first World War, and if the intent of it is not to confer or delegate any war-making powers upon anyone outside this Congress, then I shall be for this language. When the Congress of the United States says that, does it give the President any more power than he would otherwise have? Does that announcement give the President the power to declare war without a further act of Congress?

Mr. MAY. I regret that I cannot claim the distinction the gentleman imputes to me of being a distinguished constitutional lawyer, but may I say to the gentleman that the Constitution expressly provides that Congress alone shall have the power to declare war. This is the answer to his last question. I may explain to the gentleman that when the committee had under consideration the phrase that "the national interest is imperiled" we spent hours and hours in its consideration, and found that there are some 40 or 50 statutes that were enacted during the World War under which the President would have vast authority if we used the phrase "a national emergency." We therefore chose the language of the Selective Service and Training Act and confine it to the provisions of that act.

Mr. MURDOCK. I thank the gentleman.

Mr. Chairman, probably there is no Member in this Chamber who surpasses me in confidence in our Commander in Chief. I have many times publicly and privately stated that I do not believe that the President of the United States wishes to get us into a "shooting war," and certainly not to the extent of sending a second expeditionary force to Europe. I believe he is doing everything possible to keep us out of war by doing everything in his power to keep war away from America. I know, of course, other Members entertain a different idea.

The reason I have asked the question just answered by the chairman of the committee is that I wanted to bring out the fact that by the terms of the bill on page 3, lines 21 to 24, inclusive, the expression, "the national interest is imperiled" is inserted "solely for the purpose of carrying into effect the provisions of section 3 (b) of the Selective Training and Service Act of 1940."

As I said before, I believe our national interest is imperiled, and we should act accordingly. I am willing to vote for a modified form of this bill because of that fact, but I do not want to confer upon the President, or upon any combination of military leaders, the authority to send a second expeditionary force to the Old World. If that should ever be done again, and I cannot now see the wisdom of it ever being done again, it must be only after full consideration and vote by the Congress, into whose hands the Constitution places the power to declare war.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Idaho [Mr. DWORSHAK].

Mr. DWORSHAK. Mr. Chairman, much has been said in this debate about the recommendations of General Marshall, and there has been insistence that we must have absolute reliance upon the General Staff. In the debate on the rule, one of the majority leaders said this:

> Let us not be put in a position now in this time of crisis to our Nation of having it said in the future that this Congress refused to follow the recommendations of General Marshall, Chief of Staff of the United States Army.

Mr. Chairman, I direct your attention to the fact that when the War Department recommended this legislation it insisted on having declared a national emergency, but the bill before us now simply provides that "the national interest is imperiled."

When the General Staff recommendations were first made, there was to be no limit on the extension of the service of these selectees, but we have read recently and heard statements made by majority leaders to the effect that there may be a compromise limiting this service to an additional 18, 12, or 6 months.

May I call your attention to a newspaper clipping appearing on July 24, taken from the Times-Herald, which states:

> Incidentally, informed sources indicated last night that the Army was prepared to revive its highly controversial plan to obtain congressional authority to send draftees, Reservists, and militiamen outside the Western Hemisphere if necessary. A request to this effect may go to the House committee today.

So we face this realistic situation, that of the three original recommendations made by General Marshall and his staff, two have been compromised and modified, and the third has been completely rejected. So, I say to you that today there is evidence of political expediency, and I ask you, where has that political expediency originated, on the part of the majority leadership or elsewhere?

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOOK].

Mr. HOOK. Mr. Chairman, I agree with the gentleman from Louisiana that the selectees are not chafing at the bit to be relieved from service. In my opinion, the selectees are among the most patriotic men in the United States of America today. I cannot understand how Members can rise on the floor of this House and say that in their opinion these men are patriotic and in the same breath in effect say "but we do not trust your patriotism to volunteer, we do not trust you enough to believe you will volunteer for further service even though the Nation may be in danger. The only way we will trust your patriotism is to have the long arm of the law grab you by the back of your neck and throw you in the Army and keep you there."

Mr. Chairman, I have more faith in the youth of America than that. I trust their patriotism. I trust you will have faith enough in them to believe in their patriotism by giving them a chance to volunteer. If you keep faith with the youth of America they will keep faith with you. It is their Nation as well as yours.

Is the national interest imperiled? I happen to represent a district that produces two of the most strategic metals used in the defense program. The greatest iron-ore mines in the world are in my district. The greatest copper mines in the world are in my district. Yet just 2 weeks ago, without any threat of strike, without any labor troubles, two of these iron-ore mines were closed down, throwing many hundreds of men out of work. Still they say that they are short of steel. Private industry closing down because the Priorities Board claims shortage of steel. What a farce. Henderson pegs the price of copper at 12 cents a pound and because of his actions the copper mines cannot operate. The price of copper must be raised if you expect to increase production. These mines cannot produce copper for the national defense because they cannot operate at that price. Common sense seems to be lacking. Coordination seems to be lost in the shuffle.

It may be that the national defense is imperiled, but it is about time that national unity in the interest of America be the watchword. Is it not better to have a united America in the interest of national defense and the welfare of our own people, than a divided America and a few foreign allies? Let us keep America for Americans. Vote for America today. Let us have national unity and national morale, because without national unity and national morale you will have no national defense. Break faith with those to whom you made a promise when you passed the Selective Service Act and you will break down the morale of this Nation.

Give the youth of America a chance and they will not fail you. This Nation is safe in their hands. You do not need to drive them like cattle, but should treat them like the men that they are. Vote against this bill and protect the national-defense program.

[Here the gavel fell.]

The CHAIRMAN (Mr. COOPER). The Chair recognizes the gentleman from Michigan [Mr. BRADLEY].

Mr. BRADLEY of Michigan. Mr. Chairman, this afternoon I listened with a great deal of interest to the remarks, which are always very illuminating, of the distinguished gentleman from New York [Mr. WADSWORTH], the author of the original Selective Service Act. A year ago he did not seem to be desirous of creating the largest standing Army in our history—then he said we would create a civilian army only. I want to ask

the gentleman where his remarks about teamwork were a year ago. Where did he tell this House a year ago that at the end of 1 year it would be impossible to break up these units? Did he tell the House a year ago that he would now be advocating keeping these boys in service for an indefinite period? How can you have teamwork without morale? How can you have morale when you break faith with those boys? How can you have teamwork when you do not have adequate reserves for the team? Yet you now propose to shanghai these particular boys into the service, as was said so ably by the gentleman from Illinois [Mr. DIRKSEN], and train your reserves later. You now propose to shanghai these boys for an indefinite period—many of these same boys who have volunteered within the past year in all good faith to put in their year of military training. But today the distinguished gentleman from New York [Mr. WADSWORTH] now tells these boys that if we now permit them to go home—if we now keep our word with these volunteers as well as selectees—we will break up the team—we will disintegrate the Army.

These boys who went in first will now form our standing Army—those henceforth to come in will become the reserves.

Every team playing in any game has to have trained reserves to step into the broken ranks and take the place of those who may be pulled out of the game. We are not demobilizing this Army, but we in the minority are for sending these boys back home and saying to them, "You will now be the reserves as we promised you a year ago and we will bring fresh boys in for adequate training." This is what the author of this bill promised them then.

While I am talking about training, let us remember this. Literally many of these boys may not have received adequate training so far because they have not had the equipment with which to train properly and I say to you that one of the reasons they have not had this equipment is because the Congress has been derelict in permitting strike after strike to hamstring the defense of this country. Now, Mr. Chairman, if you will send these boys back home, send them back into the defense industries, these boys who for the past year have been serving in training for $21 a month—send them back into the defense plants, then I predict those men who are now getting from $5 to $21 a day and yet tieing up our defense production by strikes will very soon find themselves adequately squelched and they will be kept on the job turning out defense material which we admittedly may need for the defense of this Nation at some future time if and when we have learned that we have talked too much and bothered too much about the affairs of the rest of the world and spent far too little time in taking care of the dangers within our own country. Yes, Mr. Chairman; America is in peril, but it is far more in peril from our unwise actions here at home than our actions in the international field. As the gentleman from Texas [Mr. DIES] pointed out a few moments ago, America will ever be in peril right here at home as long as we continue to permit known and acknowledged Communists, Nazis, and Facists to occupy key positions in our defense industries, our defense organization right here in the Capital—yes, even in high spots in our War Department.

Let us send these boys who have spent their year in training back home, let us keep faith with them, they will guard our morale, they will promote unity, they will stamp out subversive elements in our defense program. Thus will our team become a true all-American team.

Mr. FISH. Mr. Chairman, if I were convinced it was necessary for the defense of our country to break my word and vote for an extension of a year and a half I would do it, but I have heard no evidence whatever that this is necessary in order to safeguard our own national defense.

I have just returned from one of our largest military camps. I visited and inspected the replacement centers. I know what the processing of a soldier is. After these selectees come to camp and after they are given their uniforms they go into replacement centers for 3 months or for 12 weeks' training in the artillery, the infantry, or the engineers or some other branch of the service. At the end of that time they are fully equipped to replace trained selectees, in the Twenty-seventh Division that the gentleman from New York spoke about, or in the Twenty-ninth Division, without impairing the efficiency of the Army or breaking up the much-debated teamwork.

If I were to make any concession at all—and I am willing to make only one, on the 12-month extension—then I would keep the noncommissioned officers for a year or for 6 months for training purposes. They are the ones who do the training and are best qualified to train the new selectees. If the Army cannot train our selectees in 1 year, then that is a reflection upon our Army, and there is something wrong with our system. Why, in Canada they only keep them for 4 months for purposes of defense; and if Canada can train its selectees in 4 months' time for purposes of defense, then we in America certainly ought to be able to do it in 1 year's time. That is the issue before us today. I am sorry in the brief time I cannot take up and discuss foreign affairs and answer the gentleman from New York [Mr. WADSWORTH] about darkest Africa. If the Germans get into Africa, they will be twice as far away from the United States as they are in Germany. They would be going backward; and even if they seized Dakar and got over to Brazil, that is twice as far away from America, and yet we are told we must go to war for Dakar and for Africa, and somebody the other day in debate said we must go to war against Japan for rubber, tin, quinine, and nux vomica.

Let us get down to facts and reason. If it is necessary for our own national defense, let us vote to keep the selectees for another year or 2 years, but nobody has made out a case, and I submit it is not necessary for purposes of defense, and I hope the amendment offered by the gentleman from Missouri [Mr. SHORT] will be voted upon favorably by the Committee.

[Here the gavel fell.]

Mr. ELSTON. Mr. Chairman, in view of the amount of time which has been consumed upon this amendment I am wondering if we may not have forgotten some of the terms of the amendment offered by the gentleman from Missouri [Mr. SHORT], so I shall just take a moment or two to restate it. This amendment does just two things. In the first place, it strikes out the one section which would declare a national emergency, or that the national interest is imperiled. In the second place, it amends section 3 (b) of the Selective Service Act and permits men whose 1 year period of training has expired to enlist for an additional period of 12 months if they so desire. That is all it does. This amendment does not, as some speakers have intimated, in any sense of the word stop inductions of new selectees. We will go on inducting men into the selective service army just the same as we have heretofore. We have said that we want to make this act apply only to National Guard men and to other reserve groups within proper limitations and we want to keep faith with the selectees, whom we promised we would not retain in the service beyond 1 year. This is an amendment which will allow us to keep faith with those men. If we vote down this amendment, we may not have another opportunity to vote upon this subject.

Mr. HARNESS. Mr. Chairman, will the gentleman yield?

Mr. ELSTON. Yes.

Mr. HARNESS. If the amendment offered by the gentleman from California as a substitute for the Short amendment is adopted, it would, in effect, deny the right of these men who are serving their 1 year as selectees, to volunteer if they so desire.

Mr. ELSTON. That is correct.

Mr. HINSHAW rose.

Mr. ELSTON. I cannot yield further. I hope, therefore, that the Committee will vote down the amendment of the gentleman from California and vote for the amendment of the gentleman from Missouri, because the latter contains the former. We not only said to selectees that we would keep faith with them and release them from service at the end of 1 year, but we went further. We sold the American people on the idea that we were adopting a new plan of military training. We told them we were going to form a big reserve civilian army, but if we do not adopt the amendment of the gentleman from Missouri [Mr. SHORT] we have abandoned that plan, and we have not only broken faith with the men in the service, but with the American people as well.

This morning I pointed out that 1 year from next November we will have more than 3,000,000 men available for military service. We will have more than 2,100,000 men in the service at that time, and we will have 900,000 men who have received their 1 year of training. General Marshall says he wants only 1,700,000 men. What are they going to do with

the other 1,300,000, if they do not have in mind an expeditionary force? I know there are some here today who say that we cannot have an expeditionary force unless we declare war, but they should remember that it was only a short time ago that the President told us that the hemispheric line is only an imaginary line. If we can move men into Iceland, obviously outside the Western Hemisphere, we can also move them to some other place, and eventually send men to Ireland or to England, or to Dakar, or other places even more remote. This resolution may be all the authority the President may need. If you adopt this resolution, you may pave the way for an A. E. F., and later on find it difficult to explain that you had no such intention in mind.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. ELSTON. I shall be glad to.

Mr. SHORT. Is it not also significant for all Members to bear in mind that the Chief of Staff said in the original proposal that the War Department wanted to remove the restrictions and send these men beyond the limits of the Western Hemisphere?

Mr. ELSTON. Yes.

Mr. SHORT. He wanted to order them any place in the world at any time he might choose.

Mr. ELSTON. That is true.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Texas [Mr. THOMASON] is recognized.

Mr. THOMASON. Mr. Chairman, I hope the Committee will vote down the amendment to the amendment and also the amendment first offered by the gentleman from Missouri [Mr. SHORT]. To my mind, you might just as well strike out the enacting clause as to adopt the amendment offered by the gentleman from Missouri. There is no use in the world for me or anybody else to argue over this question with any person who thinks the national interest is not imperiled. If there is anybody here who honestly and conscientiously believes that the national interest of this country today is not imperiled, there is no use arguing with him about the amendment and he ought to vote for this amendment and then vote against this bill.

Mr. HINSHAW. Will the gentleman yield?

Mr. THOMASON. I yield.

Mr. HINSHAW. I call the gentleman's attention to the fact that this bill declares the national interest is imperiled solely for the purpose of recognizing section 3 (b) of the Selective Service Act.

Mr. THOMASON. I think it is immaterial whether it be for any purpose other than what the gentleman states, but I call attention to the fact that when this resolution was originally introduced by the chairman it provided that "the national interest and welfare of the United States are gravely imperiled by the international situation and that a national emergency, therefore, exists." Now, we struck that language out and rewrote this in order that it would conform exactly with the present law. There is not a thing in the world in this bill now under consideration that is not in the present law. I repeat that if any man thinks that the national interest is not imperiled, there is no use arguing with him.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. McCORMACK. In other words, every Member who feels that the extension is necessary, whether for 6, or 12, or 18 months, no matter how much they may favor all that, all such Members ought to vote against this amendment?

Mr. THOMASON. The language is only a statement of fact as we see it. It is a declaration of what the Congress believes. You talk about fairness to the men in the service, it seems to me that if you expect to pass a law keeping the men in the service for another 18 months, it can only be done upon one condition, that is, that the national interest is imperiled. That is our justification for this bill. That is the reason we want to pass this bill, if we do pass it, and that is the reason the men are to be retained in the service for an additional 18 months.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. MURDOCK. Does the gentleman feel, therefore, that enacting this phrase, "That the national interest is imperiled," will not constitute authority in the President to send an A. E. F.?

Mr. THOMASON. It does not give the President one bit more power than he now has, because that is exactly the language in the law today.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. BROOKS. Does not the gentleman believe that a person who feels that the interest of the Nation is not now imperiled should also vote to release all of the other soldiers except the Regular Army itself?

Mr. THOMASON. Of course. In my judgment, outside of the Regular Standing Army, I agree with what the gentleman from Louisiana says, you ought to release every man now in the service, if the national interest is not imperiled. That is the very basis upon which this legislation is founded. That is the reason we passed the Selective Service Act. That is the reason the committee the other day, after much deliberation, changed the language from "national emergency," which might give the President authority to do most anything he desires. I contend that the national interest is imperiled—seriously imperiled. We must meet this issue squarely. We are in danger or we are not. If we are this bill ought to pass.

This amendment ought to be defeated.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Kentucky [Mr. MAY] is recognized.

Mr. MAY. Mr. Chairman——

Mr. MARTIN of Iowa. Mr. Chairman, will the gentleman yield?

Mr. MAY No. I cannot yield now. I only have a few minutes.

Mr. Chairman, a little more than a year ago the Army of France, believed by most of the world to be the finest and best army in the world, was entrenched before the Maginot Line, while Hitler's legions marched to the conflict. A little more than a year ago this House of Representatives sat here in session with grim faces as they contemplated the fall of Paris. Today Darlan, the man who has charge of the French Navy when the test comes, is the recognized puppet dictator of what we once knew as free France, the instrument of Adolph Hitler; the man in charge of what we read about a few months ago as being free France and occupied France. Today the great old hero of the World War, Marshal Petain, has been overcome in his resistance to German domination, and German ideology has been accepted by free France. All of the wealth, all of the power, all of the resources of France are at the disposal of Adolph Hitler, now on march to world conquest.

What does that mean? It means that the 100 bombing planes you heard so much about last year down in Martinique are in French hands; that Dakar, the jumping-off place in Africa, is in French hands, under the leadership of Hitler; and yet some men stand on the floor of this House and talk about the Nation not being imperiled.

There is but one question to determine here: Is the Nation, as your committee has decided, is the Nation, as a man after man on both sides of this House has stated, in peril? If it is, what is the plain duty of the House of Representatives? The plain duty of the House of Representatives is to defeat this amendment that would chop the heart, the soul, and the virility out of this bill and leave us with no ground on which to stand unless the Nation is imperiled.

The House of Representatives ought to defeat this amendment on its merits. If you adopt this amendment, you have defeated the bill to begin with, because you have not a leg to stand on if you vote for this amendment. I therefore urge you in the name of the defense of my country to vote down the amendment that is pending.

The CHAIRMAN. The time of the gentleman from Kentucky has expired, all time has expired.

The question is on the substitute offered by the gentleman from California to the amendment offered by the gentleman from Missouri.

The substitute amendment was rejected.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from Missouri.

The question was taken; and on a division (demanded by Mr. SHORT) there were—ayes 109, noes 156.

Mr. SHORT. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. MAY and Mr. SHORT.

The Committee again divided; and the tellers reported that there were—ayes 146, noes 185.

So the amendment was rejected.

The Clerk read as follows:

SEC. 2. The President is hereby authorized to extend, for such periods of time as may be necessary in the interests of national defense, the periods of service, training and

service, enlistment, appointment, or commission, of any or all persons inducted for training and service under said act, members and units of the reserve components of the Army of the United States (including the National Guard of the United States), retired personnel and enlisted men of the Regular Army, and any other members of the Army, who are now, or who may hereafter be, in or subject to active military service, or training and service: *Provided*, That the authority hereby conferred may be revoked at any time by concurrent resolution of the Congress.

Mr. MAY. Mr. Chairman, I offer two amendments to section 2, and ask unanimous consent that they may be considered together.

The CHAIRMAN. The gentleman from Kentucky asks unanimous consent that the two committee amendments offered by him to section 2 may be considered jointly. Is there objection?

Mr. TARVER. Mr. Chairman, reserving the right to object——

Mr. MAY. Mr. Chairman, I withdraw the unanimous consent request.

The CHAIRMAN. The gentleman from Kentucky offers a committee amendment, which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. MAY: Page 4, after the colon in line 10, insert "*Provided*, That extension of the periods of active military service, or training and service, in the case of any person subject to the provisions of this section, shall not, without his consent, exceed 18 months in the aggregate; except that whenever the Congress declares that it is in the interests of national defense to further extend such periods of active military service and training and service, such periods may be further extended by the President, in the case of any such persons, for such time as may be necessary in the interests of national defense:"

Mr. MAY. Mr. Chairman, before asking recognition for discussion of the amendment, I wonder if I could reach an agreement with my colleague on the other side as to a limit on debate on this section?

Mr. SHORT. Mr. Chairman, since I have an amendment I desire to offer for the minority to the committee amendment offered by the chairman, I should think it would be wise to allow debate to run along for a few minutes before attempting to limit it. This is a very important section of the bill dealing, as it does, with all four contingent elements in our Military Establishment.

Mr. MAY. All right.

The CHAIRMAN. The gentleman from Kentucky is recognized for 5 minutes.

Mr. MAY. Mr. Chairman, this amendment presented by your committee relates to the question of the additional time beyond 12 months for the training of the men in service.

At the outset let me call attention to the fact that this is not an amendment which actually requires men to serve an additional 18 months, for it fixes a ceiling beyond which the service may not go; in other words, at the end of the first training and service period of 12 months the men are subject to retention in the service for such additional time as the Army authorities and the Secretary of War deem essential to the adequate and proper training of the men. They could keep them another 18 months if they desired to do so, but the evidence before our committee disclosed that it is the purpose of the Army not to adopt an unyielding hard rule with respect to the trainees. As they were inducted in different increments under the provisions of the Selective Service and Training Act they were started into training. They went first to the reception center, where they had, I believe, 13 weeks' training, and then they were assigned to the units in which they were to serve and train the additional time within the year. And if at the end of the year there should be those who have been inducted who have had previous military training or those who for any other reason have achieved the proper training and have become accomplished and efficient soldiers, then they may be discharged at that time in the discretion of the Secretary of War. But I am not going to undertake to mislead anybody in this House by saying they will not be kept 18 months longer. I do not know what will be done about that. I do know that as this emergency grows worse and worse from day to day, and I might say from hour to hour, after a while it may become so severe that it may be necessary not only to keep those who have been inducted into service for that period of time but to induct others. Therefore, I want it definitely understood that there is no misrepresentation about this, so that a year from now or a year and a half from now or 2 years from now or if at any time in the future we are called upon to make another extension, which we may be called upon to do, I do not want it said of me that I promised anybody that they would be kept only 18 months and no more.

Mr. Chairman, that is the meaning of this amendment, and I hope after it has been discussed briefly we may agree upon some reasonable time for its discussion.

Mr. SHORT. Mr. Chairman, I offer an amendment to the committee amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. SHORT to the committee amendment: After "shall not," and before "without his consent" insert: "in the case of any person in training and service under the Selective Training and Service Act of 1940, as amended, be made."

And after "without his consent" insert: "and in the case of any other person subject to the provisions of this section shall not, without his consent."

And strike out "eighteen months" and insert "twelve months."

Mr. SHORT. Mr. Chairman, the chairman of the Committee on Military Affairs has very clearly and accurately stated the effect of the amendment offered by the majority of the committee. If I may have the attention of the Members of the House I believe I can tell them very briefly the exact purpose of the amendment to the committee amendment which I have offered.

The committee amendment would limit the extension of the period of training and service to 18 months in addition to the 12 months' period of their present training and service for all four components of our Army, the selectees, the National Guard, the reserve components, and the retired personnel of the Regular Army.

The minority amendment to the committee amendment simply authorizes the President to extend the time, not for 18 months but for 12 months, and using the exact language in the Selective Training and Service Act, for 12 consecutive months of training and service for the National Guard, the reserve components, and the retired personnel of the Regular Army, but it exempts all selectees from further service unless they care to volunteer. So that if the amendment I have offered to the committee amendment is adopted it will read exactly this way, and I should like to have you listen to it carefully:

Provided, That extension of the periods of active military service, or training and service, in the case of any person subject to the provisions of this section, shall not, in the case of any person in training and service under the Selective Training and Service Act of 1940, as amended, be made without his consent, and in the case of any other person subject to the provisions of this section shall not, without his consent, exceed 12 months in the aggregate; except that whenever the Congress declares that it is in the interests of national defense to further extend such periods of active military service and training and service, such periods may be further extended by the President, in the case of any such persons, for such time as may be necessary in the interests of national defense.

Mr. Chairman, I think that should be clear to every Member of the House without having a dozen Members coming to me and asking me what the amendment will do. It will simply authorize the President to extend the service of the National Guard, the reserve components and the retired personnel of the Regular Army, not for 18 months as the committee provides but it sets a ceiling of 12 consecutive months, another year. It will also allow any draftee or selectee to volunteer for another year, but it does not authorize the President to extend their time beyond the present 12-month period of training and service.

I trust that is clear to all Members. If anyone has any questions to ask, I wish he would ask them now or forever hold his peace.

Mr. LUTHER A. JOHNSON. Will the gentleman yield?

Mr. SHORT. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. The gentleman's amendment does not relate to the enrollees. Their time will expire at the end of the year?

Mr. SHORT. That is right. Of course, the 300,000 in reserve would be subject to induction from time to time.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment to the committee amendment.

The question was taken; and on a division (demanded by Mr. SHORT) there were—ayes 97, noes 136.

Mr. SHORT. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. SHORT and Mr. MAY.

The Committee again divided; and the tellers reported that there were—ayes 117, noes 176.

So the amendment to the committee amendment was rejected.

Mr. ELIOT of Massachusetts. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr ELIOT of Massachusetts to the committee amendment: After the word "aggregate;", insert "*and provided further*, That of the persons inducted for training and service under said act prior to the approval of this act, not less than 50,000 shall complete such training and service during each calendar month of the year 1942, as nearly as feasible in the order of their induction."

Mr. ELIOT of Massachusetts. Mr. Chairman, this amendment is a very simple one and can be explained very briefly. It applies only to men who have already been drafted. There are approximately 600,000 of such men. Under this amendment, 50,000 of those drafted men would be released from training camps each month of the year 1942, beginning next January. Thus, by Christmas of that year, all the men heretofore drafted will have been sent home.

That is the entire amendment. It is not in conflict in any way with the committee amendment. The committee amendment applies to all reserve components, the National Guard, men hitherto drafted, and those to be drafted in the future.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. ELIOT of Massachusetts. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. In that 50,000 would be included the hardship cases, the married men, and those over 28?

Mr. ELIOT of Massachusetts. The gentleman is correct. The Army would choose the 50,000 men to be sent home.

Mr. McCORMACK. Personally, I hope the Committee will not object to this amendment being adopted, for the purpose of conference, because there is something there that the conferees may well consider. I hope the amendment will be adopted so that the conferees may have the opportunity of considering it in connection with the other hardship elements involved, when the bill is in conference.

Mr. ELIOT of Massachusetts. I thank the majority leader, and am glad he is in favor of the adoption of the amendment.

Mr. CASEY of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. ELIOT of Massachusetts. I yield to the gentleman from Massachusetts.

Mr. CASEY of Massachusetts. Under the gentleman's amendment, no Army unit would be broken up; it would be left entirely to the Army officials to select the 50,000 who should go home?

Mr. ELIOT of Massachusetts. That is correct.

The Army's greatest objection, as I take it, to the existing law is the fear that various units of the Army may be disrupted by men going home in large numbers at the end of their particular year of training. It is pure chance when the day of their induction comes around the next year and they go home. That fear is obliterated by this amendment, because the Army would have wide discretion to send the men home at the rate of only 3 percent of the total armed force each month, and replacements would be immediately available. That is the chief objection the Army has to the existing law.

The chief objection many people have to the present bill is the fear, which may or may not be groundless, that the boys who have been drafted have been drafted for semipermanent service.

This amendment is not perfect. It does not send each man home at the end of exactly 1 year, but it does give concrete evidence to the boys at camp and to the people at home that we meant what we said when we passed this act to train a civilian reserve. The men would be going home beginning next January at the rate of 50,000 a month.

Before I sit down, I think I must mention the fact that I am speaking here in behalf of a considerable group of Congressmen who took a part in framing this amendment. They have asked me to read their names. They are Messrs. ANDERSON of New Mexico, MCINTYRE of Wyoming, WICKERSAM of Oklahoma, WEISS of Pennsylvania, KELLEY of Pennsylvania, SCANLON of Pennsylvania, FOGARTY of Rhode Island, WASIELEWSKI of Wisconsin, MACIORA and DOWNS of Connecticut, SIKES of Florida, and DAVIS of Ohio. Several of these gentlemen, and also the gentleman from California [Mr. VOORHIS], are prepared to speak in behalf of this amendment if given the opportunity.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. ELIOT of Massachusetts. I yield to the gentleman from North Carolina.

Mr. COOLEY. Is the gentleman's amendment applicable to Reserve officers and National Guard men and officers?

Mr. ELIOT of Massachusetts. No; the amendment applies only to men heretofore drafted under the Selective Training and Service Act.

Mr. COOLEY. Why would it not be well to make it applicable to all men in the service, including Reserve officers and guardsmen?

Mr. THOMASON. Mr. Chairman, will the gentleman yield?

Mr. ELIOT of Massachusetts. I yield to the gentleman from Texas?

Mr. THOMASON. Does the gentleman mean the selectee must have served out his full year before he would be eligible under the amendment?

Mr. ELIOT of Massachusetts. That is not necessarily stated in the amendment; it is in the present law.

Mr. THOMASON. It ought to be stated.

Mr. ELIOT of Massachusetts. I think the Army officers could be trusted.

Mr. THOMASON. What about the next section of the bill to be considered, which covers the hardship cases, married men, and those who are going to be released anyway? Under the gentleman's amendment, should not a man be required to serve a full year before he would be eligible?

Mr. ELIOT of Massachusetts. I certainly think he should be required to, although I do not think it should be in this amendment. However, I will accept an amendment to that effect if the gentleman feels that it is important.

Mr. WALTER. Mr. Chairman, will the gentleman yield?

Mr. ELIOT of Massachusetts. I yield to the gentleman from Pennsylvania.

Mr. WALTER. In the event the gentleman's amendment is adopted, what is the maximum length of service any man would have to serve?

Mr. ELIOT of Massachusetts. The maximum conceivable length of service would be 2 years. Of course, men inducted at the end of last year might conceivably be kept, if they were particularly valuable men, until the end of 1942; but the average length of service under this amendment would presumably be about 14½ or 15 months.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. ELIOT of Massachusetts. I yield to the gentleman from New York.

Mr. TABER. The gentleman's amendment would permit showing complete favoritism all the way through in connection with discharges. I am afraid of that whole set-up.

Mr. ELIOT of Massachusetts. In the amendment there is a statement that the discharges should take place as nearly as feasible in the order in which the men were inducted.

Mr. HARNESS. Mr. Chairman, will the gentleman yield?

Mr. ELIOT of Massachusetts. I yield to the gentleman.

Mr. HARNESS. In connection with the question of the gentleman from New York [Mr. TABER] that this would be discriminatory, is it not a fact that under the gentleman's amendment one of these boys might be kept in for 18 months and another boy discharged in 6 months?

Mr. ELIOT of Massachusetts. That is possible, but that is even more possible under the present bill, and under the committee amendment without my amendment, much more possible.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. ELIOT of Massachusetts. I yield to the gentleman.

Mr. COOLEY. Does not the gentleman think it would be well to make his amendment apply to National Guard men?

Mr. ELIOT of Massachusetts. I have not expressed any opinion about that because, as I say, I speak for a group which has considered only the draftees.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, compromise is certainly a wonderful thing. It may be that legislation is contrived by compromise, but in my lexicon there is not going to be any compromise with

principle. That is what this amendment seeks to do. It is simply fishing around for support in order to get around the vital issue that is involved here, and that is the question of human faith.

Mr. WOODRUM of Virginia. Mr. Chairman, would the gentleman care to yield?

Mr. DIRKSEN. I would prefer not to yield, if the gentleman does not mind.

I am not going to kid myself as to the kind of bill of goods we sold the American people in September of 1940. They sought to make it appear that the whole picture had been presented to the public at that time. The gentleman from Ohio [Mr. HARTER] read some newspaper dispatches last Friday to prove that point. The difficulty with those dispatches was that when he sought to prove that the proviso and the exception in the original act had adequately come to the attention of the people, it proved that some of those dispatches were dated on the 15th of September, whereas the bill passed the House on the 7th of September and the conference report was approved on the 14th of September.

Do not be hoodwinked and kidded by th's kind of business. We are here to determine whether or not we are going to keep faith with the boys in the camps, and you can argue until you are blue in the face as to whether they are patriotic or whether they are unpatriotic, but that kind of argument is all beside the point. The representations went out from this Chamber, they went out in newspaper dispatches, and they came to the attention of the people in the form of nine separate Gallup polls that emphasized the whole idea of 1 year. Are you now going to adopt an amendment that may keep one boy in the Army for 6 months and another one for 24 months? If the Army determines that in the mechanized divisions they ought to be kept for 2 years, they will keep them for 2 years; and if they figure that the doughboys have had enough in 6 months, they will let them out in that time. But how are you going to justify discharging one boy living on N Street in your district in 6 months and another on M Street in 24 months, when both may have been inducted at one and the same time? Can the Congress justify that kind of discrimination when the peril has not been shown, when the necessity has not been demonstrated that they ought to be kept beyond the original period as set up in the Selective Service Act?

There will be no compromises. Do not be lured by this kind of blandishment. We are faced with a problem of resolving a principle.

In 1920, when the United States Senate was fighting our entry into the League of Nations, even Henry Cabot Lodge, chairman of the Foreign Affairs Committee of the Senate, from Mr. ELIOT's own State, was ready for compromise until Senator JOHNSON of California and Senator Borah went everywhere and said there can be no compromise, and they defeated the proposal for our entry into the League of Nations. When the Supreme Court packing bill was pending in the Senate, what happened? Some of those who were weak of heart and faint of hope began to prepare a substitute and a compromise. Once more there were those redoubtable souls who were willing to make an American fight and let it rest upon the rock of principle, said there can be no compromise with principle, and that measure was defeated in the Senate of the United States. In this rather tragic and eventful hour, when principle is involved, are we going to run out on the American people or are we going to reject compromises and let the issue be clear-cut when the time comes to go on record? As for me, I want none of these blandishments and no compromise at this time.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman.

Mr. SHORT. Is not this amendment merely to soften and cushion the conscience of those men who have just voted to retain these men in service for 18 months?

Mr. DIRKSEN. Far be it from me to reflect on any Member of this House, but I simply say I want no part in this temporizing.

[Here the gavel fell.]

Mr. EDMISTON. Mr. Chairman, I rise in opposition to the amendment.

Mr. CASEY of Massachusetts. Mr. Chairman, a parliamentary inquiry. We have just had one opposing speaker and now we have a second one following him.

Mr. EDMISTON. Mr. Chairman, I move to strike out the last three words.

The CHAIRMAN. The gentleman from West Virginia is recognized.

Mr. EDMISTON. Mr. Chairman, I think the amendment offered by the gentleman from Massachusetts [Mr. ELIOT] would be grossly unfair to many American boys having been drafted under the Selective Service Act and in the service at the present time. It would be an awful hard job for the Army to administer this provision in a fair manner. Another thought which I wish the Members of the House would get is that General Marshall and his staff want to get these boys trained and out of the service and new boys in the service to take their places in order to build a reserve for the safeguarding of our country just as badly as the boys themselves want to get out of the service and get back home. We are just now getting into real production on our new Army matériel. New model planes, tanks, and guns are coming off the production lines all over the country, and will rapidly be supplied to the Army. Let us not kid our men that they are trained when we know and the Army knows they are not.

They have no desire to hold these boys past the time they are trained. They are making an honest effort, and last month they discharged 2,000 hardship cases where they felt the families of the boys were suffering. I think this amendment would hamper the Army in letting the hardship cases and men over 28 years of age out of the service, rather than help.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. EDMISTON. Yes.

Mr. EBERHARTER. Does the gentleman not think it would tend to disrupt the morale of many of the boys who wanted to get out, if they saw other boys getting out before they did?

Mr. EDMISTON. I definitely do; and I do not think it is fair in any way to pass an amendment here this afternoon whose author admits that under it some might be kept for 2 years and others get out at the end of 6 or 7 months.

Mr. VAN ZANDT. And, of course, every selectee would be expected to write to his own Congressman, asking for political pressure to get him out of the Army.

Mr. EDMISTON. Yes; that is true. It would be an impossible job for the Army to do.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. EDMISTON. Yes.

Mr. VORYS of Ohio. And is it not true that this makes two classes of draftees—one class that will stay in 2 years, those that are drafted from now on; and another class that may get out any time from 6 months up to 2 years?

Mr. EDMISTON. Yes; the amendment is discriminatory, or could be made very discriminatory.

Mr. McINTYRE. Mr. Chairman, will the gentleman yield?

Mr. EDMISTON. Yes.

Mr. McINTYRE. Regardless of what the gentleman from Massachusetts [Mr. ELIOT] said about some men being able to get out within a year, is it not a fact that the Selective Service Act authorizes the President to do that? I see nothing in this amendment that will let any of them out in less than 12 months under the Selective Service Act.

Mr. EDMISTON. There is nothing in the amendment under which a man drafted next month could not be discharged in the January quota.

Mr. HINSHAW. I believe the present law states 12 months unless otherwise relieved.

Mr. EDMISTON. Does not this amendment otherwise relieve them?

Mr. HINSHAW. They do not have to serve 12 months.

Mr. EDMISTON. That is true.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. SAUTHOFF. Mr. Chairman, I rise to oppose the pro forma amendment and ask unanimous consent to extend my remarks.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SAUTHOFF. Mr. Chairman, when I heard the high-powered oratory that took place this morning to create some more war psychology, I was wondering if some of the Members were being afflicted with the jitters, and for that reason I have taken the floor to try to allay their fears. Lloyds of London has offered a 1,000-to-1 policy that Washington will not be bombed. A bookmaker in Glasgow—I hope you notice the place—has offered 20,000 pounds that this war will be over in a year. Are we getting worried? Is somebody at the head of the class getting excited for fear we will not get in before the year is over?

I also call attention to a few of the features of the draft act over in Canada. Apparently Canada is not nearly as much worried about war, although they are in it, as we are, and we are not yet in it. In Canada the draft is for 4 months, and only for home defense.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. SAUTHOFF. Not now, I am sorry. They cannot be taken for overseas service. That is prohibited. Furthermore, they receive $39 a month, while our draftees receive $21 a month, and after 4 months' service, if they have acquired sufficient skill, they are promoted into the rank of first-class private, when they get $30 a month. In addition to that under the Canadian act a married man has $35 a month allotted to his wife, and $12 a month for two children under 16 years of age, which makes his entire allowance in salary $98 a month. Compare that with what you are doing here in the case of our own selectees. And I would like to know how much of that money is some of the lend-lease money that we voted. Have we been withholding from our men the salary that is now being paid to the Canadian selectees?

I could go on along this line indefinitely, but it seems to me that inasmuch as Canada, which is in the war, is not at all excited about it, and that her men are only drafted for 4 months and then cannot be taken overseas, what is all the shooting about? What are we getting excited about?

I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. I call the gentleman's attention to an article by Constantine Brown in Sunday's Star, where he says:

> Another 450,000 young men were ordered to the colors in July this year in Germany. Their military training and equipment is expected to be completed by November of this year.

Four months for Germany; 4 months for Canada, but the United States must have 30 months' training.

Mr. SAUTHOFF. If you are going to send them over to Freetown, as the story now is, 500 miles south of Dakar, to carry the "four freedoms" to darkest Africa, I suppose there is reason for this bill.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, the House Committee on Military Affairs has had no opportunity whatsoever to consider this amendment. We do not know exactly how far-reaching it is. It is at least highly discriminatory, and the committee cannot accept it. Therefore I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment to the committee amendment.

The amendment to the committee amendment was rejected.

Mr. TARVER. Mr. Chairman, I offer a substitute for the committee amendment.

Mr. MAY. Mr. Chairman, will the gentleman yield for me to prefer a unanimous-consent request?

Mr. TARVER. Certainly.

Mr. MAY. Mr. Chairman, in view of the fact that the entire membership of the House is restless about the completion of this bill, I wonder if we cannot agree upon 1 hour's debate upon the bill. Has the gentleman from Missouri [Mr. SHORT] any objections?

Mr. SHORT. I should think we could get by with his amendment in much less time.

Mr. MAY. No, no. I mean on this section and all amendments.

Mr. SHORT. I think we could finish in at least that time or less.

Mr. MAY. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 30 minutes.

Mr. MERRITT. Mr. Chairman, reserving the right to object, I have an amendment.

Mr. HINSHAW. Mr. Chairman, I have an amendment.

Mr. VAN ZANDT. Mr. Chairman, reserving the right to object, I have an amendment upon which I would like 5 minutes.

Mr. CASE of South Dakota. Mr. Chairman, reserving the right to object, I would like 5 minutes.

Mr. HINSHAW. Mr. Chairman, I do not believe I will be able to get 5 minutes on my amendment under such an agreement.

Mr. MAY. Mr. Chairman, I will modify the request, and I ask unanimous consent that all debate on this section and all amendments thereto close at 4 o'clock. That will be 35 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky as modified?

There was no objection.

Mr. TARVER. Mr. Chairman, I have offered a substitute amendment, which is at the Clerk's desk.

The CHAIRMAN. The Clerk will report the substitute offered by the gentleman from Georgia.

The Clerk read as follows:

> Mr. TARVER offers a substitute for the May amendment: Page 4, at the end of line 10, strike out the period, insert a colon and the following proviso: "*Provided further*, That notwithstanding the foregoing provisions, the power of the President to require more than 12 months' service and training in the cases of men selected under section 3 of the Selective Training and Service Act of 1940 shall be limited to the powers delegated under section 3 (c) of said act."

Mr. TARVER. Mr. Chairman, this morning I endeavored to discuss this amendment, which I announced I proposed to offer. I shall not consume your time other than in an effort to clarify the meaning and effect of the amendment. I sincerely hope that the membership of the committee will give me attention for 3 or 4 minutes in order that I may endeavor to do that.

This amendment would have no effect whatever upon the provisions of the bill relating to the National Guard and the Reserve Army officers or retired officers. It affects only the selectees.

It proposes to affect them by limiting the President's power to that delegated by section 3 (c) of the Selective Training and Service Act. In other words, if this amendment is adopted, the provisions of this bill will not change existing law insofar as the selectees are concerned.

I endeavored to point out this morning that it is uncontroverted that the President, under existing law, without the passage of any additional legislation whatever has authority to recall any selectee, discharged after 12 months' service, for an additional 12 months' service. That results because of the provisions of section 3 (c) of the Selective Training and Service Act, which reads as follows:

> Each such man, after the completion of his period of training and service under subsection (b), shall be transferred to a reserve component of the land or naval forces of the United States; and until he attains the age of 45, or until the expiration of a period of 10 years after such transfer, or until he is discharged from such reserve component, whichever occurs first, he shall be deemed to be a member of such reserve component and shall be subject to such additional training and service as may now or hereafter be prescribed by law.

The service which is now prescribed by law is the service outlined in the first section of Public Resolution No. 96, Seventy-sixth Congress, which provides:

> That during the period ending June 30, 1942, the President be, and is hereby, authorized from time to time to order into the active military service of the United States for a period of 12 consecutive months each, any and all members and units of any or all reserve components of the Army of the United States—

And so forth. All you propose to do in this bill insofar as the selectees are affected is to give the President power to retain the selectees in service after the expiration of the 12 months' period. He already has that power under subsection (c) of section 3 of the Selective Training and Service Act which I have just read to you, with the difference that under that law he can only recall them for 12 months.

The effect of my amendment would be to have the pending legislation make no change whatever in the existing legislative situation but to permit the President, under the provisions of existing law, if he feels justified in doing so, to call the selectees back for an additional period of training not to exceed 12 months after the expiration of their first 12 months. That is what existing law provides. This statement has been made to you repeatedly. If I have made any mistake as to the accuracy of the legal proposition, I have stated I would be glad to have anyone call my attention to it. I do not believe I have been laboring under any mistake as to the existing power of the President without any further action by the Congress, but if I have I certainly would like to be advised of the fact, but so far in my contact with various members of the committee I have not been advised that there is any conflict of opinion on that point.

Mr. HARNESS. Mr. Chairman, will the gentleman yield?

Mr. TARVER. I yield.

Mr. HARNESS. I understand the gentleman has reference to the law that applies only to selectees.

Mr. TARVER. That is right.

Mr. HARNESS. I agree with the gentleman that existing law gives the President the right to call these men as a reserve component for 12 months' additional service; but I do not know that

the gentleman's amendment goes far enough to cover the authority the President wants to keep the National Guard and reserve personnel in the service for an additional period.

Mr. TARVER. The amendment does not affect the bill as it applies to the National Guard and the Reserve. The gentleman doubtless did not hear my statement with regard to that at the opening of my remarks. It applies only to the selectees.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Alabama [Mr. SPARKMAN] is recognized for 5 minutes.

Mr. SPARKMAN. Mr. Chairman, I rise in opposition to the amendment that has been proposed by the gentleman from Georgia. What he seeks to do is simply to rely upon the power that was given in the original act for the President to call these selectees after they become members of the reserve component into the service for an additional period of service; but in order to exercise that authority he must invoke a previous act, Public, 96, of the Seventy-sixth Congress, which became law on August 27, 1940. That is the one giving the President the right to call reserve components into the active service.

I call attention to the fact that at the very best there is a very considerable legal question raised by this amendment, in that reliance must be had upon an act passed prior to the enactment of the Selective Service Act, and the further fact that when the Selective Service Act was passed a specific means of keeping these men in active service was provided. This specific plan was that the Congress should declare the national interest to be imperiled. Certainly the argument might be raised that in the event an effort was made to hold these selectees in service under that act that no authority had been given because of the express power granted and the express method set up in this subsequent act. Besides, when this bill was considered in the House and also in the Senate last year that very matter of just what was intended was discussed. Over in the Senate you will find, if you follow the debates, that the matter was discussed, and in the hearings of the House Committee on Military Affairs there was some questioning of General Marshall by the gentleman from Indiana [Mr. HARNESS] along this line. I read from the hearings:

Mr. HARNESS. Under the first act that we passed in August of 1940 we provided that the President had the right to call the reserve component of the Army into service for a period of 12 months.

General MARSHALL. You mean to transfer the men into the Reserve and then call them back to active duty?

Mr. HARNESS. As soon as they are discharged, automatically they go into the reserve component of the Army and are subject to such additional training as the law provides.

General MARSHALL. That is correct, but I think it would be most unfortunate to do that at this time, because the soldier would feel that he had been victimized by a maneuver, by sharp practice, under cover of the law.

Then he goes on to say it would have a most unfortunate effect on morale if we adopted that method. To that the gentleman from Indiana [Mr. HARNESS] replied:

I agree with what you say, General, in what has been suggested here, that we ought to come out honestly and say what we are going to do. It just adds to the confusion.

That is the whole situation about this particular amendment.

Mr. HARNESS. And I believe just exactly what I said then.

Mr. SPARKMAN. I am very glad to know, then, that the gentleman is going to oppose this amendment that is offered at this particular time, in order that we may come out and be absolutely fair and open with these selectees and not contribute to the confusion which otherwise would result.

Mr. TARVER. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. I yield.

Mr. TARVER. As far as any confusion is concerned, may I point out to the gentleman that my amendment expressly ratifies and continues the authority of the President under section 3 (c), and there could be no possible confusion.

Mr. SPARKMAN. It does not tie in with Public Law 96, which preceded the enactment of this particular measure.

Mr. TARVER. The gentleman is mistaken, for section 3 (c) refers to existing law, which is Public Resolution 96.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. CROWTHER].

Mr. CROWTHER. Mr. Chairman, I think the real honest procedure that should be initiated before we consider any more of this pre-war legislation is that somebody in the administration ought to recommend the repeal of the Neutrality Act. There is still a so-called Neutrality Act on the lawbooks, but it has been completely ignored. Of course, it does not mean anything. It was very seriously emasculated and manhandled when the interventionists brought about the repeal of the arms embargo. In view of events transpiring since that repeal, the Neutrality Act is a fine sample of pure unadulterated hypocrisy.

Along about 1933 our very distinguished President informed us that all we had to fear was fear itself, and fear has been the theme song of this administration for more than 8 years. One now listens in vain for the swingtime strains of Happy Days Are Here Again, which was the elixir of life at every gathering of new dealers from a ward meeting to a Jackson Day banquet.

In the interim they have developed a war psychology as a smoke screen in order to escape constant criticism of their ridiculous domestic policies. We have a batch of new slogans: "Quarantine the aggressor nations"; "The stab in the back" speech, directed at Mussolini; "Repeal the arms embargo"; "Conscript the boys"; "Lend-lease to England"; and the $7,000,000,000 of American taxpayers' money to pay the bill and the "four freedoms." Now we find ourselves in a sorry predicament. Many of us voted to deport Harry Bridges. Earl Browder is serving time in jail, and the Dies committee has given us a very complete picture of what the Communists are doing in and out of governmental departments. Now we are faced with the spectacle that would have an element of humor, if it were not so tragic, of the President of the United States and his Department of State with their arms around bloody Joe Stalin and begging us all to call him comrade.

Now comes a new demand, not for continued training, as was advocated at the time of the passage of the first bill for the development of Reserves, but for the immediate building of an Army of 1,750,000 and the requirement that the agreement we entered into in sending them for a year be now disregarded. The language in the existing law limiting the selectees' service to 12 months is, in my estimation, a legal and a moral obligation. I am unalterably opposed to this bill and I shall keep faith with the selectees now in service. They are the only group of Americans who up to this good hour has really made a genuine sacrifice for their country.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Georgia [Mr. TARVER], because I think the amendment offers the logical action for the House to take. It lets those of us who believe that there is a problem meet that problem in an honorable way. It extends service for the National Guard and Reserve officers in keeping with the obligations they took voluntarily when they entered the service; but, as to selectees, it requires that any extension of service be under the liability for reserve duty as established in paragraph (c) of section 3 of the Selective Service Act, so that they may get reserve credit for time served.

Many of us recognize that it is difficult to man the outlying bases and maintain army units with 1-year men. I raised that specific question after a trip to Panama, as the hearings of the Appropriations Committee on the War Department bill will show, the hearings for April 30.

We want to maintain the effective organization of the Army and we believe that it can be done in a way that keeps faith with the men involved.

It can be done by permitting 2-year enlistments with credit for time already served as a selectee with a reduction in reserve duty liability, as proposed in H. R. 5286, which I introduced July 10, or it can be done by requiring that additional duty by inducted men be done as reservists rather than as selectees, and that is what is proposed by the gentleman from Georgia in his amendment to the committee amendment now pending.

The gentleman from Alabama objects that the Selective Service Act made no specific reference to the act previously enacted under which the President would call the selectees after they were in the reserve category. I call your attention to the language in paragraph (c) of sec-

tion 3, the Selective Service Act, which specifically states:

Each such man, after the completion of his period of training and service under subsection (b) shall be transferred to a reserve component of the land or naval forces of the United States—

And—

He shall be deemed to be a member of such reserve component and shall be subject to such additional training and service as may now or hereafter be prescribed by law.

That "now" embraces Public, 96, which was adopted in August and approved August 27, 1940. The Selective Service Act was passed in September and approved September 16 1940.

As I said in my remarks on July 24, this 10-year reserve liability of the selectees was repeatedly discussed during the debate on the Selective Service Act. Many of us based a great deal of our objection to the act upon this heavy reserve liability for the man who happened to be called while leaving the uncalled man go scot free. Not forgetting it, on January 26 this year, shortly after the new Congress convened, I introduced H. R. 2241, to reduce from 10 to 3 years the reserve-duty liability of persons inducted.

In the appropriation hearings already referred to, on April 30, I suggested using that reserve liability to meet the problem we now face, and suggested giving the selectee credit for time already spent if he enlisted for extended service. I counseled with the War Department on the matter and H. R. 5286 was drawn to meet suggestions made by them in that connection.

The reserve liability of the selectees has been generally debated and it is recognized by those who have studied the matter that something should be done to credit these selectees with active service rendered so as to reduce the heavy reserve liability they face. The gentleman from Alabama has attempted to suggest that there was some doubt as to the legality of their reserve liability. There can be none. The acts speak for themselves. And I have in my hand a memorandum prepared by the War Department for the gentleman from New York [Mr. ANDREWS], ranking minority member of the Military Affairs Committee. It is dated August 6, and it concludes as follows:

Summarizing, any selectee who completes his period of training and service in the land forces, as prescribed by section 3 (b) of the Selective Training and Service Act of 1940, and who is not otherwise exempted, is subject to transfer to a reserve component of the Army of the United States.

And—

If the completion of his training and service and his transfer to a reserve component is completed at any time prior to June 30, 1942, such person may be ordered into the active military service of the United States as a member of a reserve component of the Army of the United States for a period of 12 consecutive months, provided such order is issued at any time prior to June 30, 1942. Subject to the foregoing, it is therefore legally possible to require a selectee to serve for 12 months under section 3 (b) of the Selective Training and Service Act of 1940, transfer him to a reserve component as above noted, and immediately issue an order requiring him to render 12 consecutive months of further active military service.

That is the opinion of the War Department, and it will be the opinion of anyone who reads the language of the two acts. In other words, no legislation is needed to get an additional 12 months of service from the selectee. The only question is whether you are going to require him to give it as a selectee or as a reservist.

Now, then, why is it desirable for the selectee, if he has to serve additional time, to serve it as a reservist rather than as a selectee? It is because that as a selectee he gets no credit on his reserve liability. As a member of a proper reserve component he can. His time as a reservist does not begin to run until he becomes a reservist. If you extend his period of service as a selectee, you are piling that onto the time already served and to the 10 years of reserve liability which begins when finally he concludes service as a selectee. It is grossly unfair.

The man who is not called has neither training liability nor reserve liability. Upon the selectee whose number is called, who already has given a year of active duty, who already faces 10 years of reserve duty, you now propose to add 18 months of active-duty training and service. The least you can do is to let him get credit for additional active duty by having him take it as a reservist so as to cut down on that 10 years of reserve liability, which is what the amendment of the gentleman from Georgia proposes.

I am confident that if the membership of the House were to understand the situation, the amendment would be adopted. I regret that the sharp limitations on time prevent further statement.

[Here the gavel fell.]

The CHAIRMAN. The question is on the substitute offered by the gentleman from Georgia [Mr. TARVER] for the committee amendment.

The question was taken; and on a division (demanded by Mr. TARVER) there were—ayes 31, noes 78.

So the substitute for the committee amendment was rejected.

Mr. FISH. Mr. Chairman, I offer a substitute amendment for the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. FISH as a substitute for the pending committee amendment:

On page 4, line 10, after the colon insert "*Provided*, That the extension of the initial 12-month period of training and service under section 3 (b) of the Selective Training and Service Act of 1940, in the case of any person inducted under such act who is a noncommissioned officer at the completion of his first 12 months of such training and service shall not, without his consent, exceed 12 months: *Provided further*, That any person inducted for training and service under section 3 (b) of said act who is not a noncommissioned officer upon completion of his first 12 months of such training and service shall, upon the completion of his first 12 months of such training and service, be released from training and service under section 3 (b) and shall be transferred to a reserve component of the land or naval forces for the same period and with the same rights, duties, and liabilities as any other person transferred to a reserve component of the land or naval forces under the provisions of section 3 (c) of such act: *Provided further*, That nothing in this section shall be construed to require such release and transfer in the case of more than 45,000 men in any one month."

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. FISH] for 3 minutes.

Mr. FISH. Mr. Chairman, I think the 3 minutes is sufficient because I believe the mood of the House, particularly on the minority side, is such as not to be willing to accept any compromise.

The purpose of the amendment must be clear. Those who say that we must retain these draftees or selectees for over a year maintain that if we do not we will disrupt the Army, we will demoralize it, we will disorganize it, and it will disintegrate and, therefore, it is necessary to hold them in for an additional year and a half.

I submit that holding these selectees in more than 1 year will not help at all in the training of the Army. In fact, it may seriously impair its morale. If you actually want to train the Army, then the simplest and best procedure would be to retain in the service for another year the noncommissioned officers. These selectee noncommissioned officers are trained and are now training soldiers in all branches of the service and could train the new selectees. They receive more pay than the privates. The corporals receive $54 a month and the sergeants all the way from $66 up to $120 a month, so there will be no financial hardship to them if we retain them in the service. This proposal is in the nature of a compromise. As I stated in the beginning, I do not believe the House is ready to accept any form of compromise, but if you want to actually train the new selectees quickly and efficiently, the thing to do is to hold on to the noncommissioned officers. There will be no hardship in doing so because they are well paid and many of them would be glad to stay longer under the circumstances.

Mr. MERRITT. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield to the gentleman from New York.

Mr. MERRITT. Does not the gentleman think that will take away all the incentive for these young men to become noncommissioned officers?

Mr. FISH. No. Many of the noncommissioned officers who have knowledge of Army life and who are well trained themselves would like to stay in the Army. Also, they are far better paid—two or three times better paid—than the private soldiers.

I believe if we gave these noncommissioned officers a chance to volunteer a large proportion of them would volunteer. But if you gave the private soldiers among the selectees a chance, I believe 90 percent of them would get out of the Army.

I offer this amendment simply in order to get it before the House. If the Members want a compromise of that nature, that will provide for adequate training and not disrupt the Army, this amendment would do it.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield to the gentleman from New York.

Mr. ANDREWS. The gentleman might say he wants to keep one quarterback and one halfback.

Mr. FISH. We want to keep the best-trained men in to train the others. That is exactly what I want to do.

[Here the gavel fell.]

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from New York to the committee amendment.

The substitute amendment to the committee amendment was rejected.

Mr. HINSHAW. Mr. Chairman, I offer an amendment to the committee amendment.

Mr. MERRITT. Mr. Chairman, with the time allotted the way it is, many Members, including myself, who have amendments to this section at the desk would be deprived of an opportunity of being heard on their amendments.

The CHAIRMAN. The Chair is advised that the amendment of the gentleman from New York proposes to add a new section. If that is correct, that would not be included in the time fixed.

The Clerk will report the amendment offered by the gentleman from California.

The Clerk read as follows:

Amendment offered by Mr. HINSHAW to the pending committee amendment: In the committee amendment, strike out "18 months" and insert "6 months."

The CHAIRMAN. The gentleman from California is recognized for 2 minutes.

Mr. HINSHAW. Mr. Chairman, I cannot do adequate justice to this amendment in 2 minutes. All I can say is that there are 165 Members of this House who have had military service of one sort or another, and they can read these hearings intelligently. When they read the hearings they will find that what the Army is in is a pickle. They have too many men due to come out of the Army at one time, and that is the whole trouble. That is what this thing is all about. That is what is stated throughout the hearings by General Marshall.

I propose to give them 6 months more in which to get themselves straightened out so they can let those men out of the Army in a more orderly way, and bring in the selectees in a more orderly way, and thereby not disrupt the service. I cannot see any excuse at all for freezing these men in the Army for an indefinite period of time. I think that 6 months is plenty for the Army to carry out its plans for releasing selectees in an orderly way.

Here and there in the hearings you recall that General Marshall has referred again and again to the 18 months necessary for training. If what we are going to do is freeze an Army here and freeze these men into the service who have been inducted, then I am against the whole bill. If what we are for is adequate national defense, then a total of 18 months for these selectees is certainly adequate for them to receive training and to give the Army time enough to get them organized and get them out and get some others in.

Mr. BROOKS. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from Louisiana.

Mr. BROOKS. I agree with what the gentleman has said in reference to the orderly retirement of the men now in the service. If the gentleman will refer to page 19 of the hearings he will see that the major portion of the selectees came in at the end of a 4 months' period. What we want to do in this bill is give the Army latitude in retiring those men in orderly fashion.

Mr. HINSHAW. I understand that, and I am giving the Army 6 months more to do the job. That ought to be plenty. Our young men should not have to suffer for the mistakes beyond their control.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from California to the committee amendment.

The question was taken; and on a division (demanded by Mr. HINSHAW) there were—ayes 61, noes 97.

Mr. HINSHAW. Mr. Chairman, I demand tellers.

Tellers were refused.

So the amendment was rejected.

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The gentleman from Kentucky [Mr. MAY] offers another committee amendment which the Clerk will report.

The Clerk read as follows:

Committee amendment offered by Mr. MAY: Page 3, after "authorized" in line 25, insert ", subject, however, to the condition hereinafter stated."

And on page 4 strike out the concluding proviso in section 2, and insert *"Provided further*, That the authority hereby conferred is subject to the condition that the delegation of such authority may be revoked at any time by concurrent resolution of the Congress."

The committee amendment was agreed to.

Mr. VAN ZANDT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VAN ZANDT: Page 4, strike out line 7, and insert: "United States), retired personnel of, and enlisted men who hereafter enlist in, the"

And after line 12, insert "SEC. 2A. During the existence of the authority conferred by section 2, an enlistment allowance equal in amount to that provided by law for enlisted men of the Regular Army, and to be in addition to the enlistment allowance so provided, shall be paid to every honorably discharged enlisted man of the Regular Army who reenlists within 24 hours after such discharge."

Mr. VAN ZANDT. The amendment I offer at this time is designed to recognize a contract in existence between the enlisted men of the Army and the Government of the United States. Every Member of this body knows that when a citizen of the United States enlists in the Army it is either for a 1- or 4-year period, and at expiration of the enlistment, if he has served honorably, he receives an honorable discharge. The bill we are now considering when a law will freeze these men in the Army beyond the date of expiration of their enlistment, therefore it can be properly said the Government is not keeping its part of the contract. My amendment will permit the enlisted men of the Army to reenlist after discharge within a 24-hour period, and for so doing will receive a double reenlistment bonus or gratuity. In addition my amendment will permit the Army to retain for duration of the emergency all men who enlist in the Army for a first enlistment after this bill becomes a law.

The membership of the House, I am sure, want to treat the enlisted men of the Army just the same as they treat the enlisted men of the Navy and with that in mind let me remind you of the fact that last week this House passed Senate bill 353 without a record vote providing for the same thing my amendment calls for. Gentlemen, by passing S. 353 you provided that when a man reenlists in the Navy 24 hours after discharge he will receive a double reenlistment bonus or gratuity; now, surely you are willing to grant the same privilege to the men of the Regular Army.

In asking your support for my amendment, let me remind you that the backbone of our Army today is as it always has been, the men of the Regular Army, therefore a vote for this amendment is a vote for this group.

Thank you.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania.

The amendment was rejected.

Mr. MERRITT. Mr. Chairman, I offer an amendment which is at the Clerk's desk, which proposes a new section to the bill.

The Clerk read as follows:

Amendment offered by Mr. MERRITT as a new section: Page 4, after line 12, insert the following new section:

"SEC. 2A. Any person whose period of active military service or training and service is extended under section 2 and who was (a) ordered to active Federal service under Public Resolution No. 96, Seventy-seventh Congress, or (b) inducted under the Selective Training and Service Act of 1940, as amended, prior to the enactment of this act, shall, notwithstanding the limitation in section 602 (a) of the National Service Life Insurance Act of 1940 upon the time within which application for National Service Life Insurance may be made, be granted insurance under such section without further medical examination if application therefor is filed within 120 days after the date of enactment of this act."

Mr. MAY. Mr. Chairman, the committee has no objection to this amendment.

The CHAIRMAN. Does the gentleman from New York desire recognition?

Mr. MERRITT. Mr. Chairman, I would like to put the committee on record in regard to this amendment because having contacted the War Department I find there may be some objection to the fact that I ask for this insurance without further physical examination. I am afraid when the bill goes to conference with the Senate they may strike this out. I contend that any young man who goes into our armed forces in good health and is accepted by our Army and Navy doc-

tors and later on should he in some way become sick or physically disabled, his first examination should stand. Inasmuch as the committee is anxious to endorse this amendment and is willing now to accept it, I trust when the time comes for conference they will insist upon this insurance being given these young men without further physical examination.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. MERRITT].

The amendment was agreed to.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I offer an amendment as a new section, which I have sent to the desk.

The Clerk read as follows:

Amendment offered by Mr. EDWIN ARTHUR HALL: At the end of section 2-A, as amended, insert a new section, as follows:

"The Secretary of War and the Secretary of the Navy, as the case may be, under such regulations as they may respectively provide, shall issue to each person inducted into the service under the provisions of the Selective Training and Service Act of 1940, upon such person's being given a furlough at any time, a furlough certificate without cost to such person for travel to and from his home during such furlough period."

Mr. MAY. Mr. Chairman, I reserve the point of order against the amendment.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, in a nutshell this amendment provides for one of the most necessary things that we have considered for the preservation of our constitutional form of government and for our family life in America. It provides for free transportation home during furlough for every man who has been inducted under the service act of 1940. It is an amendment which I know you will agree with me is necessary, and at least from what I can gather from letters from various constituents it is absolutely necessary to maintain the contact which our selectees and soldiers should have between their families and themselves. They are not Germans, they are not Russian soldiers, but are volunteering to the call of the American Government, and I submit that on a salary of $21 a month which they are receiving, and in certain cases where they are receiving $30 a month, and so forth, they need such certificates for traveling during furlough, so that they may visit their homes and family. I submit that if this Congress is going to pass the bill that is now under consideration, providing that these selectees and soldiers be kept in camp and in training for an indefinite period, it is high time some provision is made so that they can get home free of charge and that Uncle Sam will pay their transportation charges.

Mr. POWERS. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. Yes.

Mr. POWERS. I am very much in sympathy with the gentleman's amendment. I think it would do a great deal to improve the morale of our Army, but the main thing to improve the morale and keep the morale is to keep our word and keep these selectees in the service for 12 months and no more.

Mr. EDWIN ARTHUR HALL. I agree with the gentleman on that point.

Mr. SHAFER of Michigan. Mr. Chairman, will the gentleman yield?

Mr. EDWIN ARTHUR HALL. Yes.

Mr. SHAFER of Michigan. Would it not be well to include in the gentleman's amendment all branches of the services, Regulars and National Guard?

Mr. EDWIN ARTHUR HALL. According to the amendment, it includes all those inducted into the service under the act of 1940.

Mr. SHAFER of Michigan. That is all right for inducted men but is not so good for the men of the Regular Army.

Mr. EDWIN ARTHUR HALL. That could be amended.

Mr. DONDERO. Has the gentleman made any estimate of what this will cost the Government annually?

Mr. EDWIN ARTHUR HALL. I have not the slightest idea of what the cost is annually to pay a furlough home for these boys, but I will answer the gentleman in this way. You are going to destroy family life in America and deprive them from seeing their folks. If a man is in Louisiana, and his home is in New York State, he will be unable in most cases to get home because of the fact that he has not money enough to get home, and I ask the Congress at this time to consider the transportation of these men home as a necessary part of maintaining the morale throughout the Army and the Navy of the United States.

Mr. POWERS. And may I suggest to the gentleman that before this vote is taken he amend his amendment to include every enlisted man in the armed forces, both the Army and the Navy.

Mr. DONDERO. And it should provide for not more than one furlough in each year.

Mr. VAN ZANDT. Does the gentleman think of sending these boys home in ordinary coaches, or in Pullman cars?

Mr. EDWIN ARTHUR HALL. That is up to the War Department.

Mr. VAN ZANDT. The gentleman had better write that into his amendment.

Mr. EDWIN ARTHUR HALL. I do say this, that it is absolutely necessary to consider this from the standpoint of morale and national defense, and I ask the support of the House at this time for this amendment.

Mr. COX. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this amendment and other amendments that have been proposed and much that has been said influence me to say that there is a great deal more to what the gentleman from Texas [Mr. DIES] said a few days ago, if he said it, that "this whole defense program has been handled as if it were a glorified W. P. A. project, a continuation of the effort to obtain security and salvation without sacrifice and without work."

Whether you subscribe to this or not, you are obliged to concede that the effort to fit round pegs to square holes has not ceased—something that has outraged the common sense of common-sense people. There has been too much hitching of goats to carts that were made to be pulled by oxen; too much mismatching everywhere, running all the way from Mr. Frankfurter's Court down through O. P. M. to the W. P. A. worker who leans upon his spade. We have reached the point where no one has faith in anything or believes anybody.

There prevails right here in our midst as poor a spirit as has ever existed in America. Here we are, if not in war, then upon the very brink of war, and talking about disbanding our fighting forces—still clinging to the idea that we can win the war by placing a mortgage upon present and future generations.

Let me say to you that if we were to enter a shooting war in the spirit now prevailing, we would be driven from every battlefield where we might be engaged by the enemy.

Let the old American spirit assert itself. Let it be asserted right here and on this bill. I like less than you the goats hitched to carts made to be drawn by oxen, the misfits, the profit takers, the money changers, the left-wing reformers, the professional social uplifter—the rats that gnaw away at the foundations of our Government, the Communists now entering upon their second honeymoon, the racketeers in labor that strike against national defense and the people—but I love America more than I hate all these.

All these will disappear in the fire of war, and, make no mistake, we are on the brink of a war of fire. Such a war has been decreed by the powers that be, such a war events have made our fate.

So, let us stand upon our own feet and meet this issue in the light of what we know. Let us hit now and hit hard for national defense. Slackness breeds worms, and distrust is cowardice.

[Here the gavel fell.]

Mr. NICHOLS. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I rise to support the amendment offered by the gentleman from New York which provides that the Government shall pay the transportation of soldiers on furlough. I saw a very striking cartoon the other day. It had to do with our aid to Britain. Britain was pictured across a broad expanse of water and an American crippled boy was sitting on this side of that broad expanse of water. A kindly American lady was standing also on this side offering help to Britain, and this youngster looked up at her and said "I wonder if I am so close to her that she cannot see me?"

That is what I am wondering about these boys. I am going to support this bill. I think it should be done as protection for the boys themselves. I know they are not trained. They have not had the equipment with which to be properly trained, and it would be a travesty to send them home and say to them. "Boys you are now soldiers. You are now fit to defend yourselves in battle." I know they are not. I know it is the responsibility of this Government to give them that training before we send them home as finished soldiers. But I want to take them off the highways. I want to stop these American soldiers from becoming hitchhikers, as they thumb a ride back home. Just think of a soldier in the Army of the richest Nation in all the world thumbing a ride on the highway. When a boy is entitled to a furlough and must travel a distance, long or short, to get back to his home, why in the name of common sense should not we, great

people that we are, pay that boy's traveling expenses? We take airplanes from the commercial airlines of this country in order that generals may ride in them. Maybe that is all right, but if it is, then there is no reason under the sun why we should not provide in this bill, and no reason why the money should not be appropriated by Congress, to pay the traveling expenses of these boys, surely at least the transportation expense of boys who some day, if we get into this conflict, will be fighting your battle and my battle on the front line some place, are entitled to this consideration.

Do we think less of them? No. The Nation would have you do this thing. I am surprised that it was not in the bill, but I shall be more surprised if in the end the committee does not accept this amendment. I say to you frankly that the only excuse for not doing it can be the cost, the expense.

Mr. BULWINKLE. Mr. Chairman, will the gentleman yield?

Mr. NICHOLS. I yield.

Mr. BULWINKLE. If this amendment were adopted and became law, I wonder if it would not have a tendency to stop furloughs from being issued.

Mr. NICHOLS. I presume maybe it would retard them to some extent, but I am one of those who believes in the integrity and good judgment of the officers of our Army, and so I presume that when a boy makes application for a furlough, if he is entitled to it, it will be granted whether his expenses are paid by the Government or not.

[Here the gavel fell.]

Mr. ANDREWS. Mr. Chairman, I move to strike out the last word, but shall not take very much time.

Mr. Chairman, I believe there is a great degree of merit in the amendment offered by the gentleman from New York [Mr. EDWIN ARTHUR HALL] providing it is in proper form. I ask unanimous consent, Mr. Chairman, that the amendment as modified by him a few moments ago be read.

The CHAIRMAN. The amendment has not as yet been modified.

Mr. ANDREWS. Mr. Chairman, I ask unanimous consent that the amendment may be modified according to the modification that is at the Clerk's desk, and that the Clerk may read the proposed modification.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. FADDIS. Mr. Chairman, I object.

Mr. ANDREWS. Mr. Chairman, I yield back the balance of my time.

Mr. FADDIS and Mr. POWERS rose.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania, a member of the committee.

Mr. FADDIS. Mr. Chairman——

Mr. POWERS. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. FADDIS. If it is not taken out of my time.

The CHAIRMAN. If the gentleman yields it will be taken out of his time.

Mr. FADDIS. Mr. Chairman, I cannot yield.

Mr. POWERS. I am sorry.

Mr. FADDIS. Mr. Chairman, I deplore the idea that is becoming more and more prevalent all the time, that the House of Representatives can solve every difficulty it encounters by dipping into the Public Treasury to spend more, and more, and more money in order to try to overcome the objections of some minority. It seems that few of us know there is a bottom to our Treasury, but some day we are bound to reach it. There are some here who have endeavored to keep down expenses wherever possible, but we seem to be laboring for a lost cause.

If we at this stage in our military history have not learned from the disastrous policies of the past when it comes to giving bounties and subsidies to those in the military service then we must be beyond learning. Let us consider what this amendment would do.

To begin with, this amendment applies to but one component of our Army, those taken into it under the provisions of the Selective Service Act. If we adopt this amendment we shall have the National Guard and the Regular forces not enjoying the provisions of this gratuity. Furthermore, where it is possible to do so at the present time great numbers of these men obtain leave every week to go home, if their homes are anywhere within reach. Certainly anyone is bound to realize that if provisions of this kind were placed in this legislation this practice of week-end furloughs would be discontinued of necessity. The labor alone of writing out transportation requests for these men would be excessive. Furthermore, no one has considered what would be the cost if this amendment were adopted. We must remember that some of these men are great distances from their homes.

Mr. COSTELLO. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield to the gentleman from California.

Mr. COSTELLO. The gentleman mentions distance from home. What would happen to the troops in Panama? Would we have to pay their transportation to the States for these furlough periods?

Mr. FADDIS. Yes; and those in the Philippine Islands and other distant points.

Mr. SUTPHIN. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I am sorry, I cannot.

Mr. POWERS. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I cannot yield.

So I want to ask the Members of this body in the consideration of this legislation not to attempt to solve every difficulty at the expense of the already overburdened taxpayers of this Nation. It might be a comparatively small sum, but each and every time we add one of these so-called comparatively small sums to the load on the taxpayers we heap up difficulties for ourselves to solve when we come to writing tax legislation.

Mr. MAY. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. Yes; I yield to the chairman of the committee.

Mr. MAY. Can the gentleman give us any idea how much this amendment would cost the Government?

Mr. FADDIS. No; I cannot; nor can anyone in this body begin to give even a slight estimate of how much it may cost. It would undoubtedly run up into many millions of dollars each year.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. Yes; I yield to my colleague from New York.

Mr. ANDREWS. The number of furloughs are limited, I think; but I believe, furthermore, the railroads would be very glad to give much lower rates to all enlisted men.

Mr. FADDIS. And the gentleman will remember some time ago we passed legislation doing away with the 1-cent fare for soldiers on land-grant railroads. The result is that today they have to travel at regular fares so far as the law is concerned.

Mr. HANCOCK. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. I yield.

Mr. HANCOCK. For several weeks I have been in correspondence with the transportation division of the Quartermaster General's office in an effort to get the railroads to grant the soldiers reduced fares. They have succeeded to the extent that the railroads charge the soldiers only a cent and a half a mile, and they hope to have it reduced to a cent and a quarter. They are in further negotiation and expect to get further reductions in September.

Mr. FADDIS. I hope the amendment will be defeated.

[Here the gavel fell.]

Mr. NICHOLS. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. NICHOLS to the amendment offered by Mr. EDWIN ARTHUR HALL: After the figures "1940", insert "and enlisted men and noncommissioned officers of the Regular Army and the National Guard."

Mr. NICHOLS. Mr. Chairman, all this amendment, which is my amendment to the amendment offered by the gentleman from New York, does is to include all enlisted men and noncommissioned officers of the United States Army, which, I am sure, will remove the objection of my distinguished friend the gentleman from Pennsylvania [Mr. FADDIS], who objected to this being done by unanimous consent, then immediately took the floor and said he was against it because the amendment did not apply to all. It now applies to all enlisted men and to all noncommissioned officers.

Let me answer a thing or two. The gentleman from Pennsylvania bemoans the fact that this Government is giving a subsidy. He cannot possibly mean that he thinks that it is a subsidy to pay the transportation of soldiers who have been taken into the Army against their will when they want to go back home on furlough.

I want to answer another proposition that the gentleman made in answer to another distinguished Member. He said that when these men are brought back from Hawaii and the Philippine Islands, that their expenses would have to be paid and that this debt is liable to be too much of a burden on the Government. Well,

when we move them to those far-away points, the general rule is that they are moved on Army or Navy transports, and men at those posts get furloughed but once every 2 years.

One other thing: Millions of dollars, they say, it will cost the Government. Suppose it does. Playing fair with these boys is worth something to the American people, and this Government is not yet in the shape, I hope, that the millions of dollars that would be paid to transport these boys who expect to fight for us will break the Government.

Mr. SUTPHIN. Will the gentleman yield?

Mr. NICHOLS. I yield to the gentleman from New Jersey.

Mr. SUTPHIN. Will the gentleman include in this the personnel of the Navy, Coast Guard, and Marine Corps?

Mr. NICHOLS. I would be happy to, but there is some distinction there. In the Navy you get an additional allowance for reenlistment. The Navy gets breaks that the Army does not get. This is an Army bill.

Mr. SUTPHIN. Does not the gentleman think that the enlisted man's pay should be raised to $50 a month?

Mr. NICHOLS. Yes; I do.

Mr. FADDIS. Will the gentleman yield?

Mr. NICHOLS. I yield to the gentleman from Pennsylvania.

Mr. FADDIS. If this is not a bounty or subsidy, will the gentleman tell us what it is?

Mr. NICHOLS. Why, certainly, I will tell the gentleman.

Mr. FADDIS. Let us have it.

Mr. NICHOLS. Why, it is just plain, common justice, that is all it is. Is it a bounty when you pay them a salary? In the name of common sense, would you have them serve for nothing? Then certainly this is nothing more than an additional emolument for services rendered, and I think 90 percent of the people will agree that they are entitled to it.

Mr. O'BRIEN of Michigan. Will the gentleman yield?

Mr. NICHOLS. I yield to the gentleman from Michigan.

Mr. O'BRIEN of Michigan. Was there not provided during the last World War transportation on the railroads?

Mr. NICHOLS. As I remember, it was. I never had a furlough while I was in the Army.

Mr. VAN ZANDT. Will the gentleman yield?

Mr. NICHOLS. I yield to the gentleman from Pennsylvania.

Mr. VAN ZANDT. This bounty will make up the difference between the buck private's pay and the pay of the fellow who works in the shipyard?

Mr. NICHOLS. There is something to that.

Mr. HINSHAW. Will the gentleman yield?

Mr. NICHOLS. I yield to the gentleman from California.

Mr. HINSHAW. I do not believe the gentleman from Pennsylvania or the gentleman from Kentucky heard the testimony given before the Interstate and Foreign Commerce Committee to the effect this country will be spending $3,000,000,000 a month in 1943 for national defense. What are a few millions more or less?

Mr. MAY. Will the gentleman yield?

Mr. NICHOLS. Is the gentleman going to ask a question?

Mr. MAY. No. I am going to respond to what the gentleman just said.

Mr. NICHOLS. The gentleman has lots of time.

Mr. MAY. I would like to ask the gentleman a question.

Mr. NICHOLS. I yield to the gentleman.

Mr. MAY. The gentleman stated he did not know what the original amendment would cost. Now, since he has put in every unit of the armed forces, three others, does he know now how much it would cost?

Mr. NICHOLS. No. I may say to the gentleman from Kentucky I do not know, I do not think he knows, but I know that it is not going to hurt the Government.

[Here the gavel fell.]

Mr. JENNINGS. Mr. Chairman, I move to strike out the last three words.

Mr. MAY. Will the gentleman yield for a unanimous consent request?

Mr. JENNINGS. Yes.

Mr. MAY. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

Mr. VAN ZANDT. Mr. Chairman, reserving the right to object, I have an amendment to the amendment.

Mr. MAY. I am referring to this amendment.

Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

There was no objection.

Mr. JENNINGS. Mr. Chairman, I have heard many interesting and informative statements during the course of this debate. From the beginning I have looked upon this measure as a war measure. I am confirmed in that belief by the statement of the eminent gentleman from Georgia, who says that war has been decreed by the powers that be. What powers have decreed this war? Maybe the gentleman can speak for the Almighty, but certainly the Congress has not yet decreed a war.

I have also heard it said that it will not be long before we reach the bottom of our Treasury. I feel that the bottom has long since been out of our Treasury.

There is a better way than that proposed by this amendment to pay the way of these boys home to see their parents, and that is to keep faith with them, discharge them from the service when their year has expired, and let them go back as members of the component parts of the Army of this country. In that way their way home will be paid. In addition, the most tremendous fact with which we are concerned as Members of this House is to maintain the morale not only of these boys but of their fathers and mothers back home.

Mr. Chairman, we are now considering House Joint Resolution 222, as reported by the Committee on Military Affairs. This resolution, if adopted as reported, does the following:

First. It declares that the national interest is imperiled.

Second. The President is authorized to extend, as he may see fit, the periods of service and training of all selectees under the Selective Service Act; all members and units of the reserve components of the Army, including the National Guard, retired officers, and enlisted men who are now or who may hereafter be members of any of said classes.

Third. It removes the limit, under the Selective Service Act, of 900,000 selectees who can be in training at any one time, and leaves the number subject to the discretion of the President.

The authority thus sought by the President to hold indefinitely the boys now in training, and to increase by millions those hereafter to be brought in under said act, is demanded on the ground the national interest is so imperiled as to make necessary this unlimited authority for the President. It is contended that, unless this resolution is adopted, our Army will be disintegrated by the release of selectees now in service.

This resolution is a proposed surrender by the Congress of its constitutional power to raise and equip armies.

The gravity of the duty resting upon each Member of this House in this issue is realized by all of us. We are considering a measure which, in the opinion of some, is necessary to the safety of the Republic. Its enactment, in the considered judgment of others, is uncalled for at this time and is another step down the road toward war and toward another American expeditionary force to be sent to Europe, Asia, and Africa.

I do not raise here the issue of sincerity. Each Member of this body is entitled to his or her opinion. The Nation is entitled to independent, fearless action on the part of each of us on the great issue here submitted.

It has been suggested by the majority leader that the opinion of the Chief of Staff should control; that this House should be governed by his advice; that since he has expressed the opinion this resolution should pass, therefore all that is left for us, as the Representatives of our sovereign constituents, is to approve the resolution as reported.

That is the way of Germany, Russia, perhaps even of Britain. This, however, is the United States of America. As the chosen representative of my people, and as a Member of the Congress of the United States, I deem it my solemn duty, and high prerogative, to consider this resolution in the light of its broad terms, far-reaching provisions and dangerous possibilities, as well as from the standpoint of the Chief of Staff. I shall consider it in relation to Public Resolution No. 96, passed by the Seventy-sixth Congress; in the light of the provisions of Public No. 783, passed by the Seventy-sixth Congress. I shall further consider the proposed resolution on the evidence

heard by the Committee on Military Affairs; on the reports of the committee members who heard the evidence; in the light of what is going on here in this country; and in the light of what is going on in Europe, Asia, and Africa. Then, having considered these phases, by the use of common sense, by the standards set up by my official oath, and by the interests of this Nation, I shall support such amendments to the proposed resolution as will best serve the interest of this Nation.

Each Member of this House could not attend all the hearings held before the Committee on Military Affairs. A minority report was submitted by seven Members of this House, who are members of the Committee on Military Affairs. Each of those seven is a World War veteran. Four of them are able and distinguished lawyers. No man can question the sincerity, the ability, the courage, or the patriotism of these distinguished men. They are DEWEY SHORT, of Missouri; L. C. ARENDS, of Illinois; CHARLES R. CLASON, of Massachusetts; PAUL W. SHAFER, of Michigan; THOMAS E. MARTIN, of Iowa; CHARLES H. ELSTON, of Ohio; and FOREST A. HARNESS, of Indiana.

As members of the Military Affairs Committee they report to us: That the national interest is now in no greater peril than when the Selective Service Act was passed and finally approved on September 16, 1940; that, in fact, the peril of this Nation is much less today than it was in September 1940.

To determine what the peril was then, and is now, let us look to what was going on in Europe and Asia in 1940. Let us first see what the facts were then. And let us take stock of the situation today. In September 1940, Czechoslovakia had been overrun and dismembered by Germany. Poland had been conquered and divided between Germany and Russia. Norway, Denmark, France, Holland, and Belgium had been overrun and their governments overthrown by Hitler's army. Italy was then in possession of the Ethiopian empire, and Russia was the active ally of Germany. England had been driven from the continent of Europe in defeat and disaster. She had retreated from Norway with heavy losses. Her terrible losses in men and equipment at Dunkirk had her dazed. We had in our Army less than 500,000 men, and our rearmament program had not even gotten under way.

At that time, when these were the facts, the representatives of the Republican Party met in Philadelphia in national convention for the adoption of a platform and the nomination of a candidate for the Presidency and for the Vice Presidency. The delegates composing this convention were in possession of all of the facts with reference to world conditions at that time and, after full discussion, they adopted a platform and solemnly pledged the people of this Nation that:

> The Republican Party is firmly opposed to involving this Nation in foreign war.
>
> We are still suffering from the ill effects of the last World War—a war which cost us a $24,000,000,000 increase in our national debt, billions of uncollectible foreign debts, and the complete upset of our economic system, in addition to the loss of human life and irreparable damage to the health of thousands of our boys. * * *
>
> The Republican Party stands for Americanism, preparedness, and peace.

This platform further declared:

> We condemn all Executive acts and proceedings which might lead to war without the authorization of the Congress of the United States.

Three weeks after the adoption of this platform by the Republican Party, the Democratic Party, in its national convention in Chicago, solemnly declared in its platform that:

> The American people are determined that war raging in Europe, Asia, and Africa shall not come to America.

They then wrote another powerful, unequivocal plank with no strings to it. Here it is:

> We will not participate in foreign wars and we will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas, except in case of attack. * * *
>
> The direction and aim of our foreign policy has been, and will continue to be, the security and defense of our own land and the maintenance of its peace.

President Roosevelt accepted the nomination for a third term in the Presidency on that platform. He did not equivocate. He did not straddle. He had his finger on the pulse of the American people. He had his ear to the ground. He put the political stethoscope to their hearts, and throughout that campaign in each of his campaign addresses President Roosevelt seemed to talk into the hearts and minds of the young men of this country and into the hearts and minds of the fathers and mothers of this country. In those speeches he reaffirmed, repeated, and expanded "again, and again, and again" the promises of the platform on which he was nominated and elected.

On September 11, 1940, in his address to the teamsters union in Washington, D. C., he said:

> I hate war, now more than ever. I have one supreme determination—to do all that I can to keep war away from these shores for all time. I stand, with my party, and outside of my party as President of all the people on the platform, the wording that was adopted in Chicago less than 2 months ago. It said: "We will not participate in foreign wars, and we will not send our Army, naval or air forces to fight in foreign lands outside of the Americas, except in case of attack."

On October 23, 1940, in his address at Philadelphia, he used these words:

> We are arming ourselves not for any purposes of conquest or intervention in foreign disputes. I repeat again that I stand on the platform of our party: "We will not participate in foreign wars and we will not send our Army, naval or air forces to fight in foreign lands outside of the Americas, except in case of attack."

On October 30, 1940, in his address at Boston Garden, he again promised the people:

> Your boys are not going to be sent into any foreign wars.
>
> They are going into training to form a force so strong that, by its very existence, it will keep the threat of war far away from our shores.
>
> The purpose of our defense is defense.
>
> And while I am talking to you fathers and mothers, I give you one more assurance. I have said this before, but I shall say it again, and again, and again, your boys are not going to be sent into any foreign wars.

And in his fireside chat of December 29, 1940, the President used these words:

> There is no demand for sending an American expeditionary force outside our own borders. There is no intention by any member of your Government to send such a force. You can, therefore, nail any talk about sending armies to Europe as deliberate untruth.

Yet today, "again, and again, and again," we hear from the Secretary of War, Mr. Stimson, from the Secretary of the Navy, Mr. Knox, from Harry L. Hopkins, and from other war makers, the declaration that we are in the war, on the sea, in the air, on land, everywhere in the world.

The mask is off. One of the bloodthirstiest and most warlike among those administration spokesmen who advocate this measure and our participation in the war, shouted:

> Talking about these boys going home? * * * They will be in the Army for at least 5 years, and maybe 10. And this war will last at least 5 years, and maybe 10, and maybe a generation.

And then he said:

> The $40,000,000,000 we have spent in the year and a half is just a drop in the bucket—

And that—

> in less than 2 years' time we shall be spending $100,000,000,000 a year, and the total cost of this struggle to America will be not a cent less than $300,000,000,000.

Bear in mind that this resolution gives the President the power to hold these boys in the Army for life; that it takes the lid off and makes the sky the limit. And we are told that we are approaching the battle of Armageddon.

The sixteenth chapter of Revelation details the ghastly events which are depicted as leading up to that bloody and destructive struggle. And so it is that it is now proposed to draft millions of American boys for an indefinite period of service, and to force them into the miasma of Asia's jungles, the pestilential lands of the Orient, and the dark plague spots of Africa, where, on scorched and thirsty sands of the deserts, those boys may shed their blood, not for the freedom of America or for the protection of this hemisphere, but for world trade and other nations' dreams of colonial empires.

Since when did that bloody-handed despot, Joe Stalin, become the defender of democracy? Since when has Russia, which raped and overran Poland, Estonia, Lithuania, Latvia, and Finland, become the land of the free and the home of the brave? Since when has Russia, where millions were starved by official ukase, become the refuge of the four freedoms? Millions and millions brutally murdered by Stalin and his gang of terrorists lie moldering in the soil of Russia.

In the battle now raging between Russia and Germany, it is my devout hope that they shall so exhaust each other that the two of them together could not constitute a threat to the honest people of brave little Finland.

No nation has ever been more generous than we in the support which we have

given, and are giving, to Great Britain, to China, and will give to Russia. We have made ourselves the arsenal and the treasure house of Britain, China, and Russia. It is enough to open the financial veins of this country, but it is too much to issue a blank check payable in the blood of our boys. We are not dealing with inanimate objects when we come to human life and human agony. These boys are more precious than ships, planes, guns, food, and shells. They are bone of our bone, and flesh of our flesh—the hope of the Nation—the seed corn of the future—the promise and assurance of all the days that are to come after us.

Under the Selective Service Act and through the volunteer system we have called to the colors the strongest, the bravest, and the best. They are willing to fight and, if necessary, to die for this country and for the protection of this hemisphere. But we have no right, legal or moral, to use them as pawns in an international poker game of power politics.

By the promises made in the debates in Congress; in private correspondence of the Members; in speeches over the radio; and by the interpretation made by the President to the boys and their fathers and mothers, we persuaded them that after 1 year of service and training the boys could go home as members of a reserve component of the Army. These boys and their fathers and mothers had the right to assume we were telling them the truth.

These promises of the two great political parties; these promises of the Congress; these promises of the President; were solemnly made when this country was weaker than it is today, and when the danger from abroad was vastly more threatening that it is today.

On this subject of the boys serving for 1 year the President repeatedly gave his interpretation and his assurance. Here are his words. Before the introduction of the Selective Service Act, at a press conference on June 19, 1940, the President indicated that all Americans, upon reaching the age of 18, should be subject to a year's discipline and training, not necessarily strictly military training.

On September 24, 1940, in a letter addressed to the Governors of the various States on the subject of the draft machinery, he stated:

> Since so many of our young men will be asked to devote a year of their lives to the service of their country, I feel certain that others * * * will wish to make their contribution.

On October 16, 1940, in his address on Registration Day, he stated:

> Our present program will train 800,000 men this coming year and somewhat less than one million each year thereafter.

Again, on October 29, 1940, in a radio address at the drawing for selective service, he used these words:

> On October 16 more than 16,000,000 young Americans registered for service. Today begins that selection from this huge number of the 800,000 who will go into training for 1 year. They must profit as men by this 1 year of experience as soldiers.

On October 31, 1940, in his campaign address at Boston Garden, he said:

> The boys in training will be well-housed. * * *
>
> Throughout the 1 year of their training there will be constant promotion of their health and well-being.

On April 16, 1941, the account of the President's press conference stated:

> The President intimated at his press conference that there had been some discussion, too, of extending the present selective-service system beyond the 1-year maximum but he declared emphatically that this phase was not now under study.

And, as if to confirm the binding force of these promises on the part of the Chief Executive, Harry L. Hopkins, just the other day, in a pro-war broadcast to the British Nation, made by him in London, England, stated:

> Our President does not give his word lightly.

The Republican Members of this House were elected on the pledges of the Republican platform heretofore quoted. I promised my people that on the pledges of that platform to keep America out of other people's wars, I would not vote to make a European or Asiatic policeman out of Uncle Sam. On the faith of the promises we made to our people we were elected to this body. Those promises made and the votes of the people given upon faith in them constitute a solemn and binding contract between the representatives of the people and the people.

There is no question here of the absolute loyalty and support of every Member of this Congress if it should ever be necessary that this Nation get into a shooting war. Every loyal American will support his Nation in time of war. But if these boys are put into this war needlessly, and as a result of a breach of faith on our part with the people, and they are needlessly sacrificed on foreign soil, in foreign wars, then when their broken and mangled remains come home in wooden boxes and are lowered into country graveyards, brokenhearted fathers and mothers, relatives and friends, may well point at us the accusing finger and say: "You broke faith with us; you put this boy's body, a living and unnecessary sacrifice, in the red-hot hands of the Moloch of war."

It is but natural for the British, the Chinese, the Russians, the Norwegians, the Dutch, the Belgians, to do all in their power to involve this Nation in their wars. We played a valiant, a costly, and a victorious role in the first World War. Mr. Churchill has since said that we should have kept out of it. Lloyd George said that we played but a minor and indecisive part in it, and the roar of the guns on Flanders Fields had scarce died away when we heard ourselves referred to not as "Uncle Sam" but as "Uncle Shylock."

We do not decry the devotion, the diplomatic skill, the unwavering courage, yes, the heroism, of the British people and their great Prime Minister. Based upon historic fact, Shakespeare put these words in the mouth of the great Cardinal Woolsey, who, after a life of service and devotion to his monarch was accused of high treason:

> Had I but served my God with half the zeal I served my king, He would not in mine age have left me naked to mine enemies.

And if we but serve our country with half the zeal, the fidelity, and the ability with which foreign statesmen, seeking to involve us in this war, are serving their countries, we, in our necessity, will not be left naked and unprotected.

Much of the demand for the enactment of this legislation is based upon a manufactured hysteria produced by a skillfully engineered propaganda. An inferiority complex, for the first time in the history of this country, is sought to be built up in the minds of the American people, at a time when Hitler is burdened with policing the sullen, hostile peoples of Poland, Denmark, Norway, Belgium, Holland, Czechoslovakia, France; while he is bogged down in Russia, is being blasted from the air by British bombers and fighting planes, and is unable to cross the 20 miles of English Channel. There are those who would have the American people believe he will land on our shores overnight, take a blood bath, and eat a lot of us raw for breakfast. The facts do not justify any such hysteria. An invasion of this Nation by Germany at this time, or any time in years to come, is a physical impossibility. Mr. Joseph P. Kennedy, our Ambassador to Great Britain until just before the last election, when he came home to make a speech for the reelection of President Roosevelt, and who is one of the best informed men in the world, made this statement:

> The people who must suffer and give up their lives are entitled to know the facts before their judgment can be won to the interventionist cause. We must have the completest candor; we must have the fullest disclosure; we must have the freest debate. * * *
>
> A direct attack on us would require an armada mightier than the power of man could create.

This Nation has today the mightiest Navy in the world. By 1945 we will have a two-ocean Navy. We have today in the Navy 60,000 marines; 300,000 sailors. We have in the Army today 1,531,800 men. Under the present Selective Service Act, by January 1, 1942, we will have in the Army of this country 2,100,000 men. As pointed out by the minority report on this bill, neither the President nor the Chief of Staff produced any facts establishing the claim "that the danger today (to our national defense) is infinitely greater" than it was a year ago. This is the expression of a mere opinion. It is not supported by any facts. And then our able Representatives on the Military Affairs Committee made this answer to the claim that the national interest is imperiled:

> Our answer to that is that if the interest is imperiled or if we are in danger of any immediate attack, certainly the enemy has knowledge of the facts, and nothing can be gained by hiding any information from the

American people. Certainly it would not injure us for our citizens to know what Hitler himself must already know.

The report further points out:

Our two newest and mightiest battleships, the *North Carolina* and the *Washington*, as well as a large number of other naval cargo vessels have recently been put into active service. Tremendous progress * * * has been made in the production of ordnance. We are incomparably stronger today than we were a year ago, and it is obvious that each day as the warring nations spend their strength and become weak, the United States each day is growing stronger.

Winston Churchill only this week told the British Parliament that Britain's strength has doubled and that she is making progress on all fronts.

Churchill also stated that the battle of the Atlantic had "moved impressively in our favor," and that "shipbuilding is keeping pace with war demands." Mr. Churchill also now claims that Germany's air superiority "has been broken," and that the Nile Valley "is much safer."

The report then goes on to say:

The minority believe that the evidence and facts do not support or warrant a declaration such as the President and General Marshall would have us make. Nor is such a declaration essential for our national defense. The danger from the increased powers given them by such a declaration would perhaps be far greater than the threat from any nation abroad. We would destroy democracy here before we could establish it elsewhere. To declare a full emergency or to extend the service of selectees would likely be the prelude to another American expeditionary force. General Marshall testified that he has never entertained the idea of another American expeditionary force and we do not doubt his word, but unfortunately the Chief of Staff does not make that decision. The President and the Secretaries of War and Navy might decide otherwise. Only Congress can hold them in check.

These able members of the Military Affairs Committee heard the testimony of all the witnesses, and they find and report as a fact that there is now no emergency constituting a peril to the national interest. The minority report then completely answers the claim that unless the selectees are retained beyond the 12-month period of their service the Army will be disrupted. By virtue of the composition of an army, the fact that soldiers get sick, that some die, and that they are sometimes killed necessitates replacements from time to time. It is pointed out that the President, in his message to the Congress on this subject, and General Marshall, in his testimony before the committee, stated in effect, that unless the service of selectees is extended, two thirds of the enlisted men and three-fourths of the officers in the Army will suddenly evaporate or disappear. The facts do not bear out this claim. The truth is that all of the selectees now in the Army which the Government desires to hold, will serve until November of this year. In November 13,806 will be released from service; in December 5,521 will be released; in January 1942, 73,633 will be released; in February 1942, 90,238 will be released; in March 1942, 153,159 will be released; in April 1942, 123,207 will be released; in May 1942, 56,896 will be released, and in June, 79,522 will be released. Immediately upon their release these men will be a component part of the Army Reserves. They will constitute a reserve force of trained and experienced soldiers. And, under the law, they can be called back, not only in the event of war, but immediately. Upon the discharge of each of them they are subject to be called back into the Army for active military service until June 30, 1942. During the months in which these trained soldiers would be released from service, even though they are not called back by the President, their places would immediately be filled by other selectees who would begin their training and service in the Army. In the opinion of the seven able Members of this House who made the report I am now referring to—

If the men are properly inducted in a gradual, steady, and efficient manner, it could be so arranged that even a much smaller number would be prevented from leaving the Army in any 1 month. This would not destroy the Army nor would it imperil the Nation's defense It would insure us a quick turn-over in our Army and it would give us many more trained men.

In the opinion of military experts, it is not to our best interests to freeze men in the Army and hold them there. The best method is to build up a professional army and create a strong reserve by constantly turning out trained men and bringing in others to be trained. This report then goes on to say:

Frederick the Great, one of the greatest generals of all times, under compulsion, was limited by treaty to maintain an army not in excess of 100,000 men. By intensive training for short periods he constructed a military machine that was without peer in his time and which later defeated some of the greatest powers in Europe. It would seem that we can create a mighty military machine by taking in different groups of young men each year and building up a powerful reserve. General Devers, one of the ablest men in our Military Establishment, who has been in command of the Ninth Division at Fort Bragg, testified that his division, half of which are selectees, are now ready for combat service with less than a year's training. Instead of weakening our national defense this rotation of selectees will actually strengthen it. Russia would have fallen before now had it not been for the vast reserves she had to call into service.

General Marshall testified that our garrisons in the Philippines, Hawaii, and Panama, are manned for the most part by Regulars and that only about 1,200 selectees would have to be brought back soon from Hawaii and about 1,800 from Alaska. The minority cannot see that the 3,000 selectees to be brought back from these posts will disrupt our present Army of 1,476,000 men. It is rather difficult to understand why selectees with little or no training should be sent to Hawaii and Alaska and the Chief of Staff must have known when he sent them when their term of service expired.

The minority, therefore, cannot agree that the national interest is imperiled more now than a year ago, nor do we believe that our Army will rapidly disintegrate unless this resolution is immediately passed.

The report then stresses the fact that it is unwise to continue these selectees in the Army beyond their 12-month period of training and service. It is true the Selective Service Act provides that "whenever the Congress has declared that the national interest is imperiled," the "12-month period may be extended by the President to such time as may be necessary in the interest of national defense." These young men were called from the farm, from their jobs, and from school, with the distinct understanding that they were to serve for 12 months, and they made their plans accordingly. To now hold them longer, in the opinion of the great majority of the people of this country, and certainly in the opinion of the selectees and of their fathers and mothers, would be a breach of faith on the part of the Government. This is the opinion held by seven Republican members of the Military Affairs Committee. In their opinion, to hold these boys longer than the 12-month period will seriously shake the morale of the men. It is the opinion of these gentlemen, each and all of whom served in the World War, that to keep faith with these soldiers, and release them at the end of their 12 months' service, will not lead to the disintegration of the Army, but that, on the other hand, if they are forced to remain longer, such treatment of them "will lead to demoralization of the Army."

The passage of the proposed resolution at this time is wholly unnecessary, even though the President wishes to hold these boys in the service up until June 30, 1942. He already has this power under the National Guard and Selective Service Acts. At any time up until June 30, 1942, the President can order into active military service for a period of 12 consecutive months any or all of these selectees for further training and service immediately upon the completion of the 12 months' period of service and training of any or all of them. Section 3 (c) of the Selective Service Act, specifically states that each selectee, after the completion of his period of training "shall be transferred to a reserve component of the military or naval forces of the United States." Section 1 of the National Guard Act gives the President the power "to order into the active military service of the United States for a period of 12 consecutive months each, any, or all members and units of any or all reserve components of the Army of the United States." This is the construction put upon these two acts by the War Department.

These facts and these provisions of the law, therefore, render the passage of the resolution wholly unnecessary and uncalled for. General Marshall has testified that an Army of 1,700,000 men, properly trained and equipped, is amply sufficient to defend this country and this hemisphere against foreign aggression. Some of the ablest generals in the United States Army testified before the Military Affairs Committee that 12 months, and even 6 months, affords ample time within which to train a soldier for combat duty in modern warfare. Of course, if we are to raise, train, equip, and transport across the seas to Europe, Asia, or Africa an expeditionary force to fight and bleed and die in the charnel houses and slaughter fields of the war now going on, the passage of this resolution is necessary. On the other hand, if we intend to preserve this Nation as a solvent country and conserve its man-

power for the defense and preservation of our own homes and our own liberties, this resolution should be defeated.

I am old-fashioned enough to believe that when a promise is made by a candidate for a public office, that promise should be kept inviolate, and that when a Member of Congress has become clothed with the powers that go with his office, he should hold those powers in sacred trust for the sole and exclusive benefit, protection, and welfare of the people of his district and of this entire country. A promise given and power conferred as a result of that promise is a solemn contract, upon the faithful performance of which depends the safety and perpetuity of our institutions.

I therefore concur in the conclusions of the distinguished Members who bring in and sign the minority report, and I wish especially at this time to emphasize the concluding paragraph of that fine report:

The minority are for all-out national defense, but we have viewed with grave apprehension certain steps of this administration which have brought us closer and closer to the verge of war. We want to do everything we can to protect our interests, to insure our safety, to promote national unity, to maintain a high morale of both the Army and our citizenry, to invite neither disintegration nor demoralization of our armed forces, and we feel that for the reasons stated in this report the training and service period of the selectees now on active duty should not be extended beyond the 12-month period. Should our situation become more critical than it now is, the President can call them back into the active service under existing law.

For these reasons I cannot support the resolution proposed by the Chairman of the Military Affairs Committee, but I am whole-heartedly in favor of the proposals and suggestions made and contained in the report of the minority members of the Military Affairs Committee of the House.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the gentleman who has just addressed the Committee has revealed the philosophy of some of those who have been opposing this and other legislation for the defense of America. He says that we are enveloped by a wave of hysteria and that this country is in no danger; that what we have seen of this danger does not exist.

Another gentleman who spoke here today in opposition to this bill said he was not afraid of Hitlerism. The trouble with those in America who are opposed to legislation like this is that it has not yet dawned upon them that this country is in danger, and in grave danger, at this time. Any man who states that it is hysteria which confronts us is either ignorant of what he speaks or reckless with the truth.

Coming over the tickers at this time is a report with reference to the attitude of the French Vichy Government, in which that government, if I am correctly informed, is alining itself outright with Hitler and Hitlerism. This means that not only the French forces but the French Navy will be alined against us.

Why have we voted all these millions and billions of dollars if we are not in danger? It is time for us to quit playing with the defense of America. We are either in danger or we are not in danger, and if we are in danger, then I say that the highest consideration that should actuate every Member of this House in voting on this bill should be the safety and the preservation of the United States of America.

I read a statement which was sent to me today to this effect: "If you want to save your political hide, vote against this bill." I say it is something terrible if the Congress of the United States can be swayed by an appeal like that. If any Member of this House votes upon this measure in this crisis thinking only of his own political welfare he is not worthy of a seat in this House.

I say to you that the crisis is here, the danger is here. Those who would try to soften it render a disservice to America. I believe and hope that this Congress will rise to this emergency and provide for the defense of America, not to demobilize our Army in whole or in part, but to keep it intact during the grave crisis which confronts us.

Our danger is far greater now than it was when we passed the draft bill. We have the situation in France, of which I spoke. We have a situation in Japan which grows more serious every moment. Every man who wants to do his duty to the United States of America now I believe can follow no other course than to support this bill, from the standpoint of America and for the preservation of America alone.

[Here the gavel fell.]

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Oklahoma to the amendment.

The question was taken; and on a division (demanded by Mr. NICHOLS) there were—ayes 48, noes 98.

So the amendment to the amendment was rejected

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

Mr. LELAND M. FORD. Mr. Chairman, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LELAND M. FORD. Mr. Chairman, I have heard the many arguments, both for the retention and the release of the men in the Army, the so-called ments, one must realize what is happen- draftees. In addition to these arguing throughout the world today. There is war all around us. Undefended countries have gone down to defeat and have been lost, so far as their respective governments are concerned. International law has not been observed. Defenseless nations have been ruthlessly attacked. Treaties have been violated. In fact, many of the things that we have considered to be cardinal principles, up to this time, have been violated.

These things going on all around us, I believe, create an extremely critical period for this country, and they do create an emergency so far as the security of this country is concerned, particularly with reference to our defense program.

Nobody actually, definitely and positively knows what the future holds. Having these things in mind, I do not propose to take any chances, or gamble with uncertainties that will affect the security and future of this Nation. Therefore, I am going to do what I think is best for the security of this country and for the defense of this country, and vote for the retention of these men in the Army.

We have spent many billions on our defense program. The weapons of war have changed materially from what they used to be, our new weapons now being those that are highly mechanized and technical in their operation. Men to utilize these weapons must be highly trained, not only in the normal functions of "squads right" and "squads left," but in coordination and correlation of units, in an army that is of a new type.

There is no doubt in my mind but that there was at least an implied moral contract limiting the service of these men to 1 year, but, on the other hand, we cannot destroy the Army, particularly at this time. I am following my usual custom of taking the advice of the military experts. I believe these men to be the best qualified to determine that which constitutes defense, to know what offense is, to know what strategy is, and all the things that go to the making of an effective Army and Navy. These men have studied these things all their lives, their careers have depended upon them, and I do not distrust General Marshall or the other officers and do not believe them to be traitors, or that they would willingly or knowingly do the thing that would injure this country. General Marshall has stated that it would weaken and injure our Army if these men were released. His job is to defend this country, and I am going to follow his advice. I feel the responsibility of my vote, and under no condition would I knowingly do anything that would weaken our defense program, nor anything that would destroy the effectiveness of any part of our defense forces. I believe, too, although many might not agree with me now, that the best interests, from a long-term view, of these same young men who will be affected, will be served. It would not be so good for them if we were to accommodate them now, only to find, later on, that they have lost their country to Hitler or any other ambitious would-be conqueror, and all that would go with this loss in the way of American liberties. It would be a signal disservice to these men.

It is indeed unfortunate that we should have to make such a choice as we here must make. As I said above, there is an implied moral obligation to release these men, but nevertheless, I have made my decision and believe I have made it in line, not only with the best interests of the men themselves, but also of the country as a whole.

The Clerk read as follows:

SEC. 3. The Secretary of War may, when not in conflict with the interests of national defense, (1) release from active military service those persons who in his judgment would suffer undue hardship if retained on active duty, and (2) release from active training and service under the Selective Training and Service Act of 1940 men now in such training and service who had attained the twenty-eighth anniversary of the day of their birth on or prior to July 1, 1941, and prior to their induction for such training and service: *Provided*, That any person so released under this section who, in the judgment of those in authority over him, has served satisfactorily shall be entitled to a certificate to that effect.

Mr. MAY. Mr. Chairman, I have a committee amendment to offer to this section which is at the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. MAY: Page 4, strike out lines 13 to 24, inclusive, and insert:

"SEC. 3. The Secretary of War shall, when not in conflict with the interests of national defense, release from active military service those persons who apply therefor through the regular military channels and state their reasons for such release, and whose retention in active military service would, in the judgment of the Secretary of War, subject them or their wives or other dependents to undue hardship if retained on active military service. Any person so released who, in the judgment of those in authority over him, has served satisfactorily shall be entitled to a certificate to that effect, which shall be in the same form and have the same force and effect as a certificate issued under the provisions of section 8 of the Selective Training and Service Act of 1940, as amended. Any person so released shall be transferred to, or remain in, as the case may be, a reserve component of the land forces for the same period and with the same rights, duties, and liabilities as any person transferred to a reserve component of the land forces under the provisions of section 3 (c) of such act."

Mr. MAY. Mr. Chairman, I had not intended to take up the time of the House in discussing this amendment. I simply want to make this statement, which probably will serve to expedite the consideration of the amendment. If this amendment is adopted it will provide a more liberal rule by which these hardship cases, including cases of married men in the service, may be disposed of. If this is done, then I propose to offer as a new section at the end of this provision language which will provide that those who have been trained for a period of 12 months in addition to their first 12-month period shall be credited with that on their reserve service.

Mr. SACKS. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman.

Mr. SACKS. How about the boys over 28 years of age? The gentleman's amendment does not take care of them.

Mr. MAY. They are taken care of by another act, or in the conference report on Senate 1524.

Mr. SACKS. Has that been taken care of?

Mr. MAY. Yes; that is the reason it is not taken care of here.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. It is my understanding—and I would like to have the opinion of the chairman of the committee—that the Senate amendment on hardship cases confined itself only to inductees and was related to hardship cases.

Mr. MAY. That is right.

Mr. McCORMACK. This amendment relates to married men, persons with dependents, hardship cases, and applies not only to inductees but those in the Regular Army, the National Guard, and the Reserves.

Mr. MAY. The gentleman is correct.

Mr. McCORMACK. I want to congratulate the committee upon its action.

Mr. MAY. And it is mandatory that they be deferred in such cases.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Michigan.

Mr. DONDERO. Will this amendment nullify the act we passed the other day exempting men beyond 28 years of age?

Mr. MAY. No; that is a separate bill and has been signed by the President. This provision does not repeal that act.

Mr. McCORMACK. If the gentleman from Kentucky will permit, I can assure my friend from Michigan that that is not the case because I personally looked into it and was assured that the previous bill relating to those 28 years of age or over would not be affected or changed in any way by this provision.

Mr. FLANNERY. Mr. Chairman, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Pennsylvania.

Mr. FLANNERY. By the phrase "or other dependents" are we to assume that that means members of the family generally and will not receive a strict interpretation of the word "dependent"?

Mr. MAY. The gentleman will notice that the language refers to "wives or other dependents." That would include any member of a man's family, a child or any person who is dependent upon him in the sense of being supported by him.

Mr. SACKS. Mr. Chairman, will the gentleman yield for a question?

Mr. MAY. I yield.

Mr. SACKS. In the act that has been signed by the President with respect to those over 28 years of age, is it made mandatory that the Army release those who have reached the age of 28?

Mr. MAY. Senate 1525 does not make it mandatory, but the Army is discharging them at the rate of 2,000 a month now, and just as fast as they can dispose of them, having in mind the best interests of the service, they are doing so.

Mr. SACKS. Did the gentleman get any assurance from those on the General Staff that they will take care of the boys over 28 years of age now in the service?

Mr. MAY. The testimony given before our committee by an Army authority was to the effect that all the grief they have had in relation to hardship cases was with respect to those above the age of 28 years, and that is the group that the legislation was intended to take care of, and does take care of.

Mr. FLANNERY. Would they have to be wholly dependent or partly dependent, or either or both?

Mr. MAY. If it was a hardship case, even though they were not wholly dependent, it would be taken care of.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mrs. ROGERS of Massachusetts to the committee amendment: "*Provided further*, That the Secretary of War, may, when not in conflict with the interests of national defense, after first providing for cases of undue hardship, release from training and service, as soon as practicable after the completion of 12 months' training and service by them, those persons inducted for training and service under the provisions of the Selective Training and Service Act of 1940, who were in attendance at, or who were enrolled in, or in good faith about to enter an institution of higher learning at the time of their induction for training and service and who are prevented from continuing with or entering upon such course of higher education by reason of their induction and their continued training and service. Such persons shall be required to apply for such release through the regular military channels, stating the reasons therefor, and if released shall be transferred to a reserve component as provided in section 3 (c) of the Selective Training and Service Act of 1940."

Mrs. ROGERS of Massachusetts. Mr. Chairman, General Marshall stated that he plans to release a good many of the selectees. This amendment of mine would simply provide for the release of men, who made application to the War Department after their 12 months of training, if they wish to continue a higher education which was broken as a result of their selection, or if they were about to enter an institution of higher learning. It does very little more than to give those men an opportunity to apply to the War Department to be relieved after their 12 months of service if it does not jeopardize their military training and the War Department feels it can release them without weakening the national defense.

It seems to me that there are only two reasons why we should pass this bill today, why we should extend the time for the selectees for a period of months: First, it is our very great responsibility to the Nation; second, it is our bounden duty and our very great responsibility to these selectees to give them the very best education in national training that we can give them, and provide them with every facility to train them to protect themselves and their country in any eventuality.

Mr. ANDREWS. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. Yes.

Mr. ANDREWS. Would not the adoption of the gentlewoman's amendment be preferential to a comparatively small number of selectees whose fathers might happen to have a little money?

Mrs. ROGERS of Massachusetts. Oh, no; I do not agree with that, because if a selectee's father had a lot of money, that selectee could get an education at any

time, even 3 or 4 or 5 years from now, but it would help those men who have a meager amount of money or whose fathers have a meager amount of money, and would not take them away from their training.

Mr. VAN ZANDT. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. Yes.

Mr. VAN ZANDT. The gentlewoman's amendment singles out young men who have gone to college, but what about the young man in the machine shop who is learning to be a machinist, or a molder, or an electrician?

Mrs. ROGERS of Massachusetts. I should like to help those, and I understand from reading General Marshall's testimony that a good many of those will be given preferential treatment, after they have received their 12 months' training. There is no excuse for this bill, except for national-defense training.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. Yes.

Mr. H. CARL ANDERSEN. In my section, throughout the great Middle West, there are numerous cases where farmers are left without even one son to help run the farm.

Mrs. ROGERS of Massachusetts. I can answer the gentlemen's question now.

Mr. H. CARL ANDERSEN. But will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. No; I am sorry I cannot yield any more. I have but 5 minutes' time. I ask the gentleman to turn to the hearings and read the statement of General Marshall, in which he says that they have released men already to return to their families in order to help work on the farm.

The CHAIRMAN. The time of the gentlewoman from Massachusetts has expired.

Mr. FADDIS. Mr. Chairman, I rise in opposition to the amendment. This amendment would be discriminatory, and could be construed as class legislation. Under the provisions of the amendment some young man who has been taken away from a good paying job would be retained in the service, whereas another one, who was financially able through his own means or the means of his family, would be allowed to leave the Army and resume his education. It would not be in the interest of distributing the burden of military service uniformly throughout the United States, without respect to class. Therefore, we ask the defeat of the amendment.

Mr. H. CARL ANDERSEN. Mr. Chairman, I move to strike out the last word.

Mr. MAY. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

Mr. H. CARL ANDERSEN. Yes.

Mr. MAY. Mr. Chairman, I ask unanimous consent that all debate upon this amendment to the amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Chairman, from my district, one of the greatest agricultural districts in America, there has come to me numerous letters from farmers concerning their sons leaving for the service at a time when these boys were badly needed on the farm.

We all recognize the need for a well-trained army and a superbly equipped army, large enough to defend the Western Hemisphere against any possible invasion. The House is fairly evenly divided on the one vital question, Are we, as a Nation, in peril today? That is the issue now before us.

There are those of us who honestly feel that the one and a half million men we now have in the Army, coupled with our great Navy and air force, constitutes ample defense, once a huge reserve is developed, for this hemisphere. Thousands will volunteer for service if a decent rate of pay is established.

I believe, Mr. Chairman, that the creation of this great reserve of men through rotation of the selectees is absolutely vital. Under our present law we could in 1½ years' time have 3,000,000 trained, well-equipped men in our Army. Surely that should take care of our needs. Or is more than our own needs contemplated? Is a second A. E. F. in the offing?

I cannot agree to break faith with the men who were clearly inducted into service for a 1-year period. There are other millions of men eligible for their tour of duty in our Nation's defense. Why compel one group of men to stay in the Army for 2½ years, when many military men have testified to the fact that troops can and are being well trained in 1 year? Is it not better to have 1,800,000 selectees 90-percent efficient than to freeze in the present group of presumably 900,000 men?

Many farmers in my district have been looking forward to their sons' return from service next spring. Few of you Members realize the difficulty in securing good farm labor. Very few strangers can take the place of your own boy on the farm, who has your interests at heart. I know this from many years farming experience. No hired man can do what the son, trained by his father, can accomplish on the average farm.

Just a few days ago, Mr. Chairman, there came to my desk a pitiful letter from a couple in my district. These folks have a son in the service and have endeavored without success to have him released from the service so as to help support his parents.

These two people, too proud in their honest American lineage to ask charity of county, State, or Nation, have an income of only thirty-some dollars per month. The man is partially crippled from arthritis. In order to see their way through without requesting aid, these two people do without breakfast in order to make their pitifully small income suffice. This is unknown to their neighbors.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. H. CARL ANDERSEN. No; I am sorry. The lady refused to yield to me.

Mr. Chairman, much as I want to see the boys of this Nation given an opportunity to go to universities to complete their education, I cannot vote for the amendment of the lady from Massachusetts, when I think of the farm boys and others that must, for our national defense, leave their parents in a straitened position. When I think of those parents in my district who cannot have breakfast because their boy is in the service, I must regretfully vote against any preference to the young men desiring to enter college.

To conclude, Mr. Chairman, I can but assert again that our own national-defense needs will be taken care of amply by the great reserves of manpower created by the present Selective Service Act. This is assuming, of course, our own defense, and not that of Iceland, Dakar, Singapore, and other far-distant fields, as contemplated. We will all fight to defend our own shores and this hemisphere. God forbid we must go abroad, unless attacked.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment to the amendment.

The amendment to the amendment was rejected.

Mr. McINTYRE. Mr. Chairman, I offer an amendment as a substitute for the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. McINTYRE, as a substitute for the committee amendment: Page 4, strike out lines 13 to 24, inclusive, and insert:

"SEC. 3. Any person below the rank of captain who is ordered into additional or continued active military service pursuant to section 2 of this joint resolution, who has a gainful occupation or the assurance of gainful employment or who has any person or persons dependent solely upon him for support, shall, upon request made within 20 days after the end of his first 12-month period of active military service, be transferred to a reserve component of the land or naval forces of the United States: *Provided, however*, That the Secretary of War may limit such transfers, when the interests of national defense require it, so that not more than 5 percent shall be transferred from any regiment or similar unit during any calendar month."

Mr. JONES. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Does the gentleman yield?

Mr. McINTYRE. I yield.

Mr. JONES. Does not a perfecting amendment to a committee amendment have preference over a substitute for a committee amendment?

The CHAIRMAN. An amendment to the amendment is voted on first, but an amendment may be pending, and a substitute for that amendment pending, and an amendment to the amendment and an amendment to the substitute, all pending at the same time. If the gentleman will refer to page 6 of Cannon's Precedents he will see the diagram of the order in which they are voted on.

Mr. JONES. Is my amendment pending, inasmuch as it has not yet been offered?

The CHAIRMAN. The gentleman's amendment is not pending until he is recognized to offer it.

Mr. JONES. Under those circumstances, is the substitute amendment entitled to preference over a perfecting amendment?

The CHAIRMAN. If the gentleman has an amendment to the pending committee amendment or if he has an

amendment to the substitute that is now offered, he will have an opportunity to offer his amendment.

Mr. MAY. Mr. Chairman, will the gentleman yield to me for a unanimous-consent request?

Mr. McINTYRE. I yield.

Mr. MAY. A great many of the Members already have tickets to leave this afternoon. I wonder if we could agree on 10 minutes' debate on this section and all amendments thereto? I ask unanimous consent that all debate on this section and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. FISH. Mr. Chairman, I object to that.

The CHAIRMAN. The gentleman from Wyoming [Mr. McINTYRE] is recognized for 5 minutes on his amendment.

Mr. McINTYRE. Mr. Chairman, I am sorry that the situation has developed into what it appears to be at this moment. I had hoped that if we ever came to the point of declaring or failing to declare a national emergency in the United States, we might be able to do it, not by a mere majority one way or the other but by somewhat of a substantial unity. I am sorry that it seems to me that we take an arbitrary view on this side of the aisle with reference to this bill and another arbitrary view on the other side of the aisle with reference to the bill, and that we cannot get closer together in our opinion. I believe it is because we are not fair and not reasonable and do not recognize the fact that if we unite in a program as Americans it must be on a give-and-take proposition.

I think that some of the leaders of the Nation are just exactly like the Members of this Congress today. I think that is the reason that as nations we cannot get closer together than we are today, because we have not learned how to give and take. We have not learned how to approach a common ground where we can unite.

Now, we have debated for a long time on this bill, and, after all is said and done, the issue finally simmers down to this proposition: On the one hand, it is maintained that not to extend the service of these selectees will disintegrate the Army.

On the other hand it is maintained that we must be fair with these selectees, must keep faith with them. May I say in this connection, Mr. Chairman, that I think I know something about this proposition as an officer of the National Guard, because for years the National Guard has been a citizens' military organization and I know something of what morale is in such an organization. Whether it was intended or not, regardless of whether there was a contract or not, I know that many, in fact all, of these selectees have gone for their training thinking they were coming back at the end of a year. Why can we not get together on a common ground in this regard? And may I say to you I offer this amendment as a substitute for the committee amendment in all good faith, in all good sincerity. It is not a result of political maneuvering of any kind whatever. May I read it for you?

Any person below the rank of captain—

And, by the way, this language is taken from the National Guard bill. The rank of captain is specified because a captain has sufficient salary to warrant his staying in the service, and he is needed in the service. The same applies to those holding higher ranks.

Any person below the rank of captain who is ordered into additional or continued active military service pursuant to section 2 of this joint resolution, who has a gainful occupation or the assurance of gainful employment or who has any person or persons dependent solely upon him for support—

In this connection may I say we define what the hardship cases are.

shall upon request made within 30 days after the end of his first 12 months' period of active military service, be transferred to a reserve component of the land or naval forces of the United States—

With one exception—

Provided, however, That the Secretary of War may limit such transfers, when the interest of the national defense require it, so that not more than 5 percent shall be transferred from any regiment or similar unit during any calendar month.

In conclusion, may I suggest that it is a question whether we as the Congress are going to say when draftees shall be released rather than the Secretary of War, and the percent who may be released. I submit that we as Members of Congress are the ones to make this determination.

[Here the gavel fell.]

Mr. SPARKMAN. Mr. Chairman, I rise in opposition to the amendment, but shall not detain the membership any length of time.

I want to call the attention of this Committee to what the real effect on the bill will be if this amendment is adopted and written into it. Bear in mind it is a substitute for the committee amendment which has been offered to take care of the hardship cases. This proposed substitute would give a right to every person who is held in the service beyond his 12-month initial training period, and who has a job back home or who has assurance of a job back home, to be relieved from duty provided he asks for such relief within 20 days after that time, subject to the limitation and the concluding part of the amendment that the Secretary of War may within his discretion limit the number of such transfers to 5 percent of the regiment involved.

This places a premium upon those people who are gainfully employed and penalizes the reliefers and the unemployed. It does the very thing that has been objected to for so long a time with reference to military training for the C. C. C. boys. It would simply penalize the unemployed and the men on relief. Talk about discrimination. What kind of mess do you suppose the regimental commander would have on his hands when all of the men in his regiment fell within this class? It would be a task for him to select the 5 percent he might let out of his regiment. The gentleman advanced the argument that Congress should determine how they should be let out, but as this amendment is worded the decision is left with the regimental commander.

Personally I feel that the amendment is impractical, is discriminatory, unfair, and unworkable. I hope it is voted down.

Mr. LAMBERTSON. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. Debate on the existing amendment has been exhausted.

Mr. LAMBERTSON. Then, Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Kansas moves to strike out the last word. The gentleman is recognized for 5 minutes.

Mr. MAY. Mr. Chairman, the gentleman from Kansas having been recognized, I will ask the gentleman to yield to me for the purpose of submitting a unanimous-consent request.

Mr. LAMBERTSON. I yield.

Mr. MAY. Mr. Chairman, in view of the length of the debate and the length of consideration of the amendment, I ask unanimous consent that all debate on the remaining sections of the bill and all amendments thereto close at 6 o'clock this afternoon.

Mr. FISH. Reserving the right to object, provided that half an hour is allotted to section 6.

Mr. MAY. That will be agreeable to me.

The CHAIRMAN. The gentleman from Kentucky will restate his unanimous-consent request.

Mr. MAY. Mr. Chairman, I ask unanimous consent that all debate on the pending bill and all amendments to sections not disposed of close at 6 o'clock with the understanding that 30 minutes of the time be devoted to the discussion and consideration of amendments to section 6.

Mr. SHORT. And that the time be equally divided.

Mr. MAY. The time to be divided as nearly as practicable, but within the discretion of the Chair.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

Mr. JONES. Mr. Chairman, I object.

The CHAIRMAN. The gentleman from Kansas [Mr. LAMBERTSON] is recognized.

Mr. LAMBERTSON. Mr. Chairman, I want to say a word, suggested by the remarks of the gentleman from Wyoming. He deplored the fact that we had lack of unity. My own opinion is that we had unity the week before election; then minds changed in this country. What we have been suffering from since is lack of straightforward dealing. We have been suffering from subterfuge.

The gentleman from Texas, [Mr. LUTHER A. JOHNSON] spoke a while ago. I recall how vocal he was during the debate on the lease-lend bill, how he promised us so vigorously and with finality that if we passed the lease-lend bill it would guarantee that we would not be in the war, it would keep war from our shores. He said it over and over again. He came on the floor a few minutes ago and warned us that war is right here, that it is about to get us, it is about to eat us up.

Talk about inconsistency. Let us consider all these steps toward war that the majority have taken, by subterfuge principally. It is no wonder we do not have unity in this country.

Mr. BENDER. Will the gentleman yield?

Mr. LAMBERTSON. I yield to the gentleman from Ohio.

Mr. BENDER. Is it not a fact that from the very inception of the New Deal we have had nothing but deceit and deception?

Mr. LAMBERTSON. We have had nothing but deceit and deception since the election. There was unity the week before election about how the boys would be treated.

If we pass this bill today, it will be but a forerunner to sending the boys any place in the world. It will be the green light to war. Nobody can say that the President cannot get a declaration of war now from the majority, if he wants it. If we put this bill through this afternoon, there is no use for us to contend anything to the contrary. With inconsistencies such as the gentleman from Texas [Mr. LUTHER A. JOHNSON], exhibited this afternoon, we cannot expect anything else. Extension of service means another A. E. F.

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, in an effort to arrive at a unanimous-consent request, may I ask unanimous consent that the bill be considered as read, that debate close at quarter past 6, and that the last one-half hour of the debate be confined to amendments offered in connection with section 6?

Mr. MARTIN of Massachusetts. And everybody will have an opportunity to present any amendments they may have?

Mr. McCORMACK. The debate will close at quarter past 6, one-half hour of the debate to be confined to section 6. The Chair will recognize everyone fairly, I am sure.

The CHAIRMAN. And also that it be in order to offer amendments to any part of the bill?

Mr. McCORMACK. Yes.

The CHAIRMAN. To any part of the bill that has not thus far been read?

Mr. McCORMACK. To any part of the bill not read, and that the last half-hour be confined to debate on section 6.

Mr. BENDER. Mr. Chairman, I object.

Mr. SHORT. Mr. Chairman, I take it, of course, that the Chair will recognize members of the committee and divide the time as equally as possible?

Mr. McCORMACK. I think we can trust the Chairman.

Mr. SHORT. I think that is satisfactory.

Mr. BENDER. Mr. Chairman, I withdraw my objection.

The CHAIRMAN. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

Mr. SUMNERS of Texas. Mr. Chairman, reserving the right to object, this is a very important bill. It has been mentioned here that there are some gentlemen who want to go home. If they are more anxious to go home than to finish this bill, let them go home.

Mr. JENSEN. The boys want to go home, too.

Mr. SUMNERS of Texas. Let them go. The statement has been made that the Chair will divide the time between the members of the committee. We all know they are entitled to preference, but some other Members of the House want to say something on this bill other than members of the committee.

Mr. McCORMACK. I did not say anything about members of the committee.

Mr. SUMNERS of Texas. Somebody did.

Mr. MAY. The Committee of the Whole.

Mr. McCORMACK. Members of the Committee of the Whole.

Mr. HEALEY. Mr. Chairman, reserving the right to object, will that time limit afford Members who have amendments at the desk an opportunity to present them?

Mr. MAY. Mr. Chairman, if that question is propounded to me, the unanimous-consent request includes the right to present all amendments that it is desired to be offered to the different sections.

Mr. HEALEY. I would like to propound that question to the Chair. Will Members who have amendments at the desk be recognized to present them?

The CHAIRMAN. Certainly, under the unanimous-consent request. If this unanimous-consent request is granted, all amendments to that part of the bill that have not thus far been read will be in order; that is, provided the amendments are in order. Certainly Members will be given the opportunity to offer amendments.

Mr. MARTIN of Massachusetts. Mr. Chairman, reserving the right to object, I undertsand that the objections voiced so far have been chiefly to the fact that 30 minutes is not enough on section 6. Can the gentleman extend that to allow 45 minutes?

Mr. MAY. Mr. Chairman, I have undertaken to be very liberal about debate and about time today. If I am charged with the consideration of this bill I intend from now on, unless this is agreed to, to move to close debate at the end of each section. That is going to be my endeavor from now on.

Mr. McCORMACK. I think we can work this out. The House has been very fair on all sides of the debate.

Mr. Chairman, I withdraw my unanimous-consent request and submit another, that the bill be considered as read, and that debate close at 6:30, the last 45 minutes to be devoted to the consideration of and debate on amendments to section 6.

Mr. BOREN. Reserving the right to object, Mr. Chairman, I am not going home tonight, I am going to go home when and if the Congress recesses. However, we have spent a lot of time here discussing minor matters, and the House, I feel, wants to get down to the issues. I believe that is too much time to waste.

Mr. McCORMACK. I hope the gentleman will not object.

Mr. BOREN. I think 6:15 was a fair request, and that is 15 minutes more than is needed. Let us close it at 6:15.

Mr. McCORMACK. It has to be by unanimous consent. Six thirty is the last request, and that allows only 9 minutes more now.

Mr. HOFFMAN. Mr. Chairman, I have a preferential motion at the desk. Under that request, would I be given a chance to speak on that motion?

The CHAIRMAN. If it is a preferential motion, the gentleman would be given an opportunity to speak on it.

Is there objection to the request of the gentleman from Massachusetts? The Chair hears none.

Mr. O'BRIEN of Michigan. Mr. Chairman, I reserve the right to object.

The regular order was demanded.

Mr. O'BRIEN of Michigan. Mr. Chairman, I was on my feet demanding recognition at the time.

The CHAIRMAN. Was the gentleman on his feet at the time seeking to object or reserve the right to object?

Mr. O'BRIEN of Michigan. I reserved the right to object, Mr. Chairman, but I shall not object if the unanimous-consent request is phrased so that those who are on their feet seeking recognition will have their names taken down in the customary practice, so that they may be recognized by the Chair.

The CHAIRMAN. Let the Chair state in reply to the parliamentary inquiry that the gentleman's name was listed this afternoon and the Chair sought to recognize him but did not find him present at the time.

Mr. O'BRIEN of Michigan. I object, Mr. Chairman.

The CHAIRMAN. The gentleman from Michigan objects.

Mr. FISH. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. FISH to the committee amendment: In line 7, after the word "services", strike out the period and insert the following: "or in the case of persons in training and service under section 3 (b) of said Act and enlisted men of the National Guard of the United States, would best serve the national interest by maintaining their families as units and by performing at home their obligations to persons dependent upon them for marital, paternal, or financial support."

Mr. McINTYRE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. McINTYRE. Does this amendment take preference over my substitute amendment to the committee amendment?

The CHAIRMAN. It does not take precedence or have any preference over it, except that the vote will come first on the amendment offered by the gentleman from New York to the committee amendment.

The gentleman from New York is recognized for 5 minutes.

Mr. FISH. Mr. Chairman, in view of the confusion that exists in the House, would it not be wiser to adjourn to next October, and then we might find out something about these dangers that menace us from abroad and might know what we are legislating about, instead of trying to get this bill through in the next hour.

Mr. Chairman, the amendment I have proposed is an amendment to the committee amendment. I hope the House will bear with me. This is not a compromise amendment. It provides that all those who are married and in the service at the present time, in the National Guard, and among the selectees, shall be released and permitted to go home. If this amendment is adopted, I shall offer another amendment providing that married men shall not be inducted into the service.

I believe it is in the interest of the service and of our national defense. You have provided in this bill for an 18-month extension of service for married men, all of whom are under 28 years of age. You will take these young men away from their families another 18 months.

It must be self-evident to every Member of the House, regardless of partisanship, that these married soldiers paid $30 a month, cannot support their families at home; cannot provide for their wives and children; and now, in addition to the original 12 months, you have added 18 months' longer service and longer separation of husbands and wives.

This is one of the problems you have raised yourself by adding 18 months. You have created discontent and dissatisfaction in the Army and lowered the morale. When the draft boards determined whether or not a man should be inducted into the service, there was nothing to go by regarding the status of married men. There was great confusion. Some boards took in married men, but most did not. We have 50,000 married selectees in the service now. The Army would be much better off without them, provided the 18-month extension-of-service provision remains in the bill. When I was at Fort Bragg, I visited one of my constituents who was married and was in a desperate state of mind in a hospital.

His wife was pregnant and was threatening suicide. She had no money. He had not been paid for 2 months because he was in the hospital. Wherever there are married men in the service there are bound to be not only hardships but discouraged and discontented soldiers, and I am asking you to adopt the policy of letting all the married men out of the Army now. If you maintain them in the service for another 18 months you are going to disrupt families and homes. You are going to break up marriages of these young men and for no purpose, because we would get better soldiers among the unmarried who are not bothered about trying to support a wife or family at $30 a month.

This is the purpose of the amendment. It goes further than the committee amendment which does not make it compulsory to release married men but merely makes a gesture on the basis of hardship. They will let out married soldiers if they will plead poverty and destitution, but everybody knows that no one can maintain a family at $30 per month. The Canadian Government knows it well enough because they provide $20 a month additional for every $20 a soldier puts up, and in addition to that they provide a dependent's allowance for each child of $12, a total of $67 a month for all the soldiers if they are married and have dependents and if we are not going to do that, in the name of common sense, let the married soldiers get out of the service now.

Mr. HOFFMAN. Mr. Chairman, I have a preferential motion which is at the Clerk's desk.

The Clerk read as follows:

Preferential motion offered by Mr. HOFFMAN: Mr. HOFFMAN moves the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken.

Mr. HOFFMAN. Mr. Chairman, I offer this motion because I am opposed to the bill and also for the purpose of making reference to a letter sent out yesterday, in which I called attention to the fact that there was going to be an election in 1942 on the third of November.

In that letter, which was sent to all the Members of the House, I wrote that November 3, 1942, will soon be here and said that—

If you don't watch your step, your political hide, which is very near and dear to you, will be tanning on the barn door.

That is what your forefathers did to the varmint which bothered them. Civilization has rendered the custom obsolete, nor are Congressmen varmit. But the home folks still have long memories and the, to us, unpleasant practice of storing up their wrath and letting it loose on election day against those who break faith with them.

There are three reasons, one bad, two very good, why your vote should be cast against any extension of service, whether it be for 5 minutes or for an indefinite period.

The first reason, which is a bad one, is the preservation of your political hide. But, after all, you know very well what the people of your district want. You know very well what every poll taken anywhere in the United States shows. You know that at least 75 to 80 percent of our people do not want war and you know that the present bill is just another of the administration's moves to get us into this war, which the people do not want.

British officials have demanded men. The President proposes to furnish them. Is this to be a government by the people and the people's representatives, or a government by Wavell, Auchinleck, Churchill, and Roosevelt, acting at their suggestions? Are we to have a government by the people's representatives, following the wishes and desires of those who sent them here? The people do not want this extension of service.

Second, keep faith. Every man in the House knows, or should know, that, when this bill was passed, regardless of what may be in it, "fine print" or hidden meaning, we were given to understand, as were the people of the Nation, that the term of service was to be 1 year. Let us not quibble. That was the understanding, and we know it.

Break faith with those young men and you will have all too many disgusted, disgruntled, resentful soldiers in the Army. Keep faith with them, and they and their parents will be proud of the Government they will willingly serve.

Third. Every Member of this House knows, or should know, that when this bill was under discussion in the House we were told by the administration and by those who sponsored it that it was purely a defense measure. We have been advised by the military experts that 1,700,000 men were all that were needed for national defense. We can get that number and more under the law as it now stands. Unless the President intends to again violate his promises, solemnly given, and send an A. E. F. to Europe, this extension of service is not needed.

Beware. Do not be deceived by offers of compromise. A determined effort will be made to sugar-coat this bill. But poison is poison, no matter how pleasant to the taste, nor how small the dose. Just remember that the people are sick and tired of broken promises, of those made by Roosevelt and Willkie. They will not tolerate a breach of faith by Congressmen.

Keep in mind that national defense is the objective—not an invasion of Europe, of China, or the sending of soldiers to Russia. Don't forget—election day in November of 1942 is coming and the Congressman who breaks faith, who lends his aid to the sending of another American expeditionary force, after that election will be sitting at home, crying alone.

So don't compromise. Have the courage of your convictions and, if you believe that the keeping of these men in service indefinitely or the sending of them to fight with our "red" comrades in Russia is necessary for national defense, vote for an indefinite extension of time. But, if you believe to the contrary, do not go along with any extension of the period of service just for harmony or because your "leader" asks it.

If I was wrong in sending out that letter to the Members of the House, then I want to express my regret. But I had assumed, with millions of other Americans, that we would have an election in 1942 and again in 1944. But if you gentlemen do not propose to hold any more elections—and it has been intimated many times that such was the purpose—then let me confess my error, for, if we are not to have an election in 1942, naturally nothing is to be gained by calling your attention to an event which will not occur.

It is by no means absurd to raise the question of an election in 1942 or in subsequent even-numbered years, in view of what has happened since the New Deal came to power.

Who a few years ago would have thought that we would have peacetime conscription; that we would tax our people billions of dollars to give that money to other nations and to the people of other nations? Who would have dreamed that we would again send an expeditionary force to fight in Europe? Would anyone imagine a few years ago that we would again expend billions in treasure and risk the lives of a million or more American boys, just to satisfy the ambition of a President who wanted to sit in on the war games of Europe?

Did anyone ever think for one moment that Congress, having passed a conscription law for national defense, would, after the boys were once in, break faith with them, keep them in the Army, and send them to the slaughterhouses operated by Hitler, "Bloody Joe" Stalin, and the empire builders of Britain?

I am quite sure that the gentleman from Pennsylvania who criticized me because I referred to the political hide of Members—and that is not an expression which would be used by the professors of the New Deal—and called their attention to the fact that there is a day of retribution, is convinced beyond a doubt that his services are more valuable to the Nation here in the Halls of Congress than the services of any other man in his district could possibly be. Now, that being true, certainly the gentleman does not want to do anything that will prevent him from being here in 1942 and in subsequent years so that he may serve his people and the Nation. I am sure he does not want to do that. He does not want to deprive the Nation of his valuable services. I do not know of any other Member on the majority side who would do anything to prevent the country having the benefit of his services here in Congress in the years to come. Who are you going to represent if you do not represent your constituents, and if you do not represent your constituents should they not keep you at home? I do not represent the royalty that is coming over here. A head that once wore a crown does not mean anything to me. I do not want to represent Great Britain any more than I want to represent Hitler or the German people. I would like to represent, if I can, the American people, the people of the Fourth Congressional District of Michigan, and when the time comes that I cannot represent them, when I do not think of my country first, then I hope they will keep me at home. And while you are talking about being influenced by political activities, or of having your political future called to your attention, I wonder how many Democratic politicians have been hanging around this Capitol in the last week putting the heat on you fellows of the majority. Now, how many? Confess. I wonder how many C. I. O. lobbyists were up here a week or two ago, and you remember they claimed in the C. I. O. News how they controlled 100 votes, and in the C. I. O. News referred to my good friend from Pennsylvania [Mr. FADDIS], unjustly, as being a fair-weather friend of labor. That is not true. He has been a friend of labor all the way through. There is no doubt about that. So why talk about politics? We are all very much aware of the power, the pressure that has been put on by the administration. We know of the millions that have been spent to get us into this war, to make us forget our country and become the tail on Britain's kite.

Mr. FADDIS. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I cannot yield.

Mr. FADDIS. I would like to ask the gentleman a question.

Mr. HOFFMAN. We all represent our folks to the best of our ability and there is no question about that, but I did not mean and I do not mean and I never even intimated on the floor that there was anyone here who would let his own personal fortunes stand in the way if he honestly believed it was interfering with the welfare of the Nation. But to get back to the argument, if we want to represent our folks, and we do, we have to be elected, do we not? And our people, at least by all the polls I have seen, by 80 percent at least, have declared that we do not want war, and many of us, and millions of our people believe that this extension of service means nothing but war. So please be as charitable as we are and give us, too, the credit of wanting to serve our Nation and only believe that we see it in a little different light and we do not believe in another expeditionary force. My thought was that we can best defend our Nation by keeping at least some of our resources and some of our men here at home and then, too, that the morale of the Army can best be maintained by dealing honestly and fairly with the drafted men. As has been pointed out so many times, it does not make any difference what is in the act, the boys understood from what we said, they were to be kept a year, and if we break faith with them, the morale is gone. A nation which does not keep faith with its fighting men may learn to its sorrow in time of need that such policy is a ruinous one.

[Here the gavel fell.]

Mr. HOFFMAN. Mr. Chairman, I ask unanimous consent to withdraw my preferential motion to strike out the enacting clause.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. KLEBERG. Mr. Chairman, I move to strike out the last four words. The hour is late and I have no desire to impose myself upon the already strained endurance of the Members, but I do feel that the situation which confronts us might be at least relieved by some cow-country observations. I come from the cow country. I have had an awful lot of dust filter through my hair and nose and a lot of things between my toes. I have listened to a lot of comment here this afternoon pro and con from distinguished Members on both sides, who like other Members on both sides have been blessed with good common sense and reason. Today we are dealing with cold facts. That is what a fellow has to deal with when his pony gets out from under him and drops him 30 miles from camp or town and runs away. This measure that we are considering here tonight is a measure fraught with incomparable importance. It is a measure which everyone must deem as one of the facts properly before this body, following proper procedural methods, considered by a great committee of this House, composed of men who have long been engaged in the business of performing the functions of handling the military situation. Such amendments for the purpose of limit or compromise that are offered on the floor can be nothing more or less than encouragement to those who do not wish us well and great discouragement to our friends. As a matter of fact, I do not know whether we have any friends or not, but I do know that 90 percent of the people subscribe to the first law of nations, which is national defense, and a much higher percentage will heed the first law of Nature—self-preservation. Our action here must be, and is, essentially selfish, so far as other people are concerned.

The question of whether we are pro-British, or whether we are pro-Russian, or whether we are pro-Nazi, or pro any other isms that have been thrown hither and thither at random in this debate has absolutely no place among the facts which I marshal for your consideration. The facts I refer to are these. The House is considering a bill for the continuation of certain men in the armed service of this country. Either we need or do not need an army of the best trained men it is possible for us to get together. It has been proved to us conclusively time and again that Americans generally are essentially patriotic, and all of these appeals to passion and sympathies will tend to produce only disunity or introspection and not only our own people here in this country are awaiting our unwavering decision, but people abroad in Europe, in the Eastern Hemisphere are alike awaiting our decision, and I appeal to you all, as a fellow who has been slipped out from under by his horse as it were, and who faces the hard earth, to give your dispassionate consideration to the facts that I have stated in this late hour.

Mr. MAY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MAY. Mr. Chairman, are we now considering amendments to section 3 of the bill?

The CHAIRMAN. That is correct. There is a committee amendment pending to section 3. An amendment to the committee amendment is pending, and a substitute for the committee amendment is also pending.

Mr. MAY. Mr. Chairman, we have been debating this section now for over an hour. I move that all debate upon this section and all amendments thereto close in 10 minutes.

The motion was agreed to.

Mr. JENKINS of Ohio. Mr. Chairman, I move to strike out the last five words. I ask unanimous consent to extend my remarks.

The CHAIRMAN. Is there objection? There was no objection.

Mr. JENKINS of Ohio. Mr. Chairman, the real issue involved in this controversy is: Shall Congress keep faith with the boys who have been called to the service? I cannot be held to account by the boys and their parents for the Draft Act because I voted against it. Those who voted for that act expressly agreed with the boys that they would be called for 12 months only. At that time they followed the President and those who usually follow him. They should have known that the President and his followers were not sincere and frank. Let

me read to you what the President said about this matter just a few days before the November election of 1940. He made this as a public statement in New York City. Here it is:

In and out of Congress we have heard orators and commentators and others beating their breasts and proclaiming against sending the boys of American mothers to fight on the battlefields of Europe. That, I do not hesitate to label as one of the worst fakes in current history. It is a deliberate setting up of an imaginary bogeyman. The simple truth is that no person in any responsible place in the national administration in Washington, or in any State government, or in any city government, has ever suggested in any shape, manner, or form the remotest possibility of sending the boys of American mothers to fight on the battlefield of Europe. That is why I label that argument a shameless dishonest fake.

Now the President and his followers are departing from their promise. I voted against the draft for the reason that we were at peace at that time and for the reason that I felt at the time that it was not intended to be on the square. I think that a selection method is the only proper and fair way to build up an army. I did not vote against the draft bill simply because it was a draft bill. I believe that the draft system is the only fair method, but I am opposed to any policy that is insincere. I am opposed to this bill under consideration today. The only fair way to handle this matter is for the Government to keep its promise to these soldiers. They are entitled to that much. It will be a shocking case of breach of good faith to pass this bill.

The proper course is to permit these soldiers to go home at the expiration of their 1 year. Then we can start over and build an army upon the solid principles of patriotism and common honesty.

We can do this without disrupting the present Army. As we all know the service of these soldiers will not all expire at the same time. They will be going home at intervals just as they were inducted at intervals. As they go home others will be coming in. This process will continue and the result will be that the Army will be held together as a working organization. The great lack of morale that is in evidence in all the camps is due absolutely to the insincere action of the administration and is not due to any lack of patriotism. As it may be said of human beings in their relationship so may it be said of a nation: "Righteousness exalteth a nation."

The CHAIRMAN. The question is on the amendment to the committee amendment offered by the gentleman from New York [Mr. FISH].

The question was taken, and the amendment to the committee amendment was rejected.

Mr. BATES of Massachusetts. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BATES of Massachusetts to the pending committee amendment: Before the period at the end of the first sentence insert "or, in the case of persons in training and service under the Selective Training and Service Act of 1940, who attained the age of 28 prior to July 1, 1941."

Mr. BATES of Massachusetts. Mr. Chairman, it seems it is quite generally understood by Members of the House that anyone who arrived at the age of 28 prior to July 1, 1941, can be released from the service. In fact, I have just spoken to some of the members of the committee who have been under that impression.

During my trip back home a few days ago one case was brought to my attention, which typifies many others, of a young man who arrived at the age of 28 on May 1. He volunteered. He felt that he ought to get in his time and get it over with. He was under the impression that it would be for a period of 1 year, and up to the present moment, though he is now over 28 years of age, his draft number has not yet been called. Now, if we are under the impression that a young man who has arrived at the age of 28 prior to July 1, 1941, is eligible for release, it is not so, because under the Senate bill, now in the hands of the President, Senate 1524, they added this language:

Any person who has theretofore been inducted into the land forces under this act and who requests such release and who has attained the twenty-eighth aniversary of the day of his birth on or prior to July 1, 1941, and prior to such induction.

The fact that that language was added to the bill, "and prior to such induction," practically nullifies the whole purport of that amendment. Under the amendment that I have offered to the committee amendment, anyone who has arrived at the age of 28 prior to July 1, 1940, will be eligible for release, whether he volunteered or whether he was drafted prior to that time.

It is a very simple amendment and it seems to me if there is any misunderstanding we ought to clear it up in that respect.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment to the committee amendment.

The amendment to the committee amendment was rejected.

Mr. JONES. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. JONES to the pending committee amendment: Before the period at the end of the first sentence insert: "or, in the case of persons in training and service under the Selective Training and Service Act of 1940, who attained the twenty-eighth anniversary of the day of their birth prior to August 12, 1941."

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. JONES] to the committee amendment.

The amendment to the committee amendment was rejected.

The CHAIRMAN. The question is on the substitute offered by the gentleman from Wyoming [Mr. MCINTYRE] for the committee amendment.

The substitute for the committee amendment was rejected.

The CHAIRMAN. The question now recurs on the committee amendment.

The committee amendment was agreed to.

Mr. MAY. Mr. Chairman, I think I have another amendment pending to this section.

The CHAIRMAN. The gentleman from Kentucky offers an amendment in the nature of a new section, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MAY: Page 4, after line 24, insert a new section, as follows:

"SEC. 3–A. Section 3 (c) of the Selective Training and Service Act of 1940, as amended, is amended by adding at the end thereof the following:

"'The active military service of training and service of any person pursuant to section 2 of the Service Extension Act of 1941 shall be credited against the service in a reserve component required by this section or section 3 of the Service Extension Act of 1941.'"

The CHAIRMAN. The question is on the committee amendment.

The committee amendment was agreed to.

Mr. REES of Kansas. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD at this point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. REES of Kansas. Mr. Chairman, this is an extremely important measure. It affects the plans and lives of more than 600,000 of the cream of our citizens. The question involved is whether we believe our national safety is so imperiled that it is necessary to require these boys to continue in active training for more than the 1-year period for which they were inducted. Let it be made clear that these boys, when released from active training, can immediately and without any delay be called right back into active service by the Commander in Chief. They are in reserve and subject to the call of the President at any time.

Mr. Chairman, I feel that since so much has been said about the disruption that would be created on account of releases, that less than 4 percent are subject to release before January 1942, and more than two-thirds of these men came into service after March 1, 1942. So, if by the end of the year it is deemed that these men should be retained in order to defend our country against attack, it can be done then as it can at this time.

Mr. Chairman, as far as disruptions are concerned, we have far too many other disruptions that are hurting our defense efforts, both in our Government and on the outside.

Mr. Chairman, if the situation is as critical as the proponents insist—and I grant the situation is grave, although we do not seem to get all the facts—then we should not only require that the 1 percent of our people give their time, their energy, and lives if necessary to prepare to defend our homes and our freedom, but we and all the rest of the 99 percent of our people should begin right now to do a little sacrificing on our own account. Quit thinking so much how much the defenses are going to mean to us—so much in dollars and cents—but rather what they mean to our country and our liberties and to the liberties of those of future generations. Put the flag first and the dollar sign second.

That 1 percent in the service will feel a whole lot better if they can be convinced the other 99 percent is really trying to do its part by doing a little sacri-

ficing in an effort to build an impregnable defense for our country.

Mr. Chairman, we need a whole lot better understanding and more cooperation among all of those connected, either directly or indirectly, with our defense program. And, by the way, if these boys are not properly trained because of lack of equipment, it is not their fault. That blame lies somewhere else.

Mr. Chairman, we need a better and clearer understanding in this Congress and among our people, as regards our foreign policy, our war policy and our peace policy. We need a clarification. We ought to have the candid facts, whatever they are. Why not tell us about them? There has been a holding back of information. That might be alright in totalitarian governments, but not in a democracy.

Mr. Chairman, I think we are agreed that we must provide our country with the very best defense possible. We must defend our country against its enemies both within and without. I do not want our country to get into a position whereby we may be obligated again to send our boys to the battlefields of Europe and Asia.

Mr. Chairman, if this congress decides that it has changed its position as to the time during which these boys should remain in active training our soldiers will abide by the decision. But let me repeat, that from now on they are going to want to know, that if the situation is so critical that they must remain in active service, that the average citizen is also thinking a little less of his self-interests, and showing a willingness to do a little sacrificing for this great democracy.

Mr. Chairman, I regret that so much feeling and so much misunderstanding has been created on account of this legislation. Above all things it is not a political matter, and I regret that the matter of politics has even been mentioned. I also regret that in this great democracy Members of this House have been so severely criticized, when they have not seen fit to follow the administration in all of its views. We need more tolerance and a better understanding in these trying times.

The Clerk read as follows:

SEC. 4. The President is hereby authorized to order retired personnel of the Regular Army to active duty and to employ them as he shall deem necessary in the interests of national defense.

SEC. 5. Any person who, subsequent to May 1, 1940, and prior to the termination of the authority conferred by section 2 of this joint resolution, shall have entered upon active military or naval service in the land or naval forces of the United States shall be entitled to all the reemployment benefits of section 8 of the Selective Training and Service Act of 1940 to the same extent as in the case of persons inducted under said act: *Provided*, That the provisions of section 8 (b) (A) of said act shall be applicable to any such person without regard to whether the position which he held shall have been covered into the classified civil service during the period of his military or naval service.

Mr. VOORHIS of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this is the first time I have spoken on this bill. I have studied this question, read the hearings, listened to the debates. I have tried hard to keep an open mind. A little later on I shall offer an amendment which will not take long to explain, but it comes at the very end of the bill, and I have one or two things I feel should be said now. I want very much to say them if I may have the attention of the Committee.

It has been said by several Members that political consequences ought not to enter into the consideration of this bill. Certainly this is true, and certainly for that matter those of us who have doubts about this bill and who may vote against it ought to know that in the long run a vote against this bill is going to be a tough vote on anyone who casts it—that the tide is running so that the smart political vote will be an "aye" vote. But I honestly do not think very many Members are considering this question from any political standpoint whatsoever.

The thing I want most of all to say is this: Every Member of the House, no doubt, would like to do in matters affecting the Army what the military leaders like General Marshall ask. So far I have always done that. But national defense can never be built wholly on military organization. There has got to be a spirit about it, too. I had hoped that we might arrive at some meeting of minds on this matter so that we might approach it in some such spirit as this, where we would frankly say, "Yes, assurance was given that this would be just a 1-year training period. We are given now certain reasons why it would be more convenient for the Army if it is extended. If therefore we are going to extend their time, we propose to recognize a special service on the part of the men that are called upon to serve beyond their time. We know that if a mistake was made it was not the drafted men who made it." But so far no provision of this sort has been written into the bill nor can any such intention be understood from the debate. We are confronted with a bald choice between: Shall we extend this period of compulsory service for 18 months, or shall we not extend it for 18 months?

From military people we can get military advice and guidance, and we have got to take it seriously indeed, but I think the Members of Congress are the ones who have the duty of considering also another factor—that is the basic importance of the spiritual relationship between our people and their Government. That is part of national defense too. Morale plays a great part in any nation at a time like this. France had a great army of trained men—perhaps the greatest in the world—yet France fell because there was too little spirit in her people, and so there is a very direct relationship between the men in an army and their feeling for their government, their feeling that they have been dealt with fairly.

I want to say right at this time that I do not agree with those who say that if this bill passes we are going to have great trouble with our people, that we are going to have lack of discipline in the camps. I do not believe for a moment that is going to happen. I believe the men are going to loyally do whatever is asked of them. But I would rather see them have the kind of dynamic spirit that I am sure would follow if they could say, "Our Congress leaned over backward to be fair to us."

It has been said by many Members that we must all make sacrifices. That is true. Indeed, as an object lesson I might suggest that we reduce our own salaries—just for the effect it would have.

I say, yes, if you really carried it out it would be fine, but we are asking a good deal of just one group of people, and the recognition of what that one group of people is being asked to give up seems to me is pretty short under the present circumstances, and in this bill as it now stands.

It is most necessary to remember that our country is not at war. If it were, not only would there be unquestioned power in the President to hold every one of these men but we would be calling lots more and every one of us would seriously do his part.

And it is necessary to remember that every one of these men is subject to call to service at any moment whether or not his period of training is extended.

Further, may I say that had the amendment offered by the gentleman from Massachusetts [Mr. ELIOT] been adopted I would have been prepared to vote for this bill. For to me the fundamental thing about this whole question is the purpose of the Selective Service Act and the principles of our Army and our national defense on which that act was based. I voted for the act. At that time its purpose and aim was set forth and universally understood as follows: To have as the core of the American Army highly skilled men volunteering for long-term enlistment with proper inducement designed to make it attractive to the best class of men, with better pay and opportunities for promotion and special training; that that would be the core of our Army; that the second thing would be a broad civilian training, a civilian-trained Reserve running maybe into many hundreds of thousands or millions of men; that they would become the trained Reserves for the Army; would become the backbone of American security. I still hold to that conception and I must consider this bill from that standpoint, and I fear it means the substitution of a very different principle, the principle of a mass army of drafted men.

I know the arguments on the other side. I am not one of those who says all is well and we need not concern ourselves about the international situation. I have voted for every single measure for national defense up to this time. But on this bill I am not one bit sure that the best way to provide effective national defense is just to require this 18-month extension.

I think there is a big principle involved here. The dynamic spirit of our people may be all important right now. I do not believe the situation for our country today is so imminently dangerous as to prevent us from doing the thing that will be regarded as keeping our understanding with the selectees completely. Americans are going to march together through this critical period whatever is done on this bill, of course. Our people

have always done whatever was necessary. But I want the Congress to consider carefully what it is going to ask. I would not oppose increasing the number of men who could be called for training. And I am open to correction that longer than 12 months may be needed for basic training. But if so it is the basic act that should be amended. The one thing that—for me—is different about this bill from every other measure we have had up to this time is my own personal belief that I would be violating the understanding I had with these men when I voted for the Selective Service Act. I have tried to keep my word. I have got to go on on that basis.

One more word: Whatever the outcome of this vote—especially if the bill is passed—none of us who may vote against the bill should continue any argument about the matter, nor should we encourage in the slightest way any expressions of resentment. We will have done our best—and will have to proceed to try in other ways to build the kind of nation these young men desire to live in and to attempt to really equalize as between different groups and kinds of people the sacrifices that are to be asked in this time.

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I listened to the remarks of my friend from California, one of the most serious-minded Members of the House, and I can very easily see that he is greatly troubled to decide between what he terms the "moral obligation to the individual" and the general welfare of the Nation. This question, of course, presents itself in all crises. The interest of the Nation—and I say this not in any way misunderstanding my friend's remarks, because I am not addressing my statement to the gentleman—the interest of the Nation of necessity transcends the interest of the individual.

I call the attention of the Members to the headlines in the papers at the time we passed the original Selective Service Act. Time has naturally elapsed between then and now. Enemies of our way of life and of our form of government have moved. In a sense, we are legislating through reaction. Inevitably we must react to other things that happen and somebody else is determining those happenings. Only last night we saw these headlines: "Tokyo hints conflict with United States." "New economic steps taken." "America ready, envoy warns"—that is the Japanese envoy returning to Japan; and we see the utterances of our distinguished Secretary of State, whom everybody respects. These things are worthy of profound consideration.

We see in the headlines today, "Darlan to become dictator of France." We know a radio speech is going to be made that Vichy, France, is entering into close cooperation with Nazi Germany. We know what that means. We know what the pact between Nazi Germany, Fascist Italy, and army- and navy-controlled Japan means. It is aimed at the United States.

We know that Japan is moving. We know that Japan would never move of itself against the United States.

In 1931, President Hoover saw the Japanese danger to our future when Japanese imperialism started. He tried to stop it then and protested. In the infant days of the present danger from the east he foresaw and acted to try and avert its journey.

Everyone knows, or ought to know, that the situation in the east is so delicate that only the most powerful diplomatic actions have averted a direct crisis. Let us hope the leaders of Japan will return to the policy of reason, as our country has no desire but to have peaceful relations with Japan. But there is a point beyond which we cannot stand. Japan is at the point where it will have to choose between the warm friendship of the United States or the hypocritical and insincere friendship of Nazi Germany. Italy, under the guise of Nazi friendship, is nothing but the "tail of Hitler's kite." Nazi Germany has conquered its ally, Fascist Italy. The fine people of Italy, whom we Americans respect and admire, are the sufferers. Is that to be the lot of Japan if it chooses to go along with Nazi Germany in a continuance of its warlike attitude toward our country? The one act at this critical time in our associations with Japan that would inspire it to go ahead would be the defeat of this bill.

Can we afford to take the chance?

When the Japanese occupied Manchuria it gave asurances to our Government that the "open door" in Manchuria would be maintained. That has not been done. American business has been forced to leave Manchuria.

On October 26, 1938, Secretary Hull, in a diplomatic note to the Japanese Minister for Foreign Affairs said:

> In the opinion of my Government equality of opportunity or the open door has virtually ceased to exist in Manchuria notwithstanding the assurances of the Japanese Government that it would be maintained in that area.

He then said:

> The Government of the United States is now apprehensive lest there develop in other areas of China which have been occupied by the Japanese military forces since the beginning of the present hostilities a situation similar in its adverse effect upon the competitive positions of American business to that which now exists in Manchuria.

That has come to pass.

We know of the attack on China and the reasons therefor. We know what their future intentions are, which will be carried into effect unless we prepare.

As an industrial Nation we are vitally concerned in southeastern Asia. The United States cannot stand idly by and permit any power or powers to threaten or to sever our trade lines with that part of the world. Southeastern Asia supplies to us the bulk, if not all, of five first priority materials: Manila fiber, 100 percent; quinine, 99 percent; rubber, 98 percent; silk, 98 percent; and tin, 93 percent.

It also supplies two second priority materials: Tungsten, 92 percent; mica, 61 percent of the preferred grade. The bulk of coca shell char is also produced in this region.

We import as well large amounts of chromium from the Philippines, manganese from British India, and wool from China and India, as well as chromium from French Oceana and wool from Australia and New Zealand, located in the south Pacific. We also obtain some nickel from New Caledonia. The Netherlands Indies has developed an important aluminum-mining industry. Nickel deposits also exist in the offshore islands of Sumatra.

There is no other part of the world that bears so vital a relationship to the United States in peacetime, and particularly in case of emergency, than the countries of the South Pacific, and particularly of southeastern Asia.

While we obtain some necessary materials from Europe in time of emergency, we could dispense with our strategic-materials trade without serious consequences. But that is not so in our trade with southeastern Asia in particular.

In a naval article written by Robert Barnet Hall, appearing in the Geographic Review for April 1940, he said:

> Only on the lands west of the Pacific, and especially in southeastern Asia, is our dependence so vital and complete that our very existence as a great industrial power, and perhaps as an independent state, is threatened, if the sources should be cut off.

Furthermore, the United States stands for the freedom of the seas. We cannot permit any hostile nation or nations to dominate the seas of the world, and who would or might exercise such dominating positions to our disadvantage. Freedom of the seas is an important integral part of our national defense. While we do not want to dominate either the Atlantic or the Pacific, we cannot permit other nations to do so without becoming a subservient nation.

In the light of what is happening in the East, as well as elsewhere, all of these considerations are vital questions which demand, in our best interests, the passage of the pending bill.

Let us remember that "time passes on." Let us remember that to date every prediction made by those who have opposed in the past have been incorrect. They failed to take into consideration what Hitler, Mussolini, and Japan might do.

In a sense, we have been and are legislating by way of reaction to what these forces have done or may do in the future.

Viewing world conditions, having in mind our vital interests in the east, looking into the near future and seeing the probable steps that could and will be taken against us, if we are not prepared and, voting as Americans, determined to the best of our ability to courageously perform the duties of our trust, with the overwhelming evidence of danger that confronts us, it is our duty and obligation to pass the pending bill.

This question transcends party considerations.

The future of our Nation is paramount to everything else of a worldly nature.

I appeal to all Members to forget all considerations of a human and emotional nature, of a political nature, of any nature, except one: "Under present conditions, what vote should I cast today for my country, and for its best interests?"

Mr. MAY. Mr. Chairman, I ask unanimous consent that all debate on this section do now close.

Mr. SHORT. Mr. Chairman, I object.

Mr. HEALEY rose.

Mr. MAY. Does the gentleman have an amendment?

Mr. HEALEY. I have an amendment at the desk.

Mr. MAY. To this section?

Mr. HEALEY. It adds another section.

Mr. MAY. Mr. Chairman, I move that all debate on this section and all amendments thereto close in 15 minutes, with the understanding that the last 5 minutes be reserved to the chairman of the Committee on Military Affairs.

The CHAIRMAN. May the Chair inquire what section the gentleman is referring to? Does the gentleman refer to section 5 of the bill?

Mr. MAY. Section 5.

The CHAIRMAN. The gentleman from Massachusetts [Mr. HEALEY] is seeking to offer an amendment providing a new section.

Mr. HEALEY. After section 5.

Mr. MAY. Mr. Chairman, I move that all debate on section 5 and all amendments thereto do now close.

The question was taken; and on a division (demanded by Mr. SHORT) there were—ayes 111, noes 71.

Mr. SHORT. Mr. Chairman, I demand tellers. If a member of the committee cannot get 5 minutes to answer, then I demand tellers.

The CHAIRMAN. The gentleman can make his demand without explaining his reasons for making it.

Tellers were ordered, and the Chair appointed Mr. MAY and Mr. SHORT to act as tellers.

The Committee again divided; and the tellers reported there were—ayes 125, noes 69.

So the motion was agreed to.

Mr. HEALEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HEALEY: On page 5, after line 15, insert the following new section:

"SEC. 6. (a) Any person inducted into the land or naval forces of the United States for active training and service, under section 3 (b) of the Selective Training and Service Act of 1940 shall, in addition to the amounts otherwise payable to such person with respect to such training and service, be entitled to receive the sum of $10 for each month of such training and service in excess of 12. The provisions of this section shall also apply (1) to any enlisted personnel of the National Guard of the United States or of any other reserve component of the Army of the United States ordered into the active military service under the authority of Public Resolution No. 96, approved August 27, 1940, or section 37a of the National Defense Act of 1916, as amended, for such service so rendered by any such personnel in excess of 12 months, and (2) to any enlisted personnel of the Regular Army for each month of military service rendered by him after the date of enactment of this joint resolution, and after his total military service (rendered before or after such date) exceeds 12 months.

"(b) The provisions of this section shall be applicable only during the period of the unlimited emergency declared by the President on May 27, 1941."

Mr. HEALEY. Mr. Chairman, I realize that the hour is late and the patience of the House has been sorely tried throughout this long day. I am going to try to explain this amendment as briefly as possible.

May I say at the outset that this amendment was adopted by the Senate. It is the identical amendment, perfected so as not to make it possible for it to be retroactive insofar as it affects the personnel of the Regular Army. In simple language, the amendment provides that every man in the Army, after he has completed 12 months' service, from there on during this emergency will have added to his pay $10 a month. It is uniform and affects every enlisted man in the Army, National Guard, selectees, Reservists, and Regular Army alike. It is uniform as to all.

Mr. Chairman, I submit that it has been the time-honored custom of our country to reward men for reenlistment. We passed a bill here just the other day, and the Senate has since passed it, providing for awards of $200, $400, and $600 to members of the Navy personnel who reenlist. This is a matter of simple justice, I contend, to those men who will have completed a year's service. By your action today in the enactment of this bill you will undoubtedly require some of them to serve beyond the year which was originally provided in the selective-service bill. In order that there should be no discrimination against any of the personnel of the Army, this amendment covers them all.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. HEALEY. I yield to the gentleman from Arizona.

Mr. MURDOCK. May I say to the gentleman that I favor his proposed amendment and was prepared to offer the same. I have before me the measure that passed the other body. I find it is not identical. Are the two enough alike in substance so that they cannot be thrown into conference?

Mr. HEALEY. It perfects the amendment of the Senate and does everything that the Senate attempted to do with that amendment.

Mr. RUSSELL. Mr. Chairman, will the gentleman yield?

Mr. HEALEY. I yield to the gentleman from Texas.

Mr. RUSSELL. Does the amendment apply to noncommissioned officers and officers?

Mr. HEALEY. It applies to all enlisted personnel, but no officers.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. HEALEY. I yield to the gentleman from Michigan.

Mr. MICHENER. Is there not some way the gentleman can arrange to have included a prevailing wage scale as provided in the Walsh-Healey Act?

Mr. HEALEY. I think the gentleman is a little facetious in his statement, but I believe he wants to do substantial justice to the men of the Army. I believe the gentleman must realize that the men in our Army are underpaid. A private in the Canadian Army gets $1.30 a day. I do not believe the gentleman from Michigan, who is just across the line from Canada, would want our boys to receive less for their service than the men in the Canadian Army receive, so I hope he will support this amendment.

This is the last opportunity we will have during the consideration of this bill to offer some added compensation to the men of the Army who are required to serve over a year. I do not argue that such a measure is necessary to strengthen the morale of the Army. I do not contend that, because I think the morale of the men of our Army is already strong. I have the utmost faith in the esprit de corps and the patriotism of the men of our Army, but I think it is a matter of simple justice that after they have completed a year of service some consideration should be extended them for their faithful service.

Mr. ANDREWS. Mr. Chairman, will the gentleman yield?

Mr. HALEY. I yield to the gentleman from New York.

Mr. ANDREWS. Unfortunately, I did not hear the amendment read. May I ask the gentleman if this includes noncommissioned officers?

Mr. HEALEY. This includes all enlisted men in the Army.

I hope the House will recognize the fact that we do owe something in the way of added recompense to these men after they have completed a term of a year in the Army.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. MAY. Mr. Chairman, I yield such time as he may desire to the gentleman from South Carolina [Mr. HARE].

Mr. HARE. Mr. Chairman, the pending amendment, as I understand, provides that any person inducted into our land or naval forces for training shall be entitled to $10 per month increase in salary following his first 12 months in service.

Since a previous amendment providing an opportunity for selectees to volunteer after 12 months was defeated, I consider this the next best amendment, and shall support it for three reasons.

First. It will give the selectees $40 per month, or an increase of $10 per month, following 1 year's service. I am confident that after a year's training a man is a more efficient soldier and should be paid accordingly.

Second. It will be an inducement to release those men who have obtained sufficient training at the expiration of their 12-month service, or shortly afterward, for General Marshall says he plans

to do this. On page 11 of the hearings he says quite positively:

> We wish to pass the selectees out of the service as rapidly as we can after they have completed their 12 months of service. We think we can release some of them ahead of time, both to our advantage and also to theirs. We want to bring in new selectees, so it follows that we must release men in order to make room for them.

Third. It will be the first step toward reorganization of our Army on a basis that will afford a career for men following this emergency or possibly before it is over.

To me this is a highly important matter, and I shall, therefore, discuss it at greater length. The passage of this bill will not solve our military problem from the standpoint of an army, and now is the time to study and prepare legislation that will provide an army of sufficient strength and efficiency to meet any future emergency.

Regardless of the outcome of the present world conflict, I am convinced this country will not follow a disarmament policy for the next 25 or possibly 50 years. On the contrary, we are going to maintain a much larger Navy and standing Army than at any time in our history, and the question now confronting us is how we can best achieve these objectives. We have already made provision for a two-ocean Navy, and it is high time we begin considering a program for strengthening the Army. I have an open mind as to the program to be adopted, but my feeling is we should not delay in submitting plans for study and consideration. There is wisdom in a multitude of counsel and it may be a good idea if we begin now to make suggestions, with the hope that the best policy may be evolved. I am not enthusiastic over the idea that we should wait and let one or two men work out a plan without suggestions from anyone, and then expect everybody to say by their actions that the best possible conclusion was reached. This is really one of our troubles today. Instead of trying to plan a long-time policy for our land forces when the existing emergency arose, we proceeded with a temporary expedient. Possibly this was the best that could be devised within a short time. The prevailing thought a year ago was that we should proceed to provide for a very large army, and we were told the best way to do it was to train some for 12 months and place them in reserve and then train others. However, we are now told that it may not be necessary to train an enormous number of men but it will be best to train them longer and make them more efficient. If we were certain they were to be needed in war, we are inclined to subscribe to the latter theory, but we acted upon a different theory last year, and I assume it was done for the reason we did not have more time to deliberate. It will be very embarrassing for some of us to admit that we were wrong or made a mistake last year when we passed the Selective Service Act limiting the time of training to 12 months and now say that the training should be for a longer period. It is also going to be disappointing to many young men who patriotically made their plans and volunteered to take a year's training in order that they might be fitted for military service, if needed. However, if we made a mistake, then we might just as well admit it now and correct it instead of repeating it because two mistakes do not make a right.

For the past 25 years, particularly the last decade, Congress has been very considerate of those selected to serve the Government in a civil capacity. That is, those employed in the discharge of the functions of government from an administrative standpoint are now able to make such work a life career. I feel that our Army should be reorganized in such a way that it will offer a career and make it sufficiently attractive for men to make it their life work. Such a policy has in a way been adopted for the Navy, and if adopted for the Army, I think we could reasonably expect to keep trained men—men who would be real experts in military life. The reorganization should provide for a graduated scale of pay according to length of service, with the right to retire after 15, 20, or 25 years with a fair and reasonable annuity or compensation. Such a program would not only be a good guaranty against war but should be sufficiently attractive to insure a volunteer army made up of sincere, capable, loyal, and patriotic citizens. My further thought is that such a program will not only strengthen and develop the spirit of loyalty and patriotism of coming generations but will in a measure take the place of what has heretofore been a relief program. In other words, instead of encouraging the youth to look to our Government for aid and support with the least possible amount of service in return, the suggested policy will afford an opportunity to develop a different spirit, a different type of devotion, a different type of loyalty, a different type of citizenship on the part of many who are to direct, protect, defend, and perpetuate our system of government. Our Military Affairs Committee should begin now to study and provide for an army commensurate with our needs and in keeping with our other military agencies, such as the Navy and Air Corps.

RESPONSIBILITY OF CONGRESS

The President was right when he said a few days ago that the problem of providing a system of training men for military service in this country is the responsibility of Congress. It was not absolutely necessary to say it, but he is correct and instead of trying to dodge the question or shift the responsibility we should face it courageously. Article 1, section 8 of the Constitution provides:

> Congress shall have the power to raise and support armies; to provide and maintain a Navy.

In construing this provision of the Constitution our Supreme Court has held that the power to raise armies carries with it the exclusive power to say who shall serve in them and in what way. Some have said that the President wants this or he wants that, but I want to say that his responsibility is not involved here today. The Constitution makes him Commander in Chief of the Army and Navy. His responsibility begins when an Army has been raised and Navy provided for, but not before. Undoubtedly, he has the right to make suggestions by reason of his position as Commander in Chief of the armed forces and they should be given due consideration, but we cannot shift our responsibility to him. We are representatives of the people and our responsibility is to them. In the last analysis the people will determine the nature and extent of our defense program. They will get a defense program sufficient to defend their rights and interests if they want it. If this Congress does not provide for it they will get a new Congress.

A further interpretation of this provision in the Constitution by the Court holds that the power of Congress to raise and support armies carries with it the power of determining how they shall be raised, whether by voluntary enlistment or by the selective draft policy under which we are now proceeding. The Congress is also charged with the responsibility of determining the age at which a soldier shall be received, the period for which he shall be taken, the compensation he shall be allowed, and the service to which he shall be assigned. This is an extraordinary power lodged in the Congress, but it was placed there by the framers of the Constitution and ratified by the people. It is a power that even supersedes the rights of parents in the control of minors, for the Congress has the right to say when their sons shall be wanted and fit for military service. Time and again it has been held that Congress may confer upon minors the privilege of serving in land or naval forces, authorize them to enlist, or draft them upon such terms as it may deem expedient or just. As a matter of fact, the exclusive power given to Congress to raise and support armies carries with it a responsibility equal to or greater than the responsibility placed upon any other branch of our Government. It should, therefore, be exercised with great deliberation and patriotic courage. It is a power not to be treated lightly and in the exercise of which the individual Member cannot consult his personal feelings. He must be guided by a patriotic sense of duty and demonstrate the courage of a conscientious conviction. In the exercice of this power and in the discharge of this obligation he should have in mind the protection and maintenance of the rights and liberties of the people. It is not an easy matter for Members of Congress to know at all times the proper and best way to proceed in protecting the rights of our Nation, but if we could see the agencies of force now operating in Europe placed upon a screen as a moving picture and observe their actions for the past 2 years and properly analyze each step taken, we could not escape the conclusion that our national safety is seriously threatened, and, therefore, it becomes necessary for Congress in the discharge of its responsibility to devise the best ways and means for raising an army that may successfully meet the enemy forces as they draw nearer and more pronounced in their designs day by day.

I am not alarmed over the probability of immediate invasion of our landed territory, where an army will be needed in case of invasion, but I am greatly con-

cerned about raising an army and being ready if there should be an invasion. We cannot wait until an invasion actually begins and then try and get ready for it.

Nor am I greatly alarmed about this country going to war in Europe. The thing that worries me is the possibility of the war in Europe coming to this country. I am opposed to going to war in Europe or in any other foreign country, but I am convinced of the necessity of making whatever preparation is necessary for us to successfully meet the enemy at our border should occasion arise.

I cannot understand how a person can say he is in favor of full and complete defense and at the same time be unwilling to provide an adequate army. They are saying, "Hitler will never come here." He may not. I hope he will not, but I would like to know where he is going, because there is no evidence he is planning to stop any time soon. Within less than 3 years he has overrun a dozen separate countries and virtually placed in bondage over 150,000,000 people. How did he do it? Every high-school boy in this country will tell you his success is due primarily to his large and well-trained army. Most of the people balking at building up an army put their objections on the ground that they do not want our boys to go to Europe. Certainly, we do not want them to go to Europe and I would be one of the last Members of Congress to send them there or to any other foreign country but, as I have said, I am interested in making necessary preparations to defend this country against invasion and we cannot wait until invasion begins to make preparation. Just where the invasion would begin if undertaken, no one seems to know; but I know that invasion by an army will not begin in Europe and it is, therefore, no use to send our Army there. I think a strong and permanent army is going to be essential in any defense program and I have taken this time to suggest to the Committee my thought and ideas as to how such an army can be provided.

As stated at the outset, I am not wedded to any particular program or policy. I may be wrong in the program suggested, but I am submitting it for whatever it may be worth. If there are other plans and better plans they should be submitted for the purpose of discussion and consideration. I repeat, it is the duty of the Congress, the representatives of the people, to provide appropriate and adequate defense for this country and we cannot afford to neglect our duty and shift our responsibility to our successors and hope for perpetual security, because they may be as weak and indifferent as we are should we neglect or fail in the discharge of our responsibility at this time.

Mr. MAY. Mr. Chairman, this amendment as proposed by the gentleman from Massachusetts [Mr. HEALEY] is a very far-reaching proposal. Nobody knows here—and it would perhaps take extensive hearings to find out—just how much it would cost; but, based on the present strength of the United States armed forces, it would probably cost at least $300,000,000 a year to begin with.

Mr. HEALEY. Mr. Chairman, will the gentleman yield?

Mr. MAY. In just a moment.

And the selectees who have served 4 months—and most of them have served that length of time—go from $21 a month immediately to $30 per month, and this would increase their pay to $40 per month.

Mr. HEALEY. Mr. Chairman, will the gentleman yield there?

Mr. MAY. Yes; I yield.

Mr. HEALEY. This will not increase their pay until after they have served 12 months in the Army. They do not begin to get the increased pay provided in the amendment until the thirteenth month of their service.

Mr. MAY. They begin at the end of the year; but as the gentleman recalls, the act itself provides that after 4 months they go to $30, and they are now drawing $30 a month, and at the end of the year they will draw $40 a month.

Mr. HEALEY. Yes; that is correct.

Mr. MAY. So it is an unusually expensive amendment to write on the floor of the House, and I do not think it ought to be adopted.

[Here the gravel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. HEALEY].

The question was taken; and on a division (demanded by Mr. HEALEY) there were—ayes 67, noes 86.

Mr. HEALEY. Mr. Chairman, I demand tellers.

Tellers were ordered and the Chair appointed as tellers, Mr. MAY and Mr. HEALEY.

The Committee again divided and the tellers reported that there were—ayes 131, noes 84.

So the amendment was agreed to.

The clerk read as follows:

SEC. 6. During the existence of the authority conferred by section 2 of this joint resolution and for 6 months thereafter the limitation on the number of men who may be in active training and service at any one time under section 3 (b) of the Selective Training and Service Act of 1940 is hereby suspended: *Provided*, That the Secretary of War shall report to the Congress each month the number of men in active training and service in the land forces under section 3 (b) of said act.

Mr. ELSTON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ELSTON: On page 5, strike out lines 16 to 24, inclusive.

Mr. ELSTON. Mr. Chairman——

Mr. MAY. Mr. Chairman, will the gentleman yield to me for a unanimous consent request?

Mr. ELSTON. I yield.

Mr. MAY. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ELSTON. Mr. Chairman, section 6 of this bill is the section that lifts the lid and makes the sky the limit so far as the number of selectees in the Army at one time is concerned. Almost a year ago, when we passed the Selective Service Act, many Members feared the act might make it possible to create a very large military establishment. At that time Congress and the Nation were assured that if a proper limitation were placed upon the number of men who could be in the service at one time this would not happen. As a consequence, a 900,000 maximum was provided for. Now, less than a year later, we are told that this limit must be forgotten and that all restrictions as to the size of our Army be canceled.

We have heard a great deal of discussion in the last day or two about men leaving the service and how it will disrupt the service, but we have not heard anything on the subject of taking into the Army an unlimited number of men. It has been pointed out that in a little more than a year we will have an army of over 3,000,000 men. Over 2,100,000 of this number will be in the service, and 900,000 will be selectees who have had a year of training. Only 1,700,000 men are needed to defend the Western Hemisphere and all of our possessions, according to General Marshall. Despite that fact section 6 seeks to destroy all limitations, and we are asked to make it possible to conscript an army as large as the President and the War Department may consider advisable. If we pass section 6, we may even be violating a constitutional provision—namely, article I, section 8. The founding fathers thought it inadvisable that a big Military Establishment be created. We cannot make appropriations in this House for the Army beyond a period of 2 years. The obvious purpose of this constitutional requirement is so that Congress can keep a check on the Army through appropriations. Article I, section 8, provides that Congress alone shall make all rules and regulations for the government of the land and naval forces. This was wisely considered to be another check against the creation of a huge and unwieldly Military Establishment. Section 6 of this resolution ignores that check, and Congress, by agreeing to it, will surrender another power to the executive department.

If we pass this act with section 6 in it, there is no limit to the number of men that can be called, and we will have delegated to the President, the Secretary of War and to the Army powers which the Constitution vests solely in us. I hope therefore that this amendment is adopted. If it is accepted, the present limitation of 900,000 will still prevail. If it is not adopted, the sky is the limit, and heaven knows where we are going from there.

Mr. DIRKSEN. Mr. Chairman, in September of 1940 we wrote three limitations into the original Draft Act. The first one was a limitation on the period of service for 1 year. The second one was a limitation on the number in the service, namely, 900,000. The third limitation was that the area of service could not be beyond the possessions of the Western Hemisphere. Today, as I watch the elimination of two of these restrictions, I must say that I feel like one of the martyrs of the ancient faith, who when he was getting ready for combat with the lions in the arena, said morituri

te salutamas, meaning, "We who are about to die salute you." I suppose you have the votes, but while there is still opportunity, let me recapitulate for a moment the psychology that surrounded this whole draft extension bill from its introduction. When it first went to the Military Affairs Committee, the United Press polled the Congress and said they could not find the votes to pass it. Strangely enough, the votes, it seems are here today.

I wonder what the score will be if the President should send a message in a week or two or three and ask you to delete the third limitation, namely, to permit the boys to soldier beyond the Western Hemisphere. Will it be the same psychology. Will it first be met with the great objection. Will we first see a swelling crescendo of opposition and then watch it gradually melt away under the same kind of pressure that has been so manifest in this Capitol today. Everybody knows it.

But perhaps we will not have that chance. Perhaps the President will not even come and consult us upon it, because the Western Hemisphere will be where he decrees that it shall be.

Four hundred and fifty years ago by papal decree it was that area west of the forty-sixth meridian of west longitude. Later it went to the twenty-sixth. The State Department geographer, Mr. Boggs, in a letter to Mrs. ROGERS on the 8th of June, said that it is the twentieth meridian, and that includes Iceland. A degree of longitude is about 60 miles. Project it 180 miles farther east, and what have you? Within the Western Hemisphere you will have the Canary Islands, Cape Verde, and the Azores. If you make it 17 degrees west longitude you will have Dakar. Thus under existing limitations it might still be so defined as to make service possible in places not contemplated in the original act. The President said to his press conference 4 weeks ago that it would be where the last geographer with whom he conferred said it would be. Maybe he will not have to consult the Congress after the eventful action of today, because then he may be able to include the western coast of Africa under his own definition of the Western Hemisphere. Then the infamy will be complete, and reckoning retribution will come from the hearts and the minds of a great awakened electorate in the United States of America.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. DIRKSEN. Yes.

Mr. KNUTSON. Why should the gentleman be so concerned over the action of the majority in committing hara-kari. They are going to put this bill through, and in the next Congress we will have to have a Cherokee strip over on the other side.

Mr. DIRKSEN. I shall tell you why. I am interested in every young American life.

Mr. KNUTSON. And so am I.

Mr. DIRKSEN. They have not been told what they are going to defend. They have not been told where they are going to defend it. The Congress and the people have not been told what we are to defend and where it shall be defended. How are you going to plan the strategy with which to defend it?

The President is going to write a series of five articles for Collier's magazine. The first is to appear in the issue of September 5. What a tragedy and what a travesty on the legislative branch of the American Government that in the analysis of the basic causes of the war, we, the Congress, we the 435 Members of the House, should not have the benefit of the President's observations on the analysis of the war.

Thus in darkness, with important information undisclosed to the Congress, we today legislate on the future of our country and its young men. May some providential power watch over our country and its future.

Mr. McCORMACK. Mr. Chairman, the gentleman who has just preceded me, Mr. DIRKSEN, is one who on every occasion when a bill has been pending during the last 2 years for the defense of our country, has made substantially the same speech he made today. I remember almost 2 years ago when the resolution to repeal the embargo passed this House there were Members who said our country would be in war by January 1, 1940.

Mr. KNUTSON. We are.

Mr. McCORMACK. Some of you are very disappointed that we are not, apparently. There are those who said, after January 1, 1940, had passed, that we would be in war by April 1940. In April they said it would be in June 1940. After June it was December 1940. Those dates have come and passed. Then they said April 1941, and July 1, 1941, and this is August 12, 1941. A conversation is reported to have taken place by one of the Members of the House on the Republican side, when he was talking to a friend of his, and he said, "What do you think about Roosevelt? He has double-crossed us by keeping us out of war." That seems to be the impression of some—not all, but by some.

Mr. KNUTSON. Who was he?

Mr. McCORMACK. A voice from the distance. Always from the distance. Those who are sending out their dire predictions—it seems to me as though the reported conversation represents the feelings of some, that they feel disappointed that their predictions of the past 20 months have not materialized. Over 20 months ago they said we would be in war by January 1940. President Roosevelt has consistently said that he is taking steps for the defense of America and for the purpose of keeping us out of war, and he has kept us out of war to date, August 12, 1941, despite the predictions of the past 20 months. The steps we are taking are realistic steps to prevent war from coming to our shores. Thank God, as in the days of the Revolution, as in the early days of our constitutional government, we were given a great leader in Washington, and as in the Civil War days when we were given a great leader in Lincoln, thank God in this crisis our country has been given a great leader in Franklin Delano Roosevelt.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. ELSTON].

The question was taken; and on a division (demanded by Mr. ELSTON) there were—ayes 96, noes 134.

So, the amendment was rejected.

The Clerk read as follows:

SEC. 7. During the existence of the authority conferred by section 2 of this joint resolution, enlistments in the Army of the United States, without regard to component, are hereby authorized in the manner provided by the concluding paragraph of section 127a of the National Defense Act, as amended.

Mr. HARNESS. Mr. Chairman, I move to strike out the last word. As we near a decision on this bill, I have asked for this time for the purpose of explaining to the membership of the committee a motion to recommit, which I shall offer at the proper time. Because the motion is lengthy, it will save time if you will permit me to explain it briefly here, so that it will not be necessary for the Clerk to read it at length.

I hope that this motion to recommit will be given the most careful consideration by every Member of this House. When I spoke at some length on this measure last week I insisted that there is just one real question at issue, namely, Is the national interest actually imperiled in the sense in which this phrase was intended in the original act?

I said originally, and I repeat with all possible emphasis, if you are convinced that the national interest is imperiled, that we are faced with a national emergency, and that the danger now is infinitely greater than it was a year ago, you should by all means vote for this measure. But I said then, and I repeat, if the meager facts available to you from official sources fail to convince you of this perilous necessity, then you cannot in good conscience and in honesty to the American people support this proposal. I must say over and over again that I have not been able to convince myself of this necessity.

The motion to recommit will strike out section 1 of the bill which is the declaration that the national interest is imperiled. It will limit the period of service of the selectees now in the armed forces to the 12 months for which they were originally inducted, unless the President sees fit under certain circumstances to retain them under existing authority.

The motion authorizes the President to extend the service of members of the National Guard, the Reserves, and the retired personnel of the Army for any additional period of 1 year. It will also retain the present provision in the Selective Service Act which limits the total number of selectees who may be called into service at any one time at 900,000.

In fact, this motion will effectuate the amendments which we of the minority have offered here today. It will preserve the selective-service system as a training program which will strengthen our national defense by pouring a steady stream of men trained to Regular Army standards into an ever-increasing pool of reserves. This is the sound, long-range program which was contemplated a year

ago. It is a defense-training program, not in any sense of the word a war program.

If the administration proposal is predicated upon information not available to the average Member of this House, that war is imminent, and if we really should freeze our present Army personnel into a wartime organization, then you must by all means defeat this motion.

Mr. ANDREWS. Will the gentleman yield?

Mr. HARNESS. If, on the other hand, you are not convinced that we are preparing our Army for immediate war, but believe that the President should continue the training program as contemplated, then support the motion which will keep the National Guard and reserve components in service, release the present class of selectees, and permit Army officials to call up new classes of trainees within the presently authorized limits. We are just at the point where our first class of selectees will go into the reserve. These trained men will become our back-log of national defense. Actually, the system is just beginning to function. Flatly contradicting the assertions of the proponents of this proposal, I believe that to preserve the status quo is to assure national defense, not disorganize it.

Mr. ANDREWS. Will the gentleman yield?

Mr. HARNESS. I yield to the gentleman from New York.

Mr. ANDREWS. Do I understand the motion to recommit will authorize the President to do these things?

Mr. HARNESS. The motion to recommit provides that the President may extend the service of the National Guard, the Reserves, and the retired personnel of the Army for a period of 12 months, but no new authority would be given the President to hold the selectees in service.

Mr. ANDREWS. Does the gentleman believe the President would do that?

Mr. HARNESS. Does the gentleman mean to ask if I believe that the President will hold the National Guard and Reserves in service?

Mr. ANDREWS. Does the gentleman believe that the President will act under the authority he gives the President under the motion to recommit?

Mr. HARNESS. I am unable to predict what the President will do.

If the House supports the motion to recommit, I will vote for the bill incorporating the provision of the motion when it comes back; but I will not support the measure in its present form, because I believe it is unwarranted and unjust. I do not see any necessity to impose the sacrifices upon these men which this legislation proposes, and I cannot agree that it is in the best interest of the national-defense program.

Mr. SUMNERS of Texas. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it seems to me that the gentleman from Indiana, who has just left the floor, has stated clearly and courageously the issue before the House. He stated that if he believed the country faced an emergency he would vote for the bill. I would like for the country to understand, and I think it is vital—I am not speaking as a Democrat now—I think it is a very important thing that the country understand that the division which will be manifest here by this vote will, or should, depend largely upon the judgment of the Members of the House as to whether this country faces an emergency.

Now, let us see whether or not we face an emergency. Let us see what the situation is. America today has declared itself to be the arsenal of one of that group of nations of the earth which one by one are being conquered. Today America is the only Nation on the earth of major rank that is not now either conquered or threatened with conquest, and we have challenged and are now challenging that group of nations which is sweeping in devastating conquest over the world. There is no question about that, is there? We are declaring to all nations of the earth: "You stay out of this hemisphere from tip to tip. If you come we will fight you." What with? We are telling the people of Asia, of Europe, and of Africa, all over the world, what they may do and not do in those continents. It does not matter whether you approve it or do not approve it, we have to face these facts; we have got to deal with a particular situation. We have been using fighting words. We have been doing fighting things. We are not going to be able to bluff our way through the middle of this World War. We have moved into shooting territory, making faces at one group of these belligerents, and at the same time providing arms and food and ships and planes and money to the other. We have taken sides definitely and hurtfully to one group of nations, and that is the winning group. We are in their way now. We challenge them. We hinder them. We are a menace to their ambitions. Whether wisely or not, we face them in that position. In such a position in this world aflame with the passion of war we have a single business in America that is relatively worthy of consideration and that is to make this country so secure that nobody will dare attack us. We owe that duty to these men in uniform. We owe it to the Nation. That is our only chance, as I see it, to keep them from having to fight.

Maybe we have made a mistake in getting into this position, maybe not; whatever opinion may be as to that, I believe what I have said with all my soul. We hear a good deal said that Congress ought not to break faith with these men. I agree with that. I do not like to vote for this sort of legislation but, considering our actual situation, our peril, and the danger we would expose these men and our country to by taking a backward step in preparedness, I should feel I would be breaking faith with them and with the Nation if our vote would make it possible for the message to go out to the world that the present partly trained Army personnel is to be discharged and raw recruits be taken in, because the Congress does not consider the Nation to be in peril. The effect would not only be disastrous upon our own military preparedness but upon our thinking and conduct. These strikes, this profiteering, and so forth, would largely disappear if we really understood our danger.

Oh, we talk about economic interests, we talk about what it will cost, we talk about the inconvenience; but, men and women of this Congress, the world is aflame with the passions of war and America has challenged a large part of the people fit to fight, the greatest fighting machine that has ever been on this earth. We have but one business in this world of blood and fire and death, of conquest and slavery, and that is to make America safe, if it can be done. I would vote every dollar in America, if necessary, and bring every man, myself and everybody else to her defense, if I could, to make certain that my Nation would be saved. As I see it, and I do not see how I can be mistaken, there is but one way we can escape attack, and one way only. Do you mean to tell me we can challenge every people in the world now engaged in its conquest and escape attack unless we are so strong that nobody will dare attack us? Of course, I hate to have these boys stay in the Army at the sacrifice of their convenience and substantial interest, but I had rather have that and have the Nation united by the realization of our peril than to deceive them and, as I see it, deceive the Nation as to that danger by sending them home and then calling them back, possibly to sacrifice their lives in an attempt to save a Nation who, like France, lulled by a false sense of security, until it was too late, moved step by step to its inevitable doom. We have had the notion in America that we are not going to be in any danger unless we shoot first. That day is past. Your Nation and my Nation, in this world picture, this bloody, horrible world picture, is next on call unless we are able to become so well prepared before, that we will not be attacked, and, if attacked, we can defend our independence. The greatest issue of the ages is pending now, while you sit there and I stand here.

I believe these men and women who state today that they are unconcerned for their political future. Any man or any woman on the floor of this House who determines his or her conduct, his or her vote today by the probable consequences of the next election is unfit to be in this Hall; and I do not believe many are unfit. It is a question of difference of opinion: You think one thing, I think another; you do not think we are in danger, I do. Look about us at the world today. Ask the people in France, ask the people in England, ask the people of blood-soaked Europe if there is any business in this world for us but to make this Nation secure? Ask them what would they give now if they had our chance to preserve their independence, their homes, their property, their lives, all the things which make life worth living.

We owe a supreme duty to these boys and to their children and to their children's children this day; we owe it now. I would like for this Nation to know—I may be wrong, you may be

wrong, but I would like for this Nation to feel—that this division of opinion that will be manifest by this vote is based upon that one question, that one difference of opinion as to whether we are in peril. That might lessen the hurt which I fear may come to the country, to its morale, to its solidarity, to its strength, to its fitness to survive from the words spoken today in this debate.

[Here the gavel fell.]

Mr. KNUTSON. Mr. Chairman, I move to strike out the last word. The gentleman from Texas would have us believe that we are next on call. Does not the gentleman know that there is not enough tonnage afloat today to bring an expeditionary force to our shores or to the shores of South America to endanger or imperil the sovereignty of this country or the South American republics? A great deal has been said about South America. We cannot hope to hold South America in line indefinitely from an economic standpoint. Why? Because South America produces the very things that we do, therefore South America must naturally look to Europe to dispose of her products, outside of coffee and perhaps rubber and tin. We may spend billions, as we have, and we may send playboys from Hollywood down there as messengers of good will, Hollywood stars and one thing or another, but they merely laugh at us. When Russia got into the war we lost whatever chance we had to hold South America in line, because South America is opposed to communism, whatever the New Deal may stand for.

It will be interesting to know, and I am anxiously awaiting a report from the Dies committee as to just how many Communists hold key positions in this Government. Do you suppose that South America, with its long background of political and religious beliefs is going to to fall in line with us now that we have embraced bloody Joe Stalin? No. Anyone who believes that is just deluding himself—in the parlance of the street, he is kidding himself. We lost the good will of South America through the entrance of Russia into this war. You can talk until doomsday but it will not change the picture, because I have this from very good authority, from Americans who have recently returned from South America.

The gentleman from Texas would have you believe that we are exposed to instant invasion, that it may come tomorrow, next week, or next month. No. Study the tonnage figures. You know, soldiers cannot swim across the ocean. They have to be transported on ships, and there are not enough ships to bring an expeditionary force to these shores that will in any way jeopardize our national security.

[Here the gavel fell.]

The pro forma amendments were withdrawn.

The Clerk read as follows:

SEC. 8. Section 16 (b) of the Selective Training and Service Act of 1940 is hereby amended by inserting after "May 15, 1945," the following: "or 6 months after the termination of the authority conferred by section 2 of the Service Extension Act of 1941, whichever is the later."

Mr. MAY. Mr. Chairman, I offer a committee amendment which I send to the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. MAY: Page 6, strike out lines 6 to 10, inclusive.

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 9. Section 1 of Public Resolution No. 96, Seventy-sixth Congress, approved August 27, 1940, is hereby amended by inserting after "June 30, 1942," the following: "or 6 months after the termination of the authority conferred by section 2 of the Service Extension Act of 1941, whichever is the latter": *Provided*, That nothing in said Public Resolution No. 96 shall hereafter be construed as limiting the power of the President to order the same units and individuals into the active military service of the United States for two or more periods of service.

Mr. MAY. Mr. Chairman, I offer a committee amendment which I send to the Clerk's desk.

The Clerk read as follows:

Committee amendment offered by Mr. MAY: Page 6, line 13, after "amended", insert "(1)", and beginning with the colon in line 16, strike out down to and including the period in line 20, and insert "and (2) by adding at the end thereof the following: 'Notwithstanding the foregoing provisions of this section the President is authorized to order the same member or the same unit into the active military service of the United States for more than one period, except that in the case of any such member any active military service under authority of this resolution in excess of 12 months shall be deemed an extension of active military service within the meaning of section 2 of the Service Extension Act of 1941.'"

The committee amendment was agreed to.

Mr. VOORHIS of California. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. VOORHIS of California: Page 6, line 20, insert a new section as follows:

"SEC. 9a. Any person inducted into the land or naval forces of the United States for the training and service provided for by the Selective Training and Service Act of 1940, and (2) any person (other than retired personnel of the Regular Army) ordered to active duty or into the active military service of the United States under the authority of the act of August 27, 1940, or section 37a of the National Defense Act of 1916, as amended, shall, in addition to the amounts otherwise payable to such persons with respect to such service, be entitled to receive the sum of $30 for each month of service, in excess of 12 months, rendered as a member of the land or naval forces of the United States during the period beginning with August 27, 1940, and ending at the end of 6 months after the termination of the unlimited emergency declared by the President on May 27, 1941. The sum payable to any such person under this section shall be paid in monthly installments of $30 each, the first installment to be paid during the first month following the month within which said service terminates. Such installments shall be paid by the Veterans' Administration, under such rules and regulations as shall be prescribed by the Administrator of Veterans' Affairs, with the approval of the President."

Mr. MAY. Mr. Chairman, I make a point of order against the amendment, but I will reserve it if the gentleman desires to speak.

Mr. VOORHIS of California. Mr. Chairman, I cannot see how a point of order would lie against this amendment. It certainly has to do with the question of the extension of service.

Mr. Chairman, I laid the foundation for this amendment awhile ago in what I said in my former speech. It seems to me the only way in which a real coming together of the minds of the two factions here in the House on this bill could be accomplished would be by an attitude that ran something like this:

First, to admit that it is true that practically every one of us said that this was to be for a 1-year training period when the Selective Service Act was passed; second, we felt it might be wise, it might make the work of the Army simpler, if certain changes were made in those arrangements at present, but, third, in so doing we proposed to take such action as would be eminently fair as near as we could do it to the men of whom we were asking almost alone in the United States at present great sacrifice.

What this amendment proposes is that if a man, any man, National Guard, selectee or anybody else, is asked to serve more than 12 months, then whenever his service ends but not before, and he is let out of the service, he shall, beginning in the next month thereafter, be entitled to receive the sum of $30 per month for the same number of months as his period of service exceeded the 12-month period.

In the long run I do not believe there is any difference of opinion in this House on the question of defending the United States with all that we have in us; neither would there be if this Nation were at war any question about the service not only of the men in the service but a lot of other people, too. But we are not at war at present. As a matter of fact, we are asking a special peacetime service of these men and it seems to me that some decent recognition has got to be given in connection with it or we ought not to do it at all.

One of the biggest problems in connection with the lengthening of this period of service is the economic problem that will face a lot of the men in service, not the lack of patriotism on their part but the fact that although a man might hope to go back to his job at the end of 1 year, it is going to be very difficult for him to expect to go back to it in 2½ years. Therefore, this might be some cushion for him—a help at a time when he needed it very much due directly to his extended service. Another way to get at this same problem and one I think should be considered, is to bring these men under the Social Security Act by having the Government pay their contributions. In the second place, at the time that these men are being let out of the service, it may well be that we will be confronted with a period when the reduction of expenditures for defense will be taking place at a great rate, and if that be true, such a provision as this would be one of the soundest economic measures you could have at a time like that. I leave it to the House.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Arizona.

Mr. MURDOCK. Will the gentleman explain how this amendment coincides with or differs from the amendment we approved a moment ago?

Mr. VOORHIS of California. Yes. The gentleman from Massachusetts offered an amendment which provided that after a man had served 12 months, if then his service was extended beyond the 12 months his pay should be increased to $40 for the time he is in service. My amendment does not have anything to do with the time he is in service. It states that if he serves more than 12 months, then when he goes out of service he receives $30 a month for as many months as his service exceeded 12.

[Here the gavel fell.]

Mr. MAY. Mr. Chairman, I withdraw my point of order and urge the House to defeat this proposal, because it is stacking money on top of money that has already been voted by the House in another amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California.

The amendment was rejected.

The Clerk read as follows:

SEC. 10. This joint resolution may be cited as the "Service Extension Act of 1941."

The CHAIRMAN. The question is on the committee substitute amendment, as amended, for the joint resolution.

The committee substitute amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration House Joint Resolution 222, declaring a national emergency, extending terms of enlistments, appointments, and commissions in the Army of the United States, suspending certain restrictions upon the employment of retired personnel of the Army, making further provision for restoration of civil positions to members of the Army on relief from military service, and for other purposes, pursuant to House Resolution 290, he reported the same back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

Mr. HARNESS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. HARNESS. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. HARNESS moves to recommit the joint resolution to the Committee on Military Affairs with instructions to report the same back to the House forthwith with an amendment, as follows: Strike out all after the resolving clause and insert the following:

"That section 3 (b) of the Selective Training and Service Act of 1940, as amended, is amended by adding at the end thereof the following: 'Any such man may volunteer for an additional 12-month period of training and service and, upon so volunteering shall, unless sooner discharged, serve for such additional period if he is acceptable to the land or naval forces, as the case may be, for such additional training and service. For the purposes of the limitation on the number of men who may be in active training and service at any one time, the number of such volunteers shall be disregarded.'

"SEC. 2. The President is hereby authorized to extend, for such periods of time as may be necessary in the interests of national defense, the periods of service, training and service, enlistment, appointment, or commission, of any or all persons inducted for training and service under said act, members and units of the reserve components of the Army of the United States (including the National Guard of the United States), retired personnel and enlisted men of the Regular Army, and any other members of the Army, who are now, or who may hereafter be, in or subject to active military service, or training and service: *Provided*, That extension of the periods of active military service, or training and service, in the case of any person subject to the provisions of this section, shall not, in the case of any person in training and service under the Selective Training and Service Act of 1940, as amended, be made without his consent, and in the case of any other person subject to the provisions of this section shall not, without his consent, exceed 12 months in the aggregate; except that whenever the Congress declares that it is in the interests of national defense to further extend such periods of active military service, and training and service, such periods may be further extended by the President, in the case of any such persons, for such time as may be necessary in the interests of national defense: *Provided further*, That the authority hereby conferred may be revoked at any time by concurrent resolution of the Congress.

"SEC. 3. The Secretary of War may, when not in conflict with the interests of national defense, (1) release from active military service those persons who in his judgment would suffer undue hardship if retained on active duty, and (2) release from active training and service under the Selective Training and Service Act of 1940 men now in such training and service who had attained the 28th anniversary of the day of their birth on or prior to July 1, 1941, and prior to their induction for such training and service: *Provided*, That any person so released under this section who, in the judgment of those in authority over him, has served satisfactorily shall be entitled to a certificate to that effect.

"SEC. 4. The President is hereby authorized to order retired personnel of the Regular Army to active duty and to employ them as he shall deem necessary in the interests of national defense.

"SEC. 5. Any person who, subsequent to May 1, 1940, and prior to the termination of the authority conferred by section 2 of this joint resolution, shall have entered upon active military or naval service in the land or naval forces of the United States shall be entitled to all the reemployment benefits of section 8 of the Selective Training and Service Act of 1940 to the same extent as in the case of persons inducted under said act: *Provided*, That the provisions of section 8 (b) (A) of said act shall be applicable to any such person without regard to whether the position which he held shall have been covered into the classified civil service during the period of his military or naval service.

"SEC. 6. During the existence of the authority conferred by section 2 of this joint resolution, enlistments in the Army of the United States, without regard to component, are hereby authorized in the manner provided by the concluding paragraph of section 127a of the National Defense Act, as amended.

"SEC. 7. Section 16 (b) of the Selective Training and Service Act of 1940 is hereby amended by inserting after 'May 15, 1945,' the following: 'or 6 months after the termination of the authority conferred by section 2 of the Service Extension Act of 1941, whichever is the latter.'

"SEC. 8. Section 1 of Public Resolution No. 96, Seventy-sixth Congress, approved August 27, 1940, is hereby amended by inserting after 'June 30, 1942,' the following: 'or 6 months after the termination of the authority conferred by section 2 of the Service Extension Act of 1941, whichever is the later': *Provided*, That nothing in said Public Resolution No. 96 shall hereafter be construed as limiting the power of the President to order the same units and individuals into the active military service of the United States for two or more periods of service.

"SEC. 9. This joint resolution may be cited as the 'Service Extension Act of 1941.'

Mr. HARNESS (interrupting the reading of the motion to recommit). Mr. Speaker, in view of the fact that the motion to recommit was explained rather briefly, I ask unanimous consent that it be considered as read.

Mr. BRADLEY of Pennsylvania. Reserving the right to object, Mr. Speaker, may I ask if the gentleman in his speech covered all the points which are in the motion?

Mr. HARNESS. I think so; yes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MAY. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. HARNESS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 190, nays 215, not voting 27, as follows:

[Roll No. 105]

YEAS—190

Allen, Ill.	Capozzoli	Dondero
Andersen, H. Carl	Carlson	Douglas
	Case, S. Dak.	Downs
Andresen, August H.	Chenoweth	Dworshak
	Chiperfield	Eaton
Angell	Clason	Elliot, Mass.
Arends	Clevenger	Elston
Barry	Coffee, Nebr.	Engel
Baumhart	Cole, Md.	Englebright
Bender	Connery	Fenton
Bennett	Copeland	Fish
Bishop	Cravens	Flaherty
Blackney	Crawford	Fogarty
Boehne	Creser	Gale
Bolton	Crowther	Gavagan
Bradley, Mich.	Culkin	Gehrmann
Bradley, Pa.	Cullen	Gerlach
Brown, Ohio	Cunningham	Geyer, Calif.
Purdick	Curtis	Gifford
Butler	Day	Gilchrist
Canfield	Dewey	Gillie
Cannon, Fla.	Dirksen	Graham
Cannon, Mo.	Ditter	Grant, Ind.

Guyer, Kans.	McArdle	Sauthoff
Gwynne	McGregor	Scanlon
Hall, Edwin Arthur	McKeough	Schulte
Halleck	McLean	Shafer, Mich.
Harness	Magnuson	Shanley
Hart	Marcantonio	Shannon
Hartley	Martin, Iowa	Sheridan
Heidinger	Martin, Mass.	Short
Hess	Mason	Sikes
Hill, Colo.	Meyer, Md.	Simpson
Hill, Wash.	Michener	Smith, Ohio
Hoffman	Moser	Smith, Pa.
Holmes	Mott	Smith, Wash.
Hook	Mundt	Smith, W. Va.
Hope	Murray	Somers, N. Y.
Howell	Nelson	Springer
Hull	O'Brien, Mich.	Stefan
Jacobsen	O'Brien, N. Y.	Stevenson
Jarrett	O'Leary	Stratton
Jenkins, Ohio	Oliver	Sumner, Ill.
Jennings	Osmers	Sweeney
Jensen	O'Toole	Talle
Johns	Paddock	Tenerowicz
Johnson, Calif.	Pfeifer, Joseph L.	Thill
Johnson, Ill.	Pheiffer, William T.	Thom
Johnson, Ind.	Ploeser	Tibbott
Jones	Powers	Tinkham
Jonkman	Rankin, Miss.	Treadway
Kean	Rankin, Mont.	Van Zandt
Keefe	Reece, Tenn.	Voorhis, Calif.
Kelly, Ill.	Reed, Ill.	Vorys, Ohio
Kennedy, Martin J.	Reed, N. Y.	Walter
Kennedy, Michael J.	Rees, Kans.	Weiss
Kinzer	Rich	Welch
Knutson	Rizley	Wheat
Kunkel	Robertson, N. Dak.	Williams
Lambertson	Robsion, Ky.	Wilson
Landis	Rockefeller	Winter
LeCompte	Rodgers, Pa.	Wolcott
Ludlow	Rolph	Wolfenden, Pa.
		Wolverton, N. J.
		Woodruff, Mich.
		Youngdahl

NAYS—215

Allen, La.	Edmiston	Kramer
Anderson, Calif.	Elliott, Calif.	Lanham
Anderson, N. Mex.	Ellis	Larrabee
Andrews	Faddis	Lea
Arnold	Fellows	Leavy
Baldwin	Fitzgerald	Lesinski
Barden	Fitzpatrick	Lewis
Barnes	Flannagan	Lynch
Bates, Ky.	Flannery	McCormack
Bates, Mass.	Folger	McGehee
Beckworth	Forand	McGranery
Beiter	Ford, Leland M.	McIntyre
Bell	Ford, Miss.	McLaughlin
Bland	Ford, Thomas F.	Maciejewski
Bloom	Fulmer	Maciora
Boggs	Gamble	Mahon
Boland	Gathings	Manasco
Bonner	Gearhart	Mansfield
Boren	Gibson	May
Boykin	Gore	Merritt
Brooks	Gossett	Mills, Ark.
Brown, Ga.	Granger	Mills, La.
Bryson	Grant, Ala.	Monroney
Buck	Green	Murdock
Buckley, N. Y.	Gregory	Myers, Pa.
Bulwinkle	Haines	Nichols
Burch	Hall, Leonard W.	Norrell
Burgin	Hancock	Norton
Byrne	Hare	O'Neal
Byron	Harris, Ark.	Pace
Camp	Harris, Va.	Patman
Cartwright	Harter	Patrick
Casey, Mass.	Healey	Patton
Chapman	Heffernan	Pearson
Clark	Hendricks	Peterson, Fla.
Claypool	Hinshaw	Peterson, Ga.
Cluett	Hobbs	Pierce
Cochran	Holbrock	Pittenger
Cole, N. Y.	Hunter	Plauché
Colmer	Imhoff	Plumley
Cooley	Izac	Poage
Cooper	Jarman	Priest
Costello	Johnson, Luther A.	Ramsay
Courtney	Johnson, Lyndon B.	Ramspeck
Cox	Johnson, Okla.	Randolph
Creal	Johnson, W. Va.	Richards
D'Alesandro	Kee	Rivers
Davis, Ohio	Kefauver	Robertson, Va.
Davis, Tenn.	Kelley, Pa.	Rogers, Mass.
Delaney	Keogh	Rogers, Okla.
Dickstein	Kerr	Russell
Dies	Kilburn	Sabath
Dingell	Kilday	Sacks
Disney	Kirwan	Sanders
Domengeaux	Kleberg	Sasscer
Doughton	Klein	Satterfield
Drewry	Kocialkowski	Schaefer, Ill.
Duncan	Kopplemann	Schuetz
Durham		Secrest
Eberharter		Smith, Conn.
		Smith, Maine
Smith, Va.	Tarver	Weaver
Snyder	Taylor	Wene
South	Terry	West
Sparkman	Thomas, Tex.	Wheichel
Spence	Thomason	Whittington
Starnes, Ala.	Tolan	Wickersham
Steagall	Traynor	Wigglesworth
Stearns, N. H.	Vincent, Ky.	Woodrum, Va.
Sullivan	Vinson, Ga.	Worley
Sumners, Tex.	Wadsworth	Wright
Sutphin	Ward	Young
Taber	Wasielewski	Zimmerman

NOT VOTING—27

Beam	Houston	Rabaut
Buckler, Minn.	Jackson	Robinson, Utah
Carter	Jenks, N. H.	Romjue
Celler	McMillan	Scott
Coffee, Wash.	Maas	Scrugham
Collins	Mitchell	Sheppard
Doxey	O'Connor	Thomas, N. J.
Harrington	O'Day	Vreeland
Hébert	O'Hara	White

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Beam for, with Mr. Hébert against.

Mr. Rabaut for, with Mr. Houston against.

Mr. Scott for, with Mr. Jackson against.

Mr. Coffee of Washington for, with Mr. Sheppard against.

Mrs. O'Day for, with Mr. Scrugham against.

Mr. White for, with Mr. Mitchell against.

Mr. O'Hara for, with Mr. O'Connor against.

Until further notice:

Mr. Doxey with Mr. Thomas of New Jersey.

Mr. Harrington with Mr. Vreeland.

Mr. Romjue with Mr. Maas.

Mr. Celler with Mr. Carter.

Mr. Collins with Mr. Jenks of New Hampshire.

Mr. Robinson of Utah with Mr. Buckler of Minnesota.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. The question is on the passage of the bill.

Mr. MAY. Mr. Speaker, on the passage of the bill, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 203, nays 202, not voting 27, as follows:

[Roll No. 106]

YEAS—203

Allen, La.	Cartwright	Flannagan
Anderson, Calif.	Casey, Mass.	Flannery
Anderson, N. Mex.	Chapman	Folger
Andrews	Clark	Forand
Arnold	Cluett	Ford, Leland M.
Baldwin	Colmer	Ford, Miss.
Barden	Cooley	Ford, Thomas F.
Barnes	Cooper	Fulmer
Bates, Ky.	Costello	Gamble
Bates, Mass.	Courtney	Gathings
Beckworth	Cox	Gearhart
Beiter	Creal	Gibson
Bell	D'Alesandro	Gore
Bland	Davis, Tenn.	Gossett
Bloom	Delaney	Granger
Boggs	Dickstein	Grant, Ala.
Boland	Dies	Green
Bonner	Dingell	Gregory
Boren	Disney	Hall, Leonard W.
Boykin	Domengeaux	Hancock
Brooks	Doughton	Hare
Brown, Ga.	Drewry	Harris, Ark.
Bryson	Duncan	Harris, Va.
Buck	Durham	Harter
Buckley, N. Y.	Eberharter	Healey
Bulwinkle	Edmiston	Heffernan
Burch	Elliott, Calif.	Hendricks
Burgin	Ellis	Hinshaw
Byrne	Faddis	Hobbs
Byron	Fellows	Izac
Camp	Fitzgerald	Jarman
	Fitzpatrick	
Johnson, Luther A.	Mills, La.	Schuetz
	Monroney	Sikes
Johnson, Lyndon B.	Murdock	Smith, Conn.
	Myers, Pa.	Smith, Maine
Johnson, Okla.	Nichols	Smith, Va.
Johnson, W. Va.	Norrell	Snyder
Kee	Norton	South
Kefauver	O'Neal	Sparkman
Kelley, Pa.	Pace	Spence
Keogh	Patman	Starnes, Ala.
Kerr	Patrick	Steagall
Kilburn	Patton	Stearns, N. H.
Kilday	Pearson	Sullivan
Kirwan	Peterson, Fla.	Sumners, Tex.
Kleberg	Peterson, Ga.	Taber
Klein	Pierce	Tarver
Kocialkowski	Pittenger	Taylor
Kopplemann	Plauché	Terry
Kramer	Plumley	Thomas, Tex.
Lanham	Poage	Thomason
Larrabee	Priest	Traynor
Lea	Ramsay	Vincent, Ky.
Leavy	Ramspeck	Vinson, Ga.
Lesinski	Randolph	Wadsworth
Lewis	Rankin, Miss.	Ward
Lynch	Richards	Wasielewski
McCormack	Rivers	Weaver
McGehee	Robertson, Va.	Wene
McGranery	Rogers, Mass.	West
McLaughlin	Rogers, Okla.	Wheichel
Maciejewski	Russell	Whittington
Mahon	Sabath	Wickersham
Manasco	Sacks	Wigglesworth
Mansfield	Sanders	Woodrum, Va.
May	Sasscer	Worley
Merritt	Satterfield	Wright
Mills, Ark.	Schaefer, Ill.	Zimmerman

NAYS—202

Allen, Ill.	Geriach	Meyer, Md.
Andersen, H. Carl	Geyer, Calif.	Michener
	Gifford	Moser
Andresen, August H.	Gilchrist	Mott
	Gillie	Mundt
Angell	Graham	Murray
Arends	Grant, Ind.	Nelson
Barry	Guyer, Kans.	O'Brien, Mich.
Baumhart	Gwynne	O'Brien, N. Y.
Bender	Haines	O'Leary
Bennett	Hall, Edwin Arthur	Oliver
Bishop	Halleck	Osmers
Blackney	Harness	O'Toole
Boehne	Hart	Paddock
Bolton	Hartley	Pfeifer, Joseph L.
Bradley, Mich.	Heidinger	Pheiffer, William T.
Bradley, Pa.	Hess	Ploeser
Brown, Ohio	Hill, Colo.	Powers
Burdick	Hill, Wash.	Rankin, Mont.
Butler	Hoffman	Reece, Tenn.
Canfield	Holbrock	Reed, Ill.
Cannon, Fla.	Holmes	Reed, N. Y.
Cannon, Mo.	Hook	Rees, Kans.
Capozzoli	Hope	Rich
Carlson	Howell	Rizley
Case, S. Dak.	Hull	Robertson, N. Dak.
Chenoweth	Hunter	
Chiperfield	Imhoff	Robsion, Ky.
Clason	Jacobsen	Rockefeller
Claypool	Jarrett	Rodgers, Pa.
Clevenger	Jenkins, Ohio	Rolph
Cochran	Jennings	Sauthoff
Coffee, Nebr.	Jensen	Scanlon
Cole, Md.	Johns	Schulte
Cole, N. Y.	Johnson, Calif.	Secrest
Connery	Johnson, Ill.	Shafer, Mich.
Copeland	Johnson, Ind.	Shanley
Cravens	Jones	Shannon
Crawford	Jonkman	Sheridan
Crosser	Kean	Short
Crowther	Keefe	Simpson
Culkin	Kelly, Ill.	Smith, Ohio
Cullen	Kennedy, Martin J.	Smith, Pa.
Cunningham	Kennedy, Michael J.	Smith, Wash.
Curtis	Kinzer	Smith, W. Va.
Davis, Ohio	Knutson	Somers, N. Y.
Day	Kunkel	Springer
Dewey	Lambertson	Stefan
Dirksen	Landis	Stevenson
Ditter	LeCompte	Stratton
Dondero	Ludlow	Sumner, Ill.
Douglas	McArdle	Sweeney
Downs	McGregor	Talle
Dworshak	McIntyre	Tenerowicz
Eaton	McKeough	Thill
Elliot, Mass.	McLean	Thom
Elston	McMillan	Tibbott
Engel	Maciora	Tinkham
Englebright	Magnuson	Tolan
Fenton	Marcantonio	Treadway
Fish	Martin, Iowa	Van Zandt
Flaherty	Martin, Mass.	Voorhis, Calif.
Fogarty	Mason	Vorys, Ohio
Gale		Walter
Gavagan		
Gehrmann		

Weiss	Wilson	Wolverton, N. J.
Welch	Winter	Woodruff, Mich.
Wheat	Wolcott	Young
Williams	Wolfenden, Pa.	Youngdahl

NOT VOTING—27

Beam	Houston	Robinson, Utah
Buckler, Minn.	Jackson	Romjue
Carter	Jenks, N. H.	Scott
Celler	Maas	Scrugham
Coffee, Wash.	Mitchell	Sheppard
Collins	O'Connor	Sutphin
Doxey	O'Day	Thomas, N. J.
Harrington	O'Hara	Vreeland
Hébert	Rabaut	White

So the bill was passed.

The Clerk announced the following additional pairs:

On this vote:

Mr. Hébert for, with Mr. Beam against.
Mr. Houston for, with Mr. Rabaut against.
Mr. Jackson for, with Mr. Scott against.
Mr. Sheppard for, with Mr. Coffee of Washington against.
Mr. Scrugham for, with Mr. O'Day against.
Mr. Mitchell for, with Mr. White against.
Mr. O'Connor for, with Mr. O'Hara against.

Until further notice:

Mr. Doxey with Mr. Thomas of New Jersey.
Mr. Harrington with Mr. Vreeland.
Mr. Romjue with Mr. Maas.
Mr. Celler with Mr. Carter.
Mr. Collins with Mr. Jenks of New Hampshire.
Mr. Robinson of Utah with Mr. Buckler of Minnesota.

Mr. SOMERS of New York. Mr. Speaker, how am I recorded?

The SPEAKER. The gentleman from New York is recorded as voting "yea."

Mr. SOMERS of New York. I change my vote and vote "no."

Mr. SHORT. Mr. Speaker, I call for a recapitulation.

The SPEAKER. The request for a recapitulation is not in order at this time. The vote has not been announced.

Mr. SHORT. Mr. Speaker, I ask for a recapitulation of the vote if it is in order at this time.

The SPEAKER. Does the gentleman desire that before the vote is announced?

Mr. SHORT. It was so done, as I understand it, the other day, but I shall wait.

The SPEAKER. On this roll call 203 Members have voted "aye," 202 Members have voted "no," and the bill is passed.

Mr. SHORT. I demand a recapitulation.

Mr. SUTPHIN. Mr. Speaker, I qualify and vote "aye."

The SPEAKER. The gentleman is too late.

Mr. SHORT. Mr. Speaker, I ask for a recapitulation of the vote.

The SPEAKER. The Chair thinks that is a reasonable request, the vote being so close. The Clerk will call the names of the Members recorded as voting "yea."

Mr. NICHOLS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. NICHOLS. Do I understand the rules of the House to be that Members who have not now voted cannot be recorded as voting?

The SPEAKER. That is correct.

Mr. NICHOLS. Mr. Speaker, a further parliamentary inquiry. Do I understand that after the result of the vote has been announced Members can or cannot change their votes?

The SPEAKER. They cannot change their votes.

Mr. MARTIN of Massachusetts. Mr. Speaker, if a Member finds that he is wrongly recorded he can correct the RECORD.

The SPEAKER. Certainly he can correct the RECORD. The Clerk will call the names of the Members recorded as voting "yea."

The Clerk called the names of those voting "yea."

The SPEAKER. Does any Member state that his name has been wrongly recorded?

Mr. SUTPHIN. Mr. Speaker, I was present and voted "aye."

Mr. MICHENER. Mr. Speaker, was the gentleman present in the Chamber and voted? We cannot hear what he said.

Mr. SUTPHIN. Aye.

Mr. MICHENER. When his name was called?

Mr. SUTPHIN. Yes.

Mr. MICHENER. Does the gentleman state that he was in the room and answered to his name?

The SPEAKER. The gentleman from New Jersey.

Mr. SUTPHIN. Yes.

The SPEAKER. Was the gentleman in the hall and did he hear his name called?

Mr. SUTPHIN. I did not hear it called back.

The SPEAKER. The gentleman does not qualify. The Clerk will call the names of those recorded as voting "no."

The Clerk called the names of those recorded as voting "no."

Mr. BAUMHART. I did not hear my name called. I voted "no."

The SPEAKER. The gentleman is recorded as voting "no."

Mr. POWERS. Mr. Speaker, a parliamentary inquiry. First, how am I recorded?

The SPEAKER. The gentleman is recorded as voting "no."

Mr. POWERS. That is correct. Mr. Speaker, maybe my hearing is not too good, but I was under the impression that the gentleman from New York [Mr. DICKSTEIN] voted "no." Am I correct?

The SPEAKER. That is not a parliamentary inquiry.

Mr. PIERCE. Mr. Speaker, I voted for the bill on final passage and then went out of the room.

The SPEAKER. The gentleman is recorded. No correction in the vote, the vote stands and the bill is passed and without objection a motion to reconsider is laid on the table.

The Chair recognizes the gentleman from Kentucky [Mr. MAY].

Mr. MAY. Mr. Speaker, I move that the vote by which the bill was passed——

The SPEAKER. That motion has been laid on the table.

Mr. POWERS. Mr. Speaker, the vote has not been announced.

The SPEAKER. The vote was announced some time ago.

Mr. SHORT. Mr. Speaker, I was on my feet.

The SPEAKER. The Chair announced the vote before the recapitulation. There were no changes whatsoever and the Chair announced that the vote stood and the bill was passed, and without objection a motion to reconsider was laid on the table, and there was no objection.

Mr. SHORT. Mr. Speaker, I object, and I demand recognition. I wanted to move to recapitulate the vote by which the bill was passed.

The SPEAKER. That has already been done.

Mr. SHORT. I mean to reconsider the vote by which the bill was passed.

The SPEAKER. The vote has been recapitulated.

Mr. SHORT. I meant to reconsider the vote by which the bill was passed.

Mr. MICHENER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MICHENER. Mr. Speaker, there is no use getting excited about this.

The SPEAKER. The Chair trusts the gentleman from Michigan does not think the Chair is excited.

Mr. MICHENER. The only thing that would make me think it was the speed with which the Speaker passed the bill and refused to recognize the gentleman from Missouri [Mr. SHORT], who was on the floor.

The SPEAKER. The gentleman did not state for what purpose.

Mr. SHORT. Mr. Speaker, I did not have time. I wanted to move to reconsider the vote by which the bill was passed.

The SPEAKER. The gentleman, in the first place, is not eligible to make that motion.

Mr. CASE of South Dakota. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CASE of South Dakota. Did I understand the Chair to state that at the time the Chair announced the bill had been passed, he stated that without objection a motion to reconsider was laid on the table?

The SPEAKER. The Chair so stated.

Mr. CASE of South Dakota. I am sorry, but I was listening and failed to hear the Chair so state. I am glad to have the Chair make that statement.

The SPEAKER. The Chair announced that the vote would stand, and the bill was passed, and without objection a motion to reconsider was laid on the table, and recognized the gentleman from Kentucky [Mr. MAY] which he now does.

Mr. MAY. Mr. Speaker, I ask unanimous consent——

Mr. MARTIN of Massachusetts. Mr. Speaker, a point of order.

Mr. H. CARL ANDERSEN. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state the point of order.

Mr. H. CARL ANDERSEN. Mr. Speaker, I beg to differ with the Speaker. The Speaker did not announce that a motion to reconsider was laid on the table.

The SPEAKER. The Chair has stated twice that he did make that statement.

Mr. H. CARL ANDERSEN. I am sorry to differ with you, Mr. Speaker.

The SPEAKER. The Chair does not intend to have his word questioned by the gentleman from Minnesota or anybody else. The gentleman from Kentucky [Mr. MAY] has been recognized.

Mr. MAY. Mr. Speaker, I ask unanimous consent that the Clerk be permitted to correct the section numbers in the bill.

The SPEAKER. Without objection, that is so ordered.

There was no objection.

Mr. MAY. Mr. Speaker, a further request. I ask unanimous consent that all Members of the House have 5 legislative days in which to extend and revise their remarks.

Mr. SHORT. Mr. Speaker, what was the first request?

The SPEAKER. The first request was, and it has already been granted, that the Clerk may be allowed to correct the sections. There was no objection to that. The gentleman from Kentucky asks unanimous consent that all Members have 5 legislative days in which to extend their remarks. Is there objection?

There was no objection.

Mr. MAY. Mr. Speaker, pursuant to House Resolution 290, I call up the joint resolution (S. J. Res. 95) to extend the periods of service of persons in the military service, and for other purposes, and I move to strike out——

The SPEAKER. The Clerk will report the title of the joint resolution.

Mr. KNUTSON. Well, Mr. Speaker, let us have the full motion.

The SPEAKER. The full motion is before the House. The gentleman has called this joint resolution up. The Clerk will report the title of the joint resolution.

The Clerk read the title of the joint resolution.

Mr. MAY. Mr. Speaker, I move to strike out all after the resolving clause of the joint resolution and insert in lieu thereof the text of the bill, House Joint Resolution 222, as amended.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Amendment offered by Mr. MAY: Strike out all after the resolving clause of Senate Joint Resolution 95 on page 1, beginning in line 3, and insert in lieu thereof the following:

"That the Congress, acting in accordance with and solely for the purpose of carrying into effect the provisions of section 3 (b) of the Selective Training and Service Act of 1940, hereby declares that the national interest is imperiled.

"SEC. 2. The President is hereby authorized, subject, however, to the condition hereinafter stated, to extend, for such periods of time as may be necessary in the interests of national defense, the periods of service, training and service, enlistment, appointment, or commission, of any or all persons inducted for training and service under said act, members and units of the Reserve components of the Army of the United States (including the National Guard of the United States), retired personnel and enlisted men of the Regular Army, and any other members of the Army, who are now, or who may hereafter be, in or subject to active military service, or training and service: *Provided*, That extension of the periods of active military service, or training and service, in the case of any person subject to the provisions of this section, shall not, without his consent, exceed 18 months in the aggregate; except that whenever the Congress declares that it is in the interests of national defense to further extend such periods of active military service and training and service, such periods may be further extended by the President, in the case of any such persons, for such time as may be necessary in the interests of national defense: *Provided further*, That the authority hereby conferred is subject to the condition that the delegation of such authority may be revoked at any time by concurrent resolution of the Congress.

"SEC. 3. Any person whose period of active military service or training and service is extended under section 2 and who was (a) ordered to active Federal service under Public Resolution No. 96, Seventy-sixth Congress, or (b) inducted under the Selective Training and Service Act of 1940, as amended, prior to the enactment of this act, shall, notwithstanding the limitation in section 602 (a) of the National Service Life Insurance Act of 1940 upon the time within which application for National Service Life Insurance may be made, be granted insurance under such section without further medical examination if application therefor is filed within 120 days after the date of enactment of this act.

"SEC. 4. The Secretary of War shall, when not in conflict with the interests of national defense, release from active military service those persons who apply therefor through the regular military channels and state their reasons for such release, and whose retention in active military service would, in the judgment of the Secretary of War, subject them or their wives or other dependents to undue hardship if retained on active military service. Any person so released who, in the judgment of those in authority over him, has served satisfactorily shall be entitled to a certificate to that effect, which shall be in the same form and have the same force and effect as a certificate issued under the provisions of section 8 of the Selective Training and Service Act of 1940, as amended. Any person so released shall be transferred to, or remain in, as the case may be, a reserve component of the land forces for the same period and with the same rights, duties, and liabilities as any person transferred to a reserve component of the land forces under the provisions of section 3 (c) of such act.

"SEC. 5. Section 3 (c) of the Selective Training and Service Act of 1940, as amended, is amended by adding at the end thereof the following: 'The active military service or training and service of any person pursuant to section 2 of the Service Extension Act of 1941 shall be credited against the service in a reserve component required by this section or section 3 of the Service Extension Act of 1941.'

"SEC. 6. The President is hereby authorized to order retired personnel of the Regular Army to active duty and to employ them as he shall deem necessary in the interests of national defense.

"SEC. 7. Any person who, subsequent to May 1, 1940, and prior to the termination of the authority conferred by section 2 of this joint resolution, shall have entered upon active military or naval service in the land or naval forces of the United States shall be entitled to all the reemployment benefits of section 8 of the Selective Training and Service Act of 1940 to the same extent as in the case of persons inducted under said act: *Provided*, That the provisions of section 8 (b) (A) of said act shall be applicable to any such person without regard to whether the position which he held shall have been covered into the classified civil service during the period of his military or naval service.

"SEC. 8. (a) Any person inducted into the land or naval forces of the United States for active training and service, under section 3 (b) of the Selective Training and Service Act of 1940 shall, in addition to the amounts otherwise payable to such person with respect to such training and service, be entitled to receive the sum of $10 for each month of such training and service in excess of 12. The provisions of this section shall also apply (1) to any enlisted personnel of the National Guard of the United States or of any other reserve component of the Army of the United States ordered into the active military service under the authority of Public Resolution Numbered 96, approved August 27, 1940, or section 37a of the National Defense Act of 1916, as amended, for any such service so rendered by any such personnel in excess of 12 months, and (2) to any enlisted personnel of the Regular Army for each month of military service rendered by him after the date of enactment of this joint resolution, and after his total military service (rendered before or after such date) exceeds 12 months.

"(b) The provisions of this section shall be applicable only during the period of the unlimited emergency declared by the President on May 27, 1941.

"SEC. 9. During the existence of the authority conferred by section 2 of this joint resolution and for 6 months thereafter the limitation on the number of men who may be in active training and service at any one time under section 3 (b) of the Selective Training and Service Act of 1940 is hereby suspended: *Provided*, That the Secretary of War shall report to the Congress each month the number of men in active training and service in the land forces under section 3 (b) of said act.

"SEC. 10. During the existence of the authority conferred by section 2 of this joint resolution, enlistments in the Army of the United States, without regard to component, are hereby authorized in the manner provided by the concluding paragraph of section 127a of the National Defense Act, as amended.

"SEC. 11. Section 1 of Public Resolution Numbered 96, Seventy-sixth Congress, approved August 27, 1940, is hereby amended (1) by inserting after 'June 30, 1942,' the following: 'or 6 months after the termination of the authority conferred by section 2 of the Service Extension Act of 1941, whichever is the later' and (2) by adding at the end thereof the following: 'Notwithstanding the foregoing provisions of this section the President is authorized to order the same member or the same unit into the active military service of the United States for more than one period, except that in the case of any such member any active military service under authority of this resolution in excess of 12 months shall be deemed an extension of active military service within the meaning of section 2 of the Service Extension Act of 1941.'

"SEC. 12. This joint resolution may be cited as the 'Service Extension Act of 1941'."

The SPEAKER. The question is on the amendment.

Mr. SHORT. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. Those who favor taking this vote by the yeas and nays will rise and stand until counted.

Mr. SHORT. Mr. Speaker, I withdraw my request.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the third reading of the Senate joint resolution.

The resolution was ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the resolution.

Mr. POWERS. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER. Those who favor taking this vote by the yeas and nays will rise and stand until counted.

Mr. POWERS. Mr. Speaker, I withdraw my request.

The SPEAKER. The question is on the passage of the resolution.

The resolution was passed.

The SPEAKER. Without objection, a motion to reconsider is laid upon the table.

There was no objection.

By unanimous consent House Joint Resolution 222 was laid on the table.

Mr. MAY. Mr. Speaker, I move that the House insist upon its amendment to Senate Joint Resolution 95 and request a conference of the Senate on the disagreeing votes of the two Houses.

The SPEAKER. The Clerk will report the motion.

The Clerk read as follows:

Mr. MAY moves that the House insist upon its amendment to Senate Joint Resolution 95 and request a conference of the Senate on the disagreeing votes of the two Houses.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield.

Mr. MARTIN of Massachusetts. When does the gentleman expect this conference report to be brought back?

Mr. MAY. I hope we can get it back here day after tomorrow.

Mr. MARTIN of Massachusetts. It cannot be brought in tomorrow because the Senate is not in session. Can we have an understanding that it will not be brought up before Thursday?

Mr. McCORMACK. Mr. Speaker, if the gentleman will yield, the question of when the conference report can be brought back depends upon what the other body does. If the other body accepts the amendment of the House it would not, of course, go to conference.

Mr. MARTIN of Massachusetts. I agree with the majority leader, of course, that if the Senate should agree to the House amendment, the resolution would not come back for further action on the part of the House; but in the event the resolution does go to conference the conference report really could not be brought back before Thursday.

Mr. MAY. I do not see how it could.

Mr. MARTIN of Massachusetts. In that event there will probably be another vote on this same resolution on Thursday.

Mr. MAY. If a conference report comes in that is a reasonable inference to draw.

The SPEAKER. The question is on the motion of the gentleman from Kentucky.

The motion was agreed to.

The SPEAKER. The Chair appoints the following conferees: Messrs. MAY, THOMASON, HARTER, ANDREWS; and SHORT.

EXTENSION OF REMARKS

Mr. McGRANERY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a printed statement appearing in the Philadelphia Inquirer as of this date.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AMENDMENT OF VAGRANCY LAW OF THE DISTRICT OF COLUMBIA

Mr. SCHULTE. Mr. Speaker, I call up the bill (H. R. 5447) to amend section 907 of the act entitled "An Act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to second conviction of criminal offenses, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. MARCANTONIO. Reserving the right to object, Mr. Speaker, may we have this bill explained?

Mr. SCHULTE. Mr. Speaker, the purpose of this legislation is to strengthen and define the vagrancy law in the District of Columbia. At the present time, in order to obtain a conviction, it is necessary to prove that the person so arrested has no visible or lawful means of support. Hence a person possessing funds regardless of the source cannot be convicted. This measure is directed primarily to persons who are a potential menace to the community and it is so drawn as not to be a burden upon the person who is the victim of temporary misfortune.

Mr. BOREN. Mr. Speaker, if this bill provides for more worthless police here, I am against it, and I object.

Mr. SCHULTE. It has nothing to do with that.

Mr. BOREN. If the bill does not provide for any more worthless police here, I withdraw my objection, Mr. Speaker.

Mr. EBERHARTER. Reserving the right to object, Mr. Speaker, I should like to know something about the terms of this bill.

Mr. SCHULTE. Mr. Speaker, I tried to explain the bill, that it just tightens up the vagrancy law, something that every Member of this House has been calling for for the last 8 years.

Mr. HOFFMAN. I cannot hear, Mr. Speaker, and I object.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to insert in the RECORD as a part of my remarks the minority report submitted by the minority members of the Committee on Military Affairs.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement made by the America First Committee.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in Committee of the Whole and include therein certain excerpts from the Democratic and Republican platforms, and certain statements by the President and by other parties.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. D'ALESANDRO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Baltimore Sun.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. CASEY of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two editorials.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein statements on decentralization of Government agencies.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein certain articles.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'NEAL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a bit of verse by a former Congressman.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky.

There was no objection.

(Mr. AUGUST H. ANDRESEN asked and was given permission to extend his own remarks in the RECORD.)

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent that in extending the remarks I made today I may include certain excerpts from existing law and a letter from the War Department.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein a series of editorials on the St. Lawrence seaway.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include two telegrams, one from the Veterans of Foreign Wars of Massachusetts, and and from the American Legion, regarding the bill just passed

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts [Mrs. ROGERS]?

There was no objection.

APPOINTMENT TO COMMITTEES

Mr. DOUGHTON. Mr. Speaker, I offer a privileged resolution (H. Res. 295), and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That ARTHUR G. KLEIN, of the State of New York be and he is hereby elected a member of the following standing committees of the House of Representatives, to-wit: Patents, Claims, Revision of the Laws, and Elections No. 1.

The resolution was agreed to.

EXTENSION OF REMARKS

Mr. MOSER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD on the resolution just passed.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. MOSER]?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address by the dean of the law school of the Notre Dame University.

The SPEAKER. Is there objection to the request of the gentleman from Indiana [Mr. LUDLOW]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. WICKERSHAM. Mr Speaker, I ask unanimous consent to address the House for 5 minutes at the close of the regular order of business tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. WICKERSHAM]?

There was no objection.

EXTENSION OF REMARKS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in two instances; in one to include a letter and in the other to include a speech.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

Mr. JONES. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include certain quotations of the President and Members of Congress.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. JONES]?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two subjects and to include in each an article.

The SPEAKER. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

Mr. DAY. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. SWEENEY] may have leave to extend his remarks in the RECORD and to include copy of a speech of Colonel Lindbergh.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. DAY]?

There was no objection.

MEETINGS ON MONDAYS AND THURSDAYS

Mr. McCORMACK. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read as follows (H. Res. 296):

Resolved, That after August 18, 1941, the House shall meet only on Mondays and Thursdays of each week until September 15, 1941: *Provided*, That if in the discretion of the Speaker legislative expediency shall warrant it, he may designate a date prior to September 15, 1941, on which the business of the House shall be resumed, in which case he shall cause the Clerk of the House to issue notice to Members of the House not later than 1 week prior to the date set by him

Mr. MARTIN of Massachusetts. Mr. Speaker, I understand this is the usual resolution which is adopted when we have 3-day recesses?

Mr. McCORMACK. Yes.

Mr. MARTIN of Massachusetts. And ample provision has been made so that if any emergency should arise Members who want to come back will be given the opportunity by the leadership? In other words, the leadership will see that that is done?

Mr. McCORMACK. Exactly.

Mr. HOFFMAN. I thought the emergency was here. Did we not declare that today?

Mr. HAINES. Mr. Speaker, may I ask the floor leader if there will be any business transacted at all on these Monday and Thursday meetings?

Mr. McCORMACK. No.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. MARTIN]?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I have asked for this minute so that we may get more clearly in the minds of the membership what we might expect on these days when the House will meet. As I understand it, extensions of remarks will be permitted, but there will be no speaking and no business transacted?

Mr. McCORMACK. That is my understanding.

The SPEAKER. The Chair feels certain of that, he will say to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. I concur in the expression of the Chair.

Mr. McCORMACK. The opinion expressed by the Chair is one that I personally concur in as majority leader.

The SPEAKER. The Chair would think that under an agreement like this debate would be business and the resolution does not contemplate that kind of business.

Mr. DITTER. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield to the gentleman from Pennsylvania.

Mr. DITTER. Will the majority leader yield to me?

Mr. McCORMACK. Gladly.

Mr. DITTER. In view of the fact that a delegation of the House is about to attend services for our distinguished friend wh ohas just left our midst, are we to understand that under no circumstances will the conference report be brought back tomorrow on the amendment of the Selective Service Act?

Mr. McCORMACK. I do not know whether the other body is sitting tomorrow but without regard to what the circumstances may be, as I have stated to my distinguished friend, the minority leader, the report will not come up before Thursday.

[Here the gavel fell.]

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, tomorrow, I understand, there are two conference reports coming up for consideration. The gentleman from South Carolina [Mr. FULMER] has stated that he intends to call up a conference report from his committee, and I assume the Military Affairs Committee will call up the conference report on the property-requisition bill. I believe there was one other conference report reported today. I assume the chairmen of the committees will call up these conference reports tomorrow. These are the matters that will be taken up aside from some other matters which are of a noncontroversial nature and about which I do not know now. But, of course, such matters will be taken up with the minority leader or members of the minority party if any such matters come up. Aside from the conference reports I know of nothing else this week. Of course, there is a conference report on the supplemental appropriation bill, but I understand there is not much controversy about that.

Mr. TABER. Mr. Speaker, if the gentleman will yield, the Senate committee has cut $1,300,000,000 from that measure. I do not know what will happen to it.

Mr. McCORMACK. Does the gentleman expect it will be in this week?

Mr. TABER. I expect it will be taken up on Thursday in the Senate, and it should be over here by Friday noon if things go normally.

Mr. McCORMACK. That is all the business I know of other than the conference report on the present bill and, personally, I hope there will be no necessity for a conference.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

To Mr. RABAUT, indefinitely, on account of official business.

To Mr. HARRINGTON, indefinitely, on account of official business.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly, at 8 o'clock and 39 minutes p. m., the House adjourned until tomorrow, Wednesday, August 13, 1941, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

854. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 3, 1941, submitting a report, together with accompanying papers and an illustration, on reexamination of Delaware River in the vicinity of Camden, N. J., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 16, 1940 (H. Doc. No. 353); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

855. A letter from the Chairman, Reconstruction Finance Corporation, transmitting report covering operations of the Reconstruction Finance Corporation for the first quarter of 1941, and for the period from the organization of the Corporation on February 2, 1932, to March 31, 1941, inclusive (H. Doc. No. 352); to the Committee on Banking and Currency and ordered to be printed.

856. A letter from the Administrator, Veterans' Administration, transmitting a draft of a proposed bill to relieve certain employees of the Veterans' Administration from financial liability for certain overpayments and allow such credit therefor as is necessary in the accounts of certain disbursing officers, and for other purposes; to the Committee on Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAY: Committee of conference on the disagreeing votes of the two Houses. S. 162. An act to strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes (Rept. No. 1152). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee of conference on the disagreeing votes of the two Houses. S. 1579. An act to authorize the President of the United States to requisition property required for the defense of the United States (Rept. No. 1153). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANKIN of Mississippi: Committee on World War Veterans' Legislation. H. R. 143. A bill to confer to certain persons who served in a civilian capacity under the jurisdiction of the Quartermaster General during the War with Spain, the Philippine Insurrection, or the China Relief Expedition the benefits of hospitalization and the privileges of the soldiers' homes; without amendment (Rept. No. 1154). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANKIN of Mississippi: Committee on World War Veterans' Legislation. H. R. 4787. A bill to provide that the unexplained absence of any ex-service man for 7 years shall be deemed sufficient evidence of death for the purpose of laws administered by the Veterans' Administration; without amendment (Rept. No. 1155). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANKIN of Mississippi: Committee on World War Veterans' Legislation. H. R. 4853. A bill to amend section 4, Public Law No. 198, Seventy-sixth Congress, July 19, 1939, to authorize hospitalization of retired officers and enlisted men who are war veterans, in Veterans' Administration facilities under contract on parity with other war veterans; with amendment (Rept. No. 1156). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANKIN of Mississippi: Committee on World War Veterans' Legislation. H. R. 4905. A bill to facilitate standardization and uniformity of procedure relating to determination of service connection of injuries or diseases alleged to have been incurred in or aggravated by active service in a war, campaign, or expedition; without amendment (Rept. No. 1157). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 5289. A bill to dispense with the requirement of clearance and entry for certain United States vessels on the Great Lakes which touch at Canadian ports for bunker fuel only; with amendment (Rept. No. 1158). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANKIN of Mississippi: Committee on World War Veterans' Legislation. H. R. 5305. A bill authorizing the Administrator of Veterans' Affairs to grant easements in certain lands to the town of Bedford, Mass., for road-widening purposes; without amendment (Rept. No. 1159). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 5425. A bill to permit the steamship *Port Saunders*, official No. 220150, and steamship *Hawk*, official No. 220149, to engage in the fisheries; with amendment (Rept. No. 1160). Referred to the Committee of the Whole House on the state of the Union.

Mr. STEAGALL: Committee on Banking and Currency. H. R. 5143. A bill to amend the Home Owners' Loan Act of 1933, as amended; without amendment (Rept. No. 1169). Referred to the Committee of the Whole House on the state of the Union.

Mr. DICKSTEIN: Committee on Immigration and Naturalization. H. R. 5511. A bill to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad; without amendment (Rept. No. 1170). Referred to the House Calendar.

Mr. SWEENEY: Committee on the Post Office and Post Roads. H. R 3549. A bill for the relief of postal employees; without amendment (Rept. No. 1171). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CHENOWETH: Committee on Claims. H. R. 2208. A bill for the relief of Lloyd Bryant; without amendment (Rept. No. 1161). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. H. R. 2724. A bill for the relief of the estate of Mary E. Philpot, Sandra G. Philpot, and Mrs. R. L. Keckler; with amendment (Rept. No. 1162). Referred to the Committee of the Whole House.

Mr. WEISS: Committee on Claims. H. R. 3141. A bill for the relief of Fred Farner; with amendment (Rept. No. 1163). Referred to the Committee of the Whole House.

Mr. RUSSELL: Committee on Claims. H. R. 4245. A bill for the relief of the Lawson Coffee Co., Inc.; with amendment (Rept. No. 1164). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 4557. A bill for the relief of the estate of Mrs Edna B. Crook; with amendment (Rept. No. 1165). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 4587. A bill for the relief of Ray C. McMillen; with amendment (Rept. No. 1166). Referred to the Committee of the Whole House.

Mr. CHENOWETH: Committee on Claims. H. R. 4964. A bill for the relief of Elsie Hugaboom; without amendment (Rept. No. 1167). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 5498. A bill for the relief of Lillian Korkemas and Rose Grazioli; without amendment (Rept. No. 1168). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CASE of South Dakota:

H. R. 5552. A bill to increase participation of share-rented farms by amending subsection (e) of section 8 of the Soil Conservation and Domestic Allotment Act, as amended; to the Committee on Agriculture.

By Mr. COCHRAN:

H. R. 5553. A bill providing an appropriation for additional members of the Metropolitan Police force of the District of Columbia, and for other purposes; to the Committee on Appropriations.

By Mr. MASON:

H. R. 5554. A bill to amend the Nationality Act of 1940, to preserve the nationality of a naturalized wife, husband, or child under 21 years of age residing abroad with husband or wife a native-born national of the United States; to the Committee on Immigration and Naturalization.

By Mr. VOORHIS of California:

H. R. 5555. A bill to authorize the release of certain property by the Federal Works Agency; to the Committee on Expenditures in the Executive Departments.

By Mr. YOUNGDAHL:

H. R. 5556. A bill granting the consent of Congress to the State of Minnesota and the city of Minneapolis to construct, maintain, and operate a free highway bridge across the Mississippi River at or near Minneapolis, Minn.; to the Committee on Interstate and Foreign Commerce.

By Mr. JOHNSON of Indiana:

H. R. 5557. A bill authorizing the State of Indiana to construct, maintain, and operate a free highway bridge across the Wabash River at or near Montezuma, Ind.; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDOLPH:

H. R. 5558. A bill increasing motor-vehicle-fuel taxes in the District of Columbia for the period January 1, 1942, to June 30, 1949; to the Committee on the District of Columbia.

By Mr. KOCIALKOWSKI:

H. J. Res. 230. Joint resolution transferring the administration of the homestead projects established in the Virgin Islands from the government of the Virgin Islands to the Department of Agriculture; to the Committee on Insular Affairs.

By Mr. PATMAN:

H. Res. 294. Resolution authorizing an investigation of the national-defense program in its relation to small business; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DIMOND:

H. R. 5559. A bill for the relief of William Horsman; to the Committee on Claims.

By Mr. GRANT of Indiana:

H. R. 5560. A bill for the relief of George H. Hines, Jr.; to the Committee on World War Veterans' Legislation.

H. R. 5561. A bill for the relief of George H. Hines, Jr.; to the Committee on Military Affairs.

By Mr. LEA:

H. R. 5562. A bill for the relief of Eugene Nero; to the Committee on Military Affairs.

By Mr. MANSFIELD:

H. R. 5563. A bill for the relief of Joe A. Mumford and the estate of W. C. Mumford; to the Committee on Claims.

By Mr. MARCANTONIO:

H. R. 5564. A bill for the relief of Harold Smith; to the Committee on Military Affairs.

By Mr. NORRELL:

H. R. 5565. A bill for the relief of Mrs. J. R. Bennett; to the Committee on Claims.

By Mr. O'BRIEN of Michigan:

H. R. 5566. A bill for the relief of Ernest A. McNabb; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1755. By Mr. CANFIELD: Petition of the Prospect Park Memorial Post, No. 240, American Legion, of Prospect Park, N. J., urging the enactment of legislation giving free mailing privileges to persons in military service; to the Committee on the Post Office and Post Roads.

1756. By Mr. CLASON: Petition of Carrie M. Spafford and other citizens of South Hadley, Mass., urging the enactment of Senate bill 860, to prohibit the sale of alcoholic liquors on military or naval reservations or within a reasonable distance therefrom, and to prohibit prostitution within a reasonable distance of such reservations; to the Committee on Military Affairs.

1757. By Mr. HOPE: Petition of H. E. Witherell and 74 others, protesting against the 49-cent wheat penalty; to the Committee on Agriculture.

1758. By Mr. LUTHER A. JOHNSON: Petition of J. T. Kay, secretary of Midlothian Agricultural Association, Midlothian, Tex., favoring Senate bill 1735; to the Committee on Agriculture.

1759. By Mr. MARTIN of Iowa: Petition of Arthur Montz and 32 other citizens of Burlington and the First Congressional District of Iowa, urging the passage of House bill 4845, to increase the rate of pension to World War veterans from $30 to $40 per month, etc., and House bill 2290, to provide pensions for disabled veterans of the World War under similar conditions, and in the same amounts, as now provided for as to disabled veterans of the Spanish-American War; to the Committee on World War Veterans' Legislation.

1760. By Mr. PLUMLEY: Petitions of sundry citizens of Vermont, opposing enactment of House bill 3852, to the Committee on the District of Columbia.

1761. Also, petition of sundry citizens of Vermont, urging passage of House bill 4000; to the Committee on Military Affairs.

1762. By Mr. REES of Kansas: Petition of Dickinson County, Kans., farmers, protesting against the Agricultural Adjustment Administration Crop Quota Control Act; to the Committee on Agriculture.

1763. Also, petition of the Agricultural Producers Association of Geary County, Kans., asking repeal of the Agricultural Adjustment Act and amendments; to the Committee on Agriculture.

1764. Also, petition of Mrs. J. L. Dunham and other residents of Broughton, Kans., supporting House bill 2475; to the Committee on Military Affairs.

1765. By Mr. VORYS of Ohio: Petition of Lena Robuck, urging that the bill to extend the period of service of the selectees and National Guard be defeated; to the Committee on Military Affairs.

HOUSE OF REPRESENTATIVES

WEDNESDAY, AUGUST 13, 1941

The House met at 12 o'clock noon.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Almighty God, whose greatness is unsearchable and whose amazing love crowneth all our days, we are again approaching Thy throne, compelled not only by our necessities, but encouraged by every gracious invitation in Thy Holy Word.

Let Thy hand of blessing rest this day upon all whom Thou hast called to positions of leadership and service in the life of our Republic. We pray that Thou wilt kindle within our hearts the light of divine truth that we may see our duties more clearly, understand them more wisely, and perform them more faithfully.

Help us to cleave with increasing tenacity of purpose and with fond affection to that glorious promise when Thy will shall be known on the earth and Thy saving health to all nations.

Hear us in the name of Him who is the King of kings and the Lord of lords. Amen.

The Journal of the proceedings of yesterday was read and approved.

CORONADO INTERNATIONAL MEMORIAL

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent for the present consideration of Senate Concurrent Resolution 15, which I send to the desk and ask to have read.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the bill (S. 752) to provide for the establishment of the Coronado International Memorial, in the State of Arizona, to make the following change, viz: On page 2, line 7, of the Senate engrossed bill, after the figure "20" and the comma, strike out the words "west half" and insert in lieu thereof the following: "lots 3 and 4."

The SPEAKER. Is there objection?

Mr. MICHENER. Mr. Speaker, I reserve the right to object. As I understand it, this resolution is to correct a description of land, which was found to be in error in a bill which the House and the Senate have already passed.

Mr. MURDOCK. The gentleman is correct. This is merely a corrective measure.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the Senate concurrent resolution.

The resolution was agreed to.

AMENDMENT TO DISTRICT OF COLUMBIA CODE OF LAW

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 5447) to amend section 907 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to second conviction of criminal offenses, which I send to the desk.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MICHENER. Mr. Speaker, I reserve the right to object. Is this one of the bills to which reference was made yesterday, which bill was to come up yesterday but went over because of the business of yesterday?

Mr. SCHULTE. That is correct. These bills which I shall call up are designed solely to strengthen the laws within the District of Columbia to get rid of the criminal population.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act to establish a code of law for the District of Columbia, approved March 3, 1901, be, and the same is hereby, amended by striking out section 907 and inserting in lieu thereof the following:

"SEC. 907. Second conviction of misdemeanor: Every person, upon his second conviction of a misdemeanor, may be sentenced to pay a fine not exceeding 50 percent greater, and to suffer imprisonment for a period not more than one-half longer, than the maximum fine and imprisonment for the first offense."

And by inserting immediately after section 907 the following:

"SEC. 907–A. Punishment for second offense of felony: A person who, after having been convicted in the District of Columbia of a felony or, under the laws of any State, Territory, government, or country, of a crime which, if committed in the District of Columbia, would be a felony, commits any felony in the District of Columbia, shall be punished upon conviction of such second felony as follows:

"If the second felony is such that the maximum penalty prescribed by the statute condemning it is imprisonment either for a term of years, or for a term of years and a fine, or for life, then such person must be sentenced to the maximum term of years prescribed or for life, as the case may be, except when such second felony is rape, in which case the punishment shall be imprisonment for the maximum term, or death, as provided by law.

"SEC. 907–B. Punishment for third offense of felony: If any person, having been so convicted the second time as above provided, shall again be convicted of any felony, committed after said second conviction, he shall be punished as follows:

"If the third felony is such that the maximum penalty prescribed by the statute condemning it is imprisonment either for a term of years, or for a term of years and a fine, or for life, then such person must be sentenced to the maximum term of years prescribed, plus one-half of such maximum term of years, or for life, as the case may be, except when such third felony is rape, in which case the punishment shall be im-

prisonment for the maximum term, plus one-half thereof, or death, as provided by law.

"SEC. 907-C. Punishment for fourth and subsequent offense of felony: If any person, having been so convicted for the third time as above provided, shall again be convicted of any felony, committed after said third conviction, he shall be punished as follows:

"If the fourth felony is such that the maximum penalty prescribed by the statute condemning it is imprisonment either for a term of years, or for a term of years and a fine, or for life, then such person must be sentenced to twice the maximum term of years prescribed, or for life, as the case may be, except when such fourth felony is rape, in which case the punishment shall be imprisonment for twice the maximum term, or death, as provided by law.

"If any person, having been so convicted the fourth time, as above provided, shall again be convicted of any felony or felonies, committed after said fourth conviction, the punishment shall in each such case be the same as that provided for fourth offense of felony.

"SEC. 907-D. Former conviction or convictions and judgment or judgments shall be set forth in apt words in the indictment: On any trial or any of said felonies a duly authenticated copy of the record of the former conviction and judgment of any court of record, for any felony against the party indicted, shall be prima facie evidence of such former conviction, and may be used in evidence against such party.

"SEC. 907-E. A person, to be punishable under sections 907-A to 907-C, inclusive, hereof, need not have been indicted and convicted as a previous offender in order to receive the increased punishment therein provided, but may be proceeded against as provided in the following section.

"SEC. 907-F. If at any time, either after conviction or sentence, it shall appear that a person convicted of a felony has previously been convicted of a felony or felonies, as set forth in sections 907-A to 907-C hereof, it shall be the duty of the United States attorney for the District of Columbia to file an information accusing the said person of such previous conviction or convictions. Whereupon the court in which said conviction was had shall cause the said person, whether he be confined in jail or in the penitentiary, or otherwise, or on probation, to be brought before it and shall inform him of the allegations contained in such information and of his right to be tried as to the truth thereof according to law, and shall require such offender to say whether he is the same person as charged in such information or not. If he says he is not the same person, or refuses to answer, or remains silent, his plea, or the fact of his silence, shall be entered of record and a jury shall be empaneled to inquire whether the offender is the same person mentioned in the several records as set forth in such information. If the jury finds that he is the same person, or if he acknowledges or confesses in open court, after being duly cautioned as to his rights, that he is the same person, the court shall sentence him to the punishment prescribed in sections 907-A to 907-C, as the case may be, and shall vacate the previous sentence, deducting from the new sentence all time actually served on the sentence so vacated. Whenever it shall become known to any warden of prison, keeper of jail, probation, parole, or police officer, or other peace officer, or any other person, that any person charged with or convicted of a felony has been previously convicted within the meaning of said sections 907-A to 907-C, it shall become his duty forthwith to report the facts to the United States attorney for the District of Columbia.

"SEC. 907-G. The act approved July 15, 1932, establishing a Board of Indeterminate Sentence and Parole for the District of Columbia, as amended, shall not be applicable to any person convicted of a second or subsequent felony, as hereinbefore set out."

With the following committee amendment:

Page 2, line 8, after the word "felony", insert "involving force or violence."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

VAGRANCY IN THE DISTRICT OF COLUMBIA

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 5448) to define and punish vagrancy in the District of Columbia, and for other purposes, which I send to the desk.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the following classes of persons shall be deemed vagrants in the District of Columbia:

(1) Any person known to be a pickpocket, thief, burglar, confidence operator, or felon, either by his own confession or by his having been convicted in the District of Columbia or elsewhere of any one of such offenses or of any felony, and having no lawful employment and having no lawful means of support realized from a lawful occupation or source, and not giving a good account of himself when found loitering around in any park, highway, public building, or other public place, store, shop, or reservation, or at any public gathering or assembly.

(2) Any person upon whom shall be found any instrument, tool, or other implement for picking locks or pockets or that is usually employed or reasonably may be employed in the commission of any crime who shall fail satisfactorily to account for the possession of the same.

(3) Any person leading an immoral or profligate life who has no lawful employment and who has no lawful means of support realized from a lawful occupation or source.

(4) Any person who keeps, operates, frequents, lives in, or is employed in any house or other establishment of ill fame, or who (whether married or single) engages in or commits acts of fornication or perversion for hire.

(5) Any person who frequents or loafs, loiters, or idles in or around or is the occupant of or is employed in any gambling establishment or establishment where intoxicating liquor is sold without a license.

(6) Any able-bodied person who lives in idleness upon the wages, earnings, or property of any person having no legal obligation to support him.

(7) Any person wandering abroad and lodging in any grocery or provision establishment, vacant house, or other vacant building, outhouse, market place, shed, barn, garage, gasoline station, parking lot, or in the open air, and not giving a good account of himself.

(8) Any person wandering abroad and begging, or who goes about from door to door or places himself in or on any highway, passage, or other public place to beg or receive alms.

(9) Any person leading an idle life who is without lawful means of support realized from a lawful occupation or source and not giving a good account of himself.

(10) Any person who wanders about the streets at late or unusual hours of the night without any visible or lawful business and not giving a good account of himself.

(11) And all persons who by the common law are vagrants, whether embraced in any of the foregoing classifications or not.

SEC. 2. In all prosecutions under paragraphs 1, 3, and 9 of section 1 of this act the burden of proof shall be upon the defendant to show that he has lawful employment or has lawful means of support realized from a lawful occupation or source.

SEC. 3. Any person convicted of vagrancy under the provisions of this act shall be punished by a fine of not more than $300 or imprisonment for not more than 90 days, or by both such fine and imprisonment, in the discretion of the court. The court may impose conditions upon any person found guilty under the aforesaid provisions and so long as such person shall comply therewith to the satisfaction of the court the imposition or execution of sentence may be suspended for such period as the court may direct; and the court may at or before the expiration of such period remand such sentence or cause it to be executed. Conditions thus imposed by the court may include submission to medical and mental examination, diagnosis, and treatment by proper public health and welfare authorities, and such other terms and conditions as the court may deem best for the protection of the community and the punishment, control, and rehabilitation of the defendant. The health officer of the District of Columbia, the Women's Bureau of the Police Department, the Board of Public Welfare, and the probation officers of the court are authorized and directed to perform such duties as may be directed by the court in effectuating compliance with the conditions so imposed upon any defendant.

SEC. 4. All prosecutions under this act shall be in the police court of the District of Columbia, in the name of the District of Columbia, by the corporation counsel or any of his assistants.

SEC. 5. That section 8 of an act entitled "An act for the preservation of the public peace and protection of property within the District of Columbia", approved July 29, 1892, as amended by an act of Congress approved July 8, 1898, and so much of the District of Columbia Appropriation Act for the fiscal year ending June 30, 1910, approved March 3, 1909, as defines and punishes vagrancy, and section 2 of an act entitled "An act for the suppression of prostitution in the District of Columbia", approved August 15, 1935, are hereby repealed. This act shall not be construed as repealing or amending any other acts of Congress, but shall be taken as supplementary thereto.

Mr. SCHULTE. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Page 5, line 9, add a new section as follows:

"Nothing in this act shall be construed so as to interfere with or impede or diminish in any way the right to strike or the right to picket."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

CONTROL OF THE GOVERNMENT

Mr. COX. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. COX. Mr. Speaker, in the close vote on the draft bill taken yesterday, is to be found that deep truth which most refuse to write, that is a lack of confidence in too many of those who have been appointed to conduct public affairs. The people of this country are beginning to resent what they believe to be the fact, that their Government has in large part been taken away from them, and delivered into the keeping of an alien and alien-minded group, wholly unfit for the work they have been assigned to do, and for the office to which they have been appointed. You will find an expression of that in the Banking and Currency Committee right now. That committee is considering a bill sent down from somewhere, proposing price control. The man who has been put in charge of the administration of price control, operating at the present time under the alias, Leon Henderson, may be the most outstanding economist in this country, but the people as we find expressed in the Banking and Currency Committee are unwilling to put into his hands any such unlimited power. They simply do not trust him. The President ought to take notice of what is happening and do something about it.

The SPEAKER. The time of the gentleman from Georgia has expired.

EXTENSION OF REMARKS

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter I have received from the Van Doren family.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent to extend my remarks and include a citizen's petition for an American peace offensive.

The SPEAKER. Is there objection?

There was no objection.

Mr. FULMER. Mr. Speaker, I ask unanimous consent to extend my remarks and insert therein an editorial.

The SPEAKER. Is there objection?

There was no objection.

SUGAR COST OF PRODUCTION

Mr. DOMENGEAUX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. DOMENGEAUX addressed the House. His remarks appear in the Appendix of the RECORD.]

THE DEPARTMENT OF AGRICULTURE

Mr. TABER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. TABER. Mr. Speaker, the ways of the Department of Agriculture are dark and devious. They persuaded Congress to put a 49-cent penalty on wheat that had already been planted. Now they are sending surveyors around. One man in my territory had a quota of 15 acres. He had it planted in a lot that he always figured was 15 acres. They sent surveyors around and they found it was 15⅛ acres, and that he will have to pay a penalty of $3. It cost them $50 to make the survey. Is that not fine business?

[Here the gavel fell.]

IS THE NATION BEING TAKEN DOWN THE ROAD TO SOCIALISM?

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, on yesterday I put in the RECORD an editorial, Is the Nation Being Taken Down the Road to Socialism? I hope every Member of this House will read it. We now have the latest Communist Party line move of the C. I. O. leaders taking the Federal Shipbuilding & Drydock Co., at Kearney, N. J., into camp with Government operation, which is national socialism. I commend the Government for the action that they took at the North American Aviation plant in getting in and getting out and turning that industry back to the people who own it. Now, the point at issue is whether a man has a right to work or not to work under the Constitution of the United States. I think the Federal Government cannot, with its consent, sustain that communistic C. I. O. leadership in the taking away of that plant from its rightful owners and turning it over to that communistic group, for if they do they will be destroying the Constitution of the United States and the rights of 130,000,000 people under it.

[Here the gavel fell.]

CONTROL OF THE GOVERNMENT

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that upon the conclusion of the legislative business of the day and any other special orders I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, if the statement by the gentleman from Georgia [Mr. Cox] be true, that the close vote yesterday was due to the fact that so many lacked confidence in the administration, then why did the majority party and the gentleman from Georgia vote to put the drafted men under that kind of an administration for 18 months more? That is what I would like to know.

Now that the effect of my mentioning to Members the fact that an election will be held in 1942 has worn off and the State chairmen of the Democratic Party have gone home, why not have the conference committee bring in another report and let us vote on it again? The "influence" is all gone now. Now let us vote once more when all of those fellows who are putting on the heat are not here.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include an editorial from Enid Events, entitled "How To Get Unity."

The SPEAKER. Is there objection?

There was no objection.

Mr. TRAYNOR. Mr. Speaker, by unanimous consent, I ask permission to insert in the Appendix of the RECORD a speech by Admiral Blandy.

The SPEAKER. Is there objection?

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein addresses by Her Royal Highness the Grand Duchess of Luxembourg, the Honorable Adolf A. Berle, Jr., Assistant Secretary of State, and Mr. George Platt Waller, Chargé d'Affaires and United States consul to Luxembourg, at a reception at the Luxembourg Legation, Friday, August 8, 1941.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ELIOT of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks and include an article by Michael Straight.

The SPEAKER. Is there objection?

There was no objection.

CONSERVING GASOLINE

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, of all the insanities foisted on a long-suffering American public by the New Deal, one of the most insane is the denial of the right to buy gasoline during 12 hours of each 24-hour day. Not only does it fail in its purpose of conserving gasoline, but it has been a boomerang in the sense that gasoline sales have actually increased along the Atlantic seaboard during the time this measure has been in effect. The injustice of this deprivation of the people's rights is brought strikingly home to us by recent news dispatches of the destruction by fire of a Canadian oil tanker on the River Rouge near Detroit, which was en route to Canada with 750,000 gallons of gasoline produced from the soil of the United States and refined in our refineries. A large and steady stream of gasoline is continuously flowing out of the United States into Canada for use there and transshipment to England and Russia. Many a poor devil was stranded on the road last night for lack of only 10 gallons of the 750,000 gallons of his gasoline which was destroyed last Saturday while on the way to Canada. Of course, he should not complain, because he is merely an American citizen, and in these days his right to have even the necessities of life produced from his native soil are subordinated to the rights of the citizens of foreign countries. In my judgment, it is high time that we should consider the rights and welfare of our own citizens as paramount to the welfare and comfort of the Canadians, the English, the Russians, and the Chinese.

[Here the gavel fell.]

(Mr. PLOESER and Mr. LAMBERTSON asked and were given permission to extend their remarks in the RECORD.)

Mr. DISNEY. Mr. Speaker, I desire to submit three unanimous-consent requests: First, to extend my own remarks in the RECORD; second, to extend my remarks and include a resolution by the American Indian Federation; and, third, to extend my own remarks by inserting in the RECORD a speech delivered by myself.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MICHAEL J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the New York Herald Tribune of yesterday's date.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WORLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks and include an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from the editor of the magazine Marine News.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article by Marcia Winn, which appeared in the Times-Herald.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SILK HOSIERY AND DEFENSE

Mr. WILSON. Mr. Speaker, I desire to submit two requests: First, to extend my remarks in the Appendix and include an editorial from the Madison Courier; second, to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WILSON. Mr. Speaker, I have received letters from certain women in this country who seem to be determined on getting us into this war, sending our sons to fight and die on foreign soil. They say they are willing to sacrifice, but it seems to me a paltry sacrifice indeed they would be making if, when asking mothers to give their sons, they would not be willing to sacrifice silk hose for the benefit of national defense. I understand some women have ordered $800 worth of silk hose; others have reserved 12 dozen pairs; while this silk is so badly needed to load cartridges to defend the very lives of our boys.

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I desire to submit two requests: First, to extend my remarks in the RECORD and include an article by Mr. Nixon, State director of geology.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include a statement in reference to social-security taxes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VAN ZANDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD on the subject, Shall We Abolish or Move the Soldiers' Home?

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Shreveport Times.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HEIDINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered by Gov. Dwight H. Green at the memorial service for Senator William E. Borah at Fairfield, Ill., on Sunday afternoon, June 29, and also a speech delivered by the gentleman from Illinois [Mr. DIRKSEN] on the same subject and on the same occasion.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENDED SERVICE OF DRAFTEES

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FISH. Mr. Speaker, the vote on the draft-extension bill yesterday, in which the administration won a pyrrhic victory by 1 vote through the use of power, patronage, and political bosses, definitely means that no selectee will be sent outside the Western Hemisphere, that there will be no American expeditionary forces, and no declaration of war by the Congress.

If the President attempts to put us in an undeclared war against the will of 85 percent of the American people and in defiance of the Congress and the Constitution, there could be no unity and there would be no appropriations by Congress to carry out such a personal Roosevelt-Stimson-Hopkins war.

The American people are weary of broken promises, hypocrisy, deceit, and inspired war propaganda. They are overwhelmingly against sending our youth into foreign wars or helping bloody-handed Joe Stalin make the world safe for communism. Congress, representing the American people, can be depended on to vote 3 to 1 against involvement in wars in Europe, Africa, and Asia, unless attacked.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SABATH. Mr. Speaker, I consider statements that have been made by my colleagues the gentleman from Georgia [Mr. COX], the gentleman from New York [Mr. FISH], and the gentleman from Michigan [Mr. HOFFMAN], manifestly unfair to our country. I regret that such statements are being radioed by Mr. Hitler and Mr. Hitler's propaganda day in and day out not only in Germany but to all the countries he has been able to deprive of their independence. These statements are used by him for the purpose of weakening our country's defense and dividing America.

Mr. HOFFMAN. Will the gentleman yield?

Mr. SABATH. No; I cannot.

Mr. HOFFMAN. You mentioned my name. Why do you not yield?

Mr. SABATH. No.

Mr. HOFFMAN. Mr. Speaker, a point of order.

Mr. SABATH. Mr. Speaker, I do not yield.

The SPEAKER. The time of the gentleman has expired.

Mr. HOFFMAN. The gentleman is out of order. He is using names.

Mr. SABATH. I am merely referring to statements the gentleman has made.

EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article from the New York Times.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. BLOOM]?

There was no objection.

THE UNITED STATES GOVERNMENT FILM PRODUCTIONS

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. DIRKSEN]?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, 2 or 3 months ago I asked the Budget Bureau to compile an account of the motion-picture activities of all the departments of government. That report came to me this morning. It is an excellent, thorough, and detailed report.

The United States Government in all of its agencies has produced about 1,435 films, which will cost approximately $3,900,000.

I want to congratulate my fellow producers upon this venture of the Government in the motion-picture industry. You may not have known that you were in the picture business, but you are.

Mr. COX. Will the gentleman yield?

Mr. DIRKSEN. I yield to the gentleman from Georgia.

Mr. SABATH. Mr. Speaker, I demand that the words of the gentleman from Georgia [Mr. COX] be taken down.

Mr. COX. Mr. Speaker, I ask unanimous consent to withdraw the statement.

Mr. HOFFMAN. I object.

Mr. SABATH. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman cannot rise to a question of personal privilege on matters spoken on the floor of the House.

Without objection, the words will be stricken from the RECORD.

There was no objection.

COMMITTEE ON APPROPRIATIONS

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. TAYLOR. Mr. Speaker, sometime ago, a memorable occasion to me, I made a speech in relation to the history of the Committee on Appropriations and paid a tribute to the 20 former chairmen of that committee. The address contained a large amount of, I think, interesting and historical information, not only concerning this House but the growth and important development of the Appropriations Committee and the life record of all the former chairmen, which required an enormous amount of research to compile.

As you may recall, the House very kindly passed a resolution making it a House document, and under the rules of the House there is one copy of this document, No. 299, in the document room for each Member of the House who cares to ask for it. I trust I may be pardoned for feeling the document contains a vast amount of data that is worthwhile preserving in your archives. I think it would also be instructive to high schools and inspiring to the young folks. I am confident, if you will take time to look it over, you may agree that it is worth preserving as a historical collection of important material affecting the House and our fiscal affairs during this very crucial period in our Nation's history.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. SABATH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. SABATH. Mr. Speaker, I have been a Member of this House for 36 years. I swear upon my word that I never cast a vote that was not believed by me to be a vote in the best interest of America, of my country, to which I owe so much. I am ready and willing, and always have been, to give all I have for my country.

The statement by the gentleman that I am connected with the Communist Party is unjustifiable, unwarranted, and untrue. I have advocated and worked for labor legislation ever since I entered this House, and I shall continue to fight for them and for the masses. But to have the charge made that I am connected with communistic interests is manifestly unfair, and I deny every word of it. I am as loyal an American as the gentleman from Georgia, though not born in this country. I value the citizenship of this country above everything else in the world, and I am ready and am always willing to give everything I possess for my country.

[Here the gavel fell.]

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BULWINKLE. Mr. Speaker, it is indeed unfortunate when Members of the world's greatest deliberative assembly forget themselves so far as to charge a colleague with un-Americanism or anything else detrimental to his character or honor. I have known now for 20 years ADOLPH SABATH. He is a good American. There is no man in the House who has done more or has attempted to do more for the benefit of America than ADOLPH SABATH has in these years. True, he is not a native-born American, but true, he is every inch an American in principle and in spirit, and nothing could or should be said against his loyalty to this Republic.

[Here the gavel fell.]

WHEAT-MARKETING QUOTAS

Mr. FULMER. Mr. Speaker, I call up the conference report on the bill (H. R. 5300) to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, and ask unanimous consent that the statement be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two House on the amendment of the Senate to the bill (H. R. 5300) to amend Public Law Numbered 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 2, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment to the Senate numbered 3 and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by such Senate amendment, insert the following:

"(13) Notwithstanding any of the foregoing provisions the penalty upon wheat during the marketing year beginning July 1, 1941, shall not apply to that portion of the farm-marketing excess for any farm, which the producer establishes in accordance with the regulations of the Secretary was or will be used as feed on the farm where grown for livestock or poultry or was or will be consumed by the farmer's family or household. The amount of any penalty paid on that portion of the farm-marketing excess of wheat which was or will be used as feed on the farm where grown for livestock or poultry or which was or will be consumed by the farmer's family or household, shall be returned or allowed the producer."

And the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4 and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by such Senate amendment insert the following:

"Sec. 2. That the Commodity Credit Corporation is authorized and directed to acquire title to all cotton or wheat of the 1940 and previous crops on which loans have been made or arranged for by such Corporation, as soon as it has the right to do so in accordance with the terms and conditions on which such loans were made: *Provided*, That upon acquiring title to any such cotton or wheat in which the producer has an equity, the Commodity Credit Corporation shall pay to the producer a sum equal to the amount by which the market price of such cotton or wheat (determined on the basis of the place where it is located and as of the date the Corporation acquires title) exceeds the amount of the loan on such cotton or wheat, including accrued interest and accrued carrying charges.

"During the continuation of the present European war, and thereafter until the Congress shall otherwise provide, no cotton or wheat of the 1940 crop, or any previous crop, title to which is now held or hereafter acquired by the Commodity Credit Corporation shall be sold or otherwise disposed of by such Corporation; except that—

"(a) Such cotton or wheat may be disposed of (1) for use for domestic relief purposes pursuant to authority contained in other provisions of law, (2) for use for relief purposes in any foreign country, (3) for use by any foreign country whose defense the President deems vital to the defense of the United States, or (4) for export to any foreign country pursuant to authority and subject to limitations contained in other provisions of law, in any case in which the Secretary of Agriculture determines that such disposal and use of such cotton or wheat for such purposes will not reduce the market price and will not interfere with the sale or distribution of cotton or wheat or cotton or wheat products in the normal channels of trade and commerce;

"(b) Such cotton or wheat may be disposed of for use by other departments or agencies of the Government for purposes important to the national defense in any case in which the Secretary of Agriculture determines that the use of such cotton or wheat for such purposes will not reduce the market price and will not interfere with the sale or distribution of cotton or wheat or cotton or wheat products in the normal channels of trade and commerce; and

"(c) Such cotton or wheat may be exchanged for other cotton or wheat in any case in which the Secretary of Agriculture finds that such exchange is necessary in order that sufficient quantities of cotton or wheat of particular grades, types, or staples may be made available to meet the needs of trade and commerce for such particular grades, types, or staples."

And the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5 and agree to the same with an amendment as follows: After the period at the end of such amendment insert: "The amendments made by this section shall be effective only with respect to the crop of peanuts produced in the calendar year 1941."; and the Senate agree to the same.

Amendment to title: That the House recede from its disagreement to the amendment of the Senate to the title and agree to the same with an amendment as follows: In lieu of the amended title proposed by the

Senate, amend the title so as to read: "An act relating to wheat marketing quotas under the Agricultural Adjustment Act of 1938, as amended, to provide for withholding from the normal channels of trade and commerce Government-owned cotton and wheat of the 1940 and previous crops, and to provide 85 per centum of parity with respect to peanuts of the 1941 crop"; and the Senate agree to the same.

H. P. FULMER,
J. W. FLANNAGAN, Jr.,
R. M. KLEBERG,
CLIFFORD R. HOPE,
J. ROLAND KINZER,
Managers on the part of the House.

E. D. SMITH,
ELMER THOMAS,
J. H. BANKHEAD,
ARTHUR CAPPER,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5300) to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended, submit the following statement as to the effect of the action agreed to in conference and recommended in the accompanying conference report.

Amendments Nos. 1 and 2: Senate amendments Nos. 1 and 2 are merely clerical amendments made necessary by the other Senate amendments to the House bill. The House recedes.

Amendment No. 3: Senate amendment No. 3 provided that the penalty on wheat should not apply to that portion of the farm marketing excess which the producer established was or would be used as feed for livestock or poultry or for seed or was or would be consumed by the farmer's family or household. There was no comparable provision in the House bill.

The conference agreement limits the operation of the Senate amendment to the marketing year beginning July 1, 1941, and makes it applicable only to wheat which was or will be used as feed on the farm where grown for livestock or poultry or was or will be consumed by the farmer's family or household.

Amendment No. 4: Senate amendment No. 4 directed the Commodity Credit Corporation to acquire title to all cotton and wheat of the 1940 and previous crops on which loans have been made or arranged by the Corporation, as soon as it has the right to do so. Upon acquiring title the Corporation is to pay the producer the excess of the market price (as of the date of acquisition) over the amount of the loan plus accrued interest and carrying charges.

During the present European war and thereafter until Congress provides otherwise, the Corporation is directed not to dispose of any cotton or wheat of the 1940 crop or any previous crop, to which it has title, except for relief purposes (pursuant to authority contained in other provisions of law) in cases in which the Secretary of Agriculture determines that the use of such cotton or wheat for such purposes will not interfere with the sale or distribution of cotton or wheat or cotton or wheat products in the normal channels of trade and commerce. Such cotton or wheat is permitted to be disposed of for use by other departments or agencies of the Government for purposes important to the national defense upon a similar determination by the Secretary. It may also be exchanged for other cotton or wheat in any case in which the Secretary finds that such exchange is necessary in order that sufficient quantities of particular grades, types, or staples may be made available to meet the needs of trade and commerce for such grades, types, and staples.

The conference agreement provides that such cotton or wheat may be disposed of (1) for use for domestic relief purposes pursuant to authority contained in other provisions of law, (2) for relief purposes in foreign countries, (3) for use by any foreign country whose defense the President deems vital to the defense of the United States, or (4) for export to any foreign country pursuant to authority and subject to limitations contained in other provisions of law. Such disposition is to be made only in cases in which the Secretary of Agriculture determines that such disposition and use of such cotton or wheat for the purposes specified will not reduce the market price and will not interfere with the sale or distribution of cotton or wheat or cotton or wheat products in the normal channels of trade and commerce. In other respects the conference agreement is similar to the Senate amendment, except that with respect to disposition for use by other departments and agencies of the Government the determination by the Secretary with respect to reducing the market price is also required.

Amendment No. 5: Senate amendment No. 5 provided for 85 percent of parity with respect to peanuts either under the peanut-diversion program, or under a peanut-loan program.

The conference agreement limits these provisions to the crop of peanuts produced in the calendar year 1941.

H. P. FULMER,
J. W. FLANNAGAN, JR.,
R. M. KLEBERG,
CLIFFORD R. HOPE,
J. ROLAND KINZER,
Managers on the part of the House.

Mr. FULMER. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, the bill that passed the House some days ago, H. R. 5300, had for its purpose giving relief to the noncomplying wheat farmer who had a crop failure. Under the present act, whether or not he produced a normal crop he was supposed to pay a penalty on his excess wheat. Many farmers have had crop failures, and this bill was passed for the purpose of giving relief to such farmers.

When the bill went over to the Senate five amendments were placed in the bill. Two were minor amendments, purely clerical amendments. The first important amendment, amendment No. 3, has for its purpose giving to noncooperating wheat farmers the right to feed their excess wheat on the farm to poultry and livestock and for their own consumption. This is limited to 1 year and will expire on the same date as the 85-percent-loan bill that we passed sometime ago, which will be June 30, 1942.

The fourth amendment would forbid the selling of any of the cotton now stored with the Commodity Credit Corporation which is owned by the Federal Government in competition with the present crop of cotton. It authorizes the taking over of any cotton that may remain in the warehouses under the loan program owned by the farmers. I understand the Commodity Credit Corporation expects to take over this cotton in 30 days and pay the farmers the full market price less the loan, storage, and interest thereon.

In holding up the sale of this cotton the amendment provides, first, that the Commodity Credit Corporation can use any of this cotton for domestic relief purposes in this country for mattress and stamp programs; and, second, it can use it for relief purposes in any foreign country.

They can use any of this cotton under the lease-lend bill or they can dispose of any of it through the regular channels of trade for export. This simply prevents the placing of any of this surplus cotton now in the hands of the Federal Government on the market at this time when farmers are now marketing the present crop, and the sole reason for this is to hold down competition on the part of the Government against farmers who are now beginning to market their cotton. Otherwise, if you feed this cotton into the market at this time you would simply drive the present year's crop of cotton or a large portion of it into the warehouses. I make this statement for this reason. We have about 6,000,000 bales in the hands of the Federal Government. We have about 5,000,000 in the possession of cotton mills, cotton buyers, and farmers in private warehouses. The usual normal surplus in the channels of trade amounts to about 4,000,000 or 5,000,000 bales. In the meantime farmers today are picking their present crop of cotton amounting, according to the report of the Department of Agriculture the other day, to 10,800,000 bales, which is coming on the market. We consumed during the past year around 10,000,000 bales of cotton, the largest consumption in the United States for many years. Suppose we use 10,000,000 bales during the present fiscal year, we would still have a surplus of the present 1941 crop of 800,000 bales or around 1,000,000 bales of cotton. You can readily see, with all of this cotton coming on the market, if the Commodity Credit Corporation unloads its cotton, it will tend to do two things: Force the price down and force the farmers' cotton into the warehouses, which would be an added expense to the Commodity Credit Corporation and to the farmer. The cotton now in the warehouse has a storage rate of about 12½ cents. New cotton, 1941 cotton, would have a rate of 15 cents.

The next amendment proposes to put peanuts on the same basis as these other commodities. That is, to provide for an 85-percent loan. I do not think there is any objection to this. The peanut bill was passed before we passed the 85-percent-loan bill.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. FULMER. I yield to the gentleman from Missouri.

Mr. COCHRAN. The gentleman in making his remarks in reference to amendment No. 4, seems to be interested solely in the cotton feature of the amendment, as the gentleman did not mention wheat in any way, although it is included. When this bill was originally considered—the original bill is not at the desk now—was this subject brought up on the floor of the House or is this the result of an amendment added in the Senate, and

does the pending provision represent a compromise written by the conferees?

Mr. FULMER. All of these amendments were added in the Senate and the conferees agreed to the amendments as amended and rewritten.

Mr. COCHRAN. In other words, the gentleman is taking up in the form of a conference report today, with the gentleman controlling the entire time for discussion, a subject of as great importance as this rather than considering it in the House under regular procedure in the form of a bill. I do not think this is the proper way to legislate regardless of the merits of any proposition, because here you bring in a subject that was not considered or debated by the House at all. We know nothing as to what it will cost or where the money is coming from. We read in the papers where silk is going to be out of the picture. Will not that create a demand for more cotton?

Mr. FULMER. May I state to the gentleman that I gave the House the real facts connected with this matter and a real picture of the situation. With all of the competition that we have now with rayon and paper and silk, we will still have this year 1,000,000 bales of the present crop of cotton that cannot be marketed because it is not going to be consumed and cannot be exported. You have 5,000,000 bales subject to going on the market in the hands of the mills, the cotton buyers, and the cotton farmers, and this cotton is in private hands, and you have 6,000,000 bales stored away in the warehouses at a cheaper rate than the cotton of this year would be, and if you unload this old cotton, you force the other crop of the new cotton into the warehouses and that is all there is to it.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. FULMER. I yield to the gentleman.

Mr. AUGUST H. ANDRESEN. The gentleman has enumerated here that the conference report provides that the cotton may be used for domestic purposes, for relief and for export and for relief in foreign countries. I notice a proviso in the report which says that such cotton may be used for national-defense purposes. I would like to ask the gentleman if the Secretary of Agriculture or the administration feels that this cotton should be used to make 1,000,000 tents or 1,000,000 uniforms for soldiers or any other thing in connection with the national-defense program, and if they use the cotton for such purposes that is controlled by the Commodity Credit Corporation and is frozen here.

Mr. FULMER. Under this bill they could not do that in this country, but they have an opportunity now to export cotton to Canada and other countries to take care of orders for Great Britain instead of permitting Canada and other countries to use cotton coming from Brazil. But if you use this Government cotton to supply part of the domestic consumption, then you are just simply taking the place of the cotton produced this year which is now going on the market.

Mr. DONDERO. Mr. Speaker, will the gentleman yield for a question?

Mr. FULMER. I yield to the gentleman from Michigan.

Mr. DONDERO. The gentleman spoke of the peanut crop being used as a basic crop. What does the annual crop of peanuts in the United States amount to?

Mr. FULMER. I would say to the gentleman that I am not very familiar with the peanut crop.

Mr. DONDERO. The reason for the question is this. The fruit growers and the dairy interests in my district cannot understand why they should be left out, and peanuts made the basic crop.

Mr. FULMER. I might say to the gentleman that the dairy interests of this country have received more loans perhaps than any other commodity outside of the basic commodities, and that is true in purchasing of fruits.

Mr. PACE. Mr. Speaker, will the gentleman yield?

Mr. FULMER. Yes.

Mr. PACE. Peanuts are not a basic crop, but they are under control so far as the acreage is concerned, under the control program, and the same privilege is extended to any other commodity that comes in under the control program. It participates like the other commodities that are controlled.

The SPEAKER. The gentleman from South Carolina has consumed 10 minutes.

Mr. FULMER. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE. Mr. Speaker, I am very much opposed to this conference report. It ought to be voted down and the bill sent back to conference. They have simply dynamited the triple-A program that we have enacted for the farmers. I have a statement in the Appendix of the RECORD this morning.

Mr. GILCHRIST. Mr. Speaker, will the gentleman yield?

Mr. PIERCE. Yes.

Mr. GILCHRIST. Mr. Speaker, I have read the gentleman's statement in the RECORD this morning, and I think every one who is interested in this bill ought to read it. I think it is the most forceful and pointed statement on this bill that could be written.

Mr. CANNON of Missouri. Mr. Speaker, will the gentleman yield?

Mr. PIERCE. Yes.

Mr. CANNON of Missouri. Mr. Speaker, may I endorse what the gentleman from Iowa [Mr. GILCHRIST] has so well said? The statement of the gentleman from Oregon to which he refers is perhaps one of the most logical and convincing statements on any bill made in this session of Congress. It is in keeping with the gentleman's whole service in the House, a service which has contributed immeasurably to progressive legislation, and especially to that affecting agriculture.

Mr. PIERCE. I thank the gentlemen for their compliments.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I have not read the gentleman's statement, but I ask whether his statement reflects the views of the administration and their feeling in regard to this conference report?

Mr. PIERCE. I hope so.

Mr. AUGUST H. ANDRESEN. I understand that the Secretary of Agriculture is opposed to this conference report.

Mr. PIERCE. So I understand. Some of us who are so strongly opposed to it intend to appeal to the President for a veto if it should pass the Congress. Let me tell you, in a few minutes, why I am opposed to the adoption of this report. First, it provides for unlimited feeding. For instance, there are over 100,000,000 bushels of excess wheat in the United States which has been grown this year beyond the allotments, and which can all be fed, without penalty, if you adopt this conference report and the bill becomes a law.

Mr. ARNOLD. Mr. Speaker, will the gentleman yield?

Mr. PIERCE. Yes.

Mr. ARNOLD. I know that the Illinois Agricultural Association is opposed to this feeding practice. Is not that the fact with all who are interested in the matter throughout the country?

Mr. PIERCE. That is true. We have probably the largest corn crop on record, and now we have 100,000,000 bushels of wheat ready for feeding to livestock if this bill passes. It does not make any difference whether you sell your wheat through hogs or cattle or whether you sell it through the warehouse as wheat, it is marketed wheat just the same.

Mr. HAINES. Mr. Speaker, will the gentleman yield?

Mr. PIERCE. Yes.

Mr. HAINES. I have had a lot of opposition from farmers in my district, because you want to penalize them 49 cents a bushel for wheat which they had sown prior to that enactment.

Mr. PIERCE. May I speak just a moment on that, and then if there are any questions, I will be glad to answer them. In the Agriculture Committee we discussed that matter, and we deliberately raised the value of wheat to 85 percent of parity, thereby bringing up all wheat prices in the United States 34 cents a bushel. Should that advance accrue to the men who, year in and year out, have sacrificed their time to make an agricultural program go, or should it accrue to the chiselers?

The most serious part of the conference report is freezing 7,000,000 bales of cotton so it cannot be sold in these troublesome times, in the markets of the world, where the Department might dispose of some of it if we give them a chance. It freezes in the hands of the Government 180,000,000 bushels of wheat that cannot be sold. Such usurpation by Congress of administrative functions is very unwise.

These are the main objections to the conference report—freezing of wheat and cotton stores, and unlimited wheat feeding. I ask you to read the statement in the RECORD before you vote to confirm the report.

[Here the gavel fell.]

Mr. FULMER. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I find myself in a very difficult position with reference to this measure, for the reason that I strongly favor that farmers shall have the right to feed their

excess wheat to poultry and livestock on their farms, and I am opposed to the freezing proposition because I think it would be detrimental in the long run to cotton and wheat farmers of this country.

Mr. PIERCE. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield.

Mr. PIERCE. Can we not limit the feeding to off-grade wheat that cannot be ground, or for feeding on the ranches to their own livestock, which they can do now? It is this commercial feeding that we object to.

Mr. AUGUST H. ANDRESEN. I get the idea, and I thank the gentleman for his contribution, but the gentleman, no doubt, knows that there is very little low-grade wheat in the 1941 crop.

I have long protested compulsory control and penalties against American farmers. The present control program is not popular in many areas, and therefore Congress should grant the relief sought in this report, which permits the feeding of excess wheat to livestock and poultry on the farm without the payment of the 49-cent penalty. But this proposition should be treated as a separate matter and not joined in, as we have it here, with the proposal to freeze and stop the sale of 6,000,000 bales of cotton and 180,000,000 bushels of wheat—all of which is under the ownership and control of the Government in the Commodity Credit Corporation.

Mr. ARNOLD. Mr. Speaker, will the gentleman yield for just a question?

Mr. AUGUST H. ANDRESEN. I am sorry, I cannot yield because I do not have the time.

Let us consider the proposal to freeze Government cotton and wheat. The report proposes that this cotton and wheat shall not be sold in commercial channels, except for export, during the duration of the European war. The Government controls between six and seven million bales of cotton, and has an investment of over $400,000,000 in it.

Cotton is now selling at parity or above parity prices. The cotton crop this year will be approximately 10,600,000 bales and the total supply of cotton, including cotton under Government control, will be over 22,000,000 bales, when we can only use between nine and ten million bales. Here is a chance to get rid of some of the Government cotton. It can be sold in an orderly manner, at or above parity. It seems to me it is only logical and sound for both wheat and cotton that we should dispose of it, rather than have it frozen, because the day is coming when the price will not be as high as it is during the present war demand. The C. C. C. can sell it and reimburse the loan fund for future use.

I urge that the conference report should be sent back to the conferees so that they can strike out the freezing provision and still give the farmers the right to feed their excess wheat to livestock on their own farms.

Unfortunately the way the conference report is before us, is just about like the original wheat bill when it was brought up some weeks ago. They were afraid we were going to amend it on the floor, so the bill was brought in under a gag rule, under suspension of the rules, where we could not offer any amendments. The Senate put on the one feeding amendment that we wanted to put into the bill, but we did not have an opportunity to consider this freezing proposition or the feeding of wheat proposal when the bill was up for consideration in the House.

The bill should be sent back to the conference committee, and I urge my colleagues to vote against the conference report. I am sorry I cannot get more time to discuss this report.

[Here the gavel fell.]

Mr. AUGUST H. ANDRESEN. Mr. Speaker, may I have 5 additional minutes?

Mr. FULMER. I am sorry. I do not have the time.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. CLEVENGER].

Mr. CLEVENGER. Mr. Speaker, let us vote for this thing. It is the best we can get.

Many Members riding west through my district, through Van Wert and Defiance, recognize that it is a great farming district. I want to tell you how we are being crucified under this farm plan. My own county, Williams, is the model county in crop rotation in the United States. We are practicing a five-crop rotation right in the middle of the Corn Belt. We have had the original horizontal cuts. We took a cut a year ago of 10 percent on corn, again of 9 percent on hogs, this year 17 percent on sugar beets. We are being put out of business by this farm program. The only form of relief we have got is a chance to feed this wheat to our stock.

Mr. Speaker, I ask unanimous consent to read and insert in my remarks a letter I have received from one of my counties.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The letter follows:

DEFIANCE COUNTY BOARD
OF COMMISSIONERS,
Defiance, Ohio, August 11, 1941.

Re wheat allotment, Defiance County Home Farm.

Hon. CLIFF CLEVENGER,
Member of the House of Representatives, Washington, D. C.

DEAR MR. CLEVENGER: We have been recently advised by the A. A. A. that the allotment on the Defiance County Home Farm is as follows: 30 acres of corn, 27 acres of wheat, 3½ acres of potatoes.

This farm consists of 351 acres, of which 237 acres are under cultivation.

The 1941 wheat crop from the county farm produced 611 bushels, on which we would be compelled to pay 49 cents penalty upon 161 bushels. The annual expenditure for bread and pastry flour for this institution exceeds $800, which is the equivalent of the entire wheat crop. Hundreds of bushels of wheat and other grain are fed to livestock on this farm to produce pork, milk, eggs, and beef, which is practically all consumed by the inmates.

One other alternative of the A. A. A. program would be for us to give the excess bushels to the Government for relief, but where is there a more clear-cut application of local relief than this county home?

There are from 60 to 65 inmates in the home each year. You can easily see that under this allotment it will be impossible for the county home to be self-sustaining. It appears that it would be good policy to have an exception made in the program as it applies to institutions of this nature.

We will appreciate it if you will give this matter your prompt attention and advise us at your earliest convenience if anything can be done to make this institution and similar institutions an exception to the existing law.

Yours truly,
BOARD OF COUNTY COMMISSIONERS,
Defiance County, Ohio.

By H. W. CARR.
C. A. BAKER.
ED. M. COLWELL.

Mr. CLEVENGER. Mr. Speaker, this comes from old Fort Defiance, built by Anthony Wayne—to defy all the powers of hell to take it. Now I am sure that if they continue to interfere with our farmers they will need a file of marines to enforce this totalitarian control upon these Ohio farmers. We are being treated just the same as the worst soil miners in the country. Before we will allow our farmers to be crucified on the tree of government regimentation and control, we Ohioans who have practiced ideal crop rotation, have resisted every attempt to enslave us, or send us to join these other poor unfortunates in our various county homes, will fight. My Committee of Agriculture has held weeks of hearings. It has heard reams of testimony showing how the New Deal free-trade Secretary of State has traded away the American farmers' own home market.

These hearings have not been printed, the material in them not made available to the other Members of the House. Why? Why? Is it to save the cost of printing that these great practitioners of economy hold up these hearings?

This is the only chance we have to get the right to feed our wheat to our livestock and poultry. Why treat the wheat in any different way than we treat corn raised on the same farm?

Just wait until the corn penalties are inflicted upon that part of the Corn Belt that is not practicing ideal crop rotation, then hear the squawk. Bring in Canadian feed wheat at 10 percent ad valorem; bring in vegetable oil, canned beef, live cattle—dump them all on top of our Ohio farmers.

Then tell him he cannot feed his own wheat to his own poultry and livestock.

We will resist with all our might these invasions of our rights. This whole scheme of planned farm economy has only resulted in the lowest average farm prices over the last decade of any like period in our history. These prices are too low to be purchased at the price of chains and slavery. This is the best we can do; let us approve this report. The junking of the fantastic schemes can wait until the whole New Deal is swept from power and its motley crew of economic planners sent back home where we can support them cheaper than here in Washington sucking the life out of American agriculture and interfering with the conduct of our farms.

Mr. FULMER. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON of Missouri. Mr. Speaker, there has been no farm measure before the House in the last 10 years which will do agriculture more harm—which will do the country more harm than this

conference report if agreed to in its present form. Let us get our bearings on the bill. Who is for this report? And, especially, who is against it?

While many sincere friends of agriculture are for it, every man, without exception who is against the farm program is for this conference report. Every man on this floor who has been consistently voting against farm legislation is for this report; every speculator and market rigger, every chiseler who has been trying to beat the farm program, every man who opposed parity payments, who opposed 85-percent loans to farmers, who opposed any measure for farm relief, every man wherever he may be found, who opposes a square deal for agriculture, and I make the statement advisedly, is for this report.

And who is against this report? The administration is against this report, the Department of Agriculture is against this report. The Vice President and Secretary Wickard are against this report and have gone on record against it. The farm organizations are against this report. And the very logic of the farm situation is against this report. That is the lineup. Which side shall we take? Which group shall we line up with?

Mr. McGREGOR. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I much regret that I have but 5 minutes and the time cannot be extended. I am very sorry.

The position of the farm organizations is well known. While the Grange supported one Senate amendment, a very high official of the Grange told me over the telephone today the report ought to go back for further consideration, and I am this morning in receipt of the following letter:

AMERICAN FARM BUREAU FEDERATION,
August 13, 1941.

MY DEAR CONGRESSMAN CANNON: In response to your inquiry, permit me to advise that the American Farm Bureau Federation is strongly opposed to the provisions in the conference report on H. R. 5300, which permit the feeding of excess wheat without any penalty whatsoever and which freeze the Government-owned stocks of cotton and wheat during the present emergency. The position of the Federation was stated in a telegram by President O'Neal to every Member of the Senate on July 29, as follows:

"Respectfully urge you oppose amendments to H. R. 5300, particularly proposals to reduce penalties to noncooperators or permit them to escape penalties by feeding excess wheat as these proposals would break down program. Great majority of farmers favor present program. We do not favor proposed amendment to freeze cotton stocks. We favor instead prohibiting sales at less than parity except for export or relief with a 10-percent margin above parity before any stocks are released."

This position was later communicated to every member of the conference committee.

The modification made in the wheat-feeding amendment by the conference committee is of little consequence and does not remove the fundamental objection to this provision because the noncooperator who has been against the program and, in many cases has sought to take advantage of his neighbors by violating his acreage allotments, can still avoid all penalty whatsoever by feeding all of his excess wheat to livestock or poultry on the farm where grown. There is no limit to the amount of wheat which can be fed to livestock without penalty. This provision, therefore, lets the violator go scot free. It is very unjust to the great majority of farmers who are cooperating with the program who have made sacrifices in acreage in order to help make a fair price for wheat. Such a provision premiumizes the violators and penalizes farmers who have complied with the program. It nullifies the effectiveness of marketing quotas.

Furthermore, there is no need for this amendment. Congress and the Secretary have already gone the limit, if we are to have an effective program, in providing relief to the noncooperator. Under the present law and regulations, he can secure a loan to store his excess wheat, and if he adjusts his acreage this fall by an amount equivalent to his excess, and if he becomes a cooperator by conforming to his acreage allotment for next year, he can market his excess wheat without any penalty.

We do not object to the provisions of H. R. 5300 as originally approved by the House, but we fear that the provisions added by the conference committee with respect to the feeding of wheat and the freezing of the Government stocks of cotton and wheat will be disastrous to the farm program.

We sincerely hope these provisions will not be enacted into law.

Sincerely yours,

W. R. OGG.

The farm program has been built up slowly, painfully, laboriously through the years. It is not perfect. It is not all it ought to be. But it is an approach in the right direction. It is at last beginning to pay dividends. Thanks to it, the farmer is beginning to draw parity prices, and agriculture's share in the national income—after dropping from $19.20 to $6.60—is beginning to move upward. And this report strikes at the very foundation on which the farm program rests. The original bill as reported by the Committee on Agriculture and passed by the House was a very meritorious measure and would have equitably alleviated the situation in which many wheat growers subject to the 49-cent penalty find themselves. But this conference report comes in loaded down with other provisions, many of them entirely foreign to the subject matter of the bill, and certainly at cross purposes with our own bill, and these hodge-podge amendments changing vitally and drastically the basic policies of the farm program are thrown in here for us to take or leave, without previous debate or consideration of any kind.

Mr. DIRKSEN. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. The gentleman is a devoted friend of agriculture and I wish I could yield to him but I have only 2 minutes remaining.

We have the greatest wheat surplus ever known on the North American Continent. We have 2 bushels of wheat for every bushel that can be marketed. Canada can supply every need of herself and Britain without raising another grain for the next 2 years. When I threshed my own wheat last month, I could not sell it, and have not yet been able to sell it, because every elevator in St. Louis is full and there is no room to store it. The railroads have placed an embargo on wheat in my State and will no longer carry it because there is no room anywhere, and still wheat is over a dollar a bushel. Why? Because of the farm program. Because of laws putting a penalty on overproduction, because of laws authorizing 85 percent of parity loans to cooperators who would restrict acreage. And under those laws the farmer is getting $1.15 for wheat that would be 50 cents; is getting 80 cents for corn that would be 30 cents; is getting 16 cents for cotton that would be 5 cents.

Those prices are due solely to the operation of the farm program as shown by the fact that when these Senate amendments were passed, the price of farm products reacted violently on every commodity exchange in the Nation. In fact, if it were not for the farm program and the laws back of it you could not sell a bushel of wheat in my State today at any price. And yet this report proposes to take the bridle off production and go right back where we were 8 years ago with unlimited acreage and larger surpluses.

They appeal for sympathy for the man who would not comply; who raised all the wheat he could and did everything he could to increase the surplus which is forcing down the price of wheat, the noncomplier who wanted to be paid the price made possible by the farm program but would not do his part to support the price, who wanted all the advantages and none of the sacrifices, who wanted to stay in and ride up the hill while his neighbors got out and pushed.

But what about the farmers who complied? These men cooperated under great difficulties. They made heavy sacrifices in order to comply with the farm program. I know men personally who all but took bread from their tables in order to restrict their planting to what seemed ridiculously low acreage. All through the Nation there were fine, loyal, cooperative men, willing to work together and pull together for the common good. And at last they are beginning to draw their reward. They are getting more money for the fewer bushels they grow than they would have got at the old price for the larger number of bushels they would have produced with unlimited acreage. And now, after they have accepted the offer of the Government and the assurances of the Department of Agriculture, after they have performed their part of the contract, this conference report comes in with provisions which the House has never seen or considered, and which dynamites the farm program we started 8 years ago.

It proposes to provide for the noncomplier—for the man who would not do his part to keep down the surplus and make high prices possible; for the man who would not cooperate; who would not cooperate with the Government, who would not cooperate with the farm organizations, who would not cooperate with his neighbors but who insisted on planting all the acreage he had and raising all the wheat he could and doing everything within his power to undermine the farm program and increase the already undigestible surplus—more money, a larger income from his wheat than that paid the man who complied. It places a premium on noncompliance.

If every farmer in the country had refused to cooperate as he has, and had insisted on raising all the wheat possible as he has, the price of wheat today would be

30 cents a bushel or less. But because his neighbors complied, wheat is now $1.15 and he wants the $1.15 he did all he could to defeat and at the same time wants the penalty that made it possible remitted.

Now the remarkable thing is that the Department of Agriculture and the House—notwithstanding the noncompliers have worked to increase the surplus—have provided a way in which they can avoid the penalty. Under the orders of the Department of Agriculture and under the provisions of this bill as it passed the House, they need not pay a cent. For example, I have about 250 acres of wheat this year. If I had wanted to take a chance and had planted 300 acres, I could borrow 60 percent of the regular loan on the extra 50 acres and then by planting only 200 acres this fall could market my full crop without any penalty of any kind. Or under the House bill, if my actual yield on 300 acres was not more than my normal yield on 250 acres, I could still escape the penalty scot free.

What could be fairer than that? What more could anybody ask? Why dynamite the farm program when the noncomplier has been provided with two ways out?

I know they say it is only for 1 year. But any of you men know that in shooting over a bird dog you only have to let him have a few stray shot one time to ruin him. He may be the best dog in the world, and you may have spent months training him, but burn him with one charge of shot and he will never hunt again. If you wreck this program; if you break faith with the farmer who has made great sacrifices to cooperate, what do you think he is going to say next year when you again tell him to reduce acreage? He may well say, "That is what you told me last year, and the man across the road who said I was a sucker and who put in all the acreage he had and raised all the wheat he could, gets as good a price as I do and makes a lot more money than I make because he has more wheat to sell."

Mr. ARNOLD. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I much regret that my time is up. If I had another minute, I would be glad to yield. I hope the gentleman will excuse me.

Mr. Speaker, this is an old, old problem. It is as old as industry. The noncompliers, like the poor, we have with us always. Labor has been handicapped in the same way. Always, when they tried to organize, when they attempted to cooperate to get fair wages, reasonable hours, better working conditions, decent standards of living—just as the farmer has been working these last 8 years for fair wages, fair prices, an honest share of the national income, a decent standard of living on the American farm—labor has had men who would not cooperate, who scabbed on the union, who found it more convenient to take advantage of the situation to get increased wages and the fruits of organized effort without supporting it.

There are many farmers who are noncompliers through no fault of their own. Through the necessity of getting land in grass, or the absence of a practical base, or otherwise, they have not been able to go along. For all these ample provision has been made and with the enactment of this bill as passed by the House they need suffer no penalty whatever. But lest there be those who are willing to scab on their neighbors, this conference report ought to be rejected and the whole subject brought in on the floor for full and free discussion and amendment. In defense of the farm program, and in compliance with the recommendation of the Department of Agriculture and the farm organizations, and for the maintainance of parity prices for farm products, the House ought to vote down this report.

[Here the gavel fell.]

Mr. FULMER. Mr. Speaker, I yield 5 minutes to the gentleman from Georgia [Mr. PACE].

Mr. PACE. Mr. Speaker, I want to briefly discuss the wisdom or the lack of wisdom of freezing cotton. As you know, we have been trying for a long time to get farm commodities up to parity, and we have gotten cotton, wheat, tobacco, and other commodities almost up there.

This is not my amendment to freeze cotton. I did not put it in there, but I will tell you why it is there. About 3 weeks ago the Commodity Credit Corporation issued a statement that it was considering selling some of this Government cotton. The market broke in one day $5.25 a bale. Please remember that. That was just a rumor that it might sell some of this cotton, and the market broke $5.25 a bale. To begin with, there are only a million and a half bales of cotton involved now, because under the present law they can only dump a million and a half bales a year. To dump that much cotton on the present market will, in my opinion, reduce the price of cotton down to or below the loan value. You have to add all these things up when you consider this matter. We have also passed an appropriation bill that guarantees to the cotton farmer and others parity payments if the commodity sells for less than parity. So, if you permit the Government or the Commodity Credit Corporation to dump this cotton, which will very probably break the market, you will do two things. You will very probably force millions of bales of this year's crop into the loan at about 14½ or 15 cents a pound. This will take, of course, hundreds of millions of dollars to put this year's crop into the loan. If you force it down to that figure, it will require something like fifty or one hundred million dollars to make the parity payments. You do as you think proper, but I think on the cold proposition of dollars and cents it would be helpful to the Government, and I know it will be helpful to the farmer, simply to tell the Commodity Credit Corporation that after we have worked here for 8 or 10 years to try to get the prices up to near parity, now that we have gotten them there we do not want them to take this surplus commodity, dump it on the market, and break the price back down. If you think that is the thing to do, of course, vote against freezing cotton, you can only dump a million and a half bales under the present law. If the indications are and the market shows that a million and a half bales of dumped cotton will break the market, or reduce it $10 a bale, so that it would throw all of this year's crop under the loan, then it seems to me the smart thing to do is to direct the Commodity Credit Corporation to dispose of this excess cotton only in the five different methods set out in this amendment—relief purposes, export, turn it over to the War Department for manufacture of defense commodities, and the others that are mentioned in the report.

I know how some of you feel when we have $400,000,000 worth of cotton here with a chance to get rid of it. But why have we worked here for 8 or 10 years to get the price up to parity, and then the minute we get it up there dump this surplus on the market and break the price back down? In my opinion, it would not be smart financially and would not be helpful to the farmer.

In the second place, cotton is now moving to market. Every gin in my part of the country is running day and night. This conference report has helped hold up the price. I am satisfied that if this report is not agreed to or if the President should not agree to it, it will break the price of cotton. It is going to be disappointing to the farmer to break the market right at the time his new cotton crops is ready for market.

I think I can sum up the whole matter in this way: For 6 years the Government, through loans, has been withholding some of the surplus cotton from the market in order to improve the price. Now that we have improved the market price through this program, should we dump this surplus cotton and break the price down again? I think it would be unwise, and therefore ask that you approve this conference report.

Mr. FULMER. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. MCGREGOR].

Mr. MCGREGOR. Mr. Speaker, I wish I had an hour to reply to the distinguished gentleman from Missouri [Mr. CANNON] to tell him who is favoring this program, and it is certainly not scabs. And I am, indeed, sorry to hear him charge on the floor of this House a few minutes ago that those individuals who favor the program of feeding their surplus wheat are scabs.

Mr. Speaker, I rise in support of the conference report on H. R. 5300. I am not in accord with everything in this report, but my short experience in Congress has taught me that we cannot have everything we want and must be willing to compromise.

The Senate has included in one of its amendments the right of the farmer to feed his excess wheat. This is the same principle involved in H. R. 5303, introduced by me on July 14. A lot has been said on who favors this particular amendment. May I read to you a telegram which I sent to the Ohio Farm Bureau, Columbus, Ohio, and their reply received on August 8:

Mr. ED BATH,
Legislative Representative, Ohio Farm Bureau, Columbus, Ohio:

Please advise by wire whether your organization is opposed to Senate amendment to H. R. 5300, the wheat bill, which gives authority to farmers to feed their surplus wheat.

J. HARRY MCGREGOR, M. C.

Hon. J. HARRY MCGREGOR,
House Office Building,
Washington, D. C.:

Ordinarily consistency would demand opposition to wheat-feeding amendment, but defense emergency step-up in certain foods makes it common sense to approve it, and we do.

EDWIN J. BATH.

This sets forth the endorsement of this proposal by the Ohio Farm Bureau. Now, may I read to you the endorsement of the National Grange over the signature of Mr. Fred Brenckman, Washington representative:

WASHINGTON, D. C., *August 4, 1941.*

To the Members of the House:

We are writing to express the hope that the amendment to H. R. 5300, adopted by the Senate, which would permit the farmer to feed his excess wheat to livestock and poultry on his own farm or to use it for seed may be approved by the House.

As a matter of fundamental justice, it does not seem fair to us that the farmer who sowed his wheat last fall or this spring, as the case may be, when the penalty for excess marketing was 15 cents a bushel, should now be asked to pay a penalty of 49 cents a bushel, besides being denied the right to feed his excess wheat to his own livestock or poultry. The whole proposition is undoubtedly in violation of that wise and reasonable provision of the Constitution which declares that no ex post facto law shall be passed.

With the Government urging the farmers of the country to increase the production of dairy and poultry products as a matter of patriotic duty and in view of the situation with which we are faced, the Senate amendment to H. R. 5300 appears to offer an ideal solution to the questions raised by the 49-cent penalty on excess wheat.

Trusting that you may see your way clear to support the Senate amendment in this connection when it comes to a vote in the House, we are

Sincerely yours,
THE NATIONAL GRANGE,
By FRED BRENCKMAN,
Washington Representative.

These two telegrams represent the two largest farm organizations in the United States, and certainly they speak for the farmer. Mr. Speaker, these are two of the greatest organizations the farmers have, and I defy anyone here to say these organizations, or the members thereof, are scabs.

May I ask you Members of Congress what is wrong with allowing the farmers to feed their surplus wheat? Should they be forced to pay 49 cents a bushel penalty when at the same time we are bringing in millions of bushels of wheat from other countries? May I call your attention to an article found in the paper on August 10 in which it is stated that—

The Montgomery County Home, near Rockville, Md., where county pensioners raise garden truck and food to help defray the cost of their upkeep, was fined $10.78 for exceeding its wheat quota by 1 acre. County Commissioner R. Watt, farmer, who has charge of the poor farm, said that 25 acres were planted in wheat last fall before the farmers voted to continue the wheat-quota plan and set the county farm's quota at 24 acres.

I am asking you if it is fair for this county home to pay to the Government $10.78 for growing 1 acre of wheat in excess of its quota to feed the poor people.

May I call your attention to an inscription on a statue at Eleventh and Massachusetts Avenue NW., by Samuel Gompers, that great leader of labor:

So long as we have held fast to voluntary principles and have been actuated and inspired by the spirit of service we have sustained our forward progress and we have made our labor movement something to be respected and accorded a place in the councils of our Republic. Where we have blundered into trying to force a policy or a decision, even though wise and right, we have impeded if not interrupted the realization of our own aims.

No lasting gain has ever come from compulsion. If we seek to force, we but tear apart that which, united, is invincible.

This statement, to my mind, should ring true to the heart of every individual. Let us help the farmer today and give him the opportunity to feed his surplus wheat.

[Here the gavel fell.]

Mr. FULMER. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. GILCHRIST].

Mr. GILCHRIST. Mr. Speaker, once again it is necessary to meet a flank attack upon a sound and economic program which has paid dividends to the American farmer. Three Trojan horses have just been welcomed into camp by myopic members of the outerguard. These are the three amendments to House bill 5300 as proposed in the conference report. They provide for the freezing of Government stocks of wheat and cotton and the feeding of excess wheat under the marketing quota program. These Trojan horses are loaded with dynamite. They are delayed time bombs that will eventually explode and destroy the whole farm program.

For 25 years we have been attempting to build a sound program of aid for the American farmer. Some real progress has been made, based upon past experience. Now, the opponents of sound farm legislation are counterattacking once again. Perhaps counterattack is not the proper description. I will not call it sabotage, but I know of others who would do so.

There is no arguing the immediate appeal of these proposals. Neither is there any denying their basic economic unsoundness. I represent corn farmers. But I know that the welfare of corn farmers depends upon the fundamental soundness of the whole farm program. I do not need to review the fundamental concepts of the present farm program. But it is necessary to consider these three amendments.

First, the proposal to freeze all wheat stocks held by the Commodity Credit Corporation. Today the Government, through Commodity Credit Corporation loans and other measures of the national farm program, is maintaining a wheat price far above that received by producers in other countries. Today the storage situation in the United States is critical. Major terminals are overflowing.

Through orderly movement and handling of Government stocks, storage congestion has been kept to a minimum. If the sponsors of this amendment want to paralyze the Government's ability to help in a critical storage situation now, they have hit upon a good method.

And what of the cotton stocks? The cost of continued storage of this cotton will eat up its whole value. Who is going to benefit if Government stocks are frozen? With the prospects of a short crop this year of 10½ million bales and consumption of 11 million bales, who is going to benefit by this action? For whom are we going to create a tight market? Farmers want parity price, and this year they are coming nearer to it than before. I do not believe they want to skyrocket cotton this year and then suffer evil effects when the rocket comes down. Consumers have supported the ever-normal granary for wheat and cotton and corn because they have been told it was for their protection as well. I do not believe that farmers think it would be a good thing to break faith with consumers now.

These proposed freezing amendments violate the principle upon which we have built the ever-normal granary program. These stocks of commodities are built up for the benefit of farmers in time of surplus and for use in time of need. These amendments would be effective, all right, but not in helping farmers keep their business on a stable level. They would be effective in ruining a national cooperative farm program that is the only hope that farmers have to maintain their position in a world of economic chaos.

And, now, this amendment to permit the feeding of excess wheat under the marketing-quota program. What is its purpose? It can have only one effect, and that is to punch a hole in the dike that is holding back a flood of wheat from a market that can take only so much. Its sponsors were unable to blast the whole dike by reducing the 49-cent penalty on excess wheat; now they are saying they will be willing to compromise on a smaller hole, hoping to make it bigger.

And who wants this feeding of excess wheat? Not the 81 percent of the American wheat farmers who voted for a sound marketing-control program. Are we going to give them marketing quotas with one hand and take them away with another?

The sole purpose of a marketing quota is to control marketing of excess wheat. And wheat fed to livestock goes to market. It does not make any difference, whether you send the wheat to market in a cattle truck or haul it to market in a grain truck. It is still going to market and there is no denying the fact. The corn farmers out my way market most all of their corn through livestock. I believe anyone would have a hard time trying to convince them that wheat fed to livestock does not go to market.

Mr. Speaker, I hold in my hand a letter written by my distinguished chairman, for whom I not only have a sentiment of respect but also one of affection, written on July 17, wherein he wrote to a gentleman that the noncooperator of wheat was better off as compared with former regulations under the 49-cent penalty than he was without them, because he gets a bigger loan and a very large increase in the market value or price of his wheat.

Something is said here about the wishes of farm people. I have in my hands many telegrams and letters from farmers and

farm leaders opposing any changes in the wheat-quota program. Here is one from the executive committee of the great organization known as the Farm Bureau and dated July 11, and, as far as I am concerned, I expect to vote their wishes in this regard. It is as follows:

The executive committee of the Agricultural Farm Bureau in session here today was told House Committee on Agriculture was being urged to revise law so as to permit feeding of excess wheat on marketing quotas. Such a proposal if effected would work havoc in A. A. A. program, affecting both wheat and corn, to say nothing of the injustice it would work upon the very large percent of farmers who have operated within allotments and also those having excess wheat who have already complied with provisions of the present law. As you know, those having excess wheat have available a 60 percent of cooperator's loans on such wheat, in addition to having advantage of price support effect of recent wheat program in their marketing quotas. The Federal executive committee by unanimous action urges that the above-mentioned proposal, if under consideration, be rejected.

Here is another one, from Champaign, Ill., dated July 22, from the Midwest Farm Bureau Training School:

Six hundred forty-four Farm Bureau leaders from Illinois, Indiana, Ohio, Michigan, Iowa, Wisconsin, Minnesota, Nebraska, South Dakota, Kansas, and Missouri unanimously urge that no amendment to present wheat program be adopted, particularly any exemption for feeding purposes of excess wheat or decrease in marketing penalty. To do so will result in a break-down in the operation of an otherwise successful program. We feel sure that we are expressing the views of the vast majority of the wheat producers in the above-mentioned States.

Francis Johnson, president of the Farm Bureau in Iowa, points out that it would be a breach of faith with the Corn Belt friends if we added noncooperators' excess wheat to the already overwhelming marketable feed grain surplus. I have numerous telegrams and letters of like import. For example, one of them says that maintenance of penalties under the marketing quota is essential. Another urges continued support of wheat-marketing quotas. Another admonishes us to uphold all provisions of the wheat-marketing-quota program. Another tells us to prevent any relaxation in penalties for wheat farmers who overplanted their quota. Another asks us to uphold and support marketing quotas of wheat, while another points out that we do not want marketing quotas changed in any way because it would jeopardize the whole program and would be a breach of faith with those who cooperated. Another knows that to ease up on this would be letting down the farmers who have worked for many years to keep up some kind of marketing that would provide parity prices. Still another opines that it would be dangerous to both corn and livestock prices if wheat-marketing prices were broken.

Mr. Edward A. O'Neal, president of the American Farm Bureau Federation, on July 23 in a letter said that most of the agitation for the amendments to the present wheat program has been carried on by a very small minority of the farmers who are not cooperating in the program, and that the great majority of wheat growers are for this program and demonstrated their support by voting marketing prices on May 31. The vote so referred to was carried by 81 percent of the wheat farmers of America who were interested enough to go to the polls and vote. Leaving out 1 State in which only 13 votes were cast and another one in which only about 300 votes were cast, I find that there were only 2 States in this Union where a majority was cast in opposition to this program. In one of these States—Ohio—more than 47 percent of the farmers voted for the program and in the other of these States—Pennsylvania—41.7 percent voted for the program. The total poll was about 560,000, which is as large a percentage of those eligible to vote as usually vote in our regular elections. Now, with this overwhelming sentiment it seems to me foolish for anyone to stand here this afternoon and declare that the farmers do not favor the idea that there should be some limitation put upon marketing of farm products at times when there is a great surplus of the commodity. These farmers know that the law of supply and demand obtained and that great surpluses will result in low and ruinous prices.

Farmers who have gone through travail for years and years know what they want. They do not want to return to old-style, haphazard days when ruinous prices put many of them into bankruptcy and despair. They know that the present program has been of advantage to them. Perhaps someone in the future can invent a better plan. If he can, let him do it. If he can show us a feasible plan to better protect the American farmer and thereby give him as much as cost of production, or thereby insure him parity on equal footing with other industries, then we will perpetuate his memory in bronze throughout the country.

I remember when we were selling corn in Iowa for 8 cents a bushel and burning it in our stoves in order to keep warm because it was cheaper to burn than coal. I remember when foreclosures were rife and the sheriff was selling farm homes and evicting farm families from their homes. I remember when there was a very frightened lawyer who came to my county in connection with a sheriff's sale and who found out that prudence was the better part of valor. I remember that one of our judges was assailed on his bench. It was a very wicked thing but nevertheless it was done by red-blooded American farmers who did not intend to be despoiled of their homes.

I remember many of the numerous efforts that farmers made in order to get cooperation among themselves in order to protect prices. I refer to such organizations as the Corn Belt Committee, and the Grain Growers, Inc. Farm strikes were instituted and I, myself, have seen the embattled farmers engaged in preventing a flow of farm commodities to central markets. Thus they tried to protect prices. We had the Farm Board commencing about 1925 but it proved futile. Next came the processing tax of 1934 which not only proved futile but was found to be actually damaging to us before it was declared to be unconstitutional. Then along about 1936 we relied upon the conservation bill which may have done some good but was wholly inadequate. And in 1938 the present A. A. A. law was put into effect which provided for farm marketing quotas under certain conditions, and that is what we have today. Farmers do not propose to give it up or abandon it. It is the only thing so far that has proved to be of benefit. Do not scuttle it as now proposed by this conference report. Production is controlled by physical laws and by wind and weather and by rain and sunlight, but distribution is controlled by human arrangement and the present plan provides for marketing quotas as one of the human arrangements that is necessary to preserve prosperity of farm people.

Labor limits production. Manufacturers limit production. Merchants limit the amount of supply that goes on sale. And the farmers of this country are not going on and on to produce and produce in unlimited quantities because this production will break the market price and reduce them to penury, foreclosure processes, and bankruptcy.

The present report simply gives the noncooperator greater benefits than it gives to the cooperator. The noncooperator, under it, can produce all he wants to and, nevertheless, he will be allowed to market that production on hoof without any attempt at control. The present report favors the noncooperator and penalizes the cooperator because it refuses to give him the protection that he was promised at the time he planted or seeded his crop. I have heard much said here about ex-post-facto laws, but the present report changes the protection of the cooperator after the fact. The noncooperator at least should pay as much of a penalty for marketing as was required under the law at the time he planted his crop. Under the present report he pays nothing—no marketing penalty whatsoever—because he can market on hoof. One hundred million bushels of wheat would be so marketed and come into direct competition with corn and other feed grains. The corn farmer has no other market. He markets almost all of his grain by feeding it to livestock. Today he is faced with an overwhelming surplus. Do not add this wheat to his troubles. There is a prospect of 2,540,000,000 bushels of corn in the fields to be harvested this year, and, in addition to this, there is already on hand 610,000,000 bushels of old corn, thus making a visible surplus greater than ever before. And to this surplus there is now proposed by this report to add 100,000,000 bushels of wheat, so that noncooperators can chisel against corn and cooperating farmers. Mr. Speaker, the farmers of this country should stand "one by each." One group should not try to take advantage of another group. Let them all join together and protect each other from loss so far as they can; and let none of them try to impinge upon the prosperity of the other.

Today Iowa corn is selling on the farms for about 62 cents a bushel, while

the parity price is 84 cents a bushel. Many statisticians and authorities say that cost of production is 94 cents. These corn farmers who have gone along and cooperated should not now have their status changed or be forced to meet further losses and embarrassment by a change in the law after the crop is planted. Do not break faith with them.

Two wrongs do not make a right. Complaint is heard that our present laws allow wheat to flow in here from Canada under an ad valorem duty of only about 9 or 10 cents a bushel, whereas it is said that noncooperating farmers must pay 15 cents per bushel or even 49 cents a bushel in order to market this wheat. That thing is wrong and ought to be remedied. But it is no reason why our farmers, who have cooperated in the program and who have reduced their acreage allotment and suffered the loss of their acreage production, should again be penalized by the proposals of this conference report. Two wrongs do not make a right. If the umpire commits a wrong in the first inning of the game, he cannot square it by committing another wrong in the second inning of the game. If the Canadian wheat duties are wrong, let us amend them in the proper place and manner and time, and not try to square the matter by taking it out of the hide of the farmer who cooperates with the A. A. A. acreage allotments. Do not penalize the man who stays within the law. What crime has he committed? Why "shackles" for the American farmer who conforms to the law and "shekels" for the foreign producer or for the farmer who refuses to cooperate?

The corn farmer was not considered when this report was in conference. Wheat and cotton are to be frozen and not allowed to go into the market and beat down the price, but not so with corn. Furthermore, under the report wheat and cotton upon which loans have been made will be purchased by the Commodity Credit Corporation as soon as possible, and the farmer will be paid market price, or at least loan price. Not so with corn. The corn farmer cannot take corn out of seal and force the Government to pay market price. Why should we allow these inequities? And, above all, why should we allow wheat to be marketed on hoof free from all restraint and regulation, and not allow the same thing to be done for corn?

Mr. FULMER. Mr. Speaker, I yield 5 minutes to the gentleman from Oklahoma [Mr. RIZLEY].

Mr. RIZLEY. Mr. Speaker, this bill does not go as far as I would like to have it go, but it will be of some help to the farmer. I think the Congress did a thing that is un-American when it changed the rules in the middle of the game on the farmers and put the 49-cent penalty on wheat at harvest time, and thus in effect made the law retroactive, and at a time when the farmers had no chance to comply. Be that as it may, that is water over the wheel, and, so far as this conference report is concerned, there is not anything we can do about that.

The original bill that went over to the Senate was the bill known as the Wickersham bill. The only thing the bill we sent to the Senate contained was the provision that permitted the farmer to market without penalty his normal yield off his quota ground. When the bill got over to the Senate these other provisions were written into it; that is, the provision to freeze wheat, the provision to freeze cotton, and the provision to permit the farmer to feed his excess wheat. It is to this provision that I direct my few remarks.

The gentleman from Missouri [Mr. CANNON] made a very scathing denunciation of the noncomplying farmer and called him a scab and a chiseler. He said the farmer is a scab simply because he happened to overseed his allotted acreage and because he thinks he ought to have a right to feed his wheat without paying this 49-cent penalty.

Down in my State there have been several indignation meetings since the bill increasing the penalties was enacted. Three thousand farmers held one of these meetings at Enid, Okla. I doubt whether the gentleman from Missouri would have gone to that meeting and referred to those farmers, who have lived and toiled and bled and fought on the prairies of Oklahoma, as scab farmers. They are not scabs in any sense of the word.

Let us look at this feed situation just a little bit. Do you realize that we are penalizing our farmers 49 cents a bushel to feed their own wheat, and still under the law we are permitting hundreds of thousands of bushels of wheat to come in from Canada every day to be fed in this country?

I call your attention to this fact in connection with the feeding situation. Import quotas proclaimed by the President on May 28, 1941, apply to milling wheat and wheat flour only. Feed wheat, unfit for human consumption, is not included in the import quota. It may come into our country in unlimited quantities and under a 10-percent ad valorem duty. Our farmers are paying 49 cents a bushel.

In January 1941 they brought in from Canada, to feed, wheat in the amount of 154,894 bushels; in February, 121,941 bushels; in March, 121,074 bushels; in April, 284,413 bushels. I do not have the exact figures for May and June, but in each of these months I am advised the quantity has increased.

On the whole, during the past 6 months we have brought in from Canada wheat to feed in competition with our farmers more than 1,000,000 bushels. How can anyone in good grace say to the farmers of this country, "I am not going to permit you to feed your wheat unless you pay 49 cents a bushel," and then subscribe to this program of permitting Canadian wheat to come in here and compete with the American farmer? Yes, the gentleman from Missouri may call our farmers scabs, he may call them anything he wants, they are not here to defend themselves. Mr. Speaker, I say to you that this thing we have done has brought about disunity in this country. It has arrayed one class of farmers in the same community against another class. And for a Member of this body to refer to one group of farmers as scabs and chiselers is not only unbecoming and beneath the dignity of his high position but adds to the ill feeling and disunity brought about by the original legislation. Mr. Speaker, this bill will afford some relief and I hope this conference report will be adopted.

Mr. FULMER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. DIRKSEN].

Mr. DIRKSEN. Mr. Speaker, first let me advise you of the parliamentary situation before us. The Senate has already approved this conference report. There is therefore nothing for the House to do except to vote this report up or down. No preferential motion can be offered in the present state of the proceedings. So we are confronted with that proposal and I sincerely hope that the conference report will be voted down. The House can then ask for a reopening of the conference proceeding.

Yesterday the Secretary of Agriculture stood before a crowd at Athens, Ga., to dedicate an agricultural building and said with respect to the "freeze" provision:

> I hope the provisions which would freeze wheat and cotton stocks do not become law.

With respect to the feed- and seed-wheat proposal he said:

> As a result more wheat will be planted each year instead of less and we might as well stop trying to adjust wheat production to wheat needs.

This is the official opinion of the Department of Agriculture. I am opposed to every provision in this bill because if you permit feeding wheat, you pay a premium to the noncooperator and we might just as well stop talking about a farm program. To you folks from the Corn Belt I say that every bushel of wheat, and I say this selfishly, is, of course, going to displace corn and what happens to the corn program? That program will be nullified. So the whole business goes out of the window.

I think it is the height of stupidity and the sheerest kind of nonsense to say to the Commodity Credit Corporation, that it can make an 85-cent-parity loan, but under this bill it will not be able to dispose of the wheat and the cotton on which you loan public funds when, in its good judgment, the market seems to be ready to welcome some of these commodities. Let us think about the consumers also while we are thinking about everybody else. There must be a balanced economy and this bill proposes to disrupt that balance.

[Here the gavel fell.]

Mr. FULMER. Mr. Speaker, I yield 3 minutes to the gentleman from Texas [Mr. KLEBERG].

Mr. KLEBERG. Mr. Speaker, I have listened to this debate with great interest. I have been classified, along with a lot of other scabs, including the chairman of the committee, by the chairman of the Subcommittee on Agricultural Appropriations of the House a while ago. I did not ask to have his words taken down, because they were intemperate.

Mr. CANNON of Missouri. Mr. Speaker, will the gentleman yield?

Mr. KLEBERG. I have not the time to yield.

They were intemperate, they were not dispassionate words, and a moment ago my distinguished friend from Illinois, referring to a school of economics to which I do not belong, commented on the ridiculous aspects of permitting the farmers to plant more wheat because, forsooth, in this amendment which he understands so well, the wheat involved is not permitted to be used for seed. Of course, the gentleman's figures and conclusions are good.

This conference report, I assure you, is the result of a very calm and careful study and it is passing strange when in this great body men who are definitely and deeply interested in the welfare of the country and in the tillers of the soil come back with a unanimous report to find the report so classified because it attempts to correct for a period of 1 year during a period of great emergency a situation which the farmers of the United States are entitled to have corrected.

The farmers of this country generally have gone along with both programs, cotton and wheat, and when we refer with solicitude to the groups that are being aided by this legislation and refer to them as scabs, I say to the gentleman who makes such a statement had better check and find out how much excess wheat is held by the 87 percent of the wheat farmers who are compliers with this program. As a matter of fact, it would be perfectly ridiculous to try to affect by legislation noncompliers, because they do not care for either the program or the law, and they are going to feed or use their wheat regardless of law. So if these gentlemen in their anxiety to help somebody are aiming only at trying to stop somebody who cannot be stopped because they do not comply, it seems to me to be a highly illogical approach to the situation.

With reference to the cotton provision, the cotton provided for in the amendments contained in the conference report is amply sufficient to prevent the building up of a situation such as we had under the old Farm Board. The amendment is carefully thought out. The amendment has received the attention of some of the best students of agriculture in this body, and affords opportunity to dispose of the cotton involved in a proper manner.

With reference to the statements made by the Secretary of Agriculture, he knows farming pretty well elsewhere, but insofar as Texas is concerned, I know as much about it possibly as he does.

Mr. FULMER. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Speaker, in that minute I want to concur in the main, in what the gentleman from Texas [Mr. KLEBERG] and the gentleman from Oklahoma [Mr. RIZLEY] have said. I rise primarily, however, to deplore the intemperate, ill-advised, uncalled for attack made a few minutes ago upon thousands of farmers in my district by that usually courteous, that very capable, and that traditional friend of the farmer the gentleman from Missouri [Mr. CANNON]. Those words he uttered today were not the words of CLARENCE CANNON as we have always known him. Let us be charitable and think that he has not fully recovered from the stress of the battle yesterday, and like many is still a little ruffled. I feel sure the time will come when he will take the floor and apologize, not only to the House but to those farmers of the country whom he designates as scabs, because they prefer to operate their own farms; to sow, to reap, and to use the products of their own toil in the accepted American way, rather than to collect large subsidies, bonuses, and benefits as the price of their independence. Our New Deal Mr. CANNON may talk loud and bitterly, but calling honest farmers scabs will not be lightly passed by patriotic agriculture. We may honestly differ about this 49-cent penalty. We have no right to become so intolerant and abusive.

Mr. Speaker, I was so in hope that when this bill came back from the Senate it would grant more relief to the victims of the 49-cent penalty regulation than the bill contained when it left the House. I am doomed to disappointment. There is not as much relief in the bill for those affected by this unjust penalty on the 1941 crop as there was when the bill passed the House.

In short, as I read the conference report, the present unfortunate 49-cent penalty situation will be modified only to the extent that the farmer may feed this excess quota wheat to his own stock and poultry on his own farm, and for the year 1941 only. There are other features in the conference report with which I am not fully advised, but which have been explained by members of the Committee on Agriculture. On the whole, these changes in the law have to do with the 1 year only and are not fundamental. I shall, therefore, support this conference report, primarily because of the relief, even though inadequate, given to my wheat growers. This is not a case of getting what one wants or what one feels these farmers are entitled to. Nevertheless, I have long since learned that half a loaf in legislation is better than no loaf at all, and it is in this spirit that I vote for this conference report. I am firmly convinced that the present policy of solving the farmer's financial difficulty through gratuities, bonuses, and subsidies is not, and cannot be, a final solution of the farmer's economic inequality in the industrial picture. The surplus of wheat, cotton, corn, and all the rest continues to pile up. The benefits from the Federal Treasury increase in proportion. I favor parity for the farmer through a method that will make for permanency and final solution of his problem.

Mr. FULMER. Mr. Speaker, I now yield to the gentleman from Massachusetts [Mr. CASEY].

Mr. CASEY of Massachusetts. Mr. Speaker, this vote comes at a particularly opportune time for those of us who have the interest of the entire United States at heart, and a particularly opportune time for those who have a particular interest in themselves. I think, when the Commodity Credit Corporation acquired title to wheat and cotton, that it should not now be restricted by legislative fiat from ever putting it on the market. I hope the conference report will be voted down.

I ask permission to insert in my remarks a memorandum respecting it.

The SPEAKER pro tempore. Is there objection?

There was no objection.

MEMORANDUM RESPECTING SENATE AMENDMENT TO H. R. 5300

The conference committee has modified the Lee amendment by limiting its operation to the marketing year beginning July 1, 1941, and by restricting the use of excess wheat as feed to the farm where grown. The restriction of the feeding to livestock or poultry on the farm where grown is little or no protection because the noncooperator can still evade all penalties whatsoever by feeding his excess wheat to livestock or poultry on his own farm for commercial production and sale of such livestock or poultry. In fact, under present conditions, this would be a very profitable operation for the noncooperator. The limitation of the amendment to 1 year still fails to safeguard the great majority of wheat farmers who have already cooperated with the program this year. They have done their part, and now Congress is getting ready to reward the little group of noncooperators who have stayed out and wrecked the program. This is fundamentally unjust.

This amendment, in effect, nullifies the action of the wheat farmers in approving the wheat-marketing quota in the referendum held May 31, 1941. In the referendum 81 percent of the farmers voting voted for the imposition of quotas. Prior to the referendum, meetings were held in every county at which explanations were given of the effect of the wheat-marketing quota. The probability that a quota vote would be taken was discussed in the press and in many meetings of farmers for several weeks prior to the day on which the referendum was held. The House passed the bill containing the provision for the increased penalty on April 29, 1941. The House agreed to the conference report on May 13, and the President signed the bill on May 26. This is the legislative history and reveals ample notice prior to the referendum. If noncooperators are permitted to use as feed on the farm where grown all their excess wheat, the marketing-quota program approved in the referendum is nullified. If noncooperators can avoid all penalties by feeding all their excess wheat and using it as seed, they thereby nullify the wheat-control program.

We can see no legitimate reason for providing this exemption. The noncooperator knew when he planted his crop that the law requires to vote on marketing quotas prior to the marketing season if the supply situation is sufficiently large. In July 1940, the law was amended to provide that wheat fed to livestock would be included in the farmers' marketing quota.

Furthermore, the same law that increased the penalty on excess wheat also raised the loan rate to 85 percent of parity, which has resulted in an increase in the average farm price of wheat from 67.8 cents per bushel in February 1941, to 85.6 cents per bushel in July 1941. The fact is, without the wheat-control program wheat farmers today, with a record surplus of wheat, would probably receive not over 30 cents per bushel instead of 85.6 cents per bushel.

Congress and the Secretary of Agriculture have already gone the limit in easing the application of wheat marketing quotas if we are to preserve effective control of supplies. In the first place the noncooperator is permitted to market all of his wheat except his excess wheat, without any penalty. Under regulations issued recently by the Secretary he can avoid entirely the penalty on his excess wheat by storing this excess, and if he reduces his acreage this fall or next spring by an amount which would normally produce the

amount of his excess wheat and if he becomes a cooperator, he can then market this excess wheat without any penalty. Meanwhile, he has the privilege of receiving a Government loan equal to 60 percent of the cooperator's loan rate to aid him in storing or holding this excess wheat, and in addition, on the rest of his crop which he sells without any penalty he gets the benefit of the higher price which has been made possible by the cooperation of the majority of the wheat farmers in the wheat control program. In addition, under the provisions of H. R. 5300, as it passed the House, the noncooperator is permitted to market the normal yield of his alloted acres without any penalty, no matter how much his total acreage may have exceeded his alloted acres. This takes care of the distress cases due to crop failure.

If Congress weakens the wheat-marketing quotas by adopting this amendment now, when wheat-marketing quotas are being applied for the first time, it undoubtedly will result in a greatly increased number of noncooperators next year, which will wreck the wheat program.

May I also convey to you the recommendations of the American Farm Bureau Federation with respect to the amendment to freeze all Government-owned cotton stocks which was added by the Senate? We do not favor this amendment in its present form and we respectfully recommend instead the adoption of a policy which would prohibit the sales of Government-owned cotton so as to reduce or hold the prices of cotton to farmers at less than parity price, except for export or relief distribution. We believe there should be a margin of at least 10 percent above parity allowed before any Government-owned cotton is released, and the quantities that are released should be such as not to result in depressing the domestic price below parity.

The establishment of such a policy would safeguard the parity price of cotton and yet would permit the reduction of surplus stocks on an orderly basis whenever this could be done without jeopardizing the parity position of cotton farmers. We believe that a definite statement of Governmental policy along this line would do much to prevent uncertainties which tend to encourage speculative activities both upward and downward, such a policy would have a constructive, stabilizing effect on the cotton market.

Mr. FULMER. Mr. Speaker, I yield the balance of the time to the gentleman from Kansas [Mr. HOPE].

Mr. HOPE. Mr. Speaker, it seems to me that there have been some rather extravagant statements made this afternoon. They have all been made by men who are undoubtedly friends of the farmer; they were made in all sincerity, but I believe these gentlemen are unduly worked up over what they believe will be the effect of this bill, and I even have a suspicion that perhaps they have not had the time or opportunity to carefully study this conference report.

Let me mention briefly the situation which confronted the conferees of the House when they met to consider this bill. The House had passed a bill which provided that any noncooperator could sell an amount of wheat, without penalty, equal to the normal production of his allotted acreage. That would take care of a considerable number of hard situations. The bill was opposed by no one, as far as I know.

The bill went to the Senate. That body, as it frequently does, added a number of amendments, some of which would not have been germane if they had been offered in the House. Among those amendments was one which provided that noncooperating farmers might use any excess wheat they might have for feed and seed, not only for this year but for every year in the future. It amended the basic law in that particular. The Senate also added provisions which froze indefinitely the stocks of wheat and cotton now in the possession of the Commodity Credit Corporation, and directed that Corporation to acquire such stocks as are now being held under loans.

The conferees met, and the Senate insisted upon its amendments. I think we made the best solution of the matter that could be made. We cannot have everything our own way when we go into a conference, and those of you who have served on conference committee realize that, of course. What did we do so far as the feed and seed provision was concerned? We compromised there by taking out the provision for the use of wheat for seed and permitting the use of wheat for feed for this year only. As provided by the Senate amendment, it would have gone on indefinitely. I was opposed to going that far, and very much opposed to it. It would have wrecked the farm program if we permitted the use of excess wheat for feed and seed indefinitely, but feeding wheat this year is not going to injure the farm program, it is not going to hurt the wheat producer in the slightest degree, whether he be a cooperator or a noncooperator. It will help him because it will permit the feeding of perhaps 40,000,000 or 50,000,000 bushels of wheat that would not otherwise be consumed. We have 1,350,000,000 bushels of wheat in this country today, which is almost as much as we can consume domestically in 2 years. Is it going to hurt any wheat producer if we can find an outlet for forty or fifty million bushels of wheat that otherwise would not be consumed? That will help the cooperator and the noncooperator alike.

Some fear has been expressed that it may hurt the corn producer. It is not going to hurt the corn producer. What will forty or fifty million bushels of wheat do when you consider that there are almost 4,000,000,000 bushels of feed grains in this country, including corn? Is the addition of thirty or forty or fifty million bushels of wheat to be used for feed going to make any change in that situation? Certainly not. Furthermore, the Secretary of Agriculture has asked, yes, urged, the farmers of the country to produce more meat and dairy products. That takes feed. He has stated that there will be no corn quotas this year. If there were quotas, then corn producers would possibly have grounds for complaining of the feeding of wheat. As it is, they have none.

But this will help ease a situation which has grown up and which is dividing the farmers of this country. I think we can largely settle the controversy that has arisen over this wheat penalty if we adopt this conference report and permit the feeding for this year of this excess wheat. The wheat farmers of this country ought not be fighting each other. They ought to get together, and this will give them an opportunity to do so.

As to the freezing proposition, I think there have been some unintentional misstatements made as to the effect of the freezing provisions. They do not provide for absolute freezing. There are several outs. I would not favor any provision which absolutely froze the stocks of wheat and cotton held by the Commodity Credit Corporation, but can any of you tell me where you are likely to find an outlet for those surplus stocks of wheat and cotton anywhere during the next few years, except for relief purposes, either here or abroad? Under the amendment as worked out by the conferees, this wheat and cotton can be used for relief purposes in this country. It can be used for relief purposes abroad. If we want to feed the Belgians or send it to occupied France or any place in the world where people are starving today we can do it under the provisions of this bill. If the President wants to use it under the lease-lend program he can do so. If our Government can made a deal to export wheat and cotton, it can use these stocks, subject to the provision of law which says they cannot sell more than 1,300,000 bales of cotton in 1 year. All of those things can be done under the provisions of this amendment as adopted by the conferees.

I submit there is no likelihood that the Commodity Credit Corporation will be able to do anything with these stocks other than what it can do under the provisions of this bill; but it does have a strengthening effect on the market if we put in this bill that they cannot do anything as far as dumping these products domestically is concerned until the Congress takes some further action.

This will not help the speculators. There has been a lot of talk about speculators today. The wheat crop of this country is nearly all in the hands of the farmers. If the price goes up the farmer not the speculator will get the benefit. Very little of it is in the hands of speculators. The cotton crop has not come on the market yet. They are just beginning to pick cotton. It is all in the hands of the farmers. If the price goes up, it is the farmer and not the speculator who will get the benefit of it.

So it seems to me that all of these charges that have been made this afternoon about scabs and speculators and all of the other extravagant language that has been used will not stand up under the cold light of analysis when you consider this conference report. Suppose you send it back. Do you think it will be possible to get anything better if you do? I do not believe the Senate will go any further than it has gone already in backing down from the position which it took when it passed this legislation. That body has already adopted this conference report unanimously.

Mr. YOUNGDAHL. Mr. Speaker, will the gentleman yield?

Mr. HOPE. I yield.

Mr. YOUNGDAHL. I have had an opportunity in the last few days to discuss with several Members of the House, as well as other individuals, the possibilities of this freezing proposition, and it is my humble conclusion, after this conference, that that provision will create a further

speculative market which in the final analysis will work havoc to all those interested in this program.

Mr. HOPE. The gentleman is a keen student of the farm problem. He is entitled to his opinion. Some of us may or may not agree with him, but I do want to emphasize that any benefits in price increase that may come from this action will benefit the farmer and not the speculator. I represent the greatest wheat-producing district in the United States. I have supported the wheat program. I would not do anything to hurt it now. This bill will not hurt it. It will help it, and, in my opinion, will result in greater cooperation and support than could possibly be secured otherwise.

[Here the gavel fell.]

The SPEAKER. All time has expired.

The question is on agreeing to the conference report.

The question was taken; and on a division there were ayes 100 and noes 72.

Mr. PIERCE. Mr. Speaker, I object to the vote on the ground that a quorum is not present.

The SPEAKER. Evidently a quorum is not present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 176, nays 162, answered "present" 1, not voting 93, as follows:

[Roll No. 107]

YEAS—176

Allen, La.	Flannagan	Manasco
Anderson, N. Mex.	Flannery	Mansfield
Angell	Folger	May
Barden	Fulmer	Michener
Baumhart	Gathings	Mills, Ark.
Beckworth	Gehrmann	Monroney
Bell	Gerlach	Mundt
Bender	Gibson	Murdock
Bennett	Gossett	Murray
Blackney	Graham	Norrell
Bland	Granger	O'Brien, Mich.
Boggs	Grant, Ala.	O'Brien, N. Y.
Bolton	Green	Pace
Bonner	Gregory	Patman
Boren	Guyer, Kans.	Patrick
Boykin	Haines	Patton
Bradley, Mich.	Hall, Edwin Arthur	Peterson, Fla.
Brooks	Hare	Peterson, Ga.
Brown, Ga.	Harness	Plauché
Brown, Ohio	Harris, Ark.	Ploeser
Bryson	Harris, Va.	Poage
Bulwinkle	Hendricks	Priest
Burdick	Hess	Ramsay
Burgin	Hill, Colo.	Ramspeck
Byrne	Hobbs	Rankin, Miss.
Camp	Holbrock	Rankin, Mont.
Cannon, Fla.	Holmes	Reece, Tenn.
Carlson	Hope	Rees, Kans.
Cartwright	Hull	Richards
Chapman	Hunter	Rivers
Chenoweth	Imhoff	Rizley
Claypool	Jarman	Robertson N. Dak.
Clevenger	Jennings	Rodgers, Pa.
Cluett	Johnson, Ind.	Rogers, Okla.
Cole, Md.	Johnson Luther A.	Satterfield
Colmer	Johnson, Lyndon B.	Secrest
Cooley	Johnson, Okla.	Shafer, Mich.
Cooper	Jones	Short
Cox	Kerr	Sikes
Creal	Kilday	Simpson
Culkin	Kleberg	Smith, Ohio
Curtis	Kopplemann	Snyder
Davis, Ohio	Lambertson	South
Davis, Tenn.	Lanham	Sparkman
Dingell	Ludlow	Springer
Disney	McGehee	Steagall
Ditter	McGregor	Sumners, Tex.
Dondero	McIntyre	Sutphin
Doughton	McLaughlin	Tarver
Durham	McMillan	Taylor
Elston	Mahon	Terry
Fenton	Mason	Thom
Fitzpatrick	Meyer, Md.	Thomas, Tex.
Thomason	Moser	Wilson
Tibbott	Mott	Winter
Van Zandt	Myers, Pa.	Worley
Vincent, Ky.	Nelson	Young
Vinson, Ga.	O'Leary	Zimmerman
Vorys, Ohio	Oliver	
Wadsworth	O'Neal	
Weaver	Osmers	
Welch	Paddock	
Wene	Pheiffer, William T.	
West	Pierce	
Whelchel	Pittenger	
Whittington	Plumley	
Wickersham	Powers	

NAYS—162

Andersen, H. Carl	Gilchrist	Reed, Ill.
Anderson, Calif.	Grant, Ind.	Reed, N. Y.
Andresen, August H.	Gwynne	Robsion, Ky.
Andrews	Hall, Leonard W.	Rockefeller
Arends	Halleck	Rogers, Mass.
Arnold	Hancock	Rolph
Baldwin	Hart	Sasscer
Barry	Hartley	Sauthoff
Bates, Mass.	Healey	Scanlon
Bishop	Heffernan	Schulte
Bloom	Heidinger	Shanley
Boehne	Hill, Wash.	Shannon
Bradley, Pa.	Hinshaw	Smith, Conn.
Buck	Hoffman	Smith, Maine
Burch	Howell	Smith, Pa.
Butler	Jacobsen	Smith, Va.
Canfield	Jarrett	Smith, Wash.
Cannon, Mo.	Jensen	Somers, N. Y.
Capozzoli	Johnson, Ill.	Spence
Case, S. Dak.	Jonkman	Stearns, N. H.
Casey, Mass.	Kean	Stefan
Clark	Kee	Stevenson
Clason	Keefe	Stratton
Cochran	Kelley, Pa.	Sullivan
Cole, N. Y.	Kelly, Ill.	Sumner, Ill.
Connery	Kennedy, Michael J.	Taber
Costello	Keogh	Talle
Crawford	Kirwan	Tenerowicz
Crosser	Klein	Thill
Crowther	Knutson	Tolan
Cullen	Kocialkowski	Traynor
Cunningham	Kramer	Treadway
Day	Kunkel	Voorhis, Calif.
Dickstein	Landis	Ward
Dirksen	Larrabee	Wasielewski
Downs	Lea	Wheat
Drewry	Leavy	Wigglesworth
Duncan	LeCompte	Williams
Dworshak	Lesinski	Wolcott
Eberharter	Lewis	Wolverton, N. J.
Elliott, Calif.	Lynch	Woodruff, Mich.
Englebright	McCormack	Woodrum, Va.
Fellows	McGranery	Youngdahl
Fish	McKeough	
Fitzgerald	McLean	
Flaherty	Maciejewski	
Fogarty	Maciora	
Forand	Marcantonio	
Ford, Leland M.	Martin, Iowa	
Ford, Thomas F.	Mason	
Gale	Meyer, Md.	
Gamble	Moser	
Gavagan	Mott	
Gearhart	Myers, Pa.	

ANSWERED "PRESENT"—1

Engel

NOT VOTING—93

Allen, Ill.	Gifford	O'Toole
Barnes	Gillie	Pearson
Bates, Ky.	Gore	Pfeifer, Joseph L.
Beam	Harrington	Rabaut
Beiter	Harter	Randolph
Boland	Hébert	Rich
Buckler, Minn.	Hook	Robertson, Va.
Buckley, N. Y.	Houston	Robinson, Utah
Byron	Izac	Romjue
Carter	Jackson	Russell
Celler	Jenkins, Ohio	Sabath
Chiperfield	Jenks, N. H.	Sacks
Coffee, Nebr.	Johns	Sanders
Coffee, Wash.	Johnson, Calif.	Schaefer, Ill.
Collins	Johnson, W. Va.	Schuetz
Copeland	Kefauver	Scott
Courtney	Kennedy, Martin J.	Scrugham
Cravens	Kilburn	Sheppard
D'Alesandro	Kinzer	Sheridan
Delaney	McArdle	Smith, W. Va.
Dewey	Maas	Starnes, Ala.
Dies	Magnuson	Sweeney
Domengeaux	Martin, Mass.	Thomas, N. J.
Douglas	Merritt	Tinkham
Doxey	Mills, La.	Vreeland
Eaton	Mitchell	Walter
Edmiston	Nichols	Weiss
Eliot, Mass.	Norton	White
Ellis	O'Connor	Wolfenden, Pa.
Faddis	O'Day	Wright
Ford, Miss.	O'Hara	
Geyer, Calif.		

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Starnes of Alabama for, with Mr. Engel against.

Mr. Coffee of Nebraska for, with Mr. Vreeland against.

Mr. Jenkins of Ohio for, with Mr. Joseph L. Pfeifer against.

Mr. Kinzer for, with Mr. Eliot of Massachusetts against.

Mr. Pearson for, with Mr. Eaton against.

Mr. Gillie for, with Mr. Thomas of New Jersey against.

Mrs. Byron for, with Mr. Coffee of Washington against.

Mr. Johnson of West Virginia for, with Mr. Chiperfield against.

Until further notice:

Mr. Doxey with Mr. Martin of Massachusetts.

Mr. Rabaut with Mr. Carter.

Mr. Collins with Mr. Rich.

Mr. Ford of Mississippi with Mr. Gifford.

Mr. Kefauver with Mr. Wolfenden of Pennsylvania.

Mr. Hébert with Mr. Copeland.

Mr. Courtney with Mr. Kilburn.

Mr. Gore with Mr. Douglas.

Mr. Robertson of Virginia with Mr. Tinkham.

Mr. Russell with Mr. Scott.

Mr. Cravens with Mr. Dewey.

Mr. Wright with Mr. Johnson of California.

Mr. Martin J. Kennedy with Mr. O'Hara.

Mr. Boland with Mr. Jenks of New Hampshire.

Mr. Harter with Mr. Johns.

Mr. Sanders with Mr. Maas.

Mr. Delaney with Mr. Buckler of Minnesota.

Mr. Beam with Mr. Harrington.

Mr. Dies with Mr. White.

Mr. Ellis with Mr. Magnuson.

Mr. Walter with Mr. Jackson.

Mr. Robinson of Utah with Mr. Barnes.

Mr. Romjue with Mr. Hook.

Mr. Edmiston with Mr. McArdle.

Mr. Nichols with Mr. Sheridan.

Mr. Randolph with Mr. Celler.

Mr. Beiter with Mr. Geyer of California.

Mr. O'Toole with Mr. Mitchell.

Mr. Weiss with Mr. Sweeney.

Mr. Schuetz with Mr. Bates of Kentucky.

Mr. Houston with Mr. Faddis.

Mr. O'Connor with Mr. Smith of West Virginia.

Mr. Scrugham with Mr. Izac.

Mr. Merritt with Mr. Schaefer of Illinois.

Mr. Mills of Louisiana with Mrs. O'Day.

Mr. CASE of South Dakota changed his vote from "aye" to "no."

Mr. ENGEL. Mr. Speaker, I voted "no." I have a pair with the gentleman from Alabama, Mr. STARNES, who, if present, would have voted "aye." I therefore withdraw my vote of "no" and vote "present."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider the vote whereby the conference report was adopted was, by unanimous consent, laid on the table.

The SPEAKER. The Chair is going to recognize a few Members to submit unanimous-consent requests to concur in Senate amendments to certain bills.

The Chair recognizes the gentleman from Mississippi [Mr. MCGEHEE].

JOHN HENRY HESTER

Mr. MCGEHEE. Mr. Speaker, I ask unanimous consent to take from the

Speaker's table the bill (H. R. 4529) for the relief of John Henry Hester, with a Senate amendment and concur in the Senate amendment.

The Clerk read the title of the bill and the Senate amendment, as follows:

Page 1, line 6, strike out "$5,000" and insert "$2,500."

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

GILBERT E. JACKSON AND HELEN JACKSON

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 647) for the relief of Gilbert E. Jackson and Helen Jackson, individually, and as the natural guardians of Edwin Jackson, a minor, with a Senate amendment and concur in the Senate amendment.

The Clerk read the title of the bill and the Senate amendment, as follows:

Page 1, lines 7 and 8, strike out "Gilbert E. Jackson and Helen Jackson, as natural guardians," and insert "the legal guardian."

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

WILLIAM F. KLIEWE

Mr. McGEHEE submitted the following conference report and statement on the bill (H. R. 1692) for the relief of William F. Kliewe for printing under the rule:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1692) entitled "An act for the relief of William F. Kliewe," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate and agree to the same with an amendment: In lieu of the figures "$872.50" insert "$1,000"; and the Senate agree to the same.

DAN R. McGEHEE,
JOHN JENNINGS, Jr.
Managers on the part of the House.

ALLEN J. ELLENDER,
JAMES H. HUGHES.
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference of the disagreeing vote of the two Houses on the amendment of the Senate to the bill (H. R. 1692) for the relief of William F. Kliewe, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report.

This bill as it passed the House provided for the payment of the sum of $2,500 to William F. Kliewe, as legal guardian of his son, Charles Kliewe, a minor, of Pearl River, N. Y., on account of the personal injuries sustained by the said Charles Kliewe, who was injured on March 14, 1938, by a tree felled by the Dutch elm disease eradication crew of the Department of Agriculture. The Senate reduced the amount to be paid to Mr. Kliewe, from $2,500 to $872.50.

At the conference a compromise of $1,000 was agreed upon.

DAN R. McGEHEE,
JOHN JENNINGS, Jr.,
Managers on the part of the House.

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill (H. R. 1692) for the relief of William F. Kliewe.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Clerk read the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair recognizes the gentleman from Virginia [Mr. WOODRUM].

SUPPLEMENTAL DEFENSE APPROPRIATION BILL

Mr. WOODRUM of Virginia. Mr. Speaker, the deficiency bill is scheduled for consideration in the Senate tomorrow. I ask unanimous consent that in the event the bill passes the Senate and comes to the House, if and when a conference report is presented to the House, it may be considered on the day on which it is presented to the House.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Florida [Mr. GREEN].

HAWAIIAN HOMES COMMISSION

Mr. GREEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4813) to amend section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill and the Senate amendment, as follows:

Page 3, line 3, strike out "This act shall take effect upon its approval," and insert: "Nothing in this act shall apply to any lands which are now under, or which may hereafter be placed under, the jurisdiction of the Hawaiian Homes Commission."

Mr. MICHENER. Mr. Speaker, reserving the right to object, will the gentleman explain the senate amendment?

Mr. GREEN. Yes. There is no objection on the part of the committee on either side. It is a minor amendment to the Hawaiian Homes Act.

Mr. MICHENER. Is it satisfactory to the minority members of the committee?

Mr. GREEN. It is; and the Delegate from Hawaii [Mr. KING] has conferred with them.

The SPEAKER. The question is on the Senate amendment.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair recognizes the gentleman from California [Mr. KRAMER].

PREVENTING PUBLICATION OF INVENTIONS IN THE NATIONAL INTEREST

Mr. KRAMER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4784) to amend the act relating to preventing the publication of inventions in the national interest, and for other purposes, with a Senate amendment and concur in the Senate amendment.

The Clerk read the title of the bill and the Senate amendment, as follows:

Page 2, strike out lines 16 to 25, inclusive, and lines 1 and 2 on page 3, and insert:

"SEC. 5. Whoever, during the period or periods of time an invention has been ordered to be kept secret and the grant of a patent thereon withheld pursuant to the act approved July 1, 1940 (Public, No. 700, 76th Cong., 3d sess., ch. 501), shall, with knowledge of such order and without due authorization, willfully publish or disclose or authorize or cause to be published or disclosed such invention, or any material information with respect thereto, or whoever in violation of the provisions of section 3 hereof, shall file or cause or authorize to be filed in any foreign country an application for patent or for the registration of a utility model, industrial design, or model in respect of any invention made in the United States, shall, upon conviction, be fined not more than $10,000 or imprisoned for not more than 2 years, or both."

Mr. MICHENER. Mr. Speaker, reserving the right to object is this a unanimous report from the committee?

Mr. KRAMER. It is.

Mr. MICHENER. The gentleman from New Jersey is here. May I ask him to explain the amendments to this side?

Mr. WOLVERTON of New Jersey. Mr. Speaker, so far as I know, there is no objection to the amendment that has been made by the Senate. In fact, it is my opinion that the amendment as made in the Senate improves the bill. I know of no reason why the amendment should not be agreed to.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

CREATING THE GRADE OF CHIEF WARRANT OFFICER IN THE ARMY

Mr. MAY. Mr. Speaker, I call up the conference report on the bill (S. 162) to strengthen the national defense by creating the grade of chief warrant officer in the Army and for other purposes, and I ask unanimous consent that the statement of the managers on the part of the House may be read in lieu of the full report.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 162) to strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with amendments as follows:

On page 2 of the House engrossed amendment, line 19, strike out ", next preceding their appointment,".

On page 2 of said amendment, line 21, before the period, insert a comma and the following: "and from among masters and chief

engineers, Army Mine Planter Service, hereafter appointed as such under the provisions of existing law."

On page 3 of said amendment, beginning with the colon in line 9, strike out through the word "officer" in line 13.

On page 4 of said amendment, line 9, before the word "temporary" insert "permanent or".

On page 4 of said amendment, line 14, before the word "temporary" insert "permanent or".

On page 6 of said amendment, lines 2 and 3, strike out "be deemed to be" and insert "become".

On page 6 of said amendment, lines 4 and 5, strike out "be deemed to be" and insert "become".

And the House agree to the same.

A. J. MAY,
R. E. THOMASON,
DOW W. HARTER,
WALTER G. ANDREWS,
DEWEY SHORT,
Managers on the part of the House.

ROBT. R. REYNOLDS,
LISTER HILL,
CHAN GURNEY,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 162) to strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate bill and the house amendment both had the same general purposes. First, to create the grade of chief warrant officer in the Army and to provide for the pay and allowances of the grade; second to remove the present legislative restriction of 600 upon the authorized number of warrant officers; and, third, to codify existing laws relating to warrant officers and to simplify them from the viewpoint of administration

Section 2 of the Senate bill provided that the number of permanent appointments of warrant officers in the Regular Army (other than the Army Mine Planter Service) should be prescribed by the President from time to time, with appointments to be made and terminated by the Secretary of War. Temporary appointments in the grades of chief warrant officer and warrant officer (junior grade) were authorized to be made by the Secretary of War whenever the authorized enlisted strength of the Regular Army exceeded 280,000, with the total number of such temporary and permanent appointments limited to not to exceed a number equal to 1 percent of the total authorized enlisted strength of the Regular Army. Section 2 of the House amendment provided that original permanent appointments in the grade of warrant officer (junior grade) should be made only from among those persons who had served at least 1 year on active duty in the Army of the United States, and original permanent appointments in the grade of chief warrant officer should be made only from warrant officers who had completed at least a period of 10 years active service, next preceding their appointment, either as warrant officers (junior grade) or as warrant officers under existing law, or both. Such permanent appointments were to be made in the Regular Army and terminated under regulations of the Secretary of War, whose action was made final. The total number of permanent appointments in both such grades were to be prescribed by the President, but such total was not to exceed 1 percent of the enlisted strength of the Regular Army with a provision that not more than 40 percent of the total actual number of permanent warrant officers in active service should be appointed in the grade of chief warrant officer. A limitation was also included in such section that no person serving or having served as an Army field clerk, a field clerk in the Quartermaster Corps, or a quartermaster clerk should be eligible for appointment to the grade of chief warrant officer.

The conference agreement retains the general provisions of section 2 of the House amendment but removes such limitation, and modifies the requirement of 10 years' active service next preceding appointment as a qualification to a permanent appointment in the grade of chief warrant officer, so that 10 years' active service either as warrant officer (junior grade) or as warrant officers under existing law, or both, is sufficient. It is also provided in the conference agreement that the original permanent appointments in the grade of chief warrant officer may be made from among masters and chief engineers, Army Mine Planter Service, hereafter appointed as such under the provisions of existing law.

The conference agreement also provides for the designation by name, by the Secretary of War, of a very limited number of permanent chief warrant officers to receive the base pay and allowances of higher pay periods.

The conference agreement also provides that warrant officers appointed under existing law, other than masters and chief engineers of the Army Mine Planter Service, are to become warrant officers (junior grade) on the effective date of the act, and masters and chief engineers of the Army Mine Planter Service are to become chief warrant officers on such date.

The conference agreement retains all the other provisions of the House amendment.

A. J. MAY,
R. E. THOMASON,
DOW W. HARTER,
WALTER G. ANDREWS,
DEWEY SHORT,
Managers on the part of the House.

Mr. MAY. Mr. Speaker, I yield 5 minutes to the gentleman from Connecticut [Mr. SMITH].

Mr. SMITH of Connecticut. Mr. Speaker, this conference report follows the House provisions with only perfecting amendments except in one instance, which has to do with the removal of a limitation which the House has placed on the appointment of men who had formerly been field clerks of the Army. This does not appear in the conference report. Otherwise, the conference report follows the provisions of the House bill and provides, as did the House bill, for a new rank or grade in the Army of chief warrant officer and increases the number of warrant officers in the Army. It also provides that the provision shall apply to temporary appointments to the men who are in the other components of the Army besides the Regular Army.

There is no controversy within the the conference committee or the committee on this proposal, and unless there are questions, I yield back the balance of my time.

Mr. MAY. Mr. Speaker, I move the previous question on the adoption of the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

REQUISITIONING OF PROPERTY FOR THE DEFENSE OF THE UNITED STATES

Mr. MAY. Mr. Speaker, I call up the conference report on the bill S. 1579, to authorize the President of the United States to requisition property required for the defense of the United States, and I ask unanimous consent that the statement of the managers on the part of the House may be read in lieu of the full report.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment numbered 1.

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following: "Nothing contained in this Act shall be construed to impair or infringe in any manner the right of any individual to keep and bear arms."

And the House agree to the same.

A. J. MAY,
R. E. THOMASON,
DOW W. HARTER,
WALTER G. ANDREWS,
Managers on the part of the House.

ROBT. R. REYNOLDS,
LISTER HILL,
ALBERT B. CHANDLER,
WARREN R. AUSTIN,
STYLES BRIDGES,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Section 1 of the Senate bill authorized the President during the national emergency declared by him on May 27, 1941, and not later than June 30, 1943, to requisition for the defense of the United States upon the payment of fair and just compensation in the manner provided for by the act of October 10, 1940, any military or naval equipment, supplies or munitions, or component parts thereof, or machinery, tools, or materials necessary for the manufacture, servicing, or operation of such equipment, supplies, or munitions, and to dispose of such property in such manner as he may determine is necessary for the defense of the United States. Such requisitioning was conditioned, however, upon a determination by the President during such period that the use of such property is needed for the defense of the United States; that such need is immediate and impending and such as will not admit of delay or resort to any other source of supply; and that all other means of obtaining the use of such property for the defense of the United States upon fair and reasonable terms have been exhausted.

Section 2 of the Senate bill provided that the President might return any property so

requisitioned to the owner thereof if the owner desires the property and pays the fair value thereof and the President determines that such property is no longer needed for the defense of the United States. Such return is to be made in any case not later than December 31, 1943, if the owner desires it and pays the fair value of the property.

Section 3 of the Senate bill provided for a report to the Congress by the President not less frequently than once every 6 months of operations under the act, and section 4 of the Senate bill provided for the delegation of authority of the President to others and for the issuance of rules and regulations and for obtaining information necessary and proper to carry out the provisions of the act.

The first House amendment included a provision that the fair and just compensation to be paid upon the requisitioning of any property under the act would not be less than the fair market value thereof. The House recedes.

The second House amendment provided that the President should determine the fair and just compensation to be paid for any property so requisitioned. If, however, the owner was unwilling to accept the amount determined by the President he was to be paid 50 percent of such amount and was given the right to sue the United States in the Court of Claims or any district court of the United States for an additional amount which, when added to the sum already received by him, he considered to be fair and just compensation for the property. This procedure is similar to the procedure provided for in the act of October 10, 1940, and which, as a result of the recession by the House on the first amendment will apply as provided in the Senate bill to the determination of the fair and just compensation in all such cases. As to this part of the second House amendment, the House recedes.

The second House amendment also contained a provision that nothing contained in the act should be construed to authorize the requisition or require the registration of firearms possessed by any individual for his personal protection or sport or be construed to impair or infringe the right of any individual to keep and bear arms. The conference agreement provides that nothing in the acts shall be construed to impair or infringe in any manner the right of any individual to keep and bear arms.

The second House amendment also contained a provision that no machinery or equipment shall be taken out of an operating factory or business if it is in actual use in connection with such factory or business and is necessary to the operation thereof. The House recedes.

A. J. MAY,
R. E. THOMASON,
DOW W. HARTER,
WALTER G. ANDREWS,
Managers on the part of the House.

Mr. MAY. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, I shall make a very brief explanation of the provisions of this bill, although it was explained to the House at the time it was passed; then I shall discuss some of the issues involved in the conference and state just what I think the vital question involved here is.

In the first place, this bill confines the President in the requisitioning of personal property to two classes of property: First, that which is requisite and necessary for military purposes, and, second, that which is requisite and necessary for naval purposes and naval use. When the Government takes the property it must pay a fair and just compensation for it, and in no event less than the fair market value of the property taken. But before the President can authorize the taking of any property he must find that the use of the materials is necessary to the national defense. I do not want you to forget that is the first thing, that it must be necessary, and there is also the requirement that the Government needs it immediately.

The second proposition is that the need is imperative and that there is no other available property to take its place or that it cannot be obtained elsewhere.

In the third place, he is required to determine that all other means of obtaining the use of such property for the defense of the United States upon fair and reasonable terms have been exhausted. Then and only then is he authorized to requisition the property.

He must do that under the provisions of an act of last year known as the bill to requisition tools and implements necessary to the national defense. That bill provides that, before he can take it, he must fix a reasonable value or what in his judgment he believes to be a fair value, that the owner must be paid 50 percent of that valuation so fixed, and then he is permitted to litigate in the courts or before the Court of Claims the remainder of the issue as to what the actual value of the property is. In other words, if the President said a particular property is worth $100,000, the owner would be paid $50,000. He could then litigate the question of whether or not it is worth more than $100,000 or less than $100,000, and he might recover, if the proof justified it, $200,000 or any other sum that the court awarded.

There has arisen some opposition to this measure from some of our good friends, some of them members of the Military Affairs Committee, on account of the fact that the President is going to take everybody's guns away from them and that we may find it necessary to register their guns. I admit that sometimes you have a witness who makes some sort of a statement that does not sound very well on the witness stand. I have had that occur to me a few times in the long years of my law practice. Judge Patterson before the committee stated in answer to a question that the War Department had been considering regulations with respect to the requisitioning of personal property, that it had not yet occurred to them, as I remember it, that they might be called upon to register arms. If they were called upon to register arms, I do not think they would go out and say to every farmer in this country, to every workingman in this country, to every citizen, businessman, or whatever profession or calling he may have, that he must register the weapons he might have in his home, but to guard against that we undertook to give these brethren here concerned about their guns the proper kind of protection, and we did it in the language of the Constitution, or as nearly as we could, and I quote from the report:

> Nothing contained in this act shall be construed to impair or infringe in any manner the right of any individual to keep and bear arms.

The Senate agreed to that.

May I say that if the legislation is cloaked with a reservation that it does not infringe either of those rights, the right to keep means that a man can keep a gun in his house and can carry it with him if he wants to; he can take it where he wants to, where he pleases, and the right to bear arms means that he can go hunting even if it is down in Texas on the Rio Grande or up in eastern Kentucky on the Big Sandy, and that nobody has any right, so long as he bears the arms openly and unconcealed, to interfere with him.

I am satisfied there has been a little lobbying started since this report was made, because I got a call over the long-distance telephone this morning from one of the finest friends I have in my district. He is a doctor, he is president of a conservation club with about 2,000 members, and he is the president of the Kentucky Game and Fish Commission. He wanted to know what this bill meant. I said, "How did you hear anything about it, Doc?" He said, "Well, they have telephoned me from Frankfort that they were about to provide for the taking of all of our weapons away from us and stop us from hunting and fishing."

I said, "I happen to have the report of the committee right on my desk before me, Doc, and I will just read you what we said about it."

I read this phrase here, where we guarantee a man's constitutional right to keep and bear arms. He said, "It seems to me that that ought to settle the question. I don't think they will take our guns under that provision."

Mr. LEWIS. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Colorado.

Mr. LEWIS. I should like to ask the chairman about two provisions in the conference report. The statement of the managers on the part of the House contains this paragraph:

> The first House amendment included a provision that a fair and just compensation should be paid upon the requisitioning of any property under the act would not be less than the fair market value thereof. The House recedes.

As I understood the statement of the chairman just now, the House conferees kept that amendment in the bill.

Mr. MAY. The House conferees agreed to a modification of that which provided for just compensation, to be determined by the methods of condemnation resorted to in the courts. A judicial hearing for the owner.

Mr. LEWIS. Which the gentleman has explained.

Mr. MAY. Yes.

Mr. LEWIS. Why did you recede from the provision that it should be not less than the fair-market value thereof? There was quite a little discussion on that.

Mr. MAY. The main reason was that we could not get a conference report without doing it. The argument was that if a man received just and fair compensation for his property he had all he was entitled to, that the possibilities were that the market value might be in excess of what would be a fair and just compensation in one case and less in other

cases, and that in determining the just compensation to be received the jury and the court could take into consideration every item that entered into the determination of what just compensation was; further, that "just compensation" is a broader and more uniform phrase than "fair-market value," because "fair-market value" might mean one thing in this community and another thing on the same implement or the same piece of machinery in another community.

Mr. LEWIS. I agree it would be unjust to limit the recovery to the fair market value because some articles might have no established market value whatever but would be exceedingly valuable to the owner, who should be entitled to receive fair and just compensation.

Mr. MAY. That is right.

[Here the gavel fell.]

Mr. MAY. Mr. Speaker, I yield myself 2 additional minutes.

Mr. LEWIS. It seems that the conferees struck out the so-called Taber amendment—the provision that no machinery or equipment shall be taken out of an operating factory or business if it is in actual use in connection with such factory or business and is necessary to the operation thereof. It seemed to me and, I believe, to many others in the House that that was a very meritorious provision. What has the chairman to say about that?

Mr. MAY. I was very much for that provision, but in the course of the conference it developed that the Senate had passed upon an identical provision offered by the Senator from Vermont, Mr. AUSTIN. Mr. AUSTIN was one of the conferees, and he took the position that, inasmuch as the Senate had already spoken and that a similar amendment meaning the same thing, although not in the same words, had been rejected by an overwhelming vote in the Senate, he could not afford to go back to the Senate with such an amendment, although it had been adopted by the House. The Senate conferees were perfectly adamant about it and agreed with him, and there would have been no conference report to bring back unless we yielded on it.

Mr. LEWIS. It would certainly be very unfortunate if one piece of machinery, or a group of pieces of machinery, were taken out of a running operating factory.

Mr. MAY. I see what the gentleman means. It was stated by Under Secretary Patterson that there was no intention on the part of the War Department—in fact, they would be foolish to do so—to undertake to wreck any going plant that was producing anything in the country; that under the circumstances it would redound to the detriment of the national-defense program more than it would help it if they took such necessary machinery away from a factory.

Mr. LEWIS. Certainly that factor should be taken into consideration by a jury in determining the compensation.

Mr. MAY. It ought to be; and I find no fault with what the gentleman from Colorado is saying, but you cannot always have your way about everything.

[Here the gavel fell.]

Mr. MAY. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Speaker, in the course of debate on this personal-property seizure bill when it was before the House on the 5th day of August I made certain complaints that the mere paying of the fair market value for a piece of personal property in many cases was not adequate compensation to the owner thereof for the taking of it, that there were, in such cases, additional damages in the nature of severance damages because it might be necessary, for example, to shut down an entire plant, throw hundreds of men out of work, and stop production if one single important piece of machinery were taken out of it. The gentleman from Texas [Mr. KILDAY], I believe, a member of the committee, agreed with me, as did the chairman of the committee, and, consequently they wrote into the committee amendment, at my suggestion, and which they themselves offered, that the compensation that might be sought by the person from whom the property was taken could be that cost which related to the taking of the property. You will find that amendment and part of my remarks on page 6789 of the RECORD, August 5. Now we find that the conferees of the House have receded from their own adopted position and will allow the payment of simply the market price. I want to tell the Members of this House that if this bill goes through in that form, if this conference report is accepted, there can come more unemployment to this country than you can possibly imagine, because when some particular big defense factory says they need a certain piece of equipment, they can go out over the country and find that piece of equipment some place, maybe in a small plant in your home town, and then get the Government to take such equipment from that particular factory and sell it to them and you are going to cause the shut-down of a large number of nondefense factories, most of them small. We are having enough evils in my district right now from the inability of the O. P. M. and the O. E. M. to get together on the matter of priorities on materials badly needed to keep nondefense factories going let alone the taking of equipment and machinery out of these plants doing business for the common welfare of the common people, in producing things that might not be said to be fully defense materials, but are very necessary to the welfare of the people nevertheless.

I object strenuously to the fact that the committee has receded from its position, has receded from the amendment of the gentleman from New York [Mr. TABER], and from practically the entire position they took when the bill was here originally. They have gone the whole way over to the Senate ideas in these matters and I shall be forced to vote against this conference report, although I voted for the bill in the form in which it passed the House originally.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. I have an example of a plant in my district that has been seeking defense orders, but has been repeatedly turned down. They have some other work. They are capable of doing defense orders, but, apparently, there is some prejudice against them.

Mr. HINSHAW. Oh, yes; there are hundreds of such cases. I have several in my own district that have already had to shut down, or are about to shut down.

Mr. VORYS of Ohio. They do pressing and stamping and in their line of machines one of the machines could be taken out and that would completely stop that entire plant and ruin it and they would get only the price of that one machine under the Senate amendment.

Mr. HINSHAW. That is right and I recommend to this House that it give a bit of stiffening to the backbone of the House conferees in going up against the Senate conferees by voting down this conference report 100 percent.

Mr. ANDERSON of New Mexico. Mr. Speaker, will the gentleman yield?

Mr. HINSHAW. I yield to the gentleman.

Mr. ANDERSON of New Mexico. Does the gentleman feel that if the report of the conferees had been before the House, many Members might have voted differently upon the bill?

Mr. HINSHAW. Exactly so. I for one would have voted against the bill. I want to say right here now that there is not a copy of this bill on the desk in the form in which it came from the conferees, neither is there available to the House, so far as I can determine, a copy of this bill as passed by the House the other day, because I sent to the document room and asked for a copy of the bill in either form and it could not be obtained.

Mr. MAY. I may say to the gentleman that there are stacks of copies of the reports here.

Mr. HINSHAW. Certainly, the reports are here, but not the bill.

Mr. MAY. They are in the document room.

Mr. HINSHAW. No; I beg to differ with the gentleman. I have sent to the document room twice in the last 2 hours and there is not a copy of the bill there as it was agreed to in conference or as passed by the House. And, consequently, nobody can see what is in the bill as it comes from the conferees, or as it was passed by the House August 5.

Mr. MAY. Of course, I am not responsible for that.

[Here the gavel fell.]

Mr. MAY. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. SHORT].

Mr. SHORT. Mr. Speaker, I am sorry that there are not more Members present here this afternoon to hear the discussion on this conference report, because in my judgment it is one of the most important bills that has come before this body.

Mr. HINSHAW. Mr. Speaker, will the gentleman yield?

Mr. SHORT. No; I am not going to yield now.

Mr. HINSHAW. Would the gentleman like a point of order made?

Mr. SHORT. No; I do not want a point of order made, but I want to say this. I am the one conferee who refused to sign this report and the reason I refused to sign was because we acquiesced in everything that the Senate wanted.

We struck out consequential damages in section 1. We struck out the Taber amendment in the last section. That amendment was argued on the floor of this House and unless it had been adopted I doubt very seriously if the bill would have passed the House. The Taber amendment provided that you could not take a machine or part of the machinery out of an operating plant which would disrupt an organized industry. The Senate rejected that.

There is another provision which we accepted in a modified form, and that was the amendment presented by the gentleman from Texas [Mr. KILDAY] on the constitutional right of every citizen to bear and keep firearms. I want to talk to DICK KLEBERG, MILTON WEST, EWING THOMASON, and PAUL KILDAY, and the other boys in the Southwest. When there is any question up about taking away the firearms of any citizen, you are treading upon dangerous ground. The method employed by the Communists in every country that has been overthrown has been to disarm the populace, take away their firearms with which to defend themselves, in order to overthrow the Government. I am against this conference report, not only because the Kilday amendment was rejected, or accepted in modified form, but because the consequential-damages provision in the first section is stricken out and the Taber amendment obliterated from the bill. That is actually what has happened. This is one of the most important matters that has ever come before this body. It is one to allow the Government to go in and seize property from a private owner. Here is Brown, for instance, who is operating a plant. Jones lives over here. Brown has a contract with the Government or with some other individual to furnish him so much goods in a certain time. Jones, jealous of Brown, goes to the Government and says, "I want a machine or two out of Brown's shop," and under this bill the Government is permitted to absolutely disrupt that organization and force it into bankruptcy. If that is not communism and nazi-ism, then I do not know the meaning of the words.

Mr. POWERS. Mr. Speaker, will the gentleman yield?

Mr. SHORT. Yes.

Mr. POWERS. The gentleman stated that the House conferees gave in. They gave in to the Senate.

Mr. SHORT. I did not give in.

Mr. POWERS. That is with the exception of the gentleman himself. What does the gentleman think the House conferees are going to do with the draft-extension bill? Does the gentleman think that we will have a conference report, that the administration would dare to take the chance on another record vote on the bill?

Mr. SHORT. Oh, no; they will take in the boys, all right. Of course, my Republican colleague the gentleman from New York [Mr. ANDREWS] gave his proxy to the chairman of our committee. I would not do that. I do not want to censure him, but I think I can trust a Republican colleague as much as I can a Democratic one. I was the only one who stood out and refused to sign that report, and I refused to sign it because they accepted the Kilday amendment in a modified form. That may mean nothing, but the gentleman ought to get up here and offer a motion to recommit, and we will all back him. They struck out the consequential-damages provision and they cut out the Taber amendment. That is practically cutting out the heart of the bill; it is disemboweling the thing. Let us vote down the conference report.

The SPEAKER pro tempore. The time of the gentleman from Missouri has expired.

Mr. MAY. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. KILDAY].

Mr. KILDAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. KILDAY. Mr. Speaker, I regret to find myself in disagreement with the chairman of our committee. However, this is a matter of primary importance, and I do not feel that I can agree to accept this conference report. When the legislation was first proposed, we all realized how far reaching it was, and what a departure it was from our customary legislation and from what has been the tradition of this country. The very prospect of the Government having the power to requisition the private property of an individual places us on guard, so to hedge about this provision with protection as to prevent any far-reaching abuse. The bill was carefully considered in our committee, and carefully considered on the floor. I have no doubt that it would not have passed the House, except for the amendments that were offered and agreed to on the floor of the House. It is easy now to try and pass this over lightly and say there is some attempt by those of us who happen to live in the Southwest or along the Mexican border to keep our firearms, but the bill involves a great deal more than that, and I think it should be sent back to the conference committee to the end that they may revise it and have their hand strengthened by the action which the House takes here today.

In the first place, they have stricken out the provision that the price paid shall never be less than the true market value. We must remember that this bill is going to be administered originally not by the courts, but administratively by administrative officials. Unless we give them the quantum of damages, unless we insist that they shall not go below the true market value, we put the citizen who is negotiating with that administrative officer in the position of having the officer tell him he will take what is offered or he can go to court and be out of 50 percent of the value of his property while he litigates against the Government of the United States. It is bad enough to ever put a citizen in the attitude of litigating against the Government of the United States. He is bound to be at a disadvantage, but when you give the administrative officer the same advantage over him, then you are treading on very dangerous ground.

That is the first question that was eliminated.

Mr. HINSHAW. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. I yield.

Mr. HINSHAW. How does the gentleman feel about the amendment that was placed in the bill at my suggestion, by the committee itself, which the gentleman agreed to at the time, that there was what might be called severance damage attached to taking some kinds of property from certain places?

Mr. KILDAY. I agree with the gentleman thoroughly on that. We have gotten into accepting in this bill the measure of damages which was provided in a previous bill that we passed. That bill gave the Government the power to requisition certain machine tools that were being exported and were caught when the priorities were enforced. We provided that the measure of damages should not exceed the fair market value and should not include prospective or punitive damages. That was correct because they were only chattels on their way to export that were stopped in this country by the operation of our priorities. They were not machine tools in a going business. They were not producing any profit nor carrying on a going business. Therefore the measure of damages should have been the reasonable cost of them, without any prospective damages or anything like that. This is different. You have a right here to go into a man's factory or shop and take the things that he is using.

Now, I want to go to this constitutional question. It is really a substantial and valuable right that is involved. For a period of perhaps 15 years there has been an element in this country seeking to require the registration of all firearms. That bill has been offered in almost every Congress during that period of time. It has never been reported out of the Committee on the Judiciary, and we now have another one of those subterfuges of getting under the name of national defense something that they have not been able to get over a period of years.

I call attention to section 4 of this act, which provides that the President shall have the power to administer the provisions of the act, through any officer or agency that he may determine and to require such information as he may deem necessary in carrying out the provisions of the act. That gives the power to require the registration of every firearm in the United States because knowledge of the location and the owner would be the first information necessary for requisition. That would also require the registration of every piece of property coming under the definition in the bill.

[Here the gavel fell.]

Mr. MAY. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. KILDAY. Such a registration of firearms has been sought, unsuccessfully, for years. Now that they have been unable to get that legislation, they bring it here under the form of national defense. We are in the ridiculous position of being asked to vote for an amendment which

copies the language of the Constitution into an act of Congress. Are we going to be in that ridiculous position? If so, then we are going to have to copy the language of the Constitution into every bill that we pass. We are in a most ridiculous position and we have been placed there by the action of the conference committee. At the proper time I propose to offer a motion to recommit the conference report to the conference committee, to the end that they may pass on this and incorporate my amendment which provided that the bill shall not be construed to give the Government the power to requisition a firearm possessed by an individual, nor to require the registration of it. That must be put in here in order to make the bill constitutional. Judge Patterson testified. His one example was that they might need shotguns, and he felt that if they needed shotguns they should have the right to take them from anybody. That may be true, but do you imagine that the Army of the United States needs shotguns? This is a subterfuge.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. KILDAY. If you will give me some more time.

Mr. MAY. The gentleman knows I have no more time to give him.

Mr. KILDAY. I yield to my chairman.

Mr. MAY. You used the words that Judge Patterson said they must have shotguns.

Mr. KILDAY. No. If I said that I did not intend to. I said that Judge Patterson said if they did need shotguns they should have the right to take shotguns. I say it is ridiculous to suppose that the Army is going to need shotguns. It gives us an indication of what is in their minds. I go further than that and say if they do not intend to require the registration of all firearms they would not object to this provision being in the bill. Judge Patterson said they had already made their plans to require registration. That was the last question we asked him. Practically every organization of sportsmen in the United States has consistently opposed the proposal to require the registration of firearms. They have been successful in that endeavor. Now we find an attempt to secure, under the guise of national defense, the very provision that Congress has failed and refused to enact over this period of years. Remember that registration of firearms is only the first step. It will be followed by other infringements of the right to keep and bear arms until finally the right is gone. It is no shallow pretext. The right to keep and bear arms is a substantial and valuable right to a free people, and it should be preserved. All that we can do now is send this bill back to the conference committee and let it put the bill in proper form and bring it back for further action by the House. Every provision in this bill to aid national defense will be secured by the bill with the provision to protect the measure of damages and the compensation to be given for the property of the citizen and the protection of the constitutional right to keep and bear arms intact. Any delay in securing the benefits of this bill for national defense must be charged to the attempt to secure these other powers which have no relation to national defense. I hope that the motion to recommit the conference report will be sustained.

Mr. MAY. Mr. Speaker, I yield 2 minutes to the gentleman from Oklahoma [Mr. BOREN].

Mr. BOREN. Mr. Speaker, I rise to support the position of the gentleman from Texas [Mr. KILDAY]. I hope we will vote down this conference report and send the bill back to conference with instructions to our conferees to insist on his amendment.

A careful reading of Trotsky's History of the Russian Revolution should convince anyone of the wisdom of our founding fathers in writing into the Constitution of the United States the provision that our right to bear arms as private citizens shall not be abridged. Although I never carried a gun in my life, never had one outside my home except on a hunting trip, I feel that the gun I own in my home is essential to maintaining the defense of my home against the aggression of lawlessness. I feel that it might even be essential to help defend the rights of my individual citizenship against "red" revolution. I feel this strongly about it: The man that ever comes to my home to seize, because of any arbitrary despotic desire for power, that gun will simply get the lead out of the front end of it. I am in dead earnestness about this.

Under this bill you could disarm the State militia. We intended that Federal power should never go so far as to not be curtailed by some military power in our various States. Under this bill you could disarm a State militia.

I have grave doubts about this whole bill, but this amendment rejection in particular is more than outraged justice can tolerate.

What is it we want to defend anyway? Is it an acre of ground? If so, what acre will you give the life of your son to defend. As for me, I know the things I am willing to give my life to defend, and I propose to defend our system of government, our way of life. I propose to defend it against the soldiers of a Hitler and against a government bureaucrat. All the invasions threatened against American democracy are not from without. I feel that the defense of democracy is on my doorstep and your doorstep as well as on the world's battlefields. I may again be referred to as an unreconstructed rebel, but I do rebel against the insinuation of the rejection of the Kilday amendment. I rebel against the destruction of freedom in America under the guise of emergency. I declare war on the "fifth column" that would destroy constitutional government while parading in the disguise of patriots interested solely in national defense. This attempt to destroy another constitutional right is an atrocious damnable rape of American freedom. Let us vote it down.

Mr. MAY. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, there were four or five differences between the two Houses. The first one has had very considerable attention, that of the right of the people under the Constitution to bear arms. The House position on that amendment should have been maintained.

The provision in the House bill with reference to compensation for property should have been maintained.

The amendment I offered, and which was adopted, provided that no machinery or equipment should be taken out of an operating factory or business if it was in actual use in connection with such factory or business and was necessary to its operation. Otherwise, one piece of machinery might be taken out of a plant and the plant closed up. I know there were many on my side of the aisle and on the other side of the aisle who voted for this bill because of the adoption of that amendment and because of the adoption of the other amendment. You and I every day are being called upon to go down to the War Department, the Navy Department, the office of O. P. M., and to O. P. A. C. S. and O. E. M., and all the rest of them, to protect the businesses that are trying to struggle along in our districts from encroachments of the Federal authorities. We must not clip our wings to the point where they can go ahead and close up businesses. For the sake of the interest of national defense we must see to it that those peculiar professors who have been drawn into O. P. A. C. S. and these other new agencies do not have the power to go ahead and wipe out these small industries. The only chance we have to protect ourselves on that proposition is to see that these amendments that were adopted by the House are kept in this bill.

Mr. HOLMES. Mr. Speaker, will the gentleman yield at that point?

Mr. TABER. I yield to the gentleman from Massachusetts.

Mr. HOLMES. Rest assured the way this administration is going with all these bureaus and agencies that inside of 6 months 70 percent of the small business people will be put out of business, for under this bill they can take any machine they want to out of any plant they want to and give it to some other factory.

Mr. TABER. That is the trouble with the whole thing. They come to the committee asking for a bill on the ground that junk dealers are asking too high prices for second-hand machinery and equipment. Then when the bill is drawn it is so worded that they can go into a plant and take the heart out of it and not pay anything except the value of the machine taken, although taking that machine would put the concern out of business. I simply cannot see this method of doing business, and I hope the House of Representatives will vote down this conference report. We are for national defense but we are for keeping the small businesses going and giving them an opportunity to share in the program.

If we are simply putting this proposition forward as a scheme to help those professors who are trying to bust everything up, then we want to vote for this

bill the way it stands now. If we do not want to see things busted up, we ought to vote the conference report down so decisively that there will not be any more of the antidefense program from that crowd.

Mr. MAY. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and to include a resolution that I offered and also certain excerpts.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas [Mr. PATMAN]?

There was no objection.

PROPOSAL CONTEMPLATES THAT PEOPLE MAY BE REQUESTED TO GIVE UP THEIR ARMS

Mr. PATMAN. Mr. Speaker, I am very much concerned about the Kilday amendment being eliminated from this bill. The wise men who organized our Government in the beginning were afraid of a dictator; they were afraid of a king; they were afraid one man or a few men might get control of this Government; and in order to prevent it, they placed certain safeguards in the Constitution.

It was provided that the President would have charge of the Army, and that he would appoint all officers in the Army; but that we would have a militia in each State, and the Governor of each State would appoint the officers in the militia. If the Executive attempted to seize control of our Government through the use of the Army, re would be met by a militia in all the States. In that way the States could protect themselves against one who attempted to place himself up as king or dictator. There was plenty of protection provided.

But there is a provision in the Constitution that the militia under certain conditions can be called into the national service. Then it was said, "Where will our protection be? The Executive then will have control of both the Army and the militia of the States." The answer was, "The people have a right to bear arms. The people have a right to keep arms; therefore, if we should have some Executive who attempted to set himself up as dictator or king, the people can organize themselves together and, with the arms and ammunition they have, they can properly protect themselves." That was a pretty good answer.

Mr. Speaker, I am not afraid of the present Chief Executive abusing any power that may be given to him in the bill. In fact, I do not now know of anyone I would be afraid of having this power who will likely be President. But should anyone have this power? If we permit the people here in Washington to compel the people all over the Nation to turn in their arms, their ammunition, then the Chief Executive, whoever he is, gets control of the Army and the militia, how will the people be able to protect themselves? They will not be able to protect themselves. I can only crudely present this matter in the limited time at my disposal. So these were very wise provisions that were put in the Constitution, and I think we would be making a long step in the direction of giving up the rights which protect us most if we failed to safeguard this legislation by inserting the Kilday amendment.

The Kilday amendment provides—

That nothing contained in the act shall be construed to authorize the requisitioning or require the registration of firearms possessed by any individual for his personal protection or sport, or be construed to impair or infringe the right of any individual to keep and bear arms.

The part that really meant something was eliminated by the conferees. I know they had to agree; they could not have everything, and I am not criticizing the conferees, but we can send it back and give them another chance. They retained that part of the amendment which says that the right to keep and bear arms shall not be infringed. That part is meaningless. They might just as well have left it out. They cannot add to the Constitution. The Constitution guarantees to the people those rights which they have asserted in this bill. So those words are meaningless. The words that mean something—"that nothing in this bill shall be construed to require the requisition of arms" and "nothing in this bill shall be construed as authorizing the registration of firearms"—were stricken out.

Mr. MAY. Will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Kentucky.

Mr. MAY. Does the gentleman think there is anyone on the floor of the House here who wants to violate the Constitution?

Mr. PATMAN. No; I do not think so.

Mr. MAY. Or who wants to take away any rights guaranteed by the Constitution?

Mr. PATMAN. No.

Mr. MAY. Does not this amendment give a man the right to bear arms?

Mr. PATMAN. You might as well have left it out. It does not mean anything. It just reasserts the provision in the Constitution. I hope the motion to return this report to the conferees prevails in order that the Kilday amendment may be inserted.

CONSTITUTIONAL PROVISIONS

Article 1, section 8 of the Constitution of the United States provides:

The Congress shall have power * * * to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions; to provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the United States, reserving to the States, respectively, the appointment of the offices, and the authority of training the militia according to the discipline prescribed by Congress.

Article II, section 2, of the United States Constitution provides:

The President shall be Commander in Chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual service of the United States.

The second amendment to the United States Constitution provides:

A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

SMALL-BUSINESS INVESTIGATION

Mr. Speaker, yesterday I introduced a resolution to create a select committee to investigate the charges that are generally made that small business institutions are not being given defense contracts. This is especially important at this time in view of the fact that thousands of these industries will soon be denied necessary materials such as steel and copper if they are not engaged in a defense activity. This will cause factories to close and much unemployment.

When the House reassembles September 15, after the recess, I expect to insist upon the passage of this resolution. If the committee is created, and I sincerely believe there is an urgent demand for it, all representatives of small business will have a legally established forum to present their grievances. These grievances should be thoroughly considered without delay, and proper recommendations made.

The text of the resolution is as follows:

Resolved, That there is hereby created a select committee to be composed of five Members of the House of Representatives to be appointed by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the manner in which the original appointment was made.

The committee is authorized and directed to conduct a study and investigation of the national-defense program in its relation to small business in the United States with a view to determining (1) whether or not the potentialities of small business in the national-defense program have been adequately developed, and, if not, what factors have hindered such development; and (2) whether or not adequate consideration has been given to the needs of small business engaged in nondefense activity, or engaged in the transition from nondefense to defense activity.

The committee shall report to the House (or to the Clerk of the House if the House is not in session) as soon as practicable during the present Congress the results of its investigation, together with such recommendations as it deems desirable.

For the purposes of this resolution, the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places, whether or not the House is sitting, has recessed, or has adjourned, to employ such personnel, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas shall be issued under the signature of the chairman of the committee or any member designated by him, and shall be served by any person designated by such chairman or member. The chairman of the committee or any member thereof may administer oaths to witnesses.

Mr. MAY. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. SUMNERS].

Mr. SUMNERS of Texas. Mr. Speaker, I want to make a suggestion that seems to me to be a practical one. I offer it for the consideration of the chairman of the Committee on Military Affairs. There is included in this conference report provisions that arouse a broad apprehension among very level-headed people. That would be a hurt to the Government far greater than any benefit that could possibly come to the Government by the adoption of those provisions. I do not think there is the

slightest doubt about that. I believe the testimony before the committee and the statement of the chairman of the committee, whom we all respect, will show that the Government does not expect to get very much more practical benefit from the provisions as here proposed than could be gotten from a law which could be drafted eliminating the objectionable features. It is a most extraordinary power proposal, and for this reason I believe, from the standpoint of preserving the confidences and cooperation of the people in the administrative agencies of the Government having to do with the preparation for whatever is ahead of us, we should not lay this burden upon the support, the loyalty, and confidences of the American people at this time. We do not confront any emergency which would justify the strain upon the public confidence and ease of mind which the incorporation of this provision would disturb. For this reason it seems to me the Members of the House on each side and the members of the committee ought at least to accede to what is now apparently the will of the Members of the House as a whole on each side, and let us get this back into conference with the expectation that the whole matter can be reshaped to meet the needs of the Government without the inclusion of the provisions to which there is at least much opposition.

Mr. MAY. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Speaker, in my opinion this is not a national-defense bill at all. It is simply the fulfillment of a prophecy made a long time ago. I do not know how many Members of this House recall reading Mr. Tugwell's Industrial Discipline, but those of you who have read it will remember that he used substantially these words:

"The future of the nations is becoming visible in Russia."

He was then an advocate of the system that was set up by Russia. You will recall further that he said in that book that of necessity private industry would have to disappear and, although it might require violence, it might be accomplished in other ways.

As I say, this is simply the fulfilling of prophecy. It is going along in the same direction. I agree with the previous speaker not only as it relates to industry—and I, of course, am in support of the Taber amendment—but on this question of firearms, which is nothing new because since 1933 those in control of the Government, realizing that the power to tax is the power to destroy, have appeared before the Committee on Ways and Means with the proposal to tax firearms. While they narrowed it down to machine-guns on the ground that it would prevent bandits from using firearms of a certain size, yet the thought was there of getting control of the private firearms of this country. I know that our chairman of the Ways and Means Committee and others on that committee were on the alert, sensed the danger, and accordingly went no further than partial taxation and regulation, but I think every member of the committee saw the purpose and the motive of the proposed tax.

Mr. Speaker, I hope this conference report will be sent back.

[Here the gavel fell.]

Mr. MAY. Mr. Speaker, I yield 5 minutes to the gentleman from Alabama [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. Speaker, I would rather have seen this bill come back from conference in the form in which the House passed it. I suppose that is more or less natural with all of us. However, from the experience we have had here, we learn that it is not every time we can get a bill in exactly the form we want it.

Let us see what this measure seeks to do and what the complaints are. This measure seeks to give authority to those who are in charge of our national-defense program to requisition certain badly needed personal property. The complaint against it is that the saving clause about firearms is not adequate, and there is also a complaint about the clause that has to do with the taking of a part of the equipment of a factory or the severance damages that might grow out of that taking.

I do not believe we have any cause to be alarmed about this bill. I think we ought to answer in our minds first the question as to whether or not our defense program, in order to succeed, needs the power to requisition certain property. It has been unqualifiedly testified before our committee that that power is imperative, that there are in the hands of junk dealers and second-hand dealers throughout the country certain machinery, certain equipment, and certain tools that can hardly be bought for love or money by those having charge of our defense program. Those dealers are holding them for the purpose of holding up our Government, asking a fabulous price, and thereby are badly impeding the defense program. Somebody needs the power to go out and get that equipment if our defense program is to succeed.

Yesterday we decided, it is true by a very close vote, that we were going to continue the program of requisitioning, if you want to call it so, the young manhood of this country. I do not see why, if we stand up here and say that we are willing to take our boys and send them into the training camps, there should be any hesitancy whatever in our taking whatever equipment is necessary in order to carry out that defense program to its fullest consummation.

Now as to the firearms. The Constitution guarantees to every citizen the right to keep and bear arms. That guaranty is not disturbed. Do not think that the Government is going to go out and take the shotguns. Under Secretary Patterson never did make any serious contention to our committee that such a thing might be expected, but he did say that if, in order to defend our homes, our institutions, or ideals, our Government, and our way of life, it is necessary to take our shotguns, we ought to have the power to do it.

I say that if in order to defend this country it is necessary to come into my home and take my shotgun, my pistol, my rifle, or anything else I have, I believe strongly enough in the defense of this country that I say you are welcome to do it.

We have more than 2,000,000 rifles we are not using now. We do not need them. Why think of the impractical things, the almost impossible things? The Government does not want to get your shotguns or your rifles.

This Government is fair. If it takes any equipment or machinery, it will give just and fair compensation for it. If for any reason there should not be a fair settlement by the War Department, Congress always has the power to pass special legislation to compensate those claiming to be injured.

I say that even though this conference report may not give us everything we want, it is practical, it is workable and it is the answer to the question of whether or not we are going into an all-out defense program that this country, in the perilous condition which confronts us, demands we should have.

[Here the gavel fell.]

Mr. MAY. Mr. Speaker, I yield the remainder of the time to the gentleman from Texas [Mr. THOMASON.]

Mr. THOMASON. Mr. Speaker, I think it is very well that we are about to take a recess for a few days, because it seems to me I have heard more intemperate language and more illogical argument on this floor today than I have heard in the last 6 months. Most of the speeches made against it are either political or based on prejudice.

I have no personal interest in this measure, at least no more than any other Member of the House, but I think in view of some of the statements made that it is only fair that the position of the conferees at least be stated.

I noted that my distinguished friend the gentleman from New York [Mr. REED] is against the bill because he does not like Rex Tugwell, who never heard of this bill.

The other gentleman from New York [Mr. TABER] is against the bill because he found a Communist in the O. P. M. We have a bad case of jitters.

Let me tell you in these few minutes the chairman has allotted to me something about the history of this legislation and what it is. It did not come from any Rex Tugwell; it did not come from any Communist. This measure came here at the direct request of Judge Patterson, the Under Secretary of War, who says it is absolutely necessary in the interest of national defense.

It was stated on the floor the other day that the War Department wanted this bill because they had found important tools and machines in the hands of second-hand dealers throughout the country and they had gone to those dealers in an effort to obtain same at a fair and reasonable price and these racketeers and profiteers had raised the prices in some cases several hundred percent. The second-hand dealers have deliberately bought the articles for the purpose of reselling to the Government at a tremendous profit. There is at present no law to properly handle such a situation. This bill applies only to personal property and

the Government would only take a particular tool or machine when it was needed or when it was absolutely necessary for national defense and when such need was immediate and impending and was such as would not permit of delay or resort to any other source of supply and after all other means of acquiring that particular article or that particular kind of article had been exhausted.

Mr. LEWIS. Mr. Speaker, will the gentleman yield?

Mr. THOMASON. In just a moment. In all fairness, I do not know Judge Patterson as some of you people on the Republican side know him, but in my judgment he is a fine man who is doing a fine job. He is a prominent Republican who for several years graced the Federal district bench of the State of New York and later the United States Circuit Court of Appeals. He was a soldier in the World War. He is my spokesman in this matter because he knows his business and he comes before our committee and says as an official of this Government, charged with the duty of national defense, "We need these articles, we cannot get them any other way. I beg of you to give us some means by which we can acquire these articles.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. THOMASON. I yield to the gentleman for a question.

Mr. MAY. Does the gentleman believe if this were sent back to conference we would ever get a bill at this session?

Mr. THOMASON. I doubt it. If you can go to a man's home and take his hog, we ought to go in a junk dealer's shop, in a factory, or in a store and take any article necessary for national defense, especially when you are paying the owner its fair value.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. TABER. Under the amendment I offered, any of those things in the hands of junk dealers could be taken and only legitimate outfits were protected.

Mr. THOMASON. I was coming to that, I will say to the gentleman. There is no man in this House for whom I have a higher regard for his ability and his judgment than the gentleman from New York [Mr. TABER]. I supported that amendment when he offered it, because it seemed sound to me at that time. When this bill got before the conference committee, Judge Patterson was there, at the instance of the Senate committee, and he was asked about that and he said:

> We just cannot operate under that amendment.

They asked him why and he said:

> I will illustrate it by a concrete case that has come under my personal supervision and I will give you facts and names, if necessary. In some large automobile factory the War Department wanted to requisition some particular machine. This automobile company had 99 machines of one certain kind and every one of them engaged in the business of making automobile engines.

Judge Patterson, through his agent, went to this manufacturer and asked them to let the War Department have 1 of those 99 machines in order to fill an order for some airplane engines. The manager of the company would not do it because he said his competitor was not being required to do the same. Secretary Patterson stated to the conferees that the War Department did not have the slightest idea or intention of going in there and wrecking that man's plant or taking any of the other 98 machines away from him, but under the so-called Taber amendment they could not have taken one of those machines. You can depend upon the War Department being fair and reasonable in such cases, and paying the owner just compensation.

Mr. KNUTSON. Did he give the name?

Mr. THOMASON. I am sure he will do it if the gentleman is interested.

Mr. KNUTSON. I think he should.

Mr. THOMASON. If it is important, I have an idea many such cases could be cited.

Mr. KNUTSON. We have been lied to so often, one more, perhaps, would not hurt.

Mr. THOMASON. That is an untrue and unfair statement. Now, about this last amendment, there is no trouble, as I see it, about that and there is no use getting excited about it. You are making a mountain out of a mole hill. It is provided that if an article is taken the man shall receive fair and just compensation under the law we now have. I still have confidence in the integrity and justice of the Federal courts of this country. We are operating under the same law as to damages right now and certainly you do not want to fix it so some unpatriotic owner can claim speculative and punitive damages. Thousands of claims would be filed and the Government skinned, as usual.

This is all a joke about taking a man's personal firearms like his shotgun and pistol. That is all a smoke screen to kill this bill. The Constitution protects every citizen in the right to own and bear arms. No personal rights are being violated. The War Department has no idea of doing anything ridiculous. It now has more than 2,000,000 rifles in storage. I know you are going to recommit this bill, but be frank about it. I am only trying to help the War Department in its honest effort to give us full and adequate national defense.

The SPEAKER. The time of the gentleman from Texas has expired. All time has expired.

Mr. MAY. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

Mr. SHORT. Mr. Speaker, I offer the following preferential motion which I send to the desk and ask to have read.

The Clerk read as follows:

> Preferential motion offered by Mr. SHORT. Mr. SHORT moves to recommit the conference report on the bill to the committee of conference, with instructions to insist upon the House amendments.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. MAY) there were—ayes 154, noes 24.

Mr. MAY. Mr. Speaker, I object to the vote on the ground that there is no quorum present, and I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present. This is an automatic call and the Clerk will call the roll. The question is on the motion to recommit.

The question was taken; and there were—yeas 255, nays 51, not voting 126, as follows:

[Roll No. 108]

YEAS—255

Allen, La.	Gamble	Murray
Andersen, H. Carl	Gearhart	Nelson
Anderson, Calif.	Gehrmann	Nichols
Anderson, N. Mex.	Gilchrist	Norrell
Andresen, August H.	Gossett	O'Brien, N. Y.
Angell	Graham	O'Leary
Arends	Granger	Oliver
Arnold	Grant, Ind.	Pace
Baldwin	Gregory	Paddock
Barden	Guyer, Kans.	Patman
Barry	Gwynne	Patton
Bates, Mass.	Hall, Edwin Arthur	Peterson, Fla.
Baumhart	Hall, Leonard W.	Peterson, Ga.
Beckworth	Halleck	Pfeifer, Joseph L.
Bell	Hancock	Pittenger
Bender	Hare	Ploeser
Bennett	Hart	Poage
Bishop	Hartley	Powers
Blackney	Heffernan	Ramsay
Bloom	Heidinger	Rankin, Miss.
Boehne	Hendricks	Rankin, Mont.
Boggs	Hess	Reece, Tenn.
Bolton	Hill, Colo.	Reed, N. Y.
Bonner	Hill, Wash.	Rees, Kans.
Boren	Hinshaw	Richards
Boykin	Hobbs	Rivers
Bradley, Mich.	Hoffman	Rizley
Bradley, Pa.	Holbrook	Robertson, N. Dak.
Brown, Ga.	Holmes	Rockefeller
Brown, Ohio	Hook	Rodgers, Pa.
Buck	Hope	Rogers, Mass.
Buckley, N. Y.	Howell	Rolph
Bulwinkle	Hull	Sabath
Butler	Hunter	Sacks
Byrne	Imhoff	Satterfield
Camp	Jarrett	Sauthoff
Canfield	Jennings	Scanlon
Cannon, Mo.	Jensen	Schuetz
Capozzoli	Johns	Secrest
Carlson	Johnson, Ill.	Shafer, Mich.
Cartwright	Johnson, Ind.	Shanley
Case, S. Dak.	Johnson, Lyndon B.	Short
Chapman	Johnson, Okla.	Sikes
Chenoweth	Jones	Simpson
Clason	Jonkman	Smith, Maine
Clevenger	Kean	Smith, Ohio
Cluett	Keefe	Smith, Pa.
Cole, Md.	Kelley, Pa.	Smith, Va.
Cole, N. Y.	Kelly, Ill.	Smith, Wash.
Connery	Kennedy, Martin J.	Snyder
Cox	Kennedy, Michael J.	Somers, N. Y.
Cravens	Keogh	South
Crawford	Kilday	Spence
Creal	Kirwan	Springer
Crosser	Kleberg	Stearns, N. H.
Crowther	Klein	Stefan
Culkin	Knutson	Stevenson
Cullen	Kramer	Sullivan
Cunningham	Kunkel	Sumner, Ill.
Curtis	Landis	Sumners, Tex.
D'Alesandro	Lanham	Sutphin
Davis, Ohio	Larrabee	Taber
Davis, Tenn.	Lea	Talle
Dewey	Levy	Tenerowicz
Dickstein	LeCompte	Thill
Dingell	Lewis	Tibbott
Dirksen	Lynch	Tolan
Disney	McGehee	Treadway
Ditter	McGregor	Van Zandt
Dondero	McIntyre	Vorys, Ohio
Doughton	McLaughlin	Wasielewski
Downs	McLean	Welch
Duncan	Maciejewski	West
Dworshak	Mahon	Wheat
Elliott, Calif.	Manasco	Whelchel
Elston	Mansfield	Wickersham
Engel	Martin, Iowa	Wigglesworth
Englebright	Meyer, Md.	Williams
Fellows	Michener	Wilson
Fenton	Monroney	Winter
Fish	Moser	Wolcott
Fitzgerald	Mott	Wolverton, N. J.
Fitzpatrick	Mundt	Woodruff, Mich.
Forand	Murdock	Worley
Ford, Leland M.		Youngdahl
Fulmer		

NAYS—51

Andrews	Gathings	O'Neal
Bland	Gavagan	Patrick
Boland	Grant, Ala.	Pierce
Brooks	Haines	Priest
Bryson	Harris, Va.	Ramspeck
Burgin	Healey	Rogers, Okla.
Clark	Jarman	Smith, Conn.
Claypool	Johnson, Luther A.	Sparkman
Cochran	Kee	Steagall
Colmer	Kocialkowski	Tarver
Cooley	McCormack	Taylor
Cooper	McKeough	Terry
Costello	Marcantonio	Thomas, Tex.
Drewry	May	Vincent, Ky.
Durham	Mills, Ark.	Vinson, Ga.
Flannagan	Myers, Pa.	Zimmerman
Folger	O'Brien, Mich.	
Ford, Thomas F.		

NOT VOTING—126

Allen, Ill.	Harness	Rabaut
Barnes	Harrington	Randolph
Bates, Ky.	Harris, Ark.	Reed, Ill.
Beam	Harter	Rich
Beiter	Hébert	Robertson, Va.
Buckler, Minn.	Houston	Robinson, Utah
Burch	Izac	Robsion, Ky.
Burdick	Jackson	Romjue
Byron	Jacobsen	Russell
Cannon, Fla.	Jenkins, Ohio	Sanders
Carter	Jenks, N. H.	Sasscer
Casey, Mass.	Johnson, Calif.	Schaefer, Ill.
Celler	Johnson, W. Va.	Schulte
Chiperfield	Kefauver	Scott
Coffee, Nebr.	Kerr	Scrugham
Coffee, Wash.	Kilburn	Shannon
Collins	Kinzer	Sheppard
Copeland	Kopplemann	Sheridan
Courtney	Lambertson	Smith, W. Va.
Day	Lesinski	Starnes, Ala.
Delaney	Ludlow	Stratton
Dies	McArdle	Sweeney
Domengeaux	McGranery	Thom
Douglas	McMillan	Thomas, N. J.
Doxey	Maas	Thomason
Eaton	Maciora	Tinkham
Eberharter	Magnuson	Traynor
Edmiston	Martin, Mass.	Voorhis, Calif.
Elliot, Mass.	Mason	Vreeland
Ellis	Merritt	Wadsworth
Faddis	Mills, La.	Walter
Flaherty	Mitchell	Ward
Flannery	Norton	Weaver
Fogarty	O'Connor	Weiss
Ford, Miss.	O'Day	Wene
Gale	O'Hara	White
Gerlach	Osmers	Whittington
Geyer, Calif.	O'Toole	Wolfenden, Pa.
Gibson	Pearson	Woodrum, Va.
Gifford	Pheiffer, William T.	Wright
Gillie	Plauché	Young
Gore	Plumley	
Green		

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Jenkins of Ohio for, with Mr. Starnes of Alabama against.

Mr. Harness for, with Mr. Thomason against.

Mr. Kinzer for, with Mr. Izac against.

Until further notice:

Mr. Doxey with Mr. Martin of Massachusetts.

Mr. Rabaut with Mr. Carter.

Mr. Collins with Mr. Rich.

Mr. Ford of Mississippi with Mr. Gifford.

Mr. Kefauver with Mr. Wolfenden of Pennsylvania.

Mr. Hébert with Mr. Copeland.

Mr. Courtney with Mr. Kilburn.

Mr. Gore with Mr. Douglas.

Mr. Robertson of Virginia with Mr. Tinkham.

Mr. Russell with Mr. Scott.

Mr. Wright with Mr. Johnson of California.

Mr. Sanders with Mr. Maas.

Mr. Delaney with Mr. Buckler of Minnesota.

Mr. Beam with Mr. Allen of Illinois.

Mr. Green with Mr. Gale.

Mr. Pearson with Mr. Chiperfield.

Mr. Harris of Arkansas with Mr. Gillie.

Mr. Burch with Mr. Osmers.

Mr. Jackson with Mr. Eaton.

Mr. Coffee of Nebraska with Mr. Jenks of New Hampshire.

Mr. Traynor with Mr. Wadsworth.

Mr. Coffee of Washington with Mr. Mason.

Mr. Weaver with Mr. Lambertson.

Mr. Dies with Mr. Day.

Mr. Woodrum of Virginia with Mr. Robsion of Kentucky.

Mr. Magnuson with Mr. Gerlach.

Mr. Cannon of Florida with Mr. Stratton.

Mr. Whittington with Mr. Vreeland.

Mr. Bates of Kentucky with Mr. Reed of Illinois.

Mr. Gibson with Mr. Van Zandt.

Mr. Harter with Mr. William T. Pheiffer.

Mrs. Norton with Mr. O'Hara.

Mr. Maciora with Mr. Thomas of New Jersey.

Mr. Ludlow with Mr. Plumley.

Mr. McMillan with Mr. Burdick.

Mr. Kerr with Mr. Barnes.

Mr. O'Toole with Mrs. Byron.

Mr. Jacobsen with Mr. Scrugham.

Mr. Casey of Massachusetts with Mr. Plauché.

Mr. Schaefer of Illinois with Mr. Edmiston.

Mr. Walter with Mr. Fogarty.

Mr. Young with Mr. McArdle.

Mr. Ellis with Mr. Thom.

Mr. Smith of West Virginia with Mr. Celler.

Mr. Houston with Mr. Romjue.

Mr. Beiter with Mr. Randolph.

Mr. Eliot of Massachusetts with Mr. Mitchell.

Mr. Weiss with Mr. O'Connor.

Mr. Robinson of Utah with Mr. Harrington.

Mr. Geyer of California with Mr. Domengeaux.

Mr. Faddis with Mrs. O'Day.

Mr White with Mr. Merritt.

Mr. Sweeney with Mr. Sheridan.

Mr. Johnson of West Virginia with Mr. Ward.

Mr. Sasscer with Mr. Wene.

Mr. Flaherty with Mr. Sheppard.

Mr. Schulte with Mr. Flannery.

Mr Eberharter with Mr. Shannon.

The result of the vote was announced as above recorded.

On motion by Mr. SHORT a motion to reconsider the vote by which the motion was agreed to was laid on the table.

The doors were opened.

EXTENSION OF REMARKS

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a radio address.

The SPEAKER. Is there objection?

There was no objection.

CLEARANCE AND ENTRY FOR CERTAIN VESSELS

Mr. BLAND. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 5289), to dispense with the requirement of clearance and entry for certain United States vessels on the Great Lakes which touch at Canadian ports for bunker fuel only.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. MICHENER. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. BLAND. Mr. Speaker, the bill can be briefly explained. American vessels operating on the Great Lakes are now required by law to enter and clear at Canadian ports even when touching at those ports for domestic fuel only. The bill is intended to save the time that otherwise would be needed in making entrance and clearance. The bill was introduced by the gentleman from Michigan [Mr. BRADLEY] who is familiar with the situation. By reason of the currents on one side of the waterway, it is necessary to go to the Canadian side for fuel. These vessels only receive domestic fuel for their use. As the bill was reported it might appear to cover other voyages than those on the Great Lakes. For this reason I am going to offer an amendment which makes the amendments apply only to Great Lakes operation.

Mr. BRADLEY of Michigan. Mr. Speaker, further reserving the right to object, to explain to my colleague, this is American-owned fuel sent to Canadian coal docks, which are American-owned; it is American coal being sent over in bond for use in American vessels only.

Mr. MICHENER. I appreciate the fact that if the gentleman from Michigan [Mr. BRADLEY] favors the bill, knowing his interest in lake shipping and matters of that kind, it must be all right, and I withdraw my reservation of objection.

Mr. DINGELL. Mr. Speaker, reserving the right to object, and I shall not object, I merely want to second the sentiments expressed by my friend the gentleman from Michigan [Mr. MICHENER] with regard to approval of the bill. Knowing its sponsorship, I am convinced it will be all right.

The SPEAKER. Is there objection?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2793 of the Revised Statutes, as amended (U. S. C., title 46, sec. 123), is amended to read as follows:

"SEC. 2793. Enrolled or licensed vessels engaged in the foreign and coasting trade on the northern, northeastern, and northwestern frontiers of the United States, departing from or arriving at a port in one district to or from a port in another district, and also touching at intermediate foreign ports, shall not thereby become liable to the payment of tonnage tax, as if from or to foreign ports; but such vessel shall, notwithstanding, be required to enter and clear, except that when such vessels are on coastwise voyages on the Great Lakes and touch at foreign ports for the purpose of taking on bunker fuel only, with no discharge or taking on a cargo, passengers, and no discharge or signing on of any member of a crew by mutual consent or transacting any other business, may be exempted from entering and clearing under such rules and regulations as the Secretary of Commerce may prescribe, notwithstanding any other provisions of law."

With the following committee amendments:

Page 1, line 4, after "46", strike out "sec." and insert "secs. 111 and."

Page 2, line 2, after the word "of", insert the words "entry and clearance fees or."

Page 2, line 5, strike out the word "coastwise", and in line 6, the words "voyages on the Great Lakes" and insert "such voyages."

Page 2, line 7, strike out the words "with no" and strike out all of lines 8 and 9 and the words "or transacting any other business" in line 10, and insert the word "they."

Page 2, line 13, after the word "law", insert: "*Provided*, That this exception shall not apply to such vessels if, while at such foreign port, they land or take on board any passengers, or any merchandise other than bunker fuel, receive orders, discharge any seamen by mutual consent, or engage any seamen to replace those discharged by mutual consent, or transact any other business save that of taking on bunker fuel."

The committee amendments were agreed to.

Mr. BLAND. Mr. Speaker, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. BLAND: On page 2, line 6, after the word "voyages" in the committee amendment, insert the words "on the Great Lakes."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REGISTRATION OF STEAMSHIP "PORT SAUNDERS" AND STEAMSHIP "HAWK"

Mr. BLAND. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 5425), to permit the steamship *Port Saunders*, official No. 220150, and steamship *Hawk*, official No. 220149, to engage in the fisheries.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MICHENER. Mr. Speaker, reserving the right to object, will the gentleman explain this bill?

Mr. BLAND. Mr. Speaker, this bill was introduced by the gentleman from California [Mr. CARTER]. It relates to two ships that were foreign built. For a long period of time they were engaged in the fisheries. Another ship of the owner of these vessels is to be requisitioned by the Government, and there is need for these two. It is desired that these ships, which are above 40 years old but have been repaired, shall return to the fisheries. They may be used in the whaling industry to procure sperm oil that is needed in the interest of national defense. This relates only to the whaling fisheries. They will not be engaged in the coastwise trade.

Mr. MICHENER. Mr. Speaker, I observe the gentleman from Maine [Mr. OLIVER] and the gentleman from California [Mr. WELCH], members of the committee, on the floor. I would like to inquire if this meets with their approval?

Mr. BLAND. It was a unanimous report, and those gentleman are in favor of the bill.

Mr. OLIVER. Will the gentleman yield?

Mr. MICHENER. I yield.

Mr. OLIVER. This was a unanimous report, and the minority members of the committee are in complete harmony with the provisions of the bill.

Mr. MICHENER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the steamship *Port Saunders*, official number 220150, and the steamship *Hawk*, official number 220149, may be registered or enrolled and licensed as vessels of the United States for the purpose of engaging in the fisheries: *Provided*, That neither of these vessels may engage in the coastwise trade under penalty of forfeiture.

With the following committee amendment:

Page 1, line 6, after the word "fisheries", insert "as long as such vessels are owned by a citizen of the United States, native-born or fully naturalized, or a corporation which is a citizen of the United States and of which 75 percent of the interest therein is owned by citizens of the United States, as defined in section 2 (c) of the Shipping Act, 1916, as amended."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to extend my remarks in two particulars: First, to extend my own remarks relative to the Pennsylvania Turnpike and include a letter from the Honorable Walter Jones; and, second, to extend my own remarks reporting for the Committee on Roads of the House.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ARNOLD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an editorial from the Centralia (Ill.) Sentinel of July 9.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXECUTIVE ORDERS ISSUED IN THE ABSENCE OF THE PRESIDENT

Mr. JONES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. If that is agreeable to the gentlemen who have special orders and if there is no objection, it is so ordered.

There was no objection.

Mr. JONES. Mr. Speaker, I hold in my hand two great metropolitan newspapers. I read the titles to the articles:

Washington Post, Tuesday, August 12—

Roosevelt Puts Curb on Installment Sales To Avert Inflation.

This is the title of the head column. Now look at the lower right-hand corner of the same, and you see this title on the President's disappearance—

Oh Where, Oh Where? Nation Is 2½ Days Without News of Its President.

Here is a more detailed account in the article under it—

The American public last night completed 2½ days without any word of their President.

I hold in my hand the Tuesday, August 12, edition of the Christian Science Monitor, eminently famous for its accurate reporting. On the front page is a title for an article—

Credit Buying Curb Ordered by Roosevelt.

On the lower right-hand column of the same paper is this title to an article—

President "Lost" for 3 Days. Has He Quit Yacht for Cruiser?

The last communication our country received from the President was—

All members of party showing effects of sunning. Fishing luck good; no destination announced. President being kept in close touch international situation by Navy radio. All on board well and weather excellent.

Now, Mr. Speaker, who is the author of the Executive order and the proclamation purporting to bear the signature of the President, Franklin Delano Roosevelt, the international fisherman, or was it perhaps Eleanor?

We ought to know who signed the President's name to these important documents. He is at sea. Are we?

The American people ought to know who signed the Executive order down at the White House, regulating consumer credit of necessity and purpose.

I say "White House" because the Office of Government Reports Information Digest of Monday, August 11, says in part as follows:

The White House—

Note, not the President—the White House—

issued an Executive order giving the Board of Governors of the Federal Reserve System control over installment buying.

That brings us to the question, Has the President given authority to someone we did not elect to issue proclamations and Executive orders?

EXTENSION OF REMARKS

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made earlier today and to insert certain excerpts.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a poem by Horace C. Carlisle, of Alabama.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE

Mr. BRYSON. Mr. Speaker, at the conclusion of today's business, I ask unanimous consent that I may be excused for a few days on account of some important business.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

NEW MEXICO VERSUS ALABAMA

Mr. ANDERSON of New Mexico. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ANDERSON of New Mexico. Mr. Speaker, on the fifth day of this month the amiable gentleman from Alabama [Mr. HOBBS] rose in the House to call the attention of its Members to a new world's record established in Alabama in the construction of a defense project. He cited the fact that on July 29 at the Anniston Ordnance Depot eight complete igloos were built in 1 day. Quite properly he

paid tribute to the men who had done the job.

Without detracting from the honor due them for their enthusiasm and patriotism, let me tell him that the record has been broken again, this time in New Mexico, at the Fort Wingate Ordnance Depot. As he praised the Alabama contractors, let me in turn give a laurel to the partnership of Allison-Smith-Fellows-Armstrong, which includes the firms of L. R. Allison Co., W. A. Smith Construction Co., Sharp & Fellows Contracting Co., and Armstrong & Armstrong, as well as to the zone constructing quartermaster at Fort Sam Houston, Tex., and the members of his staff. Most of all, let me praise the men who poured the concrete.

On August 8 and 9 these men poured 9 igloos each day. They reached that mark again on August 11 and would have poured 10 if a dragline had not failed. In 10 days they poured 82 igloos.

Best of all, the whole project is moving ahead. In 5 weeks 24.51 percent of the project was finished. In all, more than 350 igloos have been poured, and the job as a whole was 51.44 percent complete on August 7. At the present rate, all igloos for the ordnance depot will be finished the 1st of October.

That is the new world's record, made by American men and machines. I challenge the gentleman from Alabama to try again, as we all bend our efforts to the common defense.

EXTENSION OF REMARKS

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter I received today from a constituent at Wichita Falls, Tex.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

HOW AXIS "FIFTH COLUMN" IN CUBA STRIKES AT THE UNITED STATES

Mr. CONNERY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CONNERY. Mr. Speaker, were this country to send the consuls of that peewee Hitler, Francisco Franco, back to Spain, we would be taking a drastic step, but after reading the revealing story entitled "How Axis 'Fifth Column' in Cuba Strikes at United States," in the current issue of Click magazine, I wonder if we ought not do exactly that.

We are all familiar with the slimy work of Nazi and Fascist agents in this hemisphere, and our Government has taken action against them. But I must confess that we never dreamed Franco's agents had made such deep and dangerous inroads and are, in fact, becoming more important to Hitler than his own agents in Central and South America. I think we must do something about this new menace.

This week, it is reported, two members of the Cuban Senate requested that the Italian and German consuls be banished for their nefarious activities. In Chile, in Brazil, in Mexico, and in other Central and South American nations similar and even more drastic action is being taken. There can be no question about the danger of the Axis having been sensed throughout the Western Hemisphere. But, if these legations, including the Japanese, are driven out of this hemisphere the high-powered Axis campaign against democracy will not be in one whit abated. The reason for this is becoming more and more painfully evident.

Click devotes 4 pages to explaining how this Axis loophole operates, how it acts to undermine our democracy. The story can be summed up in two words: Falange Española. Behind these two words is a pistol aimed at the very heart of democracy in the New World.

This article makes some very specific charges. These charges are based upon the research of an investigator the publication sent to Cuba. He brought back documentary proof that the Falange is Hitler's ace in the hole for the New World. He spoke to Dr. Gustavo Guiterez, Speaker of the Cuban House of Representatives, who told him, "Since the Nazis and Italians find it hard to operate openly through their own organization, they work mainly through their puppet, the Franco Falange."

In Cuba alone—1 hour by plane from the American mainland—the Falange has 30,000 members actively engaged in undermining democracy, in pumping for fascism. They swear fealty to Franco; they hail Hitler as a noble ally; they maintain an army that includes a full infantry regiment, an artillery battalion, a cavalry squadron, engineers, and an aviation squadron of over 200 men.

The Falange has spread like a pestilence all over Latin America. It is a pestilence, moreover, which has succeeded in escaping the bright glare of publicity hitherto accorded the Nazis. This is just what Hitler wants. He expects, eventually, that as events catch up with the Axis legations, the Falange will be left alone to carry on his work under the direction of his agents now directing it in Latin America. It is time we realized that Francisco Franco is as much a creature of Adolf Hitler as Quisling, Mussolini, and other so-called independent fuehrers. As Click points out in this timely exposé:

> Whether Franco stays in office as puppet dictator of Spain or not depends upon whether puppet-master Hitler wins this war. Therefore, the Falange, Franco's personal Fascist party, is doing everything it can to bring about a Hitler victory.

Nor is the Falange confined to South America. It is active right here in the United States, where it is said to have support in powerful quarters. It is time we smoked out the activities of this latest Axis threat. If, after a complete investigation, it develops that the Falange is carrying on the same sort of activities in the United States that it pursues in Latin America, I propose that we instantly act to smash this Fascist offensive. I propose that in that event we send the Spanish legations packing on an early trip of the liner *West Point*.

The Click exposé is a timely warning. Let it not go unheeded.

It happens, Mr. Speaker, that I am familiar with some of the work of this magazine, and I think it is praiseworthy. I know of no publication which has been more consistently and sincerely opposed to nazi-ism or which has fought this blight upon civilization more relentlessly. Some months ago there was a documented article clearly setting forth the menace of Jan Bata, so-called Czech shoe king, a Hitlerphile, who is now on our South American blacklist. Later there were articles showing how the Nazis were extracting tribute from American industry, dealing chiefly with the Rohm & Haas Co. and the Schering Corporation. Another article which I recall exposed the vicious campaign against American Catholics waged by Hitler's minions here—now openly directed over the Berlin radio, I may add.

An enlightened and informed public is, in my opinion, Mr. Speaker, democracy's first line of defense. I want to commend the editors of Click for their labors, for by their investigations and these articles they have made a real contribution to our national defense.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include the text of this article.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a brief newspaper article.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GWYNNE. Mr. Speaker, I ask unanimous consent that the gentleman from Iowa [Mr. GILCHRIST] may have permission to revise and extend the remarks he made this morning and to include two short telegrams.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. GWYNNE]?

There was no objection.

(Mr. GWYNNE asked and was given permission to revise and extend his own remarks in the RECORD.)

Mr. SHAFER of Michigan. I have two requests, one to extend my own remarks in the RECORD and one to extend my own remarks and to include a short newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. SHAFER].

There was no objection.

PREVIOUS ORDERS

The SPEAKER. Under a previous order of the House, the gentleman from Oklahoma [Mr. WICKERSHAM] is recognized for 5 minutes.

PROTECTION OF WOMANHOOD

Mr. WICKERSHAM. Mr. Speaker and Members of the House, I hope that you will bear with me for a few moments on some important matters I would like to discuss. First, let me state I am for 100-percent American unions, but I am against these foreign-born, un-American racketeers who are fostering discontent among our defense industries; but at this time I want to call your attention to

another kind of strike and direct your attention to the lack of safeguarding the lives of the girls and women of the District of Columbia. The diversion of the policemen to the Arcade-Sunshine Laundry strike situation left the tenth precinct and other areas dangerously short of policemen, and I further call your attention to the relations of the laundry proprietor, Harry Vines, with the police. It is reliably reported that the Arcade-Sunshine Laundry has repeatedly violated the minimum-wage-and-hour law for women and has been fined several times; that said laundry runs a sweatshop and laundry; and that its principal proprietor, Harry Vines, and others have been cited by the United States Court of Appeals for the District of Columbia for contempt for violating the decree issued December 9, 1940. The Arcade-Sunshine Laundry is charged with intimidation, coercion, and interference with its employees seeking their rights of self-organization on section (7) of the N. L. R. A. Despite the fact that the Arcade-Sunshine Laundry has been declared a law violator, as many as 56 policemen have been assigned to the picket line in front of the plant following this strike called by the Amalgamated Clothing Workers of America, a responsible labor union and one of the few known for honoring its obligations and is not controlled by communists. While anywhere from 28 to 56 policemen have been assigned to the Arcade-Sunshine picket line, one of the most peaceful ever witnessed in the labor dispute, a 15-year-old girl was raped in the same tenth precinct and 18 others in areas where no police were stationed. Grievances of the Arcade-Sunshine employees include requests not only for improved wage and working conditions and collective-bargaining rights, but also the ending of foul and abusive language used by the proprietors against their women employees. The police have made numbers of arrests of Arcade-Sunshine strikers at the firm's request and were held 8 hours without being booked so that bail could not be set, and then they were released without a charge. A few disorderly conduct cases were all dismissed, with the exception of one defendant, who was fined $10. Six cases were held for the grand jury, three of them having been previously dismissed when the district attorney said that he had insufficient evidence to proceed. One of those now being held is a 90-pound crippled negress charged with assaulting a 250-pound police officer.

The White House, the Senate, the C. C. C., the Greenbelt Cooperative, and other public institutions withdrew their laundry work from the Arcade-Sunshine Laundry when the strike began July 2 because they would not deal with a persistent law violator.

I ask for an investigation of police activities in the tenth precinct. The relations between Harry Vine, of Arcade-Sunshine, in connection with keeping the police on in this area, and I further request that the tenth precinct policemen be withdrawn from strike duty, to be replaced by two or three policemen especially detailed by police headquarters. These policemen would need to be augmented only if a disturbance is provoked by the laundry management, since the Amalgamated Clothing organization are determined to keep the peace. I am for clean clothes, surely, but I am more interested in keeping clean government and clean living.

It is a downright shame that all these policemen should be centered in one peaceable striking area and allow 19 fine, upright American girls and women to be ravishly raped since January 1. Many of them, pleading for their lives, have been attacked, tied, strangled, raped, and left naked. Many of them have been killed and left lying in their own blood out in the open for the vultures to hunt. One of them was strangled so much that the blood vessels burst in her eyes. Suppose, gentlemen of the House, that it was your wife, your daughter, or your sweetheart? Let us do what is necessary with reference to employing new policemen, but let us get the beast and, if necessary, use the F. B. I. Let us put trained men in such strategic position that society and womanhood will be protected.

The SPEAKER. Under a previous special order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. PETERSON of Florida. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Florida.

Mr. PETERSON of Florida. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an article by Miss Emily K. Herron, of Winter Park, Fla.; and I also ask unanimous consent to extend my own remarks in the RECORD and include therein a speech made by the Honorable Telfair Knight and Capt. Edward McCauley of the Maritime Commission at the dedication of the merchant marine school at St. Petersburg, Fla.

The SPEAKER. Is there objection to the request of the gentleman from Florida [Mr. PETERSON]?

There was no objection.

PUNISH THE LOYAL—REWARD THE OBSTRUCTIONISTS

Mr. HOFFMAN. Mr. Speaker, I am glad the majority leader is here because I want to talk to him a little bit about how the administration and the majority party under his guidance punishes the loyal and rewards the disloyal who interfere with national defense. I refer now to the way in which he engineered that vote yesterday with the aid of the Democratic State chairmen from many States who were here and who put on the pressure to secure that great majority of one, which is a wonderful endorsement of the President's foreign policy. I am sure that Duff Cooper, or whoever he is, who wants us to send our boys over there and who will want to get a few more million dollars, will get a lot of consolation out of that. But I do not think they have any pride about the matter. They will be content to get the money; they will be content if they can get another expeditionary force; they want the goods, the money, and the American boys as cannon fodder.

But the drafted men and mothers and fathers do not think that victory won on the floor yesterday is so hot. I am glad the gentleman from Massachusetts [Mr. MCCORMACK] is listening, because his speech had a great deal to do with the result obtained yesterday, or, at least, I assume it did because he cracked the whip. Oh, how he did make the old bullsnake whip snap on the backs of the Members.

Then, inconsistently, they complained because I called attention to the fact that there was going to be an election in 1942. They are thanking the good Lord that that election is coming in 1942 instead of next November, about a month and a half away. If that election had been next November that whip would not have had any effect at all. They would have had one ear to the ground. Why? Because they are afraid of their own political lives? You cannot twist it around that way. Because many Members of that majority party, which never yet has kept a campaign promise since this man went into the White House, would have voted for the country's best interest and against imposing a penalty upon the draftees.

They would have voted for what their constituents wanted, because they know that those constituents were going to call the turn on them next November. They think the folks back home are going to forget about that in the year and a half that is coming, but do not worry, they will have it marked down. They will remember those who send their boys to war, those who refuse to register their will here in Congress.

The methods of a dictator are ever cruel. The administration, having established itself firmly in power by the payment of benefits, subsidies, and political corruption, through the use of relief money, now feels it can safely exercise the powers of a tyrant, punish the loyal and the willing, reward those who would obstruct our national defense and successfully carry on its policy of meddling in the quarrels of the Old World.

Yesterday this House decreed that all those men who were patriotic enough to enlist for a year, those men who were drafted under the Conscription Act, must new serve an additional 18 months. The Conscription Act was passed as a defense measure. It was passed, at the time it was said, to create a reserve of trained manpower. Yielding to the propaganda put out, those men—young men—having the interest of their country at heart, desiring to serve their country, enlisted for a year. For their loyalty this House yesterday rewarded them by an act which will require them to serve an additional 18 months.

The conscripted men, who understood, whose families understood, as did the people generally, and the Members of Congress, that they, too, were to serve but 1 year are now told that they must serve 18 months longer.

But those who did not enlist, those who were not drafted, those who were not in the National Guard, who were employed on national-defense work, and who receive three or four times as much in a week as the volunteers or the drafted men received in a month, they are told that they may strike, that they may hold up the production of propellers needed for our aircraft, that they may hold up the construction of warships and prevent the launching of warships.

This administration is forcing upon the American people a tyranny as ruthless as that employed by Hitler. If you want a concrete illustration, listen to this, which is matter of common knowledge: The Federal Shipbuilding & Drydock Co. of Kearney, N. J., has contracts for the construction of $493,000,000 worth of naval and marine shipping. It has a 4-day-old C. I. O. strike on its hands. Do you know what that strike is about?

That strike was called and carried on because the company refused to sign a contract with the C. I. O. which would compel it to employ only those men who had paid tribute to the C. I. O. organization. In short, the C. I. O. demanded, in this instance, as it has demanded in many others, that no one, no American citizen, no father of a boy who is serving as a drafted man or as a volunteer at $21 per month, who has volunteered to risk his life, as well as his health, for the service of his Government, shall be given employment on national-defense work until he has submitted to the will of the C. I. O.

Here are warships, awaiting launching, and the C. I. O. organization steps in and says that no man shall send them down the ways until he steps forward and pays the amount which they demand.

Think of Congress appropriating billions of dollars, the taxpayer denying himself not only luxuries but in some instances necessities, in order to prepare this Nation to meet threatened danger, to send aid to Britain and to Russia and as that aid is about ready to be sent, in steps the C. I. O. and says, "Halt; no one can launch this ship until we give the word, and we will not give the word until the men sign on the dotted line."

If this Nation is at war, then these C. I. O. organizations, which do this, which prevent the launching of these ships, are interfering with the carrying on of that war and they are guilty of treason and should be tried as traitors.

When men were drafted, they did not need to show union cards. When they march into the camp, they are not asked to show that they have paid their union dues. When they receive their pay checks at $21 per month they need not exhibit any certificate showing that they are in good standing with a labor union. When these boys are sent home from camp, as some of them have been, dead and in caskets, because they have died in camp of illness, or met with a fatal accident, the wife, father, or the mother is not required to produce a union card before they can be buried; but if one of them, who did not volunteer, who was not drafted, or a father or a mother, a brother or a sister wishes to work for his Government, he cannot do it, on many of these defense projects, until he bows the head and bends the knee and acknowledges the authority of the union. Who is it that enables the union to exercise this tyranny? Franklin D. Roosevelt and the administrative boards which he and Congress have created.

The old N. L. R. B. was bad enough, but it was a sweet-scented baby when compared with the present National Defense Mediation Board, which wears the collar and follows on the leash of Sidney Hillman, the C. I. O., and other labor organizations.

Talk about the National Defense Mediation Board settling strikes. Do you know the way it settles strikes? In all too many instances, it orders the employees who do not want to join a union to join that union. It orders the employers to give jobs only to members of that union. That is the fact in the present strike at the Federal Shipbuilding & Drydocks Co. at Kearney, N. J., where the Board has told the company to sign the contract proposed by the C. I. O. The company has refused and has told the Navy to take the plant and operate it.

A striking contrast, is it not? Everyone, providing he falls within the classification, even though he does not belong to the union, is subject to the Conscription Act, must give his services, risk his life, if need be, in the service of his Government.

The administration compels that. It yesterday said he must give an additional 18 months. On the other hand, the National Defense Mediation Board, the tool of the C. I. O., decrees that no matter how loyal, no matter how patriotic, no matter how industrious, the nonunion man cannot work and receive the high wages paid in the shipbuilding yards, unless he puts on the button, the badge, the insignia of the labor union.

Long was the N. L. R. B. recognized as the organizing agent of the C. I. O. Now, in time of a great national emergency, of, we are told, imminent peril to our very existence, an administrative agency steps in, denies two of the four freedoms to American citizens, and becomes a party to the most stupendous racket that ever existed in this country, a spectacle to make the gods hide their heads in shame, a self-respecting Congressman cover his face in humiliation.

It has become the official policy of the Government to force the closed shop upon industry. That it is called by a prettier name, invented by the National Defense Mediation Board to try to get around the bad odor of the term "closed shop," is of little or no consequence. In practice it is, or is a long step in the direction of, the absolute closed shop. The Government, or the agency of the Government which dictates policy in this field, now says to the American citizen that he cannot work on an important Government contract, that he cannot contribute his skill to the national defense, that he cannot get his living by the work of his hands, unless he falls into and keeps the goosestep of compulsory unionization.

The National Defense Mediation Board, like many other agencies of the Government, set up by this administration to deal with matters of labor relations and labor organizers, has become a wrecking auxiliary of the most radical union bosses. It has bent the knee to them and now wears their leg and wrist irons. The union bosses have learned that they have only to strike, or threaten to strike, with or without the consent of the victimized workers, get their case to the Defense Mediation Board, and they will be given the essentials, the substance of what they want, including the closed shop, forced upon workers by the weight of Government influence.

I have heard partisan boasts about the record of the Defense Mediation Board in settling strikes. I suggest that the policy of this Board has stimulated strikes in defense industries, strikes which would not have been called if the union bosses had not been confident the Board would join them to bludgeon industry and workers into unwilling submission, to radical demands.

The Mediation Board has taken the easy way to the settlement of disputes. It has settled by the simple device of giving the union bosses what they wanted and compelling the employers to conform. It settles with nonunion worker and employer the way the footpad, with a gun, settles with his victim. This Board has gone far beyond even the N. L. R. B. The act which the latter Board enforces does not permit it openly to impose the closed shop. That is left to negotiation; negotiation with a blackjack it is true, but negotiation of a sort, nevertheless.

The so-called Mediation Board, however, has thrown its full weight and the power of Government to commandeer, behind the drive for compulsory union membership. The current example of this is the strike against the Federal Shipbuilding Co., of Kearney, N. J., to which I just made reference, where naval construction has been halted by the one issue of compelling workers to keep their union membership, whether or not it was a "shotgun" membership. There is no other issue. The wage question was satisfactorily settled. And there is persuasive reasoning that the strike would not have been called at all if the Mediation Board had not been a handy and dependable tool to enforce the closed-shop demand.

So confident have some union bosses become that the Mediation Board will back them up that they are boasting now that employers and workers will have to accept closed-shop contracts in industries where there is now peace. During negotiations they are threatening employers with a Mediation Board settlement.

I think it time this Congress investigate the decisions and recommendations of the Defense Mediation Board and its methods of procedure. If those who have been before this Board were made to testify under oath as to the methods and tactics used by the panels, Congress and the Nation would be shocked.

And furthermore, until this administration gives protection to men who wish to work, it should not attempt to carry the four freedoms to all the world. If the

administration will not let men work, it should not compel them to fight.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a telegram I received from Milo J. Warner, national commander of the American Legion; also a telegram from Joseph Peterson, department commander of the Massachusetts Veterans of Foreign Wars of the United States; a letter from John Thomas Taylor, director, national legislative committee of the American Legion; and a copy of a resolution recently adopted by the Massachusetts State branch of the American Federation of Labor.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article recently appearing in the Christian Science Monitor.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article written by Robert Burnett Hall.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ORDER OF BUSINESS

Mr. MICHENER. Mr. Speaker, will the gentleman from Massachusetts state what the program will be tomorrow, if he knows?

Mr. McCORMACK. I have no knowledge of anything now. It is understood, as I stated yesterday, that there will be nothing taken up that will be controversial. The Senate meets tomorrow. I do not know what they will do, except that I have been advised that probably they will consider the bill we passed yesterday, on the question of concurrence in the House amendment. The bill that was sent back today to the committee of conference may come in tomorrow; I do not know. If so, it will not be brought up before Friday. There is a supplemental appropriation bill yet to be passed on, and what the status of that will be I am unable to say now except that we are hopeful that it will be put through before Friday.

Outside of those bills, nothing will be brought up that cannot be brought up by unanimous consent. This means that the leadership on the gentleman's side, which is always consulted on these matters, will be consulted and will have to agree.

There were some bills from the Committee on the District of Columbia to be considered, but I do not know what their status is now.

Mr. MICHENER. We passed a couple of those today.

Mr. McCORMACK. They passed earlier; I am glad of that, because I know they were withdrawn last night.

EXTENSION OF REMARKS

Mr. DITTER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein certain quotations from standard historical works.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

(Mr. BENDER asked and was given permission to extend his own remarks in the RECORD.)

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today, and I further ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from the W. P. A. of Oklahoma.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

CAPITOL GUIDES FOR SELECTEES

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, one day last week I saw a number of men in military or naval uniforms going over the Capitol. It was obvious they were strangers and they knew little of the special points of interest and the history of the Capitol and I am wondering, Mr. Speaker, if two guides could not be assigned to show soldiers and sailors over the Capitol. It seems to me, particularly at this time, the Capitol belongs to them and that these guides should be paid out of the contingent fund.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 377. An act to repeal sections 512, 513, 514, 515, as amended, 3744, as amended, 3745, 3746, and 3747 of the Revised Statutes; to the Committee on Expenditures in the Executive Departments.

S. 807. An act for the relief of Eva Mueller; to the Committee on Claims.

S. 858. An act to provide for the presentation of silver medals to certain members of the Peary Polar Expedition of 1906–9; to the Committee on Coinage, Weights, and Measures.

S. 904. An act for the relief of C. D. Henderson; to the Committee on Claims.

S. 1207. An act to change the times for holding terms of the District Court for the Eastern Division of the Western District of Tennessee; to the Committee on the Judiciary.

S. 1363. An act for the relief of Sioux Skyways, Inc.; to the Committee on Claims.

S. 1428. An act for the relief of Walter M. Anderson; to the Committee on Claims.

S. 1430. An act for the relief of Ivan Richard Witcher and Nellie Witcher; to the Committee on Claims.

S. 1479. An act for the relief of Mary S. Gay; to the Committee on Claims.

S. 1581. An act for the relief of George Wells and Mamie H. Wells; to the Committee on Claims.

S. 1587. An act to provide rental allowances for officers without dependents on sea duty when deprived of quarters on board ship; to the Committee on Naval Affairs.

S. 1627. An act to provide for a quinquennial census of industry and business and for the collection of current statistics by the Bureau of the Census; to the Committee on the Census.

S. 1637. An act to authorize the conveyance to the State of Illinois for highway purposes only, a portion of the naval training station, Great Lakes, Ill.; to the Committee on Naval Affairs.

S. 1650. An act for the relief of Joseph V. Broderick; to the Committee on Claims.

S. 1677. An act authorizing subsistence allowance provided for aviation cadets to be paid to messes in manner as prescribed by the act of March 14, 1940 (Public, No. 433, 76th Cong.); to the Committee on Naval Affairs.

S. 1678. An act to authorize the Secretary of the Navy to grant to the city of San Diego for street purposes a parcel of land situated in the city of San Diego and State of California; to the Committee on Naval Affairs.

S. 1701. An act to provide for pay and allowances and mileage or transportation for certain officers and enlisted men of the Naval Reserve and Marine Corps Reserve and retired officers and enlisted men of the Navy and Marine Corps; to the Committee on Naval Affairs.

S. 1782. An act to authorize the payment of a donation to and to provide for the travel at Government expense of persons discharged from the Army of the United States on account of fraudulent enlistment; to the Committee on Military Affairs.

S. 1813. An act for the relief of Harry F. Baker; to the Committee on Claims.

S. J. Res. 78. Joint resolution requesting the President to proclaim October 9, 1941, as Leif Erikson Day; to the Committee on the Judiciary.

ENROLLED BILLS SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 191. An act for the relief of Franklin Stencil and Domonic Stencil;

H. R. 587. An act to extend the provisions of the act entitled "An act to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes," approved September 2, 1937;

H. R. 1352. An act for the relief of Norman Carlin Brown, a minor;

H. R. 1354. An act for the relief of Herman R. Allen;

H. R. 1576. An act for the relief of Emily Barlow;

H. R. 1606. An act for the protection of walruses in the Territory of Alaska;

H. R. 2010. An act for the relief of Wade H. Erwin and Vonnie Erwin;

H. R. 2182. An act for the relief of John S. Small;

H. R. 2212. An act for the relief of Raymond W. Reed and Rose Reed;

H. R. 2431. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Carr China Co.;

H. R. 2434. An act for the relief of Margaret S. Holten;

H. R. 2688. An act granting an extension of patent to the United Daughters of the Confederacy;

H. R. 2753. An act for the relief of Lewis Jones;

H. R. 3206. An act to afford greater protection to the purchaser of patent rights;

H. R. 3752. An act to amend an act entitled "An act to punish the willful injury or destruction of war material, or of war

premises or utilities used in connection with war material, and for other purposes," approved April 20, 1918, as amended November 30, 1940;

H. R. 4045. An act for the relief of Tony Cirone;

H. R. 4085. An act to extend the times for commencing and completing the construction of bridges across the Monongahela River in Allegheny County, Pa.;

H. R. 4150. An act to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes;

H. R. 4231. An act granting the consent of Congress to the South Carolina State Highway Department to construct, maintain, and operate a free highway bridge across the Santee River, at or near Leneudes Ferry, S. C.;

H. R. 4306. An act to extend the times for commencing and completing the construction of a toll bridge across the Wabash River at or near Mount Vernon, Posey County, Ind.;

H. R. 4315. An act to legalize the construction by the Big Creek Bridge Co., Consolidated, of a bridge across the Tug Fork of the Big Sandy River at Nolan, W. Va.;

H. R. 4338. An act to provide for adjustment of the inactive-duty pay of certain transferred and retired members of the Fleet Reserve;

H. R. 4582. An act to permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products in the District of Columbia;

H. R. 4660. An act to amend the act entitled "An act to provide aid for needy blind persons of the District of Columbia and authorizing appropriations therefor," approved August 24, 1935;

H. R. 4732. An act granting the consent of Congress to the Department of Highways, Commonwealth of Virginia, to construct, maintain, and operate two free bridges across the New River, one at Bluff City and the other at Eggleston, in the State of Virginia;

H. R. 5122. An act to extend the times for commencing and completing the construction of a bridge across the Monongahela River between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny and in the Commonwealth of Pennsylvania; and

H. R. 5339. An act granting increases in pensions to certain widows and dependents of persons who served in the military or naval forces of the United States during the War with Spain, the Boxer Rebellion, or the Philippine Insurrection.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 21 minutes p. m.) the House adjourned until tomorrow, Thursday, August 14, 1941, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

857. Under clause 2 of rule XXIV, a letter from the acting Secretary of the Treasury, transmitting the Annual Report of the Federal Bureau of Narcotics, prepared by the Commissioner of Narcotics, for the calendar year ended December 31, 1940, was taken from the Speaker's table and referred to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LEA: Committee on Interstate and Foreign Commerce. S. 210. An act to amend the Interstate Commerce Act, as amended, to provide for the regulation of freight forwarders; with amendment (Rept. No. 1172). Referred to the Committee of the Whole House on the state of the Union.

Mr. VOORHIS of California: Committee on Flood Control. H. R. 547. A bill authorizing the Secretary of War to execute an easement deed to the city of Los Angeles, Calif., for the use and occupation of lands and water areas in connection with the Sepulveda Dam and Reservoir project and the Hansen Dam and Reservoir project on the Los Angeles River; with amendment (Rept. No. 1173). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT of California: Committee on Food Control. H. R. 4161. A bill to authorize the construction of the Pine Flat-Kings River project in California; with amendment (Rept. No. 1174). Referred to the Committee of the Whole House on the state of the Union.

Mr. COCHRAN: Committee on Expenditures in the Executive Departments. H. R. 5508. A bill to discontinue certain reports now required by law to be made to Congress; with amendment (Rept. No. 1175). Referred to the Committee of the Whole House on the state of the Union.

Mr. McGEHEE: Committee of conference on the disagreeing votes of the two Houses, H. R. 1692. A bill entitled "An act for the relief of William F. Kliewe" (Rept. No. 1176). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. ELIOT of Massachusetts:

H. R. 5567. A bill to provide for the expenditure of funds appropriated to the Work Projects Administration for the fiscal year 1942 over a lesser period of time; to the Committee on Appropriations.

By Mr. BLOOM:

H. R. 5568. A bill for the relief of certain widows of foreign officers; to the Committee on Foreign Affairs.

By Mr. SACKS:

H. R. 5569. A bill to amend the Nationality Act of 1940, to preserve the nationality of naturalized veterans of the Spanish-American War and of the World War, and of their wives, minor children, and dependent parents; to the Committee on Immigration and Naturalization.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred, as follows:

By Mr. COLMER:

H. R. 5570. A bill for the relief of William P. Kennedy, Sr.; to the Committee on Claims.

By Mr. KRAMER:

H. R. 5571. A bill to authorize the President to bestow the Navy Cross upon Dr. T. A. Buckley, former hospital steward, United States Navy; to the Committee on Naval Affairs.

By Mr. McGEHEE:

H. R. 5572. A bill to provide an additional sum for the payment of a claim under the act entitled "An act to provide for the reimbursement of certain Navy and Marine Corps personnel and former Navy and Marine Corps personnel and certain Federal civil employees for personal property lost or damaged as a result of the hurricane and flood at Parris Island, S. C., on August 11–12, 1940," approved April 23, 1941; to the Committee on Claims.

H. R. 5573. A bill for the relief of Mrs. Noel Wright and Bunny Wright; to the Committee on Claims.

By Mr. SPENCE:

H. R. 5574. A bill authorizing the President of the United States to appoint Sgt. Samuel Woodfill a colonel in the United States Army and then place him on the retired list; to the Committee on Military Affairs.

By Mr. THOMAS of Texas:

H. R. 5575. A bill for the relief of John C. Crossman; to the Committee on Claims.

By Mr. WICKERSHAM:

H. R. 5576. A bill for the relief of A. L. Freeman; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1766. By Mr. BISHOP: Petition of sundry citizens of DuQuoin, Ill., protesting against the Agricultural Adjustment Administration program for wheat; to the Committee on Agriculture.

1767. By Mr. JARRETT: Petition of Mrs. W. L. McGarrah and other ladies of the Women's Christian Temperance Union supporting Senate bill 860; to the Committee on Military Affairs.

1768. Also, petition of Mrs. Neva S. Allen, president of the Women's Missionary Society of the United Presbyterian Church, West Middlesex, Pa., urging prayer and protection for soldiers near camps, etc.; to the Committee on Military Affairs.

1769. By Mr. KRAMER: Petition of the Los Angeles County Board of Supervisors, endorsing the provisions of Senate bill 1201, now before the United States Congress, and respectfully requesting the enactment of this legislation and its approval by the President of the United States; to the Committee on the Public Lands.

1770. By Mr. MARTIN J. KENNEDY: Petition of the New York State Food Merchants Association, opposing House bill 3582; to the Committee on Agriculture.

1771. By Mr. REES of Kansas: Petition of Mrs. H. B. Miller and other citizens of Manhattan, Kans., supporting House bill 2475; to the Committee on Military Affairs.

SENATE

THURSDAY, AUGUST 14, 1941

The Chaplain, Rev. ZeBarney T. Phillips, D. D., rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

God of our life in whose keeping are the destinies of men and nations: Let Thy mercy be ever great toward us and enable us to live nobly under the sense of Thy pervading presence, whose inner urge we feel when high duty calls and responsibilities constrain us, because Thou reignest and Thine is the governance of all things.

In these fateful days bind us with that bond of earnest devotion which portends freedom and emancipation, that we may yoke life's hostile forces to the loving purposes of God. May each soul that, in the tumult, hears the rustling of Almighty wings, praise God for the storm that swings her free from enervating ease, and for the flood that casts her high upon the eternal rocks.

Help us to do our work with fidelity, as the work Thou hast given us to do. Make us brave and trusting, ready to minister until the sun goes down, and, if the night be long, help us patiently to wait through the slow hours for the morning, when from behind the sable hills the lingering dawn shall break. In our Saviour's name we ask it. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Monday, August 11, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had passed the joint resolution (S. J. Res. 95) to extend the periods of service of persons in the military service, and for other purposes, with an amendment; asked a conference with the Senate thereon, and that Mr. MAY, Mr. THOMASON, Mr. HARTER, Mr. ANDREWS, and Mr. SHORT were appointed conferees on the part of the House.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 162) to strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1692) for the relief of William F. Kliewe.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5300) to amend Public Law No. 74, of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 647) for the relief of Gilbert E. Jackson and Helen Jackson, individually, and as the natural guardians of Edwin Jackson, a minor.

The message also announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H. R. 4529. An act for the relief of John Henry Hester;

H. R. 4784. An act to amend the act relating to preventing the publication of inventions in the national interest, and for other purposes; and

H. R. 4813. An act to amend section 78 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended.

The message further announced that the House had agreed to Senate Concurrent Resolution 15, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed, in the enrollment of the bill (S. 752) to provide for the establishment of the Coronado International Memorial, in the State of Arizona, to make the following change, viz: On page 2, line 7, of the Senate engrossed bill, after the figure "20" and the comma, strike out the words "west half" and insert in lieu thereof the following: "lots 3 and 4."

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 5289. An act to dispense with the requirement of clearance and entry for certain United States vessels on the Great Lakes which touch at Canadian ports for bunker fuel only;

H. R. 5425. An act to permit the steamship *Port Saunders*, official No. 220150, and steamship *Hawk*, official No. 220149, to engage in the fisheries;

H. R. 5447. An act to amend section 907 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to second conviction of criminal offenses; and

H. R. 5448. An act to define and punish vagrancy in the District of Columbia, and for other purposes.

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 191. An act for the relief of Franklin Stencil and Domonic Stencil;

H. R. 567. An act to extend the provisions of the act entitled "An act to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes," approved September 2, 1937;

H. R. 1352. An act for the relief of Norman Carlin Brown, a minor;

H. R. 1354. An act for the relief of Herman R. Allen;

H. R. 1576. An act for the relief of Emily Barlow;

H. R. 1606. An act for the protection of walruses in the Territory of Alaska;

H. R. 2010. An act for the relief of Wade H. Erwin and Vonnie Erwin;

H. R. 2182. An act for the relief of John S. Small;

H. R. 2212. An act for the relief of Raymond W. Reed and Rose Reed;

H. R. 2431. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Carr China Co.;

H. R. 2434. An act for the relief of Margaret S. Holten;

H. R. 2688. An act granting an extension of patent to the United Daughters of the Confederacy;

H. R. 2753. An act for the relief of Lewis Jones;

H. R. 3206. An act to afford greater protection to the purchaser of patent rights;

H. R. 3752. An act to amend an act entitled "An act to punish the willful injury or destruction of war material, or of war premises or utilities used in connection with war material, and for other purposes," approved April 20, 1918, as amended November 30, 1940;

H. R. 4045. An act for the relief of Tony Cirone;

H. R. 4085. An act to extend the times for commencing and completing the construction of bridges across the Monongahela River in Allegheny County, Pa.;

H. R. 4150. An act to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes;

H. R. 4231. An act granting the consent of Congress to the South Carolina State Highway Department to construct, maintain, and operate a free highway bridge across the Santee River at or near Leneudes Ferry, S. C.;

H. R. 4306. An act to extend the times for commencing and completing the construction of a toll bridge across the Wabash River at or near Mount Vernon, Posey County, Ind.;

H. R. 4315. An act to legalize the construction by the Big Creek Bridge Co., Consolidated, of a bridge across the Tug Fork of the Big Sandy River at Nolan, W. Va.;

H. R. 4338. An act to provide for adjustment of the inactive-duty pay of certain transferred and retired members of the Fleet Reserve;

H. R. 4582. An act to permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products in the District of Columbia;

H. R. 4660. An act to amend the act entitled "An act to provide aid for needy blind persons of the District of Columbia and authorizing appropriations therefor," approved August 24, 1935;

H. R. 4732. An act granting the consent of Congress to the Department of Highways, Commonwealth of Virginia, to construct, maintain, and operate two free bridges across the New River, one at Bluff City and the other at Eggleston, in the State of Virginia;

H. R. 5122. An act to extend the times for commencing and completing the construction of a bridge across the Monongahela River between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny and in the Commonwealth of Pennsylvania; and

H. R. 5339. An act granting increases in pensions to certain widows and dependents of persons who served in the military or naval forces of the United States during the War with Spain, the Boxer Rebellion, or the Philippine Insurrection.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated below:

H. R. 5289. An act to dispense with the requirement of clearance and entry for certain United States vessels on the Great Lakes which touch at Canadian ports for bunker fuel only; and

H. R. 5425. An act to permit the steamship *Port Saunders*, official No. 220150, and steamship *Hawk*, official No. 220149, to engage in the fisheries; to the Committee on Commerce.

H. R. 5447. An act to amend section 907 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to second conviction of criminal offenses; and

H. R. 5448. An act to define and punish vagrancy in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

JOINT STATEMENT BY PRESIDENT ROOSEVELT AND PRIME MINISTER CHURCHILL

Mr. BARKLEY. Mr. President, I ask to have printed in the RECORD the joint statement of the President of the United

States and the Prime Minister of Great Britain, which was released today.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

AUGUST 14, 1941.

The following statement signed by the President of the United States and the Prime Minister of Great Britain is released for the information of the press:

"The President of the United States and the Prime Minister, Mr. Churchill, representing His Majesty's Government in the United Kingdom, have met at sea.

"They have been accompanied by officials of their two Governments, including high ranking officers of their military, naval, and air services.

"The whole problem of the supply of munitions of war, as provided by the Lease Lend Act, for the armed forces of the United States and for those countries actively engaged in resisting aggression has been further examined.

"Lord Beaverbrook, the Minister of Supply of the British Government, has joined in these conferences. He is going to proceed to Washington to discuss further details with appropriate officials of the United States Government. These conferences will also cover the supply problems of the Soviet Union.

"The President and the Prime Minister have had several conferences. They have considered the dangers to world civilization arising from the policies of military domination by conquest upon which the Hitlerite Government of Germany and other governments associated therewith have embarked, and have made clear the steps which their countries are respectively taking for their safety in the face of these dangers.

"They have agreed upon the following joint declaration:

"Joint declaration of the President of the United States of America and the Prime Minister, Mr. Churchill representing His Majesty's Government in the United Kingdom being met together deem it right to make known certain common principles in the national policies of their respective countries on which they base their hopes for a better future for the world.

"First, their countries seek no aggrandizement, territorial or other;

"Second, they desire to see no territorial changes that do not accord with the freely expressed wishes of the peoples concerned;

"Third, they respect the right of all peoples to choose the form of government under which they will live; and they wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them;

"Fourth, they will endeavor, with due respect for their existing obligations, to further the enjoyment by all states, great or small, victor or vanquished, of access, on equal terms, to the trade and to the raw materials of the world which are needed for their economic prosperity;

"Fifth, they desire to bring about the fullest collaboration between all nations in the economic field with the object of securing, for all, improved labor standards, economic advancement, and social security;

"Sixth, after the final destruction of the Nazi tyranny, they hope to see established a peace which will afford to all nations the means of dwelling in safety within their own boundaries, and which will afford assurance that all the men in all the lands may live out their lives in freedom from fear and want;

"Seventh, such a peace should enable all men to traverse the high seas and oceans without hindrance;

"Eighth, they believe that all of the nations of the world, for realistic as well as spiritual reasons, must come to the abandonment of the use of force. Since no future peace can be maintained if land, sea, or air armaments continue to be employed by nations which threaten, or may threaten, aggression outside of their frontiers, they believe, pending the establishment of a wider and permanent system of general security, that the disarmament of such nations is essential. They will likewise aid and encourage all other practicable measures which will lighten for peace-loving peoples the crushing burden of armaments.

"FRANKLIN D ROOSEVELT.
"WINSTON S. CHURCHILL."

REPORT ON THE NEED FOR FEDERAL REGULATION OF THE SIZES AND WEIGHT OF MOTOR VEHICLES (H. DOC. NO. 354)

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the Interstate Commerce Commission, transmitting, pursuant to law, a report of the Commission on the question of need for Federal regulation of the sizes and weight of motor vehicles engaged in transportation of persons or property in interstate or foreign commerce, with an accompanying staff report, with appendixes.

Mr. BARKLEY. Mr. President, I ask that the letter and report be referred to the Committee on Interstate Commerce and printed.

The VICE PRESIDENT. Without objection, the letter and report will be referred to the Committee on Interstate Commerce and printed as a document, as requested by the Senator from Kentucky.

EXECUTIVE COMMUNICATION, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

PROVISION PERTAINING TO EMERGENCY FUND FOR THE PRESIDENT (S. DOC. NO. 107)

A communication from the President of the United States, transmitting draft of a proposed provision to amend the existing appropriation, "Emergency fund for the President," for the fiscal year 1942 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

REPORT ON TRAFFIC IN OPIUM AND OTHER DANGEROUS DRUGS

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, the annual report of the Federal Bureau of Narcotics for the year ended December 31, 1940, relative to the traffic in opium and other dangerous drugs (with an accompanying report); to the Committee on Finance.

AWARDS OF CONTRACTS FOR THE ARMY

A letter from the Secretary of War, reporting, pursuant to law, relative to division of awards of certain quantity contracts for aircraft, aircraft parts, and accessories therefor entered into with more than one bidder under authority of law; to the Committee on Military Affairs.

REPORT OF DESIGNS, AIRCRAFT, AIRCRAFT PARTS, ETC., PURCHASED BY THE NAVY

A letter from the Acting Secretary of the Navy, transmitting, pursuant to law, a report of designs, aircraft, aircraft parts, and aeronautical accessories purchased by the Navy Department during the fiscal year ended June 30, 1940, the prices therefor and the reason for the award in each case (with an accompanying report); to the Committee on Naval Affairs.

LANDS WITHIN PALM SPRINGS OR AGUA CALIENTE INDIAN RESERVATION, CALIF.

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation providing for the disposal of lands within the Palm Springs or Agua Caliente Indian Reservation in California, and for other purposes (with an accompanying paper); to the Committee on Indian Affairs.

RELIEF FROM LIABILITY OF VETERANS' ADMINISTRATION EMPLOYEES

A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to relieve certain employees of the Veterans' Administration from financial liability for certain overpayments and allow such credit therefor as is necessary in the accounts of certain disbursing officers, and for other purposes (with accompanying papers); to the Committee on Claims.

REPORT OF RECONSTRUCTION FINANCE CORPORATION

A letter from the Chairman and Acting Secretary of the Reconstruction Finance Corporation, transmitting, pursuant to law, a report covering the operations of the corporation for the first quarter of 1941, and for the period from the organization of the corporation on February 2, 1932, to March 31, 1941 (with accompanying papers); to the Committee on Banking and Currency.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by Senators, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Greater Newark (N. J.) Industrial Union Council (C. I. O.), endorsing the policy of full aid by the United States to England, Russia, and China; to the Committee on Foreign Relations.

A letter in the nature of a petition from Ada Heizer, of Waterville, Ohio, praying that the United States keep out of foreign war; to the Committee on Foreign Relations.

A resolution adopted by the twenty-ninth annual conference and credit sales forum of the National Retail Credit Association, in convention assembled at New York, N. Y., pledging its unreserved and unqualified allegiance and support in the present emergency to the United States, its flag, and the sacred principles for which it stands; to the Committee on Military Affairs.

A resolution by the Alexandria-Arlington-Fairfax Real Estate Board, Arlington, Va., favoring the enactment of pending legislation for the construction of a building to house the War Department in Arlington County, Va., on land formerly occupied and used by the Government as an experimental farm adjacent to the Arlington National Cemetery; to the Committee on Military Affairs.

A letter in the nature of a petition from Mrs. M. Mendez (no address given), praying for the enactment of the joint resolution (S. J. Res. 95) to extend the periods of service of persons in the military service, and for other purposes; to the table.

A letter from A. L. Muir, of Cincinnati, Ohio, relative to taxation and extension of the Selective Training and Service Act; to the table.

A petition of sundry citizens of Slippery Rock, Pa., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. TYDINGS:

Petitions of sundry citizens of the State of Maryland, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. CAPPER:

Petitions of sundry citizens of Haviland, and Jewell and Republic Counties, all in the State of Kansas, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

RESOLUTION OF KANSAS WHEAT GROWERS—PENALTY PROVISIONS OF A. A. A. MARKETING LAW

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred a resolution adopted at a meeting of 4,000 representatives of the wheat farmers of Kansas held at Topeka on August 9 in which they go on record as opposing any change at this time in the penalty provisions of the present A. A. A. marketing law.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Whereas wheat quotas carried by over 80 percent of wheat farmers in referendum of May 31, 1941; and

Whereas, under the present A. A. A. law, the wheat market has been brought from a demoralized condition to the present level of nearer parity, to the mutual benefit of noncomplying farmers, as well as those in compliance; and

Whereas a small minority of wheat farmers are now endeavoring to defeat the A. A. A. farm program by having the penalty removed or modified on excess wheat; and

Whereas the House of Representatives of the United States Congress has voted in favor of reducing the 49-cents-per-bushel penalty and allowing excess wheat to be fed and seeded by noncomplying farmers: Now, therefore, be it

Resolved by this public convention of representatives of the wheat farmers of the Middle West, at Topeka, Kans., on this 9th day of August, 1941, That it is the consensus of opinion of this convention that no change should be made at this time in the penalty provisions of the present A. A. A. marketing law.

STATEMENT BY LIONS CLUB OF NEWTON, KANS.—IMMIGRATION

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred a statement of the Lions Club, of Newton, Kans., signed by members thereof, taking a strong stand with regard to deportation of undesirable alien citizens, and especially those aliens who declare their allegiance to a foreign country and undertake to overthrow the government of the United States.

There being no objection, the statement was referred to the Committee on Immigration and ordered to be printed in the RECORD, as follows:

JULY 17, 1941.

Hon. ARTHUR CAPPER,
United States Senator,
Washington, D. C.

DEAR SENATOR CAPPER: At the last meeting of the Newton Lions Club, a spontaneous discussion, incited by recent current events, crystallized into a definite and determined desire of the club to present their wishes and to give you the assurance of their support for any aggressive action taken by you in encouraging the enactment of legislation embodying the spirit and intent of the following:

1. Any naturalized citizen of the United States who admits or declares allegiance to any foreign country, or who is a member of any organization which is furthering the interests of any foreign country that is declared to be unfriendly to the United States or which has distributed seditious literature, shall have his citizenship revoked, his property confiscated, and be deported to his native country, unless his native country is now at war, in which event he should be considered as a spy and executed as such.

2. Any alien who is a member of any organization which is furthering the interests of any foreign country that is declared to be unfriendly to the United States, or which has distributed seditious literature, shall have his property confiscated and be deported to his native land, unless his native country is now at war, in which event he should be treated as a spy.

3. Any natural-born citizen of the United States who admits or declares his allegiance to a foreign country, or who during a national emergency is a member of an organization which is furthering the interests of a foreign country which is causing the emergency, or which has distributed seditious literature, shall receive a penalty of life in prison or death.

4. The penalty for sabotage or espionage should be death.

5. During any national emergency declared by the President of the United States, it shall be illegal for any person against whom the United States has filed charges of any of the foregoing crimes mentioned in articles 1, 2, 3, and 4 to hold any office in a labor union. It shall also be illegal for any labor union official to call a strike during such emergency on any work designated by the President of the United States to be work essential to the proper preparedness of the United States to meet said emergency. The penalty for violation of either of these acts should be punishable by not less than 10 years of imprisonment.

To assure you further that the above represents the sincere and whole-hearted desires of the membership, the undersigned members here certify by their signatures that they have discussed these proposals, that they approve these proposals, and that they will support any action taken by you in presenting these proposals to the United States Senate.

H. E. Morgan, R. G. Cameron, J. A. McMillan, E. H. Staley, I. W. Forney, C. M. Rhoades, F. E. Loose, W. S. Bumsell, R. R. Cornett, E. W. Kidder, C. E. Ruff, M. B. Henry, P. C. Bean, Norris R. Daugherty, Edw. Wiemerslope, M. L. Dietrich, Carroll Dick, Geo. D. Hanna, Oscar Janes, Geo. A. Lewis, Albert A. Goering, C. H. Douglass, John W. Hertzler, Bates J. Nelson, Chas. Craig, Carl Kennedy, Merle Norton, Clarence J. Goering, and John O. Jenkins.

OLD-AGE ASSISTANCE—PETITIONS

Mr. CAPPER. Mr. President, I present a petition, signed by about 1,000 citizens of Topeka, Kans., urging the Congress to enact into law House Resolution 1036, the Townsend old-age pension bill, and ask that the petition without signatures be printed in the RECORD and referred to the Committee on Finance. I wish to state at this time that I believe this question should be given thorough and early consideration by Congress and that adequate pensions should be allowed these deserving people. I also present another petition for reference to the Finance Committee, from the members of Men's Fellowship Class of Topeka, signed by Dr. John W. Waldron, secretary-teacher, and nearly 500 others, urging immediate enactment of a just and adequate old-age pension law, this law to be uniform in all the States in the Union.

There being no objection, the petitions were referred to the Committee on Finance, and the body of one of the petitions was ordered to be printed in the RECORD, as follows:

The Honorable FRANKLIN D. ROOSEVELT,
President of the United States:
The Honorable ARTHUR CAPPER,
United States Senator from Kansas:
The Honorable CLYDE M. REED,
United States Senator from Kansas:
The Honorable WILLIAM P. LAMBERTSON,
Congressman from First Kansas District:

We the undersigned, members and friends of the Men's Fellowship Class, Inc., the largest organization of its kind in Kansas, do hereby respectfully request you, our representatives in Washington, D. C., to do your utmost now, for the immediate enactment of a just and adequate old-age pension law, this law to be uniform in all the States in the Union. We believe this is really our first line of defense. We are tired of procrastination, delay, and we want action at once.

TELEGRAM FROM AMERICAN MIDDLE CLASS UNION, MINNEAPOLIS, MINN.—TAXATION

Mr. SHIPSTEAD presented a telegram from the American Middle Class Union, of Minneapolis, Minn., which was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

MINNEAPOLIS, MINN., *August 9, 1941.*
Hon. HENRIK SHIPSTEAD,
United States Senate, Washington, D. C.:

New tax bill places excessive and undue tax burden on middle class. We protest its inequalities and ask this telegram be made part of RECORD.

AMERICAN MIDDLE CLASS UNION,
By R. E. FISHER,
President and Executive Secretary.

RESOLUTION OF MOTHERS OF MINNESOTA—NATIONAL DEFENSE AND FOREIGN RELATIONS

Mr. SHIPSTEAD presented a resolution adopted by a recent meeting of the Mothers of Minnesota at Minneapolis, Minn., which was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

On August 3, 1941, the Mothers of Minnesota, a State-wide organization, held an antiwar meeting at the parade grounds in the city of Minneapolis at which meeting Rush D. Holt, former Senator of West Virginia was the principal speaker. The mothers had requested their chairman Leslie Erickson, to ask the audience to either approve or disapprove a resolution to adopt

the following principles, and that the said principles be sent to Senator SHIPSTEAD to be incorporated into the CONGRESSIONAL RECORD. The resolution and principles were adopted unanimously by the audience of some 5,000 people and are as follows:

"We favor adequate national defense.

"We favor keeping out of European and Asiatic wars.

"We believe in democracy and know that the way to save democracy is to save it here, not to have our democracy destroyed by entrance into war.

"We oppose all schemes to bring the United States into Union Now, League of Nations, or any other such international organizations.

"We oppose dictatorship, foreign or domestic

"We believe in the Constitution of the United States and oppose all schemes that would undermine it."

LESLIE ERICKSON,
Chairman of meeting.
Mrs. L. E. AVERY,
State President of Mothers of Minnesota.
Mrs. LILLIAN E. FISS,
State Vice President, Minneapolis, Minn.
Mrs. MARY F. CONLON,
State Secretary, St. Paul, Minn.
Mrs. GERTRUDE GORDON,
State Treasurer, Minneapolis, Minn.
Mrs. MILDRED LYNCH,
President of Minneapolis Unit.

NOTICE OF MOTIONS TO SUSPEND THE RULE FILED DURING ADJOURNMENT—AMENDMENTS

Under authority of the order of the 11th instant,

On August 12, 1941, Mr. ADAMS filed with the Secretary of the Senate the following notice:

In accordance with rule XL of the Standing Rules of the Senate I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 5412) making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes, the following amendments, namely: On page 2, line 16, after the figures, to insert the following:

" : *Provided*, That this appropriation, the appropriation under this head in the Military Appropriation Act, 1942, the appropriations under this head made and merged in the Fifth Supplemental National Defense Appropriation Act, 1941, and all funds transferred to the appropriations under this head out of other appropriations for the Military Establishment for the fiscal year 1941, under the authority contained in the Second Deficiency Appropriation Act, 1940, shall remain available until June 30, 1943."

On page 3, after line 6, to insert the following:

"The second proviso under the caption 'Ordnance service and supplies, Army', in the Military Appropriation Act, 1942, is hereby amended to read as follows: '*Provided further*, That the Chief of Ordnance and the chiefs of any other branches concerned shall enter into contracts prior to July 1, 1942, for the procurement of such equipment, spare parts, and accessories appropriated for or authorized to be contracted for under the provisions of this paragraph as may be required for such additional armored force divisions and/or other units of such armored force as may be directed by the Chief of Staff.'"

On page 6, after line 22, to insert the following new paragraph:

"Naval accounting fund: For the establishment of a naval accounting fund under the Bureau of Supplies and Accounts, and hereafter expenditures may be made from the naval accounting fund for material (other than material for stock), and for personal and contractual services under such regulations as the Secretary of the Navy may prescribe, $10,000,000: *Provided*, That no expenditure shall be incurred under the naval accounting fund which is not properly chargeable to available funds under a naval appropriation, and the naval accounting fund shall be promptly reimbursed from the appropriate naval appropriation for all expenditures made therefrom, the amounts charged to each appropriation on account of such reimbursements to be certified to the Comptroller General of the United States by the Paymaster General of the Navy for the issue of transfer and counterwarrants: *Provided further*, That the Paymaster General of the Navy is authorized to transfer to the naval accounting fund any existing obligations under the naval supply account fund which do not represent the acquisition of materials for stock: *Provided further*, That the naval supply account fund shall be hereafter designated as the naval supply fund."

On page 36, after line 25, to insert the following:

"FEDERAL SECURITY AGENCY

"Civilian Conservation Corps: The twelfth paragraph under the caption 'Civilian Conservation Corps' in the Federal Security Appropriation Act, 1942, is hereby amended to read as follows:

" 'In the expenditure of funds appropriated herein under the heading "Civilian Conservation Corps," the over-all expenditure per enrollee per year shall not exceed $1,000: *Provided*, That such limit of $1,000 may be exceeded if the average enrollee strength is below 210,000 enrollees but in such event the total expenditures from such appropriation shall not exceed $200,000,000.' "

On page 36, after line 25, to insert the following:

"FEDERAL WORKS AGENCY

"Public Buildings Administration: Authority is hereby conferred upon the Administrator of Federal Works Agency to proceed upon a cost-plus-a-fixed-fee basis, with the construction of Federal Office Building No. 3, the construction of which was authorized by the appropriation 'Sites and buildings Federal office buildings (Nos. 2 and 3)' contained in the First Supplemental Civil Functions Appropriation Act, 1941; and said appropriation is hereby increased to the extent of $900,000 by the transfer of said sum from the appropriation 'Public Buildings Administration, construction of temporary office buildings' contained in the Fifth Supplemental National Defense Appropriation Act, 1941."

On page 37, after line 4, to insert the following:

"DISTRICT OF COLUMBIA

"PUBLIC SCHOOLS

"Buildings and grounds: The Commissioners of the District of Columbia are authorized to enter into contract or contracts for the construction of a new extensible senior high-school building to be located at Twenty-fourth Street and Benning Road Northeast, at a total cost not to exceed the limit of cost fixed for such project by the District of Columbia Appropriation Act, 1942."

On page 42, after line 11, to insert a new section, as follows:

"SEC. 2. It shall be the duty of the Secretary of War and the Secretary of the Navy, respectively to file with the Congress prior to the end of each fiscal year a full and complete list of all contracts in excess of $10,000 in value including contracts for the purchase of land, which may be undertaken for the expenditure of the funds appropriated by this or any other act, together with a summary of the subject matter of such contracts, the names of the contractors and of the persons who negotiated any such contract either on behalf of the Government or of the contractor, and, if any such contract was awarded without competitive bidding a statement of the reasons for the selection of the contractor."

Mr. ADAMS submitted seven amendments intended to be proposed by him to House bill 5412, the first supplemental national-defense appropriation bill, 1942, which were severally ordered to lie on the table and to be printed. (For amendments referred to, see the foregoing notice.)

COMMITTEE REPORTS FILED DURING ADJOURNMENT

Under authority of the order of the 11th instant,

The following reports of committees were submitted on August 12, 1941:

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

S. 1840. A bill to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes; without amendment (Rept. No. 651).

By Mr. ADAMS, from the Committee on Appropriations:

H. R. 5412. A bill making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes; with amendments (Rept. No. 652).

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MALONEY, from the Committee on Public Buildings and Grounds:

H. R. 2381. A bill authorizing the transfer of land owned by the United States back to the Spring Park Club of Richfield Springs, N. Y.; without amendment (Rept. No. 653).

By Mr. ANDREWS, from the Committee on Public Buildings and Grounds:

S. Res. 150. Resolution relating to the acoustics, redecorating, and for better lighting of the Senate Chamber and the Senate Office Building; with amendments (Rept. No. 654).

By Mr. HERRING, from the Committee on Public Buildings and Grounds:

S. 1826. A bill to permit seeing-eye dogs to enter Government buildings when accompanied by their blind masters, and for other purposes; without amendment (Rept. No. 655).

By Mr. WALSH, from the Committee on Education and Labor:

S. 1365. A bill to amend the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes", approved June 28, 1937, as amended, for the purpose of providing vocational training in Civilian Conservation Corps camps in the interest of the national defense; with amendments (Rept. No. 656).

By Mr. SMITH, from the Committee on Agriculture and Forestry:

S. 1831. A bill to prohibit the purchase of foreign-grown cotton with public funds; with amendments (Rept. No. 657).

By Mr. McCARRAN, from the Committee on the District of Columbia:

H. R. 5447. A bill to amend section 907 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to second conviction

of criminal offenses; with an amendment (Rept. No. 658); and

H. R. 5448. A bill to define and punish vagrancy in the District of Columbia, and for other purposes; without amendment (Rept. No. 659).

REPORT OF SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL DEFENSE PROGRAM—CAMPS AND CANTONMENTS (REPT. NO. 480, PT. 2)

Mr. TRUMAN. Mr. President, from the special committee to investigate the national-defense program, I submit an additional report, and I desire to bring a few things in the report particularly to the attention of the Senate.

Mr. President, one of the first tasks which the Special Committee to Investigate the National Defense Program, of which I am chairman, undertook was that of examining into the efficiency with which the camp construction program was planned and carried out. This is a very important matter, because approximately a billion dollars has already been expended for this purpose—a large amount even in these days of astronomical figures—and because the War Department has plans for constructing a number of additional camps. The War Department in the proposed new camp construction program should not make the same mistakes it made in the program now being completed.

My committee was also interested in examining the camp construction program, which did not involve any military secrets, in order to ascertain in a general way whether the War Department has been on its toes during the past 20 years and has made any worth-while plans for emergency situations.

The committee has inspected a number of camps, has taken testimony from Army officials and contractors and architects and renters of equipment, and has tried to learn both the good and bad points of the camp construction program. The committee has prepared a report, which I am submitting now and which I ask to have printed.

Copies of the report are now on the desks of Senators, and I earnestly urge that they look them over carefully, because there is a great deal of information in the report which will, I think, be of interest to the entire Senate.

I am sorry to say that I do not think the Army has done a good job on camp construction. I do not mean that the soldiers are poorly housed or that the training facilities are inadequate, but I do mean that there has been a lack of foresight and planning and a large amount of inefficiency, as a result of which I believe that several hundreds of millions of dollars have been wasted. As an Army officer, I had always assumed that the War Department had paid some attention to the bitter lessons with respect to camp construction which we learned during the last war. I had assumed that when the time came carefully drawn up plans would be taken from the files and put into operation with a minimum of delay. I was utterly astounded to find that although a post-war study had been made of camp construction problems encountered in the World War, all the copies thereof had been lost by the War Department; that the general in charge of the Construction Division of the Quartermaster Corps was proceeding under the assumption that there would never be another war; and that the generals in charge of planning for construction by the General Staff did not even conceive the possibility that we would ever again have a mobilization such as that in 1917, involving the necessity of housing and training troops in barracks camps. I wanted to know the answer to the question which many have asked as to why the Army was not better prepared in matters such as these, when the United States had been spending billions of dollars for W. P. A. and might just as well have used some of it to make a few plans. I found that the answer was not that the Congress was niggardly with the Army or that the W. P. A. would not make the funds available, but it was that the armchair generals in charge of such matters, although they knew that W. P. A. funds could be obtained for planning projects, did not think it was worth while, or even possible, for the Army to use such funds to any advantage. If our plans for military campaigns are no more extensive and no better than those for construction, we are indeed in a deplorable situation.

The estimates of the cost of the camps, which the Army gave to Congress, were known at the time to be inaccurate. The sites for camps had not been selected. Lay-out plans for typical camps had not been prepared. Building plans for typical buildings, such as barracks and mess halls, had been prepared largely through W. P. A. assistance, but they were not carried far enough so as to give contractors the information they needed to enable them to make bids or even to order materials. Little attention had been given to the fact that huge quantities of lumber and other building materials would be needed. For example, the Army belatedly discovered that all its contractors were buying lumber at the expense of the Government in competition with each other, thereby increasing the price to the Government. The Army finally began buying lumber itself, as a result of which the cost of lumber went down by more than 25 percent. Had it centralized its purchases of lumber earlier, it would have saved over $13,000,000 on that item alone.

Similarly, the Army apparently did not realize that there was not sufficient second-hand construction equipment available in the country to provide for a billion-dollar camp-construction program over and above and in addition to the large amount of construction necessary for other defense purposes. As a result, it went through the farce of pretending to rent equipment on bids. The demand was unlimited, and the supply very definitely limited, so, with contractors again bidding against each other at Government expense, rentals went sky high. The only limit to this equipment renters' paradise was a provision that the Government could recapture the equipment when the rentals exceeded the fancy valuations which the equipment dealers quoted. During the time when my committee was investigating this situation, I am happy to say that the Army began to exercise its right to recapture equipment. However, these recapture valuations were sometimes as much as 64 percent above the cost of the equipment new, and it was a common practice to set the recapture values at 30 to 35 percent above cost. The Chief of the Quartermaster's Equipment Unit estimated that had the Government purchased the equipment new instead of through the device of renting it, paying more than its value, and ultimately recapturing it, it could have done so at a saving of from twelve to thirteen million dollars on that item alone.

Most of the work was let on cost-plus-fixed-fee contracts. There was no attempt to ask contractors what they had been in the habit of making in peacetime, or even what they were willing to take. Huge fixed fees were offered to them by the Government in much the same way that Santa Claus passes out gifts at a church Christmas party.

I asked the contractors to submit their own estimates as to every expense they had which came out of their fees and for which they did not obtain reimbursement, and I compared it with their average annual profits as reported by them for the years 1936 through 1939. I found that the fees allowed to them by the Government for doing a 3-month job at Government risk, after deducting every expense they could conceive of, were usually 3 or 4 times as much as they had been able to make at their own risk in an entire year of work. In 1 case the fee was nearly 15 times as great. The same thing was true of architect-engineers. I believe that the contractors and architect-engineers of the United States are just as patriotic as anybody else, and that it was not necessary to pay them such exorbitant fees.

We have paid a terrible price for lack of planning and inefficiency; but I hope and believe the War Department has learned some real lessons, and that in the camp-construction program now being planned it will not make the same mistakes. I know it is already taking steps to remedy many of the defects to which my committee has drawn attention.

In making this camp report, my committee does not desire to create the impression that the War Department alone is guilty of lack of planning and inefficiency. That would be an unfair picture. Such defects exist in many other parts of the defense program. I realized this fact many months ago, and it was for that reason that I advocated the creation of a committee to investigate the national-defense program. I was then particularly interested in preserving the economic structure of American business. After all, what use is there in engaging in a tremendous defense program for the purpose of saving democracy, if in the course of carrying out that very program we destroy the business institutions on which that democracy is dependent, by making the big business bigger and putting the small business entirely out of commission?

There was no over-all plan for a defense program. Procurement officers were so anxious to get defense articles

on order that they did not take the time to see to it that our existing business facilities were used and used in a way that was fair to everyone. The big companies were unwilling to give up a particle of their existing civilian business, and were also unwilling to see any of it go to the small industries.

We held some special hearings on that phase of the situation. We were assured by O. P. M. that they would do everything possible to see that defense contracts were sublet to small businessmen. Nothing was done about it. Just yesterday we were informed by Mr. Biggers that another administrative set-up had been made, in the hope that the little businessmen would get some of this business.

I have here a letter from a manufacturer in California who informs me that:

At this writing, and for some time in the past, our company has been engaged in manufacturing various precision parts and electrical equipment for Douglas Aircraft, Lockheed, Vega, Vultee, and North American.

Our recent survey has indicated to us that many apparently completed airplanes were left out in the open fields adjoining the airplane factories that manufacture them, for the reason (as we have been reliably informed) that they were not able to complete their radio equipment.

Because of this bottleneck one of our representatives was instructed to take the matter up with Bendix to ascertain whether or not they would be agreeable to having some outside firm (fully equipped to assemble according to their specifications) furnish some of this radio equipment, in the hope that these planes might get into the air without delay.

To our surprise, we were informed that under no conditions would they agree to allow an outsider to complete these radios in accordance with their own required specifications.

That has been the attitude of all the large contractors in connection with the defense contracts. Our records will show that more than $3,000,000,000 in defense contracts have been let to just four companies. I am not opposed to that if it is absolutely necessary, but there is not any reason why those four companies could not make a distribution of the $4,000,000,000 of contracts in such a way that the little people would not be put out of business by priorities and things of that kind which are now staring them in the face. No judgment at all has been used on the priority business. We are going into that subject further, and I shall have a further report to make on it.

The large concerns agreed to build new plants at Government expense, and at very handsome profits to themselves. It was perfectly obvious that we would not receive defense articles for a year or more, and that we would use huge quantities of strategic materials, such as steel, to build those large plants, and that the plants when built would use still larger quantities of such materials to produce the defense articles. I think we shall find, when we go into the subject, that the same situation that prevailed with regard to aluminum prevails with regard to steel and copper and brass. I think it is an absolutely controlled production, and that the large manufacturers are afraid that we will get as much steel and copper and brass as is necessary, and thereby increase the production ability of the steel plants and the copper plants and the brass plants to such an extent that they will be out of business when this emergency has passed, if it ever shall pass.

This not only meant that the small businessmen would not get their fair share of the defense contracts, but it meant that we would necessarily have shortages in strategic materials by reason of attempting to keep both civilian and defense business going at the same time.

I was informed just this morning that while O. P. M. has made positive statements that contracts have been let for the construction of additional aluminum plants, not one stick has been turned for the construction of those plants, and that the Aluminum Co. of America is still doing everything it possibly can to prevent the construction of those plants.

The new plants for the production of these other shortages—steel, and things of that sort, not the aluminum plants—are just beginning to get into operation, and strategic materials are so short that after they are given everything they want there will be little or nothing left for civilian industry; and by that I mean for the small fellow who should have but did not get defense contracts. No plans were made to take care of these shortages. In fact, the O. P. M. denied that there would be any shortage.

Steel is a typical example. Last week the O. P. M. finally admitted that there would be a shortage of at least 11,000,000 tons of steel this year. That shortage exists largely because we are using 15,000,000 tons, or one-sixth of all the steel to be produced next year, for construction purposes, and because we have allowed the automobile manufacturers to build new plants at Government expense for defense articles, instead of requiring them to shift the production of their existing plants from automobiles to defense articles. Instead of using that logical means, we are going to resort to priorities, the cruelest possible method of doing the job, and in the last analysis it is the little fellow who will suffer.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. TRUMAN. I yield.

Mr. GILLETTE. Has not the Senator's committee found that many of the prime contractors have sought Government capital for the purpose of plant expansion, to obviate the necessity for any subletting or subcontracting whatever?

Mr. TRUMAN. That is absolutely true.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. TRUMAN. I shall be very glad to yield.

Mr. BRIDGES. Has the Senator's committee gone into the matter of awarding ordnance contracts yet?

Mr. TRUMAN. To some extent, but not to the point where I can intelligently make a report on the subject.

Mr. BRIDGES. But it is the committee's intention to go fully into the ordnance feature?

Mr. TRUMAN. Ordnance, and the Navy, and everything else connected with letting big contracts, and little ones, too, so far as that is concerned.

Mr. BRIDGES. Does the Senator intend to have his committee go into the subject of ordnance not only as to the contracts awarded but as to the type of material ordered; that is, whether we have been getting modern tanks and the latest ordnance equipment, or whether we are getting equipment that may be obsolete by the time it is manufactured?

Mr. TRUMAN. We intend to get all the facts in connection with the defense program. We are authorized, by the resolution under which we are operating, to get, for the information of the Senate, everything that in any way affects the national-defense program.

Mr. BRIDGES. Then it would be safe to say that the Senator definitely intends to go into not only the matter of awarding ordnance contracts, but the types of material and equipment ordered, as to their up-to-dateness and their ability to conform to the modern technique of warfare?

Mr. TRUMAN. That is true.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. TRUMAN. I shall be glad to yield to the Senator from Florida.

Mr. PEPPER. I desire to ask the Senator if his committee proposes to go into the question of the licensing of subcontractors by principal contractors to use their designs, and in some instances their patents, for the production of defense materials?

Mr. TRUMAN. We are going into that subject right now.

Mr. PEPPER. The Senator, of course, is aware that there are many instances of a particular type of plane, for example, being produced by a particular company. While ordinarily and normally we, of course, respect the rights of the owner to the exclusive manufacture of a commodity, yet when it is the type of thing that the national defense requires, of course, it is in the public interest that some other factories in addition to the owner's factory have an opportunity to produce that defense commodity, the owner, of course, receiving some compensation for it.

Mr. TRUMAN. That is true.

Mr. PEPPER. So the Senator's committee is going into the examination of that question also?

Mr. TRUMAN. It is.

Mr. VANDENBERG. Mr. President, may I ask the Senator a question?

Mr. TRUMAN. I shall be very glad to yield.

Mr. VANDENBERG. From the Senator's observations, can he tell me where the final authority rests in respect to priorities and curtailments? Does it rest with Mr. Stettinius, or with Mr. Henderson, or with Mr Knudsen, or where?

Mr. TRUMAN. If I could answer that question, it would not be necessary for the committee to continue any further. We are trying to find that out. The last information I have is that it rests with Mr. Stettinius.

Mr. VANDENBERG. In other words, the Senator is now saying that the chief bottleneck which the defense program

confronts is the lack of adequate organization and coordination in the administration of defense?

Mr. TRUMAN. That is exactly what the hearings before our committee will prove.

Mr. VANDENBERG. Who is responsible for that situation?

Mr. TRUMAN. There is only one place where the responsibility can be put.

Mr. VANDENBERG. Where is that—the White House?

Mr. TRUMAN. Yes, sir.

Mr. VANDENBERG. I thank the Senator. [Laughter.]

Mr. TRUMAN. I have been very happy to note that a number of the Members of Congress have recently seen the seriousness of this matter, which I have been pointing out for many months. Over in the House, Representative MARTIN of Massachusetts just this week has appointed a minority committee to study this problem, on which my committee has been engaged for many months. Also, I note that Mr. PATTON has introduced a resolution to create a special House committee for that purpose. I noticed the other day a quotation from the Senator from Michigan [Mr. VANDENBERG] to the effect that the priorities situation is going to be worse than anything Mr. Hitler could do to us.

Mr. VANDENBERG. Mr. President, my observation at this moment in my own section of the country—if the Senator will permit me to say so—is that the summary and precipitate and arbitrary fashion in which priorities and curtailments are being administered is calculated to do infinitely more damage to the United States in the next 6 months than any external enemy possibly could do.

Mr. TRUMAN. That is the present view of the committee.

Mr. President, I have been wholly dissatisfied with the efforts of O. P. M. to deal with this situation. Numerous of their officials have been questioned on this point, and my committee has made concrete suggestions to them, which Mr. Biggers yesterday testified had been largely instrumental in causing the O. P. M. to reorganize its Defense Contract Advisory Service so as to permit it to deal more adequately with this situation. Mr. Biggers assured the committee that the Defense Contracts Advisory Service was going to be armed with ample powers and was going to take some of the steps which my committee has been advocating for months. I sincerely hope that something concrete will be achieved.

There are few things more important than this to the country, and it would be well for every person employed by a company not now engaged exclusively in defense work to ask himself the question as to whether his company will be able to get the materials it needs to operate on 3 months from now. It is perfectly clear that unless something is done about this situation, and done soon, we are going to see thousands of plants idle and hundreds of thousands of persons unemployed. The members of my committee are determined that this shall not happen if they can possibly help it.

Mr. VANDENBERG. Mr. President, may I make one further observation at this point? I completely agree with what the Senator from Missouri has said. In spite of concentration of defense orders in Michigan, in my judgment, unemployment in Michigan will be greater in 90 days than it is now, and unemployment conditions will be worse than they were in the depths of the depression, unless the system of priorities and curtailments is more intelligently administered.

Mr. TRUMAN. Mr. President, I think it is well that a little common sense be used in the matter of priorities, in view of the conditions now staring us in the face.

Mr. VANDENBERG. Mr. President, I think the Senator from Missouri is rendering a great public service in putting emphasis on that point. We had better turn our eyes back from the alien field and look around and see if we can bring about improvement of our present difficulties.

Mr. MEAD. Mr. President, will the Senator yield?

Mr. TRUMAN. I yield.

Mr. MEAD. Not only is it necessary that the priorities be administered prudently but it is also necessary that the range of subcontracts be widened, and that the industries which are now being closed by priorities be reopened by being permitted to participate in the defense contracts.

Mr. TRUMAN. Mr. President, I think that is the conclusion of the whole committee. I believe every member of the committee is convinced that what I have been saying is absolutely correct. I am speaking for the committee, as well as for myself.

Mr. President, at this point in my remarks I ask to have printed in the RECORD an article by Ernest K. Lindley entitled "Defense Contracts," published in the Washington (D. C.) Post of August 13, 1941.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Post of August 13, 1941]

DEFENSE CONTRACTS

(By Ernest K. Lindley)

SAVING SMALL MANUFACTURERS

The small businessman is being awarded a higher official status in the defense administration. The Defense Contract Service is being transformed from a section of the Production Division of O. P. M. to the rank of a bureau responsible directly to Knudsen and Hillman.

The D. C. S., with its field offices, is the main agency for helping manufacturers to get defense contracts and subcontracts. In its new status as a bureau the D. C. S. will be represented on all the commodity sections of O. P. M., on the plant sites board, and on the board which considers applications for direct or indirect Government financing of new plant facilities.

The commodity sections are the workshops of O. P. M. The new arrangement is intended to enable the D. C. S. to act as a defender of small business in these councils. On the plant-sites board the D. C. S. may protest against putting new plants in areas where old plants exist capable of doing part or all of the work. In the same way it can check more carefully on applications for Government financing and tax concessions.

Too much should not be expected of this administrative shift. For almost a year longer-headed officials have seen the hard times ahead for small manufacturers using metals. They have urged incessantly that these concerns be harnessed for defense production, both to prevent them from being shut down by lack of metals for civilian use and to expedite the output of war implements.

Although some progress has been made, it has been only a fraction of what was necessary to avert serious trouble. Now the crisis is at hand. Shortage of metals is strangling some small manufacturers right and left. For several months the shortage will become more acute. Unless relieved many concerns will be forced to disband their organizations and perhaps go out of business permanently.

There are three main ways to help small manufacturers using metals to survive the defense period:

1. Put them to work on defense production.

2. See that they get a fair share of the residue of metals left for civilian production.

3. Expand supplies of metals.

Not all metal-working equipment is needed and only part can be efficiently converted for defense production. But every expert who has looked into the matter is convinced that defense work can be spread much more widely than it has been. The Army turned first to the big concerns in whose management and technical ability it had confidence. In recent weeks it has begun to respond to demands that the work be spread, but hundreds of manufacturers who want defense contracts and have the equipment and trained men seem unable still to make the right connections, with either the Army or prime contractors.

Higher status for the D. C. S. augurs a more aggressive work-spreading campaign within the Government. Small manufacturers can help by canvassing their resources on an industry-wide basis, or by forming local producing pools.

A financial inducement to large defense producers to farm out the making of parts may also be necessary. The cost to the Government would be only a fraction of that of permitting hundreds of small factories to close, throwing people out of work and perhaps onto the relief rolls.

A fair allocation of the metals left for civilian use is also essential. Leon Henderson, O. P. A. C. S. chief, demanded a 50-percent cut in automobile output, chiefly because he thought the automobile industry was gobbling up too much civilian metal.

Some Government officials think it would be desirable to hold back from defense small quantities of metals especially important for civilian use. For example, while all nickel now in sight can be used for defense, 5 percent, spread thin, would avert stoppage of several lines of civilian production.

Expansion of the output of metals is under way, but it was begun late and is not being pushed aggressively in all fields. Subsidies of one form or another for higher-cost producers would step up the output of several metals.

No matter what is done, hundreds of small manufacturers and their employees face hard times. Only extremely energetic measures can prevent serious, and perhaps permanent, damage.

The VICE PRESIDENT. The report submitted by the Senator from Missouri will be received and printed.

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on August 11, 1941, that committee presented to the

President of the United States the following enrolled bills:

S. 173. An act to amend section 61 of the National Defense Act of June 3, 1916, as amended, for the purpose of extending to Hawaii, Alaska, Puerto Rico, and the Canal Zone the permission to organize military units not a part of the National Guard which was granted to the States by the amendment made to such section by the act of October 21, 1940;

S. 353. An act to provide for the extension of enlistments in the Navy;

S. 1261. An act to provide for the punishment of persons transporting stolen cattle in interstate commerce, and for other purposes; and

S. 1642. An act to provide compensation for disability or death resulting from injury to persons employed at military, air, and naval bases acquired by the United States from foreign countries, and for other purposes.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred, as follows:

By Mr. VANDENBERG:

S. 1841. A bill for the relief of H. Earle Russell; to the Committee on Foreign Relations.

By Mr. GURNEY:

S. 1842. A bill to extend certain benefits of the Soldiers' and Sailors' Civil Relief Act of 1940; to the Committee on Military Affairs.

By Mr. REYNOLDS:

S. 1843. A bill to provide for payments in advance to enlisted men of monetary allowance in lieu of quarters and subsistence under certain conditions; to the Committee on Military Affairs.

By Mr. McCARRAN:

S. 1844. A bill to permit the importation into the District of Columbia of cream produced and handled in accordance with the provisions of the United States Public Health Service milk ordinance; and

S. 1845. A bill to establish a boundary line between the District of Columbia and the Commonwealth of Virginia, and for other purposes; to the Committee on the District of Columbia.

(Mr. GILLETTE introduced Senate bill 1846, which was referred to the Committee on Privileges and Elections, and appears under a separate heading.)

(Mr MALONEY (for Mr. O'MAHONEY) introduced Senate bill 1847, which was referred to the Committee on Naval Affairs, and appears under a separate heading.)

By Mr SCHWARTZ:

S. 1848. A bill for the relief of Dr Hugh G. Nicholson; and

S. 1849. A bill for the relief of George W. Lyle, under the jurisdiction of the United States Employees' Compensation Commission; to the Committee on Claims.

By Mr WALSH:

S. 1850. A bill to authorize officers and enlisted men of the United States Navy and United States Marine Corps to accept such medals, orders, decorations, and presents as have been tendered them by governments of the Western Hemisphere, other than Canada; to the Committee on Naval Affairs.

By Mr O'DANIEL:

S. 1851. A bill making sabotage an offense; defining the term "sabotage"; providing a penalty therefor; providing that any act made an offense under the provisions of this act which is also in violation of any other Federal act may be prosecuted under either such act, at the election of the United States district attorney; and for other purposes; to the Committee on the Judiciary.

By Mr. BONE:

S. 1852. A bill for the development and conservation of the resources of the Pacific Northwest through the wide distribution of electric energy generated by certain Federal projects, for the improvement of navigation and the promotion of the national defense, and for other purposes; to the Committee on Commerce.

By Mr. ANDREWS:

S. J. Res. 102. Joint resolution to provide for the observance of December 15, 1941, as Festival of Freedom Day, commemorating the one hundred and fiftieth anniversary of the ratification of the first 10 amendments to our Federal Constitution, known as the Bill of Rights; to the Committee on the Judiciary.

LIMITATION OF CAMPAIGN EXPENDITURES

Mr. GILLETTE. Mr. President, in the campaign of 1938 a special committee of the Senate, under the able leadership of the late lamented Senator from Texas, Mr. Sheppard, did a very remarkable work in uncovering facts pertaining to the misuse of official power in the way of influencing votes in the general election. Largely as a result of the work and the report of the committee there was introduced into the Congress and passed certain legislation known as the Hatch Acts. Since the passage of those acts numerous attacks have been made in the press editorially, and from the platform, on the lack of efficacy of these enactments. There was appointed last year, in accordance with the custom of the Senate, a special committee similar to the Sheppard committee for the purpose of supervising the election of 1940.

I desire to say that of the hundreds of complaints which came to the attention of the committee, there was not a single verified complaint which pertained in any way to the misuse of official authority in an attempt to influence votes in the last election. I wish to pay that tribute to the efficacy of the Hatch Acts. But in connection with the Hatch Acts additional provisions were enacted which attempted to limit the expenditure of money. They limited the over-all expenditure of political committees to $3,000,000 and individual contributions to not more than $5,000.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. BRIDGES. Did I understand the Senator to say that the committee in 1940 did not get a single complaint of officials of organizations such as the W. P. A., we will say, for instance, using their positions for the purpose of influencing votes?

Mr. GILLETTE. No, Mr. President, the Senator misunderstood me. I said that out of hundreds of complaints the committee did not obtain a single verified complaint of the misuse of official position.

Mr. BRIDGES. I knew the committee had received complaints. What the Senator said was that his committee in investigating the complaints found no verification. Is that correct?

Mr. GILLETTE. I am glad the Senator called that point to my attention, because I do not want to leave a wrong impression.

In connection with the attempted limitation of expenditures, the committee found and reported to the Senate a very serious situation, which pointed the finger toward a possible debauching of the electorate in future elections.

Mr. President, it has been my hope that specific legislation would be introduced looking to corrective measures which might prevent such a situation, but up to this time no such specific proposals have been introduced. I have conferred with the Senator from New Mexico [Mr. HATCH] the author of the Hatch measures, feeling that out of courtesy to him he ought to be permitted to be the author of the new proposal, but the Senator has requested me to proceed, and I am now introducing a bill which is designed to correct the conditions which have obtained in disregard or violation of the spirit of the limitations of the Hatch Act referred to.

Mr. President, we are within 7 or 8 months of the opening of the primary campaigns for next year's elections, and the proposed legislation, or legislation similar to it, ought to be passed in order to prevent the wholesale use of money in influencing the electorate, which in the last campaign was a stench in the nostrils of every decent citizen.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. BRIDGES. Will the Senator give some indication of how his bill would operate?

Mr. GILLETTE. I should dislike to take the time now, because I know the Senate has important business, but I can briefly refer to it if it is the wish of the Senator to have me do so.

Mr. BRIDGES. I should like to have a very brief explanation.

Mr. GILLETTE. The most flagrant abuses were in connection with the over-all limitation of the Hatch Act, which prohibited the expenditure by a political committee of more than $3,000,000 in a campaign and defined a political committee in accordance with the provisions of the Corrupt Practices Act. The result was that innumerable so-called political committees sprang up over the country, each and every one claiming that under the law it had a right to spend $3,000,000. Many of them spent very close to that amount.

Our reports and the facts which came to our attention showed that nearly $35,000,000, instead of $6,000,000, was spent on behalf of the two principal candidates for the Presidency.

The limitation of $5,000 for an individual contribution carried an exception to the effect that contributions to State and local committee would not be considered in determining the amount contributed by an individual. As a result, numerous individuals sent checks for $5,000 to many States in the Union, and contributed in the aggregate several hundred thousand dollars to the campaign.

Briefly, the proposal which I have introduced and which will go for study to the Senate Committee on Privileges and Elections continues the limitation of $5,000 for an individual contribution to a candidate and provides a limitation of

$10,000 for an individual contribution in the aggregate.

In connection with the $3,000,000 limitation there is a prohibition against a political committee or any other type of organization engaged in furthering the candidacy of any candidate for a Federal office spending any funds not authorized in writing as to amount by the candidate. A candidate for the Senate or the House is permitted to authorize expenditures in his behalf up to the limitation under the Corrupt Practices Act. The bill would permit a candidate for President to authorize an expenditure of $2,000,000 in behalf of his candidacy, and would permit a candidate for Vice President to authorize an expenditure of $1,000,000. The authority must come from the candidate, and there is a limitation on political committees.

The bill (S. 1846) to amend the act entitled "An act to prevent pernicious political activities," approved August 2, 1939, as amended, with respect to the limitations on political contributions and expenditures, was read twice by its title and referred to the Committee on Privileges and Elections.

PRIORITY SHUT-DOWNS AND UNEMPLOYMENT

Mr. MALONEY. Mr. President, on behalf of the distinguished senior Senator from Wyoming [Mr. O'MAHONEY], I desire to introduce a bill which is intended to afford protection, and to assist in providing assistance and relief, for industrialists and businessmen who will be adversely affected by a scarcity of raw materials.

For some time past many Members of Congress and, to a greater extent and much more intensely, businessmen of the country have been frightened by the probable effect the scarcity of raw materials will have upon our national economy. There are other dangers ahead, some of which more seriously threaten our welfare, but this particular problem unless carefully handled may cause a distress that will prove a great shock to our business life, and may very seriously affect us socially and otherwise. The situation, it seems to me, is desperate.

This is more than distressing, particularly in view of the fact that we had been told that the military authorities and others had for a long time been making plans for a possible period of peril. In spite of these alleged plans, we have now entered into a period of confusion and fear, and the shortages are already seriously affecting small business.

The bill prepared by the Senator from Wyoming [Mr. O'MAHONEY] provides an amendment to the priorities law approved May 31, 1941, to the extent that businessmen suffering through priority arrangement shall be given the chance of a hearing by an agency or board established or designated by the President. This will do no less than let Members of Congress and the country know what is going on—and wherein the dangers lie—and to what extent conditions are affecting our business life, and the future and fortunes of heretofore successful businessmen who, through no fault of their own, are caught in the vortex of a war-torn world. With Congress informed we will be better able to act.

I have thoroughly gone over this matter with the Senator from Wyoming, who has for a long time given evidence of his interest in, and understanding of, the problems of American business. Consequently I am pleased to join with him in his effort to give small business this protection. The part of the country in which I live, and the State which I, in part, have the honor to represent, will be more seriously affected by the raw materials scarcity which is at hand than will be the State or area represented by the distinguished Senator from Wyoming—which I think is all the more to his credit, as he offers this bill.

For a long time I felt that Congress engaged in too many investigations. As time passes that thought is changing. I do not feel so seriously about it as I have heretofore, and it is with reluctance that I am coming to the conclusion hat many congressional investigations are pretty much a matter of necessity if the people and country are to have a full measure of protection. I realize that people who head the bureaus and administrative agencies of government, and their associates, are for the most part conscientious—but I sometimes feel that some of them are without the broad vision and understanding of the problems of the country possessed by Members of Congress, who are, of necessity, closer to the people, and to business as a whole.

At the moment I am especially alarmed at the possible effects of an oil shortage in the Northeast. I realize that this approaching scarcity is caused by a deficiency in the transportation system, but I am far from sure that it is wise to dispose of a large part of our facilities of transportation at the risk of a serious disruption of business—and sometimes vital defense business—in an important industrial area. People engaged in the oil business, who have been successful over years, are threatened with the loss of their business and savings.

I have a great respect for the Secretary of the Interior, who is now designated as Petroleum Coordinator, and I think that I appreciate as much as anyone the conscientiousness with which he has approached his administrative duties, and the success which he has enjoyed. Sometimes I feel that he is given too much to do, and sometimes I fear that in his conscientious effort he is inclined to be dramatic. This is not intended as a criticism because I realize that it is oftentimes necessary, in the effort to stimulate serious thinking in the minds of men, to stir them by a dramatization of the question at hand. I feel sure that he is giving a most careful consideration to the possible dangers confronting the northeastern part of the country in connection with this oil situation. I know that he will husband the transportation facilities as best he can. But perhaps an investigation of the situation will be necessary to supplement his efforts. Perhaps an investigation will be necessary in connection with the serious problem which has drawn the attention of the Senator from Wyoming. I know that the Senate understands how serious is this shortage of raw materials and transportation facilities. I feel sure, because Members do so understand, that they will be anxious to give early and careful consideration to the measure which I am today submitting on behalf of the Senator from Wyoming.

A few days ago I suggested to the able junior Senator from Montana [Mr. MURRAY], chairman of the Special Committee to Study and Survey Problems of Small Business Enterprises, that he give immediate thought to the advisability of an inquiry into the problem of small businessmen which is created by the scarcity of raw materials.

I ask unanimous consent that there may be printed at this point in the RECORD a statement prepared by the Senator from Wyoming [Mr. O'MAHONEY], and given to the press today, and that in connection with this statement there be printed a copy of his proposal.

There being no objection, the bill (S. 1847) relating to the power to establish priorities pursuant to the act of June 28, 1940, as amended, was read twice by its title and referred to the Committee on Naval Affairs; and, together with the statement referred to, was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That section 2 of the act approved June 28, 1940 (Public, No. 671, 76th Cong.), as amended, is hereby further amended by adding at the end of subsection (a) thereof the following new paragraph:

"(3) Any person whose business operations are adversely affected by the assignment of a priority pursuant to this section with respect to any materials used in connection with such operations shall, upon application therefor under such regulations as the President may prescribe, be afforded an opportunity forthwith to present his views thereon at a hearing before an agency to be designated by the President. If, at such hearing, such person establishes to the satisfaction of the agency so designated that as a result of such priority his business operations will be seriously interfered with or substantially curtailed because of a shortage of any material necessary to such operations, that his inability to continue business operations will result in a serious unemployment problem for his employees, or that the interests of the consumers of the articles produced or manufactured by such person will be substantially impaired, the agency shall make an immediate report thereon to the President. Thereupon the President shall allocate to such person such amounts of the material with respect to which the shortage exists as in his judgment will be necessary to prevent substantial hardship to such person, his employees, or consumers."

STATEMENT OF HON. JOSEPH C. O'MAHONEY, OF WYOMING, EXPLAINING BILL TO GIVE MANUFACTURERS RIGHT TO BE HEARD ON LOSS OF RAW MATERIAL THROUGH PRIORITIES

Manufacturers who are likely to be forced to close their factories, with resulting unemployment for millions as a result of the assignment of defense priorities, will be given a forum in which they may at least state their cases under a bill which I have drawn for introduction in the Senate today. Senator FRANCIS MALONEY, of Connecticut, who is likewise deeply interested in the problem, has been good enough to agree to present the bill in my absence, which is occasioned by the fact that I am en route west to continue hearings on the development of western mineral resources to meet existing shortages of raw materials.

The priorities law, which was approved May 31, 1941, is defective in that, although it recognizes the danger of shortages for civilian account, it does not provide any method by which the manufacturer threatened with a complete deprivation of raw material may make his predicament known. My bill amends this law by providing that any person whose business operations are adversely affected by a priority assignment shall be afforded an opportunity to be heard by an agency to be designated by the President. If a showing is made that a shortage of materials caused by a priority order will result in a serious unemployment problem, the agency is required to make an immediate report to the President, who shall thereupon allocate to the applicant such amounts of the material in which the shortage exists as may be necessary to prevent substantial hardship to the applicant, his employees, or consumers.

It is rapidly becoming evident that priorities may result in bankruptcy for thousands of small manufacturers and unemployment for millions of workers. It seems to me obvious that the preservation of small business is an integral part of the objective for which this country is arming.

It would be a tragedy if, in the effort to save democracy, we should destroy or seriously impair the basis upon which it exists, namely, the system of free private enterprise.

I cannot believe that it is necessary to administer the distribution of raw materials needed for defense in such a manner as to cause the suspension of civilian industries which use the same materials that are required for the manufacture of the destructive engines of war. In many instances the amount of material needed to keep factories running and workmen employed is only a fraction of the total national output.

A large part of our difficulty arises from the fact that the small manufacturer cannot make himself heard. The big operator is here in Washington and is being heard to such effect that he is not only getting the bulk of the defense contracts but is piling up inventories of raw material. A small portion of it would save many factories and many communities from the disasters which threaten them.

Since the filing of the final report of the Temporary National Economic Committee I have been pointing out that the pattern of industrial concentration which has been so obvious in our major economic picture has been and is being accentuated by the war effort.

It is true that the War Department and the Navy Department have been under pressure to make rapid progress in military preparedness but so much has been already achieved that we should now give attention to the problem of preventing the destruction of small businesses engaged in industrial operations and particularly those which, because not equipped for defense effort, are compelled to confine themselves to civilian supply.

We should not give way to panic. It may be acknowledged that certain curtailment of civilian industry is essential but it is impossible to believe that the wholesale destruction which is now prophesied as a result of the administration of priorities should be permitted.

Already steps are being taken to expand facilities for the production of the raw materials needed for military preparedness. The output can be multiplied, as I have frequently pointed out in the past, by the utilization of the almost untouched resources of the West. Already the Office of Production Management and the Congress have taken steps toward this end and I have been assured by the heads of the agencies involved that nothing will be left undone to develop these resources.

It seems certain that while this productive expansion is going on it should not be necessary to risk the bankruptcy of factories which may be saved by the allocation of only comparatively small quantities of necessary raw material.

In any event there certainly can be no objection to a measure whoch, in effect, merely gives the businessman who is threatened with economic decapitation an opportunity to state his case.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. MURDOCK. I wish to take only a moment of the Senate's time to commend the distinguished Senator from Connecticut, and also the distinguished Senator from Wyoming, for giving time, study, and attention to the question which has been presented by the Senator from Connecticut. I think he is striking at a very vital thing in the economy of this country, especially in view of our national-defense program.

While I am on my feet I wish to call the attention of the distinguished Senator to the fact that not only are priorities disrupting the economy of the country at this time but also the Aluminum Co. of America and other companies are insisting that their monopolies be continued regardless of the results. If I had the time to tell the Senate of the steps being resorted to by that company to keep the O. P. M. or any other Government agency from even looking into the advisability of the use of alunite or aluminous clays in the production of aluminum, I know that Members of the State would be startled to hear what is going on.

In conclusion, I wish again to congratulate the Senator from Connecticut and the Senator from Wyoming for taking the steps they are taking. I hope that the bill introduced by the Senator will receive early attention.

Mr. MALONEY. I thank the Senator very much. I am sure that if this proposal is adopted, and if an investigation by the committee headed by the junior Senator from Montana [Mr. MURRAY], which I have urged, is carried out, there will be disclosed some of the practices referred to by the able Senator from Utah. I think such an investigation will afford protection which is sorely needed, and that it may result in saving from bankruptcy thousands of heretofore well-managed small business concerns.

OPINION BY JAMES W. RYAN ON THE SINKING OF THE "ROBIN MOOR"

[Mr. MEAD asked and obtained leave to have printed in the RECORD a legal opinion by James W. Ryan on the sinking of the *Robin Moor*, which appears in the Appendix.]

TOLERANCE AND NATIONAL DEFENSE—ADDRESS BY CHAPLAIN MAURICE S. SHEEHY

[Mr. HERRING asked and obtained leave to have printed in the RECORD a radio address delivered on August 9, 1941, by Lt. Comdr. Maurice S. Sheehy, chaplain of the naval air station, at Jacksonville, Fla., on the subject Tolerance and National Defense, which appears in the Appendix.]

TALK BY W. B. RILEY ON PREACHERS AND PERILS OF WAR

[Mr. SHIPSTEAD asked and obtained leave to have printed in the RECORD a talk delivered in the pulpit of the First Baptist Church, Minneapolis, Minn., July 20, 1941, by W. B. Riley, on the subject Preachers and Perils of War, which appears in the Appendix.]

SUITS FOR VIOLATIONS OF FEDERAL ANTITRUST LAWS BY THE PETROLEUM INDUSTRY

[Mr. GILLETTE asked and obtained leave to have printed in the RECORD a list of suits which have been commenced by the Department of Justice for violation of the antimonopoly and antitrust acts by the petroleum industry, with a list of the defendants, which appears in the Appendix.]

ADDRESS BY PAUL GARRETT ON THE SUBJECT OF ADVERTISING

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an address delivered by Paul Garrett, vice president and director of public relations, General Motors Corporation, at the convention of the Advertising Federation of America, Boston, Mass., on May 26, 1941, on the subject Advertising—An Integral Part of Our American Formula, which appears in the Appendix.]

TREATMENT OF ITALIANS DETAINED BY THE AMERICAN GOVERNMENT

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article dealing with treatment being given to Italians now detained by the American Government, published in the Il Progresso-Italo-Americano and the Corriere d'America which appears in the Appendix.]

WHAT NEXT IN THE PACIFIC?—EDITORIAL FROM THE WASHINGTON TIMES-HERALD

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an editorial published in the Washington Times-Herald entitled "What Next in the Pacific?", which appears in the Appendix.]

EXTENSION OF SERVICE OF SELECTEES—EDITORIALS FROM THE WASHINGTON POST AND PHILADELPHIA INQUIRER

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an editorial from the Washington Post of August 14, 1941, entitled "National Insurance," and also an editorial from the Philadelphia Inquirer entitled "Our Armed Forces Kept Intact," which appear in the Appendix.]

LINDBERGH GETS WORSE—EDITORIAL FROM LAKELAND (FLA.) LEDGER

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an editorial from the Lakeland (Fla.) Ledger of August 11, 1941, entitled "Lindbergh Gets Worse," which appears in the Appendix.]

ARTICLE BY JAY FRANKLIN ON ROOSEVELT'S PEACE PROGRAM

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an article by Jay Franklin, published in Click for September 1941, entitled "Roosevelt's Peace Program," which appears in the Appendix.]

GRADE OF CHIEF WARRANT OFFICER IN THE ARMY—CONFERENCE REPORT

Mr. REYNOLDS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 162) to strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with amendments as follows:

On page 2 of the House engrossed amendment, line 19, strike out ", next preceding their appointment,".

On page 2 of said amendment, line 21, before the period, insert a comma and the following: "and from among masters and chief engineers, Army Mine Planter Service, hereafter appointed as such under the provisions of existing law."

On page 3 of said amendment, beginning with the colon in line 9, strike out through the word "officer" in line 13.

On page 4 of said amendment, line 9, before the word "temporary" insert "permanent or".

On page 4 of said amendment, line 14, before the word "temporary" insert "permanent or".

On page 6 of said amendment, lines 2 and 3, strike out "be deemed to be" and insert "become".

On page 6 of said amendment, lines 4 and 5, strike out "be deemed to be" and insert "become".

And the House agree to the same.

ROBT. R. REYNOLDS,
LISTER HILL,
CHAN GURNEY,
Managers on the part of the Senate.

A. J. MAY,
R. E. THOMASON,
DOW W. HARTEY,
WALTER G. ANDREWS,
DEWEY SHORT,
Managers on the part of the House.

The report was agreed to.

LOCATION AND CONSTRUCTION OF NEW ARMY MEDICAL MUSEUM

Mr. MALONEY. Mr. President, when the calendar was being called on Monday last, House bill 5146 came before the Senate at a time when I was temporarily absent from the Chamber. The able senior Senator from Ohio [Mr. TAFT] objected to the consideration of the bill, and said he was doing so in part because of the absence of the chairman of the Committee on Public Buildings and Grounds. Since that time there has been a meeting of the Committee on Public Buildings and Grounds, of which I am chairman, and I was instructed by the committee to ask the Senate to refer the bill to the Committee on Public Buildings and Grounds.

During the past few days there has been considerable discussion in the press and elsewhere of the fact that bills which apparently should have gone to the Committee on Public Buildings and Grounds have been sent to other committees. I am about to ask unanimous consent that the Senate refer House bill 5146 to the Committee on Public Buildings and Grounds; but before submitting the request I should like to say, for the committee and myself, that I thing we would do exactly what has been done by the Committee on Military Affairs. I am familiar with the particular bill. I think all the members of the committee of which I am chairman are familiar with it. It provides funds for the land on which to construct a new Army medical library and museum, which it is quite generally agreed is seriously needed. If the bill is referred to the Committee on Public Buildings and Grounds to which, in my judgment, it should properly have gone in the first place, I think it will be promptly reported again to the Senate in its present form, as I think it should be.

But, Mr. President, there has grown up here during the past few years—and I do not mean to be critical of anyone—a practice of going around the Committee on Public Buildings and Grounds. Until this year I was not named chairman of the committee. The committee is appointed only for the purpose of considering proposals dealing with public buildings and public grounds; and here we find, in spite of the existence of this committee, measures like the one to which I have referred, and one of which greater importance which probably will be discussed here later in the afternoon, being referred to the Committee on Military Affairs, the Committee on Appropriations, and other committees of this body.

I think the time has long since passed when the Senate should insist that its Committee on Public Buildings and Grounds be given a chance to consider these important measures, if we are to protect the city of Washington; if we are to give proper protection to the agencies of government and do business in an orderly way.

I should like to say that I have conferred with the able senior Senator from Utah [Mr. THOMAS], who was spokesman for this particular bill on the floor the other day, and with the able Senator from South Dakota [Mr. GURNEY], who reported the bill; and they are quite willing that the bill shall be referred to the Committee on Public Buildings and Grounds. I, therefore, ask unanimous consent that the bill be so referred.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. MALONEY. I yield.

Mr. SHIPSTEAD. Does the Senator from Connecticut refer to the bill providing a new location for the Library of the Army Medical Museum?

Mr. MALONEY. Yes; the Medical Library and Museum.

Mr. SHIPSTEAD. What is the status of the bill?

Mr. MALONEY. The bill is on the calendar. Long hearings were held in 1938 before the Committee on Military Affairs of the House, and subsequent thereto there was an appropriation of $3,750,000, I think, to provide a new building. The original plan was to construct it on the Mall, but the measure providing for it was considered by one of the planning commissions. The members of the National Capital Park and Planning Commission, I believe, were consulted, and they insisted, I think, on the site which has been selected.

The bill passed the House, and the measure now comes before Congress again because provision was not made for the purchase of new land. This bill would provide the money to purchase land adjacent to the Library of Congress and the Folger Library.

The committee's request is made only for the purpose of orderly procedure, and to insist as a new precedent, I may say, that the matter go to the Committee on Public Buildings and Grounds, and that hereafter that committee, which is anxious to assume its responsibility, although it has been a particularly busy committee in connection with national-defense housing and other matters, shall have referred to it all matters properly within its jurisdiction. We do not want to neglect our duty, and we think we shall serve the Senate properly if we insist that bills of this sort, dealing with public buildings and grounds, be referred to this particular committee.

Mr. SHIPSTEAD. If the Senator from Connecticut will permit me to make a further remark, I agree with the Senator's theory. The Senator from Connecticut has no objection to the building of the library?

Mr. MALONEY. No; I am quite in accord with the plan, and I favor the bill. I am acting under the instructions of my committee.

Mr. SHIPSTEAD. The Medical Corps of the Army has the finest library in the world.

Mr. MALONEY. That is correct. It is now the finest library of its kind in the world.

Mr. SHIPSTEAD. However, the library as now located is subject to destruction by fire; and the destruction of the library would be a great loss not only to this country but to the world.

Mr. MALONEY. That is correct; and the action for which I ask unanimous consent will not affect the measure at all.

Mr. SHIPSTEAD. Very well.

Mr. MALONEY. In view of the fact that the calendar was called on Monday, and probably will not be called again for 2 or 3 weeks, the bill may be easily reported back; and the sole objective, as I have said two or three times, is orderly procedure.

The VICE PRESIDENT. Without objection, the bill (H. R. 5146) to amend an act entitled "An act to authorize the Secretary of War to proceed with the construction of certain public works in connection with the War Department in the District of Columbia," will be referred to the Committee on Public Buildings and Grounds.

The morning business is closed.

FIRST SUPPLEMENTAL APPROPRIATIONS FOR NATIONAL DEFENSE, 1942

Mr. ADAMS. Mr. President, I move that the Senate proceed to the consideration of House bill 5412, making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942.

The VICE PRESIDENT. The question is on the motion of the Senator from Colorado.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 5412) making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes, which had been reported from the Committee on Appropriations, with amendments.

The VICE PRESIDENT. The clerk will state the first amendment reported by the committee.

The first amendment of the Committee on Appropriations was, under the heading "Title I—War Department—Quartermaster Corps", on page 2, line 15, after the words "military posts", to increase

the appropriation for construction of buildings, utilities, and appurtenances at military posts, from $81,872,000 to $172,679,400.

Mr. McNARY. Mr. President, in all fairness to the Senators who are not members of the Appropriations Committee, I think a rather complete statement should be made of the bill.

Mr. ADAMS. It is my intention to make such a statement.

Mr. McNARY. There has been a great deal of publicity in the press about an amendment which destroys a part of the appropriation, or at least makes a very substantial reduction in it. I should like to have the Senator from Colorado justify that amendment. I am rather inclined to be in accord with the views and action of the committee, judging from what I have read in the press; but to take up the bill and start with the first amendment without knowing what is in the body of the bill is not quite fair, and does not represent good legislation from the standpoint of Members of the Senate who are not on the Committee on Appropriations.

I am sure the able Senator from Colorado will comply with my request.

Mr. ADAMS. Mr. President, I will, of course, do so, not only in compliance with the request of the Senator from Oregon, but it was my intention to do so because it is the appropriate thing to do. I was waiting until the matter was submitted to the Senate; and, in the ordinary course, the presentation of the first amendment was the first thing to be done.

Mr. President, this measure came from the House with an aggregate appropriation of $7,063,000,000. I am omitting the thousands and hundreds of dollars. For the War Department $3,500,000,000 was appropriated; for the Navy Department, $1,500,000,000; for the Maritime Commission, $698,000,000; and for miscellaneous civil activities, $49,000,000.

Mr. President, the War Department's proportion is remarkably condensed in the bills. It is contained in two pages of the bill. The first amendment, which was just read, provided for an appropriation of $172,679,400 for the establishment of four military posts, one in Georgia, one in Missouri, one in California, and one in Arkansas. The one in Georgia is for a new triangular division camp; the Missouri camp is a new replacement training center, and the California and Arkansas camps are new armored division camps, which the Army insist are necessary in order to carry out their present program.

The reduction in the Army appropriation, which is of special significance and very large in amount, has to do with the item under the heading "Ordnance Department." As the bill came from the House in two lines there was an appropriation of $3,486,034,036. There were no details and no specifications in the bill. The officers of the Ordnance Department and the War Department explained to us that of this amount $2,000,000,000 and some million dollars above were for ammunition of various kinds and characters and grades, and that $2,000,000,000 was essential for ammunition. They specified that the large appropriations consisted of three items in general character. There was one item of $73,000,000 for critical items. I wish the Senate to notice this statement which comes from the justification submitted by the War Department:

> This item is to provide all critical items for the augmented force which have not already been provided for elsewhere.

In other words, the appropriation of $73,000,000 is to cover all critical items.

Then, the second subdivision is $2,062,000,000, which is explained in the justification as follows:

> This item covers all ammunition not provided for elsewhere to meet the requirements of the augmented force as indicated in the expenditure program pertaining to the 1942 Appropriation Act. This is divided as follows:
>
> Aircraft ammunition, bombs and pyrotechnics, $825,000,000; infantry and antiaircraft ammunition, $587,000,000; artillery ammunition, $649,000,000.

Then follows an item headed "Special ordnance equipment."

Mr. VANDENBERG. Mr. President, before the Senator leaves the other item, will he tell me whether that item is exclusively for our use or does it also cover lend-lease ammunition?

Mr. ADAMS. This is all for the use of the United States Army. That is the information which I have, I will say to the Senator.

The third item of this ordnance appropriation was under the head of "Special ordnance equipment, $1,347,000,000."

The Appropriations Committee has recommended the elimination of this item. It is a tremendously large item, and is one which I wish to present with some care to the Senate because of its size and of its importance.

In the first place it should be known that in the appropriation bills for the fiscal years 1941 and 1942 there have already been appropriated for the Army $19,933,000,000; for the Navy $7,836,000,000; for other departments dealing with the defense program $2,285,000,000, or a total of $30,115,000,000. Added to that sum the $7,000,000,000 lease-lend appropriation makes an aggregate national-defense appropriation for the fiscal years 1941 and 1942 of $37,115,000,000. If the bill as it came from the House were to pass we would appropriate for the two fiscal years $44,178,000,000, and, even if the Senate reduction is adopted, as I think it should be, there will have been appropriated for national-defense purposes $42,831,000,000.

We sometimes overlook the significance of these figures. Simply as an illustration, I have before me the capital accounts of all the banks in the United States. The total capital account of all the national banks in the United States is $3,528,000,000; in other words, the total capital assets of all national banks in the United States are less than one-half of what is sought to be appropriated by this bill.

EXTENSION OF SELECTIVE SERVICE

Mr. THOMAS of Utah. Mr. President, will the Senator yield to me for a privileged matter?

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Utah?

Mr. ADAMS. Yes.

Mr. THOMAS of Utah. There is upon the Vice President's desk, I think, a message from the House of Representatives, which I ask to have handed down.

The Vice President laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 95) to extend the periods of service of persons in the military service, and for other purposes, which was to strike out all after the enacting clause and insert:

> That the Congress, acting in accordance with and solely for the purpose of carrying into effect the provisions of section 3 (b) of the Selective Training and Service Act of 1940, hereby declares that the national interest is imperiled.
>
> SEC. 2. The President is hereby authorized, subject, however, to the condition hereinafter stated, to extend, for such periods of time as may be necessary in the interests of national defense, the periods of service, training and service, enlistment, appointment, or commission, of any or all persons inducted for training and service under said act, members and units of the reserve components of the Army of the United States (including the National Guard of the United States), retired personnel and enlisted men of the Regular Army, and any other members of the Army, who are now, or who may hereafter be, in or subject to active military service, or training and service: *Provided*, That extension of the periods of active military service, or training and service, in the case of any person subject to the provisions of this section, shall not, without his consent, exceed 18 months in the aggregate; except that whenever the Congress declares that it is in the interests of national defense to further extend such periods of active military service and training and service, such periods may be further extended by the President, in the case of any such persons, for such time as may be necessary in the interests of national defense: *Provided further*, That the authority hereby conferred is subject to the condition that the delegation of such authority may be revoked at any time by concurrent resolution of the Congress.
>
> SEC. 3. Any person whose period of active military service or training and service is extended under section 2 and who was (a) ordered to active Federal service under Public Resolution No. 96, Seventy-sixth Congress, or (b) inducted under the Selective Training and Service Act of 1940, as amended, prior to the enactment of this act, shall, notwithstanding the limitation in section 602 (a) of the National Service Life Insurance Act of 1940 upon the time within which application for National Service Life Insurance may be made, be granted insurance under such section without further medical examination if application therefor is filed within 120 days after the date of enactment of this act.
>
> SEC. 4. The Secretary of War shall, when not in conflict with the interests of national defense, release from active military service those persons who apply therefor through the regular military channels and state their reasons for such release, and whose retention in active military service would, in the judgment of the Secretary of War, subject them or their wives or other dependents to undue hardship if retained on active military service. Any person so released who, in the judgment of those in authority over him, has served satisfactorily shall be entitled to a certificate to that effect, which shall be in the same form and have the same force and effect as a certificate issued under the provisions of section 8 of the Selective Training and Service Act of 1940, as amended. Any person so

released shall be transferred to, or remain in, as the case may be, a reserve component of the land forces for the same period and with the same rights, duties, and liabilities as any person transferred to a reserve component of the land forces under the provisions of section 3 (c) of such act.

SEC. 5. Section 3 (c) of the Selective Training and Service Act of 1940, as amended, is amended by adding at the end thereof the following: "The active military service or training and service of any person pursuant to section 2 of the Service Extension Act of 1941 shall be credited against the service in a reserve component required by this section or section 4 of the Service Extension Act of 1941."

SEC. 6. The President is hereby authorized to order retired personnel of the Regular Army to active duty and to employ them as he shall deem necessary in the interests of national defense.

SEC. 7. Any person who, subsequent to May 1, 1940, and prior to the termination of the authority conferred by section 2 of this joint resolution, shall have entered upon active military or naval service in the land or naval forces of the United States shall be entitled to all the reemployment benefits of section 8 of the Selective Training and Service Act of 1940 to the same extent as in the case of persons inducted under said act: *Provided*, That the provisions of section 8 (b) (A) of said act shall be applicable to any such person without regard to whether the position which he held shall have been covered into the classified civil service during the period of his military or naval service.

SEC. 8. (a) Any person inducted into the land or naval forces of the United States for active training and service, under section 3 (b) of the Selective Training and Service Act of 1940 shall, in addition to the amounts otherwise payable to such person with respect to such training and service, be entitled to receive the sum of $10 for each month of such training and service in excess of 12. The provisions of this section shall also apply (1) to any enlisted personnel of the National Guard of the United States or of any other reserve component of the Army of the United States ordered into the active military service under the authority of Public Resolution No. 96, approved August 27, 1940, or section 37a of the National Defense Act of 1916, as amended, for any such service so rendered by any such personnel in excess of 12 months, and (2) to any enlisted personnel of the Regular Army for each month of military service rendered by him after the date of enactment of this joint resolution, and after his total military service (rendered before or after such date) exceeds 12 months.

(b) The provisions of this section shall be applicable only during the period of the unlimited emergency declared by the President on May 27, 1941.

SEC. 9. During the existence of the authority conferred by section 2 of this joint resolution and for 6 months thereafter the limitation on the number of men who may be in active training and service at any one time under section 3 (b) of the Selective Training and Service Act of 1940 is hereby suspended: *Provided*, That the Secretary of War shall report to the Congress each month the number of men in active training and service in the land forces under section 3 (b) of said act.

SEC. 10. During the existence of the authority conferred by section 2 of this joint resolution, enlistments in the Army of the United States, without regard to component, are hereby authorized in the manner provided by the concluding paragraph of section 127a of the National Defense Act, as amended.

SEC. 11. Section 1 of Public Resolution No. 96, Seventy-sixth Congress, approved August 27, 1940, is hereby amended (1) by inserting after "June 30, 1942," the following: "or 6 months after the termination of the authority conferred by section 2 of the Service Extension Act of 1941, whichever is the later" and (2) by adding at the end thereof the following: "Notwithstanding the foregoing provisions of this section the President is authorized to order the same member or the same unit into the active military service of the United States for more than one period, except that in the case of any such member any active military service under authority of this resolution in excess of 12 months shall be deemed an extension of active military service within the meaning of section 2 of the Service Extension Act of 1941."

SEC. 12. This joint resolution may be cited as the "Service Extension Act of 1941."

Mr. McNARY. Mr. President, I think we should have a quorum. There does not seem to be one in the Chamber at the present time.

Mr. BARKLEY. I have no objection.

Mr. McNARY. Several Members of the Senate stated that they desired to be present when the pending matter was taken up. I did not expect that it would be brought up in this fashion, although I have no objection to the procedure. I think, however, it is quite proper to suggest the absence of a quorum.

Mr. THOMAS of Utah. Mr. President, before the roll is called, would the Senator object to my making a motion in regard to the matter?

Mr. McNARY. No.

Mr. THOMAS of Utah. I move that the Senate agree to the House amendment.

The VICE PRESIDENT. The question is on the motion of the Senator from Utah [Mr. THOMAS].

Mr. McNARY. I renew my suggestion of the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	George	Pepper
Aiken	Gerry	Radcliffe
Andrews	Gillette	Reynolds
Austin	Glass	Rosier
Bailey	Green	Schwartz
Barkley	Guffey	Shipstead
Bone	Gurney	Smathers
Brewster	Hayden	Smith
Bridges	Herring	Taft
Bunker	Hughes	Thomas, Idaho
Burton	Johnson, Calif.	Thomas, Okla.
Butler	Johnson, Colo.	Thomas, Utah
Byrd	La Follette	Truman
Capper	Langer	Tunnell
Caraway	McCarran	Tydings
Clark, Mo.	McKellar	Vandenberg
Connally	McNary	Van Nuys
Danaher	Maloney	Walsh
Davis	Mead	Wheeler
Downey	Murdock	White
Eastland	O'Daniel	

Mr. BARKLEY. I announce that the Senator from South Dakota [Mr. BULOW] and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senators from Alabama [Mr. BANKHEAD and Mr. HILL], the Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr. BROWN], the Senator from Kentucky [Mr. CHANDLER], the Senator from New Mexico [Mr. CHAVEZ], the Senators from Louisiana [Mr. ELLENDER and Mr. OVERTON], the Senator from West Virginia [Mr. KILGORE], the Senator from Oklahoma [Mr. LEE], the Senator from Illinois [Mr. LUCAS], the Senator from Arizona [Mr. McFARLAND], the Senator from Georgia [Mr. RUSSELL], the Senator from Arkansas [Mr. SPENCER], and the Senator from Tennessee [Mr. STEWART] are necessarily absent.

The Senator from Montana [Mr. MURRAY] is detained in the State of Montana on official business.

The Senator from New Mexico [Mr. HATCH], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Washington [Mr. WALLGREN] are members of Senate committees detained on official business.

Mr. AUSTIN. The Senator from New Jersey [Mr. BARBOUR], the Senator from Minnesota [Mr. BALL], the Senator from Illinois [Mr. BROOKS], the Senator from Oregon [Mr. HOLMAN], the Senator from Massachusetts [Mr. LODGE], the Senator from North Dakota [Mr. NYE], and the Senator fron Kansas [Mr. REED] are necessarily absent.

The Senator from Indiana [Mr. WILLIS] is absent because of an injury suffered by him.

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The VICE PRESIDENT. Sixty-two Senators have answered to their names. A quorum is present.

Mr. THOMAS of Utah. Mr. President, what is the parliamentary situation?

The VICE PRESIDENT. The question is on the motion of the Senator from Utah [Mr. THOMAS] that the Senate concur in the House amendment.

Mr. THOMAS of Utah. Mr. President, I think the Senate is ready to vote. There is not much difference between the two versions of the measure.

Mr. BRIDGES. Mr. President, may I ask the Senator from Utah one question?

Mr. THOMAS of Utah. I shall be glad to answer it.

Mr. BRIDGES. Referring to the so-called Mead amendment, which was adopted the other day in the Senate, there are many here who were in sympathy with it but who voted against it because it was not well phrased. For example, according to the War Department, it was so phrased that if a man had been in the service 29 years, it would have been necessary to pay him $10 a month for 28 years. I wonder if that phraseology has been corrected in the House, so that it will apply strictly as it was intended. I know the Senator from New York intended to have it apply specifically to the case of selectees and members of the National Guard; but I wonder if that phraseology has been corrected in the House.

Mr. THOMAS of Utah. I think there is no doubt about its having been corrected. The revised Mead amendment, as the House passed it, is found in section 8 of the House substitute. I will read it, and I think the reading is the best way to answer the Senator's question:

Any person inducted into the land or naval forces of the United States for active training and service, under section 3 (b) of the Selective Training and Service Act of 1940 shall, in addition to the amounts otherwise payable to such person with respect to such training and service, be entitled to receive the sum of $10 for each month of such training and service in excess of 12. The provisions of this section shall also apply (1) to any enlisted personnel of the National Guard of the United States or of any

other reserve component of the Army of the United States ordered into the active military service under the authority of Public Resolution No. 96, approved August 27, 1940, or section 37a of the National Defense Act of 1916, as amended, for any such service so rendered by any such personnel in excess of 12 months, and (2) to any enlisted personnel of the Regular Army for each month of military service rendered by him after the date of enactment of this joint resolution, and after his total military service (rendered before or after such date) exceeds 12 months.

Mr. BRIDGES. I think that entirely clears up the point I wanted to raise. I was in sympathy with the amendment offered by the Senator from New York, but, like many others, I thought it was prepared very hurriedly, and was not phrased in the manner in which the Senator from New York intended it to be phrased. I think the House phraseology very definitely clears up the situation.

Mr. THOMAS of Utah. I may add that the House also added another section making this provision apply only to the present emergency.

Mr. MEAD. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I shall be very glad to yield to the Senator from New York.

Mr. MEAD. Of course, as has been pointed out by the Senator from New Hampshire, the amendment was rather hurriedly drawn and offered. The original amendment which I sent to the desk was in the nature of a bonus to selectees. As the debate developed, the Senator from Wyoming [Mr. SCHWARTZ] suggested that the amendment be broadened so that it would apply to the Regular Army. I accepted his suggestion, and the modification was hurriedly written into the amendment which was then on the desk awaiting a final vote.

Immediately after the joint resolution was approved by the Senate I took up the matter with the bill-drafting clerk, had the intention of the Senate written into a new amendment, and had that amendment presented by a Member of the House. The House adopted the amendment; and, in my judgment, it specifically carries within it the intent of the Senate.

Mr. BRIDGES. Mr. President, I knew the Senator's intent; but the matter was rather muddled, and action was taken here rather hurriedly, and many Members of this body were rather dissatisfied with the phrasing of the amendment and the wide-open meaning of it. I think it is very wise that the matter has been corrected and clarified and made accurate.

Mr. THOMAS of Utah. This amendment specifically squares with the intention of the Senate.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Utah [Mr. THOMAS].

Mr. JOHNSON of California. Mr. President, there are a few of us who wish to vote against the joint resolution. I therefore ask that we may have a yea-and-nay vote, so that we may be enrolled in that behalf.

The VICE PRESIDENT. The yeas and nays are demanded. Is the demand seconded?

The yeas and nays were ordered.

Mr. DANAHER. Mr. President, I should like to call to the attention of the Senator from Utah the situation which is disclosed by the RECORD for August 12, on page 7075. I think it is probably most feasible that I read it.

There apparently had been considerable discussion in the House about the matter of recapitulation of the vote. Finally, the chairman of the House Committee on Military Affairs, the gentleman from Kentucky [Mr. MAY] is noted in the RECORD as having risen and said:

Mr. Speaker, I move that the vote by which the bill was passed——

Then there is a dash.

The SPEAKER. That motion has been laid on the table.

Mr. POWERS. Mr. Speaker, the vote has not been announced.

The SPEAKER. The vote was announced some time ago.

Mr. SHORT. Mr. Speaker, I was on my feet.

The SPEAKER. The Chair announced the vote before the recapitulation. There were no changes whatsoever, and the Chair announced that the vote stood and the bill was passed—

And note this, Mr. President—

and without objection a motion to reconsider was laid on the table, and there was no objection.

Mr. SHORT. Mr. Speaker, I object, and I demand recognition. I wanted to move to recapitulate the vote by which the bill was passed.

The SPEAKER. That has already been done.

Mr. SHORT. I mean to reconsider the vote by which the bill was passed.

The SPEAKER. The vote has been recapitulated.

Mr. SHORT. I meant to reconsider the vote by which the bill was passed.

Mr. MICHENER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MICHENER. Mr. Speaker, there is no use getting excited about this.

The SPEAKER. The Chair trusts the gentleman from Michigan does not think the Chair is excited.

Mr. MICHENER. The only thing that would make me think it was the speed with which the Speaker passed the bill and refused to recognize the gentleman from Missouri [Mr. SHORT], who was on the floor.

The SPEAKER. The gentleman did not state for what purpose.

Mr. SHORT. Mr. Speaker, I did not have time. I wanted to move to reconsider the vote by which the bill was passed.

The SPEAKER. The gentleman, in the first place, is not eligible to make that motion.

Mr. CASE of South Dakota. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CASE of South Dakota. Did I understand the Chair to state that at the time the Chair announced the bill had been passed, he stated that without objection a motion to reconsider was laid on the table?

The SPEAKER. The Chair so stated.

Mr. President, I have been reading word for word what appears in the RECORD, and I ask Senators to note that at that point the Speaker said:

The Chair so stated.

Mr. CASE of South Dakota. I am sorry, but I was listening and failed to hear the Chair so state. I am glad to have the Chair make that statement.

The SPEAKER. The Chair announced that the vote would stand, and the bill was passed, and without objection a motion to reconsider was laid on the table, and recognized the gentleman from Kentucky [Mr. MAY], which he now does.

Mr. MAY. Mr. Speaker, I ask unanimous consent—

And so forth. Mr. President, in the light of the RECORD, I ask the Senator from Utah if he knows whether or not there is some policy or rule or provision under the House procedure by which gentlemen seeking the floor to move to reconsider the vote by which a bill was passed can be overruled and the Chair's word substituted for what the RECORD shows; or, in fact, if there be no disclosure of permission to make a motion to reconsider being granted at all, that Members of the House may be deprived of the right to vote on a reconsideration.

Mr. THOMAS of Utah. Mr. President, the Senator from Utah is in complete ignorance about the rules of the House of Representatives.

Mr. BARKLEY. Mr. President, if the Senator will yield, in the first place, it is not within the proprieties of the Senate to question the proceedings of the House of Representatives in the passage of a measure. The joint resolution has been messaged from the House, and is now before the Senate. I may state to the Senator from Connecticut, however, that under the rules of the House as well as of the Senate no Member is eligible to make a motion to reconsider the vote by which a bill was passed or defeated except someone who voted in the majority; and in this particular case the gentleman who was asking recognition to move to reconsider had voted in the minority and could not have moved to reconsider even if he had been recognized for that purpose.

Mr. DANAHER. Mr. President, let me thank both the Senator from Utah [Mr. THOMAS] and the Senator from Kentucky [Mr. BARKLEY] for their helpfulness in this particular. Let me say further to the Senator from Kentucky that I most assuredly am casting no aspersion on the propriety of the House taking such action as its rules permit. I was simply making an inquiry as to whether the rules permit the action recorded, which I have noted here.

I thank the Senator from Kentucky.

Mr. BARKLEY. I may state, also, that, as we all know, the motion to reconsider and lay on the table is a formal routine matter after the passage of a House bill.

Mr. DANAHER. Frequently in the House it is not only routine, it is automatic.

Mr. BARKLEY. Well, not necessarily.

The VICE PRESIDENT. The question is on the motion of the Senator from Utah [Mr. THOMAS] that the Senate concur in the amendment of the House of Representatives to Senate Joint Resolution 95. On that question the yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. AIKEN (when his name was called). On this vote I have a pair with the senior Senator from Illinois [Mr. LUCAS]. If present, he would vote "yea." If I were at liberty to vote, I should vote "nay."

Mr. DAVIS (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER]. I understand if he were present he would vote "yea." Not being able to obtain a transfer, I withhold my vote. If at liberty to vote, I should vote "nay."

Mr. McNARY (when his name was called). On this vote I have a pair with the senior Senator from Alabama [Mr. BANKHEAD]. If he were present, he would vote "yea." If I were at liberty to vote, I should vote "nay."

The roll call was concluded.

Mr. SCHWARTZ. I announce that the senior Senator from Wyoming [Mr. O'MAHONEY] is necessarily absent. If present he would vote "yea."

Mr. McKELLAR. I announce the unavoidable absence of my colleague [Mr. STEWART]. If he were present he would vote "yea."

Mr. BARKLEY. I announce that the Senator from South Dakota [Mr. BULOW] and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness. I am advised that if present and voting, the Senator from New York would vote "yea."

The Senator from Montana [Mr. MURRAY] is detained in the State of Montana on official business.

The Senator from South Carolina [Mr. PEACE] has been called to one of the Government departments on matters pertaining to his State. I am advised that, if present and voting, he would vote "yea."

The Senator from New Mexico [Mr. HATCH] and the Senator from Washington [Mr. WALLGREN] are members of Senate committees detained on official business. I am advised that if present and voting, they would vote "yea."

The Senators from Alabama [Mr. BANKHEAD and Mr. HILL], the Senator from Kentucky [Mr. CHANDLER], the Senators from Louisiana [Mr. ELLENDER and Mr. OVERTON], the Senator from West Virginia [Mr. KILGORE], the Senator from Oklahoma [Mr. LEE], the Senator from Illinois [Mr. LUCAS], the Senator from Arizona [Mr. McFARLAND], the Senator from Georgia [Mr. RUSSELL], the Senator from New Jersey [Mr. SMATHERS], and the Senator from Arkansas [Mr. SPENCER] are necessarily absent. I am advised that if present and voting, these Senators would vote "yea."

The Senator from Iowa [Mr. GILLETTE] is unavoidably detained. I am advised that if present and voting, he would vote "nay."

The Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr. BROWN], the Senator from Montana [Mr. WHEELER], the Senator from New Mexico [Mr. CHAVEZ], and the Senator from Idaho [Mr. CLARK] are necessarily absent.

The Senator from Louisiana [Mr. ELLENDER] is paired with the Senator from Iowa [Mr. GILLETTE]. I am advised that if present and voting, the Senator from Louisiana would vote "yea," and the Senator from Iowa would vote "nay."

The Senator from Alabama [Mr. HILL] is paired with the Senator from Michigan [Mr. BROWN]. I am advised that if present and voting, the Senator from Alabama would vote "yea," and the Senator from Michigan would vote "nay."

The Senator from West Virginia [Mr. KILGORE] is paired with the Senator from New Mexico [Mr. CHAVEZ]. I am advised that if present and voting, the Senator from West Virginia would vote "yea," and the Senator from New Mexico would vote "nay."

Mr. AUSTIN. The Senator from Minnesota [Mr. BALL] is paired on this question with the Senator from Indiana [Mr. WILLIS]. If present the Senator from Minnesota would vote "yea." The Senator from Indiana would vote "nay."

The Senator from Oregon [Mr. HOLMAN] has a general pair with the Senator from Tennessee [Mr. STEWART]. I am advised that the Senator from Oregon would vote "yea" if present.

The Senator from Kansas [Mr. REED] is necessarily absent. If present he would vote "yea."

The Senator from New Jersey [Mr. BARBOUR], who is also necessarily absent, would, if present, vote "yea."

The Senator from Illinois [Mr. BROOKS], the Senator from North Dakota [Mr. NYE], and the Senator from New Hampshire [Mr. TOBEY] are unavoidably absent.

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The Senator from Massachusetts [Mr. LODGE] is unavoidably absent. He has a general pair with the Senator from Mississippi [Mr. BILBO].

I announce the following general pairs:

The Senator from North Dakota [Mr. NYE] with the Senator from Oklahoma [Mr. LEE];

The Senator from Illinois [Mr. BROOKS] with the Senator from New Mexico [Mr. HATCH]; and

The Senator from New Hampshire [Mr. TOBEY] with the Senator from Wyoming [Mr. O'MAHONEY].

The result was announced—yeas 37, nays 19, as follows:

YEAS—37

Andrews	Gerry	Radcliffe
Austin	Glass	Reynolds
Bailey	Green	Rosier
Barkley	Guffey	Schwartz
Brewster	Gurney	Smith
Bridges	Hayden	Thomas, Okla.
Bunker	Herring	Thomas, Utah
Burton	Hughes	Truman
Byrd	McKellar	Tunnell
Caraway	Maloney	Tydings
Connally	Mead	White
Eastland	Murdock	
George	Pepper	

NAYS—19

Adams	Johnson, Calif.	Taft
Bone	Johnson, Colo.	Thomas, Idaho
Butler	La Follette	Vandenberg
Capper	Langer	Van Nuys
Clark, Mo.	McCarran	Walsh
Danaher	O'Daniel	
Downey	Shipstead	

NOT VOTING—40

Aiken	Hatch	Peace
Ball	Hill	Reed
Bankhead	Holman	Russell
Barbour	Kilgore	Smathers
Bilbo	Lee	Spencer
Brooks	Lodge	Stewart
Brown	Lucas	Tobey
Bulow	McFarland	Wagner
Chandler	McNary	Wallgren
Chavez	Murray	Wheeler
Clark, Idaho	Norris	Wiley
Davis	Nye	Willis
Ellender	O'Mahoney	
Gillette	Overton	

So the Senate concurred in the amendment of the House to Senate Joint Resolution 95.

FIRST SUPPLEMENTAL APPROPRIATIONS FOR NATIONAL DEFENSE, 1942

The Senate resumed consideration of the bill (H. R. 5412) making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes.

Mr. ADAMS. Mr. President, at the time I yielded for the purpose of permitting action by the Senate on the amendment of the House to Senate Joint Resolution 95, I was endeavoring to place in the RECORD and give to the Senate some items which might indicate the magnitude of the appropriations with which we deal, and which we make, I think, without full comprehension of their amount or their consequences.

I wish to point out that we are appropriating for defense purposes for the fiscal year 1942, excluding the amendment under discussion, $42,831,000,000. The total capital of all the national banks in the United States is one and one-half billion dollars. The total surplus is $1,300,000,000. The aggregate capital assets of all the national banks, capital surplus, undivided profits, and reserves on the 31st of December 1940 was $3,528,000,000, less than one-half of the amount of the bill as passed by the House.

The capital resources of the State banks, and members and nonmembers of the Federal Reserve banks, added to all the national banks, together with the capital resources of every other bank in the United States, amount to $8,409,000,000.

We are in the habit of thinking of the banks collectively as being very rich. They do have a tremendous amount of money. The business of the country is largely based on that money. But we have already appropriated, or will, five times the total capital assets of all the banks in the United States.

The Finance Committee is now having considerable distress in making provision for a tax to produce three and one-half billion dollars, less than one-half of what we are appropriating in this bill.

Senators are now receiving protests and complaints from taxpayers who are apprehensive as to the future taxes. The country is filled with alarm at the consequences of congressional expenditures, accumulating deficits, and mounting debts.

I think such a situation should compel us to give some consideration to the question. We should spend every dollar we need to spend for national defense. On the other hand, we should not waste money. We should exercise some care. The Constitution places upon the Congress responsibility in these matters. I think it is our duty, before we pass such tremendous bills, to see that there is a real justification for the expenditures and consider the consequences which may ensue.

Today alarms are abroad as to the fiscal situation. We are fearful of inflation. Inflation would be the result of what? It would be the result of increasing expenditures and decreasing production due to the fact that many avenues of production are now being devoted to the production of war materials and fewer of the ordinary articles of commerce are

being produced. So we have an increased purchasing power in numbers of dollars and a decrease in the supply, and we are apprehensive of a spiraling of prices.

To meet that danger, we are now having price limitations put upon us. There is a bill pending before the Congress for further restrictions. When we are confronted with such conditions, I think it behooves the Senate—I know it behooves the Appropriations Committee—to exercise some care. We are not justified in simply taking the request of the department and passing it through merely because the department asks for the money.

As I have pointed out, while there are perhaps other items in the bill which ought to have had some reduction, there is one item of $3,486,034,036 which is contained in exactly two lines of the appropriation bill, with no specifications and no details.

Mr. McKELLAR. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HERRING in the chair). Does the Senator from Colorado yield to the Senator from Tennessee?

Mr. ADAMS. I yield.

Mr. McKELLAR. The Senator says that the item referred to is contained in two lines, with no specifications and no details. I do not think that is exactly the impression which the Senator desires to leave, because the Senator will recall that in our hearings practically every detail was given by the Army officers.

Mr. ADAMS. I am coming to that point.

Mr. McKELLAR. I think it ought to be made plain at the point where the Senator makes that broad statement. Every detail was given. The details are not in the record, but the committee was given the position of the Army as to every detail and every dollar that is to be expended. The money is to be expended according to law and not according to the judgment of the officers of the Army.

Mr ADAMS. Mr. President, the statement I made was that in the bill which is before us the item of $3,486,034,036 is contained in two lines. That is all that is on the desks of Senators. The members of the Appropriations Committee had certain information off the record. We were furnished for our use in the committee, but not elsewhere, a confidential itemization of appropriations and expenditures. I refer to the blue-backed volume which I hold in my hand, which was marked "confidential," and which we were told must not be released. It contains within it the specifications for every item for the Army, showing the cost and the number of items. It contains the specifications as to the number required for an army of 1,725,000, and the specifications as to the number required for an army of 3,000,000. It shows the details as to the number of items on hand, the number on order, the number for which money is provided, in addition to those on hand, and the shortage. The $2,138,980,486, which the committee favors leaving in the bill, includes every single item which the War Department says is necessary for an army of 3,000,000. We eliminated an item which the War Department says is over and above what is necessary for the equipment of an army of 3,000,000.

We do not yet have an army of 1,725,000. We are in the process of acquiring such an army. The army of 3,000,000 is a projected army. It is the ultimate army, which it is hoped we will not be required to have. Regardless of the provision which we seek to cut out, we are making provision for 3,000,000 men. We are getting the matériel before we get the men, which is perfectly proper. Personally, I think an army of 3,000,000 men is needlessly a large army. Personally, I think that an army of 1,725,000 is larger than is needed. But what I am saying, and what the committee is saying, is that, conceding the need for an army of 3,000,000, which is called the over-all army——

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. McKELLAR. It is needless for me to say that what the Senator says about the proposal is entirely correct as to the number of men who have already been appropriated for outside this item. The reason given for this item was that the Army wanted to be in a position to secure certain critical and essential materials—largely aircraft and tanks—if it should become necessary. While that is a very laudable purpose at this time in our national-defense situation, my understanding is that the committee thought, as I believe the Senator from Colorado will agree, that if the Army should be able to expend the moneys it has outside this particular item, that would be as much as it could do in this fiscal year. I think the Senator will agree that that was the general idea of the committee, and that was why the item was left out. I refer to the critical items of tanks and aircraft.

Mr. ADAMS. In the Appropriations Committee we find a constant recurrence of the term "essential and critical items." The Senator is the only person I know of who can consistently and uniformly define that term. I wish he would do so.

Mr. McKELLAR. Mr. President, I have never heard any two men define it in exactly the same way, and I myself have never attempted to define "critical and essential items."

Mr. ADAMS. The Senator used the term a moment ago.

Mr. McKELLAR. I used the term because it was used so often before the committee; but I have never been able to find out what it means, because no two witnesses ever defined "critical and essential items" in exactly the same way.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. TAFT. Can the Senator tell me whether the additional $1,347,000,000 is for finished goods? The Senator referred to critical materials. Of course, critical materials are things such as tin, rubber, and so forth. As I understood the Senator's statement, the tanks and other equipment to which reference is made are finished tanks and finished equipment of various kinds.

Mr. ADAMS. The Senator is quite correct. Intended to be included in the $1,347,000,000 are only finished manufactured products. No raw materials are included.

Mr. TAFT. Through the Reconstruction Finance Corporation we have provided, in other appropriations, for the acquisition of all the strategic and critical material we can get.

Mr. ADAMS. Yes. As to the expenditure program which I have mentioned, this is the statement which was made by General Moore, on page 57 of the Senate committee hearings:

> We have prepared and, I think, furnished to you here some copies of the 1942 expenditure program. This is for your examination and gives in detail the whole program. It is confidential because it gives in great detail, item by item, what we have, what we propose to get, what has been financed, and what has not been financed.

In other words, the program which we were given was a complete program of the Military Establishment—what it has, what it needs, and its shortages. It includes more than that. It includes the critical items for an augmented force of about 3,000,000 men, which is made up of the second objective of the ground force of 2,828,000, plus 152,000 for the Air Corps, plus 54 groups under the first aviation objective of the Air Corps, including—and this is an important item—combat maintenance for 12 months, or until production equals wastage. In other words, it includes not only what is needed now, but it implies 12 months of combat for 3,000,000 men.

The same thing is true as to the remaining items. The expenditure program contemplates everything which is needed for the Army, including 12 months' combat consumption. We felt that when that provision had been made we had made a reasonably accurate provision.

The Army officers refer to an over-all force of 3,000,000 men. The force of 1,727,000 men was referred to as the protective mobilization-plan force, and the 3,000,000 men were referred to as the over-all force. Those are the terms they used, and these provisions cover both of those forces.

When we came to consider these items, Colonel Wood, who was representing the General Staff, and who had to do with the preparation, made a statement in reference to the special ordnance equipment, the item we were discussing. He was asked whether the expenditure item relating to special ordnance equipment had the detailed specifications similar to the detailed specifications for other items. He said it had not. In other words, all the things they needed had been set forth in the tabulation of 75 pages and some 2,500 items and had been most carefully tabulated. I am sure that the Members of the Senate know that the Army under General Marshall has been liberal in its requests. In fact, the Chief of Staff said before the Military Affairs Committee that if in the future an investigation were made with respect to the request to the committee the one thing with which he did not want to be charged was asking for less than he needed.

Colonel Wood said that the reason why the expenditure program does not

include the special ordnance equipment items is that the special ordnance items represent items over and above the currently computed needs for a 3,000,000-man force.

As shown on page 99 of the committee hearings, I asked Colonel Wood the following question:

> Colonel Wood, let me see if I understand you correctly, that this special ordnance equipment item of $1,347,000,000 covers expenditures not required for the equipment of the Army of 3,000,000 men.
>
> Colonel Wood. This special ordnance equipment is over and above the present requirements of the 3,000,000-man force as currently calculated.

It seemed to me and to the committee that at this time, after we had made appropriations to cover all the things the Army said were needed for a 3,000,000-man force, we should not add $1,347,000,000 for reserve items, perhaps useful and perhaps not useful. The principal reason presented to the committee was that it should be done in order to keep factories working. Such a statement occurred at various times throughout our hearings, and that was the argument made.

I, for one, am hoping for the day when peace will prevail and when factories now making armaments can be devoted to something else. It should be remembered that we have $42,000,000,000 to be expended on this program. Factories are being used to such an extent that the ordinary private industries are being eliminated, and there is no need to appropriate $1,347,000,000 for unneeded items of equipment in order to provide contracts to keep factories open.

Mr. McKELLAR. If the Senator from Colorado will yield to me, let me say that it seemed to me, from the testimony which came before the committee, that it was exceedingly doubtful if the $1,347,000,000 could be used in addition to all the other moneys which had been appropriated this year for the Army.

Mr. ADAMS. The Senator from Tennessee is entirely correct; and, as the Senator knows, we have been repeatedly told that much of the program now under contract will not be completed even during the year 1942. Some of it will go over into the year 1943. We have, for instance, an airplane program under which contracts for 74,000 airplanes have been let, of which 34,000 are for American use. We are getting 1,500 a month. Production is increasing. But it means that the program will continue all through 1942. Congress is not a body which meets only occasionally and then departs. We are here substantially all the time. If a need arises, we can meet it. I do think that we will give the people of the country encouragement if they find that the Congress is giving some heed to its expenditures and has not merely laid the purse of the Nation and the credit of the Nation open to the Army, for it to take whatever it may want for an ultimate purpose which we hope may not exist.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. ADAMS. Certainly.

Mr. McKELLAR. Another consideration that weighed with me, I will say to the Members of the Senate, was that the House had included this item for the equipment or partial equipment of more than 3,000,000 men; and if we were to take the bill to conference and if the House were able to point out to the conferees that it was vitally necessary, I am quite confident that in conference the correction would be made in whole or in part. The bill will go to conference.

Mr. ADAMS. Without question. Because there is not a Member of the Senate, and there is not a Senator who will be on the conference committee on the part of the Senate, who does not want the Army to have whatever is appropriately necessary for national defense.

Mr. McKELLAR. That is entirely true, and I think that was the idea which actuated the committee to vote to strike out part of the appropriation and let the bill go to conference.

Mr. ADAMS. Of course. But as the matter stands, upon our request we have the testimony of the Under Secretary of War and the testimony of three, four, or five Army officials, all in verification of the fact that this money is over and above the requirements for an army of 3,000,000 men. For instance, Colonel Wood, on page 98, made the following statement about the expenditure program:

> This document contains the complete picture as to the War Department's needs on vital equipment.

Every dollar of the $1,347,000,000 is outside this picture of the War Department's needs. There are many things which entered into the situation.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. ADAMS. Yes, indeed.

Mr. McKELLAR. The Senator from Colorado has referred to the table before him showing exactly how the expenditures would be made. We often hear the expression that Congress is merely giving the Army, or the Chief of Staff of the Army, a blank check on the Treasury and directing him to use the moneys as he sees fit. I desire to assure the Members of the Senate, and I know that the Senator from Colorado will give the same assurance, that the statistics the representatives of the War Department have given and the plans they have shown make it absolutely certain that the moneys will not be spent according to the whims of any officer, but according to a plan which has been carefully worked out from start to finish, covering the whole matter, and the moneys will be expended according to law.

I am sure the Senator from Colorado will agree that that is so.

Mr. ADAMS. That is entirely correct; because, as I have said, the expenditure program has been set out. I shall be glad to show the items to any Senators. They are confidential insofar as the press is concerned, but they are not confidential in respect to any Senator who may desire to ascertain the type of the items. They are set out in very great detail. As I said before, the representatives of the Army set out the requirements of an Army of 1,725,000 men, then the requirements of an Army of 3,000,000 men, then the resources available, on hand, on order, the amounts expended, and then the shortages. I do not want to give too accurate details; but, for instance, we have here an item with reference to 37-millimeter antitank guns. The requirements are large, and are set out. They run into thousands, and the small shortage on June 1 was made up many times over by the 1942 bill.

It should be remembered that we appropriated $10,000,000,000 beginning the 30th of June of this year for defense purposes, and now the War Department is coming in with a request for $7,000,000,000 additional.

Mr. McKELLAR. Seven billion dollars without this item.

Mr. ADAMS. Yes. We have, for instance, the item for 37-millimeter antitank guns—a very important item. Out of the number running into very many thousands the shortage on June 1 was 164, and that has all been filled up, and more, out of the last appropriation.

In connection with this item Under Secretary Patterson said—page 71 of the Senate hearings:

> The other part of this item is about $1,400,000,000 and has to do with tanks, antitank weapons, and antiaircraft weapons. That is, in a measure, a departure in this bill. We heretofore have ordered tanks and antitank equipment and antiaircraft equipment in quantities regulated by the P. M. P., that is, for the number of divisions that we have and a reasonable maintenance reserve, and that sort of thing. This is over and above that. It is put in by the War Department on the view that those items will clearly be necessary in greatly increased quantities, if we move into armed conflict. The trend is all that way, toward mechanized warfare on the ground as well as in the air. It is practically sure that we will need more of these items than are the quantities indicated now on the tables of organization. These items are over and above the regular quantities indicated in the tables of organization, with the normal maintenance reserve.

The liberality of the War Department in making its specifications of its requirements is indicated by Secretary Patterson on page 72. He said:

> The requirements have been placed quite high, by the military service; * * *.

Colonel Brown said—page 105 of the hearings:

> The expenditure program includes the P. M. P. force of 1,727,000 men, and an overall force of 3,000,000 men. The total number of armored divisions included in the forces shown in the expenditure program is 8. There is provision in the estimates now before the committee for light and medium tanks in excess of the requirements of those 8 divisions.

In the case of 60-millimeter mortars, there is an actual surplus of several thousand over requirements.

In the case of 81-millimeter mortars, out of a requirement of several thousand there is a shortage of five, which has all been made up.

There are other items such as steel helmets. The number provided for was

3,329,000, which meets requirements and which is obviously adequate. A shortage of half a million in June has all been made up by the regular appropriation.

Reference was made in the testimony to the Garand rifle, concerning which we have all heard much, and I think it will illustrate the situation to quote from Colonel Wood in reference to that:

Colonel WOOD. Gentlemen, if you will turn to page 3 of the expenditure program and if, at the same time, you will look at your justification of estimates, ordnance section, page 5; now, in the expenditure program on page 3, run down to the item, serial No. 7, which is the rifle, United States caliber .30 semi-automatic——

That is the Garand. At that time the requirements for that rifle were 1,279,000. There are on hand a large number. The amount on hand or available was 897,000, or a shortage of 382,000, all of which has been made up under the 1942 appropriation bill which has already been passed.

So, taking the matter up item by item, I have covered all the important items, the articles we think about and know about.

Mr. JOHNSON of Colorado. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to his colleague?

Mr. ADAMS. I yield to my colleague.

Mr. JOHNSON of Colorado. As I understand the Senator's statement, the question whether the Army should be mechanized or motorized is not involved in the elimination or deletion of the appropriation of $1,347,000,000?

Mr. ADAMS. Not at all. As a matter of fact, we are accepting as the premise upon which we base our amendment the Army figures as to what they needed for their mechanized army, and are merely eliminating what they say is over and above their requirements. The requirements are set out after the most careful study and consideration. Every department of the Army prepares a tabulation of what is on hand and what is needed. The tabulation goes to the General Staff and is carefully gone over there. Such tabulation is not one that is made once and for all but is in constant process of revision, so as to bring it up to date, and the one we had before the committee is the latest revision of the Army specifications of its needs.

Mr. President, I will not take more time. There are a multitude of verifications from the committee's viewpoint. I trust that the amendment of the committee will be adopted.

The PRESIDING OFFICER. The amendment reported by the committee will be again stated.

The LEGISLATIVE CLERK. On page 2, line 15, after the word "posts", it is proposed to strike out "$81,872,000" and insert "$172,679,400", so as to read:

Military posts: For construction of buildings, utilities, and appurtenances at military posts, $172,679,400.

The amendment was agreed to.

The next amendment was, under the subhead "Ordnance Department," on page 3, at the end of line 6, to reduce the appropriation for ordnance service and supplies, Army, from $3,486,034,036 to $2,138,980,486.

The amendment was agreed to.

The next amendment was, under the heading "Naval Establishment—Office of the Secretary," on page 4, after line 4, to insert:

Plant protection force, Navy: For all necessary expenses for the establishment, maintenance, and operation of a plant-protection force for the shore establishment of the Navy, including personnel in the District of Columbia and elsewhere, appointed by the Secretary of the Navy in accordance with the civil-service laws and the Classification Act of 1923, as amended, or otherwise as he may elect, including a civilian in charge at a salary at the rate of $7,500 per annum, and for travel, clothing, weapons, and other equipment and supplies, stationery, and office supplies, and the purchase of 13 motor-propelled passenger-carrying vehicles at a cost of not to exceed $750 each and maintenance therefor; including rent in the District of Columbia and elsewhere where necessary; pay of miscellaneous expenses incident to official investigations at official post of duty, including common-carrier fares and travel by personally owned automobiles at a rate not to exceed 4 cents per mile, and reimbursement for the actual cost of ferry fares and bridge and tunnel tolls, $1,000,000.

The amendment was agreed to.

The next amendment was, under the subhead, "Bureau of Supplies and Accounts—pay, subsistence, and transportation of naval personnel," on page 6, line 22, to reduce the appropriation for the naval supply account fund from $90,000,000 to $80,000,000.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Yards and Docks," in the item for public works, on page 8, line 2, before the word "which", to strike out "$291,428,500" and insert "$295,068,500"; and in line 11, after the word "projects", to insert "including the acquisition of land."

The amendment was agreed to.

The next amendment was, in the item for naval station, New Orleans, La., on page 9, line 21, after the figures "$250,000", to insert a semicolon and "development of receiving-ship facilities, including buildings and accessories, $1,140,000."

The amendment was agreed to.

The next amendment was, in the item for Naval Proving Ground, Dahlgren, Va., on page 15, line 3, after the figures "$150,000", to insert a semicolon and the words "railroad connection to Fredericksburg, Va., including acquisition of rights-of-way, $1,500,000".

The amendment was agreed to.

The next amendment was, in the item for Naval Air Station, Norfolk, Va., on page 19, line 24, after the figures "$2,560,000", to insert a semicolon and the words "general storehouse, $1,000,000".

The amendment was agreed to.

The next amendment was, on page 25, line 5, after the word "marine", to strike out "Aviation Base, Neuse" and insert "Barracks, New."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Aeronautics", on page 28, line 14, after the words "Aviation, Navy", to strike out "$77,678,880", and insert "$90,000,000."

The amendment was agreed to.

The next amendment was, under the subhead "Navy Department", on page 30, after line 22, to insert:

Salaries, Office of the Secretary of the Navy: The appropriations contained in the Naval Appropriation Act, fiscal year 1942, shall be available for the employment of one additional employee in the Office of the Secretary of the Navy, at a salary per annum in excess of $5,000, but not in excess of the appropriate rate established in accordance with the Classification Act of 1923, as amended.

The amendment was agreed to.

The next amendment was, on page 32, after line 10, to strike out:

(b) An officer of the line of the Navy may be detailed as assistant to the Director of Budget and Reports, and, in case of death, resignation, absence, or sickness of such Director, shall perform the duties of such Director until his successor is appointed or such absence or sickness shall cease. The assistant to the Director of Budget and Reports shall, while so serving, receive the highest pay of his rank.

And in lieu thereof to insert the following:

(b) There shall be an Associate Director of Budget and Reports who shall be a civilian appointed by the Secretary of the Navy in accordance with civil-service laws and the Classification Act of 1923, as amended. The Associate Director shall perform such duties as the Secretary of the Navy may designate, and during the absence or incapacity of the Director or during a vacancy in the office of Director he shall act as Director.

The amendment was agreed to.

The next amendment was, under the heading "Title IV—Miscellaneous Civil Activities, Legislative," on page 35, after line 20, to insert:

SENATE

For payment to Ariadne Houston, Marguerite Houston, and Josephine Houston Paulus, daughters of Andrew Jackson Houston, late a Senator from the State of Texas, $10,000.

The amendment was agreed to.

The next amendment was, at the top of page 36, to insert:

For payment to Mary Sumter Lumpkin, widow of Alva M. Lumpkin, late a Senator from the State of South Carolina, $10,000.

The amendment was agreed to.

The next amendment was, under the heading "Independent agencies," on page 36, after line 8, to insert:

FEDERAL COMMUNICATIONS COMMISSION

National-defense activities: For an additional amount for national-defense activities, fiscal year 1942, to enable the Federal Communications Commission to continue to perform the functions or activities for the performance of which, during the fiscal year 1941, the Commission received allocations of funds from the appropriation "Emergency fund for the President" contained in the Military Appropriation Act, 1941, including the objects for which and subject to the conditions under which such allocations were expended during the fiscal year 1941, $209,000.

The amendment was agreed to.

The next amendment was, at the top of page 37, to insert:

MARITIME LABOR BOARD

Salaries and expenses: For all necessary expenses to enable the Maritime Labor Board to wind up the affairs of the Board, $30,000.

The amendment was agreed to.

The next amendment was, on page 37, after line 4, to insert:

DEPARTMENT OF COMMERCE

OFFICE OF ADMINISTRATOR OF CIVIL AERONAUTICS

Maintenance and operation of air-navigation facilities: For an additional amount for maintenance and operation of air-navigation facilities, fiscal year 1942, including the objects specified under this heading in the Department of Commerce Appropriation Act, 1942, $1,100,000, of which not to exceed $500,000 shall be available for the maintenance and operation of airport traffic-control towers whenever the Secretary of War or Secretary of the Navy shall certify that the accomplishment of such work is essential to the national defense: *Provided*, That the limitation on the purchase and exchange of passenger-carrying automobiles under this heading in the Commerce Department Appropriation Act, 1942, is hereby increased from $13,550 to $29,300.

The amendment was agreed to.

The next amendment was, on page 37, after line 20, to insert:

Establishment of air-navigation facilities: For an additional amount for the establishment of air-navigation facilities, fiscal year 1942, including the objects specified under this heading in the Department of Commerce Appropriation Act, 1942, $5,586,000, of which not to exceed $500,000 shall be available for the establishment of airport traffic-control towers whenever the Secretary of War or Secretary of the Navy shall certify that the accomplishment of such work is essential to the national defense.

The amendment was agreed to.

The next amendment was, on page 38, after line 4, to insert:

Development of landing areas: For an additional amount for the appropriation "Development of Landing Areas", $5,500,000, of which $300,000 shall be available for administrative expenses, including engineering services and supervision of construction.

The amendment was agreed to.

The next amendment was, on page 38, after line 9, to insert:

INTERIOR DEPARTMENT

BUREAU OF MINES

Testing fuel: For an additional amount for testing fuel, fiscal year 1942, including the objects specified under this head in the Interior Department Appropriation Act, 1942, $28,500, and the limitation of $35,000 contained in said Act under this head for personal services in the District of Columbia is hereby increased to $40,250.

The amendment was agreed to.

The next amendment was, on page 38, after line 17, to insert:

Investigation of domestic sources of mineral supply: For an additional amount for investigation of domestic sources of mineral supply, fiscal year 1942, including the objects specified under this head in the Interior Department Appropriation Act, 1942, $300,000, and the limitation of $25,000 contained in said Act under this head for personal services in the District of Columbia is hereby increased to $32,500.

The amendment was agreed to.

The next amendment was, at the top of page 39, to insert:

Investigation of raw material resources for western steel production: For all expenses necessary to enable the Bureau of Mines to investigate by subsurface exploration the amount and quality of iron ores, limestone, and coking coals essential to expanding steel production in States in which such deposits may exist, including all necessary laboratory research; preliminary examination and subsurface exploration of raw materials; supplies and equipment; traveling expenses; not to exceed $13,000 for personal services in the District of Columbia; printing and binding; purchase in the District of Columbia and elsewhere of furniture and equipment, professional and scientific books and publications, stationery and supplies, typewriting, adding, computing, and addressing machines, and other labor-saving devices, accessories, and repairs, including exchange and maintenance thereof, and purchase of such personal wearing apparel or equipment as may be required for the protection of employees while engaged in their work, fiscal year 1942, $350,000: *Provided*, That the Secretary of the Interior, acting through the Director of the Bureau of Mines, is hereby authorized to accept buildings, equipment, and other contributions from public or private sources offering to cooperate in carrying out the purposes of this appropriation, and to carry out the projects in cooperation with other departments or agencies of the Federal Government, States, and State agencies, and other organizations: *Provided further*, That section 3709 of the Revised Statutes shall not be construed to apply to this appropriation.

The amendment was agreed to.

The next amendment was, on page 40, after line 2, to insert:

Construction and equipment of helium plants: To enable the Secretary of the Interior to increase and improve the capacity for the production of helium, as authorized by the act approved September 1, 1937 (50 Stat. 885), by the acquirement, by purchase, lease, or condemnation, of lands or interests therein or options thereon, the making of contracts and agreements (with optional provisions where necessary) for the acquisition, processing, or conservation of helium-bearing gas, the construction and equipment of buildings or additions to existing buildings, the drilling of wells and construction of pipe lines, and other appurtenant facilities, and to conduct investigations with respect to available resources of helium-bearing gas and the transportation of helium, and for all necessary expenses incident to the foregoing, including the employment by contract or otherwise, at such rates of compensation as the Secretary of the Interior may determine, of engineers, architects, or firms or corporations thereof necessary to design and construct the buildings, structures, and equipment; supplies and equipment; travel expenses; purchase in the District of Columbia and elsewhere of furniture and equipment; professional and scientific books and publications, stationery and supplies; typewriting, adding, and computing machines, accessories, and repairs, including exchange and maintenance thereof; purchase, not to exceed $5,500 (including exchange as part payment), operation, maintenance, and repair of passenger-carrying automobiles for official use in field work; and not to exceed $16,000 for personal services in the District of Columbia, fiscal year 1942, $1,250,000, to remain available until June 30, 1943: *Provided*, That section 3709 of the Revised Statutes shall not be construed to apply to expenditures under this appropriation: *Provided further*, That the Secretary of the Interior, acting through the Director of the Bureau of Mines, is hereby authorized to accept lands, buildings, equipment, and other contributions from public or private sources offering to cooperate in carrying out the purposes of this appropriation.

The amendment was agreed to.

The next amendment was, under the heading "War Department—Civil Functions—Quartermaster Corps", on page 42, line 6, after the word "expended", to insert a colon and the following proviso:

Provided, That the maintenance and operation of such building shall be under the jurisdiction of the Public Buildings Administration and such Administration may assign any space therein surplus to the needs of the War Department to any other Federal agency pending the need thereof by such Department.

The amendment was agreed to.

Mr. ADAMS. Mr. President, on behalf of the committee, I send to the desk an amendment, which I should like to have stated. I may say that I have several amendments to offer.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 16, after "$172,679,400", it is proposed to insert the following:

": *Provided*, That this appropriation, the appropriation under this head in the Military Appropriation Act, 1942, the appropriations under this head made and merged in the Fifth Supplemental National Defense Appropriation Act, 1941, and all funds transferred to the appropriations under this head out of other appropriations for the Military Establishment for the fiscal year 1941, under the authority contained in the Second Deficiency Appropriation Act, 1940, shall remain available until June 30, 1943."

The amendment was agreed to.

Mr. ADAMS. I offer another amendment on behalf of the committee.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 3, after line 6, it is proposed to insert the following:

The second proviso under the caption "Ordnance service and supplies, Army," in the Military Appropriation Act, 1942, is hereby amended to read as follows: "*Provided further*, That the Chief of Ordnance and the chiefs of any other branches concerned shall enter into contracts prior to July 1, 1942, for the procurement of such equipment, spare parts, and accessories appropriated for or authorized to be contracted for under the provisions of this paragraph as may be required for such additional armored force divisions and/or other units of such armored force as may be directed by the Chief of Staff."

Mr. ADAMS. I will say as to that amendment that there was a misunderstanding as to the effect of a provision in the 1942 Military Appropriation Act as to the authority given the General Staff. Some construed that the provision gave to the General Staff the power to make contracts unlimited in amount. This amendment carries out the intention of the Senate in adopting the provision. It leaves rather broad powers in the Chief of Ordnance, but limited to the authorization in the particular paragraph in which it appears.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado on behalf of the committee.

The amendment was agreed to.

Mr. ADAMS. I offer another amendment on behalf of the committee.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 6, after line 22, it is proposed to insert the following:

Naval accounting fund: For the establishment of a naval accounting fund under the Bureau of Supplies and Accounts, and here-

after expenditures may be made from the naval accounting fund for material (other than material for stock), and for personal and contractual services under such regulations as the Secretary of the Navy may prescribe, $10,000,000: *Provided*, That no expenditure shall be incurred under the naval accounting fund which is not properly chargeable to available funds under a naval appropriation, and the naval accounting fund shall be promptly reimbursed from the appropriate naval appropriation for all expenditures made therefrom, the amounts charged to each appropriation on account of such reimbursements to be certified to the Comptroller General of the United States by the Paymaster General of the Navy for the issue of transfer and counterwarrants: *Provided further*, That the Paymaster General of the Navy is authorized to transfer to the naval accounting fund any existing obligations under the naval supply account fund which do not represent the acquisition of materials for stock: *Provided further*, That the naval supply account fund shall be hereafter designated as the naval supply fund.

The amendment was agreed to.

Mr. ADAMS. I have another amendment to offer on behalf of the committee.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 36, after line 25, it is proposed to insert the following:

FEDERAL SECURITY AGENCY

Civilian Conservation Corps: The twelfth paragraph under the caption "Civilian Conservation Corps" in the Federal Security Appropriation Act, 1942, is hereby amended to read as follows:

"In the expenditure of funds appropriated herein under the heading 'Civilian Conservation Corps', the over-all expenditure per enrollee per year shall not exceed $1,000: *Provided*, That such limit of $1,000 may be exceeded if the average enrollee strength is below 210,000 enrollees, but in such event the total expenditures from such appropriation shall not exceed $200,000,000."

The amendment was agreed to.

Mr. ADAMS. I offer another amendment on behalf of the committee.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 36, after line 25, it is proposed to insert the following:

FEDERAL WORKS AGENCY

Public Buildings Administration: Authority is hereby conferred upon the Administrator of Federal Works Agency to proceed, upon a cost-plus-a-fixed-fee basis, with the construction of Federal Office Building No. 3, the construction of which was authorized by the appropriation "Sites and buildings, Federal office buildings (Nos 2 and 3)" contained in the First Supplemental Civil Functions Appropriation Act, 1941; and said appropriation is hereby increased to the extent of $900,000 by the transfer of said sum from the appropriation "Public Buildings Administration, construction of temporary office buildings," contained in the Fifth Supplemental National Defense Appropriation Act, 1941.

Mr. McNARY. Mr. President, may I ask the distinguished Senator a question in regard to this amendment?

Mr. ADAMS. Certainly.

Mr. McNARY. I assume it is a committee amendment.

Mr. ADAMS. It is.

Mr. McNARY. Is it for a new project, a new public work, or for the completion of an old one?

Mr. ADAMS. It is to provide for additional money to complete a project under way which could not be completed under the original program because of increase in cost.

Mr. McNARY. It does not contemplate new construction or a new project?

Mr. ADAMS. It does not.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado on behalf of the committee.

The amendment was agreed to.

Mr. ADAMS. I have another amendment dealing with the school situation in the District of Columbia.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 37, after line 4, it is proposed to insert the following:

DISTRICT OF COLUMBIA

PUBLIC SCHOOLS

Buildings and grounds: The Commissioners of the District of Columbia are authorized to enter into contract or contracts for the construction of a new extensible senior high-school building to be located at Twenty-fourth Street and Benning Road NE., at a total cost not to exceed the limit of cost fixed for such project by the District of Columbia Appropriation Act, 1942.

Mr. ADAMS. Mr. President, I understand that the amendment does not involve additional money. I am submitting it following an explanation by the senior Senator from Louisiana [Mr. OVERTON]. The amendment is designed to ease up the situation in reference to schools in the eastern section of Washington, where some difficulty has arisen in connection with the construction of a school building. This amendment would give power to make a contract to expend not beyond the authorized sum of money.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado on behalf of the committee.

The amendment was agreed to.

Mr. ADAMS. I have another amendment in reference to providing Congress with information as to contracts.

The PRESIDING OFFICER. The amendment offered by the Senator from Colorado, on behalf of the committee, will be stated.

The LEGISLATIVE CLERK. On page 42, after line 11, it is proposed to insert a new section, reading as follows:

SEC. 2. It shall be the duty of the Secretary of War and the Secretary of the Navy, respectively, to file with the Congress prior to the end of each fiscal year a full and complete list of all contracts in excess of $10,000 in value, including contracts for the purchase of land, which may be undertaken for the expenditure of the funds appropriated by this or any other act, together with a summary of the subject matter of such contracts, the names of the contractors and of the persons who negotiated any such contract either on behalf of the Government or of the contractor, and, if any such contract was awarded without competitive bidding, a statement of the reasons for the selection of the contractor.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado on behalf of the committee.

The amendment was agreed to.

Mr. ADAMS. Mr. President, I have an additional amendment which I am submitting at the request of the House of Representatives.

The PRESIDING OFFICER. The amendment offered by the Senator from Colorado on behalf of the committee will be stated.

The LEGISLATIVE CLERK. On page 36, after line 7, it is proposed to insert:

For payment to the widow of Albert G. Rutherford, late a Representative from the State of Pennsylvania, $10,000, to be disbursed by the Sergeant at Arms of the House.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado on behalf of the committee.

The amendment was agreed to.

Mr. ADAMS. Mr. President, I wish to submit an additional amendment which provides an authorization for the President to use not to exceed $4,000,000 of the funds now in his hands for unvouchered expenditures, and to submit for the RECORD a memorandum in explanation thereof, because it was not in the hearings before our committee.

The PRESIDING OFFICER. The amendment offered by the Senator from Colorado will be stated.

The LEGISLATIVE CLERK. On page 36, after line 7, it is proposed to insert the following:

EMERGENCY FUND FOR THE PRESIDENT

Emergency fund for the President: The appropriation entitled "Emergency Fund for the President," contained in the Independent Offices Appropriation Act, 1942, is hereby amended by adding the following: ": *Provided further*, That, when deemed proper, the President may authorize, in amount stipulated by him, but not exceeding in the aggregate $4,000,000, unvouchered expenditures, and report the gross sums so authorized not itemized."

Mr. McNARY. Mr. President, I do not understand the meaning of that amendment. Was it submitted to the committee?

Mr. ADAMS. It was not. It came in this morning from the Budget Bureau, with the approval of that Bureau. It is an authorization; and I submit the explanation which accompanied it, namely, that the President may have, out of the money now available to him, the opportunity to expend not to exceed $4,000,000 for confidential purposes, for which he should not be required to render vouchers.

Mr. McNARY. Is this carrying out the existing law, or is it an attempt to modify the existing statutes on an appropriation bill?

Mr. ADAMS. I can only say to the Senator that I think the matter is quite clear. It is a modification. It is an extension of the authority of the President to do that. I am submitting it on my own responsibility.

Mr. McNARY. I think it probably runs into collision with the rules of the Senate; but, personally, I am willing to waive that if the amendment contemplates a policy which ought to be followed, and which has the approval of the committee.

Mr. ADAMS. I will say to the Senator that the amendment was not submitted

to the committee. We have done this before, so far as the committee policy and the policy of the Senate are concerned. We have appropriated and put into the hands of the President some $200,000,000 for defense purposes, with the very widest latitude on his part, and we have put into the hands of the Chief of Staff $25,000,000. I have the feeling that it would not make very much difference what limitations we put on or took off; that if we were confident that the moneys were being expended in the national interest, we would not raise the question. That is, there necessarily come to the Executive some things which ought not to go on our records. I will say to the Senator that I do not like those things, but I do not know the answer to the situation. I imagine that the Senator from Oregon feels a good deal the same way.

Mr. McNARY. I think my state of mind is about the same as that of the able Senator from Colorado. I shall interpose no objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. ADAMS. Mr. President, I ask permission that I may insert in my remarks two or three brief quotations on the subject of this amendment which I did not take the time of the Senate to read, but which will somewhat complete what I had to say.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

MEMORANDUM RE PROPOSED AMENDMENT TO THE APPROPRIATION UNDER THE TITLE "EMERGENCY FUND FOR THE PRESIDENT"

There has been submitted the following proviso to be added to the Emergency Fund for the President contained in the Independent Offices Appropriation Act of 1942:

"*Provided further*, That, when deemed proper, the President may authorize, in amount stipulated by him, but not exceeding in the aggregate $4,000,000, unvouchered expenditures, and report the gross sums so authorized not itemized."

This proviso is quite similar to the authority that now exists in the National Defense Act of 1916 applicable to any appropriations made for the Council of National Defense or its subordinate bodies. During the past year this authority was available for use by the President in connection with funds appropriated to the Council, and during the present year is available for activities under the Office for Emergency Management whose expenses are payable from the appropriation made to that Office. Several Federal agencies engaged in investigative and intelligence activities also have language in their appropriations which permits them to expend money for confidential purposes and to account for it on the certificate of the head of the office. In order to provide for confidential investigations of this character to meet emergencies affecting our national security and defense, it would seem appropriate that the President should be given authority to direct the expenditure of funds allocated by him in a like manner.

It is, of course, difficult to foresee what emergent situations may have to be met from the President's fund, but there will doubtless be occasions when the disclosure of all details surrounding the expenditure of the President's emergency fund would not be in the best interest of our national security. To meet an emergency it might be necessary to supplement funds available to the various investigative activities of the Government whose appropriated funds are expended under authority similar to that requested here. It would create an anomalous situation if the details of expenditure under appropriated funds could be kept confidential while those from funds allocated to meet emergencies could not.

Mr. BARKLEY. Mr. President, I send to the desk an amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Kentucky will be stated.

The LEGISLATIVE CLERK. At the bottom of page 36 it is proposed to insert:

BOARD OF INVESTIGATION AND RESEARCH—TRANSPORTATION

Board of Investigation and Research: For all necessary expenses to enable the Board of Investigation and Research to perform the duties authorized under part 1 of title III of the Transportation Act of 1940, including personal services in the District of Columbia and elsewhere, traveling expenses, printing and binding, fiscal year 1942, to be immediately available, $100,000.

Mr. BARKLEY. Mr. President, that is in accordance with an estimate sent to the Congress by the Bureau of the Budget and by the President——

Mr. ADAMS. It is pursuant to a statute.

Mr. BARKLEY. And pursuant to a statute enacted in 1940, creating this Board.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky.

The amendment was agreed to.

Mr. BARKLEY. Mr. President, I ask unanimous consent to have printed in the RECORD, in connection with my remarks, the letter of the President and the letter of the Director of the Budget recommending the appropriation of this sum.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

THE WHITE HOUSE,
Washington, June 3, 1941.

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: I have the honor to transmit herewith, for the consideration of Congress, an estimate of appropriation for the Board of Investigation and Research—Transportation, provided by part 1, title III of the Transportation Act of 1940, in the amount of $100,000 for the fiscal year 1942, to be immediately available.

The details of this estimate, the necessity therefor, and the reasons for its transmission at this time are set forth in the letter of the Director of the Bureau of the Budget, transmitted herewith, with whose comments and observations thereon I concur.

Respectfully,

FRANKLIN D. ROOSEVELT.

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., June 2, 1941.

The PRESIDENT,
The White House.

SIR: I have the honor to submit herewith for your consideration an estimate of appropriation for the Board of Investigation and Research—Transportation, in the amount of $100,000 for the fiscal year 1942, to be immediately available, as follows:

"BOARD OF INVESTIGATION AND RESEARCH—TRANSPORTATION

"Board of Investigation and Research: For all necessary expenses to enable the Board of Investigation and Research to perform the duties authorized under part 1 of title III of the Transportation Act of 1940, including personal services in the District of Columbia and elsewhere, traveling expenses, printing and binding, fiscal year 1942, to be immediately available, $100,000."

On March 19, 1941, the President transmitted to the Speaker of the House of Representatives an estimate of $50,000 for the Board of Investigation and Research for the fiscal year 1941. Because of anticipated delays in the organization of the Board, the Congress decided not to take any action on this estimate. It now appears that the Board will soon be established and that funds should be provided for its operation. The amount requested herein is somewhat larger than the original estimate submitted for the fiscal year 1941, which estimate was only for part-year operations. Until such time as the Board meets and reviews its problems, the exact staff which it will need to undertake the duties imposed upon it by the act of 1940 cannot be determined. It is believed, however that to the extent possible the Board will utilize material obtained from the Department of Commerce, the Interstate Commerce Commission, the United States Maritime Commission, and other agencies of the Government interested in transportation matters. Therefore, the $100,000 which is requested at this time should be sufficient to enable the Board to start the task which it has been directed to undertake by the Congress. At a later date it may become necessary to request additional funds for the Board.

This estimate is required to meet a contingency which has arisen since the transmission of the Budget for the fiscal year 1942, and its approval is recommended.

Very respectfully,

HAROLD D. SMITH,
Director of the Bureau of the Budget.

Mr. McCARRAN. Mr. President, is the bill still open to amendment?

The PRESIDING OFFICER. It is.

Mr. McCARRAN. I desire to offer an amendment.

On page 41, line 17, after the word "construction", I move to insert the words "in the District of Columbia"; and in line 18, after the word "Department", I move to strike out all language to and including the word "Virginia" in line 21, so that, if amended, the provision will read:

For the construction in the District of Columbia * * * of an office building—

And so forth.

Mr. President, I realize that on this matter the cards are pretty well stacked for the construction of a $36,000,000 building outside the District of Columbia. Nevertheless, there are reasons why this building should be constructed within the District of Columbia; and I propose to state the reasons, and let the Senate vote on the matter.

The Constitution provided that a piece of land selected by the Congress and ceded by the respective States should be the permanent seat of the Government of the United States. Pursuant to that provision, the States of Virginia and Maryland ceded what we now call the District of Columbia.

In 1846 the State of Virginia saw fit to request that the portion which the State of Virginia theretofore had ceded to the

Federal Government, and which had been accepted by the Federal Government and declared to be the District of Columbia and the seat of government, should be re-ceded. Congress, following the request of the State of Virginia, passed in 1846 an act re-ceding to Virginia the portion of the District of Columbia lying south of the Potomac River. Whether Congress had a right to do what it did is, to my mind, a grave question.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield to the Senator from Tennessee.

Mr. McKELLAR. I desire to read to the Senator from the Constitution.

Among the powers granted to Congress is the following:

To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding 10 miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings.

I will say to the Senator that, in my judgment, under that provision of the Constitution, the Congress of the United States, after having accepted the 10-mile-square territory, had no power whatever to cede back or attempt to cede back to the State of Virginia any part of such territory; and, in my judgment, if the question were raised, it would be so held by the courts. In other words, I think the action was nugatory. Of course, if the Congress had the right to cede that territory back to Virginia, a succeeding Congress would have the right to cede back to Maryland all the land on this side of the river, and we would have no Capital. We would need no 10 miles square. We would have to give the land back or select another site.

It never was so intended. It was an unconstitutional act, and, in my judgment, the territory originally included in the District of Columbia on the other side of the river is just as much the territory of the United States today as it ever was. For that reason I do not think the Senator can claim that the building proposed to be erected on the other side of the river is not within the District of Columbia.

Mr. McCARRAN. Mr. President, if the able Senator from Tennessee will convince the people of Arlington County that they have not the vote over there, and have no right to vote, and have not had a right to vote ever since they ceded that portion of Arlington County to the Federal Government, I think he will have no trouble from that point on, but up to that point he will have plenty of trouble.

Let me say that the question whether Congress had the right to retrocede territory which was ceded by Virginia is, in my judgment, a question which presents a very pretty subject for debate. I do not know where the question should be decided. I doubt very much if Congress would recapture the land and bring it back into the District, and I doubt very much whether we would send the Army or the Navy over there to bring a part of the State represented by our good friend the senior Senator from Virginia [Mr. GLASS] into the District and take his constituents away from him. I doubt if we would do that. Nevertheless, there is a question as to whether we as a Congress in 1846 had the right to give up land which we had chosen to be used in connection with the seat of the Federal Government.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. HAYDEN. I wish to read from the Constitution a little more than the Senator from Tennessee read, as follows:

And to exercise like authority over all places purchased by the consent of the legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dockyards, and other needful buildings.

This is a needful building. I have before me, and I shall put into the RECORD, at the conclusion of the Senator's remarks, a statement I received from the War Department reciting the history of the Arlington estate, how it came into the possession of Gen. Robert E. Lee, how it was taken over during the Civil War, and how subsequently the seizure was not approved by the Supreme Court, how the heirs were paid $150,000 for the entire area upon condition that the State of Virginia would pass an act granting the jurisdiction required under the Constitution, and the act was so passed by the State of Virginia. So it is my contention in respect to the authority the Federal Government has in the District of Columbia over any land within the District, that under the constitutional provision I have just read it has like authority over this land in Virginia.

Mr. McCARRAN. Do I understand the Senator to contend that the jurisdiction of the District of Columbia extends into Arlington County?

Mr. HAYDEN. No; but I contend with respect to any power or authority which the United States has over the District of Columbia that under the Constitution it has like authority over this land which is outside of the District. So we need not worry about any conflict with the jurisdiction of the State of Virginia, because by special act mentioning the Arlington estate, Virginia waived any authority it had.

Mr. McCARRAN. Mr. President, I wish the Senator could be only partially right. Let me state now, as a matter of example, what is going on. We spent some sixteen or eighteen million dollars for the construction of one of the finest airports in the world, known as the Washington Airport, just across the river. The line of demarcation between the State of Virginia and the District of Columbia passes through the center of the administration building of the airport. The State of Virginia has served notice on all those who have concessions at the airport that they must take out licenses and pay taxes to the State of Virginia. The District of Columbia, through its Commissioners and its corporation counsel, has served notice on all who have concessions there, all who do business there, including the air lines, that they must pay taxes, and take out licenses, and pay the license fees to the District of Columbia.

Mr. HAYDEN. The Virginia Legislature passed no act ceding jurisdiction to the airport. But the act to which I referred is a special act of the State of Virginia, which states that—

Whereas, Robert T. Lincoln, Secretary of War, has made application to this General Assembly for its consent to the purchase by the authorities of the United States of a tract of land, described as follows:

All that certain tract or body of land, situate in Alexandria County (formerly Fairfax County), in the State of Virginia commonly known as the Arlington House Estate. * * *

That makes it a special act of the legislature, which, of course, was not passed for the airport, and therefore Virginia can claim jurisdiction there. But Virginia ceded the Arlington farm.

Mr. McCARRAN. Again I wish to state that the mere ceding of the Arlington farm is just the same as though the land had been purchased outright by the Government of the United States, which it was. In other words, the heirs were given $150,000 for their rights in the Lee Estate. But that does not take away the jurisdiction of the State of Virginia over the public life of that territory. The State of Virginia still exercises the right to tax, the right to license——

Mr. HAYDEN. No. The special act passed in this case states that no taxes shall be levied.

Mr. McCARRAN. As regards the land, certainly not; but there was no waiving of license rights, police powers, or any other power, exercised by a sovereign State.

Mr. HAYDEN. The special act states:

That said tract of land and the buildings now or that may hereafter be erected thereon * * * are hereby exempted from all taxes imposed by this State or by the constituted authorities of Alexandria County.

Mr. McCARRAN. Let me ask the Senator a practical question: Suppose a concession were given to some private individuals to conduct a cafeteria in the new War Department Building, would it be subject to license in the State of Virginia?

Mr. HAYDEN. I do not believe it would.

Mr. McCARRAN. Certainly it would. It absolutely would. There can be no question about that.

Mr. McKELLAR. Mr. President, will the Senator yield to me for a moment?

Mr. McCARRAN. I yield.

Mr. McKELLAR. The imposition of conflicting taxes would result, of course, in a lawsuit. Neither side will give in and there will be a lawsuit. Then the question of whether this particular land constitutes a cession by the United States of a part of the District of Columbia will be brought into question and the whole matter will be settled. We had better let it go on and be settled in that way. Let the courts determine the question.

Mr. McCARRAN. I will make my statement. How it will be determined is one thing, but that the Senate will know what it is going to do today by voting a $35,000,000 building in another State is another thing. A tract which

was later the District of Columbia was by constitutional provision declared to be the seat of government of the United States. Certainly the building in which the War Department is to be housed is as much an essential part of the Government of the United States as any other building which is under the sovereignty of the United States. If it belongs anywhere, it belongs in the District of Columbia. Let me illustrate. Suppose we located the War Department Building in the State of Virginia; is there any reason why the Navy Building should not be located in the State of Maryland? Then if we located the Navy Building in the State of Maryland, is there any reason why the Department of Agriculture Building should not be located in the State of Iowa? That is the State where the tall corn grows, and the people there need tall buildings so they can see over the cornstalks. [Laughter.] If we locate the Department of Agriculture Building in the State of Iowa, is there any reason why we should not locate the Department of the Interior Building in the State of Nevada? The people of that State would take it with its present boss, if you please—would be glad to have him and the building, and we would furnish plenty of territory for them to live in and be happy.

Mr. SCHWARTZ. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. SCHWARTZ. We have already sent the H. O. L. C. to New York City. We have sent the organization administering the Taylor Grazing Act to Salt Lake City. We have most of the Reclamation Service in Denver. The Interstate Commerce Commission has recently been circularized to vote on whether they were in favor of transferring that organization to Chicago. In a little while Government departments will be so scattered over the United States that no one in one department can find anyone in another department.

Mr. McCARRAN. Mr. President, I was going to say we could send the Department of Labor to California. The result of all that would be to scatter Government agencies generally over the United States. The action proposed is one step which, if the Congress wishes to take it, it should do with its eyes open. By this step it is proposed to erect the War Department building in the State of Virginia, outside the jurisdiction of the District of Columbia. I do not have a thing against the State of Virginia. I have great love for its representatives in this body. I would do almost anything within reason for either of them. They have never asked for anything more. But it does seem to me that the Government of the United States should have its seat in the District of Columbia, and certainly there is ample room in the District of Columbia for a building of this size. I am told that it will require about 36 acres to accommodate this building, which is proposed to be built three stories high. There is ample room in the District of Columbia on the Maryland side of the river for such a building.

Many years ago, before the Government came here, Congress enacted a statute creating a commission to provide buildings for the seat of the Government, the Capitol, and other buildings, where governmental functions would be carried on.

In that statute, which is the law today, a specific declaration was made that those buildings should be on the Maryland side of the river. At that time the District of Columbia had full control, as a part of its territory, over the land that had been ceded by the State of Virginia to be a part of the District of Columbia. The statute specifically says that the buildings must be on the Maryland side of the river, the idea being, I suppose, to keep the seat of government as compact as possible, and on one side of the river, and not scattered over the territory.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. BARKLEY. I have a good deal of sympathy for the attitude of the Senator from Nevada. However, one or two practical questions occur to me in regard to this matter, about which I should like to inquire of the Senator.

Of course, we have a Fine Arts Commission, and a National Capital Park and Planning Commission, to try to beautify the city of Washington according to the plan adopted a long time ago under the supervision of L'Enfant. In several instances the original plan has not been carried out, and the city of Washington has not been particularly beautified.

I have always regarded the present Munitions Building and the Navy Building on Constitution Avenue as eyesores. During the World War, when there was plenty of vacant land in the city of Washington, the authorities selected sites in front of the Lincoln Memorial and Washington Monument and erected what were supposed to be temporary buildings. They are built of steel and concrete. They were built purely as a war convenience, and everybody supposed that they would be removed. One almost has to get in the front door of the Lincoln Memorial now to see it. In order to hide the buildings from the view of those who wanted to go to the Lincoln Memorial and the Washington Monument a row of tall trees was planted behind those buildings. I do not know whether that project met with the approval of the Fine Arts Commission, but if it did it certainly constitutes a demerit on its judgment in matters of that sort.

Mr McCARRAN. My understanding is that those were only temporary buildings.

Mr. BARKLEY. They were regarded as temporary buildings; they were built 25 years ago, and they are still there. An addition has been made to one of them within the past 6 months.

On Virginia Avenue has been built what is called the War Department Building, a new building. I am not certain whether it is yet occupied.

Mr. McCARRAN. It is occupied.

Mr. BARKLEY. It may have been occupied recently. The old post-office building on Pennsylvania Avenue is the ugliest and most hideous building in Washington. No one can go down there now and tell whether it is faced with concrete, stone, or a composition of some sort. Above the main entrance are figures of some sort which would be more suitable in a carnival. I do not know whether that building was passed on by the Fine Arts Commission; but if it was, in my estimation it constitutes a second demerit on its judgment.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. McKELLAR. Before the Senator leaves that subject I desire to call his attention to a third demerit.

I came to the House of Representatives in 1911. One of the first contests that arose in the House of Representatives after I become a Member was over a decision of the Fine Arts Commission of the city of Washington to remove the Andrew Jackson statue from LaFayette Square. By a unanimous vote the Congress rejected the proposal of the Fine Arts Commission. That is the third demerit. The Fine Arts Commission wanted to move the statue of Andrew Jackson from LaFayette Square, and the Congress unanimously refused it permission to do so.

Mr. BARKLEY. I recall the circumstances.

Mr. President, we are all proud of Washington. We want it to be a beautiful city, and we want every American who comes here to be proud of it. I wish every American could come to Washington sooner or later, because every American who comes here and sees Washington as the Capital of the Nation goes away with the feeling that the city of Washington belongs to all the people. We want the people to be proud of it.

Yet I dare say there is not in America a city of 20,000 people which does not now possess more beautiful school buildings than does the city of Washington. If one does not believe that statement, I can take him over the city and point out scholastic monstrosities which I presume have been approved by the Fine Arts Commission. One of them is in the neighborhood where I live. I have no children in that school, but I am speaking purely from the standpoint of the physical beauty of the Capital of the Nation.

Mr. McCARRAN. The Senator does not contend that the proposed building would be any more beautiful in Virginia than it would be in the District of Columbia?

Mr. BARKLEY. No; I certainly do not make any such contention. I am using these illustrations to buttress my feeling, which is not unchangeable. My feeling is that the Fine Arts Commission has not always approved the type of architecture in Washington which beautifies the Capital of the Nation.

I do not know whether that part of the original District of Columbia which was ceded to Virginia has been legally receded. There may be some question about that. The Constitution provides for a district not to exceed 10 miles square. Under that provision I presume the Congress could originally have accepted only that part of the District of Columbia which is on this side of the Potomac River, but it did accept that part on the other side, the whole area constituting a 10-mile square, making

100 square miles in the District of Columbia.

The other day I telephoned to a very high Army officer, for whose judgment I have great respect, about a matter which did not involve this question, but during the conversation he mentioned the proposed building, which he favored. I told him that I had a prejudice against erecting buildings outside the District of Columbia to house the departments of Government. It is rather a congenital prejudice. He went on to say that the War Department officials had canvassed every possible location within the District of Columbia and surveyed all of them, and that although they could find territory in the District large enough to accommodate the building they could not find a location which would provide parking facilities necessary for the employees who would be housed in the building.

That is the point I was coming to. It took me a long time to get to it. I wanted to take advantage of the opportunity to express my disapproval of some of the public buildings in Washington which presumably have been approved by the Fine Arts Commission. What has the Senator to say about the contention that although we might find somewhere on this side of the river enough acreage for a 36-acre building 3 stories high to house about 40,000 employees, we could not find conveniently near it enough parking space to accommodate the employees who have automobiles?

Mr. McCARRAN. It is my conviction, based on what I have heard, but not on what I regard as facts—nevertheless, on what I believe—that there is ample space in the District of Columbia to furnish both space for the building and parking space as well.

My thought in that regard is that this whole matter is really a legislative one. In my judgment, it should have been submitted to the proper committee of the Senate, namely, the Committee on Public Buildings and Grounds, for that committee to make a study and survey. If, after the committee had made such a study, it had come to the conclusion that there is not enough space in the District to accommodate the building together with its attendant necessities, the Senate might have had a full view of the whole subject. But the matter was submitted to the Appropriations Committee, and the Appropriations Committee has sought to legislate.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. BARKLEY. I agree with the proposition that there ought to be a new War Department building.

Mr. McCARRAN. That is correct.

Mr. BARKLEY. I have long entertained that view. Years ago the old State, War, and Navy Building on Pennsylvania Avenue was outgrown not only by the State, War, and Navy Departments, but by any one of them separately. The War Department activities of today are scattered among 17 buildings in the District of Columbia.

Mr. McCARRAN. That is correct.

Mr. BARKLEY. Anyone who wants to do business with the War Department or to confer with officials of that Department—and that includes us, of course, which is unimportant, but still an item—must go around to 17 different places, or find out which of the 17 places houses the particular activity in which he is interested.

Mr. McCARRAN. When one finds the proper place today, and goes back tomorrow to see the same officer, he finds him in some other building.

Mr. BARKLEY. He will have been moved. Or if one goes to one of the 17 buildings which someone tells him is the right place, often it is not the right place at all, and he must go somewhere else. I believe that if possible all the activities of a department ought to be conducted under one roof and in one place.

Mr. McCARRAN. Let me ask the Senator if, in his judgment, with his knowledge of congressional affairs and of the District of Columbia, this matter is not really a legislative matter? We propose to legislate to put up a great building outside the seat of the Government of the United States. Should not the whole matter be submitted to the Committee on Public Buildings and Grounds, with instructions to the committee to make a study and survey?

Mr. BARKLEY. There is a good deal of force in that suggestion; and if I had been passing on the matter originally I should have pursued that course. But we are confronted with the problem of determining what we shall do about the particular provision in the bill before us. The question is whether to strike it out and not have a new building at all or to approve it. As I understand, the Committee on Appropriations has made no change in the House language in connection with this item.

Mr. McCARRAN. That is correct.

Mr. BARKLEY. No amendment has been reported by the committee. So the item for the $35,000,000 building across the river is in the bill just as it passed the House.

Mr. McCARRAN. Would the Senator support an amendment in place of mine which would in substance—and I am saying this rather hurriedly—submit the matter to the Committee on Public Buildings and Grounds, with the view to placing the building on a site either in Arlington County, Virginia, or in the District of Columbia, as the Committee on Public Buildings and Grounds may designate, or something to that effect?

Mr. BARKLEY. That might depend on the question of urgency, whether the urgency might be such that we could waive the ordinary procedure in a matter of this sort, and also whether there would be unnecessary and harmful delay by having the matter gone into ab initio by the Committee on Public Buildings and Grounds.

Mr. McCARRAN. The Senator from Kentucky will realize that the building will be a permanent one, costing $35,000,000.

Mr. BARKLEY. All of us realize that. I should regret exceedingly to see any structure erected between the Memorial Bridge and the entrance to Arlington Cemetery or the Arlington estate that would mar the view as we drive over into Virginia to the home of Lee. It is possible that there is enough land somewhere in this vicinity on which to erect a building of that sort without taking the chance of ruining the beauty of the landscape.

It is said that the building would be only three stories high. That may be. Certainly it would not be ornamental. I presume it would not be an ornamental building of the character we should like to see erected in the District of Columbia. It would be a permanent building. I do not know whether it would be constructed of concrete and steel, stone, or other material. But I cannot divest myself of the feeling that in building up the Capital of the Nation we should have some idea of and some respect for beauty and symmetry as well as utility.

That is a thing upon which I am not qualified to pass, although I have criticized two or three different types of buildings in the District which I do not think comport with the dignity, importance, and beauty of the Capital of the Nation.

Mr. GLASS rose.

Mr. MALONEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Connecticut?

Mr. McCARRAN. I yield to the Senator from Connecticut.

Mr. MALONEY. I wonder if the chairman of the Committee on the District of Columbia can tell me how far advanced are the plans for the proposed new War Department Building?

Mr. McCARRAN. I do not have the slightest idea. The matter has never been submitted to the District of Columbia Committee. Nothing has been said about it except what may have been said in the subcommittee of the Committee on Appropriations.

Mr. ADAMS. I can answer the Senator's question. The plans are ready, and if the Congress should pass the appropriation bill today the work would start tomorrow.

Mr. MALONEY. I wonder if it has not started today. I am not intending to be facetious. I heard today that the Army engineers have already started work on that site.

Mr. ADAMS. I think that statement is a little overdrawn. I know that the Army is very expeditious. I can readily understand how that idea might arise. Recently I took occasion to visit the site. There is a road project nearby which has no connection with the War Department building and is independent of it. For some time stakes have been set out for a roadway, and anyone seeing them might conclude that they are building stakes. But, as I understand, the road project is not in any way connected with the proposed War Department building.

Mr. MALONEY. I thank the Senator from Colorado. I wonder if the Senator from Nevada will yield to me so that I may ask further questions in regard to the matter?

Mr. McCARRAN. Yes, indeed; I shall be glad to yield to the Senator from Connecticut. However, the Senator from Virginia desired that I yield to him, and I apologize for not doing so. Will the Senator from Connecticut allow me to yield first to the Senator from Virginia?

Mr. MALONEY. Of course.

Mr. GLASS. Mr. President, the evidence before the subcommittee and before the full committee was to the effect that the building is urgently needed immediately; that if any other site were selected there would be long delay; and that if this site is selected the plans are already drawn, and the Department could go to work on the building in less than a week.

This is not a new matter. Why was the site in Virginia selected for the building? It was because the War Department, through its architects and through its general officers, tried to obtain a suitable site in the District of Columbia, but could not obtain one, and so reported to the committee; and the Congress itself authorized construction of the building in or near the District of Columbia. The subcommittee, after hearing all the testimony, unanimously agreed upon the site selected by the War Department, and the full committee voted by an overwhelming vote to select the site proposed by the War Department.

I desire to say that the Senator from Virginia had nothing in the world to do with the selection of the site until all the evidence had been taken. General Somervell and other officials of the War Department stated that the War Department is now housed in 17 different buildings in the District, and that if this building site is selected it will be housed in one building.

Not only is that true, but a large building being constructed under the auspices of the War Department will then be turned over to the Navy Department for occupation by it. The Navy Department also favors this site.

That is all I have to say about the matter.

Mr. BARKLEY. Mr. President, will the Senator yield to me so that I may ask the Senator from Virginia a question?

Mr. McCARRAN. I yield.

Mr. BARKLEY. Of course the Senator from Virginia is interested, as all of us are, in preserving the beauty of the Arlington entrance across the river. In Arlington County there is a good deal of vacant land between the far side of the Memorial Bridge and the old airport which now has been abandoned in favor of the new airport. I do not know exactly where the building is to be located. Can the Senator from Virginia tell us just how far the proposed site is from the road which goes from the Virginia side of the Memorial Bridge straight on to Arlington?

Mr. GLASS. We had a map before the subcommittee and before the full committee, and General Somervell pointed out that the building would not detract in the slightest degree from the beauty of that section.

Mr. BARKLEY. Can the Senator tell us whether the building is to be of a rather rough and austere design, somewhat like the Munitions Building and the Navy Building on Constitution Avenue, or will it be at least to some degree ornamental?

Mr. GLASS. We were told that it will be highly ornamental, and altogether a beautiful building.

Mr. McKELLAR. With beautiful grounds.

Mr. GLASS. With beautiful grounds.

Mr. McKELLAR. In my judgment, it will add very much to the beauty of Arlington.

Mr. THOMAS of Oklahoma. Mr. President, will the Senator yield?

Mr. McCARRAN. I do not think the Senator from Connecticut [Mr. MALONEY] has concluded.

Mr. MALONEY. I will take the floor in my own time, when the Senator from Nevada shall have concluded.

Mr. McCARRAN. Very well. I yield to the Senator from Oklahoma.

Mr. THOMAS of Oklahoma. At this point I think the statement should be made that the testimony before the committee shows that in order to make the building usable as soon as possible the structure in the rough will be constructed and the inside made habitable, but the brick or stone or marble forming the veneer or facing of the building may not be put on immediately. The plans call for a complete and finished building. If the building is constructed of steel and reenforced concrete it is hoped to enclose the structure and have it in use as early as possible. Then the outside trim or veneer for the walls—whether it be brick or of whatever material it may be composed—will be put on later.

Mr. BARKLEY. Let me ask the Senator whether the $35,000,000 carried in the bill contemplates the total cost, including the surfacing of the building on the outside, whatever the material may be?

Mr. THOMAS of Oklahoma. It is my understanding that the figure covers the completed building.

Mr. BARKLEY. So in order to rush the competion of the inside, so that the building may be used immediately, the builders will concentrate on the inside and then more leisurely surface it with whatever is to be put on the outside?

Mr. THOMAS of Oklahoma. That is the plan suggested by the testimony given to the committee.

Mr. McCARRAN. Going back to the subject, I have absolutely no personal feeling whatever in the matter. My reason for expressing myself as I do is simply in order that I may bring to the attention of the Senate the possibility that we may be taking one step which ultimately will lead to another one, so that finally we shall have the buildings housing the Federal Government scattered all over the country. As I have previously stated, if the State of Virginia is to have this building, the State of Maryland will claim the right to have the Navy Building, some other State will claim the right to have the Internal Revenue Building, and so on, until the idea of a seat of government will have been lost sight of. In my opinion a policy leading to such a result is not the policy which the Congress should pursue.

Mr. MURDOCK. Mr. President, will the Senator yield to me?

Mr. McCARRAN. I ask the Senator from Utah to allow me to proceed for a moment, and then I will yield.

In my judgment the entire territory of the District of Columbia was intended for the seat of the Federal Government; and if there are in the District of Columbia privately owned buildings which do not belong to the seat of government they should give way to buildings belonging to the seat of government.

Today in certain sections of Washington the Government could clean out sufficient slums and alleys to accommodate all the buildings needed, and twice as many more, do away with some of the unsightliness in the District of Columbia, erect the War Department building within the District of Columbia, and do it quite cheaply, and, indeed, very economically. In my judgment, it is not in keeping with the spirit of the Federal system to have one building after another erected outside the District of Columbia. Just as soon as we take such action, then, the jurisdiction of the District of Columbia ceases over the buildings and their surroundings, a new jurisdiction is set up over them, and there ensues a conflict with the Federal Government. The very aim and object of the writers of the Constitution and founders of the Government, when they provided that there should be a district, not to exceed 10 miles square, ceded by the States to be the seat of government, was to avoid such conflicts and difficulties as the Government experienced in the early days when, prior to the time when the seat of government was placed in the District of Columbia, it had eight different capitals. The Government had been scattered almost from one end of the country to the other before it finally settled in the District of Columbia, and if we start scattering the seat of government by locating buildings outside the District, pretty soon the Government will have no particular seat whatever. I now yield to the Senator from Utah.

Mr. MURDOCK. Mr. President, I have been very much impressed by what the distinguished Senator from Nevada had said. I was also impressed by what the distinguished majority leader of the Senate said with reference to Americans who come to the Capital.

They come here and visit the Senate Chamber; they visit the House Chamber, the Capitol Building, the Supreme Court, and all the other buildings. They go away with the feeling that "as an American citizen this is mine"; they feel they have a joint ownership in their Nation's Capital. Why? Because the Nation's Capital, the District of Columbia, does not belong to and is not a part of any sovereign State. The Senator's State and my State are largely made up of Federal public lands, but does anyone who visits Utah or Nevada depart with the thought that "this is a part of my land; because I am an American citizen, this is a part of me and belongs to me?" No; they do not go away with such a feeling. Why? Because that public land is a part of a sovereign State, notwith-

standing the fact that it is called public land.

About the only argument that has been made for this proposal is that the War Department is now housed in several buildings and should be housed under one roof; but it is my opinion that if we take this step today, because of the argument of haste, we will rue it and regret it for many years to come.

A great Federal building, such as a post office, is erected in Salt Lake City or Portland, Oreg., or Seattle. A citizen from some other State goes there and looks at that great Federal building, but does he go away with the thought "That is mine; that is a part of the Federal Government"? It is my opinion that he does not. He goes away with the idea that Salt Lake City or Portland or Houston or any other city in which such a building is located has a magnificent Federal building but he does not have the feeling of pride which he entertains when he leaves the Nation's Capital after a visit here.

I fully agree with the Senator from Nevada that one of the purposes of creating a Federal district, the District of Columbia, was to have the seat of government so located that every citizen of the United States, regardless of whence he came or where he was going, or who he might be, could, when he came here, with pride say to himself, "This is a part of me, and I am a part of it."

I think also that we would have this inconsistency: We would have a part of our Government seated in Virginia, surrounded by citizens of Virginia, who possess the right to vote, and who do vote because they are citizens of a sovereign State and have that right while over on this side of the Potomac; we would have the other governmental buildings surrounded by people of the District who have not the right to vote because they are not citizens of a sovereign State; and the cry would be raised, "On the Virginia side surrounding that part of the Government, the people vote, while over on this side we cannot vote." Of course, that is probably a far-fetched argument, but, Mr. President, I hope that, notwithstanding the action of the House of Representatives, this matter will be given further attention. It should, in my opinion, be referred to a legislative committee, and at least authorization provided for a building before the appropriation is made.

I hope that the amendment of the distinguished Senator from Nevada will be adopted.

Mr. McCARRAN. Mr. President, following in part the thought expressed by the able Senator from Utah, let me say that there will immediately be a question as to what taxes shall be paid in Virginia, for if 40,000 employees of the Federal Government are housed in Virginia they are certainly taxable in Virginia, and the State of Virginia will have a right to demand income taxes from the Federal employees in that jurisdiction.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Kentucky?

Mr. McCARRAN. I yield.

Mr. BARKLEY. That would depend upon whether they had their residence in Virginia. Already Government employees who live in Virginia have to pay such taxes as are levied by the State of Virginia on their property, if they own it, and, I suppose, they have to pay other taxes to which residents of the State are subject. So there may be an increase in their number if this building is located there; but the law itself would apply to them just as it does now to residents of the State of Virginia who work in the District of Columbia.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. TAFT. Is the Senator aware of the fact that in New York the State taxes people who work in New York even though their residence is in New Jersey or Connecticut? That would be entirely possible in this particular case in the State of Virginia.

Mr. McCARRAN. That is what will be done.

Mr. BARKLEY. There may be an income tax on that part of their income earned in New York, but certainly the State of New York does not tax property on which they reside in New Jersey.

Mr. TAFT. Oh, no; but the income of those who work there would be earned in Virginia; so that it could be taxed by the State of Virginia, if we permitted the States to tax Federal salaries, as we do today.

Mr. BARKLEY. Of course, I think that, no matter where they live, they are going to be taxed pretty soon.

Mr. McCARRAN. That is apparent, and probably will not make much difference; but let me come back for a moment and repeat the conditions that exist now with reference to the airport. Today we find some of the air lines refusing to fly into the Washington Airport because of the conditions imposed by the State of Virginia. We find others that are now paying their double taxes because of conditions imposed by the State of Virginia, on the one hand, and the District of Columbia, on the other. It is time that we settled this question; it is time that we keep the Federal Government intact and in that place intended for the seat of government. I have no interest in the matter save and except to draw it to the attention of Congress.

Mr. BYRD. Mr. President, does the Senator from Nevada blame the State of Virginia for the situation at the airport?

Mr. McCARRAN. I do not blame the State of Virginia at all. I think conditions as to the airport should have been cleared up before it was located where it now is.

Mr. BYRD. So far as I am aware, no effort was made upon the part of the Federal Government to clear up the question of jurisdiction before the airport was constructed.

Mr. McCARRAN. That is exactly what will prevail with reference to the building into which we are now about to put $36,000,000. That is the reason I wanted it cleared up by legislative action and not have it depend merely on an item in an appropriation bill.

Mr. HAYDEN. Mr. President, I ask to have inserted in the RECORD at this point the matters to which I referred during the remarks of the Senator from Nevada.

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

EXHIBIT A

WAR DEPARTMENT GENERAL STAFF,
WAR DEPARTMENT,
Washington, August 13, 1941.

Hon. CARL HAYDEN,
United States Senate.

DEAR SENATOR HAYDEN: In compliance with your informal request the following is a brief description of how the War Department came into possession of the tract of land known as the Arlington Experimental Farm:

"This reservation is situated on the west bank of the Potomac River, opposite Washington, D. C., and, together with an area between the Georgetown and Alexandria Road and the Potomac River of about 330 acres, jurisdiction as to which is in the Department of Agriculture (act of April 16, 1900, as amended June 3, 1902; 32 Stat. 293), contains according to survey, about 1,046 acres, with metes and bounds as given in G. O. 27, W. D., February 10, 1909. To this was added in 1913, 3.7165 acres for a road between the Potomac Highway Bridge and the reservation, making the total area of the reservation about 1,050 acres. The following statement under 'Title' contains a full description of the title, etc., to the reservation:

"'Title: This tract of land, improved by sundry buildings, etc., the legal title to which, under the will of George W. Parke Custis, who died in 1857, was in Mrs. Mary Ann Randolph Lee, the wife of Gen. Robert E. Lee, for life with remainder over to George Washington Custis Lee in fee conditional, was taken possession of by the United States in the spring of 1861 as within their military lines and the immediate scene of important military operations against an enemy then in arms against the Government, and so continued in possession for such purposes after the course of events had carried military occupation and operations elsewhere, as a defensible position for fortifications to command the Capital. Subsequently, under a certain direct tax act of June 7, 1862 (12 Stat 422), and February 6, 1863 (12 Stat. 640), a tax was assessed against the property, and, in default of payment, the usual sale was had, when the United States, pursuant to authority of law, bid in the property at the tax sale 'for Government use for war, military, charitable, and educational purposes,' and under this title continued in possession until 1883. During this period a considerable part of the property was devoted to a cemetery for deceased soldiers of the United States under the style of the Arlington National Cemetery; another considerable part for the erection of a fort and the works connected therewith, under the name of Fort Whipple, subsequently changed to Fort Myer, and a third and smaller part for the occupation of homeless and destitute freedmen and colored refugees.

"After the close of the war, Mrs. Lee having deceased, the remainderman, George W. P. C. Lee, claiming that the tax sale was defective, brought an action of ejectment in the circuit court for the county of Alexandria, Va., which was removed by a writ of certiorari into the circuit court of the United States, where it was heard and determined in favor of the claimant. From this decision the case was taken to the Supreme Court on writs of error, and the latter Court, at its October term, 1882, affirmed the judgment in favor of Mr. Lee, on the ground that the tax certificate and sale did not divest the plaintiff of his title to the property. (See *U. S.* v. *Lee; Kaufman* v. *Lee*, 16 Otto 196.) Under this new condition of affairs, involving a possible

removal of thousands of bodies from the cemetery, the dismantling of a fort and the dispossession of many colored people whom the United States had permitted to reside on a part of the tract, and in order to secure a complete title to the property the United States, under authority of an act approved March 3, 1883 (22 Stat 584), accepted an offer of Mr. Lee to convey the same with covenant of general warranty against every manner of claim against or in respect of said property, in rem or in personam and also against all and every claim for damages on account of the use or occupation of said property, for the sum of $150,000.

"Accordingly, on the 31st of March 1883, for and in consideration of $125,000 in hand paid ($25,000 being retained until jurisdiction should be ceded by the State of Virginia, with perpetual exemption from taxation), the estate all and singular was conveyed to the United States by deed in fee simple by George W. P. C. Lee for himself, his heirs, and assigns forever (deed recorded in book F4, records Alexandria County, Va., p. 257, May 14, 1883); and on the 25th of March 1884, the General Assembly of the State of Virginia having, by act approved February 23, 1884, ceded its jurisdiction over the said land and exempted the same from taxation, the final payment of $25,000 was made, and the Arlington estate became the property of the United States."

The act of November 29, 1940, Public, No. 885, Seventy-sixth Congress, authorized the Arlington Experimental Farm, as created by the act of Congress approved April 18, 1900 (31 Stat. 135), to be transferred from the Secretary of Agriculture to the control and jurisdiction of the Secretary of War. The act further provided that the transfer would take effect progressively as each area of said farm was turned over by the Secretary of Agriculture to the Secretary of War. At the present time, the entire farm, excepting the small area comprising the Department of Agriculture buildings, has been turned over to the War Department, and it is anticipated that the excepted area will be transferred to War Department control on or about October 15, 1941.

It is hoped that I have given you the information you desire. The above quoted remarks are found on pages 411 and 412 of United States Military Reservations, National Cemeteries, and Military Parks, revised edition, 1916.

Sincerely yours,

E. REYBOLD,
Brigadier General,
Acting Assistant Chief of Staff.

EXHIBIT B

Whereas Robert T. Lincoln, Secretary of War of the United States, has made application to this general assembly for its consent to the purchase by the authorities of the United States of a tract of land, described as follows: All that certain tract or body of land, situate in Alexandria County (formerly in Fairfax County), in the State of Virginia, commonly known as the Arlington House estate, containing eleven hundred acres, be the same ever so much more or less, being the identical tract or body of land which was conveyed by Gerard Alexander and wife, to John Parke Custis, by deed bearing date, December twenty-fifth, A. D. one thousand seven hundred and seventy-eight, and of him the said John Parke Custis, inherited by George W. P. Custis, who devised the same to George W. C. Lee, and by him, the said George W. C. Lee, conveyed to the United States, by deed bearing date the thirty-first day of March, eighteen hundred and eighty-three, recorded in Liber F. number four, folio two hundred and fifty-seven, one of the land records of Alexandria County, Virginia; and whereas, the United States authorities held possession of said real estate, claiming absolute ownership thereof from January eleventh, eighteen hundred and sixty-four, until March thirty-first, eighteen hundred and eighty-three, and used the same as a national cemetery for the burial of deceased soldiers and sailors, and for other public purposes, during which period no taxes, or county or township levies were either demanded or paid thereon, and for which a claim has been recently asserted: therefore,

1. *Be it enacted by the General Assembly of Virginia,* That the consent of this State is hereby given to the purchase of said tract of land by the Government of the United States of America, but this consent is given subject to the following terms and conditions to wit: That this State retains concurrent jurisdiction with the United States over the said tract of land, so that courts magistrates and officers of this State may take such cognizance, execute such process, and discharge such other legal functions within the same as may not be incompatible with the consent hereby given.

2. That said tract of land and the buildings now or that may hereafter be erected thereon, and any property of the United States, on said tract, are hereoy exempted from all taxes imposed by this State, or by the constituted authorities of Alexandria County, and this exemption shall be in force from the date of said purchase by the United States, March 31, eighteen hundred and eighty-three, and shall continue only so long as the United States shall be and remain the owner of said tract of land; and all taxes, and county, township, and district levies, due or claimed to be due, for, against, or upon said real estate since the same went into possession of and has been held and used by the United States authorities, as aforesaid, are hereby released and discharged. (See Code of Va., 1904, sec. 15.)

Mr. TAFT. Mr. President, I shall be glad to support the amendment of the Senator from Nevada. What shocks me more than anything else is the size of the proposed building and the fact that, so far as I can see from the testimony, there is no conclusive evidence that a $35,000,000 building to house 40,000 employees is needed. Certainly if there is any such number of employees it is a temporary number, while the building is to be a permanent one. The number of employees, for instance, of the War Department during the World War in 1918 reached 37,000; the next year the number decreased to 27,000; the next year to 18,000, and in 1921 to 6,000. Of course, we cannot ever hope to reach 6,000 again, but the number of employees will rapidly decrease, and, as I understand, even today the War Department will not have need for a building of more than three-fourths of the size proposed.

When the President himself writes a letter clearly stating in his opinion a building housing 20,000 employees would be plenty large enough, it seems to me that that is certainly evidence that it is proposed to provide something far beyond the necessities of the case. A smaller building would, I think, also be objectionable on the site which is suggested, but, in any event, it could not be so objectionable as a building twice the size of the building now in contemplation.

All over the country cities have adopted city planning commissions. Washington, of all cities, ought to be guided by city plans. Here is a proposal which probably was never even suggested until about a month ago which has the disapproval of the National Fine Arts Commission; which, as is, has the disapproval of the National Park and Planning Commission; and, at least, the partial disapproval of the President of the United States. Whether this amendment is adopted or not, it seems to me that the size of the building ought certainly to be cut in half and the appropriation ought to be cut in half.

Mr. ANDREWS. Mr. President, I happen to be a member of the Committee on Public Buildings and Grounds, of which the distinguished Senator from Connecticut [Mr. MALONEY] is chairman. When some of the most important buildings in the District, such as the Mellon Art Gallery and the Jefferson Memorial, which have just been completed or are about to be completed, were being planned, they were submitted to our committee.

It also happens that I am chairman of the subcommittee which very soon will have to consider whether we shall close up Eighteenth Street and Nineteenth Street near Constitution Avenue, Virginia Avenue taking up a large part of the conjunction of those streets, in order to make room for the annex to the Pan American Building. We have had many protests.

It seems to me the greatest problem the District has to cope with today is not so much its housing as to how to get to the housing. We can hardly get to the Capitol now from the northwestern portion of the city. It takes us about an hour in the morning; and I am wondering what would happen if 40,000 persons or even 30,000 persons were to be housed in one building on the other side of the river, with only about two or three streets by which that building could be approached. Would it not be infinitely better if we apportioned the $35,000,000 among five buildings, each costing $7,000,000, and placed them in the District somewhere near where the persons live who will have to work there?

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. ANDREWS. I yield to the Senator from Arizona.

Mr. HAYDEN. The argument advanced by the War Department was that concentrating its activities in one building would increase the efficiency of the employees by at least 20 percent. It is an important matter in connection with a department of this character, when we come to view our national defense, if we can increase its efficiency by 20 percent, and some persons estimate it even higher than that.

The second proposition is, so far as this location is concerned—I think the Senator forgets this—that the persons who will be employed in this building will be going away from the congested sections of the District of Columbia. The flow of traffic in the morning going out there will be over otherwise unoccupied space on the streets and on the bridges on the right-hand side going out. The persons coming from Virginia will be coming in on the other side of the bridges and on the other side of the streets. So there will be no interruption of the traffic, whereas if we should house all these employees in a building in the District the congestion would be accentuated. So all agree

that locating the building across the Potomac will benefit the traffic situation in the heart of Washington.

Mr. McCARRAN. Mr. President, will the Senator from Florida yield in that connection?

Mr. ANDREWS. I yield to the Senator from Nevada.

Mr. McCARRAN. The best advice I can obtain on the subject is that the present bridges will not accommodate the traffic, and that the construction of this building, if it is to house the number of employees contemplated, will entail an additional bridge. Otherwise, there will be congestion.

Mr. HAYDEN. I cannot imagine who it was that gave the Senator that advice, because we had before the committee everyone familiar with the traffic situation in the District of Columbia, men appointed to study that problem, and everyone testified that so far as the bridges themselves were concerned there was ample capacity for many more persons than would be located in the proposed building.

Mr. McCARRAN. If I told the Senator that it was a member of the Park and Planning Commission who made the statement, would he consider it as coming from rather an authoritative source?

Mr. HAYDEN. The Park and Planning Commission has a very large membership, but no expert employed by the Park and Planning Commission will say that.

Mr. McCARRAN. They may not say it to the Senator from Arizona, but I will say frankly that they did say it to me.

Mr. HAYDEN. The Senator may look at our record, and he will find that no one disputed the fact that the present bridges will be ample. It is simply a question of approaches. Work will have to be done on the approaches to the bridges. A part of that work is already provided for, on Maine Avenue and Fourteenth Street. That work is under way. Ultimately, some other work will have to be done, particularly at the Key Bridge; but do not let anyone think it will be necessary to build a new bridge across the Potomac River in order to accomplish this purpose, because the present space is perfectly ample for all the load that will be put on the bridges, particularly in view of the fact that the flow of traffic will be away from the District in the morning, when people are coming into the District from Virginia, and into the District in the evening, when people are going back home to Virginia. So the flow of traffic will simply bypass, and that is all there is to it. If what the Senator from Florida is talking about were done, and these buildings were located in the heart of the city, where would it be necessary to go?

Mr. ANDREWS. The buildings would not necessarily be in the heart of the city. Apparently there would be plenty of ground if we should do away with a number of slums in certain sections of Washington.

Mr. HAYDEN. In the area which has been set aside for Federal buildings in the District, that is to say, from Constitution Avenue north to F Street, in what is referred to as the rectangle, is the only place to go. Space cannot be found there in which to put great buildings without adding to the congestion; and, in addition to that, it will be impossible to find a place to park the 10,000 automobiles that will be necessary.

Mr. ANDREWS. I am wondering how 10,000 automobiles going to the proposed building can be meeting the 10,000 that are already coming over from Virginia. The people who live in Arlington and Alexandria and all that section of the State are not employed in the War Department. Most of them are employed in the District of Columbia, and they all come to the District by the same route.

Mr. HAYDEN. Certainly; but when the people from Virginia are coming into the District on one side of the bridge, the people going to the new building will be using the other side of the bridge, and the present capacity will be ample.

Mr. ANDREWS. I hope the congestion will not be any worse than it is now in front of the Army and Navy Buildings, because I can get to the Capitol in the morning about as early by starting at 9 o'clock as if I started at 8.

Mr. HAYDEN. I will confess to the Senator that to accomplish all that must be done, the record before our committee shows that it will be necessary to make certain improvements in the District of Columbia that have long been planned, utterly regardless of the construction of this building. For instance, the widening of Independence Avenue is absolutely necessary. Everybody knows that two streets coming in from the north must be widened, whether this building is constructed or not. We know the answer to the traffic problem in the District; but the construction of this building will in no manner increase the traffic problem in the District. Upon the contrary, it will ameliorate it. That is the testimony of all who appeared who have studied the traffic problem in the District.

Mr. ANDREWS. Mr. President, for sentimental reasons I do not know a State in the Union in which I would rather see such a building constructed than the State of Virginia, but I am fearful that we are overlooking the traffic problem. The traffic problem will grow worse. It will not grow better. That is a very serious situation.

It may be necessary to stagger the departments. My idea was that since the Army is composed of different departments, one building could be constructed for Ordnance, and so forth, and three or four other buildings for other branches of the War Department, and be located at some place in the District of Columbia where the employees could get to them without having to ride in automobiles or in streetcars or in busses. Just so surely as we locate one building at a place where 10,000 automobiles will have to be parked and 30,000 persons will have to gather, we shall have congestion; and, in my judgment, it will be serious.

Mr. MALONEY. Mr. President, earlier today, in discussing a measure concerning another bill involving a public building, I referred to the fact that the Committee on Public Buildings and Grounds, created for the purpose of considering legislation dealing with public buildings, had been ignored.

I desire to say in connection with this proposal, which I think ought to be before the Committee on Public Buildings and Grounds, that there is no chance for criticism of Senate procedure so far as this bill is concerned. The proposal that the new War Department building be constructed in Virginia came to the Appropriations Committee from the House of Representatives; and the subcommittee dealing with the bill, and the entire committee, could have sent it to the Committee on Public Buildings and Grounds only by deleting the language of the House bill. I respectfully and reluctantly suggest that I think that is what the committee should have done; and I am very hopeful that the Senate this afternoon will set aside this particular plan in order that the matter may be fully considered by the appropriate committee.

I must confess that I am surprised that the plans for this building, drawn to construct it on a particular site in Virginia, are completed, and that the War Department is ready to start construction in the morning. There has been a great change in the War Department in the recent past, it seems to me. It is not so long ago that persons were charging that the War Department was without imagination. Someone at the War Department—and I do not mean to be disrespectful—must have heard that and decided that hereafter they would leave nothing to the imagination.

They sent up a confiscation bill, called a property-requisition bill, which was startling. They have asked for appropriations, and if I am to judge by the action of the subcommittee handling this bill, and I have a great confidence in the chairman of the committee and the chairman of the subcommittee, they left little to the imagination as they asked for appropriations for War Department material. And here we have—and heaven knows where it came from—plans already drawn, without consulting the Congress, plans for the world's largest office building. If I read the Constitution aright the Congress shall make rules and regulations for the conduct of the War Department, and not the War Department make rules and regulations for the conduct of the Congress.

It was said here a little while ago, by the distinguished chairman of the Appropriations Committee, that the Congress had heretofore given its approval for the building of this War Department structure in or near the District of Columbia. That statement was surprising to me. I did not know that that had occurred. I did not know that such authority had been given. I seriously doubt—and I say it with reluctance—that up to this moment such authority exists.

Mr. President, the opposition to this building site, as I understand, is almost unanimous. The architects of this neighborhood, representing the architects of the country through a national association of architects, are opposed to the plan. It appears that President Roosevelt does not agree with the suggestion in its entirety. It appears that the Secretary of the Interior, as head of the National Park Service, is opposed to

the construction of the building in the location suggested. He feels that it will have a destructive effect on the park area. It appears that the National Capital Park and Planning Commission objects to having this important building located on the site selected.

It seems to me, as I read the newspapers, that they are greatly opposed to it, and this to me is important in connection with a matter of this particular kind, because newspaper organizations are naturally vitally concerned with the city in which they operate, and I think that they do, at least in a matter of this kind, reflect public opinion to a considerable extent.

Mr. President, I have gained the impression that the members of the Appropriations Committee would not look with favor upon a suggestion that the building be erected in Virginia if they believed that a suitable location was available in the District of Columbia. I am unwilling to believe that such a location is not available. I do not believe that the committee as a whole has had time to make a careful study of the matter. I know that the distinguished Senator from Louisiana [Mr. OVERTON] has inquired about local sites, and I am certain that the distinguished chairman of the subcommittee and other members of the committee have made similar inquiries. I particularly refer to the senior Senator from Louisiana, because he was in the beginning opposed to this suggestion. I know that his great interest in the erection of the building and his interest in the subject prompted him to make special and careful inquiry. I understood that he talked with one or more of the District Commissioners. I understand—and I do not get the information from him—that he was referred to an Army engineer associated with or under the jurisdiction of the Commission.

Mr. President, without meaning to cast any reflection, I do not need to stretch my imagination too far to understand why or how a subordinate in the Army would be reluctant to find a suitable location in the District of Columbia after the War Department had drawn plans to construct the building in Virginia. I think that the matter should be more carefully studied before this important step is taken. There is now, as is always the case in connection with any subject dealing in any way with national defense, the great need for haste, but all of these plans have come to light in the last few weeks. The Congress was only informed after the last line of the plans was drawn. I cannot believe that it is not wise to wait a little longer, so as more carefully to give study to a question of such magnitude, and to the expenditure of a minimum of $35,000,000 for the largest office building in the world.

Mr. President, I shall not now give all the reasons in detail why I am opposed to the erection of the building on this particular site, but park planning and city planning and traffic congestion and the design of the founding fathers with respect to the Capital City, and ever so many other things, enter into the matter. If there is no available site in Washington, it will probably be necessary to go to Virginia. If there is a suitable and proper site here, we should find it. Possibly we should clear a slum area to make a place for this important structure. I think the Committee on Public Buildings and Grounds, which was established for just such a purpose, is qualified and charged with the responsibility of studying this question, and I think it should do so quickly. The members of the Committee on Public Buildings and Grounds seem to me to share this view. We regret that this proposal was not submitted to our committee. None of us here particularly relished the work, but we have an appreciation of our duty and a natural interest in this particularly important problem. I hope this matter will eventually and soon be referred to our committee and that, in the future, bills of this sort, which deal with public buildings, will be referred to this proper committee.

The committee has been exceptionally busy for these past several months, as I said earlier today, but not so busy that it cannot give its time to measures which are a part of its duty and responsibility.

Mr. President, I do not believe there is a Member of the Senate who would want to locate this building in Virginia if he believed that a proper site could be found in the District of Columbia. Therefore, I hope we will delay the matter for a little while to give it further study. I have no criticism of the subcommittee or of the full committee.

In this large city of Washington, with altogether too many slum areas, there must be a location available for this important structure. I personally think the proposed structure is too large. I think the expenditure proposed is too great. I think it was presumptuous on the part of the War Department to draw these plans without coming to consult the Members of Congress. In order that this question may be made clear, I hope we may have a record vote.

Mr. HAYDEN. Mr. President, will the Senator yield to me for a moment?

Mr. MALONEY. I yield.

Mr. HAYDEN. I should like to state—perhaps the Senator does not know about it—that this matter was very thoroughly investigated in the House by the Committee on Appropriations, as it was in the Senate, and I am satisfied that if the Senator's Committee on Public Buildings and Grounds holds a hearing they will arrive in the end at the same conclusion at which the House Subcommittee on Appropriations arrived.

I might add further that it is my information, which comes from the chairman of the House Committee on Public Buildings and Grounds, that that committee unanimously approved of the Virginia site.

Mr. MALONEY. That is important to me, but it is not persuasive, Mr. President. I know that the Senator intends to be correct in his statement, but I do not know how carefully the Appropriations Committee of the House studied this matter. I do not know how far they went. I do know that they were persuaded by the pressure of the War Department. I understand that the matter came up in the Appropriations Committee before the Public Buildings and Grounds Committee of the House had been consulted about the matter, and I have a little understanding of the persuasiveness of the War Department. The reason given, although it is a good reason, is not sufficient to change my view as to the need for having a more careful study by a committee of the Senate which was created for just such a purpose.

Mr. ADAMS. Mr. President, as the chairman of the Subcommittee on Appropriations which reported this bill, I wish to submit to the Senate one of the reasons which actuated the Senate committee. The members of our committee have, like the members of all other committees, different reasons leading to their conclusions on controversial matters. Speaking for myself, I came to the conclusion that the real issue was whether or not there should be a unified War Department Building. The War Department pointed out that they were now occupying 17 different buildings, that there was a great loss of efficiency, that there was great difficulty for those in the War Department to cooperate with each other, that there was great difficulty for those who came from the outside to locate the agencies of the War Department with which they had business. The officials of the War Department felt that it was advisable to place this building at the point in question. But if it is decided that there should be this unified building, if it is decided that it should cost this sum of money—and the amendment before the Senate now is premised on, or at least accepts the theory of a unified War Department building at a cost of $35,000,000—that being once agreed to, after listening with the utmost care to those supporting the building and those opposing it I became clearly of the opinion that it was not possible or feasible to locate this type of building in the District of Columbia. That view is the result of the testimony of those who favored it and those who opposed it.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. MALONEY. I should like to say for the record that I am not committed to the necessity of housing the War Department in one building.

Mr. ADAMS. I am discussing this question upon the premise of the amendment, which has to do with a unified building and a $35,000,000 appropriation. The proposed building would be enormous. There would be 34 acres under one roof. I doubt if there is another building in the world of that size. It is to be a three-story building, with a very wide spread. For the benefit of Senators who may be interested, I have before me a rough draft of the building, which was left with the committee. I do not know whether or not Senators would be interested in it.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. VANDENBERG. Even though the building be unified, the thing that staggers me is the shocking size and extent of both the appropriation and the proj-

ect, which is to house a war activity. Unless the war is to be permanent, why must we have permanent accommodations for war facilities of such size? Or is the war to be permanent? [Laughter.]

Mr. ADAMS. I think the Senator and I have the same hope in that respect.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. BARKLEY. Regardless of the location of the building, I think it is almost universally recognized that before the war started, even in 1939, there was great need for a War Department building to house the activities of the War Department in Washington, or wherever we might locate it. So it does not contribute anything to the discussion as to the wisdom of having such a building to inquire whether the war is permanent, or temporary, or what have you.

Mr. VANDENBERG. I think it contributes fully as much as to say that it was recognized in 1939 that a new building was necessary. I do not think it was recognized in 1939 that a building to accommodate 40,000 employees was necessary.

Mr. GLASS. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. GLASS. Is it not a fact that a thorough investigation was made of the District of Columbia, and for that reason the Congress authorized the building to be erected near the District of Columbia?

Mr ADAMS. Mr. President, there is some confusion on that point. I am not entirely clear. We have built one part of the War Department Building in what is referred to as the Rectangle. There was a program. Then we had under consideration the erection of some temporary buildings. When the appropriation for that purpose came before the Senate committee we put in the provision "in or near the District of Columbia." When we met the House conferees in conference they insisted on striking out the words "or near" and tying the construction of the building to the District of Columbia. Then representatives of the departments concerned came back to us and said that it was not possible to put the proposed building in the District of Columbia, and the Congress struck out that limitation and restored the leeway to construct the building in or near the District of Columbia.

The Senate then added the further provision that it should be located on the Arlington Farm. That provision came from the Senate. In a previous action we put our finger upon this particular site. Of course the building now under consideration was not the one then under consideration, but it was a building for emergency purposes.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr TAFT. The provision to which the Senator refers was eliminated in conference, was it not?

Mr ADAMS. No.

Mr. TAFT. It was not?

Mr. ADAMS. I think not. I hesitate to speak positively.

Mr. TAFT. The Senator said that there was no place in the District of Columbia to accommodate a building of this size. Suppose the size of the building were cut in half. My recollection of the testimony is that several sites could be found in the District of Columbia for a building half the size, to house 20,000 employees. Is that correct?

Mr. ADAMS. Of course, the smaller we make the building and the fewer employees we put in it the nearer we come to having an available site.

Mr. TAFT. Even if it were half the size proposed, it would be one of the largest buildings in the world, would it not?

Mr. ADAMS. That is true. However, at this time the matter under consideration is the location of a building of the size proposed. The question before us is whether or not we shall require the location of such a building in the District of Columbia, where it is not feasible to put it. If that proposal should be defeated, and the matter should be left open to a change in appropriation or a change in size, perhaps a different question would arise. But the question now before us is whether or not we shall require the War Department to erect this building in the District of Columbia. I think the testimony before our committee is unquestionably to the effect that it cannot feasibly be done.

Mr. TAFT. After all, such a building would contain the population of a city. The employees and their families would represent a total of about 200,000. So I presume the result would be to create a new city.

Mr. ADAMS. In my opinion it would not be feasible to locate such a structure in the District. Of course, the Congress could condemn property. There is plenty of area, but it is occupied area. It was pointed out to us in the discussion that certain areas might be made available by condemnation. Such a course would involve the condemnation of apartment houses and residences at a time when there is a great shortage of places for people to live in the District of Columbia. So we should be taking away from the people opportunities which they need.

There is another thing which is not an unimportant thing these days, and that is the question of parking automobiles. No suitable site was suggested in the District of Columbia. Let me add that I was one of those who were rather inclined to agree with the House conferees and tie the building to the District of Columbia. It was suggested to us by some of the House conferees that the Soldiers' Home site might be available. We were met with arguments as to the topography. We were met with certain legal objections; and we were told that the distance was such as to defeat one of the major purposes of the structure.

We were told that we ought to consider the McLean property at Friendship. The costs were investigated. The topography being studied, we found that there were differences of at least 100 feet in levels on the property, which would involve tremendous expense either for filling or cutting, as well as the element of distance.

I am merely citing some of the things that were brought to us. As I say, the committee, to the best of its ability, passed upon the information brought to it. We heard the objections of the Fine Arts Commission. We heard the National Capital Park and Planning Commission. We received letters from the President. We received communications from the Secretary of the Interior. We heard from Mr. Reynolds, of the Public Works Agency. We heard from the War Department. The War Department officials, including the Secretary of War, the Chief of Staff, Under Secretary Patterson, General Moore, and others, are uniformly in favor of the building. Those who oppose it have opposed it upon different grounds.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. ADAMS. Let me finish this statement, to conclude this part of the discussion.

The Fine Arts Commission was opposed to any building on the proposed site. The letter which came from the President indicated that there was no opposition to the site, but that he thought the building should be constructed to accommodate 20,000 employees. Mr. Reynolds thought it was all right to go over to Virginia, but that it would be better to go to the site below, where the quartermaster depot is being constructed. The National Capital Park and Planning Commission had a different view. Some had the view of the Senator from Nevada [Mr. McCARRAN] that the building should stay within the District of Columbia.

Personally, I have not been impressed with the arguments based on the lines of the District of Columbia. By constitutional provision and by subsequent statutes and cession the Government has acquired exclusive control over the District of Columbia. But we have not at all restrained ourselves from putting administrative and executive agencies outside the District of Columbia. If we had, we should now have a District so congested that we individually would all have to live outside the District of Columbia. We have customs houses and Army posts scattered over the country. Today in Arlington we are constructing a Navy building. We are building a naval hospital in Maryland. We are scattering buildings all over.

The Government is made up in its essence of the three essential branches. We have the executive department, headed by the President. That office is the center of the executive departments. We have the judicial department across the park. The legislative department is in this building. The fact that we located the Grazing Service in Salt Lake City, as we have done, is not a breach of the constitutional requirement. The Reclamation Service is in my city. Certain agencies are in Omaha, and certain others in Wichita. We have scattered the administrative agencies.

The War Department is an administrative agency created by the Congress. We have the right to put it where we choose. Perhaps it would be better to concentrate Government agencies, but I

am a little cold to the argument that there is a great difference between one side of the Potomac River and the other in reference to the location of a building to administer the laws enacted by Congress. I am really unable to concern myself about that question. I am concerned with a location which will promote the efficiency of the Department. If the War Department could be more efficiently administered at Reno, I should be for that. Reno is the place where war departments usually end. [Laughter.]

Mr. McCARRAN. Mr. President, if the Senator will vote for my amendment, I will amend it so as to provide for locating the building in Reno. That is where it belongs. [Laughter.]

Mr. ADAMS. I think there is a good deal of war activity in Reno. I was there recently, and there seemed to me to be a great many "secretaries of war" out there. [Laughter.]

Mr. McCARRAN. There are.

The Senator from Connecticut asked me to yield to him.

Mr. MALONEY. Mr. President, I wanted to ask a serious question. The debate took a facetious turn, and I did not want to become involved in that.

I am wondering about the Senator's statement that several subordinate branches of the Government are scattered throughout the country. The Senator from Colorado would not want to see the Treasury Department have its headquarters in New York, would he?

Mr. ADAMS. I would not.

Mr. MALONEY. The Senator from Colorado would not want to see the Department of Agriculture moved to Pennsylvania, would he?

Mr. ADAMS. No; I think not.

Mr. MALONEY. Well, under this plan the entire War Department will be moved to Virginia.

Mr. ADAMS. I am not concerned with a mere arbitrary line. I am concerned with proximity to the center. In other words, a place across the Memorial Bridge at Arlington, technically outside the District of Columbia, might be a far better location than a remote corner of the District. I am not interested in a mere geographical line. I am interested, as I said, in efficiency, and in location for the purpose of efficient administration.

Mr. MALONEY. Let me suggest to the Senator from Colorado, merely for the purpose of comparison, that it might be more convenient for the War Department and for traffic conditions, so long as we erase the line, so long as there is no line of demarcation, to move the War Department 20 miles farther into Virginia, where there would be plenty of parking space, cheaper land, and less hindrance of traffic than around the District.

The Senator from Colorado must have in mind some line. He would stop somewhere, I assume. If he would go over the line 1 mile or 2 miles if it is more convenient—he says he does not want to go 10 or 15 miles—how far would he be willing to go? I am not being facetious with the Senator in asking the question.

Mr. ADAMS. The question of efficiency is fundamental. I am not able to say to the Senator from Connecticut how far I would go. If he were to tell me positively that the War Department would be more efficiently administered 15 miles away, I would agree with him to go where it would be most efficient. I do not think that is true, however. I think the War Department should be in close proximity to the executive offices.

In other words, the President, as Commander in Chief, should be in close contact with the War Department, and he could not be in close contact with it if it were located 15 miles away. So I think the assumption the Senator from Connecticut makes is an impossible one.

Mr. MALONEY. I think perhaps the Senator from Colorado is right. He makes his position clear enough to me; but there are those who contend that the Treasury Department, the Securities and Exchange Commission, and other agencies of the Government would operate more efficiently in New York. Other persons seriously contend that the Department of Agriculture would operate more efficiently if it were located in the Midwest, in the heart of the agricultural area.

Mr. ADAMS. I will say to the Senator that, if the Department of Agriculture were moved into the Middle West, they would have more sympathy with what goes on out there than they seem to have now in some respects. It might be a good thing.

Mr. MALONEY. I should like to ask the Senator from Colorado one more question, if I may impose upon him to that extent.

Mr. ADAMS. The Senator from Connecticut is not imposing on me.

Mr. MALONEY. Can the Senator from Colorado help me to find out how the new Navy building to which he referred happened to be located over in Arlington?

Mr. ADAMS. Yes; it was located there through the passage of an appropriation bill. The House and the Senate passed a bill providing for Navy office buildings Nos. 2 and 3, as I think they were designated. This morning, in the Appropriations Committee, we provided an additional sum of money for building No. 3, I think, which is off to the east of the other two units. The bill providing for those buildings passed through the committee of which the Senator and I are members.

Mr. MALONEY. Was there any notice in the bill with respect to where the buildings are to be located? Can the Senator tell me? I do not recall.

Mr. ADAMS. "At or near the District of Columbia," I think, was the designation.

Mr. MALONEY. I thank the Senator from Colorado.

Mr. ADAMS. From the standpoint of the committee of which the Senator from Connecticut is chairman, I think he is entirely right in his belief that bills which deal with construction features in the District of Columbia normally should go through his committee.

Mr. MALONEY. I may suggest to the Senator from Colorado that in our committee we are representing the United States.

Mr. ADAMS. Yes; but I take it for granted that the Senator from Connecticut is not concerned with the building of a powerhouse at Boulder Dam. I mean, it is not contemplated that every Government structure which is a public building shall go to his committee.

Mr. MALONEY. No. Some structures do not come within the jurisdiction of the Committee on Public Buildings and Grounds; but I am interested in any public buildings which do come within the jurisdiction of the Committee on Public Buildings and Grounds, whether they be at Boulder Dam or at Key West.

Mr. ADAMS. That leaves the question as to public buildings a little uncertain to my mind. I assumed that the Committee on Public Buildings and Grounds had to do with structures in the immediate neighborhood of the public buildings and grounds which constitute the National Capital and its surroundings.

Mr. MALONEY. That is generally true. I am sorry to say to the Senator from Colorado that the limitations on the powers of the Committee on Public Buildings and Grounds—of which, as he knows, I have recently become chairman—are not anywhere very clearly defined. The Senator from Colorado knows that in 1926, by act of Congress, the committee was largely—and, I think, by its own willingness—shorn of its power. The committee is now making a study of the situation in an endeavor to determine just where its powers begin and end, and we hope to have a recommendation to make to Congress concerning a clarification of the matter.

Mr. ADAMS. I will give the Senator an illustration. The committee, of which he and I are members, has recommended the appropriation of money for a building at Salt Lake City for mineral-laboratory purposes; we have recommended the appropriation of money for buildings in Pennsylvania for coal testing; and we have recommended the construction of buildings in various places outside the boundaries of the District of Columbia. Perhaps we have not been thoughtful.

Mr. MALONEY. No; I think the buildings to which the Senator from Colorado has just referred were not within the jurisdiction of the Committee on Public Buildings and Grounds. I think they were under the Procurement Department of the Treasury, or some other agency of the Government.

Mr. ADAMS. I will read, if I may, a letter from Mr. Robert P. Patterson, Under Secretary of War, in which he expresses the viewpoint of the War Department. He says:

> I am concerned over the report which General Somervell has just made to me of the possibility of the War Department being forced to erect its proposed new office building at a location south of the Arlington cantonment, along the Columbia Pike. This location is the site selected for the Quartermaster depot already under construction. It is located among some shanties, brickyards, factories, and other surroundings unworthy of the dignity of the Department and unsuitable as an environment for an office building. There would also be the necessity of raising the entire structure to the level of the adjoining highways (it is in a depressed location), furnishing heavy foundations and much more complicated traffic arteries than would be necessary on the other site.

To eliminate the shanties and factories, to make the changes in the building and other adjustments, which would be necessary to provide a usable structure, would involve a further expenditure estimated at about $5,000,000. In addition to this, the extra distance to the site from Washington would involve an additional bus fare, if the action already taken by the transit company in connection with the new Navy building is any criterion of what may be expected.

I again want to assure you and through you, your committee, that the Department has carefully examined all sites suggested and that the one recommended not only represents the best solution but practically the only one providing for suitable architecture and landscape treatment, combined with suitable building facilities and the very practical and necessary facilities for transportation.

I read that merely as giving the War Department's view.

The element of parking, which the Senator started to mention, represents a serious situation in connection with sites within the District of Columbia. The traffic situation is a terrific one, not only in crossing the bridge but within the District of Columbia. If 20,000 or 25,000 people have to go to a War Department building, we know what the situation will be, for we know what it is today. People go to their office neighborhoods today from one hour to two hours ahead of time in order to find a place to park their cars. In these days, people have to go by some form of motor transportation. There is in the site across the river provision for adequate automobile parking. Without exception, it would be the only building that I know of in this neighborhood, in the District of Columbia or outside it, where there would be adequate parking facilities; and that was one of the considerations that influenced the War Department.

Mr. TAFT. Mr. President, will the Senator yield to me?

Mr. ADAMS. Yes; I yield.

Mr. TAFT. As I understand, however, for a building about half the size of the one proposed, a location could be found, judging from what the National Capital Park and Planning Commission says, in the District of Columbia, or possibly even room for two buildings of half the proposed size. At least, the committee is not certain that sites for such buildings could not be found?

Mr. ADAMS. No; I should say that the location which we have referred to as the Rectangle, which is north of Constitution Avenue, east of the Potomac, takes in some apartment houses, takes in the Naval Hospital, and, as some people say, they fear, the brewery——

Mr. TAFT. If the Senator will yield to me again, I should like to ask another question. Has an architect designed the proposed building?

Mr. ADAMS. Yes; there is an architect whose designs for such a building have been submitted, and who appeared before the committee.

Mr. TAFT. Can the Senator from Colorado tell me the name of the architect?

Mr. ADAMS. His name is George Bergstrom. He is a former president of the Society of Architects of the United States.

Mr. TAFT. Does the Senator from Colorado know whether a 5-story or a 6-story building has been considered, instead of a 3-story building? When buildings were erected here which were intended to be permanent, and intended to be a decoration for the Capital, it was generally found that a 5- or 6-story building was a more satisfactory and handsome building than a 3-story building, such as the Army and Navy buildings on Constitution Avenue. Did the committee go into the question whether that kind of a building would be better?

Mr. ADAMS. That matter was presented to us. One argument against it was that if the building were erected in what seemed to be the only available site in the District which was being considered—what I refer to is the Rectangle site—the view of the Lincoln Memorial and of that general area will be obscured. It is true, however, that there is a law in the District which limits the height of buildings.

Mr. TAFT. The new War Department on Virginia Avenue is a 5- or 6-story building, and does not obscure the view of anybody, so far as I know, unless it be someone living near the gas tanks.

Mr. ADAMS. I am merely repeating to the Senator not my own views but I am presenting those matters which were submitted to the committee. In addition to what I have said another problem is involved, namely, that in order to erect an adequate building certain streets would have to be closed and the streets are very essential to the traffic which now uses them.

Mr. TAFT. Of course, if the Senator is concerned with esthetic considerations, I understand that those concerned with esthetics are very much opposed to placing the building so close to the Arlington National Cemetery.

Mr. ADAMS. I should say to the Senator—and, unfortunately, it is more true than I wish—that the gentlemen who presented the opposition on esthetic grounds did as much as anybody else to convince the committee that it should support the House provision.

Mr. TAFT. Can the Senator tell me one other thing? Is this land subject to flood?

Mr. ADAMS. No; it is not.

Mr. TAFT. It has never been flooded?

Mr. ADAMS. It is said to be entirely above any flood level, but, of course, I myself do not know as to that.

Mr. TAFT. My recollection is that the old airport was at one time flooded, though I am not sure of that.

Mr. HAYDEN. Mr. President, if the Senator from Colorado will yield, let me say that the old airport is subject to flood, but this area is at least 20 or 25 feet higher than that and has never been inundated by any flood on the Potomac River.

Mr. ADAMS. The only visual evidence I have is that I took occasion to go over and compare the two Virginia sites, the one which is now under consideration and the one farther south, which is the quartermaster cantonment, and, as between the two, there is no question, in my mind, as to the preference from every standpoint to be given to one nearer. I am merely submitting the views the committee arrived at, it is a matter for the Senate to determine; but the committee has passed on it with its best judgment. The subject would not be put before the Committee on Public Buildings and Grounds by rejecting the amendment, but would be placed in conference. In order to have it reach that committee, it would not only have to be rejected by the Senate, but the House would have to recede from the provision.

The VICE PRESIDENT. The question is on the amendment offered by the Senator from Nevada [Mr. McCARRAN].

Mr. MALONEY. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. DAVIS. I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER]. I do not know how he would vote, if present, and, therefore, I withhold my vote.

Mr. BARKLEY. I announce that the Senator from South Dakota [Mr. BULOW] and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Montana [Mr. MURRAY] is detained in the State of Montana on official business.

The Senator from New Mexico [Mr. HATCH] and the Senator from Washington [Mr. WALLGREN] are members of Senate committees detained on official business.

The Senator from Washington [Mr. BONE], the Senator from California [Mr. DOWNEY], the Senator from Iowa [Mr. HERRING], the Senator from Utah [Mr. MURDOCK], the Senator from North Carolina [Mr. REYNOLDS], and the Senator from Missouri [Mr. TRUMAN] are detained on business in various Government departments.

The Senator from North Carolina [Mr. BAILEY], the Senators from Alabama [Mr. BANKHEAD and Mr. HILL], the Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr. BROWN], the Senator from Kentucky [Mr. CHANDLER], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Idaho [Mr. CLARK], the Senators from Louisiana [Mr. ELLENDER and Mr. OVERTON], the Senator from Iowa [Mr. GILLETTE] the Senator from Rhode Island [Mr. GREEN], the Senator from West Virginia [Mr. KILGORE], the Senator from Oklahoma [Mr. LEE], the Senator from Illinois [Mr. LUCAS], the Senator from Arizona [Mr. McFARLAND], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Georgia [Mr. RUSSELL], the Senator from New Jersey [Mr. SMATHERS], the Senator from Arkansas [Mr. SPENCER], the Senator from Tennessee [Mr. STEWART], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

I am advised that if present and voting the Senators from New Mexico [Mr. HATCH and Mr. CHAVEZ], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Arkansas [Mr. SPENCER] would vote "nay."

I am advised that if present and voting, the Senator from Iowa [Mr. GILLETTE] would vote "yea."

Mr. AUSTIN. The Senator from Oregon [Mr. McNARY] is temporarily detained on official business. He has a general pair with the Senator from Alabama [Mr. BANKHEAD].

The Senator from Minnesota [Mr. BALL] would vote "nay" if present.

The Senator from Illinois [Mr. BROOKS] has a general pair with the Senator from New Mexico [Mr. HATCH]. The Senator from Oregon [Mr. HOLMAN] has a general pair with the Senator from Tennessee [Mr. STEWART.] The Senator from Massachusetts [Mr. LODGE] has a general pair with the Senator from Mississippi [Mr. BILBO]. The Senator from North Dakota [Mr. NYE] has a general pair with the Senator from Oklahoma [Mr. LEE]. The Senator from New Hampshire [Mr. TOBEY] has a general pair with the Senator from West Virginia [Mr. KILGORE].

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The result was announced—yeas 20, nays 28, as follows:

YEAS—20

Aiken	Guffey	Shipstead
Burton	Johnson, Colo.	Smith
Butler	La Follette	Taft
Capper	McCarran	Thomas, Idaho
Clark, Mo.	Maloney	Vandenberg
Connally	O'Daniel	Walsh
Danaher	Schwartz	

NAYS—28

Adams	George	Pepper
Andrews	Gerry	Radcliffe
Austin	Glass	Rosier
Barkley	Gurney	Thomas, Okla.
Brewster	Hayden	Thomas, Utah
Bridges	Hughes	Tunnell
Bunker	Johnson, Calif.	Tydings
Byrd	McKellar	Van Nuys
Caraway	Mead	
Eastland	Peace	

NOT VOTING—48

Bailey	Green	O'Mahoney
Ball	Hatch	Overton
Bankhead	Herring	Reed
Barbour	Hill	Reynolds
Bilbo	Holman	Russell
Bone	Kilgore	Smathers
Brooks	Langer	Spencer
Brown	Lee	Stewart
Bulow	Lodge	Tobey
Chandler	Lucas	Truman
Chavez	McFarland	Wagner
Clark, Idaho	McNary	Wallgren
Davis	Murdock	Wheeler
Downey	Murray	White
Ellender	Norris	Wiley
Gillette	Nye	Willis

The VICE PRESIDENT. On this question the yeas are 20, the nays 28. The Senator from Pennsylvania having announced his presence in the Chamber, a quorum is present, and the amendment is rejected. The bill is still before the Senate and open to further amendment.

Mr. TAFT. Mr. President, I move, in line 2, on page 42, to strike out "$35,000,000" and insert "$17,500,000."

This is in accordance with the suggestion of the President of the United States in a letter to the chairman of the committee. The President, after citing the circumstances, says:

> In view of the above, I believe it would be unwise to provide office space on the Arlington farm site for more than 20,000 War Department employees until some experience shall have been acquired as to the effect of concentrating so many employees in this location. It may be that upon completion of this smaller building all interested parties would recommend against further expansion. On the other hand, a more complete survey at that time might warrant the construction of additional units. In the circumstances, I believe it wise to proceed with a first unit and upon its completion to resurvey the situation and carefully determine the extent to which further expansion at this location may be justified.

The President also states that in his opinion it would interfere with the development of the northwest triangle, which he thinks is desirable and probably should be followed out.

The thing that staggers me about this matter is the tremendous size of the proposed building. I say that one who reads the hearings cannot find that the Government needs additional space for 40,000 employees. The present employment in the War Department does not contain, I think, more than about 30,000 employees. To my mind, there is not any evidence that we shall need such a tremendous building, the largest office building that has ever been built in the entire world. Certainly we can begin now with a building half the proposed size, and we can determine later whether it will be necessary to expand that size.

It seems to me that in some ways this is the most shockingly extravagant proposal that has been put up to Congress without specifications for the need of this particular activity.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Arizona.

Mr. HAYDEN. With respect to extravagance, let me say that we cannot build for half the money a building to house half as many persons. It would cost about two-thirds as much money as the entire building would cost.

Mr. TAFT. No; I question the Senator's statement. I do not think it would cost anything like two-thirds of the proposed amount.

Mr. HAYDEN. That is of record in our hearings.

Mr. TAFT. Yes; but the fact is that that is not true. It never has been true. We shall have a certain number of facilities; but as far as the smaller building itself is concerned, it will not cost more than exactly one-half as much as the larger one would cost. As far as the additional facilities are concerned, there will be some additional cost. We shall have the space in which, later on, we can build additional facilities if we wish to do so.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT].

Mr. TAFT. I ask for the yeas and nays on the adoption of the amendment.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. DAVIS (after having voted in the affirmative). I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER]. Not knowing how he would vote on this question, I transfer my pair with him to the junior Senator from Kansas [Mr. REED], and will let my vote stand.

Mr. McNARY. Again referring to my pair with the Senator from Alabama [Mr. BANKHEAD], I transfer that pair to the junior Senator from Indiana [Mr. WILLIS], and will vote. I vote "yea."

The roll call resulted, yeas 20, nays 27, as follows:

YEAS—20

Aiken	Davis	Maloney
Brewster	Gerry	Shipstead
Burton	Johnson, Colo.	Taft
Butler	La Follette	Thomas, Idaho
Capper	Langer	Vandenberg
Clark, Mo.	McCarran	Walsh
Danaher	McNary	

NAYS—27

Adams	Eastland	Peace
Andrews	George	Radcliffe
Austin	Glass	Rosier
Barkley	Guffey	Schwartz
Bridges	Hayden	Smith
Bunker	Hughes	Thomas, Okla.
Byrd	McKellar	Thomas, Utah
Caraway	Mead	Truman
Connally	O'Daniel	Tunnell

NOT VOTING—49

Bailey	Hatch	Reed
Ball	Herring	Reynolds
Bankhead	Hill	Russell
Barbour	Holman	Smathers
Bilbo	Johnson, Calif.	Spencer
Bone	Kilgore	Stewart
Brooks	Lee	Tobey
Brown	Lodge	Tydings
Bulow	Lucas	Van Nuys
Chandler	McFarland	Wagner
Chavez	Murdock	Wallgren
Clark, Idaho	Murray	Wheeler
Downey	Norris	White
Ellender	Nye	Wiley
Gillette	O'Mahoney	Willis
Green	Overton	
Gurney	Pepper	

The PRESIDENT pro tempore. On this question the yeas are 20, the nays are 27. A quorum is not present. The clerk will call the roll to establish the presence of a quorum.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Davis	Pence
Aiken	Eastland	Pepper
Andrews	George	Radcliffe
Austin	Gerry	Rosier
Bailey	Glass	Schwartz
Barkley	Guffey	Shipstead
Brewster	Hayden	Smith
Bridges	Hughes	Taft
Bunker	Johnson, Colo.	Thomas, Idaho
Burton	La Follette	Thomas, Okla.
Butler	Langer	Thomas, Utah
Byrd	McCarran	Truman
Capper	McKellar	Tunnell
Caraway	McNary	Vandenberg
Clark, Mo.	Maloney	Walsh
Connally	Mead	White
Danaher	O'Daniel	

The PRESIDENT pro tempore. Fifty Senators having answered, a quorum is present. The preceding vote being invalid——

Mr. BARKLEY. Mr. President, before the roll is called again, I urge Senators to remain on the floor. The House of Representatives is waiting for the Senate to pass this bill and send it over so that it may go to conference, and the conference report be agreed to tomorrow, and I hope Senators will remain here so that we can maintain a quorum until this measure is disposed of.

The PRESIDENT pro tempore. The clerk will call the roll on the amendment of the Senator from Ohio [Mr. TAFT].

The legislative clerk proceeded to call the roll.

Mr. McNARY (when his name was called). I again announce my pair and transfer of my pair, as previously, and will vote. I vote "yea."

The roll call was concluded.

Mr. DAVIS (after having voted in the affirmative). Making the same an-

nouncement as on the previous vote, I permit my vote to stand.

Mr. BARKLEY. I announce that the Senator from South Dakota [Mr. BULOW] and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Montana [Mr. MURRAY] is detained in the State of Montana on official business.

The Senator from New Mexico [Mr. HATCH] and the Senator from Washington [Mr. WALLGREN] are members of Senate committees detained on official business.

The Senator from Washington [Mr. BONE], the Senator from California [Mr. DOWNEY], the Senator from Iowa [Mr. HERRING], the Senator from Utah [Mr. MURDOCK], the Senator from North Carolina [Mr. REYNOLDS], the Senator from Maryland [Mr. TYDINGS], and the Senator from Indiana [Mr. VAN NUYS] are detailed on business in various Government departments.

The Senators from Alabama [Mr. BANKHEAD and Mr. HILL], the Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr. BROWN], the Senator from Kentucky [Mr. CHANDLER], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Idaho [Mr. CLARK], the Senators from Louisiana [Mr. ELLENDER and Mr. OVERTON], the Senator from Iowa [Mr. GILLETTE], the Senator from Rhode Island [Mr. GREEN], the Senator from West Virginia [Mr. KILGORE], the Senator from Oklahoma [Mr. LEE], the Senator from Illinois [Mr. LUCAS], the Senator from Arizona [Mr. MCFARLAND], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Georgia [Mr. RUSSELL], the Senator from New Jersey [Mr. SMATHERS], the Senator from Arkansas [Mr. SPENCER], the Senator from Tennessee [Mr. STEWART], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

The Senator from Minnesota [Mr. BALL] would vote "nay" if present.

The Senator from Illinois [Mr. BROOKS] has a general pair with the Senator from New Mexico [Mr. HATCH]. The Senator from Oregon [Mr. HOLMAN] has a general pair with the Senator from Tennessee [Mr. STEWART]. The Senator from Massachusetts [Mr. LODGE] has a general pair with the Senator from Mississippi [Mr. BILBO]. The Senator from North Dakota [Mr. NYE] has a general pair with the Senator from Oklahoma [Mr. LEE]. The Senator from New Hampshire [Mr. TOBEY] has a general pair with the Senator from West Virginia [Mr. KILGORE].

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The result was announced—yeas 21, nays 29, as follows:

YEAS—21

Aiken	Davis	Maloney
Brewster	Gerry	Shipstead
Burton	Johnson, Colo.	Taft
Butler	La Follette	Thomas, Idaho
Capper	Langer	Vandenberg
Clark, Mo.	McCarran	Walsh
Danaher	McNary	White

NAYS—29

Adams	Austin	Barkley
Andrews	Bailey	Bridges
Bunker	Hayden	Rosier
Byrd	Hughes	Schwartz
Caraway	McKellar	Smith
Connally	Mead	Thomas, Okla.
Eastland	O'Daniel	Thomas, Utah
George	Peace	Truman
Glass	Pepper	Tunnell
Guffey	Radcliffe	

NOT VOTING—46

Ball	Hatch	Reed
Bankhead	Herring	Reynolds
Barbour	Hill	Russell
Bilbo	Holman	Smathers
Bone	Johnson, Calif.	Spencer
Brooks	Kilgore	Stewart
Brown	Lee	Tobey
Bulow	Lodge	Tydings
Chandler	Lucas	Van Nuys
Chavez	McFarland	Wagner
Clark, Idaho	Murdock	Wallgren
Downey	Murray	Wheeler
Ellender	Norris	Wiley
Gillette	Nye	Willis
Green	O'Mahoney	
Gurney	Overton	

So Mr. TAFT's amendment was rejected.

The PRESIDENT pro tempore. The bill is open to further amendment.

Mr. ADAMS. Mr. President, I ask unanimous consent that the clerks be given authority to make any necessary changes in the numbering of paragraphs and sections in the bill.

The PRESIDENT pro tempore. Without objection, it is so ordered.

If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDENT pro tempore. The question is, Shall the bill pass?

The bill (H. R. 5412) was passed.

Mr. ADAMS. I move that the Senate insist upon its amendments, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. ADAMS, Mr. GLASS, Mr. MCKELLAR, Mr. HAYDEN, Mr. TYDINGS, Mr. NYE, and Mr. LODGE conferees on the part of the Senate.

Mr. MCKELLAR obtained the floor.

Mr. BARKLEY. Mr. President, will the Senator yield to me?

Mr. MCKELLAR. I yield.

Mr. BARKLEY. I wish to make an announcement. I had thought earlier in the day that we might recess or adjourn over until Monday, but because of the passage of the bill making supplemental appropriations for the national defense, and the necessity that it go to conference, and that the conference report be agreed to, and that that must be done tomorrow, it will be necessary for the Senate to meet tomorrow. I hope Senators can arrange their affairs so that we may not have any difficulty tomorrow in having a quorum. I wanted Senators to know that, because otherwise they might leave.

CONSTRUCTION OF DEFENSE HIGHWAYS

Mr. MCKELLAR. Mr. President, I move that the Senate proceed to the consideration of Senate bill 1840, to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes. This bill was introduced on August 11, 1941, and reported from the Committee on Post Offices and Post Roads on August 12, in place of the road bill vetoed by the President.

Mr. MCNARY. Mr. President, is it the purpose of the Senator to proceed now or tomorrow?

Mr. MCKELLAR. No; it is not my purpose to proceed with the consideration of the bill today. I merely wish to have it made the unfinished business.

Mr. MCNARY. Very well.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Tennessee.

The motion was agreed to, and the Senate proceeded to consider the bill (S. 1840) to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes.

CONSTRUCTION OF CERTAIN PUBLIC WORKS FOR THE NAVY

Mr. WALSH. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of House bill 5312, calendar No. 639.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 5312) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

Mr. MCNARY. Mr. President, what is the nature of the bill?

Mr. WALSH. This is the bill which we discussed on Monday last. At that time the Senator asked me several questions about it. The bill was before the Senate on the call of the calendar recently and was fully discussed. It was about to be passed when the Senator from Illinois [Mr. LUCAS] offered an amendment providing for the establishment or building of a chapel at the naval training station, Great Lakes, at a cost of $185,000. I asked that the matter go over until I could communicate with the Navy Department.

In the meantime I have taken the matter up with the Navy Department, and the Department informs me that it has no special objection to this amendment, but that it is making a survey of the need for chapels at the various naval establishments, and would prefer that no action be taken upon this amendment until it submits a complete list of chapels to be built at various naval establishments. I have given this information over the wire to the Senator from Illinois

[Mr. LUCAS], and he is entirely agreeable not to press his amendment at this time.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 5312) to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, which had been reported from the Committee on Naval Affairs with amendments.

The first amendment of the Committee on Naval Affairs was, on page 6, after line 21, to insert:

Naval Proving Ground, Dahlgren, Va.: Railroad connection to Fredericksburg, Va., including acquisition of rights-of-way, $1,500,000.

The amendment was agreed to.

The next amendment was, on page 14, line 23, after the word "marine" to strike out "Aviation base, Neuse" and insert "Barracks, New."

The amendment was agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. WALSH. Mr. President, I ask that there be printed in the RECORD at this point a list of chapel projects which the Navy Department has prepared and transmitted to me, and for which the Department will present a bill at a later date.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

CHAPELS, UNITED STATES NAVY, AT PRESENT

(a) Naval training station, Newport, R. I.
(b) Naval hospital, New York, N. Y.
(c) Naval air station, Lakehurst, N. J.
(d) Naval Academy, Annapolis, Md.
(e) United States marine base, Quantico, Va.
(f) Navy yard, Portsmouth, Va.
(g) Naval training station, N. O. B., Norfolk, Va.
(h) United States marine base, Parris Island, S. C.
(i) Bremerton Navy Yard, Bremerton, Wash.
(j) Mare Island Navy Yard, Mare Island, Calif.
(k) Naval training station, San Diego, Calif.

NOTE.—At naval air station, Lakehurst, N. J. (above, (c)), a beautiful chapel exists, but without equipment. The following furnishings are needed at once for this chapel: Altar, altar equipment, pulpit, lectern, electric organ, chancel furniture, pews, and kneeling benches.

CHAPELS NEEDED

Station	Present chapel facilities	Recommended facilities
(a) Naval hospital, Boston, Mass	No chapel	1 chapel, 200 capacity.
(b) Navy Yard, Portsmouth, N. H	do	Do.
(c) Submarine base, New London, Conn	do	1 chapel, 300 capacity.
(d) Navy Yard, Philadelphia, Pa	Deteriorated beyond repair	1 chapel, 250 capacity.
(e) Naval Medical Center, Bethesda, Md	No chapel	1 chapel, 400 capacity.
(f) Naval hospital, Portsmouth, Va	do	1 chapel, 200 capacity.
(g) Naval air station, Naval Operating Base, Norfolk, Va	do	1 chapel, 400 capacity.
(h) Navy Yard, Charleston, S. C	do	1 chapel, 200 capacity.*
(i) Naval air station, Jacksonville, Fla	do	2 chapels, each 350 capacity.*
(j) Naval air station, Pensacola, Fla	1 small chapel	1 chapel, 450 capacity.
(k) Naval air station, Corpus Christi, Tex	No chapel	1 chapel, 450 capacity.*
(l) Naval training station, Great Lakes, Ill	1 small chapel	2 chapels; capacity—400 Protestants, 300 Catholics.*
(m) Naval air station, Sand Point, Wash	No chapel	1 chapel, 200 capacity.
(n) Naval air station, Alameda, Calif	do	1 chapel, 200 capacity.*
(o) U. S. Marine Base, San Diego, Calif	do	2 chapels, each 350 capacity (1 recruit depot, 1 main base).
(p) Camp Elliot, San Diego, Calif	do	2 chapels, each 350 capacity (1 Protestant, 1 Catholic).
(q) Naval hospital, San Diego, Calif	do	1 chapel, 200 capacity.
(r) Submarine base, San Diego, Calif	do	Do.
(s) Navy Yard, Pearl Harbor, T. H	do	1 chapel, 350 capacity.*
(t) Naval air station, Pearl Harbor, T. H	do	1 chapel, 200 capacity.*
(u) Submarine base and air station, Coco Solo, C. Z	do	1 chapel, 300 capacity.*
(v) Naval station, Guam	do	1 chapel, 200 capacity.
(w) Naval station, American Samoa	do	1 chapel, 150 capacity.
(x) Naval air station, Kodiak, Alaska	do	1 chapel, 200 capacity.
(y) Naval air station, Guantanamo Bay, Cuba	do	Do.
(z) U. S. Marine Base, New River, N. C	do	3 chapels, each 300 capacity.
(a-a) U. S. Naval Air Station, Quonset, R. I	do	1 chapel, 300 capacity.

*Sunday-school facilities are needed at these posts or bases; in addition to the chapel indicated (*). An annex to the chapel, which has at least 3 rooms, should be included in these plans and necessary appropriations.

EXTENSION OF SELECTIVE SERVICE—PRINTING OF RESOLUTION (S. DOC. NO. 108)

On motion by Mr. BARKLEY, it was ordered that the joint resolution (S. J. Res. 95) to extend the periods of service of persons in the military service, and for other purposes, be printed as agreed to by both Houses.

LONGEVITY PAY FOR POSTAL EMPLOYEES

Mr. MEAD. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of House bill 1057, Calendar No. 668.

Mr. McNARY. Mr. President, that can be done only by unanimous consent. I should like to know the nature of the bill.

Mr. MEAD. Mr. President, the bill is to establish a system of longevity pay for postal employees. It passed the House unanimously, and our committee practically cut the amount in two. It was unanimously reported by our committee, and I think that if I had the opportunity to explain it to the distinguished minority leader he would be willing to have it considered this evening.

Mr. McNARY. I made the request only for information. I have received letters from some of the employees who desire an amendment.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. BARKLEY. I am interested, as are many other Senators, in including third- and fourth-class postmasters in the bill. They have been stricken out by the committee. I should like to inquire of the Senator whether he will insist on the amendment of the committee, which eliminates these two classes of postal employees?

Mr. MEAD. As one of the sponsors of the bill, I will say that, so far as I am concerned, I do not object to the amendment.

Mr. BARKLEY. The Senator means he does not object to the defeat of the amendment.

Mr. MEAD. That is correct. I think an agreement could be reached.

Mr. McNARY. Mr. President, I should like to inquire whether the amendment is now in the bill.

Mr. BARKLEY. The bill contains a committee amendment eliminating third- and fourth-class postmasters.

Mr. HAYDEN. And, if I may say so, Mr. President, very properly so.

Mr. BARKLEY. That is a question which would probably have to be discussed.

Mr. HAYDEN. It is proposed to give a fourth-class postmaster, whose total income is perhaps $40 or $50 a year, $60 now and $120 a year 5 years from now. The proposal is without reason.

Mr. McNARY. Mr. President, will the able Senator from New York be present tomorrow?

Mr. MEAD. The Special National Defense Committee is leaving for an investigation of projects on the Pacific coast. I should very much like to go with the committee. Unless the bill is disposed of it will be necessary for me to postpone my trip.

Mr. McNARY. I should not want to discommode the Senators, but if there is to be a controversy over the amendment tonight and if it is necessary to obtain unanimous consent, I shall object to the consideration of the bill unless it can be passed in a short time.

Mr. MEAD. The third- and fourth-class postmaster provision is contained in the House bill, and would be consid-

ered in conference even though we should strike it out.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. McKELLAR. Let me say for the information of Senators that when this bill came over from the House it met very violent opposition at the hands of the Department. The Department thought it was beyond all reason. The result was, after many negotiations, that a bill was finally agreed upon between the representatives of the employees and others interested in the matter, possibly including the Department—at least the objection of the Department to the bill became less vigorous—and we have been in agreement that the Senate version of the bill shall become the law if we can bring it about. If an amendment is to be offered which would disarrange the whole matter and would greatly add to the cost by including officials of the Post Office Department whose salaries have been raised in recent years, I could not agree to the amendment. If it were a matter of taking the amendment to conference, that would be a different thing; but if we should agree to the amendment it would mean that it would become the law.

I hope the Senator from Kentucky will at least allow the matter to remain in conference.

Mr. BARKLEY. Mr. President, personally, I do not see why the lowest-paid postal employees in the Service should be eliminated simply because a few of them draw small compensation. Certainly, that situation does not affect third-class postmasters. Third-class postmasters are those who draw more than $1,000 a year, up to a certain other salary. I have forgotten what the maximum is. Certainly the situation to which the Senator from Arizona [Mr. HAYDEN] calls attention could not affect them. Yet the committee has stricken out both third- and fourth-class postmasters. The House put those two classes in without any restriction, and I have not been able to convince myself that they ought to be eliminated. I think the Senate ought to be given an opportunity to vote on whether it wants to include them. That is all I insist upon.

Mr. McKELLAR. I have no objection whatever to that course; but, having made an agreement, I think we ought to stand by it.

Mr. BARKLEY. I do not know what the Senator means by having made an agreement. I have not made an agreement with anybody.

Mr. McKELLAR. I do not refer to the Senator. I am talking about the committee. I am not saying that the Senator, or any other Senator except those on the committee, is obligated by any agreement. I think the committee should stand by its agreement.

Mr. BARKLEY. I understand that; but I think the Senate ought to be given an opportunity to express itself on whether it wants these two classes eliminated.

Mr. McKELLAR. I agree to that. If the Senator will permit me, let me say to the Senator from New York that although he may have to leave tomorrow, I do not think there is the slightest doubt about the passage of the bill, either with third- and fourth-class postmasters in it, or with the third- and fourth-class postmasters eliminated. I think it will be passed, and I hope the Senator will be paired in favor of the bill.

Mr. BARKLEY. Mr. President, we have had a difficult time maintaining a quorum today. On the amendment of the House to the draft measure only 54 votes were cast. That matter was responsible for several Senators coming back to the city today. Otherwise they would not have returned. I hope that Senators will not be encouraged to depart from the city, because we may run out of a quorum by tomorrow if too many of them leave. If any Senator should make the point of no quorum, and there should not be a quorum in the city, we might have to send the Sergeant at Arms all over the country. We cannot tell. It depends on the importance of the matter under consideration. I hope that Senators who are present will remain in the city, and that no Senator will be encouraged to leave unless it is necessary.

Mr. McKELLAR. Mr. President, I shall not object to the unanimcus-consent request of the Senator from New York if the Senate wants to pass on the question of third- and fourth-class postmasters this afternoon. I shall not ask for a year-and-nay vote. I feel very kindly toward third- and fourth-class postmasters. I have no objection to the matter being voted on by a voice vote.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. McNARY. Mr. President, I stated that it would require unanimous consent to displace the unfinished business temporarily. I do not know whether it is desired to displace it permanently.

Mr. MEAD. No.

Mr. McNARY. I do not want to discommode the able Senator from New York. I want him to go West. Nevertheless, I feel that we ought to have a vote on the question.

Mr. MEAD. So do I.

Mr. McNARY. If that can be done this evening I shall be perfectly satisfied.

Mr. MEAD. I should like to have a voice vote on the third- and fourth-class postmaster amendment. I think that is the only controversial point in the bill. As the able chairman of our committee stated, we worked on it diligently and we reduced it to a very modest figure which we believe will be acceptable to all concerned.

Mr. HAYDEN. If the Senator will yield to me, I should like to say in that connection that the bill as it passed the House included third-class and fourth-class postmasters, and represented an added charge on the Treasury of more than $30,000,000 a year. The bill, in the form in which we have reported it, will add a charge on the Treasury of about $10,000,000 a year, and it was our judgment that in that form the bill might become law. If a provision covering third-class and fourth-class postmasters should be added to the bill—a change which would require the expenditure of an additional $7,000,000 or $8,000,000, to my mind such action would absolutely insure the eventual defeat of the measure, and it would not become law.

Mr. TAFT. Does the Senator mean that under those circumstances the bill would be vetoed?

Mr. HAYDEN. If we are to judge from the recommendation made by the Post Office Department, that might be true.

I think we have a chance to do what the House committee started out to do, which was not to take care of third-class and fourth-class postmasters, but to give longevity pay to other postal employees. If we adopt the amendment offered on the floor of the House we add $7,000,000 or $8,000,000 to the bill. If we do that we will load down the bill to such an extent that we will defeat the main purpose of trying to take care of some persons who, I think, are justly entitled to consideration.

Mr. MEAD. If the Senator will yield to me, if he will give an expression of his views, perhaps we shall be able to take care of the matter.

The PRESIDENT pro tempore. The question is on the motion to consider the bill.

Mr. ADAMS. Mr. President, I have been in my seat in the rear of the Chamber most of the time. There has been a private conference in the front of the Chamber, and some of us who sit in the rear do not even know what bill is being talked about. There has been no explanation of it. If it is to be acted upon today, I think a quorum should be present.

Mr. MEAD. We are trying to make an explanation of the bill.

Mr. McKELLAR. Both the Senator from Nevada and the Senator from New York introduced bills. At any rate, both are primarily interested in this bill. It is a longevity bill. In a word, it means that all employees who have been working for the Post Office Department 10 years or more shall receive a bonus of $5 a month, and in 5 years more each one of such employees will receive another bonus of $5. That is what the bill means.

Under the bill as it originally came from the House, including third- and fourth-class postmasters and many others, the amount of the appropriation would have been $32,000,000 now and $64,000,000 in 5 years.

But the Senate committee has reduced that to about $10,000,000 at the present time and $20,000,000 in 5 years. So the committee has cut off, as the Post Office Department figures it, something like $40,000,000, and it is in the nature of an understanding that no greater sum than that shall be imposed upon the Government.

The PRESIDENT pro tempore. The question is on the motion to consider the bill.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. MEAD. I yield.

Mr. HUGHES. Does the Senator from Tennessee mean that the amount has been reduced by the action of the Senate committee?

Mr. McKELLAR. From $32,000,000 to about $10,000,000.

Mr. HUGHES. The total amount has been reduced by eliminating from the bill the provision relating to third- and fourth-class postmasters?

Mr. McKELLAR. That is a part of it. We have reduced it in other ways besides that. We have reduced it by cutting down the amount and by leaving out the third- and fourth-class postmasters.

Mr. ADAMS. What report is available from the Post Office Department?

Mr. McKELLAR. The Post Office Department was very much against the original bill, which would involve $32,000,000. We do not have a report from the Post Office Department in reference to the present bill.

Mr. ADAMS. Has it been referred to the Department?

Mr. McKELLAR. It has; and the Department officials talked about it, but they have not stated what they would do.

Mr. BARKLEY. Mr. President, will the Senator yield to me?

Mr. MEAD. I yield.

Mr. BARKLEY. Did the Post Office Department object to the whole bill as a matter of policy, or did they object to part of it because of certain classes of postal employees to be included? Did they distinguish between any classes?

Mr. McKELLAR. No; they did not.

Mr. BARKLEY. Or did they object to the whole bill?

Mr. McKELLAR. They objected to the entire bill as it came from the House, which would have cost the Post Office Department $32,000,000 now and $64,000,000 in 5 years, which does seem to me to be a tremendous amount.

Mr. BARKLEY. So the committee sought to make it more palatable to the Post Office Department by eliminating the provision relating to third- and fourth-class postmasters?

Mr. McKELLAR. No; first they cut in two the additional compensation of all postal employees. Then an additional amount was taken off by eliminating third- and fourth-class postmasters. Third- and fourth-class postmasters were not included by the Post Office Committee in the House, not recommended by the Post Office Committee in the House, and not recommended by the Post Office Committee in the Senate. But the provision as to them was put in on the floor. Those of us who think these persons are entitled to some increase in pay because of the increased cost of living do not think we should jeopardize the chances of passage of the bill by adding such an enormous amount to the costs of government.

The PRESIDENT pro tempore. The question is on the motion to consider the bill.

Mr. ADAMS. Mr. President, I think that probably I am for the bill, but I do not like the idea of passing on a bill involving many million dollars, not only this year but in future years—a continuing appropriation—at a time when obviously a quorum is not present. If we are going to take up the bill and discuss it, probably we should have a quorum present.

Mr. MEAD. Mr. President, will the able Senator from Colorado yield to me?

Mr. ADAMS. Certainly.

Mr. MEAD. Of course, the Senator from Colorado was not here when I explained to the minority leader that our Committee on National Defense is leaving the city tomorrow, and that I should like very much to have an opportunity to have my bill considered this evening before I leave. I knew that if the Senator from Colorado knew of that, he would not object to consideration of the bill at the present time.

Mr. ADAMS. That is all right, but I think a quorum should be present.

Mr. MEAD. Mr. President, if I may add a word to what has been said by the able chairman of the committee, we thought we more or less squared with the objection of the Post Office Department when we made the total cost of the bill less than the net average surplus of the Post Office Department over a period of 8 years. In other words, according to the record we have, this modest bill will not require a contribution from the Treasury in an amount as large as the net postal surplus.

Mr. HUGHES. Mr. President, will the Senator yield to me?

Mr. MEAD. Yes; I am glad to yield.

Mr. HUGHES. Will anything suffer if the bill goes over for a little while, and then we can pass on it?

Mr. MEAD. As I have explained, I will go to the coast tomorrow.

Mr. HUGHES. Yes; the Senator from New York may do that, but cannot the bill be brought up later?

Mr. MEAD. We may not have a quorum here for several weeks.

The PRESIDENT pro tempore. The question is on the motion to consider the bill.

Mr. ADAMS. Mr. President, I ask for a quorum——

Mr. BARKLEY. Mr. President, if the Senator from Colorado is going to do that——

Mr. MEAD. Can we take up the bill tomorrow?

Mr. BARKLEY. We can if we can.

Mr. MEAD. Mr. President, I am perfectly agreeable to the suggestion of the majority leader that we take up the bill tomorrow, but I feel that our chances of having a quorum present are slipping fast.

Mr. BARKLEY. I agree, but probably the chances of having a quorum present will be as great at noon tomorrow as at 5 o'clock this evening.

Mr. MEAD. I agree. Would it be agreeable to make it the pending question?

Mr. McKELLAR. No.

Mr. MEAD. I do not mean that it should supplant the pending business; but cannot the pending business be set aside temporarily?

Mr. McKELLAR. That depends on whether the discussion of the bill would take much time.

Mr. MEAD. Evidently the only time it will take will be the vote on the amendment.

The PRESIDENT pro tempore. The question is on the motion to consider the bill.

Mr. ADAMS. Mr. President, if the bill is to be taken up I shall make the suggestion of the absence of a quorum.

Mr. BARKLEY. Mr. President, the same purpose can be accomplished by objecting to the present consideration of the bill.

Mr. ADAMS. Let me say to the able majority leader that I have no objection to taking up the bill; but when only a handful of Senators is present—no more than the number present at a committee meeting—I do not think we should take up the bill.

Mr. BARKLEY. I think the point of the Senator from Colorado is well taken, that we should have a quorum. But at this hour I do not think an effort to secure a quorum would be justified.

Mr. MEAD. Mr. President, I want to be perfectly agreeable, and so does my distinguished colleague from Nevada. We will withdraw our request and present it tomorrow.

Mr. BARKLEY. Yes; I think the request might well be withdrawn for the present.

MEASURES REPORTED FROM THE COMMITTEE ON THE LIBRARY

Mr. BARKLEY. From the Committee on the Library I report favorably, without amendment, certain House bills and joint resolutions, and ask for their present consideration. None of them involves the expenditure of any money, but each authorizes certain organizations to hold celebrations, to erect monuments, and so forth. They are not controversial.

The PRESIDENT pro tempore. Is there objection? The Chair hears none.

By unanimous consent, House bills and joint resolutions of the following titles were severally considered, ordered to a third reading, read the third time, and passed:

BOARD OF REGENTS, SMITHSONIAN INSTITUTION

The joint resolution (H. J. Res. 195) providing for the filling of a vacancy which will occur August 6, 1941, in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

BOARD OF REGENTS SMITHSONIAN INSTITUTION

The joint resolution (H. J. Res. 121) providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

ANNIVERSARY OF ADOPTION OF THE BILL OF RIGHTS

The joint resolution (H. J. Res. 120) to provide for the proper observance of the one hundred and fiftieth anniversary of the adoption of the first 10 amendments to the Constitution, known as the Bill of Rights.

RAINBOW DIVISION MEMORIAL

The bill (H. R. 3261) to authorize the Rainbow Division veterans to erect a suitable memorial to the Rainbow (Forty-second) Division, American Expeditionary Forces.

DESIGN FOR SMITHSONIAN GALLERY OF ART

The bill (H. R. 3388) to permit the Smithsonian Gallery of Art Commission

to purchase a model of the winning design for the proposed Smithsonian Gallery of Art, and for other purposes.

STRIKES IN DEFENSE INDUSTRIES

Mr. BRIDGES. Mr. President, today we finally enacted the Selective Service Law extension. While that measure was under consideration, in talking with many of the selectees I found that one thing by which they were disturbed was the uncalled-for strikes that were going on in defense industries.

If this is an emergency—and, personally, I believe it is—I think there should be an emergency for all in this country. I think it is up to the administration to take some very definite steps to end strikes in defense industries.

Along that line, I ask unanimous consent to incorporate in the body of the RECORD, as part of my remarks, an article from the New York Herald Tribune of today which shows that from January to July of this year 4,358,600 man-days were lost because of strikes in defense industries, and 15,330,283 man-days were lost in strikes in nondefense industries. That is a terrific amount. I also ask unanimous consent to have printed in the body the RECORD, as part of my remarks, an editorial from the Philadelphia Inquirer entitled "Defense Strikes Call for Action."

The PRESIDENT pro tempore. If there is no objection, it is so ordered.

The matters referred to are as follows:

[From the New York Herald Tribune of August 14, 1941]

NATIONAL ASSOCIATION OF MANUFACTURERS ASSAILS TIME LOSSES IN DEFENSE STRIKES—SURVEY SETS 7-MONTH COST OF STRIFE TO NATIONAL EFFORT AT 4,358,600 MAN-DAYS

Statistics compiled by the National Association of Manufacturers, 14 West Forty-ninth Street, and released yesterday, showed that from January through July this year 501,811 persons engaged in defense work had lost 4,358,600 man-days of work because of strikes. According to the survey, $29,480,000 of defense work was held up by industrial disputes.

The statistics disclosed also that 15,330,283 man-days had been lost by strikes of 877,696 persons employed in nondefense industries, making a total loss caused by walk-outs for the 7 months of 19,688,833 man-days.

Following is a chart, compiled by the association, of workers engaged in strikes and man-days of work lost thereby:

DEFENSE PROJECTS

	Number of workers involved	Man-days of work lost
January	48,904	357,000
February	26,281	301,579
March	63,144	649,213
April	127,399	1,071,380
May	110,993	685,770
June	68,287	757,047
July	51,803	536,611
Total	501,811	4,358,600

NONDEFENSE PROJECTS

January	46,027	336,000
February	21,690	468,742
March	28,064	576,935
April	434,874	8,324,261
May	157,082	1,523,817
June	80,470	1,841,176
July	100,489	2,259,352
Total	877,696	15,330,283

The N. A. M. attributed the strike situation to the failure of the Federal Government to provide "a strong and equitable national labor policy" which would equalize the responsibilities of labor with those of management. The strike of 18,000 workers at the Federal Shipbuilding & Drydock Co. at Kearny, N. J., and other recent strikes in defense industries were cited as illustrations of "the inadequacy of Federal machinery to reduce industrial disputes."

The association, describing the Kearny walk-out as a "classic illustration of strike madness which is sweeping the Nation," attributed such disputes to "an effort by a willful minority to promote labor-power politics."

"Before this country witnesses once again a return of that inviolable right to every workman, union member or not, a new Bill of Rights for American industry, workmen, and management must be written," the association asserted. "No labor dispute can be solved by Government seizure; this is merely sponging a leak which some day may become a flood."

[From the Philadelphia Inquirer of August 14, 1941]

DEFENSE STRIKES CALL FOR ACTION

Viewing the widespread sudden increase in strikes against the defense program—for that is their effect regardless of the question at issue—War Department officials yesterday expressed "grave concern" over the situation.

Unfortunately Congress shows no signs of sharing this anxiety regarding the tie-ups of production at this most critical stage of the defense effort. Just 2 months ago, when there was a similar epidemic of defense strikes, Congress seemed all set to enact imperatively needed preventive legislation.

Then some of the disputes were settled by granting labor's demands and others through compromises of various sorts. Thirty unions of shipbuilders in the East signed agreements not to strike within 2 years. The building trade unions of A. F. L. entered into a similar compact where defense was concerned.

In one instance the Federal Government set a precedent by sending troops to "take over" a Los Angeles aviation plant. What the soldiers actually did was protect the men who wanted to work, despite orders to stay out from unauthorized union bosses, who flouted the pleas of the President and of the National Defense Mediation Board.

Thirty strikes affecting armament production were reported to the War Department as of yesterday, with 23,400 workers idle. A week before, the number of defense strikers was 14,000. This computation did not include the 17,000 strikers at the Kearny plant of the Federal Shipbuilding & Drydock Co., who had been holding up work on nearly half a billion dollars' worth of naval and merchant vessels.

The War Department points to three strikes, which, while involving a comparatively small number of men, are particularly damaging to military airplane, tank, and machine-tool production.

Only about 1,500 went out at the Curtiss-Wright propeller plant in Caldwell, N. J., but $100,000,000 in defense contracts were at stake. The effect on aircraft production was almost immediately apparent. In compliance with the Wagner Act, the N. L. R. B. was preparing to determine which of two warring unions should be the collective bargaining agent when the A. F. of L. union struck work.

Both in this case and that of the strike at the Kearny shipyards, wages or hours are not the crucial issue. At Caldwell the most vicious form of labor strife, the jurisdictional strike, has reared its ugly head. At Kearny the issue has been the closed shop, recommended by the National Defense Mediation Board, although disguised by the term "union maintenance."

The Wagner Act permits but does not prescribe closed-shop contracts. It expressly forbids an employer to encourage or discourage membership in any labor organization. The closed-shop question is one for negotiation and agreement.

Neither this nor any other subject of dispute between employers and employees affords an excuse for quitting work on vital defense orders in this time of the Nation's emergency, whatever the justification for strikes in normal times.

But, more particularly, what warrant can possibly be found for breaking a solemn no-strike agreement, as at Kearny, or for defying the jurisdiction of the National Labor Relations Board, as at Caldwell?

What is the value of a pledged word, to be so lightly broken even at the obvious risk of weakening the Nation's security? Do not these instances prove the imperative need of legislative protection for defense production?

Government seizure of plants is no remedy. This is just what the labor bosses at Kearny have wanted, hoping, as in the North American Aviation case, to reap gains the employer could not see his way to grant.

There must be a better way to keep the defense wheels moving. There is a better way.

Members of 19 railroad labor unions, comprising more than a million and a half workers, are now seeking greatly increased wages. Today in Chicago their representatives and those of the managements will sit around a table with the National Railway Mediation Board. Previous negotiations with the management have failed. Both sides accepted the offer of mediation.

Mediation may or may not prevail. But if it fails, nobody will fear an immediate strike. Reliance is placed in the Railway Labor Act, which for 15 years has maintained peace in this industry. As a last resort the President would appoint a fact-finding board, and a 60-day cooling-off period would automatically intervene.

The purpose is to stop a strike before it starts. It has always worked before. Why wouldn't it work in the case of defense strikes during the Nation's emergency? The duty of Congress was never more plain.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore, as in executive session, laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

CONFIRMATION OF NOMINATIONS OF POSTMASTERS

Mr. McKELLAR. Mr. President, there are only five nominations of postmasters on the Executive Calendar. As in executive session, I ask unanimous consent that those nominations may be confirmed, and the President notified.

The PRESIDENT pro tempore. Without objection, it is so ordered.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Kentucky.

The motion was agreed to; and (at 5 o'clock and 3 minutes p. m.) the Senate took a recess until tomorrow, Friday, August 15, 1941, at 12 o'clock meridian.

NOMINATIONS

Nominations received by the Senate August 14, 1941:

DIPLOMATIC AND FOREIGN SERVICE

Willys R. Peck, of California, now a Foreign Service officer of class 1 and counselor of Embassy at Peiping, China, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Thailand.

COAST GUARD OF THE UNITED STATES

Commander Wilfrid N. Derby to be a captain in the Coast Guard of the United States, to rank as such from July 26, 1941.

APPOINTMENTS AND PROMOTIONS IN THE NAVY

The following-named commanders to be captains in the Navy, to rank from the date stated opposite their names:

Joseph L. McGuigan, July 1, 1940.
Andrew H. Addoms, April 1, 1941.
Herbert J. Ray, July 1, 1941.
Powell M. Rhea, July 1, 1941.
Herbert V. Wiley, July 1, 1941.
Samuel R. Shumaker, July 1, 1941.
Frank D. Wagner, July 1, 1941.
Otto Nimitz, July 1, 1941.
Alexander S. Wotherspoon, July 1, 1941.
James E. Maher, July 1, 1941.
Leighton Wood, July 1, 1941.
Clifford G. Richardson, July 1, 1941.
John J. Mahoney, July 1, 1941.

The following-named lieutenant commanders to be commanders in the Navy, to rank from the date stated opposite their names:

Edwin D. Graves, Jr., December 1, 1940.
James R. Dudley, January 1, 1941.
Rupert M. Zimmerli, January 1, 1941.
James J. McGlynn, April 1, 1941.
Maurice E. Browder, April 1, 1941.
Elmer S. Stoker, April 1, 1941.
Perley E. Pendleton, April 1, 1941.

The following-named lieutenant commanders to be commanders in the Navy, from the 1st day of July 1941:

Gilbert B. Myers	Burton G. Lake
John A. Waters, Jr.	Lawrence E. Divoll
Leo. L. Pace	William A. Griswold
Elmer A. Tarbutton	George G. Herring, Jr.
Wyatt Craig	Edward P. Moore
Campbell D. Emory	

The following-named lieutenant commanders to be commanders in the Navy, from the 1st day of August 1941:

Edward C. Ewen
John E. Rezner

The following-named lieutenants to be lieutenant commanders in the Navy, to rank from the date stated opposite their names:

Lawrence H. Martin, January 1, 1941.
Paul H. Tobelman, January 5, 1941.
Samuel D. Simpson, April 1, 1941.
Tillett S. Daniel, April 1, 1941.
David G. Greenlee, Jr., April 1, 1941.
Edward A. McFall, April 1, 1941.
Max H. Bailey, April 1, 1941.
Lynn C. Petross, April 1, 1941.
Marvin J. West, April 1, 1941.
Sidney L. Smith, April 1, 1941.
Thomas M. Wolverton, April 1, 1941.
Welford C. Blinn, April 1, 1941.
Henry T. Hodgskin, Jr., April 1, 1941.
Warren B. Sampson, April 1, 1941.
Warren E. Gladding, April 1, 1941.
Douthey G. McMillan, May 1, 1941.
Ralph E. Westbrook, May 1, 1941.
Solomon D. Willingham, June 1, 1941.

The following-named lieutenants to be lieutenant commanders in the Navy, to rank from the 1st day of July 1941:

William T. Kenny	Arthur E. Loeser
Marvin C. Parr	Loren A. Morris
Herbert C. Zitzewitz	David B. Young
Eliot Olsen	William C. Specht
William P. Chilton	Miles H. Hubbard
William T. McGarry	Harry R. Horney
Harold S. Harnly	Richard W. Smith
Thomas B. Klakring	Gill M. Richardson
Timothy F. Donohue	James A. Prichard
Alden D. Schwarz	Tyrrell D. Jacobs
Christian H. Duborg	John P. Hines, Jr.

The following-named lieutenants to be lieutenant commanders in the Navy, to rank from the 1st day of August 1941:

Howard W. Gordon, Jr.	Robert H. Speck
Paul R. Drouilhet	Henry R. Dozier
Creed C. Burlingame	

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the date stated opposite their names:

Edwin E. Lord 3d, January 1, 1941.
Frank D. Schwartz, January 1, 1941.
Charles E. Loughlin, January 1, 1941.
Richard G. Copeland, April 1, 1941.
William S. Howell, April 1, 1941.
Ralph E. Styles, April 1, 1941.
James W. White, April 1, 1941.
Donald E. MacIntosh, April 1, 1941.
John L. Counihan, Jr., April 1, 1941.
George P. Rogers, April 1, 1941.
Harold E. Ruble, April 1, 1941.
Francis J. Blouin, April 1, 1941.
William V. Pratt 2d, April 1, 1941.
Albert C. Ingels, April 1, 1941.
Robert I. Olsen, April 1, 1941.
Joseph P. Costello, April 1, 1941.
Porter F. Bedell, April 1, 1941.
Richard L. Poor, May 1, 1941.
George P. Koch, May 1, 1941.
Edward E. Grimm, May 1, 1941.
Christopher S. Barker, Jr., May 1, 1941.
Frank S. Fernald, June 21, 1941.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the 1st day of July 1941:

Elmer C. Long	Charles R. Stephan
Elliott L. James, Jr.	David S. Edwards, Jr.
Isthmian L. Powell	Robert J. Hardy
Paul D. Duke	Richard D. Shepard
David McCampbell	John W. Howard
William M. Rakow	John C. Nichols
Dillon R. McMullen	William H. Lawrence
Robert A. Dawes, Jr.	William A. Smyth
James B. Barr	Robert Donaldson
Blish C. Hills	Francis O'C. Fletcher, Jr.
David R. Stephan	
Frank A. Nusom	Sidney L. Erwin
Verne L. Skjonsby	Thomas C. Edrington, 3d
Arthur R. Gralla	
Edgar H. Batcheller	Paul S. Savidge, Jr.
Walter E. Baranowski	Philip H. Torrey, Jr.
John V. Smith	Henry C. Spicer, Jr.
Jacob T. Bullen, Jr.	Lawrence H. Birthisel, Jr.
William W. Walker	
Lester R. Schulz	Donald E. Pugh
Harley K. Nauman	Robert W. Leeman
Robert D. Risser	Leslie K. Taylor
William M. McCormick	Robert F. Sellars
	Wendell H. Froling
Leslie M. Slack	Gordon A. Griffin
Grayson Merrill	George E. Artz
Orme C. Robbins	Malcolm C. Reeves
Richard R. Boutelle	Robert C. Bengston
Otto C. Schatz, Jr.	Douglas L. L. Cordiner
William C. Murphy	

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the 1st day of August 1941:

Francis E. Fleck, Jr.	John H. McQuilkin
Charles E Thurston, Jr.	Benjamin G. Wade
	John H. Eichmann
Edward D. Killian	

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 2d day of June 1941:

John E. Dacey	Irvin J. Frankel
Frank C. Jones	William H. Dimmick
John E. Hausman	James J. Stilwell
Robert A. Schelling	John B. Shirley
Louis E. De Camp	Hugh M. Robinson
Nels R. Nelson	John A. Bartol
Phillip E. Greenwood	Wade C. Shaffer, Jr.
Daniel A. Ball	James F. Ellis, Jr.
Maurice H. Rindskopf	Raymond A. Moore
Dennett K. Ela	Charles D. Brown
John R. Maclachlan	Andrew L. Burgess
Gideon M. Boyd	Fred J. Schroeder
William H. S. Brady	Michael T. Tyng
Edward E. Conrad	Donald E. Smith
Victor A. Dybdal	Thomas Washington, Jr.
Lauren E. Johnson	
Albert T. Church, Jr.	Richard M. Hayes
James G. Andrews	Robert E. Sinnott
John D. Mason	Daniel J. Harrington 3d
John C. H. Smith	
Edwin F. Woodhead	Edmundo Gandia
Elward F. Baldridge	Alto B. Clark
John Hilton, Jr.	Asbury Coward
William L. Kitch	Lawrence D. Earle
Oliver W. Bagby, Jr.	Stephen S. Mann, Jr.
Robert W. Rynd	William J. Schlacks, Jr.

Dental Surgeon Clark E. Morrow to be a dental surgeon in the Navy, with the rank of captain, to rank from the 1st day of July 1941.

Dental Surgeon Frederic McK. Ingersoll to be a dental surgeon in the Navy, with the rank of commander, to rank from the 1st day of July 1941.

Paymaster James E. Brennen to be a pay inspector in the Navy, with the rank of commander, to rank from the 1st day of July 1940.

The following-named passed assistant paymasters to be paymasters in the Navy, with the rank of lieutenant commander, to rank from the 1st day of July 1941:

Murray W. Clark	Vernon Dortch
Frederick L. Hetter	Noble W. Lowrie
Charles G. DeKay	William L. Knickerbocker

The following-named assistant paymasters to be passed assistant paymasters in the Navy, with the rank of lieutenant, to rank from the date stated opposite their names:

Howard T. Bierer, April 1, 1941.
Francis L. Blakelock, April 1, 1941.
Edward F. Metzger, May 1, 1941.
Laurence A. White, July 1, 1941.
Frederick K. Longshore, July 1, 1941.
Howard F. Kuehl, July 1, 1941.
Harry S. Atherton, July 1, 1941.
William I. Robbins, July 1, 1941.
Edward M. Fagan, July 1, 1941.
Richard S. Klunk, July 1, 1941.

The following-named chaplains to be chaplains in the Navy, with the rank of captain, to rank from the date stated opposite their names:

Charles V. Ellis, July 1, 1940.
William A. Maguire, July 1, 1941.
Joseph T. Casey, July 1, 1941.
John W. Moore, July 1, 1941.
Harrill S. Dyer, July 1, 1941.
William N. Thomas, July 1, 1941.
Ernest L. Ackiss, July 1, 1941.
Maurice M. Witherspoon, July 1, 1941.
Thomas L. Kirkpatrick, July 1, 1941.
Razzie W. Truitt, July 1, 1941.

The following-named chaplains to be chaplains in the Navy, with the rank of commander, to rank from the date stated opposite their names:

Joseph H. Brooks, July 1, 1939.
John P. Forsander, July 1, 1941.
William H. Rafferty, July 1, 1941.
John E. Johnson, July 1, 1941.

Boatswain Ralph Brown to be a chief boatswain in the Navy, to rank with but after ensign, from the 1st day of June 1941.

Electrician Leland V. Starkey to be a chief electrician in the Navy, to rank with but after ensign, from the 1st day of June 1941.

Radio Electrician John H. Geyer to be a chief radio electrician in the Navy, to rank with but after ensign, from the 2d day of February 1941.

Carpenter George D. Chambers to be a chief carpenter in the Navy, to rank with but after ensign, from the 25th day of October 1939.

Pay Clerk Michael Mittrick to be a chief pay clerk in the Navy, to rank with but after ensign, from the 1st day of July 1941.

Commander John G. Jones to be a commander in the Navy, to rank from the 1st day of May 1941, to correct the date of rank as previously nominated and confirmed.

The following-named lieutenant commanders to be lieutenant commanders in the Navy, to rank from the 1st day of April 1941, to correct the date of rank as previously nominated and confirmed:

Edwin S. Schanze	Theodore W. Rimer
Douglas V. Gladding	Earl K. Olsen
Henry E. Bernstein	John K. Wells
William E. Oberholtzer, Jr.	Hubert E. Strange
	Daniel J. Sweeney

The following-named lieutenant commanders to be lieutenant commanders in the Navy, to rank from the 1st day of May 1941, to correct the date of rank as previously nominated and confirmed:

Wallace J. Miller	Clifford T. Corbin
Samuel J. McKee	Joe B. Cochran
August W. Lentz	Hamilton W. Howe

The following-named lieutenants to be lieutenants in the Navy, to rank from the 1st day of April 1941, to correct the date of rank as previously nominated and confirmed:

Samuel Bertolet	Fitzhugh McMaster
Herbert S. Fulmer, Jr.	Lewis L. Snider

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the 1st day of August 1941:

Thomas S. Baskett	Mason B. Freeman
Bradley F. Bennett	

CONFIRMATIONS

Executive nominations confirmed by the Senate August 14, 1941:

POSTMASTERS

LOUISIANA

Jessie M. Murphy, Simsboro.

MICHIGAN

Carl C. Brown, Harrison.

NEW JERSEY

Clarence J. Hartman, Groveville.
Rachel E. Berger, Ringoes.

OHIO

Lester H. Gordon, Waynesville.

HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 14, 1941

The House met at 12 o'clock noon.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou God of infinite grace and wisdom, under the shelter of Thy goodness and greatness, we gather in faith and in humility, lifting up our hearts in adoration, in confession, in thanksgiving, in supplication, and in renewed consecration.

We pray that our discordant and rebellious spirits may be quickened and brought into harmony with Thy will. Teach us to follow Thy leading, not in dumb resignation and sullen submission but in glad and grateful obedience to that voice which is continually saying unto us, "This is the way, walk ye therein."

Grant that this Nation may be the honored instrument of God to bring in that blessed day when every need shall be supplied and righteousness and peace shall flow everywhere as a mighty stream.

To Thy name, through Christ, our Lord, shall be all the praise. Amen.

The Journal of the proceedings of yesterday was read and approved.

UNITY

Mr. FOLGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. FOLGER. Mr. Speaker, with much trepidation, but believing you will allow me to tack my 2 months of service to the years of service of my deceased brother, who recently so tragically lost his life in accident, I am persuaded you will in your patience and forbearance hear me a word in this important hour.

In all good will and with great respect and deference, I appeal to every Member of this distinguished body that you do nothing, say nothing, to incite discontent or dissatisfaction among our people, either those in military training or in anywise engaged in assuring the safety and freedom of our country. In the name of America, for the sake of our people in and out of camp, for the sake of our homes and institutions, I appeal to everyone to show the patriotism you possess by helping, not hindering by word or deed in these fateful hours.

(By unanimous consent, Mr. FOLGER was granted leave to extend his remarks in the RECORD.)

EXTENSION OF REMARKS

Mr. ROBERTSON of Virginia. Mr. Speaker, I ask unanimous consent to extend my remarks by including an address entitled "America's Obligations and Opportunities," by Dr. Wallace McClure, of the State Department, delivered last night at the Massanetta Springs Bible conference in Harrisonburg, Va.

The SPEAKER. Is there objection?

There was no objection.

PERSONAL EXPLANATION

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, I rise to propound what I presume may be a parliamentary inquiry. As shown by yesterday's RECORD, I voted "no" in response to roll call 107. In response to roll call No. 108, I am shown as not voting, which is correct. The facts are these, that following roll call 107 it was necessary for me to return to my office to confer with a constituent. There were no warning bells in my part of the House Office Building. My doors were wide open, and neither myself nor my staff heard any bells; in fact, they did not ring. I did not know about roll call 108 until yesterday evening. Is there any way that the RECORD can be amended so as to show that had I been notified I would have been here and voted on roll call No. 108?

The SPEAKER. None whatever, except the gentleman's present statement. The Chair understands that the bells did not ring in that part of the Office Building.

EXTENSION OF REMARKS

Mr. DIMOND. Mr. Speaker, I ask unanimous consent to extend my remarks by the inclusion of a telegram to the Fairbanks Chamber of Commerce, Fairbanks, Alaska.

The SPEAKER. Is there objection?

There was no objection.

Mr. TALLE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter addressed by me to the Secretary of Agriculture on June 28, 1941.

The SPEAKER. Is there objection?

There was no objection.

AIR MAIL

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

[Mr. PLUMLEY addressed the House. His remarks appear in the Appendix of the RECORD.]

PRESIDENT ROOSEVELT AND PEACE

Mr. YOUNG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. YOUNG. Mr. Speaker, President Roosevelt in his historic and unprecedented meeting with Winston Churchill and in the momentous statement he issued following that meeting demonstrates that he has now taken the lead in a peace offensive. The common people of the world want peace and our President will achieve world leadership for this Nation when he plays a major part in bringing an end to this senseless slaughter. President Roosevelt said:

> We will not accept a world like the post-war world of the 1920's in which the seeds of Hitlerism can again be planted and allowed to grow.

I hope and believe that the European war will end this year and that representatives of this Nation will participate in the peace conference intent upon making sure that there will not be another peace crushing any nation, great or small, so that another world war will follow as a matter of course.

It is the aim of this administration, when the tide of barbarity shall have been rolled back, to devote our economic strength in helping the millions now hungry, homeless, or in prison because of dictatorship aggression. Downtrodden peoples must be reestablished on national lines and each race given the right to live in conditions of self-respect and equality. In the day of reconstruction the pleas of those who now suffer and pleas in behalf of nations now nonexistent or oppressed will not be forgotten.

War is the supreme enemy of mankind. Its futility is beyond question.

EXTENSION OF REMARKS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks and include a report on the administration of the Foreign Agent Registration Act.

The SPEAKER. Is there objection?

There was no objection.

Mr. VOORHIS of California. Also, Mr. Speaker, I ask unanimous consent to

extend my remarks and include portions of a speech made at the Midwest Monetary Conference.

The SPEAKER. Is there objection?

There was no objection.

PRICE CONTROL

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I particularly address these 1-minute remarks to those people who, regardless of what they may think of the necessity for such action, are deeply disturbed over the possible consequences of the passage of legislation for price control. If in this Nation today we had a really sound national monetary and credit system, and if even 20 or 25 percent of our people were organized into consumers' cooperatives, by means of which they could exert, directly and without governmental action of any kind, a salutary influence upon the movement of prices, we would not have to have that type of governmental action, namely, price control. I am not saying that perhaps in view of the present situation we will not have to have it in certain cases, but I am saying that if we want to consider a way to get rid of the necessity for action like that, we would have to think in the terms of those two fields that I have mentioned.

The SPEAKER. The time of the gentleman from California has expired.

COLUMBIA POWER AUTHORITY BILL

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I have introduced the Bone-Smith Columbia Power Authority bill in the House because I believe it better protects the public interests than would the so-called Hill bill. Either a board of three members or a single administrator to be confirmed by the Senate would give the Congress a voice in the matter. Otherwise, you have remote control and home rule eliminated entirely.

It seems to me the Bone-Smith bill is a safeguard in the event we should have a national administration hostile to public power or indifferent to the best interests of the Pacific Northwest because the Congress would retain some degree of control as to who would administer our great projects.

I do not at all consider this a matter of being pro- or anti-administration and our bill is no reflection on Secretary Ickes, whose tenure of office is indefinite. We should guard against any and all eventualities and protect our wonderful Columbia River power development against all possible future enemies. I hope our citizens will compare the two bills and let us know their views.

[Here the gavel fell.]

MY CONSTITUENTS VOTE AGAINST WAR

Mr. THILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. THILL. Mr. Speaker, I rise to make a report on the returns to the war poll I am conducting in my district. Every tenth voter listed on the poll lists received a ballot with the question:

The United States should—

Enter the war ☐

Stay out of the war ☐

About 16,000 ballots were distributed and over 5,000 returns have come in to date. Typical comments made by those who are opposed to our entry into war now are the following:

Let America stay out of war. Why should we get mixed up in a mess that we the people do not consider any of our affair. I definitely vote against it.

We didn't gain anything by entering the last war, and we won't by entering this war. It's the same old story over again. Let's try a different pattern and just stay home and mind our own business by building up a good defense.

Those who favor entry into war express their views similar to the following:

Why wait until they bring war to our shores. If England and her allies lose it will be the U. S. A. next. The sooner we enter the better.

The vote against entry into war is very high, running over 90 percent at the present time. The results of the ballots to date are as follows:

Against entry into war, 4,694, or 91.95 percent.

For entry into war, 411, or 8.05 percent.

Milwaukee wards show the following ballot returns:

Percentage vote

Ward	Against war	For war
1	86.55	13.44
2	86.95	13.04
6	88.04	11.95
7	93.67	6.32
9	91.59	8.40
10	91.92	8.07
13	89.61	10.38
15	91.56	8.43
18	91.50	8.49
19	94.29	5.70
20	96.38	3.61
21	90.00	10.00
22	95.75	4.25
25	92.91	7.08
26	93.97	6.02
Granville	96.02	3.97
Shorewood	86.49	13.50
Whitefish Bay	91.37	8.62
Fox Point	90.47	9.52
River Hills	81.81	18.18
Town of Milwaukee	94.20	5.79

[Here the gavel fell.]

GUIDES IN THE CAPITOL

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, yesterday I asked that guides be paid out of the contingent fund, to show men in uniform the Capitol. I find today that guides already have been showing the men in the service uniform of the United States points of interest and telling them the history of our Capitol. Mr. Speaker, I think those guides who have been doing this for nothing should receive due credit for their courtesy and their consideration of the service men.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. STEARNS of New Hampshire. Mr. Speaker, I ask unanimous consent to extend my remarks and include a brief editorial.

The SPEAKER. Is there objection?

There was no objection.

PORK-BARREL LEGISLATION

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, I rise to call attention to a pork-barrel bill that is about to be introduced in this Congress.

Mr. Speaker, we have been advised the Rivers and Harbors Committee is about to report a bill for the expenditure of more than a billion dollars. I am informed there are about 175 items in this bill. Most of it goes for two big projects—one the St. Lawrence waterway project and the other the Florida ship canal.

The cost of the so-called St. Lawrence waterway project under the bill is estimated at approximately $300,000,000. To this you would have to add the interest charges and carrying charges which would make our share at least a half billion dollars.

The Florida ship canal is estimated at $200,000,000.

I am directing special attention to these two projects that are now being submitted to this Congress in the name of national defense. They are unrelated and will be brought here in an omnibus bill—or rather pork-barrel bill in order to force them through this Congress. How in the world can you justify these projects as national-defense expenditures, I cannot understand, when they cannot be completed for 3 or 4 years.

It was said on the floor of the House that we cannot find $300,000,000 additional money to build our highways, but this committee seems to be able to find more than a billion dollars for waterway projects which are pretty far away from national defenses.

Mr. Speaker, this expenditure of more than a billion dollars would defray the expense of building fourteen 35,000-ton battleships; or it would build thirty 10,000-ton cruisers; or one hundred and twenty-five 1,800-ton destroyers. This is no time for pork-barrel legislation. This is no time to consider such legislation.

[Here the gavel fell.]

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. PITTENGER addressed the House. His remarks appear in the Appendix of the RECORD.]

SOUTHWESTERN TECH'S COLLEGE ON WHEELS

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

Mr. SPEAKER. Is there objection?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, this morning there are 34 members of the Southwestern Institute of Technology of Oklahoma, together with Prof. J. G. Naiman and his wife, here in the gallery to visit Congress while it is in session. The Southwestern Institute of Technology, headed by Mr. James B. Boren, president, is one of the most outstanding colleges in the United States. Mr. Boren is a brother of our esteemed colleague, LYLE BOREN.

I desire to call your attention to the fact that this group is one of the most unique you have ever met. Mr. Naiman is professor of biology and the group is making an overland trip through many States studying. The group is known as the College on Wheels. Believe it or not, there is not another one like it in the United States, as far as I know. Each year Mr. Naiman conducts a tour of college students. This group consists of: Billy Max Spotts, Hobart, Okla.; G. E. Castleberry, Herring, Okla.; Irene Dumas, Weatherford, Okla.; Iris Montgomery, Cheyenne, Okla.; Lois Hooper, Thomas, Okla.; Mariam Minor, Erick, Okla.; Kathryn Adams, Hobart, Okla.; Phryne Conway, Snyder, Okla.; Mildred Anderson, Weatherford, Okla.; Harry Ewing, Hollis, Okla.; J. Fred Walkup, Apache, Okla.; Mrs. Eva Spotts, Hobart, Okla.; Joe Jackson, Tipton, Okla.; Dee Wilburn, Oakwood, Okla.; Mrs. Dee Wilburn, Oakwood, Okla.; Electra Grimes, Arnett, Okla.; Mabel A. Gerard, Seiling, Okla.; James Harlan Boren, Weatherford, Okla.; Rudelle Dougherty, Hinton, Okla.; Jane Lee Hall, Canton, Okla.; Valeta Stewart, Lookeba, Okla.; Onvia Ticer, Stafford, Okla.; Minnie McKee, Rocky, Okla.; Dawn Stansell, Weatherford, Okla.; Margaret Chance, Bridgeport, Okla.; Mr. and Mrs. J. G. Naiman, Weatherford, Okla.; Myrle E. Kelly, Weatherford, Okla.; Mildred Porter, Weatherford, Okla.; Jim Burnham, Canton, Okla.; Faye Stoddard, Leedy, Okla.; Oral Holsapple, Thomas, Okla.; Jakie Wright, Weatherford, Okla.; Leonia Schnell, Weatherford, Okla.; Marian Mallory, Southard, Okla.; Harold Naiman, Weatherford, Okla.; and Mavourlene Frederick, Mangum, Okla.

EXTENSION OF REMARKS

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article recently published in the Seattle Post-Intelligencer on the installation of the first generating unit at Grand Coulee.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a radio address I made Sunday night on the subject The American People Do Not Want Another American Expeditionary Force.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE CHURCHILL-ROOSEVELT STATEMENT

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. MUNDT addressed the House. His remarks appear in the Appendix of the RECORD.]

PERMISSION TO FILE A REPORT

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to be allowed to file supplementary views to accompany the report on H. R. 5511 to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GUYER of Kansas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a news letter of the International Reform Federation.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE WEST COAST ALUMINUM PLANTS

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PIERCE. Mr. Speaker, I have written out at some length my remarks on the subject of locating the aluminum plants on the lower Columbia River, and shall ask unanimous consent to extend them in the Appendix of the RECORD. It is my opinion a great mistake has been made and is being made in locating these aluminum plants. Manufacturing aluminum requires an immense amount of electricity which must be sold very cheaply. The only available electricity in quantity is on the Columbia River. I believe that fully $5,000,000 has been wasted and will be wasted in lines and facilities by locating these plants far from the bus bar. After these plants are built remote from the bus bar it will then cost $6 a ton more for manufacture of aluminum than it would cost in plants next to the bus bar. Plants of this kind taking a vast quantity of prime power, should be located as close as possible to the bus bar. It takes months to build transmission lines and quantities of metals necessary to defense. The criminal delay in producing aluminum is even worse than the dollars wasted.

[Here the gavel fell.]

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the Appendix of the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a brief letter.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PEACE AIMS OF THE DEMOCRACIES

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

[Mr. CASE of South Dakota addressed the House. His remarks appear in the Appendix of the RECORD.]

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that at the conclusion of the legislative business and other special orders today I may address the House for 7 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I never knew Cleopatra but I have read about her, but some of the gentlemen on the majority side because of some of her characteristics and a similarity between those and the New Deal might be able to inform me about her. I understand she was very attractive, very alluring, very seductive, quite intellectual, but in the end, if you recall, she got to monkeying around with some of those foreign statesmen like Julius Caesar, Mark Antony, and she was just too much for them. They did not do so well after they fooled around her. After she got all through listening to those fellows she had to let some sort of a snake, an asp I think it was, bite her in order to hide her disgrace and die in peace. Nothing will hide the fallacies of this New Deal which is as much of a double-crosser and deceiver as Cleo, and it has taken Bloody Joe Stalin to its bosom and his bite may be just as poisonous and fatal to it.

Mr. LANDIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LANDIS. Mr. Speaker, our former ambassadors, Kennedy to England

and Bullitt to France, stated before the House Foreign Affairs Committee that we should stay out of this war. Last week former Ambassador to Belgium Cudahy gave an address over the radio urging that we stay out of the war and that President Roosevelt try to bring about peace among the belligerents. These men speak with first-hand knowledge of foreign affairs; they are the only Americans in position to know what has really taken place behind the scenes in Europe, and they were personally appointed by President Roosevelt to keep this country informed about conditions in Europe. It is most significant that the three of them are unanimous in their insistence that America keep out of the war. This fact should put an end to the war whoops which come from the small minority in this country which is trying to destroy our national unity by calling for war now and for more and more action in the nature of steps taking us closer and closer to war.

EXTENSION OF REMARKS

Mr. LeCOMPTE asked and was given permission to extend his own remarks in the Appendix of the RECORD.

THE STATE OF THE UNITED STATES TREASURY

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. RICH]?

There was no objection.

Mr. RICH. Mr. Speaker, the gentleman from Kansas [Mr. REES] mentioned "pork-barrel legislation" that will come up for consideration soon that has in it money for the Florida ship canal and the St. Lawrence waterway, as well as many other projects.

May I say that in 41 days of this year after July 1 we have gone in the red to the extent of $1,634,000,000—over $40,000,000 a day. You are going to wreck this Nation if any more pork-barrel legislation is brought in here and passed. If you Members do not realize that now, you will find it out sooner or later when the Treasury of the United States is unable to function and the Government is not able to perform the duties that are intended to be performed by a government.

You conscripted the boys for 1½ years more and you will have to take care of them. Why break down our Government by pork legislation. You should know better. Defeat such legislation, I say to you.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial from today's New York Times.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. BLOOM]?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. MICHENER]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my own remarks, and I ask that they be printed in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi [Mr. RANKIN]?

There was no objection.

[Mr. RANKIN of Mississippi addressed the House. His remarks appear in the Appendix of the RECORD.]

DISCONTINUANCE OF CERTAIN REPORTS TO CONGRESS

Mr. COCHRAN. Mr. Speaker, by direction of the Committee on Expenditures in the Executive Departments, I ask unanimous consent for the immediate consideration of the bill (H. R. 5508) to discontinue certain reports now required by law to be made to Congress.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the following reports or statements now required by law to be made to Congress are hereby discontinued, and all acts or parts of acts herein cited as requiring the submission of such reports or statements are hereby repealed to the extent of such requirement:

REPORTS UNDER THE DEPARTMENT OF COMMERCE

1. Report showing the names for whom work has been performed, the nature of the services rendered, the price charged for services, and the manner in which the money received was deposited or used (49 Stat. 292).

REPORTS UNDER THE DEPARTMENT OF THE INTERIOR

2. Investigation to determine whether any dams, waterworks, or other projects have been constructed in Clear Lake Watershed, in the State of California, in violation of the water rights of the United States in California, and to render a report thereon (49 Stat. 1975).

3. Examinations and surveys and to locate and construct irrigation works for storage, diversion, and development of waters, including artesian wells, and to report the results of such examinations and surveys, giving estimates of cost of all contemplated works, the quantity and location of the lands which can be irrigated therefrom, and all facts relative to the practicability of each irrigation project; also, the cost of works in process of construction, as well as those which have been completed (32 Stat. 388).

4. Cost account of all moneys expended on each irrigation project (36 Stat. 270; 38 Stat. 583).

5. Statement to the Speaker of the House of Representatives of the fiscal affairs of all Indian tribes for whose benefit expenditures from either public or tribal funds were made (36 Stat. 1077).

6. Report of transactions under the revolving fund for loans to Indians and Indian-chartered corporations (48 Stat. 986).

7. Report of expenditures made during the fiscal year for relief of destitution of natives of Alaska (50 Stat. 584).

8. Annual report of the operations of the Geological Survey (20 Stat. 395).

9. Statement showing amount expended from the appropriation "Mineral leasing (year), Geological Survey" for the benefit of Indian tribes and Indian allottees (44 Stat. 487).

10. Report all temporary details to the District of Columbia of field employees of the Bureau made during each fiscal year (50 Stat. 603).

11. Report of all operations under section 5 of the act of March 2, 1919, including receipts and disbursements (40 Stat. 1272).

12. Detailed information as to projects and expenditures under the "Federal aid to Wildlife Restoration Fund" (50 Stat. 919).

REPORTS UNDER THE DEPARTMENT OF THE NAVY

13. Report of disbursing officers relieved of responsibility on account of loss or deficiency of Government funds, vouchers, records, or papers (41 Stat. 132).

14. Detailed report of the Navy Department's operations under section 10 of the "act to provide more effectively for the national defense by increasing the efficiency of the Air Corps of the Army, and for other purposes", approved July 2, 1926 (44 Stat. 787).

15. Report of expenditures in excess of $450,000 for repairs to any one naval vessel for any 18 consecutive months (49 Stat. 492).

16. Report of exemptions on account of contracts or subcontracts for scientific equipment used for communition, target detection, navigation, and fire control, under the act of June 25, 1936, amending the act of March 27, 1934, relating to excess profits in connection with the construction of naval vessels (49 Stat. 1926–27).

17. Report of all agreements entered into under authority of the act of June 30, 1938, relating to the conservation, care, custody, protection, and operation of the naval petroleum and oil-shale reserves (52 Stat. 1253).

18. Report of all contracts entered into under authority of section 4 of the act approved April 25, 1939, authorizing the Secretary of the Navy to proceed with the construction of certain public works (Public, No. 43, 76th Cong.).

19. Report of vessels whose names have been stricken from the Navy Register (22 Stat. 296).

REPORTS UNDER THE DEPARTMENT OF WAR

20. Reports of all inspections made by the inspection department of the Army as to the necessity, economy, and propriety of all disbursements made by disbursing officers of the Army; also whether the disbursing officers of the Army comply with the law in keeping their accounts and making their deposits (18 Stat. 33).

21. Statement of the cost of all types and experimental manufacture of guns and other articles and the average cost of the several classes of guns and the other articles manufactured by the Government (26 Stat. 320).

22. Report of the activities and expenditures of the Council of National Defense (39 Stat. 650).

23. Statement of expenditures at the Springfield Armory, Mass., and the Rock Island Arsenal, Ill., and of arms, components of arms, and appendages fabricated, altered, and repaired, during the fiscal year ended June 30 (26 Stat. 320).

24. A detailed report of sales of any war supplies, material, lands, factories, or buildings, showing character of articles sold, price received, and purpose for which sold (40 Stat. 850).

25. Hereafter the Secretary of War shall, within the limits of appropriations made from time to time by Congress, and in accordance with reasonable rules and regulations approved by him upon the recommendation of the National Board for the Promotion of Rifle Practice, in connection with the promotion and encouragement of rifle practice, authorize and provide for: Construction work, equipment, maintenance, and operation of rifle ranges; issues of ordnance; sales of arms; procurement of supplies; expenses of the National Board; transportation

of certain officials; procurement of badges, prizes, etc.; and transportation of supplies, etc. Full report of all things done hereunder to be made annually to Congress (43 Stat. 510).

REPORTS UNDER THE FEDERAL SECURITY AGENCY

26. Report of the receipts and expenditures in connection with St. Elizabeths Hospital (21 Stat. 156).

27. Report of the administration of title VI of the act of August 14, 1935 (49 Stat. 635).

With the following committee amendments:

Page 1, line 4, strike out "to be made to Congress."

Page 6, after line 16, insert the following:

"THE QUARTERLY REPORT OF THE HEAD OF EACH EXECUTIVE DEPARTMENT TO THE PRESIDENT

"28. The quarterly report of the head of each executive department or other Government establishment at the seat of government not under an executive department as to the condition of the public business in said department or establishment and whether any branch thereof is in arrears. Act of March 15, 1898 (30 Stat. 316)."

The committee amendments were agreed to.

Mr. TABER. Mr. Speaker, I think the gentleman from Missouri ought to explain the bill.

Mr. COCHRAN. Mr. Speaker, in the last Congress the Committee on Expenditures in the Executive Departments requested the Bureau of the Budget to make a survey to determine how many reports now required by law to be submitted to the Congress could be dispensed with without impairing the efficiency of the departments in any way or depriving the Congress of the United States of necessary information.

This survey discloses that there are about 250 reports required by law to be submitted to the Congress annually. A great majority of those are referred to the Committee on Expenditures in the Executive Departments. Most of them contain figures only. It is absolutely impossible to get any information out of the reports unless there is a follow-up with the department.

For instance, every expenditure for medicine at St. Elizabeths Hospital must be listed and submitted to the Congress in a report. This report is all figures; it contains the symbol of the disbursing officer, the number of the voucher, and the amount spent. What good is that?

This is the first batch of reports that the Director of the Budget recommends be repealed. They were submitted to the clerks of the Committee on Appropriations to see if they thought there was anything suggested that should not be repealed. The report was that they found nothing.

The Congress can get such information any time it desires. If the bill is passed now, the twenty-odd reports listed will not have to be made this year, all that money will be saved, and the labor can be devoted to more useful purposes.

I may say that I have been a member of the Committee on Expenditures in the Executive Departments ever since it was organized and chairman for 10 years, and outside of one report, that showing the refunds on income taxes, which is not included in here by any means, no one has ever come to that committee that seemed interested in any of these reports.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I yield to the gentleman from Michigan.

Mr. MICHENER. I congratulate the committee on bringing this bill in here. I understand that the very efficient clerks of the Committee on Appropriations have checked over every one of these reports referred to and that it is the judgment of those nonpartisan and efficient clerks of the Committee on Appropriations that these reports are practically worthless. It is also the judgment of our former colleague the gentleman from North Carolina, Mr. Warren, that these reports are useless and worthless.

Mr. COCHRAN. They are absolutely worthless. Nobody ever looks at them. I may say that the bill was not even introduced until I received a clearance from the clerks of the Committee on Appropriations.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Does not the gentleman feel that we have a very fine officer in charge of St. Elizabeths, Dr. Overholzer? He is a Massachusetts man and has made a very fine record.

Mr. COCHRAN. I agree with the gentlewoman from Massachusetts. The superintendent simply followed the law and I am trying to permit him to use his personnel for other purposes than compiling a report no one looks at.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to discontinue certain reports now required by law."

FEDERAL BUREAU OF INVESTIGATION

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 881) to permit the reemployment by the Federal Bureau of Investigation of persons retired under the Civil Service Retirement Act.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. MICHENER. Reserving the right to object, Mr. Speaker, does this bill have a unanimous report of the committee?

Mr. RAMSPECK. It is a unanimous report from the Committee on the Civil Service. This bill is especially requested by the Department of Justice and the Chief of the Bureau of Investigation, who said that there are certain agents who are about to retire at age 62 who are greatly needed in connection with the protection of defense activities.

Mr. MICHENER. The bill might be very potent. Will the gentleman make a short explanation in detail?

Mr. RAMSPECK. This bill simply permits the reemployment or retention in the Federal Bureau of Investigation of agents who reach the age of 62, which is the retirement age. They can be either reemployed or retained during this emergency, in the same manner as can employees of the War and Navy Departments, in accordance with the statute which this bill amends and which was passed earlier in the year.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. This bill has been recommended all along the line, particularly by Mr. Hoover?

Mr. RAMSPECK. Yes; it has the recommendation of Mr. J. Edgar Hoover, also of former Attorney General Jackson, and Acting Attorney General Biddle, and also of the Civil Service Commission.

Mr. McCORMACK. We all know of the great work done by the Federal Bureau of Investigation, particularly under the leadership of Mr. Hoover.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. This bill has the unanimous support of the committee?

Mr. RAMSPECK. Yes.

Mrs. ROGERS of Massachusetts. It should be passed because of the necessity for trained men at this time. We do not have enough of them.

Mr. RAMSPECK. That is the purpose of it. The bill was unanimously reported by the committee.

Mr. HINSHAW. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from California.

Mr. HINSHAW. The gentleman in his statement a moment ago said, "reemployed or retained." Does this mean that they have to stay in service whether they want to or not?

Mr. RAMSPECK. No; it is purely optional with the employees.

Mr. JONES. Mr. Speaker, will the gentleman yield?

Mr. RAMSPECK. I yield to the gentleman from Ohio.

Mr. JONES. As I understand, the F. B. I. investigators are not under the civil service. Will the gentleman explain why it is necessary to make this amendment of the statute?

Mr. RAMSPECK. By a special amendment to the Retirement Act some years ago we placed these agents under the Retirement Act. They are not under the civil service.

Mr. JONES. This just affects the retirement?

Mr. RAMSPECK. That is right.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the clause preceding the first proviso in section 6 of the act of June 28, 1940 (Public, No. 671, 76th Cong., 3d sess.), is hereby amended to read as follows: "Notwithstanding the provisions of section 2 of the act of May 29, 1930 (46 Stat. 468), and section 204 of the act of June 30, 1932 (47 Stat. 404), any person heretofore or hereafter retired under the Civil Service Retirement Act of May 29, 1930, as amended, may be reemployed in the service of the War and Navy Departments and the Federal Bureau of Investigation of the Department of Justice and be continued in such service not later than June 30, 1942:".

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two telegrams I have received.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

Mr. SABATH. Mr. Speaker, I call up House Resolution 281.

The Clerk read the resolution, as follows:

Resolved, That the Committee on the Merchant Marine and Fisheries, acting as a whole or by subcommittee or subcommittees appointed by the chairman of said committee, is authorized and directed (a) to conduct thorough studies and investigation of the progress of the national-defense program, insofar as it relates to matters coming within the jurisdiction of said committee, or administered by the United States Maritime Commission, or any other agency under the jurisdiction of said committee, with a view to determining whether such program is being carried forward efficiently, expeditiously, and economically; (b) to make such inquiry as said committee on the Merchant Marine and Fisheries may consider important or pertinent to the merchant marine or fisheries of the United States or any of the Territories thereof, or to any matter coming within the jurisdiction of said committee.

For the purposes of this resolution, the said committee or any subcommittee thereof is hereby authorized to sit and act during the present Congress at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by subpena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses.

That the said committee shall report to the House of Representatives during the present Congress the results of their studies, inquiries, and investigations with such recommendations for legislation or otherwise as the committee deems desirable.

Mr. SABATH. Mr. Speaker, this resolution authorizes the Merchant Marine and Fisheries Committee to make investigations and studies as to the progress of the national-defense program insofar as it relates to matters coming within the jurisdiction of that committee or as administered by the United States Maritime Commission. The resolution has been requested by a unanimous vote of the Committee on the Merchant Marine and Fisheries. I recollect that twice we have given this committee power to make certain investigations and each time only a small amount of the authorization was spent and the major portion was returned to the Treasury. So I feel, in view of that fact the cost will be held to a minimum, such investigation by the committee may have a very wholesome and beneficial effect. This resolution was approved, not that the Committee on Rules did not have the utmost confidence in the Chairman of the Maritime Commission, Admiral Land, or the Commission itself, but because we felt it would be wholesome for the Committee on the Merchant Marine and Fisheries to familiarize itself with the activities and the progress that is being made in the building up of our merchant marine, as well as to check on various other matters which the Commission has within its jurisdiction. In view of this fact I feel there will be no opposition to the passage of the resolution.

Mr. Speaker, however, in connection with this matter I wish to make a few observations. Some weeks ago and, in fact, for some time, I have been receiving many requests from the small manufacturers in my section, and even from some municipal boards and organizations, urging that something be done to aid the small manufacturer to obtain information to facilitate and carry out their desire to be of service to the Government. In the last few days statements have been made that five or six corporations have received from 60 to 65 percent of all the work of the Government. This does not set well with the small manufacturers and, consequently, I believe they should be given a chance and an opportunity to engage on this work, especially the manufacturers in the Middle West who have suffered and are suffering a great deal because all the activities are being centered in New England or on the western coast.

Mr. HAINES. Mr. Speaker, will the gentleman yield?

Mr SABATH. I yield to the gentleman.

Mr. HAINES. I would like to call the gentleman's attention to what is known as the York plan in industry. It is a plan that was evolved by the manufacturers and the labor leaders in York, Pa., that brought together these holders of large war contracts and persuaded them to distribute their work to the smaller manufacturers. In other words, they sublet a lot of these contracts and this plan has been receiving wide publicity throughout the entire Nation and is doing a great amount of good and has the approval of the O. P. M.

Mr. SABATH. I am mighty pleased to be informed of activities in the gentleman's State and the plan if similarly adopted in other States will and should be beneficial and helpful to the small manufacturers in every section of our country. Unfortunately, that cooperation does not exist or prevail in the Middle West, but they have heard and read about it and feel that something will be done along that line without delay. I took the matter up a few days ago with Under Secretary of War Patterson and he informed me that his Department for the last 4 weeks has been working out a plan whereby all possible aid will be given to the small manufacturers and to those who come down here trying to be of service to the country. He realizes from the complaints that he and the Department have received that many of these men have come to Washington, sometimes, for weeks at a time and they are referred from one bureau to another and after spending all their available cash, they leave for home disgruntled and dissatisfied. He desires to correct this situation and a plan is now being worked out by which all the small manufacturers or the small businessmen who have not their own agents or representatives here because they cannot afford to hire efficient, capable, and well-informed men to represent them, will receive consideration. It is to be regretted that their facilities are not now being utilized, but as soon as this plan is completed an office will be set up to which they may go where they will be advised as to how to proceed and their time will not be wasted. They will be informed of the needs of the Government and also given other information to enable them to obtain some work for their plants that heretofore have not received any consideration.

Such a plan is also needed because the charge has been made that only the large concerns receive priorities and, consequently, many of the small firms that have no government work are deprived of the privilege of obtaining raw materials, and are in danger of being obliged to close their factories.

Mr. Speaker, I am pleased that the Under Secretary of War, Mr. Patterson, whom I found to be greatly interested, is, in conjunction with the Council of National Defense and the O. P. M., working out a plan so that this discrimination will be eliminated, and that no unnecessary hardship will be endured on the part of the smaller manufacturers.

Mr. HAINES. Mr. Speaker, the gentleman from Illinois is recognized in this House for his great interest in the small manufacturers, and in labor, and I compliment him this morning, and assure him it is cheerful news to me at any rate that he is making further effort to see that these small manufacturing establishments who are operating and producing the finished product that goes into civilian life are to be given some consideration.

Mr. SABATH. Mr. Speaker, I am indeed gratified that I have been in a position to be of some service. I know many Members have complained to me as well as manufacturers, the Members complaining that business people come here from their districts who do not obtain information or consideration, or any cooperation. They want to know whom to see and what can be done to secure the use of their plant facilities. Consequently I have taken the opportunity today to inform the membership that within a few days such an organization will be available, whereby each and every Member can refer those constituents of his who desire to serve the Government where to go, whom to see, to obtain prompt results.

Mr. HINSHAW. Mr. Speaker, will the gentleman yield?

Mr. SABATH. Yes.

Mr. HINSHAW. The gentleman represents a great manufacturing center, in which I have the honor to have been born. We find now that there is confusion between the Priority Division of the

Office of Production Management, and the Office for Emergency Management under Mr. Henderson. The plant that may or may not be producing defense material, if it could, is unable to get material for that purpose, or for civilian needs, and there seems to be no coordination between those two as yet. Does the gentleman say that the manufacturers for civilian needs are to be allowed to continue without having to come here and get a priority order on every little piece of material they need to produce these things that are necessary for the public?

Mr. SABATH. Effort is being made to coordinate and bring about a program whereby the small man who has not as yet been called upon to serve the Government or do work for the Government shall not be denied the needed material to continue his production or his business.

Mr. HINSHAW. I quite agree with that.

Mr. SABATH. I have received many complaints from Members that the large, influential men have obtained priority orders far above their needs, and that they are actually hoarding some of the material that should go to the small fellow, who is being pushed aside or discriminated against. I have absolute assurance from the Under Secretary of War, Mr. Patterson, with whom I have spent some time on this matter, that a program is being evolved whereby every effort will be made to see that the small businessman, the small manufacturer, will not be disadvantageously affected in any manner, but will be aided in every way possible. I am glad to make that report, and I know that the Under Secretary of War is very much interested and has shown that desire, and that experienced men are being called in by him to aid and work out such plans as he believes will be in operation within a few days.

Mr. LESINSKI. Mr. Speaker, will the gentleman yield?

Mr. SABATH. Yes.

Mr. LESINSKI. Does the gentleman understand that all of the large plants in the country have a large volume of business, especially on what we call a forced price of, say, $10 per hour, per machine? The trouble is here. The small man has not got the business because the large plants want the small man to do all of the manufacturing at $5 per hour, including labor and machine and everything that goes into it, including material, and they want $5 per hour profit. I think that is one thing that ought to be investigated, and I can prove that that is happening.

Mr. SABATH. This resolution will give that committee the right to investigate such conditions if they exist with respect to Maritime Commission contracts. Several weeks ago we adopted a resolution giving the Committee on Naval Affairs, and also the Committee on Military Affairs, the authority to investigate such conditions, and I myself have bitterly complained, because the small manufacturer in my section has been discriminated against, but after making a thorough investigation I have come to the conclusion that these men mean to do the right thing, but the large manufacturer is well informed. The latter's Washington representative promptly furnishes him with all information on new or additional requirements, and naturally he gets the preference, because he is in a position to assure that he can make deliveries, whereas the smaller fellow has not been able to do so. However, now the Department, through this organization, will be ready to and willing to aid, if it is necessary, financially, these small men, just as we have done through the War Finance Corporation during the last war. So I hope all of these complaints that have come to you and to me will be eliminated and that justice will be done to the small fellow.

Mr. LESINSKI. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. LESINSKI. I would suggest that if the Government got rid of its one-dollar-a-year men who grab all of the work for their own plants, and put in men who would represent the small manufacturers, you would not have this discrimination.

Mr. SABATH. In answer to the gentleman, may I say I have heard the same charges from many Members and even outsiders. There may be a great deal to these charges and I do feel that the smaller businessman should have representation in the Office of Production Management as well as in all other departments and agencies that have to do with the letting of defense work. I wish to say to my colleague from Michigan that I have had this matter up with the President and others in high position but, as I have stated, the President has selected or appointed men who have been highly recommended, who were willing to serve, in whom he has had the utmost confidence. He has stated: "I must rely and depend upon those entrusted to do this work." I repeat the statement that I have made in connection with my investigation as chairman of the Committee on Rules that I have found the Quartermaster Corps, under the direction of the able and exceptionally qualified General Gregory, having established contact offices in quartermaster depots in many cities, with authority and instructions to utilize the smaller plants whenever possible.

Miss SUMNER of Illinois. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Miss SUMNER of Illinois. As chairman of the Rules Committee, I would like to have the gentleman tell the House whether or not he knows of any legislation, the purpose of which would be to ration strategic materials now being assigned by Mr. Stettinius under this priority rule, under a system that would give the little businessman the right to have a certain portion of the strategic materials now being given through the discriminatory power on the part of Mr. Stettinius?

Mr. SABATH. No, I cannot give the gentlewoman that information. I have been working on a resolution creating a congressional committee for that purpose, but after talking with Under Secretary of War Patterson, who informed me that he already has started this organization in the hope of doing the very thing the gentlewoman has referred to, I have not continued in my effort to bring about such a resolution to create a congressional committee for that purpose.

Mr. ALLEN of Illinois. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. ALLEN of Illinois. Naturally, the Republicans would not be averse to this, because a couple of weeks ago the minority leader appointed a committee to investigate the same thing the gentleman is coming in with today. Is that not true?

Mr. SABATH. Well, I do not know. I have not been in the Republican conference. I would be delighted to attend the next one so that I might get the information and the wishes of the Republican leaders.

Mr. ALLEN of Illinois. I suggest that the gentleman could get some valuable information from this committee, which was organized a couple of weeks ago by the Republicans, in regard to the very thing the gentleman has referred to today.

Mr. SABATH. I thank the gentleman for the information. I shall avail myself of that information. I will say that I have been working on this for over 6 months and you have heard me a great many times calling attention to these complaints. I am glad that after all these months the Republicans have awakened to the need to do something that will be of service to the small businessman and hope it will not again be lip service.

Mr. BRADLEY of Michigan. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. BRADLEY of Michigan. As I understand it, however, this resolution confers upon the Committee on the Merchant Marine and Fisheries authority only to investigate things in their particular field?

Mr. SABATH. That is correct, because we have already given the Committee on Naval Affairs and the Committee on Military Affairs the right to investigate and the power to subpena any phase of defense contracts.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. MICHENER. The chairman has expressed his appreciation of the fact that the Republican minority has set up a committee which is studying and which expects to solve this problem. The gentleman is one of the leaders of the majority——

Mr. SABATH. Well, I have been charged with many things.

Mr. MICHENER. The majority has the power, it has the administration, it has the votes, it controls the O. P. M., it controls every feature of the thing about which the distinguished New Deal leader is complaining. Now, why does not your party, the majority party, do something about it? Do not wait until our minority committee has solved the matter and reported. Go to work yourselves and do something. Give the country some relief from this condition which you know exists and which is ruining the small

businessman and which operates in favor of the large corporations and trusts. I am glad the gentleman is finally awakened, and I only hope he will be successful in arousing his party—those in control—from the lethargy, the do-nothing policy which is now being pursued as far as the little businessman is concerned.

Mr. SABATH. I thank the gentleman for his remarks. It is indeed unfortunate for me that I cannot always express myself to be clearly understood by all, and I appreciate that on occasions I am misunderstood by some of the membership. But I do want to say to my colleague the gentleman from Michigan [Mr. MICHENER], who is a member of the Committee on Rules, that he is in error if he says the Democratic Party controls all of the organizations he has mentioned. I think they are controlled more so by Republicans than they are by Democrats. It surely cannot be said that Secretary of War Stimson, Secretary of the Navy Knox, Mr. Stettinius, and Mr. Knudsen are Democrats.

Mr. HOFFMAN. Will the gentleman yield right there?

Mr. SABATH. I could mention them all. If I had time, I could mention at least 50 of the outstanding men in these different agencies and departments who are Republicans.

Mr. HOFFMAN. Will the gentleman yield?

Mr. SABATH. But they were appointed because the President believed they were men who had the interest of the country at heart; that they had the experience and ability to carry on.

I yield to the gentleman from Michigan.

Mr. HOFFMAN. But the men on the O. P. M. who are causing this trouble, for instance, who are depriving the 1900 Corporation in St. Joe, Mich., right across the river from your city of Chicago, are not Republicans. You know, over in Chicago you have a lot of soot and dirt and so forth, and we are making washing machines over there, 1,300 of them a day, until the O. P. M. came along and said the other day, "You must cut down production 30 percent." Those are not Republicans who are doing that. Those are your appointees.

Mr. SABATH. Well, who are Mr. Stettinius and Mr. Knudsen? They are Republicans, and it would appear that the Republicans would have greater influence with them than the Democratic administration. However, I am willing to receive them and have them become members of the Democratic Party. I hope that in view of the knowledge and experience they have gained in their positions, and, realizing how desirous the Democratic administration is to protect the rights of the small businessman, they may join us in the future.

Mr. HOFFMAN. But they are throwing our men out of work, shutting our factories. You can have Henderson, anyway.

Mr. SABATH. The gentleman is always interested in his district, and in labor, and in washing machines.

Mr. HOFFMAN. And in the cleanliness of Chicago.

Mr. SABATH. The gentleman does not have to worry about that; we will take care of Chicago.

Mr. HOFFMAN. We want to make washing machines.

Mr. SABATH. I think there is considerable cleaning to be done in the State of Michigan, that if the gentleman looked around a little he would find ample opportunity to use his washing machines and give Michigan a good cleaning.

Mr. HOFFMAN. We did pretty well until you put the New Deal in there.

Mr. SABATH. I am not going to refer to that. I think too much of my colleague to make him feel bad.

Mr. HOFFMAN. Oh, the gentleman could not do that.

Mr. SABATH. Or to call attention to some of the things that are going on there in Michigan, because I would be accused of playing politics—for these people all happen to be Republicans—and I am not playing politics.

Mr. DEWEY. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. DEWEY. I wish to solicit the assistance of my distinguished colleague from Chicago in a little matter in which I know he will be deeply interested, for it pertains to small business.

Mr. SABATH. That is what I have been talking about.

Mr. DEWEY. The north branch of the Chicago River has not been dredged in I do not know how many years, but along it lie a number of small boat-building plants which have contracts for small craft for the Navy. They could increase the size of boats they build, and their business, too, if they could get that branch of the river dredged.

I appeared before the Committee on Rivers and Harbors and have offered a resolution for an investigation by the War Department. I solicit the gentleman's support in this effort so we can help some of the little businessmen in the gentleman's city and my city.

Mr. SABATH. If I can be of any service or aid to the gentleman to help his district and help the small manufacturers of these needed boats I will be only too delighted. That is what I have been harping upon for a long time, that these builders in the Great Lakes region be given contracts to build small boats.

Mr. LESINSKI. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I have already taken too much time. I am sorry.

Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Speaker, we in Michigan, especially in the southwestern part of the State, with which I am familiar personally, would like to keep our factories going. We cannot do it with these orders that are coming down from the O. P. M. Not only are they denying to us the privilege of purchasing material which is necessary to operate the plants, but they are refusing to let us use the materials we have on hand.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. SABATH. That is all due because you are all too busy down there. Is it not a fact there is more activity, more employment, more work going on in that section than ever before in the history of our country?

Mr. HOFFMAN. Oh, no. Nowadays——

Mr. SABATH. I have never seen it busier than it is now.

Mr. HOFFMAN. It is quite true in some sections or parts of the State, some of the eastern parts of the State——

Mr. SABATH. I mean in the gentleman's section.

Mr. HOFFMAN. In the eastern part of the State we have some war work now coming down. We have had some cuts, for instance, in Benton Harbor, the 1900 Corporation was hit. The Cooper Wells Co. was hit by this order on silk. They have a factory in St. Joe, they have one in Decatur, Ala. The Featherbone Co. over at Three Oaks is trying to do something. Then there is the Cookware Co., at Hartford, manufacturing aluminum utensils. They can make 300 castings used in airplanes. There is no question about that; but when they come down here and ask for an order for this defense work—and, remember, they are cut off from manufacturing their regular lines because they cannot get aluminum—when they come down here, the Department gives them an order for a casting amounting to $353. Why, it did not even pay for getting set. This company wants to manufacture these castings, but they cannot get the orders. The orders all go to the big boys, and such companies as the one I am speaking of are the "forgotten men" of industry. The "forgotten man" is the little factory man and his employees throughout the State.

In the case of this one concern, the 1900 Corporation, if that company had complied at once with the order of the O. P. M. it would have had to discharge 2 weeks ago Saturday, 400 men in that small town. Just consider what that means. How can the men who are operating those factories continue in business? How can they pay their taxes if you cut their business down until there is nothing to it? They have to operate the plant if they are to pay taxes. You cannot get milk out of a cow unless you let her eat.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Michigan.

Mr. MICHENER. The gentleman from Illinois [Mr. SABATH] called attention to the fact there were more men working now than there have been. I call his attention to the fact that Leon Henderson stated the other day in the press that this readjustment will take 2,000,000 men out of the small industries in the country. That is what is happening in the territory from which I come and in the territory from which the gentleman from Michigan [Mr. HOFFMAN] comes. These small industries are

laying their men off because they cannot get priority orders.

Mr. DEWEY. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Illinois.

Mr. DEWEY. The gentleman mentioned some time ago that there was a reduction, a forced reduction in refrigerators.

Mr. HOFFMAN. That is right.

Mr. DEWEY. Does the gentleman know about what that reduction will amount to?

Mr. HOFFMAN. I know the order was 30 percent.

Mr. DEWEY. I heard it was more than that. I heard it was 50 percent.

Mr. HOFFMAN. That is my information from the men who make them, that actually the reduction called for will amount to 50 percent, and they ought to know.

Mr. DEWEY. May I also ask if the gentleman knows when that order was to go into effect? Was it as of August 1?

Mr. HOFFMAN. It was supposed to go into effect on August 1. The factory owners have been told that when formally issued the order will be retroactive.

Mr. BRADLEY of Michigan. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Michigan.

Mr. BRADLEY of Michigan. Is it not true that that reduction order was brought about because of the fact that the Government wants to conserve steel? Is it not true these industries, including the washing-machine industry, takes exactly eight-hundredths of 1 percent of the steel capacity of this Nation?

Mr. HOFFMAN. That is correct. The Government wants to send that steel and this other material to Russia. They do not want our manufacturers to have it. We must make the choice of going along with the "wise men" of the administration, giving all aid to Russia and her allies, even though such a course bring ruin to our country, or whether we will take care of our own people first. The O. P. M. seems to think that it can destroy industry, destroy the taxpayer, and still have national defense. It forgets that every soldier has back of him 18 civilians and that if they, the ones who are at home, who are the foundation, are destroyed the armed forces cannot operate.

Let us insist upon the use of a little common sense by the O. P. M. and the N. D. M. B.

[Here the gavel fell.]

Mr. ALLEN of Illinois. Mr. Speaker, I yield 3 minutes to the gentlewoman from Illinois [Miss SUMNER].

Miss SUMNER of Illinois. Mr. Speaker, I had no intention of speaking on this resolution, but I understand there is some spare time available, and I am glad to say a few things on this subject, because I think those of us who represent rural communities and small business, and most all of us do, have been asleep on this problem of allotting strategic materials.

Mr. SABATH. I do not think the gentlewoman has been sleeping.

Miss SUMNER of Illinois. About the time we passed the bill giving Mr. Stettinius full discretion to allot priorities as he sees fit, I encountered one of these financiers whom we sometimes meet in Washington nowadays who has defense contracts. He was one of the big men. He said, "What are you going to do about your little businessmen in the way of their getting priorities on these strategic materials? I notice that you are interested in little business, because I read in the Chicago Tribune some of your comments before the tax committee hearings." He went on to say, "We who have big companies have lobbyists down here, regular attorneys, who can go in there and make their arrangements for nondefense priorities. Your little businesses will lose out, because they will not be able to get raw materials made scarce by the defense program."

He said that most of this iron and aluminum and other materials would be given to defense industries, but there will be some left over which will go for the making of ice boxes, washing machines, and other things not needed in defense. He said further that the men who are on the spot are going to get the priorities for nondefense use. Since that time I have noticed that is true, and so have you.

One solution to this problem, as it seems to me, would be to have a little businessman's committee acting as a board to consider priorities allotted by Mr. Stettinius. Such a plan has its disadvantages, which are apparent. A better method would be to see that our little industries get these strategic materials on a quota basis. That is, adopt a way of rationing those materials with standards fixed by this Congress, saying that the person allotting priorities to business should be governed by a fixed standard set by the Congress, and among those standards to be considered should be, first of all, the amount of material that they use under normal conditions. Let them have their quotas, to be fixed in the same way as Great Britain is rationing food and other materials.

[Here the gavel fell.]

Mr. ALLEN of Illinois. Mr. Speaker, I yield the gentlewoman 3 additional minutes.

Miss SUMNER of Illinois. Mr. Speaker, if we adopt some such legislation, then these little businessmen could come in, as a matter of right, and demand that they get their fair share of strategic materials. Without that, I do not know what is going to happen to our industries.

Mr. ALLEN of Illinois. Will the gentlewoman yield?

Miss SUMNER of Illinois. I yield to the gentleman from Illinois.

Mr. ALLEN of Illinois. The gentlewoman's district in Illinois is a great deal like mine. May I ask the gentlewoman if it is not true that for about 13 years in the past the small manufacturer has, during the depression, had much trouble? They kept operating and losing their capital. They had much unemployment. Now we have this pick-up, and it is just as uncertain as it was before because now they cannot enter into contracts because they have no assurances that they can receive these materials.

The other day I noticed in a Washington paper, a man high in the O. P. M. said there would be five or six thousand small factories closed throughout the United States, resulting in millions of people being thrown out of work and making ghost towns of many places. I would like to have some of these officials of the O. P. M., and I admit they are the greatest industrial leaders in the United States, answer this question: How is it possible for this Government to raise the corporation taxes to pay this great national-defense program if they are going to stop all the factories from working?

Miss SUMNER of Illinois. I wish the gentleman would read the statement to which I referred before the Ways and Means Committee, which has never been controverted, to my knowledge. Before making it, I consulted one of the most prominent and distinguished lawyers in the State of Illinois. He agreed with the opinion expressed in that statement. He, too, believed that that tax bill, especially the estate-tax provisions on small estates, will drive the money now invested in our small industries straight to three places: Government bonds, insurance policies, and stock of large corporations which can be readily liquidated on the stock markets. So that you will find an increased trend toward liquidation of little businesses after the present provisions are passed.

Mr. RICH. Mr. Speaker, will the gentlewoman yield?

Miss SUMNER of Illinois. I yield to the gentleman from Pennsylvania.

Mr. RICH. In reference to the inquiry of the gentleman from Illinois, may I state that there are 56 large corporations in this country that have received over 80 percent of all the contracts that have been let in this preparation for war. When you think that 56 corporations get over 80 percent of all this business, you know there are many little fellows who are not getting anything. What they are getting now is, they are getting it in the neck, because they will not be able to get anything to do the regular, ordinary business they would like to do.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 4 additional minutes to the gentlewoman from Illinois.

Miss SUMNER of Illinois. May I say on this point that this morning I discussed that point with a man who does research for a Government agency, a man who has investigated subcontracting under this new defense set-up. He said that there are three reasons why we are not having subcontracting. I expect I can name all three. One reason is that the big companies that are getting the contracts do not like to farm them out to the little industries in the rural districts, where there is plenty of labor to take care of them. Another reason is that the Army and Navy people who have the responsibility do not like to deal with that many people.

Mr. RICH. When I saw the report last night that 5,000,000 people are receiving aid because of unemployment it brought to my mind the thought that the admin-

istration should take some means of giving the small industries an opportunity to bid on this work. In that way we would take these 5,000,000 people off the Government pay roll and put them on the pay roll of industry. That is the first thing we should try to do to eliminate this relief situation.

Miss SUMNER of Illinois. Let me tell you another thing on that point. Mr. Leon Henderson, now before our committee on the price-control bill, has given the members of the committee a brief in which he shows that the best way to stop inflation is to increase the supply. One good way we can increase supply is to farm out these defense contracts to our nondefense industries, to the unemployed industries in our little communities and in our big communities, the small industries.

Mr. RICH. The gentlewoman says that Leon Henderson says we ought to increase our supply. What does the gentlewoman think the Department of Agriculture will think about that? They have been paying the farmers of this country to cut down their supply; they have been doing everything they can to keep the farmers from raising foodstuffs when the people of the world are now starving to death, especially in Europe and Asia. We are paying our farmers to leave their lands idle at the same time that the world is starving. That is certainly going in a circle. One branch of the Government service is telling you to increase your supply and the other branch is telling you to decrease it. We are going in a vicious circle. It seems that this dog ought to catch hold of its tail pretty soon and then keep in a whirl, and somebody ought to stop it.

Miss SUMNER of Illinois. If we are smart, we will use the same machinery now to reverse the policy and increase the supply of commodities in which a scarcity is anticipated.

Mr. HINSHAW. Mr. Speaker, will the gentlewoman yield?

Miss SUMNER of Illinois. I yield to the gentleman from California.

Mr. HINSHAW. There are many small businesses that are engaged in making things that are necessary to the life of the everyday, common garden variety of consumer. They are not particularly interested in the defense business because they do not know anything about it and are not capable of large-scale production. However, they seek a chunk of defense contracts just so that they can get a chance at priorities because if they do not get some kind of a priority they have to shut down their businesses altogether. That is why they come here to get defense business. They do not want defense work; they are not equipped to handle it and they do not know how to handle it; but they have to come down here and get it in order to get any sort of material at all to run their business.

[Here the gavel fell.]

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 additional minutes to the gentlewoman from Illinois.

Miss SUMNER of Illinois. I have heard it said that the giant industries that now have defense contracts and that ordinarily manufacture luxury goods want to take these defense contracts and cut supplies, so that after the emergency ends we will have a great demand for luxuries. They expect to get that business at the end of the emergency.

I believe that if those of us who represent small businesses are alert we shall see to it that the legislation that comes through here will tend to channel the strategic materials and other materials allotted to nondefense manufacture into our little industries, so that we shall have those people today manufacturing luxuries that our people demand and are willing to pay for, and thus keep all our industry at work and supply the wants of the people without inflation.

Mr. HINSHAW. I should like to know how you can carry out Mr. Leon Henderson's proposal, to which the gentlewoman just referred, to increase the supply in order to keep the price down unless you actually increase the supply. It is a lot of foolishness to talk about increasing the supply and then restrict production at the same time.

Miss SUMNER of Illinois. Obviously, that is a correct conclusion.

Mr. ALLEN of Illinois. Mr. Speaker, will the gentlewoman yield?

Miss SUMNER of Illinois. I yield to the gentleman from Illinois.

Mr. ALLEN of Illinois. I notice in the newspapers that the President and Mr. Churchill have been in a conference, as a result of which they have agreed to let Russia take a great deal of steel and pig iron and deny your factories and my factories back in Illinois the right to obtain it. I am wondering whether the gentlewoman knows the attitude of her people in Illinois, whether they would rather have Russia have this pig iron and steel or have their own factories have it?

Miss SUMNER of Illinois. My people are awake. I do not think they like that very well.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. BAUMHART].

Mr. BAUMHART. Mr. Speaker, I have been very much concerned with the circumstances that are now being faced by the small business of America. I was impressed with the statement made by the gentleman from Illinois concerning the operation of the O. P. M. and the industrial relationship to small business.

In my judgment, if they would permit the able industrialists who have been assigned the responsibility to take care of priorities instead of letting them be hamstrung by New Deal theorists, they would accomplish far more. I compliment these committees that are going to investigate the needs of the Navy, the needs of the Army, and the needs of the merchant marine. I think these committees ought to be developed, but I think, certainly, there should be a spokesman in the halls of Congress for the small businessman who today is unable to meet his responsibilities and keep his plants open.

I would like to call to the attention of the Congress that in my own congressional district we have a cultivator company that is going to have to close its doors because of lack of priorities. We have the astounding situation with the Loomis Machine Co. that makes machines to mine rock in that that company cannot get a blanket priority even though their machines are in operation in the stone quarries which are producing the stone for the T. N. T. plant at Plum Brook ordnance in Sandusky. If that is not an inconsistency and a grave error in the administration of the O. P. M. and the priority contracts, I do not know what you would call it.

Mr. BRADLEY of Michigan. Mr. Speaker, will the gentleman yield?

Mr. BAUMHART. I yield to the gentleman from Michigan.

Mr. BRADLEY of Michigan. I am very much interested in the gentleman's remarks. Does not the gentleman feel that, perhaps, there is some truth in this thesis. There are many people in this country admittedly designing to bring about a national socialistic economy in this Nation, and they can bring that about if they can combine everything in the hands of a few big businesses so they can then put the heat on them through the labor unions or what not and compel national socialization of this country.

Mr. BAUMHART. I think there is no question but what the gentleman's observation is entirely correct.

I have another company in my district which produces steel, which steel is used in the production of shells by the Herbrand Co. at Fremont, Ohio, which company has been producing them for many months for the defense of England.

[Here the gavel fell.]

Mr. MICHENER. Mr. Speaker, I yield the gentleman from Ohio 3 additional minutes.

Mr. BAUMHART. That company today cannot get steel to continue production of shells so necessary in the defense of the British Isles and the other countries to whom we are acclaiming our aid today.

I have another company that produces all-weather wire for use in power lines in the United States of America and elsewhere. They cannot today get copper from the priority groups here in Washington to make that wire which is so necessary for the increase of production of power in the United States.

No; I think there are a great many observations that can be made and a great many inconsistencies which can be remedied and corrected, and when the people of the O. P. M. can make the observation that it may well be that in the near future one-third of all the business in America will have to close its doors, it is time we, as the Representatives of the people and the small businessmen, take a hand in correcting the situation. I, for one, and I know the other members of this committee which has just been appointed by the very able leader of the minority side, the gentleman from Massachusetts [Mr. MARTIN], are going to know when we come back from our districts, after visiting various parts of the United States, what the problem of the small businessman is today. They are the real backbone of American Government, and we are going to know why they cannot continue

to operate and why the concentration of power and the concentration of resources have been centered in the hands of a very few.

Mr. YOUNGDAHL. Mr. Speaker, will the gentleman yield?

Mr. BAUMHART. I yield.

Mr. YOUNGDAHL. I was told yesterday that the washing-machine industry has been advised that they must cut their production 27 percent, or thereabouts, based upon their average monthly production, and because of the increase of their business it will mean practically a 50-percent cut. I am further advised that the washing-machine industry uses about eight-hundredths of 1 percent of the total steel output in their endeavors. Would it not seem possible, with the small amount of raw material necessary to keep this peacetime industry going and keep labor out there employed in this industry, some plan could be worked out whereby they could get this raw material without interfering with the national-defense program?

Mr. BAUMHART. Most assuredly a plan should be worked out, and I attended a meeting in which such plans were presented, and I am happy to see that one industry has taken the initiative in massing its efforts to try to stop this whole program. I compliment the industry.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield 2 minutes to the gentleman from Alabama [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. Speaker, our friends on the minority side have been having quite a holiday today weeping for the small businessman. I desire now to read some extracts from an editorial from the Montgomery (Ala.) Advertiser entitled "Weeping for the Little Man":

WEEPING FOR THE LITTLE MAN

The Republicans have found them a baby, one which they hope will grow into a husky squalling infant if nursed properly between now and 1944, if not 1942.

"Thousands of small businesses in the United States may be in grave danger of destruction," moaned House Republican Leader JOE MARTIN in an Associated Press story carried in yesterday's Advertiser.

This tactic is in line with both the immediate and historical record of the Republican Party which has sabotaged the "little man" time and again, while professing the most virtuous motives.

The Advertiser defies anyone to present a single constructive idea yet advanced by the Republican leadership in Congress.

Or even a single instance in which a majority of Republicans have voted against any pork-barrel bill—although they howl mightily against "wasteful spending."

Or a single instance in which a majority of Republicans have voted in favor of any bill which required courage or statesmanship—such as the extension of service bill.

Of a single instance in which a Republican majority has voted either for or against any defense measure which required a combination of integrity, courage, and party sacrifice.

Or a single instance, prior to the time when defense became a popular issue, when a majority of Republicans voted in favor of an Army-Navy appropriation bill.

And now they weep for the little man.

Delayed and hampered as the defense program has been in Congress, the rush of the emergency is going to cause hundreds of casualties among small manufacturers. It would be too much to expect of the Republican leadership in Congress that it refrain from making political capital of this issue.

But it is altogether proper to inquire into the facts of the situation, however, and to get at the question of who is responsible for the pain which small industries are going to suffer.

A part of the responsibility, at least, rests upon the small industries. They have been warned against what was going to happen. Priorities have been staring us in the face for more than a year. It has been obvious that we were in a period of transition from peacetime production to wartime production. Hundreds of small businesses saw the train coming and have been prepared.

In the second place, the President complied with the insistent demands that industrialists and Republicans should be given a big share in directing the defense effort.

Every vital agency related to national defense—including the War and Navy Departments—has been stacked with Republicans. They have not been acting as partisans and were not chosen as such. But the fact remains that they are not Democrats or New Dealers.

If the present administration had any choice between big industries and little industries, its record certainly would not dictate favoritism in behalf of the former. The policy of subcontracting has been insisted upon, but there is no known method of forcing subcontracting.

If there has not been a sufficient amount of subcontracting—and indications are that there has not—the responsibility rests with large concerns which have not been inclined, or have lacked the ability, to develop successful subcontracting techniques. There has been a tendency on the part of some large concerns to do all of the work they possibly could in order to make a larger share of the profit.

Had the administration forced through a system which would have resulted in a fuller participation on the part of little manufacturers, the Republicans undoubtedly would have hollered that efficiency in defense was being sacrificed for political purposes.

It appears that the Republicans have a dream of nursing the hurt feelings of little industries and collecting campaign funds from the big ones in an effort to defeat the Democrats.

Mr. MICHENER. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, it was amusing to me to hear the statements read by the gentleman from Texas about what the Republican policy is and what we intend to do, but it certainly is interesting to see what has been done here in the past 2 years by the New Dealers.

Miss SUMNER of Illinois. Mr. Speaker, will the gentleman yield?

Mr. RICH. Yes. I yield to the lady from Illinois.

Miss SUMNER of Illinois. I do not think that is amusing. As the Member who took the longest time in discussing the matters in respect to the little businessman, and who tried to present some constructive suggestions, I resent the article. Whenever people get up here and try to represent the Nation and their constituents, constantly the charge is made of playing politics. Some of us here are not interested in politics, and do not even care which party is in power, so long as it is running right.

Mr. RICH. Mr. Speaker, the gentlewoman is correct.

Mr. SPARKMAN. Mr. Speaker, will the gentleman yield?

Mr. RICH. I have only 3 minutes, and I cannot yield. I call attention to the fact that 3 years ago the whole Congress was engrossed in trying to put on the statute books the Neutrality Act. Everybody in Congress was for neutrality. Everyone wanted to keep this country out of war, and wanted to do the things that would keep us from being implicated in any way with any foreign country, or that would embroil us in any war. What happened? The President of this country, Mr. Roosevelt, decided he wanted to repeal the arms embargo, and then inculcated what they called the cash-and-carry plan, so that if anyone wanted to come here and get arms or ammunition, they could, if they could pay for them, they could get them, provided they took them away in their own ships. Then he declared a danger zone. That, however, did not satisfy him, and he eliminated those zones, and then he brought down to us the lease-lend bill, so that we could lease and lend ammunition, ships, powder, TNT—anything that would destroy human life. We were to let those people pay for these things at some future time. But Congress gave the President power to give them $7,000,000,000 in war material for nothing. After all, those nations owed us billions in money, and they had not seen fit to pay us before they got into the war. A funny change by the President, was it not? The President and everyone else knew that the lease-lend bill was only a camouflage. He knew that we were going to give that stuff to foreign countries, and he has been doing that, because we do not have anything of our own here now to protect our own shores for our own national defense, and when the Chief Executive can go ahead and give away 50 ships, without the Congress knowing anything about it, it does not seem right.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. MICHENER. Mr. Speaker, I yield the gentleman 2 minutes more.

Mr. RICH. So he gave those ships away, and then he told the people of this country when we had an election last year, that under no condition would he ever send our boys abroad to participate in any foreign war, and he repeated that and said, "I tell you that again and again and again." He then sent our Army over to Iceland, and tried to make us believe that Iceland is in the Western Hemisphere. That is another way that he was trying to get around things in a way that is not open and honest in my judgment, and above all, that is not the right way to handle the situation, trying to deceive the people. Now, instead of leasing and lending we are told that we are going to convoy the stuff after it is started on its way, in order that these materials may go abroad. That is what they are doing today, and you remember what he said:

When you go to convoying anything across the Atlantic, that means shooting, and shooting means war.

Well, he has tried to work this country into a frenzy where the people would participate in this foreign war. But when we had a vote on the conscription

bill the other day, and it passed by only one vote, you know the Congress is in no mood to grant the Chief Executive the power to go to war. I am glad of that.

We are going to take a month's vacation and it is going to begin Monday. We are going away, but we are going to tell the conscripts that we are going to keep them for a year and a half longer after their term, which expires in about 6 months. That will give them 2½ years. It just does not seem right. Promise them 1 year's training, get them in the Army and keep them there 2½ years. Mr. Speaker, why did they do it? Mr. Speaker, you said it would not happen. Mr. Speaker, tell the country why. Tell them why the change of position. The country wants to know the real truth.

[Here the gavel fell.]

Mr. SABATH. Mr. Speaker, I yield the balance of my time to the gentleman from Virginia [Mr. BLAND].

The SPEAKER. The gentleman from Virginia is recognized for 2 minutes.

Mr. BLAND. Mr. Speaker, I doubt that I will take the 2 minutes, because the discussion has been entirely apart from the resolution. The resolution is not a political or partisan resolution at all. It is unanimously presented by the Committee on the Merchant Marine and Fisheries. It became evident to that committee that there should be some study and inquiry similar to those being made by the Army and the Navy. This resolution covers all of the subjects within the jurisdiction of the Committee on the Merchant Marine and Fisheries. This is true particularly with reference to the merchant marine. It also covers other subjects within the jurisdiction of the committee if necessary.

Mr. BATES of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. BLAND. I yield.

Mr. BATES of Massachusetts. I am in receipt of many letters from constituents from my part of the country, as undoubtedly is the gentleman, relative to the threat of a gasoline shortage. Does your committee intend, under this resolution, to give some attention to that particular matter, relating to the tanks available which are under construction?

Mr. BLAND. The committee desires to give attention not only to that but to any matter within the knowledge of any Member of the House as to which such Member desires an inquiry.

Mr. BATES of Massachusetts. Mr. Speaker, I ask unanimous consent to insert in the RECORD at this point correspondence I have received from constituents on that subject.

The SPEAKER. Does the gentleman from Virginia yield for that purpose?

Mr. BLAND. Yes, Mr. Speaker; I yield.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The matter referred to is as follows:

[From the Oil and Gas Journal]

CONSUMERS WILL ASK

The daily threats out of Washington regarding petroleum rationing are adding to the general confusion as to the Government's oil policies.

Customers along the Atlantic seaboard want to know why they are threatened with a one-third reduction in their gasoline consumption and their suppliers cannot advise them because they do not know themselves.

Eastern operators gave their support to the night closing of stations. At their own expense they are also calling upon customers to adopt motoring practices which will promote the most efficient use of gasoline. They are studying other operating changes which will conserve materials, motor transportation, electric power, and labor.

But these adjustments in merchandizing policies of course will not bring about a 33⅓ percent reduction in gasoline consumption in the Atlantic seaboard areas which the petroleum coordinator insists is needed.

Such a drastic reduction in gasoline consumption is not necessary as a result of the requisitioning of tankers already removed from coastwise service. This loss has been largely compensated for through offsetting actions now being taken by oil-transportation companies.

Thus, the proposed rationing must mean that more withdrawals from tanker capacity are in the making.

Governmental officials apparently have little appreciation of the serious economic and other reactions that will result through a large curtailment in motor transportation in an area which includes several of the country's largest industrial and trade centers. A one-third curtailment in rail facilities in that section would be less important in its far-reaching significance.

Petroleum rationing springs from the attitude that a large part of gasoline consumption is unnecessary. An unbiased investigation will show that the luxury consumption of motor fuels represents a small fraction of the total. The contribution of millions to the economic stability of this country centers in their use of motor power.

We venture the prediction that before the car owners of 16 States and the District of Columbia consent to a large reduction in the use of a commodity which plays an essential part in their day-to-day living, they will have to know many things they don't know now.

They will want to be advised of the details of how a tanker shortage developed after a year and a half of war, during which period, according to available reports, the war losses did not exceed new construction. This explanation, when it is made, should take into consideration that practically all of continental Europe has been withdrawn from oil trade due to war developments. The total movement of petroleum outside the Western Hemisphere has declined steadily since the war started.

Consumers naturally will be curious regarding the changes in the production and movement of petroleum products within the Eastern Hemisphere which would necessitate a reduction of more than 200,000 barrels daily in this country's gasoline consumption, a quantity which exceeds the entire consumption of all petroleum products in the British Isles.

The latest explanation, that future tanker removals will not be made public because it would involve military information, is not convincing in view of the flood of reports on war and defense activities appearing daily in the press and movies and on the air.

A statement of fact clearly showing the justification of the Government's plan will end all doubts and rumors and bring any needed cooperation from consumers, regardless of sacrifices involved.

This leads to the general conclusion that it will be well for Washington to keep in mind that, while it deals with thousands in its regulation of producers, refiners, and transporters, the number jumps to millions when it starts tampering with consumer outlets.

HIGHER PRICES LIKELY TO COME WITH RATIONING ON EAST COAST

(By J. P. O'Donnell)

NEW YORK, August 5.—Gasoline rationing, viewed as a certainty in the east coast marketing area within a short time, is expected to be accompanied by higher prices for motor fuel as a compensation for increased costs. Tank-wagon prices were advanced 1 cent a gallon in Canada following the institution of the 7 p. m. to 7 a. m. service-station closing and since conservation methods adopted in the Dominion apparently are being followed here it is regarded as probable that prices will be changed accordingly.

Compensation for increased costs is the most probable reason for anticipating price advances, however, since O. P. M. has declared that higher costs justify higher prices. With a reduction in the volume of sales, costs are bound to rise on a per gallon basis. In addition to the patent increase in marketing costs, there are also increases in transportation costs. The combination of the two is certain to result in higher prices to the consumer.

The 12-hour closing of service stations is not expected to bring a great reduction in gasoline consumption in the east coast areas since there will still be ample time for motorists to fill all their requirements. The step is regarded as a "conditioning" move to acquaint the motoring public with the seriousness of the situation and to prepare it for the more drastic steps which must follow as more tankers are turned over to the British. Therefore, increased marketing costs, upon which higher prices are expected to be justified, at least partially, are not anticipated until actual rationing is begun "sometime after September 1."

The beginning of August finds east coast oil inventories in comparatively good condition and better in some respects than that which existed at the end of July. Stocks of the major refined products actually increased during July. From June 28 to July 26 aggregate stocks of gasoline, light fuel oil, and residual fuel oil increased from 40,549,000 barrels to 42,916,000 barrels, an increase of 2,367,000 barrels, or very close to 6 percent. This emphasizes the fact that there is no immediate need for curtailment and virtually assures postponement of rationing until after Labor Day.

The most encouraging increase during the month of July was in inventories of light fuel oil. East coast stocks rose 3,000,000 barrels during that month, an average of close to 750,000 barrels per week. In the same period of last year the increase was only slightly more than 3,000,000 barrels. As a result of the increase during July, stocks of light fuel oil on August 1 were approximately 1,000,000 barrels under the corresponding level of a year ago.

Motor-fuel stocks were also maintained fairly well in July this year as compared to the same month of 1940. East coast stocks fell off approximately 1,350,000 barrels in July this year against 1,200,000 barrels in July 1940. Against the comparatively favorable showing of gasoline and light fuel oil, however, is the definitely unsatisfactory status of residual fuel. Residual fuel-oil stocks increased about 730,000 barrels in July this year against 1,600,000 barrels in July a year ago. On August 1, 1941, east coast residuals were approximately 1,500,000 barrels less than they were on the corresponding date of 1940 which, in view of the predicted 18 percent increase in demand in the third quarter and 8.5 percent in the fourth quarter, is definitely discouraging.

Pricewise, the east coast market continued virtually static last week though it was re-

ported that several additional smaller companies were asking 5.25 cents for No. 2 fuel oil. Major companies continued to offer No. 2 fuel oil at 4.9 cents, however, and there was no general increase. Other New York Harbor prices were likewise unchanged with motor fuel of 72–74 octane quoted generally at 8.5 cents, kerosene at 5.5 cents; Diesel fuel at $2 per barrel, and bunker C fuel at $1.35 to $1.45.

The increase of 0.5 cent announced by Standard Oil Co. of Ohio, effective throughout that State August 1, in the price of kerosene and light fuel oil may have a beneficial effect in the neighboring east coast district. The increase in Ohio makes the State-wide tank-wagon price on No. 2 heating oil 8 cents per gallon. This contrasts with 6.7 cents in metropolitan New York and 7 cents in suburban areas. This spread, coupled with the higher costs of the eastern areas, should justify an increase in kerosene and light-fuel-oil quotations along the Atlantic seaboard.

Predicted increases in Pennsylvania lubricating oils were realized during the past week, affecting all grades from steam refined stock to high-viscosity neutrals. Steam refined stock quotations were up uniformly 1 cent ranging from 14 cents on 600 steam refined stock to 16 on 630 flash material. Bright stock quotations were likewise advanced 1 cent, making the minimum on 25 pour material 25 cents though it was reported that some suppliers are asking 27 cents. The largest of the increases came in the closely held neutrals now quoted at 33 to 36 cents for 25 pour, 150 viscosity, and at 36 to 40 cents for 25 pour, 200 viscosity, raises of 2 and 3 cents, respectively.

The Pennsylvania lubricating-oil market is described as the tightest on record. Recent reports of the N. P. A. indicate that sales are at the highest levels in years and reveal that inventories have steadily declined with neutral stocks at the lowest point in almost 3 years. Coupled with this strong inventory position is prospective demand for Pennsylvania lubes, the best in years, as a result of the increased industrial activity and the east coast shortage.

A. P. I. weekly refinery statistics, week ended Aug. 2, 1941

	Capacity reporting	Total gasoline stocks	Residual fuel-oil stocks	Gas, oil, and distillate stocks	Daily crude runs
	Percent	*Barrels*	*Barrels*	*Barrels*	*Barrels*
East coast	100.0	21,438,000	9,989,000	13,009,000	503,000
Appalachian	83.8	3,091,000	505,000	461,000	137,000
Indiana, Illinois, and Kentucky	84.4	16,067,000	3,715,000	4,526,000	602,000
Oklahoma, Kansas, and Missouri	80.7	6,815,000	2,070,000	1,084,000	315,000
Inland Texas	63.2	2,038,000	1,278,000	440,000	124,000
Texas Gulf	91.0	12,062,000	7,595,000	6,748,000	937,000
Louisiana Gulf	89.1	3,157,000	1,702,000	1,618,000	152,000
North Louisiana and Arkansas	49.9	431,000	463,000	288,000	51,000
Rocky Mountains	50.1	1,279,000	473,000	131,000	50,000
California	90.9	14,416,000	65,485,000	11,568,000	544,000
Total reported	80.3	80,814,000	93,275,000	40,533,000	3,505,000
Estimated unreported		5,965,000	1,525,000	900,000	340,000
Estimated total [1]		[2]86,779,000	94,800,000	41,433,000	3,845,000
Estimated total previous week [1]		86,945,000	93,855,000	40,197,000	3,920,000
Aug. 3, 1940 [1]		88,892,000	106,265,000	39,594,000	3,510,000

[1] Bureau of Mines.
[2] Includes 7,673,000 barrels aviation gasoline.

Stocks of Crude Oil in the United States
(Bureau of Mines estimate)

	Barrels
Week ended July 26, 1941	252,728,000
Week ended July 19, 1941	254,048,000
Week ended July 27, 1940	262,579,000

Figures do not include stocks of heavy, unrefinable California crude.

TRENDS—ALL DIVISIONS STUDY PROBABLE EFFECTS OF GASOLINE RATIONING

Crude production 3,690,870 barrels daily average—down 174,495 barrels. One year ago 3,494,217 barrels.

Crude stocks 252,728,000 barrels as of July 26—down 1,320,000 barrels. One year ago 262,579,000 barrels.

Daily average production for week

	Aug. 2, 1941	Bureau of Mines August estimate of demand	August State allowables	July 26, 1941
Arkansas	73,300	80,700	74,428	73,425
California	638,500	641,000	610,000	638,250
Eastern fields	112,300	121,000	----------	112,100
Illinois	350,195	390,100	----------	332,540
Kansas	235,500	240,800	242,800	241,950
Louisiana	318,905	324,500	324,500	312,355
North Louisiana	78,555	----------	----------	76,240
Louisiana Gulf Coast	240,350	----------	----------	236,115
Michigan	42,470	36,000	----------	41,520
Mississippi	47,740	25,200	----------	47,355
Nebraska	5,200	4,400	----------	5,400
New Mexico	109,370	112,900	112,900	109,340
Oklahoma	417,250	492,400	415,000	415,450
Rocky Mountain States	107,640	109,400	----------	107,070
Texas	1,232,500	1,361,600	1,412,121	1,428,610
East Texas	298,550	----------	----------	367,965
West Texas	221,650	----------	----------	266,120
North Central Texas	129,550	----------	----------	129,165
East Central Texas	79,400	----------	----------	84,305
Texas Panhandle	80,750	----------	----------	80,370
Texas Gulf Coast	341,150	----------	----------	405,395
Southwest Texas	81,450	----------	----------	95,290
Total, United States	3,690,870	3,940,000	----------	3,865,365

	Barrels
Total production, Jan. 1–Aug. 2, 1941	785,553,545
Same period last year	803,162,715

Gasoline stocks [1] 86,779,000 barrels as of August 2—down 166,000 barrels. One year ago 88,892,000 barrels.

Residual fuel-oil stocks 94,800,000 barrels as of August 2—up 945,000 barrels. One year ago 106,265,000 barrels.

Gas oil and distillates 41,433,000 barrels as of August 2—up 1,236,000 barrels. One year ago 39,594,000 barrels.

Refinery runs 3,845,000 barrels daily week ended August 2—down 75,000 barrels. One year ago 3,510,000 barrels.

All branches of the petroleum industry are giving consideration to the probable effects of a substantial reduction in gasoline consumption now in prospect for the Atlantic seaboard States. It is assumed that the petroleum coordinator will shortly complete plans for the rationing of motor fuels involving all or parts of 16 coastal States and District of Columbia. Requests for voluntary curtailment by consumers have not materially changed the consumption in that area and it has been announced that plans for compulsory curtailment will be made effective.

It is pointed out that a 33⅓-percent reduction in gasoline demands in that area will mean a substantial increase in costs for all operators concerned. In no business are costs more directly dependent on volume than they are in the oil industry extending from the production of crude oil to the filling stations. In the case of stations it is said that a one-third reduction in volume would mean an added retail cost of at least 1 cent per gallon. Per-gallon costs for wholesale and transportation operations would also be higher.

A reduction of approximately 200,000 barrels daily in gasoline demand which the one-third cut in Atlantic seaboard consumption would total, is equivalent to about 25 percent of the present 775,000-barrel daily output of gasoline at east-coast and Gulf-coast (Texas and Louisiana) refineries. Operators of these plants are concerned as to how this large reduction in their gasoline output will be brought about. If they maintain their present level of crude runs to stills then they will have to dump the 200,000-barrel daily gasoline output on other domestic markets. Reductions in gasoline yields to provide for the 25-percent curtailment in output are practically impossible in modern refinery operations. If refinery crude runs to stills are reduced 25 percent, shortages in other products will develop. These possible developments indicate the dilemma of refinery operators who are faced with higher plant-operating costs regardless of how the rationing is handled. The reactions will carry back through the crude-oil production and transportation facilities for the areas now serving Atlantic- and Gulf-coast refineries.

Currently, buyers of crude oil and refinery products are in agreement that markets are as strong as they have been in several years. There have been advances in prices for several refinery products and sentiment is growing for a general revision upward in crude-oil and gasoline price schedules. Studies recently completed indicate the justification for higher crude prices in stripper areas and in secondary-recovery operations which are of increasing importance in conservation plans.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. BLAND. I yield.

Mr. RICH. I understood it was said that if the railroads were given an opportunity with the tanks they had available they would be able to transport a great deal more oil from the Texas and Oklahoma oil fields, if proper encouragement was given them. Does the gentleman know anything about that?

[1] Includes 7,673,000 barrels aviation motor fuel, up 131,000 barrels. One year ago 5,475,000 barrels.

Mr. BLAND. I am not familiar with the railroad problem at all.

[Here the gavel fell.]

The SPEAKER. The question is on agreeing to the resolution?

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. SABATH. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD an editorial from the Herald Tribune of today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MYERS of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial which appeared in the Philadelphia Evening Bulletin of yesterday, August 13.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Baldridge, one of its clerks, announced that the Senate agrees to the amendment of the House to a joint resolution of the Senate of the following title:

S. J. Res. 95. Joint resolution to extend the periods of service of persons in the military service, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 162) entitled "An act to strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes."

INVESTIGATION BY COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

Mr. COCHRAN. Mr. Speaker, by direction of the Committee on Accounts, I submit a privileged resolution (H. Res. 297, Rept. No. 1177) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the expenses of conducting the studies and investigations authorized by House Resolution 281 of the present Congress, incurred by the Committee on the Merchant Marine and Fisheries not to exceed $25,000, including expenditures for the employment of clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee conducting such studies and investigations or any part thereof, signed by the chairman of the committee and approved by the Committee on Accounts.

SEC. 2. The official stenographers to committees may be used at all hearings held in the District of Columbia.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 7 minutes.

PRIORITY ORDERS

Mr. HOFFMAN. Mr. Speaker, the gentleman from Illinois [Mr. SABATH] was complaining rather bitterly because we criticized the O. P. M. The gentleman from Illinois said that the members of that organization were Republicans. Perhaps they are in name, but they have not been in principle for a long, long time. It should be remembered that the President selected them because they were backsliders, because they were willing to go along. The Republicans do not believe at all in the way this O. P. M. is acting. There is nothing down there but confusion and chaos, anyway. The city of South Haven has a municipal plant that furnishes electricity to defense industries. They wanted a new generator. Wheeler & Co. have the contract to furnish it. They needed a little brass—not the kind they have in the Army in the brass hats—but they needed brass to put into condensers. They had a priority order issued on the 7th day of June, a number assigned to it. Can you believe it—it is true—that for 4 days over the telephone I tried to get the man in charge to locate the order because we wanted it changed so that we could get that brass. Up to this time—it has now been a week—although I gave him the date the order was issued, June 7, and the number of the order, they have not been able to locate the file so that they could make any change.

What I wanted to talk about, though, is this: We are all going home. The leaders have arranged so that we can go home and see the folks. Whether they take us out in the woodshed and give us an old-fashioned admonition as to what we should do, or whether they pat us on the back, is a question. I suggest that when we get home we ask the home folks these questions, and if we do not ask them they will probably ask us:

Just where is the factory owner who has been ordered by the O. P. M. to reduce his output, or denied the right to purchase materials to operate his factory, to get the money to pay his taxes?

How will the employee, thrown out of work and unable to get a job in a defense industry, be able to purchase all those things which carry a hidden tax and on the payment of which the Government depends?

Where is the employee, thrown out of work because the O. P. M. has ordered his employer to reduce production, or denied him the right to purchase materials to operate, going to get another job?

Here is another:

Was it fair for Congress to sentence the men who volunteered for service in the Army, the drafted men, and the National Guard to serve an additional 18 months after the expiration of their term of service?

And if and when we ask that question let us be sure to tell whether we voted for this additional service; and if we did, just why—and I hope the two gentleman from Detroit [Mr. DINGELL and Mr. LESINSKI], when they get home, will ask their folks whether it was a fair proposition or not, and tell everyone they voted to keep the men in for another 18 months.

Mr. LESINSKI. Does the gentleman want me to answer?

Mr. HOFFMAN. The gentleman does not need to answer. It was rotten.

Mr. LESINSKI. Ninety percent of my people are with the President.

Mr. HOFFMAN. Oh, yes?

Mr. LESINSKI. And they are glad I voted that way.

Mr. HOFFMAN. And if the election was coming along next November how would the gentleman have voted?

Mr. LESINSKI. Just the same as I did, and as I have in the last 10 years. That is why I am here.

Mr. HOFFMAN. Not many are proud of riding on the President's coattail, and it is getting pretty slippery. The gentleman is here because the C. I. O., that is holding up the production of ships for our Navy, says the gentleman can come here.

Mr. LESINSKI. I am sorry, the gentleman is wrong.

Mr. HOFFMAN. Mr. Speaker, I ask for order. I did not yield to the gentleman.

Mr. LESINSKI. I have not been endorsed by either the C. I. O. or the A. F. of L. I have been endorsed only by the people of my district who elected me.

Mr. HOFFMAN. The gentleman is not to get any of that in the RECORD, because I did not yield to him. But I will let it stand.

If and when you ask these questions, be sure to state whether you voted for this additional service, and if you did, explain just why.

What do the volunteers, the drafted men, and the guardsmen and their families and friends think of the policy of the National Defense Mediation Board, which requires employers engaged on national-defense work to deny employment to those who do not belong to favored unions?

What do the home folks think of the National Defense Mediation Board's policy, which requires those who want to work on national defense to join a union and pay tribute to it before they can work?

And when this question is asked will you tell your home folks that you have refused for 2 years and more to amend the National Labor Relations Act so that men would not be denied the right to work without paying John Lewis' or William Green's unions a fee for so doing?

What do your home folks think of the administration's policy of keeping the volunteers, the drafted men, and the National Guard men in the Army for another 18 months, while at the same time permitting members of the C. I. O. to prevent the launching, at the Federal Shipbuilding & Drydock Co. yards at Kearny, N. J., of needed warships which have been completed?

What do the soldiers, who get around $30 a month, and whose pay, after a year's service, will be increased $10 a month, think of the policy of the National Defense Mediation Board of recommending that employers pay members of unions, who are working at home, living in comfort with their families, three or four or even five times that much per week?

And I say that if you have in your district people who are not thinking of money making, of Europe rather than America, if you have true native-born

Americans, the backbone of this country, who believe in the principles on which our Government was founded, they will take you out in the woodshed and put you over a barrel—make no mistake about that.

EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a bill I introduced today.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

BILLS PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 191. An act for the relief of Franklin Stencil and Domonic Stencil;

H. R. 587. An act to extend the provisions of the act entitled "An act to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes," approved September 2, 1937;

H. R. 1352. An act for the relief of Norman Carlin Brown, a minor;

H. R. 1354. An act for the relief of Herman R. Allen;

H. R. 1576. An act for the relief of Emily Barlow;

H. R. 1606. An act for the protection of walruses in the Territory of Alaska;

H. R. 2010. An act for the relief of Wade H. Erwin and Vonnie Erwin;

H. R. 2182. An act for the relief of John S. Small;

H. R. 2212. An act for the relief of Raymond W. Reed and Rose Reed;

H. R. 2431 An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Carr China Co.;

H. R. 2434. An act for the relief of Margaret S. Holten;

H. R. 2688. An act granting an extension of patent to the United Daughters of the Confederacy;

H. R. 2753. An act for the relief of Lewis Jones;

H. R. 3206. An act to afford greater protection to the purchaser of patent rights;

H. R. 3752. An act to amend an act entitled "An act to punish the willful injury or destruction of war material, or of war premises or utilities used in connection with war material, and for other purposes," approved April 20, 1918, as amended November 30, 1940;

H. R. 4045. An act for the relief of Tony Cirone;

H. R. 4085. An act to extend the times for commencing and completing the construction of bridges across the Monongahela River in Allegheny County, Pa.;

H. R. 4150. An act to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes;

H. R. 4231. An act granting the consent of Congress to the South Carolina State Highway Department to construct, maintain, and operate a free highway bridge across the Santee River, at or near Leneudes Ferry, S. C.;

H. R. 4306. An act to extend the times for commencing and completing the construction of a toll bridge across the Wabash River at or near Mount Vernon, Posey County, Ind.;

H. R. 4315. An act to legalize the construction by the Big Creek Bridge Co., Consolidated, of a bridge across the Tug Fork of the Big Sandy River, at Nolan, W. Va.;

H. R. 4338. An act to provide for adjustment of the inactive-duty pay of certain transferred and retired members of the Fleet Reserve;

H. R. 4582. An act to permit construction, maintenance, and use of pipe lines for petroleum and petroleum products in the District of Columbia;

H. R. 4660. An act to amend the act entitled "An act to provide aid for needy blind persons of the District of Columbia and authorizing appropriations therefor," approved August 24, 1935;

H. R. 4732. An act granting the consent of Congress to the Department of Highways, Commonwealth of Virginia, to construct, maintain, and operate two free bridges across the New River, one at Bluff City, and the other at Eggleston, in the State of Virginia;

H. R. 5122. An act to extend the times for commencing and completing the construction of a bridge across the Monongahela River, between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania; and

H. R. 5339. An act granting increases in pensions to certain widows and dependents of persons who served in the military or naval forces of the United States during the War with Spain, the Boxer Rebellion, or the Philippine Insurrection.

ADJOURNMENT

Mr. LESINSKI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 48 minutes p. m.), the House adjourned until tomorrow, Friday, August 15, 1941, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

858. A letter from the Chairman, Interstate Commerce Commission, transmitting a report of the Commission on the question of need for Federal regulation of the sizes and weight of motor vehicles engaged in the transportation of persons or property in interstate or foreign commerce (H. Doc. No. 354); to the Committee on Interstate and Foreign Commerce and ordered to be printed, with illustrations.

859. A letter from the Secretary of the Interior, transmitting a draft of a proposed bill which would authorize reimbursement of expenses necessarily incurred for travel on ships at the next higher available first-class rate when accommodations at the lowest first-class rate are not available; to the Committee on Expenditures in the Executive Departments.

860. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to authorize officers and enlisted men of the United States Navy and United States Marine Corps to accept such medals, orders, decorations, and presents as have been tendered them by governments of the Western Hemisphere, other than Canada; to the Committee on Naval Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DICKSTEIN: Committee on Immigration and Naturalization. Supplement to part 2 to accompany H. R. 5511. A bill to amend the Nationality Act of 1940, to preserve the nationality of citizens residing abroad (Rept. No. 1170). Referred to the Committee of the Whole House on the state of the Union.

Mr. COCHRAN: Committee on Accounts. House Resolution 297. Resolution providing for the expense of conducting the studies and investigations authorized by the resolution (H. Res. 281) authorizing the Committee on the Merchant Marine and Fisheries to investigate the progress of the national-defense program insofar as it relates to said committee; without amendment (Rept. No. 1177). Referred to the House Calendar.

Mr. WEAVER: Committee on the Judiciary. H. R. 5203. A bill to extend the provisions of the act of February 24, 1933, and of the act of June 29, 1940, to proceedings to punish for criminal contempt of court; without amendment (Rept. No. 1178). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CAPOZZOLI:

H. R. 5577 (by request). A bill to change the name of Ellis Island to Liberty Island; to the Committee on Public Buildings and Grounds.

By Mr. GWYNNE:

H. R. 5578. A bill to permit the United States to be made a party defendant in certain cases; to the Committee on the Judiciary.

By Mr. LANDIS:

H. R. 5579. A bill relating to certain State school funds derived from grants of the sixteenth section of public lands in each township of the State upon its admission to the Union; to the Committee on the Public Lands.

H. R. 5580. A bill to prohibit subversive individuals from representing employees for the purpose of the National Labor Relations Act; to the Committee on Labor.

By Mr. LECOMPTE:

H. R. 5581. A bill to transfer the functions of the board of directors of the Home Owners' Loan Corporation to the Administrator of the Federal Housing Administration; to the Committee on Banking and Currency.

By Mr. PATMAN:

H. R. 5582. A bill to prevent manufacturers of products from offering for sale and selling the same at retail in certain cases, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Washington:

H. R. 5583. A bill for the development and conservation of the resources of the Pacific Northwest through the wide distribution of electric energy generated by certain Federal projects, for the improvement of navigation and the promotion of the national defense, and for other purposes; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DAVIS of Ohio:

H. R. 5584. A bill for the relief of Fred Pierce, Sr., and Mary Pierce; to the Committee on Claims.

By Mr. DIMOND:

H. R. 5585. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim or claims of the heirs of John Stephens, deceased, or their legal representatives, against the United States; to the Committee on Claims.

By Mr. LAMBERTSON:

H. R. 5586. A bill for the relief of Mrs. Agnes S. Hathaway; to the Committee on Claims.

By Mr. McINTYRE:

H. R. 5587. A bill for the relief of George W. Lyle under the jurisdiction of the United States Employees' Compensation Commission; to the Committee on Claims.

SENATE

FRIDAY, AUGUST 15, 1941

(Legislative day of Thursday, August 14, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O God, who by a word didst bring light out of darkness, giving the night for quiet and rest, and the day for action and labor: Vouchsafe us to enter prayerfully upon our daily round, mindful of the long ages wherein Thou hast labored to fashion this day. For it hath grown out of Thine own thought and help and patience throughout yesterday, and every day that went to make of yesterday what yesterday was. Wherefore today, which seemeth so like unto other days that our acquired capacities and experience might suffice for competent discharge of its affairs, is not the same, but different. It is Thy newest handiwork, the fruit of Thy longest patience, the crowning jewel of Thy labor until now. Restrain us, O Lord, from laying our clumsy fingers upon it until, in quietness and peace, we shall have heard Thy voice; then sustain us, we beseech Thee, that we may pass it in serenity and joy, without stumbling and without stain, to reach the evening victorious over all temptation, praising Thee, O Father, as we sink to rest. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 14, 1941, was dispensed with, and the Journal was approved.

ORDER FOR ADJOURNMENT TO TUESDAY

Mr. BARKLEY. I ask unanimous consent that when the Senate concludes its business today it stand in adjournment until 12 o'clock noon on Tuesday next.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had passed without amendment the bill (S. 881) to permit the reemployment by the Federal Bureau of Investigation of persons retired under the Civil Service Retirement Act.

The message also announced that the House had passed a bill (H. R. 5508) to discontinue certain reports now required by law, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Acting President pro tempore:

H. R. 162. An act to strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes;

S. 752. An act to provide for the establishment of the Coronado International Memorial, in the State of Arizona; and

S. J. Res. 95. Joint resolution to extend the periods of service of persons in the military service, and for other purposes.

EXECUTIVE COMMUNICATION

The PRESIDENT pro tempore laid before the Senate the following letter, which was referred as indicated:

REIMBURSEMENT OF EXPENSES FOR TRAVEL ON SHIPS

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to authorize travel on ships at the next higher available first-class rate when accommodations at the lowest first-class rate are not available (with an accompanying paper); to the Committee on Expenditures in the Executive Departments.

PETITIONS

Petitions, etc., were laid before the Senate by the President pro tempore, or presented by a Senator, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution of the Board of Supervisors of Stanislaus County, Calif., favoring the enactment of legislation granting old-age assistance; to the Committee on Finance.

A telegram in the nature of a petition from the Sonagere family, of New York City, praying for the release of draft selectees in the military service who are over 30 years of age; to the table.

A petition of sundry citizens of Downington, Pa., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. CAPPER:

Petitions of sundry citizens of Salina and Riley Counties, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

IMPORTATION OF LIVESTOCK PRODUCTS—RESOLUTIONS OF EXECUTIVE COMMITTEE OF AMERICAN NATIONAL LIVESTOCK ASSOCIATION

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD, and appropriately referred, resolutions adopted by the executive committee of the American National Livestock Association at its annual meeting at Colorado Springs, Colo., on July 18, 1941, protesting against the importation of livestock and dressed-meat products from Argentina. I think the stand taken by this organization reflects the feeling of the livestock interests of all the Western States.

There being no objection, the resolutions were referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Whereas for the past 14 years a strict embargo has been maintained against imports of dressed-meat products from any country where foot-and-mouth disease exists; and

Whereas there has been only one minor outbreak of the disease in that period, in 1929, due to garbage brought ashore in violation of Bureau of Animal Industry regulations from a ship just returned from Buenos Aires, and since 1929 we have enjoyed the longest period of freedom from the disease since the beginning of the twentieth century; and

Whereas the opinion of the Attorney General, dated May 16, 1941, and released in Buenos Aires on June 26, 1941, declaring the Province of Tierra del Fuego to be in effect a separate country and that shipments of dressed lamb and mutton could be accepted therefrom violates the plain meaning of the Tariff Act of 1930, is contrary to the long-established policy of our Bureau of Animal Industry, and establishes a very dangerous precedent: Therefore be it

Resolved, That we condemn this effort as a subterfuge to break down the sanitary embargo by administrative action, though the matter of the Argentine Sanitary Convention is now pending before the Senate Foreign Relations Committee; and be it further

Resolved, That we deplore the tactics employed in allowing the facts of the action taken to become known here only by press dispatch from Argentina many weeks after the opinion was given.

ARGENTINE AND URUGUAYAN FACTS

Whereas increasing supplies of livestock in this country fully warrant and, in fact, demand increased rather than decreased tariff protection against competition from abroad: Therefore be it

Resolved, That we express our strongest opposition to any further cuts being made in the duties on any livestock product in the pending trade agreements with Argentina and Uruguay.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McNARY:

From the Committee on Agriculture and Forestry:

S. 1744. A bill to provide uniform loan rates for corn and wheat at certain points on the Missouri River; without amendment.

From the Committee on Commerce:

H. R. 4835. A bill to extend the times for commencing and completing the construction of a dam and dike for preventing the flow of tidal waters into North Slough in Coos County, Oreg.; without amendment.

By Mr. THOMAS of Utah, from the Committee on Education and Labor:

S. 1713. A bill to amend Public Law No. 718, Seventy-fifth Congress, approved June 25, 1938; without amendment (Rept. No. 660).

By Mr. CONNALLY, from the Committee on the Judiciary:

S. 169. A bill to provide for an appeal to the Supreme Court of the United States from the decision of the Court of Claims in a suit instituted by George A. Garden and Anderson T. Herd; without amendment (Rept. No. 661).

BILL AND JOINT RESOLUTION INTRODUCED

A bill and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CLARK of Missouri:

S. 1853. A bill for the relief of the Rock Hill Stone & Gravel Co., of St. Louis, Mo.; to the Committee on Claims.

(Mr. ANDREWS introduced Senate Joint Resolution 103, which was referred to the Committee on Public Lands and Surveys, and appears under a separate heading.)

AMENDMENT TO THE TAX BILL—GROSS ESTATE DEDUCTIONS

Mr. BONE submitted an amendment intended to be proposed by him to the bill (H. R. 5417) to provide revenue, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

CRITICISM OF VOTES AGAINST DRAFT EXTENSION — ARTICLE BY GOULD LINCOLN

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an article entitled "Republicans Criticized for Playing Politics in Voting Against Draft Extension," published in the Washington Evening Star of Thursday, August 14, 1941, and written by Gould Lincoln, which appears in the Appendix.]

EDITORIAL FROM THE NEW YORK TIMES ON THE REPUBLICAN RECORD

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an editorial from the New York Times of August 14, 1941, entitled "The Republican Record."

PRIORITIES IN SPENDING—ADDRESS BY HENRY M. WRISTON

[Mr. BYRD asked and obtained leave to have printed in the RECORD a radio address entitled "We Must Have Priorities in Spending," delivered by Henry M. Wriston, president of Brown University and chairman of the Citizens' Emergency Committee on Nondefense Expenditures, on July 19, 1941, which appears in the Appendix.]

STATEMENT BY H. V. DANIEL ON THE GASOLINE TAX

[Mr. SMITH asked and obtained leave to have printed in the RECORD a statement by H. V. Daniel on the gasoline tax, which appears in the Appendix.]

DRAFT VOTE POLITICAL GAMBLE—ARTICLE BY DAVID LAWRENCE

[Mr. TUNNELL asked and obtained leave to have printed in the RECORD an article by David Lawrence entitled "Draft Vote Political Gamble," published in the Washington Evening Star of August 14, 1941, which appears in the Appendix.]

MORALS VERSUS HEALTH OF THE MEN IN THE CAMPS—ARTICLE BY REV. PAUL L. BLAKELY, S. J.

[Mr. WALSH asked and obtained leave to have printed in the RECORD an article from the magazine America of August 9, 1941, entitled "Morals Versus Health of the Men in the Camps," by Rev. Paul L. Blakely, S. J., which appears in the Appendix.]

THE INDEPENDENCE OF CUBA—ADDRESS BY CUBAN AMBASSADOR

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an address delivered by the Cuban Ambassador to the United States on the subject The Independence of Cuba, Symptom of a Culture, which appears in the Appendix.]

CEREMONIES INCIDENT TO CONFERRING DEGREE ON COL. RAYMOND ROBINS BY UNIVERSITY OF FLORIDA

[Mr. PEPPER asked and obtained leave to have printed in the RECORD a description of ceremonies at which the honorary degree of doctor of laws was conferred upon Col. Raymond Robins by the University of Florida on June 6, which appears in the Appendix.]

ARTICLE BY LUDWELL DENNY ON THE ROOSEVELT-CHURCHILL JOINT DECLARATION

[Mr. SHIPSTEAD asked and obtained leave to have printed in the RECORD an article by Ludwell Denny on the subject of the Roosevelt-Churchill joint declaration, published in the Washington Daily News of August 15, 1941, which appears in the Appendix.]

MISSISSIPPI—POEM BY HERBERT B. ALLEN

[Mr. EASTLAND asked and obtained leave to have printed in the RECORD a poem entitled "Mississippi," by Herbert B. Allen, editor of the Grenada County (Miss.) Weekly, which appears in the Appendix.]

CONSTRUCTION OF DEFENSE HIGHWAYS

The Senate resumed the consideration of the bill (S. 1840) to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes.

Mr. McKELLAR. Mr. President, the bill under consideration is what is known as the road bill. It will be recalled by the Senate that last week the President vetoed the road bill which was sent to him by both Houses, and that when the bill was returned to the Senate the Senate by a vote of 3 to 1 passed it over the President's veto. The bill then went to the House of Representatives, where it lacked two votes of passing by the necessary two-thirds majority. Thereupon a new bill was introduced in the Senate, considered by the Committee on Post Offices and Post Roads, and reported back to the Senate with the recommendation that it be passed. I desire to point out very briefly to the Senate the differences between the old bill and the new bill and what changes have been recommended.

It will be remembered that the President recommended that $25,000,000 be appropriated for defense highways, and the former bill was vetoed largely on the ground that it apportioned the money along the lines money has heretofore been apportioned for roads, when it should have appropriated a general fund to be put in the hands of some department and to be used for additions to or extensions of such roads as such department, presumably the War Department, thought should be improved for defense purposes. Now, the War Department has had little experience in building roads, and has no set-up sufficient for that purpose. Of course, this method should not be pursued.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield to the Senator from Oregon.

Mr. McNARY. I do not want to disturb the Senator's consecutive statement, but he has intimated that appropriations under the Federal Aid Highway Act are apportioned according to population, I believe?

Mr. McKELLAR. Yes.

Mr. McNARY. And according to the mileage of post roads and area?

Mr. McKELLAR. Yes.

Mr. McNARY. Those three factors were abandoned by the bill which was vetoed?

Mr. McKELLAR. Yes.

Mr. McNARY. There is now a new formula?

Mr. McKELLAR. No; that formula has not been abandoned by the Congress. All the President's objections were not removed by the present bill but only a portion of them.

Mr. McNARY. What is the formula now upon which the allocations to the various States of the Union are based if it is not the old one, except for the substitution of strategic roads for general road mileage?

Mr. McKELLAR. To the extent of the hundred million dollars, which is recommended by the committee to be appropriated, the formula is exactly the same as before. In other words, the Army has produced a map showing the necessary military roads in the United States which should be improved. An examination of the map shows that each State has military roads that should be improved. Therefore the committee, taking the map as its guide and using the old formula, has provided that the Bureau of Roads may improve the roads which have been selected by the War Department. In other words, the War Department has determined the strategic roads in each State which should be improved for national-defense purposes.

Mr. McNARY. May I ask the able Senator what relation do the strategic roads or network roads have to the general highway system?

Mr. McKELLAR. They are based entirely upon the general highway system. Indeed, the very best roads in the country have been declared strategic defense roads. In my State and, to my knowledge, in many other States, the very best roads have been laid out by the War Department for improvement as strategic roads. For instance, the principal road which goes through my State has been set apart. There are certain sections of that road which ought to be improved so as to be able to bear the weight of heavy traffic, such as that of tanks and artillery. Some of the money is to be spent in that way. That is true of the Senator's State, and it is true of every other Senator's State.

Mr. McNARY. Conceding that point, some modification of the old formula is prescribed in this bill, is it not?

Mr. McKELLAR. There is no modification of formula, but there is a modification in respect to the amount the States shall contribute. These are national-defense roads, and both under the bill which was vetoed and under the pending bill, three-fourths of the expense of the repair and improvement of national defense or strategic highways is to be borne by the Federal Government, and the States are to pay one-fourth.

Mr. McNARY. I appreciate that, and probably had a little to do in that regard in conference with the very able and

effective Senator from Arizona [Mr. HAYDEN], but this is what I do not like: Under the old Federal cooperative road-aid act, certain roads were given their proportion of Federal funds. Under this proposed act there is a substitution of strategic roads which are more important to national defense. It will be limited to roads having that characteristic, rather than be applied to all roads.

Mr. McKELLAR. The Senator is entirely correct.

Mr. McNARY. Then there has been a modification of the plan to that extent?

Mr. McKELLAR. That is true.

Mr. McNARY. I am convinced that the able Senator has answered my inquiry and answered it correctly.

Mr. McKELLAR. I thank the Senator.

Mr. BARKLEY. Mr. President, may I ask the Senator a question which I had intended to ask him a little earlier but I was detained by another matter? I am anxious to know to what extent the bill now before the Senate complies with the objections of the President? To what extent has it been modified in line with his veto?

Mr. McKELLAR. It has been modified very considerably as to the amount. The amount provided for access roads to camps and other war activities was fixed at $150,000,000 in the bill which was vetoed. In this bill the amount has been reduced to $100,000,000.

Another item to which the President objected was the appropriation of $25,000,000 to pay for injuries to roads in the various States occasioned by national-defense activities. The President objected to that. While he did not say so, the inference from what he said was that it was an invitation to the States to present claims. So that provision has been changed, and that $25,000,000 has been stricken out, and it is provided in the bill that if the States have not made claims they may make them; but under the bill no amount is authorized to be appropriated for the purpose. That cuts out $75,000,000 from the original bill, which authorized the appropriation of an amount in the neighborhood of $320,000,000, leaving the amount of the present bill $245,000,000.

Mr. VANDENBERG. Mr. President——

Mr. McKELLAR. If the Senator will wait just a moment——

Mr. BARKLEY. Mr. President, what is the status of the $125,000,000?

Mr. McKELLAR. As to the $125,000,000, the President had recommended $25,000,000 for strategic roads. When this map came before the committee it was ascertained that $25,000,000 would not do very much for strategic roads. Therefore the amount of $125,000,000 for strategic roads was reduced to $100,000,000, and an additional $25,000,000 was provided for the purpose of placing bridges across streams at strategic places, so that the bridges would be able to bear the heavy loads that would be hauled over the bridges by the Army. It was reported that there were 2,436 of those bridges. Some of them had to be built, some of them had to be widened, and a great many of them had to be repaired, so $25,000,000 was set apart for that purpose.

With the reduction of $75,000,000 and the partial changes which have been made, while the new bill does not meet all the objections of the President, I am quite confident it will meet the approval of the President.

Mr. BARKLEY. Mr. President, may I ask the Senator whether there has been any change in the method of allocation, which was one of the serious objections the President had?

Mr. McKELLAR. That was one of his objections, and there has been no change in it. I think it would be suicidal to the whole road proposition, and suicidal to national defense in the way of roads to change it.

Mr. VANDENBERG. Mr. President, may I ask the Senator a question?

Mr. McKELLAR. I now yield to the Senator from Michigan.

Mr. VANDENBERG. The Senator will agree that in the pending bill there is still $100,000,000 which runs foul of the President's veto?

Mr. McKELLAR. That is true; but with the other changes which are made I am quite confident that the President will not veto this bill.

Mr. President, I desire to call attention to the fact that the $25,000,000 for bridges is not to be apportioned upon a fixed basis but it is authorized to be allotted to the States so as to supplement other funds which may be used for the purpose of building bridges. Under no system of apportionment, as the report says, can $125,000,000 possibly correct all the critical deficiencies on the strategic-highway system. We all know that; but it can correct many of them. Twenty-five million dollars would be only a drop in the bucket as far as those deficiencies are concerned.

We are told that it is unfair to the National Government to put in the larger sum. It cannot be unfair, because we are requiring each State to put up 25 percent of the money expended in the State for the improvement of the national-defense strategic highways. For that reason I am quite sure that when the President goes over the bill he will not interpose an objection to it. Twenty-five percent of $100,000,000 is a considerable sum of money, and is as large a sum as the President thought ought to be expended for the improvement of these roads. Strategic roads occur everywhere. The Army has determined upon their location, and this money must be spent on the strategic roads. It is inconceivable that $25,000,000, as recommended by the President, would go very far toward improving the strategic highways; and, by the way, by whom is it to be expended?

I digress here long enough to ask every Senator, and I invite the particular attention of the Senator from Michigan [Mr. VANDENBERG], By whom is the $25,000,000 to be expended? Who knows how it is to be expended? Who knows where it is to be expended? It is to be expended where some person that the President puts in charge of it determines that it shall be expended. It is not to be expended by the Public Roads Administration. It will probably cost the larger part of $25,000,000 to set up a new road organization in some other department. Under the President's suggestion it is not to be expended by Mr. MacDonald, a thoroughly expert road man, who ought to have charge of the improvement of these now excellent highways for strategic or war purposes.

Under those circumstances it seems to me the Government ought to stick to the system we now have. We ought to put this fund in the hands of the present managers of our general road administration. Mr. MacDonald has been a wonderful success in building roads; and when it comes to improving the roads which have already been built under this system, surely he is the man who should do it.

Until we got the present system we did not have in America any roads worthy of the name, as we all know. Twenty-five years ago, in 1918 or 1919, when our present road system was really started, there were virtually no good roads in the country, except in New England and a few in New York, and perhaps one or two in New Jersey. In the remainder of the States, even in a State like Pennsylvania, there were virtually no good roads. I remember going in 1911 on an automobile trip from here to Gettysburg, and it was almost impossible to travel over the road which then existed.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield to the Senator from Delaware.

Mr. HUGHES. I hope the Senator will correct his statement, because we had good concrete roads in Delaware before the time referred to by the Senator. We had a road system managed by a very good highway department, which built many very fine roads. I do not know what kind of roads the Senator had in his part of the country, but in Delaware we had a splendid road system years before the time mentioned by the Senator.

Mr. McKELLAR. The Senator from Delaware is partly correct and partly incorrect. He had a good-road system of a few miles.

Mr. HUGHES. It was not a system of merely a few miles. We had one road extending from one end of the State to the other, and we had a number of cross roads. We had a good-road system, and it was built and paid for.

Mr. McKELLAR. I do not want to get into a controversy about what happened in the Senator's State 25 years ago, but the Delaware system was not nearly so good as it is now.

I am happy to say that in Delaware, as in every other State, there now is a magnificent system of roads, and I congratulate the Senator from Delaware on the fine roads in his State. Every State in the Union now has good roads, and we are building them up every year. Every year large sums are appropriated by the Federal Government to build good roads in every State in the Union. We are requiring the States to put up half the money, and the roads are being built. It is a wonderful system, and we ought not to abandon it.

The other day I told here a story which I am going to tell again. In the year 1918 or 1919 I had been asked by the then senior Senator from Alabama, the senior John H. Bankhead, the father of our present Senator from that State, to serve as a member of the Committee on Post Offices and Post Roads. Senator Bankhead had been a very earnest advocate of the nomination of Senator Underwood for President in 1912, and he had an idea that President Wilson held that fact against him. Senator Bankhead and I had been friends since I was a boy. His son and I were classmates and friends at the University of Alabama. When I came to the Senate, Senator Bankhead invited me to become a member of his Post Office and Post Roads Committee, and I did. He then invited me to go up with him to get the President—who was President Wilson at the time—to recommend what we call now sending in a Budget estimate for enough money to begin the good-road system in the United States.

I made the engagement, and we went up to the White House. I never saw President Wilson in finer spirits in my life or in better humor; but when we came to the road business—which was our real business—he became very grave. Before going up there, Senator Bankhead said he knew that President Wilson was against Federal aid to roads, that he thought the States ought to build the roads, and that he was very much opposed to the Federal Government embarking on a road system, and was sorry he had not vetoed the bill that was passed, and for that reason he had not made a recommendation.

The elder Senator Bankhead said that if we could get $5,000,000 authorized to begin the project, that would be fine, but if we could not we would take $3,000,000, and if we could not get $3,000,000, we would take $2,000,000. That is what we went to the White House to accomplish. The President at once said, upon our explanation to him of what we wanted, that we were in a war; that every dollar the Government could raise should go for war purposes, and that we should not embark on such a road system at that time. He also argued that the States should build the roads.

The Germans, just a month or two before, had sent a U-boat over to the United States. The U-boat, I think, came up the Chesapeake and anchored off Baltimore, and many of the seamen on the boat had come to Washington, so the newspapers were full of the U-boat coming to Baltimore, or near Baltimore, and the seamen on the boat coming to Washington. I said, "Mr. President, how many roads have we down near the coast? If the Germans should send U-boats over here how could we repel them? How could we get to them? We have no roads." "Well," his reply was, "I had not thought of that." He said, "Of course, we should have roads. Of course, operations under this bill should begin at once."

Mind you, the elder Senator Bankhead had told me not to ask for over $5,000,000. The President turned to us and said, "What sum would you ask me to recommend? I have changed my mind about the matter. I am going to recommend a sum to begin the construction." I said, "I do not see how we could begin for less than $100,000,000." Old Senator Bankhead nearly dropped out of his chair when I made that statement. "Well," the President said, "that is a very large sum," and I said, "Yes, and it is a very large defense project." The President said he agreed with us. It has been a long time ago, but my recollection of the amount the President recommended was what we asked and the next year many times that amount. The road system was begun, and we have spent scores and hundreds of millions of dollars on that system ever since.

Mr. President, I wish to ask my colleagues now, for heaven's sake do not let us stop this system which has worked such wonders for the building of roads in our country. Right now there are in the galleries people who have come to Washington to see the wonderful buildings and other objects of interest in and around Washington. Most of them have come in automobiles. They have not come on the trains. Why? Because we have such good roads. The people benefit under this system.

It is now proposed in part by some persons to change that system, so far as the improvement of these particular roads is concerned, and to substitute for the present administrator of the roads, some person who has not yet been named, to take charge of the building of the roads.

If the Senator from Michigan [Mr. VANDENBERG] wants a highway in Michigan made into a strategic highway he must go to some department, and take off his hat, and walk up to this new man who, no doubt, will be feeling his oats, and say, "Please, sir, will you not allot a little money for a strategic highway near Detroit?" And it will all depend, Senators, on a man, whom we do not know anything about, whom probably no one has seen before, as to whether the Senator's request for a highway will be granted.

Mr. VANDENBERG. Mr. President——

The PRESIDING OFFICER (Mr. BUNKER in the chair). Does the Senator from Tennessee yield to the Senator from Michigan?

Mr. McKELLAR. I yield.

Mr. VANDENBERG. I should like to make a proposition to the Senator.

Mr. McKELLAR. I do not like propositions.

Mr. VANDENBERG. I just heard the Senator say that when the road program was first initiated the Senator went to the White House to ask for $5,000,000, and if he did not obtain $5,000,000 he intended to ask for $3,000,000, and if he could not get $3,000,000 he would be glad to go home with $2,000,000.

Mr. McKELLAR. Yes.

Mr. VANDENBERG. So the Senator from Tennessee is not averse to discussion of realities in terms of realism.

Mr. McKELLAR. No; I am not.

Mr. VANDENBERG. I wish to make a suggestion to the Senator. I share all his enthusiasm for the general road system of the country. The difference between us is that I do not conceive that this bill is a road bill. We will have our regular road program which maintains the objective to which the Senator so eloquently addresses his encomium. This measure is a defense measure, and not a road measure, as I see it.

Mr. McKELLAR. Yes.

Mr. VANDENBERG. That is the reason I am objecting to the use of a defense excuse to add further to a road program for which full provision has already been made under the great conception the Senator has in respect to it. So I still wish to take out of this bill the $100,000,000 which the President of the United States says should not be in it from a defense standpoint. The Senator and I again find ourselves in an anomalous position on this subject.

Mr. McKELLAR. Yes; I am happy to see the Senator coming over to the side of the President even on this matter.

Mr. VANDENBERG. I am staying right on this side of the aisle. [Laughter.]

Mr. McKELLAR. I do not think there is any danger in the Senator's actions in connection with this matter. I hope they will be nugatory. The only thing I have against the Senator is that he does not come over on the side of the President on matters which are of genuine importance and of material advantage to the Nation.

Mr. VANDENBERG. Fundamentally, of course, I am pleading with the Senator to trust the President.

Mr. McKELLAR. No; I always trust the President.

Mr. VANDENBERG. I have listened to him so often and so eloquently ask me reciprocally to do the same thing that I feel justified in addressing him in behalf of the President's stand for economy in connection with this situation.

Mr. McKELLAR. We have done that by striking out $75,000,000. We have not stricken out the road system. I wish to say to the Senator that we do not intend to strike out the road system. We do not want any one, high or low, to interfere with the great system we have, and the able administration of that system. The Senator spoke of himself standing by the President and me not standing by the President on this matter. If the Senator will follow my example he will, in my judgment, be right much oftener than he has been.

Mr. VANDENBERG. I am sure that is the way the Senator feels about it.

Mr. McKELLAR. I stand by the President when he is right, and he is right most of the time. It is rarity when he is not right, but occasionally he makes a mistake, and in this case some one has given him bad advice, and when he has been given bad advice and makes a mistake I am against his veto, and the Senator is now for him when he is mistaken.

Mr. VANDENBERG. Mr. President, will the Senator again yield?

Mr. McKELLAR. I yield.

Mr. VANDENBERG. The Senator and I are coming into complete harmony.

Mr. McKELLAR. No; we are not.

Mr. VANDENBERG. Yes; we are. [Laughter.] We are going to agree on a fundamental rule right now.

Mr. McKELLAR. I love the Senator, but we are not in harmony politically.

Mr. VANDENBERG. I wish to take the words of the Senator and adopt them without reservation. I stand by the President whenever he is right. Now we agree completely on that rule. [Laughter.]

But I was going to make the Senator a proposition. The Senator knows as a practical fact that it would be rather difficult to pass this bill this afternoon under certain circumstances, does he not?

Mr. McKELLAR. Yes, if the Senator wants to kill——

Mr. VANDENBERG. The racket, as the Senator from Michigan does.

Mr. McKELLAR. If the Senator is willing to take the responsibility of defeating the great defense bill which the conferees have just reported and the House has now under consideration, in which nearly $8,000,000,000 is involved for national defense, merely in order to kill the pending bill, very well, but the Senator knows he does not have the votes to defeat the bill, because the Senate has already voted favorably on a similar measure.

Mr. VANDENBERG. The Senator means the President does not have the votes to do it.

Mr. McKELLAR. Well, take it either way. The Senator does not have the votes to do it, and if he wants to take the responsibility for defeating that $8,000,000,000 defense bill, which has no connection with the pending matter, of course, he can do it by suggesting the absence of a quorum.

Mr. VANDENBERG. No; I am willing to stay here all the afternoon and deal with this bill.

Mr. McKELLAR. The Senator will have to do that if he is determined to kill it.

Mr. VANDENBERG. No; I understand——

Mr. McKELLAR. The Senator knows, does he not, that the Senate voted on a similar bill unanimously at one time? The Senator did not vote at all on that measure. He did not make his opposition to it known the first time such a measure was passed.

Mr. VANDENBERG. That is correct. I did not know there was an Ethiopian in the woodpile at that time.

Mr. McKELLAR. There is no Ethiopian in the woodpile. I never heard before, to be perfectly frank about it, of an Ethiopian in the woodpile bothering the Senator from Michigan. This is the first time I have heard of such a thing.

Mr. VANDENBERG. That is because the Senator from Tennessee is deaf upon so many important occasions.

Mr. McKELLAR. Oh, no; I am not deaf at all.

Mr. President, there is no use of carrying on the discussion in this way.

Mr. VANDENBERG. Mr. President, I have not made my proposition yet to the Senator from Tennessee.

Mr. McKELLAR. Very well. Let the Senator make it.

Mr. VANDENBERG. I was wondering if the Senator from Tennessee would be willing to accept an amendment reducing the $100,000,000 provided in line 16 on page 2 to $50,000,000.

Mr. McKELLAR. Oh, no. The Senator made that proposition awhile ago before he began to speak, and the proposal was no more persuasive after he completed his statement than it was at the time he first made it. I turned it down then.

Mr. President, this is an excellent bill. There is no Ethiopian in the woodpile in it. The bill is drawn in conformity with the well known principles governing the administration of roads which have prevailed so successfully for the last 25 years. Under the bill we do not change the administrative control. We are not going to give some man on the outside an opportunity to come in and try to change our road system. When the Senator speaks about the Ethiopian in the woodpile, there is where the Ethiopian in the woodpile would be found. If some new man can be found to take charge of the road fund, we will find that the attempt will be made to have some other road fund in the future administered by someone other than the present administrator, and our road system will be destroyed.

We have the roads which the Army has designated as strategic national-defense roads. Under the terms of the bill we plan to let Mr. MacDonald, our road director, build the additions and improvements to our roads. It ought not to be done in any other way. I am utterly astonished that the Senator from Michigan, after his attention has been called to the matter, should want to establish some other system.

Mr. President, I think I have said all I want to say about this matter. It has been discussed time and again. The previous bill which passed this body appropriated $75,000,000 more than is provided by the pending bill. Some of the objections of the President have been met. Others, dealing with fundamentals, have not been met. I ask the Senate to vote as it did before, and permit the bill to be passed.

Mr. BARKLEY. Mr. President, I should like to ask the Senator a question for information.

Mr. McKELLAR. I yield.

Mr. BARKLEY. When this matter was previously under consideration, the Senator from Tennessee [Mr. McKELLAR] and the Senator from Arizona [Mr. HAYDEN] stated that the roads were designated on a map which was exhibited, showing what roads were to go throughout the country, and that the map was worked out by the Bureau of Roads and the Army.

Mr. McKELLAR. The Army submitted it to the Bureau of Roads.

Mr. BARKLEY. What part of the Army had direct control of the selection?

Mr. HAYDEN. Mr. President, that matter was handled by the corps area commander in each corps area. The direction went from Washington. By direction of the President in Washington the corps area commanders, the representatives of the bureau of public roads in each State, and the State highway department in each State were directed to make an examination of the needs for defense in connection with improved roads. Such a study was made in every State in the Union; and when the study was completed in a State, the Army, represented by the corps area commander, the Bureau of Public Roads, through its representatives in the States, and the State highway department were in full accord.

Mr. BARKLEY. The roads go from one corps area to another. To what extent did the corps area commander in each corps area cooperate with the corps area commanders in other areas?

Mr. HAYDEN. Such cooperation was brought about by Mr. MacDonald, of the Bureau of Public Roads, who handled the matter for the whole United States. When there was a conflict between States it was ironed out so that the two ends of the roads in adjoining States or adjoining corps areas would meet. The plan has been approved by the Secretary of War.

Mr. McKELLAR. Mr. President, let me make one further statement, and then I shall conclude.

As Senators know, we have a committee which is now going over the country, and sitting in Washington a part of the time, to look into the question of contracts which are made in connection with national defense. We have had the present road system for 25 years. So far as I recall, there has never been a suggestion that one dollar has been misspent or misappropriated. I think that fact ought to be taken into consideration in considering any suggested change in the system. I think that an administration which has gone unscathed for 25 years, under both Republican and Democratic Presidents, without even any hint of wrongdoing, ought not to be displaced. We ought not to take the road funds away from such an administration and put them in the hands of some unknown officer of whose ability we know nothing. For that additional reason the bill should be passed unanimously. Even the Senator from Michigan, with all his newfound zeal, ought to vote for it.

Mr. HAYDEN. Mr. President, I wish to bring to the attention of the Senate certain essential facts with respect to traffic congestion on the highways of the United States which justify the enactment of the proposed legislation. We may quarrel about a formula. The formula which we now use is necessarily a compromise, because we cannot devise any formula which exactly fits the conditions in all instances. We must adopt some general rule.

Following the close of the last war, in 1922, there were 12,238,000 motor vehicles on our highways. From that time until 1925 the number increased to 19,937,000.

The argument against Federal road aid which was made at that time by the great States north of the Ohio and east of the Mississippi was to the effect that their highway systems had been completed and that they did not need any further Federal aid. It was said that the job was done, and that this great wealthy section of the United States was being taxed to build roads in the West and South.

Today the situation is completely reversed. Why? Because of the increase

in the number of motor vehicles on the road. Today they number 32,025,000 as contrasted with less than half that number 15 years ago. The statistics are very interesting. The peak after the war came in 1929 and 1930, when there were more than 26,000,000 vehicles on the highways. Then the depression came in 1931, and the number dropped to about 25,000,000. In 1932 it was about 24,000,000; in 1933, about 23,000,000; in 1934 it increased to about 24,000,000; in 1935 it got back to about 26,000,000, which was about what it was before the depression. From that day until the present time the number has increased, until there are now more than 32,000,000 motor vehicles on the highways. That means intense congestion.

The production of defense articles is absolutely dependent upon transportation. Immense quantities of munitions, spare parts for trucks, tanks, automobiles, and every kind of aircraft move by the roads. It makes no difference what system of apportionment is used. The money will be well expended and is necessary to carry on the national defense.

I ask unanimous consent to have printed in the RECORD at this point certain statistics with respect to private and commercial motor vehicle registrations from 1899 to 1940.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Private and commercial motor-vehicle registrations, 1899–1940

1899	3,000
1900	8,000
1901	15,000
1902	23,000
1903	33,000
1904	55,000
1905	79,000
1906	108,000
1907	143,000
1908	198,000
1909	312,000
1910	468,000
1911	640,000
1912	944,000
1913	1,258,000
1914	1,711,000
1915	2,446,000
1916	3,513,000
1917	4,983,000
1918	6,147,000
1919	7,565,000
1920	9,232,000
1921	10,463,000
1922	12,238,000
1923	15,091,000
1924	17,594,000
1925	19,937,000
1926	22,001,000
1927	23,133,000
1928	24,493,000
1929	26,501,000
1930	26,545,000
1931	25,814,000
1932	24,115,000
1933	23,874,000
1934	24,952,000
1935	26,231,000
1936	28,166,000
1937	29,705,000
1938	29,486,000
1939	30,615,000
1940	32,025,000

Mr. HAYDEN. Mr. President, I should like to refer to some other figures which are very interesting. At the end of 1940 the Army had 42,553 vehicles of all kinds. Today the Army has more than 250,000 vehicles. Army trucks are coming off the assembly lines of every automobile manufacturing plant in the United States. Convoys are occupying the highways. We are only beginning to mechanize our Army. So, it can be seen that not only has a great normal acceleration taken place, but the defense output of manufactures of all kinds to meet the needs of the Army means more cargo on the highways, and the Army itself puts more and more vehicles on the highways.

There is no question about the need for improvement of the roads from the point of view of national defense. I have previously pointed out, and I wish to repeat, that on the 78,000 miles selected by the Army for the strategic network there are nearly 2,500 bridges which will not carry a medium army tank. There are more than 5,000 miles of roads less than 18 feet wide, which the Army and everybody else agree is entirely too narrow. There are 14,000 miles of road which will not carry more than a 9,000-pound wheel load. Under those circumstances the money is necessary immediately, and it should be made available immediately.

NAMING OF PRESIDING OFFICER

The legislative clerk read the following letter from the President pro tempore:

PRESIDENT PRO TEMPORE,
UNITED STATES SENATE,
Washington, D C., August 15, 1941.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. KENNETH MCKELLAR, a Senator from the State of Tennessee, to perform the duties of the Chair during my absence.

CARTER GLASS,
President pro tempore.

Mr. McKELLAR thereupon took the chair as Acting President pro tempore.

CONSTRUCTION OF DEFENSE HIGHWAYS

The Senate resumed the consideration of the bill (S. 1840) to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes.

Mr. VANDENBERG. Mr. President, it seems to me that about 95 percent of the debate upon this particular question is wholly irrelevant to the question itself. Certainly no one has more constantly or consistently supported the good-roads program and the Federal-aid highway program than I have, and I shall certainly continue to do so.

The pending bill is not a road bill. It is a defense bill. My complaint is that we are trying to make a defense bill into a road bill. National defense is expensive enough; national defense is a sufficient burden if it is strictly confined within the legitimate boundaries of defense necessities.

The bill still runs squarely afoul of the complaints registered by the President of the United States in his veto message with respect to the previous bill. We are still trying to spend $100,000,000 beyond the President's statement of what strategic road facilities for defense purposes are. We cannot get away from that fact. So what is the use of talking about the glories of the good-roads system? The good-roads system does have glories, and it is a tremendous national asset. The distinguished Senator from Tennessee [Mr. MCKELLAR] and the distinguished Senator from Arizona [Mr. HAYDEN] have made very great contributions to this great national asset in their faithful support of it from start to finish. In a very humble way I have been just as faithful to it as they have; but the pending bill has nothing to do with the regular road system. The Senator from Tennessee says, "Do not break down the marvelous machinery which has been created to administer this road system, the great bureau and department, and the authorities and experts under them, that have made possible this tremendous road development."

Mr. President, this bill does not invade that system by one single fraction of an inch, because it is not a road bill. It is a defense bill, and that is the reason why its passage is sought; that is the reason why the President asked for the enactment of legislation on the subject.

Now let us go back to the President's message and see what it says:

The critical deficiencies in highways and bridges that may require prompt correction in the interest of our national defense cannot be reasonably related to the population of States or the other factors which enter into ordinary apportionment.

Of course, that is perfectly elementary in its logic and in its truth and in its inescapable validity. We cannot allocate defense necessities by States on a population basis. The necessity exists where it exists, and it does not exist somewhere else merely because it happens to exist at a particular place.

I continue to read from the President's statement:

The result, therefore—

Now, he is referring to precisely the same thing that is in the pending bill—

The result, therefore, is the necessity for the appropriation of a far larger sum of money—

That is the $125,000,000 about which we are talking—

to meet immediate requirements than would be necessary—

And he says all that is needed is $25,000,000—

than would be necessary if these funds were applied to critical deficiencies without the apportionment method.

I continue to quote the President:

In fact, it is quite possible that the most critical deficiencies in some areas may not be corrected even with the sum authorized in this bill.

Mr. President, I fully realize that the Senate thought the President was wrong in his veto. I happened to think he was right, and I continue to believe that he is on utterly solid ground. Those who ask for the additional $100,000,000—the unnecessary $100,000,000 so far as the President's estimate of the necessity is concerned—present us with a very alluring map of roads bisecting every State of

the Union, roads which have been identified as strategic roads by the War Department, and we are given the allure of believing that if we will vote for this extra $100,000,000, probably we will get some of these roads in our States.

What has that to do with national-defense necessity, and what has that to do with meeting what the President is trying to meet; namely, critical emergencies in respect to defense-highway necessities? When the President asked for this legislation he was not talking about the map that is displayed so enthusiastically. The need for this legislation was not related to that map in any sense of the word, and the purpose of this legislation is not to implement that map. If the purpose of this legislation were to implement that map, it ought to authorize the expenditure of $400,000,000 instead of $100,000,000.

The purpose of this legislation so far as the original Presidential recommendation was concerned, its purpose so far as any justification is concerned, is to create the necessary fund to meet critical emergencies in respect to defense requirements on the highways. The President says he can do that for the time being with $25,000,000.

Mr. HAYDEN. Mr. President, will the Senator yield at that point?

Mr. VANDENBERG. I will yield in a moment. Senators who favor the pending bill say, "All right; we will let you have the $25,000,000, which you say is all we need, provided you will give us an extra $100,000,000 which we can scatter around through the States on the basis of the map which has been prepared."

I now yield to the Senator from Arizona.

Mr. HAYDEN. I want to discuss the question of $25,000,000 being enough to do the work.

Last June the President directed that a study be made of strategic highway requirements throughout the United States. The report resulting from the study was submitted by the Federal Works Agency on the 1st of February. The report remained in the Bureau of the Budget through February, through March, through April, and through all of May, and it was not until the second day of June that there came from the Bureau of the Budget any recommendation upon which the President could act.

Someone at the Budget Bureau in a very soft-cushioned chair in an air-conditioned room decided that he knew more about what was needed to take care of a great national highway system than the men who went out and sweated in the sun, and looked at the roads on the ground, and found out what was necessary to be done. I think the Congress is justified in taking the advice of the men who made the study on the ground, and who prepared the printed report we have before us, as against the advice of the Bureau of the Budget.

If Senators will look at the report, they will find that it says that at least $100,000,000 should be expended upon the strategic network, and that is what is provided in this bill. The men who know the conditions say that, and they say that the money ought to be apportioned among the States according to the usual rule and that the basis of contribution should be changed so that the States will not have to put up so much. This bill conforms absolutely and completely to the recommendations made by the men who went out on the ground and found out what was necessary to be done; and I want to take their advice rather than the advice of someone in the Bureau of the Budget who advised the President.

Mr. VANDENBERG. Mr. President, if it will ease the Senator's conscience to transfer the burden of this challenge from the President of the United States to the Director of the Budget, he is quite welcome to do so.

Mr. HAYDEN. Someone in the Bureau of the Budget did it, because that is the only place where the President could get that advice.

Mr. VANDENBERG. Of course, when the President of the United States signs his name to a document, as he did on August 2, and says he does not need more than $25,000,000 for the immediate emergent strategic highway necessities, when he says he does not want more than $25,000,000, and when he virtually says that any appropriation in excess of that amount is wholly unwarranted, I am unwilling, until the President of the United States himself says he was misguided and misinformed, to proceed on the theory that he was misinformed and misled and beguiled by someone to whom he should not have listened.

The only question involved is whether $25,000,000 is enough to meet highway emergencies. Senators keep talking about this great highway system. The great highway system has nothing to do with this issue. It is not involved in this issue. The great highway system has its own highway bill. It will get just as much money this year as it ever got, and it will be treated just as generously as it ever was treated, and it will be administered in precisely the same old fashion the Senator from Tennessee wants to maintain. That is not involved. The President asked for some money to meet specific critical emergent situations in connection with highway necessities in relation to national defense. He said he needed $25,000,000, and Senators who oppose him on this matter will not let him have the $25,000,000 unless he will also give them another $100,000,000 which they can add to their regular road appropriations under precisely the same old road formula.

Mr. President, I do not care to labor the situation any further. I stand precisely where I did when the veto came to the Senate. I think the President is wholly right in the position he takes in connection with this particular item. I think $100,000,000 is still worth saving, even though it is little more than chicken feed in relationship to the other appropriations we are so constantly making. I think $100,000,000 is worth saving, and I think the viewpoint and the word in this respect of the President of the United States, who, after all, exercises the final defense responsibility in this country, are worth taking.

Mr. TAFT. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Andrews	Guffey	Pepper
Bailey	Hayden	Radcliffe
Barkley	Herring	Rosier
Bone	Hughes	Taft
Bunker	Johnson, Colo.	Thomas, Idaho
Burton	La Follette	Thomas, Okla.
Byrd	McCarran	Thomas, Utah
Capper	McKellar	Truman
Caraway	McNary	Tunnell
Danaher	Maloney	Vandenberg
Eastland	Mead	Van Nuys
George	O'Daniel	Walsh
Gerry	Peace	

Mr. BARKLEY. I announce that the Senator from South Dakota [Mr. BULOW] and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Montana [Mr. MURRAY] is detained in the State of Montana on official business.

The Senator from New Mexico [Mr. HATCH], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Washington [Mr. WALLGREN] are members of Senate committees detained on official business.

The Senators from Alabama [Mr. BANKHEAD and Mr. HILL], the Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr. BROWN], the Senator from Kentucky [Mr. CHANDLER], the Senator from New Mexico [Mr. CHAVEZ], the Senators from Louisiana [Mr. ELLENDER and Mr. OVERTON], the Senator from Iowa [Mr. GILLETTE], the Senator from Rhode Island [Mr. GREEN], the Senator from West Virginia [Mr. KILGORE], the Senator from Oklahoma [Mr. LEE], the Senator from Illinois [Mr. LUCAS], the Senator from Arizona [Mr. MCFARLAND], the Senator from North Carolina [Mr. REYNOLDS], the Senator from Georgia [Mr. RUSSELL], the Senator from Maryland [Mr. TYDINGS], the Senator from New Jersey [Mr. SMATHERS], the Senator from Arkansas [Mr. SPENCER], the Senator from Tennessee [Mr. STEWART], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

Mr. MCNARY. The Senator from Vermont [Mr. AUSTIN], the Senator from New Jersey [Mr. BARBOUR], the Senator from Minnesota [Mr. BALL], the Senator from Illinois [Mr. BROOKS], the Senator from Maine [Mr. BREWSTER], the Senator from South Dakota [Mr. GURNEY], the Senator from Oregon [Mr. HOLMAN], the Senator from Massachusetts [Mr. LODGE], the Senator from North Dakota [Mr. NYE], and the Senator from Kansas [Mr. REED] are necessarily absent.

The Senator from Indiana [Mr. WILLIS] is absent because of a personal injury.

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The ACTING PRESIDENT pro tempore. Thirty-eight Senators have answered to their names. There is not a quorum present. The clerk will call the names of the absent Senators.

The legislative clerk called the names of the absent Senators, and Mr. ADAMS, Mr. AIKEN, Mr. BUTLER, Mr. CONNALLY,

Mr. LANGER, and Mr. SMITH answered to their names when called.

The ACTING PRESIDENT pro tempore. Forty-four Senators have answered to their names. There is not a quorum present.

Mr. BARKLEY. I move that the Sergeant at Arms be directed to request the attendance of absent Senators, so that a quorum may be obtained.

The ACTING PRESIDENT pro tempore. The question is on the motion of the Senator from Kentucky.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

Mr. CLARK of Missouri and Mr. SCHWARTZ entered the Chamber and answered to their names.

After a little delay, Mr. MURDOCK and Mr. SHIPSTEAD entered the Chamber and answered to their names.

After a little further delay, Mr. CLARK of Idaho entered the Chamber and answered to his name.

The ACTING PRESIDENT pro tempore. Forty-nine Senators having answered to their names, a quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5412) making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. TAYLOR, Mr. WOODRUM of Virginia, Mr. CANNON of Missouri, Mr. LUDLOW, Mr. SNYDER, Mr. O'NEAL, Mr. JOHNSON of West Virginia, Mr. RABAUT, Mr. TABER, Mr. WIGGLESWORTH, Mr. LAMBERTSON, and Mr. DITTER were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H. R. 4769. A bill authorizing the designation of Army mail clerks and assistant Army mail clerks; and

H. R. 5312. A bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

The message further announced that the House had passed a bill (H. R. 5553) providing an appropriation for additional members of the Metropolitan Police force of the District of Columbia, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

H. R. 647. An act for the relief of Gilbert E. Jackson and Helen Jackson, individually, and to the legal guardian of Edwin Jackson, a minor;

H. R. 1692. An act for the relief of William F. Kliewe;

H. R. 4529. An act for the relief of John Henry Hester;

H. R. 4784. An act to amend the act relating to preventing the publication of inventions in the national interest, and for other purposes;

H. R. 4813. An act to amend section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended; and

H. R. 5300. An act relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended, to provide for withholding from the normal channels of trade and commerce Government-owned cotton and wheat of the 1940 and previous crops, and to provide 85 percent of parity with respect to peanuts of the 1941 crop.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H. R. 5508. An act to discontinue certain reports now required by law; to the Committee on Expenditures in the Executive Departments.

H. R. 5553. An act providing an appropriation for additional members of the Metropolitan Police force of the District of Columbia, and for other purposes; to the Committee on Appropriations.

CONSTRUCTION OF DEFENSE HIGHWAYS

The Senate resumed the consideration of the bill (S. 1840) to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes.

The ACTING PRESIDENT pro tempore. The bill is open to amendment.

Mr. VANDENBERG. Mr. President, I move to amend, on page 2, by striking out the language from line 11 to line 21, inclusive.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, after line 10, it is proposed to strike out:

SEC. 2. Strategic highway network: (a) For carrying out projects to correct critical deficiencies in lines of the stategic network of highways and bridges, during the continuance of the emergency declared by the President on May 27, 1941, there is hereby authorized to be appropriated the sum of $100,000,000. Such sum shall be immediately apportioned among the States in accordance with the provisions of section 21 of the Federal Highway Act, as amended and supplemented, and shall be expended in accordance with the provisions of such act, as amended and supplemented.

The ACTING PRESIDENT pro tempore. The question is on the amendment of the Senator from Michigan [Mr. VANDENBERG].

Mr. VANDENBERG. If the amendment be agreed to, the bill will then be in conformity with the request of the President of the United States. If the amendment be agreed to, the bill still will totally meet the defense necessity as defined by the President himself.

Upon the amendment, I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. TAFT. I suggest the absence of a quorum.

Mr. BARKLEY. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. BARKLEY. Is the receiving of a message from the House of Representatives the transaction of business within the meaning of the rule?

The ACTING PRESIDENT pro tempore. The Chair is in doubt about that, but an amendment has been offered to the bill.

Mr. BARKLEY. Yes; but it has not been acted upon. Is the offering of an amendment the transaction of business so as to make in order another quorum call?

Mr. TAFT. Mr. President, a point of order.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. BARKLEY. I have made a parliamentary inquiry. What is the ruling of the Chair?

The ACTING PRESIDENT pro tempore. In the opinion of the Chair, the receipt of a message from the House of Representatives is not the transaction of business within the meaning of the rule, but the offering of an amendment constitutes the transaction of business. So the motion of the Senator from Ohio is in order, and the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	George	O'Daniel
Aiken	Gerry	Peace
Andrews	Guffey	Pepper
Barkley	Hayden	Rosier
Bone	Herring	Schwartz
Burton	Johnson, Calif.	Smith
Byrd	La Follette	Taft
Caraway	McCarran	Thomas, Idaho
Clark, Idaho	McKellar	Thomas, Utah
Clark, Mo.	McNary	Truman
Connally	Maloney	Tunnell
Danaher	Mead	Vandenberg
Eastland	Murdock	Walsh

The ACTING PRESIDENT pro tempore. Thirty-nine Senators have answered to their names. There is not a quorum present. The clerk will call the names of the absent Senators.

The legislative clerk called the names of the absent Senators, and Mr. BAILEY, Mr. BUNKER, Mr. BUTLER, Mr. CAPPER, Mr. HUGHES, Mr. JOHNSON of Colorado, Mr. LANGER, and Mr. SHIPSTEAD answered to their names when called.

The ACTING PRESIDENT pro tempore. Forty-seven Senators having answered to their names, there is not a quorum present.

Mr. BARKLEY. Mr. President, I move that the Sergeant at Arms be again directed to request the attendance of absent Senators, so that a quorum may be obtained; and I suggest that Senators who are in the Chamber remain.

The ACTING PRESIDENT pro tempore. The question is on the motion of the Senator from Kentucky.

The motion was agreed to.

The ACTING PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate.

Mr. VAN NUYS and Mr. THOMAS of Oklahoma entered the Chamber and answered to their names.

The ACTING PRESIDENT pro tempore. Forty-nine Senators having an-

swered to their names, there is a quorum present.

The question is on the amendment offered by the Senator from Michigan [Mr. VANDENBERG].

Mr. VANDENBERG. Mr. President, I desire again to call the attention of the Senate to the very simple proposition which is pending in the amendment I have offered.

I have moved to strike out lines 11 to 21, on page 2. If the amendment is agreed to I shall be very happy to support the bill. If the amendment is agreed to the bill will be in conformity with what the President of the United States says is necessary, and which is the limit of his present necessity in respect to defense highways.

It seems to me I am entitled to a yea-and-nay vote upon an amendment of this nature. Therefore I again ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BARKLEY. Mr. President, before the roll is called, I desire to urge Senators who are present to remain here for an hour or two. If they will do that and maintain a quorum constantly, we can dispose of the business which must be transacted today, after which Senators may be more or less at ease; but if we cannot do that today, it will be necessary to have a quorum on next Tuesday, and I intend to resort to whatever parliamentary procedure may be required in order to have a quorum if it is necessary to do so. If we can transact our business today, such procedure will not be necessary.

I urge Senators who are present, and those who will come in during the roll call, to remain on the floor for a while until we can finish the business of the day.

The ACTING PRESIDENT pro tempore. On the question of agreeing to the amendment of the Senator from Michigan [Mr. VANDENBERG], the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McNARY (when his name was called). I have a pair with the senior Senator from Alabama [Mr. BANKHEAD]. I transfer that pair to the junior Senator from Indiana [Mr. WILLIS], and will vote. I vote "nay."

Mr. THOMAS of Utah (when his name was called). On this question I have a pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the junior Senator from Alabama [Mr. HILL], and will vote. I vote "nay."

The roll call was concluded.

Mr. BARKLEY. I announce that the Senator from South Dakota [Mr. BULOW] and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Montana [Mr. MURRAY] is detained in the State of Montana on official business.

The Senator from New Mexico [Mr. HATCH], the Senator from Wyoming [Mr. O'MAHONEY], and the Senator from Washington [Mr. WALLGREN] are members of Senate committees detained on official business.

The Senators from Alabama [Mr. BANKHEAD and Mr. HILL], the Senator from North Carolina [Mr. BAILEY], the Senator from Mississippi [Mr. BILBO], the Senator from Michigan [Mr. BROWN], the Senator from Kentucky [Mr. CHANDLER], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Texas [Mr. CONNALLY], the Senator from California [Mr. DOWNEY], the Senators from Louisiana [Mr. ELLENDER and Mr. OVERTON], the Senator from Iowa [Mr. GILLETTE], the Senator from Virginia [Mr. GLASS], the Senator from Rhode Island [Mr. GREEN], the Senator from West Virginia [Mr. KILGORE], the Senator from Oklahoma [Mr. LEE], the Senator from Illinois [Mr. LUCAS], the Senator from Arizona [Mr. MCFARLAND], the Senator from Maryland [Mr. RADCLIFFE], the Senator from North Carolina [Mr. REYNOLDS], the Senator from Georgia [Mr. RUSSELL], the Senator from New Jersey [Mr. SMATHERS], the Senator from Arkansas [Mr. SPENCER], the Senator from Tennessee [Mr. STEWART], the Senator from Maryland [Mr. TYDINGS], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

Mr. McNARY. The Senator from Vermont [Mr. AUSTIN] is necessarily absent. He has a general pair with the Senator from New Jersey [Mr. SMATHERS].

The Senator from Oregon [Mr. HOLMAN] has a general pair with the Senator from Tennessee [Mr. STEWART].

The Senator from Massachusetts [Mr. LODGE] has a general pair with the Senator from Mississippi [Mr. BILBO].

The Senator from Pennsylvania [Mr. DAVIS] is absent on official business. He has a general pair with the Senator from Kentucky [Mr. CHANDLER].

The Senator from Indiana [Mr. WILLIS] is absent because of an injury.

The Senator from Wisconsin [Mr. WILEY] is absent on official business.

The Senator from Minnesota [Mr. BALL], the Senator from New Jersey [Mr. BARBOUR], the Senator from Maine [Mr. BREWSTER], the Senator from Illinois [Mr. BROOKS], the Senator from South Dakota [Mr. GURNEY], the Senator from North Dakota [Mr. NYE], the Senator from Kansas [Mr. REED], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The roll call resulted—yeas 10, nays 36, as follows:

YEAS—10

Byrd	Herring	Vandenberg
Capper	Johnson, Calif.	Walsh
Danaher	Maloney	
Gerry	Taft	

NAYS—36

Adams	Guffey	Peace
Aiken	Hayden	Pepper
Andrews	Hughes	Rosier
Barkley	Johnson, Colo.	Schwartz
Bone	La Follette	Shipstead
Bunker	Langer	Smith
Burton	McCarran	Thomas, Idaho
Butler	McKellar	Thomas, Okla.
Caraway	McNary	Thomas, Utah
Clark, Idaho	Mead	Truman
Clark, Mo.	Murdock	Tunnell
Eastland	O'Daniel	Van Nuys

NOT VOTING—50

Austin	Bankhead	Brewster
Bailey	Barbour	Bridges
Ball	Bilbo	Brooks
Brown	Hill	Reynolds
Bulow	Holman	Russell
Chandler	Kilgore	Smathers
Chavez	Lee	Spencer
Connally	Lodge	Stewart
Davis	Lucas	Tobey
Downey	McFarland	Tydings
Ellender	Murray	Wagner
George	Norris	Wallgren
Gillette	Nye	Wheeler
Glass	O'Mahoney	White
Green	Overton	Wiley
Gurney	Radcliffe	Willis
Hatch	Reed	

The ACTING PRESIDENT pro tempore. On this question the yeas are 10, and the nays are 36. Less than a quorum having voted, the clerk will call the roll to ascertain the presence of a quorum.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	George	Peace
Aiken	Gerry	Pepper
Andrews	Guffey	Rosier
Bailey	Hayden	Schwartz
Barkley	Herring	Shipstead
Bone	Hughes	Smith
Bunker	Johnson, Calif.	Taft
Burton	Johnson, Colo.	Thomas, Idaho
Butler	La Follette	Thomas, Okla.
Byrd	Langer	Thomas, Utah
Capper	McCarran	Truman
Caraway	McKellar	Tunnell
Clark, Idaho	McNary	Vandenberg
Clark, Mo.	Maloney	Van Nuys
Connally	Mead	Walsh
Danaher	Murdock	
Eastland	O'Daniel	

The PRESIDING OFFICER (Mr. BUNKER in the chair). Forty-nine Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment of the Senator from Michigan [Mr. VANDENBERG], on which the yeas and nays have been ordered. The clerk will again call the roll.

The legislative clerk proceeded to call the roll.

Mr. McNARY (when his name was called). Again referring to my pair and its transfer, I will vote. I vote "nay."

Mr. THOMAS of Utah (when his name was called). As previously stated, I transfer my pair to the junior Senator from Alabama [Mr. HILL], and will vote. I vote "nay."

The roll call was concluded.

The roll call resulted—yeas 8, nays 39, as follows:

YEAS—8

Byrd	Herring	Vandenberg
Danaher	Maloney	Walsh
Gerry	Taft	

NAYS—39

Adams	Eastland	O'Daniel
Aiken	George	Peace
Andrews	Guffey	Pepper
Bailey	Hayden	Rosier
Barkley	Hughes	Schwartz
Bone	Johnson, Colo.	Shipstead
Bunker	La Follette	Smith
Burton	Langer	Thomas, Idaho
Butler	McCarran	Thomas, Okla.
Caraway	McKellar	Thomas, Utah
Clark, Idaho	McNary	Truman
Clark, Mo.	Mead	Tunnell
Connally	Murdock	Van Nuys

NOT VOTING—49

Austin	Capper	Hatch
Ball	Chandler	Hill
Bankhead	Chavez	Holman
Barbour	Davis	Johnson, Calif.
Bilbo	Downey	Kilgore
Brewster	Ellender	Lee
Bridges	Gillette	Lodge
Brooks	Glass	Lucas
Brown	Green	McFarland
Bulow	Gurney	Murray

Norris	Russell	Wallgren
Nye	Smathers	Wheeler
O'Mahoney	Spencer	White
Overton	Stewart	Wiley
Radcliffe	Tobey	Willis
Reed	Tydings	
Reynolds	Wagner	

The PRESIDING OFFICER. On this question the yeas are 8, the nays are 39. A quorum is not present. The clerk will call the roll to establish the presence of a quorum.

Mr. BARKLEY. Mr. President, I do not like to complain about Members of the Senate who answer to their names on a quorum call and then walk out, but it seems to me that the transaction of the public business is of sufficient importance at least to induce Senators to stay here after they have answered to their names so that another call will not be necessary. I realize that the baseball game is attractive, and it is a great inducement for Senators to absent themselves; but I certainly feel that neither that nor any other temporary cause ought to justify Senators in absenting themselves until we can transact the necessary business of this day. I hope Senators who answer to their names will remain in the Chamber until we can finish the business which is before us.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	George	Pepper
Aiken	Gerry	Radcliffe
Andrews	Gurney	Rosier
Bailey	Hayden	Schwartz
Barkley	Herring	Shipstead
Bone	Hughes	Smith
Bunker	Johnson, Colo.	Taft
Burton	La Follette	Thomas, Idaho
Butler	Langer	Thomas, Okla.
Byrd	McCarran	Thomas, Utah
Capper	McKellar	Truman
Caraway	McNary	Tunnell
Clark, Idaho	Maloney	Vandenberg
Clark, Mo.	Mead	Van Nuys
Connally	Murdock	Walsh
Danaher	O'Daniel	
Eastland	Peace	

The ACTING PRESIDENT pro tempore. Forty-nine Senators have answered to their names. A quorum is present.

Mr. VANDENBERG. Mr. President, I ask unanimous consent that the order for a yea-and-nay vote on my amendment be vacated.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. VANDENBERG. Mr. President, I now withdraw the amendment in the form in which I submitted it; and, instead, I move to amend the bill on page 2, line 16, by striking out "$100,000,000" and inserting "$50,000,000."

The ACTING PRESIDENT pro tempore. The amendment offered by the Senator from Michigan will be stated.

The LEGISLATIVE CLERK. On page 2, line 16, it is proposed to strike out "$100,000,000" and insert "$50,000,000."

Mr. BARKLEY. Mr. President, if the Senator from Michigan will yield, I express to the Senators in charge of the bill the hope that that amendment will be acceptable.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Michigan.

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. The bill is open to further amendment. If no further amendment be proposed, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The ACTING PRESIDENT pro tempore. The bill having been read three times, the question is, Shall it pass?

The bill (S. 1840) was passed.

ESTABLISHMENT OF OFFICE OF PETROLEUM COORDINATOR

Mr. ANDREWS. Mr. President, out of order, I ask unanimous consent to introduce a joint resolution providing for the establishment and creation of the Office of Petroleum Coordinator, and for other purposes.

The ACTING PRESIDENT pro tempore. Without objection, the joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 103) to establish the Office of Petroleum Coordinator, and for other purposes, was read twice by its title.

Mr. ANDREWS. Mr. President, in connection with the introduction of the joint resolution, I desire to make a brief statement. We all realize that particularly in time of emergency such as now confronts us, petroleum in its various forms constitutes the lifeblood of our industry, transportation, and even the operations of our daily life.

It is necessary that everything be done at this time to see that justice is accorded to everyone, not only in regard to price but in regard to the distribution of this vital product. I noticed in a Washington newspaper this morning that the Secretary of the Interior, Mr. Ickes, is hesitant in regard to ordering gas rationing, and practically admits failure of his curfew. In my judgment, it will be impossible for any one man to administer the duties of such Coordinator on a part-time basis, and certainly not a Cabinet officer who has a great number of bureaus under him, the duties of some of which would conflict with that of administering any petroleum law or regulation.

From the Congressional Directory it will be observed that the Secretary of the Interior administers the General Land Office, the Office of Indian Affairs, the Geological Survey, the Bureau of Reclamation, the National Park Service, the United States Travel Bureau, the Bureau of Mines, the Grazing Service, the Bituminous Coal Division, the Fish and Wildlife Service, the Division of Territories and Island Possessions, the Office of Oil Administrator, and several others unnecessary to mention here.

As before stated, in these days of such active operations of all these divisions it would certainly require the full time of one man to perform all that service in a proper manner. It is my belief and judgment that the petroleum coordinator should not be connected with any other office and should not engage in any other business, vocation, or employment, and should not hold any other office under the authority of the United States or of any State or political subdivision.

Mr. BARKLEY. Mr. President, will the Senator yield to me?

Mr. ANDREWS. I yield.

Mr. BARKLEY. I wish to state again that it is important that Members of the Senate remain for a little while. The House has adopted the conference report on the supplemental military appropriations bill which was passed by the Senate yesterday, and it is now on its way to the Senate. It is important that the conference report be agreed to this afternoon.

Mr. ANDREWS. Mr. President, I have finished my statement.

Mr. BARKLEY. I am not asking the Senator to finish. I am asking Senators to remain until we shall have disposed of the conference report. So far as I am concerned, the Senator from Florida may speak until the conference report comes before the Senate if he wishes to do so. If he does not, someone else may have to.

Mr. ANDREWS. I should like to add one word. The joint resolution is introduced in good faith. I trust the Members of the Senate, and particularly the members of the committee to which it will be referred, will make a study of the measure, and that it will be favorably considered at the earliest possible time.

Mr. BARKLEY. Mr. President, will the Senator again yield?

Mr. ANDREWS. I yield.

Mr. BARKLEY. To what committee does the Senator ask that the measure be referred?

Mr. ANDREWS. I have not asked that it be referred to any particular committee. The Parliamentarian will no doubt have to settle that point. I believe perhaps it should go to the Committee on Public Lands and Surveys.

Mr. BARKLEY. Will that committee be satisfactory to the Senator?

Mr. ANDREWS. It will be satisfactory to me; yes.

The PRESIDING OFFICER. The Senator from Florida requests that the joint resolution be referred to the Committee on Public Lands and Surveys. Is there objection? The Chair hears none, and it is so ordered.

Mr. SMITH. Mr. President, I wish to state to Senators present that earlier today I placed in the RECORD a compilation of the taxes, Federal and State, on gasoline. I hope Senators will read that statement in the CONGRESSIONAL RECORD tomorrow morning. One-eleventh of all the revenues of the Government comes from the gasoline tax. It is very startling to me to learn that $1 out of every $11 of governmental revenue comes from the gasoline tax. The gasoline tax rate is the highest with the exception of the tax on tobacco and whisky. The tax on gasoline averages nearly 7 cents a gallon. I hope each Senator will read the statement. I did not read the figures to the Senate. We were so busy at the time doing nothing that I thought the reading of the figures had better wait.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, informed the Senate that the Honorable CLIFTON A. WOODRUM, a Representative from the State of Virginia, had been elected Speaker pro tempore during the absence of the Speaker.

The message announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5412) making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes; and that the House had receded from its disagreement to the amendment of the Senate No. 25 to the bill, and had concurred therein.

FIRST SUPPLEMENTAL APPROPRIATIONS FOR NATIONAL DEFENSE, 1942—CONFERENCE REPORT

Mr. ADAMS. Mr. President, I submit the conference report on House bill 5412, making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes, and ask for its immediate consideration.

The PRESIDING OFFICER. The report will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5412) making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 6, 7, 9, 15, and 16.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 11, 13, 14, 17, 18, 19, 20, 21, 24, 26, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, and 40; and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$2,888,980,486"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"The second proviso under the caption 'Ordnance service and supplies, Army', in the Military Appropriation Act, 1942, is hereby repealed."

And the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "294,528,500"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment, insert the following: "$800,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment, insert the following: "$800,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment, insert the following: "$2,500,000"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lines 8 and 9 of the matter inserted by said amendment, strike out the words: "to be immediately available,"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"MARITIME LABOR BOARD

"Salaries and expenses: For three Board members and for all other authorized and necessary expenditures of the Maritime Labor Board in performing the duties imposed by law, fiscal year 1942, $30,000, to be used for winding up and terminating the affairs of the Board."

And the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 25.

ALVA B. ADAMS,
CARTER GLASS,
KENNETH MCKELLAR,
CARL HAYDEN,
Managers on the part of the Senate.

EDWARD T. TAYLOR,
C. A. WOODRUM,
LOUIS LUDLOW,
J. BUELL SNYDER,
EMMET O'NEAL,
GEO. W. JOHNSON,
JOHN TABER,
RICHARD B. WIGGLESWORTH,
Managers on the part of the House.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Colorado for the immediate consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDING OFFICER. The question is on agreeing to the report.

Mr. TAFT. Mr. President, I desire to speak on the conference report. Will the Senator from Colorado state what action was taken by the conferees with respect to the $1,347,000,000 reduction made by the Senate in the appropriations contained in the bill?

Mr. ADAMS. Yes; I shall be glad to do so.

Mr. President, this item was the subject of quite extended discussion between the Senate and House conferees, the House conferees taking a very positive position against the cut which the Senate had made, insisting that there was a misunderstanding on the part of the Senate and some confusion in the Senate hearings as to the purpose and effect and use of the implements provided for in the $1,347,000,000 item.

The Secretary of War wrote a letter to the chairmen of the Appropriations Committees of the Senate and the House. In his letter to the chairman of the Senate committee, the Senator from Virginia [Mr. GLASS], he insisted that it would be most unfortunate to the program of the Army if the action of the Senate making the reduction should prevail. The House conferees, as I have said, were quite insistent that no reduction be made. The Senate conferees were quite insistent that the reduction was sound and justifiable and supported by the testimony presented before the committee. The result was ultimately an effort to adjust the matter, as it seemed that insistence upon the part of the conferees of either or both Houses might result in defeat of the bill and in prolonging the active sessions of both bodies. As a result, with much reluctance, the Senate conferees agreed to a reduction of $750,000,000 in the cut which was made by the Senate and which totaled $1,347,000,000. The compromise reduced that amount by $750,000,000.

Mr. President, I am not happy about the compromise. I was convinced in my own mind that the appropriation was not needed at this time and that the Senate acted wisely; but, as a conferee, acting in cooperation with the other Senate conferees, I felt that we were not justified in absolutely refusing to make any concession to the differing opinions of the House conferees, supported as they were very earnestly by War Department officials, and as a result we joined in the conference report with that reduction in the cut. As I have said, we did so with reluctance, not conceding that the larger appropriation was right, but that it was inevitable. I believe that the Senate, by securing a reduction in the appropriation of some $600,000,000, has rendered a real service to the country and furnished genuine protection to the Treasury in this matter.

Mr. TAFT. Mr. President, I desire to oppose the adoption of the conference report, because it is perfectly clear to me that every argument which was made yesterday against the $1,347,000,000 is equally forceful today against the $750,000,000 appropriation. The objection made primarily is that this amount is for equipment in excess of that required for an army of 3,000,000 men, and also in addition to the equipment that would be required for that army for a year's combat service.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. TAFT. Mr. President, I prefer to make my argument first, if the Senator does not mind.

It seems to me that a question of principle is involved. I cannot conceive of any necessity for this country having an army in excess of 3,000,000, unless we are contemplating an expeditionary force to Asia, or to Africa, or to Europe, and I, at least, am not willing to vote for a policy which involves such a conclusion.

Mr. President, there is no question in my mind about the facts in the case. The question is whether we want to authorize equipment for an army larger than 3,000,000 men. The Senator from Colorado [Mr. ADAMS] yesterday stated very clearly the entire program. He said:

The program which we were given was a complete program of the Military Establishment—what it has, what it needs, and its shortages. It includes more than that. It includes the critical items for an augmented force of about 3,000,000 men, which is made up of the second objective of the ground

force of 2,828,000, plus 152,000 for the Air Corps, plus—

Various other items.

In other words, it includes not only what is needed now, but it implies 12 months of combat for 3,000,000 men.

Colonel Wood was asked this question:

Colonel Wood, let me see if I understand you correctly, that this special ordnance equipment item of $1,347,000,000 covers expenditures not required for the equipment of the Army of 3,000,000 men.

Colonel Wood answered:

Colonel Wood. This special ordnance equipment is over and above the present requirements of the 3,000,000-man force as currently calculated.

Under Secretary Patterson himself, who is asking for this force, did not, as I see it, dispute the question of fact. He said:

The other part of this item is about $1,400,000,000 and has to do with tanks, antitank weapons, and antiaircraft weapons. That is, in a measure, a departure in this bill. We heretofore have ordered tanks and antitank equipment and antiaircraft equipment in quantities regulated by the P. M. P., that is, for the number of divisions that we have and a reasonable maintenance reserve, and that sort of thing. This is over and above that. It is put in by the War Department on the view that those items will clearly be necessary in greatly increased quantities, if we move into armed conflict.

Mr. President, they cannot be needed if we do not move into armed conflict outside the United States, because no one has ever suggested that we need an army of 3,000,000 men even to defend the United States if we have our present Navy and our present air force.

As a matter of fact, General Marshall has stated that he cannot get the equipment and will not have the equipment for an army of 1,700,000 men for a period of 2 years. On page 207 of the Senate committee hearings on the Draft Extension Act, which was passed yesterday, he stated as follows:

Under Senator TAFT's plan, additional housing would have to be provided for 260,000 men by January 1, 1942, at an approximate cost of $200,000,000. It is believed, furthermore, that 2 years would be required to equip completely the proposed force.

Two years will be required to equip an army of 1,900,000 men. We have now ordered everything for an army of 3,000,000, and we are asked to provide equipment over and above that.

I have voted for every defense expenditure; but when we reach an Army of 3,000,000 men, so far as I am concerned, I think we should stop.

There is a further reason, entirely apart from the question of building up an army and the tremendous expense involved in that army. We are constantly forcing the building of more factories. We are taking away all the critical materials from hundreds of small plants. Every day I receive a letter from someone who says, "If we cannot get this material we will have to shut down." There is no reason why this program cannot be spread over a reasonable period, even though when we get the equipment for 3,000,000 men we should decide to go further. If we decide to do it all now and set aside all the critical materials, we shall shut down practically every plant in the country which has anything to do with metals and which is not working on the defense program. If we do that hundreds of thousands of men will be thrown out of work. I have complaints from small plants in nearly every county seat in Ohio to the effect that the program is destroying the small business of the country. It does not hurt big business. A big businessman can come to Washington and obtain contracts for defense purposes, but the smaller businessman cannot do so. Three men who were in my office today said, "We are going to have to shut down. Can you not get us some defense business?"

It is extremely awkward for the Government to give an order to a little plant which must change over its whole equipment and then can make only a very small fraction of the total requirements.

I think that today we are conducting the greatest program for armament that any country has ever conducted. I think it is more than adequate for defense. I think it is perfectly adequate for any expeditionary force that can possibly be desired on a small scale to defend some islands. I see no reason whatever for looking forward today to an army in the United States larger than 3,000,000 men, and I think the conference report should be voted down.

Mr. HAYDEN. Mr. President, I should like to state some new facts which came before the conferees, which differ from what appears in the Senate committee hearings.

The War Department represented to the House conferees—and they brought the information to us—that it is the desire of the Department to have a total of 14 of the so-called mechanized or armored divisions, which means that the Department will take 6 infantry divisions, within the 3,000,000 men, for which it now has no mechanized equipment, organize them as infantry divisions, and, when the tank equipment is made available, it will turn them into mechanized divisions. So it does not mean that all the money is to be expended for a force greater than 3,000,000 men.

The same thing is true of antiaircraft equipment. The new antiaircraft gun which will be produced here is better than anything our existing antiaircraft regiments have.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. TAFT. Can the Senator tell me how many hundreds of millions of dollars have already been appropriated for antiaircraft guns, aside from anything included in the bill?

Mr. HAYDEN. I do not happen to carry the figures in my head.

Mr. TAFT. My point is that we have already appropriated hundreds of millions of dollars for as many antiaircraft guns as can be made during the next 2 years.

Mr. HAYDEN. Not the new guns.

Mr. TAFT. Why cannot the design be changed? Contracts have not been let for all the money that has been appropriated for antiaircraft guns.

Mr. HAYDEN. No country in the world can get enough antiaircraft equipment. The only point I am making is that a large part of the equipment is not intended for an army of more than 3,000,000 men. It is intended to be substitute equipment as, if, and when it can be obtained. I think that is important, and I think that by cutting the amount in half we can be sure that the equipment can be obtained.

Mr. TAFT. All I can say is that the Army has apparently reconsidered the reasons it previously gave. After a reduction has been made by the Senate the department finds another reason to support something which its representatives never thought of when they were before the Appropriations Committee of the House or the Appropriations Committee of the Senate.

Mr. President, I have yielded to the request of the majority leader. I do not ask for a yea-and-nay vote on this question. However, I feel very strongly that if the Senate is to conduct business and to pass bills involving large appropriations a quorum should be present. The appropriation which was approved by the Senate yesterday in the sum of $750,000,000 is proposed to be increased. The Senate ought not again under similar circumstances to act in the absence of a quorum.

I think we could maintain a quorum. I think if it were understood that during a certain week serious business was to be transacted Senators would be present. The trouble is that we are never certain whether the business to be transacted is important. It seems to me that if an agreement is made not to transact any important business it ought to be an agreement that no business will be transacted during the interval when it is understood that Senators may be away. Many Senators left last week after consideration of the draft law had been completed, with the general feeling on their part—perhaps mistakenly—that nothing further of importance was coming up. I shall not insist today on a yea-and-nay vote on this question; but I give notice that if any such occasion should arise in the future I will insist on a quorum being present before the Senate takes action on appropriation bills or other bills of importance.

Mr. BARKLEY. Mr. President, let me say to the Senator that no statement was made by anyone that could have conveyed the impression that we did not intend to attempt to conclude the consideration of this appropriation bill. Such consideration involves a conference report and an agreement to the conference report. There is no way by which we can avoid that procedure.

I wish to express my appreciation to the Senator for his courtesy in yielding his previous desire or wish that there be a yea-and-nay vote; but I wish to say that no Senator left Washington with the view that consideration of this bill would not be concluded before entering upon any lull in the business of the Senate.

Mr. ADAMS. Mr. President, the facts as stated by the Senator from Ohio are entirely in accord with my own views. I wish to make it clear that while the Senate conferees have submitted a modification of the action of the Senate, that does not mean that they have in any way receded from the position which they took. My own judgment is that the Senate amendment was correct; but we are dealing with a parliamentary situation in which we have two bodies. Concessions must be made in order that business may be transacted; and the concessions which are made are concessions for the purpose of compromise, and not a recession on the part of the Senate conferees or the Senate from the opinion which was expressed on the floor of the Senate and by the vote of the Senate.

In order to complete the record, I ask unanimous consent to have printed in the RECORD a letter from the Secretary of War to the chairman of the Appropriations Committee [Mr. GLASS], giving the views of the Secretary.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
Washington, August 13, 1941.

The Honorable CARTER GLASS,
Chairman, Committee on Appropriations,
United States Senate.

DEAR SENATOR GLASS: I am writing to request that the members of your committee assist in restoring to the First Supplemental National Defense Appropriation Act, 1942, the project for special ordnance equipment in the amount of $1,347,053,550 deleted by the Senate Appropriations Committee under "Ordnance Service and Supplies, Army," line 6, page 3, of the act. The reason given in the report of the committee for the deletion of this item is that "This amount represents requests made by the Department over and above the requirements to equip and maintain an army of 3,000,000 men." While this is supported by the testimony of certain witnesses before the committee, there are other facts which make this project one of extreme importance to the security of the country.

The War Department requests this project at this time for the following reasons:

1. To establish a pool of modern weapons of warfare of a type which modern warfare has conclusively demonstrated it is essential to have in great quantities and which take a long period of time to produce.

2. To insure continuity of production of these items in an industry which has but recently been built at great effort and cost for the production of these items.

3. To have on hand at all times a sufficient quantity of weapons to meet changed conditions of warfare and thus to permit free reorganization of units and increases in the density of weapons as circumstances may dictate.

It is not a wholly accurate statement to say that the special items of equipment covered by this appropriation are over and above the requirements for a force of 3,000,000 men. The items covered by the $1,347,053,550 include:

Light tanks with armament.

Medium tanks with armament.

Gyrostabilizer units for light and medium tanks.

Power-traversing mechanisms for light tanks.

Ninety-millimeter AA guns, complete with fire control and accessories.

Four and seven-tenths inch AA guns, complete with fire control and accessories.

Fifty-caliber machine guns, AA, W/C, complete with fire control.

Forty-millimeter AA guns, Bofors, complete with fire control.

Thirty-seven-millimeter antitank guns.

Three-inch antitank guns, with self-propelled mount.

Three-inch antitank guns, wheeled.

Four and five-tenths inch antitank guns, with self-propelled mount.

One hundred and fifty-five millimeter guns (self-propelled mount only).

Seventy-five-millimeter guns, to be supplied with AT carriages.

Shell, HE, 90-millimeter, CR.

Shell, HE, 4.7-inch, CR.

Machine tools.

A portion of the items included in the above list are within the requirements for the 3,000,000-man army. For example, gyrostabilizers and power-traversing mechanisms for light tanks. Indeed, there are few, if any, of these weapons which would not, under certain conditions, be required for an army of 3,000,000 men or even less.

The appropriation requested for tanks is needed to provide a sufficient number of tanks for the possible creation of armored divisions or other mechanized units in addition to those organized or planned, as well as for use in the event that combat conditions disclose the need for the employment of greater quantities of tanks in the already existing units.

The gyrostabilizers for which funds are requested are required for tanks for the armored divisions and separate tank battalions now included in the 3,000,000-man troop basis, as well as for the additional tanks provided in these estimates. This device makes a stable firing platform of the tank, which without the device is a very poor firing platform. It will enable tanks, which must now stop to secure any reasonable accuracy of fire, to fire accurately while in motion, will reduce the vulnerability of the tank to enemy fire, and will greatly increase the effectiveness of tank fire.

The power-traversing mechanisms for light tanks are required for a similar purpose as the gyrostabilizer units. This mechanism will enable the guns of the tanks to be trained by power rather than by hand and, therefore, permit a more rapid and accurate directing of the tank armament resulting in increased and more accurate fire effect.

The lessons of the present war have indicated that the density of antiaircraft guns must be greatly increased beyond that now provided for units within the troop basis for 3,000,000 men. It is useless to organize new antiaircraft units until equipment becomes available for their training. At the present time the number of antiaircraft units organized requires every available resource in antiaircraft equipment for their training. One of the most important lessons in protection against aircraft learned in the current hostilities is that antiaircraft guns must have the highest possible ceiling. In order to take advantage of the efficiency of the recently developed 4.7 inch antiaircraft gun, which has a range beyond that of any similar gun now available, it is desired to procure this weapon in sufficient quantities so that it may be utilized to defend the most vital areas. While this will provide three different calibers of heavy antiaircraft guns, namely, 3-inch, 90-millimeter, and 4.7-inch, in our armed forces, it must not be considered that any one makes the other obsolescent. There are suitable tactical employments for each, based largely on the fact that the mobility decreases as the caliber increases. For the most mobile situation the 3-inch and the 90-millimeter guns remain the most practicable and effective for antiaircraft use.

The continued employment of dive bombers against ground troops in the theater of war makes necessary an increased proportion of weapons to inflict on them the greatest possible losses. These weapons are of the smaller calibers employed for antiaircraft purposes. They will not only be placed in antiaircraft units but also in ground units for their protection against hostile aircraft. There are many developments under way for the mounting of these guns on special vehicles to accompany columns on the march and furnish protection both on the march and in bivouac. The calibers considered are the .50-caliber machine gun and the 40-millimeter antiaircraft gun. The .50-caliber gun is a tried weapon which we do not have now in sufficient quantities to accomplish the purpose described above. The 40-millimeter is an improvement on the 37-millimeter gun now under production. It represents a decided advance in the effectiveness both as to accuracy of fire and effect at the target. The quantity requested is believed to be sufficient to supplement the quantity of 37-millimeter antiaircraft guns now under order from previous appropriations. As in the case of the heavier antiaircraft guns, both models are considered effective combat weapons.

Experiences abroad have indicated that the density of antitank guns in all organizations and echelons must be increased. The items of antitank guns requested in this act, namely, the 37 milimeter, the 3-inch, 75 millimeter, 4.5-inch, and 155 milimeter have been determined as necessary for thickening the quantity of proper antitank weapons within all organizations and thus providing the necessary defense in depth against hostile tank penetration. A large part, if not all, of these weapons will quite possibly be absorbed in the requirements for an army of 3,000,000 men. With the exception of the 37 milimeter and the 75 milimeter guns listed above, all of these weapons are of the latest design based on the lessons of the present war and none are on hand at the present time.

To obtain sufficient production of the ammunition for the heavy antiaircraft weapons, namely, the 90 milimeter and the 4.7-inch, it is necessary to place orders at once for the ammunition for these guns. At the present time, it has been found that weapons of this nature are coming into production ahead of the availability of ammunition. From this experience it is obvious that ammunition must be ordered at least as early as the weapon. For the other weapons listed above, the ammunition provided in the remainder of the appropriation act is considered as sufficient to give the monthly capacity necessary to maintain them in combat.

To accomplish the proposed program it will be necessary to purchase additional machine tools. The item of $25,000,000 for this purpose must, therefore, be included in order to assure prompt production of the items of equipment for which provision is made.

Above every other consideration, I believe that the spectacle we now face of a continent arming against us to the limit of its industrial capacity makes painfully evident the unwisdom of limiting our weapons to those which at any given moment we assume that a limited number of men may use. The continuity of our production lines and the necessity of having a reasonable quantity of modern weapons to meet any emergency and any contingency require, in my judgment, the inclusion of this project in the pending appropriation act.

I earnestly urge you and the members of your committee to do what you can to restore this most important project to the act.

Sincerely yours,

HENRY L. STIMSON,
Secretary of War.

[Copy for Senator ALVA B. ADAMS.]

Mr. ADAMS. Mr. President, I think that concludes what I wanted to say. There are other items, but this was the major item in the bill, the item which involved the most serious discussion. I think that, all things considered, it is the part of wisdom to adopt the conference report, even though it involves a partial surrender by the Senate of its convictions, and even though it involves

expenditures which in my individual judgment—and I think that of the other Senate conferees—are in excess of those which the situation requires.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

INTERSTATE OIL COMPACT TO CONSERVE OIL AND GAS

Mr. JOHNSON of Colorado. Mr. President, I move that the Senate proceed to the consideration of House Joint Resolution 228, Calendar No. 679.

The ACTING PRESIDENT pro tempore. The joint resolution will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (H. J. Res. 228) consenting to an interstate oil compact to conserve oil and gas.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Colorado.

The motion was agreed to; and the joint resolution was considered, ordered to a third reading, read the third time, and passed.

The ACTING PRESIDENT pro tempore. Without objection, Senate Joint Resolution 101, Calendar No. 678, will be indefinitely postponed.

LEGISLATIVE PROGRAM

Mr. BONE. Mr. President, I should like to inquire of the majority leader what his plans are with respect to the remainder of the week and the early part of next week.

Mr. BARKLEY. Mr. President, already by unanimous consent the Senate has ordered that when the Senate disposes of the business of the day it shall adjourn until next Tuesday. So far as I know, on next Tuesday we shall adjourn until Thursday or Friday; and so far as I can see there is no business of any importance to be transacted next week.

PROHIBITION OF PURCHASE OF FOREIGN-GROWN COTTON WITH PUBLIC FUNDS

Mr. SMITH. Mr. President, I am under promise to two of our new colleagues, the Senator from Mississippi [Mr. EASTLAND] and the Senator from Texas [Mr. O'DANIEL], to ask that a bill introduced by them be considered at the next meeting of the Senate. It is a very small bill, and I do not think it will lead to very much discussion. I shall ask that it be taken up on Tuesday next.

Mr. BARKLEY. The Senator does not make the request now, does he?

Mr. SMITH. No; I give notice that I intend to make the request at that time. The bill to which I refer is Senate bill 1831, to prohibit the purchase of foreign-grown cotton with public funds.

POSTMASTER NOMINATION CONFIRMED

The ACTING PRESIDENT pro tempore. From the Committee on Post Offices and Post Roads, the present occupant of the chair reports favorably the nomination of James Connellan to be postmaster at Rockland, Maine, and asks unanimous consent, as in executive session, that the nomination be confirmed and the President notified.

The nomination will be read.

The legislative clerk read the nomination of James Connellan to be postmaster at Rockland, Maine.

The ACTING PRESIDENT pro tempore. Without objection, as in executive session, the nomination is confirmed; and, without objection, the President will be notified.

AUTHORIZATION FOR SIGNING OF BILLS AND RESOLUTIONS

Mr. BARKLEY. Mr. President, I ask unanimous consent that the Presiding Officer of the Senate be authorized to sign bills and resolutions ready for his signature during the adjournment of the Senate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADJOURNMENT TO TUESDAY

Mr. BARKLEY. There being no Executive Calendar, I now move that the Senate, in accordance with the order previously made, adjourn until Tuesday next.

The motion was agreed to; and (at 3 o'clock and 50 minutes p. m.) the Senate adjourned, the adjournment being under the order previously entered, until Tuesday, August 19, 1941, at 12 o'clock meridian.

CONFIRMATION

Executive nomination confirmed by the Senate August 15 (legislative day of August 14), 1941:

POSTMASTER

James Connellan, Rockland, Maine.

HOUSE OF REPRESENTATIVES

FRIDAY, AUGUST 15, 1941

The House met at 12 o'clock noon and was called to order by the Speaker.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou sovereign God of the universe, inspire us during this day to yield ourselves in willing obedience to the guiding power of Thy spirit.

We thank Thee for the heritage which we have received from those who walked by faith in divine guidance; whose search for truth has enriched the world in which we live and whose devotion to the beautiful and the good has ennobled the soul of humanity and made life forever significant.

Grant that we also may have more of their spirit and weave out of the loom of life's trials and tribulations a character worthy of receiving Thy benediction and of being remembered and perpetuated by posterity.

In the name of the Christ we seek Thy blessing. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Baldridge, one of its clerks, announced that the Senate had passed without amendment bills and joint resolutions of the House of the following titles:

H. R. 3261. An act to authorize the Rainbow Division veterans to erect a suitable memorial to the Rainbow (Forty-second) Division, American Expeditionary Forces;

H. R. 3388. An act to permit the Smithsonian Gallery of Art Commission to purchase a model of the winning design for the proposed Smithsonian Gallery of Art, and for other purposes;

H. J. Res. 120. Joint resolution to provide for the proper observance of the one hundred and fiftieth anniversary of the adoption of the first 10 amendments to the Constitution, known as the Bill of Rights;

H. J. Res. 121. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; and

H. J. Res. 195. Joint resolution providing for the filling of a vacancy which will occur August 6, 1941, in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 5412. An act making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ADAMS, Mr. GLASS, Mr. MCKELLAR, Mr. HAYDEN, Mr. TYDINGS, Mr. NYE, and Mr. LODGE to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 5312. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

FIRST SUPPLEMENTAL NATIONAL-DEFENSE APPROPRIATION BILL

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill, H. R. 5412, first supplemental national-defense appropriation bill, together with the Senate amendments thereto, disagree to the Senate amendments, agree to the conference asked by the Senate, and that the Chair appoint conferees on the part of the House.

Further, that the managers on the part of the House be authorized at such conference to agree to Senate amendments, with or without amendment, notwithstanding the provisions of clause 2 of rule XX.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

There was no objection, and the Speaker appointed the following conferees on the part of the House: Messrs. TAYLOR, WOODRUM of Virginia, CANNON of Missouri, LUDLOW, SNYDER, O'NEAL, JOHNSON of West Virginia, RABAUT, TABER, WIGGLESWORTH, LAMBERTSON, and DITTER.

ADDITIONAL MEMBERS OF METROPOLITAN POLICE OF THE DISTRICT OF COLUMBIA

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill, H. R. 5553, providing an appropriation for additional members of the Metropolitan Police force of the District of Columbia, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

Mr. MICHENER. Mr. Speaker, reserving the right to object, this bill has been referred to the Appropriations Committee?

Mr. WOODRUM of Virginia. Mr. Speaker, if the gentleman will yield, I would like to make a very brief explanation.

Mr. Speaker, this bill was introduced by the gentleman from Missouri [Mr. COCHRAN] and referred to the Appropriations Committee. It provides for an appropriation of $152,000 from the revenues of the District of Columbia and $21,375 from the special fund derived from the tax on gasoline, for the employment of 100 additional members of the Metropolitan Police force.

The Appropriations Committee, to which the bill was referred, held a hearing on yesterday, and we had there the benefit of the advice and the judgment of the gentleman from Indiana [Mr. SCHULTE], who headed the special committee investigating the Metropolitan Police force; the gentleman from Texas [Mr. MAHON], who is chairman of the District Subcommittee on Appropriations; the gentleman from Nebraska [Mr. STEFAN], the minority member of that committee; and the gentleman from Missouri [Mr. COCHRAN]. We also had before the committee the new superintendent of police, Major Kelly.

The question of the reorganization of the police department, of course, is a large question. It has been gone into; it has been given thought and study by the House and by the people not only of the District of Columbia but the people of the Nation who have to visit Washington, and, of course, they are vitally interested. Whatever may be said on the subject, it does seem to be unanimously agreed that the District does badly need additional patrolmen. Superintendent Kelly estimated that he should have 350 additional men. Some other members of the committee thought a less number. This resolution allows 100 additional patrolmen, which will be taken from the civil-service register. I talked with Major Kelly this morning, and he told me that if these additional men are authorized he expected to detail them to the bad precincts. There are 2 or 3, perhaps 4, very bad precincts in the District of Columbia where it is vitally necessary to have additional police protection.

Mr. WALTER. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Pennsylvania.

Mr. WALTER. How many of these policemen will be detailed to breaking up the heinous offense of parking your car illegally?

Mr. WOODRUM of Virginia. I do not think any of them will be detailed to that duty. That is why I am making the statement I am. Of course, the gentleman will understand that when the Congress passes a law providing that a car shall not be parked at certain places, it is the duty of the police department to enforce that law, and there must be a number of policemen detailed to that duty?

Mr. WALTER. I realize that fully, but every afternoon, if you walk down Pennsylvania Avenue, you will find two or three motor policemen and patrolmen walking along the street literally measuring how close to an illegal parking zone a car is, thereby wasting time that ought to be devoted to the detection of crime.

Mr. WOODRUM of Virginia. I agree with what the gentleman has in mind. I think every member of the committee, and the gentlemen who appeared before our committee, has in mind that the crime situation in Washington has been so much in the limelight that it has brought a rather unenviable reputation and criticism to the National Capital, but this will not be relieved merely by the employment of additional patrolmen. The matter requires a drastic reorganization of the police department and a different viewpoint, perhaps in some instances different personnel, but whatever may be the case, they need these 100 additional patrolmen. Does the gentlemen from Missouri [Mr. COCHRAN] desire to make a statement?

Mr. COCHRAN. Mr. Speaker, while I know that it is possible to expedite emergency legislation, the thought never entered my mind on Tuesday when I introduced this bill that it would be considered by the House of Representatives before the week was out. A copy of the bill was not available until Wednesday, but on that day the distinguished gentleman from Virginia [Mr. WOODRUM] spoke to me and advised me that he wanted to hold a hearing on the bill immediately, and he would call that meeting for 10 o'clock Thursday morning. We had a conference, and as a result it was determined to call Commissioner Young, who is in charge of the police department, and also the new acting superintendent of police, Inspector Edward Kelly, who takes office today. We discovered that Mr. Young was out of the city on a vacation and that Mr. Kelly was likewise on a vacation, but we were able to locate him, and he appeared at the hearing yesterday morning.

I am not a member of the committee that investigated the police department in Washington, but I did read with a great deal of interest the testimony taken by that committee as well as its report. I have also read from day to day of the violations of various laws in the District of Columbia, and I long since recognized that there was a crime wave here equaled at the present time by no city in the United States.

Let me say at the outset that I have nothing but the highest respect for the retiring superintendent of police. He is a man of excellent character and has the respect of the law-abiding citizens of this city, but the fact remains that although we did have an excellent police force in this city, as shown by the record of crime, the police force of the District of Columbia today is absolutely demoralized. Discipline is lacking, disorder prevails, and I say without fear of contradiction that no matter how many additional police the Congress might authorize for the District of Columbia, you will never have an efficient force in Washington unless the present personnel is reorganized from the bottom up. I am not going to repeat the hearsay information that has come to me in reference to graft among certain members of the organization, because, as a whole, I believe the members of the police force in this city are honest and have a sincere desire to enforce the law without fear or favor, but, nevertheless, statements have been made to the effect that favortism among certain elements have long existed, and somebody has evidently benefited financially as a result of extending those favors.

Aside from the many violations of the law that have been recorded in the District of Columbia and made public, the one outstanding condition that caused me to take an interest in this matter is the fact that there is recorded 19 cases of rape since January 1, 1941. Just think of it, in a civilized community, a condition of that character existed. The women and children in this city today are living in a state of terror. This fear comes as a result of the attacks that have been made upon their sex.

In the 1920 census the population of Washington was approximately 350,000, while today there is a population of 750,000, and a floating population of visitors daily of 100,000 or more. Taking those who live in nearby Virginia and Maryland, it is reasonable to say there are a million people in the District of Columbia almost every day. True, the police force has been increased, but not to the extent that is necessary to provide law and order.

The elements that have violated the law in this community may just as well know now they are going to be curbed no matter what the cost might be.

We have had organized crime throughout the United States in all the big cities, my own city of St. Louis included, but that organized crime, with the efforts of the Bureau of Intelligence of the Internal Revenue Bureau, who have prosecuted the gangsters regardless of their political power throughout the United States and sent them to the penitentiary for income-tax evasion, and the Federal Bureau of Investigation, and by reason of reorganization of police forces in the large communities, with the help of fearless prosecuting officials, organized crime has practically been eliminated from the picture in the United States. We had a condition in my own city where criminals were running wild, but a new chief of police and a new chief of detectives, together with a board of police commissioners who reorganized the force and started a drive on criminals, cleaned up the city within a short space of time. Federal officials, including the post-office inspectors, arrested men who had violated criminal laws; they were tried in the Federal courts and sent to the penitentiary for long terms. Some of them have just been released. Conditions were so bad that a mail truck was robbed in the heart of the city of St. Louis and $4,000,000 in bonds

stolen. Pay rolls sent through the mail were intercepted, mail clerks were held up, and the robbers made away with the booty. All that is a thing of the past, but I merely mention it to show that you can clean up a city when you have the right kind of men with sufficient personnel to do the job.

I say to the Members of this House that if you could have sat in the committee room yesterday and heard the statements that were made there by men fully advised in this subject, including the gentleman from Indiana [Mr. SCHULTE], chairman of the committee that investigated crime and the police force in the District of Columbia, you could come to no other conclusion but that an increase in the police force of the District of Columbia is absolutely necessary and that this bill should be passed without delay.

Let us remember that the Congress of the United States is responsible for the legislation under which the District of Columbia operates, and if we do not give the police department sufficient personnel, then we, in part, are to blame for the condition that exists in the District of Columbia. On the other hand, if we do supply them with the necessary personnel and conditions do not change, the responsibility is upon the shoulders of the officials administering the law, and we should hold them to account.

The new acting superintendent of police, Inspector Kelly, has been a member of the force for 35 years, starting at the bottom; has served in many capacities, including special assignments; and time and again has been recognized by the Commissioners for meritorious service in solving crimes. He is a kind individual, but, on the other hand, I think the better classification is that he is a hard-boiled police officer, and that is just exactly what you need in the District of Columbia at the present time, not only to deal with those who are violating the law but with the personnel of the department itself, which, as I previously said, is demoralized, discipline is lacking, and must be called to account and held responsible for the conditions that exist in the localities where they are assigned to duty. I say to Superintendent Kelly that in every case that comes to his attention from now on, where any subordinate declines to obey an order, without hesitation see to it that that individual is out of a job immediately. Why, testimony before the Schulte committee disclosed there are men working in the police department in the city of Washington who absolutely refuse to obey their superior officers by not working with certain other members of the police department with whom they were not on good terms. Just think of such a condition existing. That must not be tolerated for one moment from now on, but the offending policeman, detective, sergeant, or captain, no matter who he might be, should be discharged at once. If Superintendent Kelly will get rid of 25 or more inefficient policemen, you will see the efficiency of the department improve overnight.

The necessity for this legislation is exemplified by the statements made before the committee relative to the areas that uniformed policemen must cover. For instance, a policeman in the neighborhood where I reside is required to cover 50 square blocks. He is the only man on foot, and the only assistance rendered is the scout car, which, of course, covers other precincts besides this one. Information came during the hearings to the effect that in a precinct considered bad from the standpoint of crime violations, the average number of men policing an area where 70,000 people reside is from 3 to 4 during an 8-hour shift. In other words, in 24 hours, 3 shifts of not more than 12 men are policing that area.

Information in reference to a police department in a large city reaches criminals throughout the United States, and undoubtedly the condition of law enforcement in the District of Columbia has resulted in habitual criminals coming to this city to ply their vocation; but the minute they find an efficient police force here and that those who violate the law receive the penalties they deserve at the hands of the judges, a better condition will be established overnight.

A condition worth mentioning has to do with the Federal Bureau of Investigation School. This school was organized for the purpose of instructing law enforcement officers throughout the United States at no cost to them other than their transportation and upkeep while they are here, in the prevention of crime and the detention of criminals. Cities throughout the country sent men here to be schooled, but what do we find in reference to the police department of the city of Washington? One man from the local police force has been sent to that school.

I have called attention to the condition existing relative to the assignment of members of the police force to do work other than that which might be termed police duty. Facts in reference to this were brought out by the Schulte investigating committee. I insist it will be for the best interests of the department to stop the detailing of men to police social events and sporting events of all characters except on the outside. At your ball parks, prize fights, and other sporting events 25 to 30 policemen who should be out policing beats are assigned to duty, while the license charged for such events amounts to but a few dollars. Those staging these events should be required to have their own private police like they do in many other cities of the country. It is wrong, in my opinion, to use policemen to sell tickets for worthy charitable events, and I have specifically stated that this includes the selling of tickets to raise money for the President's annual birthday ball, as well as for the boys' club, and so forth. When policemen sell tickets, it is human nature for them to feel they are obligated to those who buy, and on the other hand, many of those who purchase tickets feel that the policeman is obligated to them. Law enforcement officers by no means should be obligated to anyone. If we will use the policemen now being assigned to other duties, such as I have mentioned, together with the 100 new officers that this bill will provide, we are going to have a better situation in the city of Washington and women and children will feel that they are amply protected when they go upon the streets of this city.

I had no idea of the fear that exists among the women of this city until I introduced this bill, but my telephone has been continually ringing and women have approached me personally appealing for better police service and more policemen.

This is a step in the right direction, and if the new superintendent of police and the Commissioners will bring about a better condition and find in the end that they can improve that better condition with more men and will come to the Congress and say so, if the result is justified I am sure the Congress will respond and permit additional personnel.

One thing is certain, and that is that the new superintendent of police and the Commissioners, provided that this bill passes, must know that the Congress realizes the situation that exists here and demands a general clean-up of the police force and an efficient personnel. Influence, no matter who tries to exert it, should not be tolerated and should be ignored.

As one who is partly responsible for the conduct of the business of the District of Columbia, I feel that I have performed my duty in introducing and urging the passing of this bill. I cannot close without expressing my deep gratitude to the gentleman from Virginia [Mr. WOODRUM], his associates on the Appropriations Committee, members of the District Committee, as well as the gentleman from Indiana [Mr. SCHULTE], the chairman of the investigating committee, the gentleman from Illinois [Mr. DIRKSEN], a member of the District Committee, as well as to the new superintendent of police, Major Kelly, for the assistance that they gave me in connection with presenting the case to the Appropriations Committee.

I again thank the gentleman from Virginia [Mr. WOODRUM] for the interest he has taken on this legislation, which made consideration possible in so short a time.

Mr. WOODRUM of Virginia. In line with what the gentleman said, may I state that in addition to the 19 attacks which have been reported officially and mentioned in the newspapers, there have been at least that number, perhaps twice that many, of such attacks which have never been reported to the police and which have never had publicity, which would be dreaded by the victims of those attacks.

Mr. RANKIN of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Mississippi.

Mr. RANKIN of Mississippi. Let me say to the gentleman from Virginia [Mr. WOODRUM] and the gentleman from Missouri [Mr. COCHRAN] that you have not begun to state the danger. I went over this proposition with the chief of police, who is now retiring. There have been 19 accomplished ravages of white women by Negroes in this city since January 1, sixty-five reported attempts, and probably 100 more that have been unreported.

We may as well understand the situation with which we are faced. You are likely to witness one of the bloodiest race riots the country has ever seen unless you give police protection to the white people in the District of Columbia. The law-abiding Negroes are scared to death, and the law-abiding white people are frightened beyond measure. It is the duty of Congress to provide this protection. I do not believe 100 policemen are sufficient. I would make it 300, and then give them a company or two companies of marines until this danger is settled and until we are sure of peace in the District.

This trouble is being encouraged by alien Communists who want a revolution in this country. They are trying to stir race trouble all over the South.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from New York.

Mr. TABER. I have gone along with the report upon this bill because I believe there may be a question of its necessity. I feel that the police department has to get up to date. They have to get in a frame of mind where they are prepared to go to the police school the F. B. I. operates and learn how modern police operations are carried on. It has been the disposition of the entire force so far not to do that. Until they do it, and until the force is reorganized so that it has some pep and some fire, until they get rid of doing things such as the gentleman from Indiana [Mr. SCHULTE] pointed out, supplying the police for baseball games at public expense, when the expense should be borne by those who are making money out of the games, and until they get rid of a lot of other unnecessary activities and put the men back on the beats where they are performing their own duties, I do not believe they will get results. I hope that with this starter they will go to work, as the committee expects them to do, and do business.

May I say one thing more? Washington, with the 85 additional policemen that were granted previously in the regular bill and the 100 that are granted now, will have a larger per capita police force than any community in the United States. You do not hear of a shortage of police for the beats in New York, Boston, St. Louis, or any of the other large cities. I believe if they get rid of unnecessary activities and do the job the way it should be done, they will have enough police in this community.

Mr. SNYDER. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Pennsylvania.

Mr. SNYDER. Mr. Speaker, I am convinced, from what I know about the policing of large cities, that the one vital thing necessary in this city is to have what we have in the city of Pittsburgh and other cities, a 24-hour-a-day court, a court sitting all the time. When a man is arrested for a crime, instead of keeping him in the police station until the next morning at 10 o'clock, they immediately take him to the court and he has his hearing. That is the biggest step that I think could be taken.

Mr. WOODRUM of Virginia. I thank the gentleman.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. In reply to the observation of my friend the gentleman from New York [Mr. TABER], which I believe to be a very important one, may I say that I believe it is only fair to keep in mind that Washington is the Capital City and the problems of a capital city are entirely different from those of almost any other city. The capital city of any country, and particularly of our country, as we know from experience, has a more or less transient population. This means that the problems of the police department are magnified as a result of that situation.

One more observation: We all hope that the day of race riots in this country is over. Certainly we do not want the marines marching through the streets of Washington any more than I would want to have them marching through the streets of Boston in connection with the internal affairs of my city.

We know that the criminal mind exists everywhere without regard to race or color. We all deplore the emotional reactions which, when some individual, whether of the white, black, or yellow race, does something vicious, indicating a degenerate mind, are expressed against all persons of a particular race or color. I know I would not want to have any race riots against the white race because of what some individual member of the white race might do. We are leaving that behind in this country, and let us hope that it will always be left behind, and that the individuals who are guilty, whether white, black, or yellow, when apprehended, will be the ones to be prosecuted, without there being an emotional reaction against a number of other persons.

Mr. WOODRUM of Virginia. May I say in reply to the observation of our distinguished friend the majority leader that, aside from the sex crimes in Washington, which are the ones that have so startled and shocked the Nation, Washington has a splendid record on crime and crime detection. Those are the type of crimes that have caused this difficulty and that brings us into this situation.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Did any testimony come before the committee as to whether or not there have been any suspensions on the police force?

Mr. WOODRUM of Virginia. I yield to the gentleman from Indiana [Mr. SCHULTE], who is more familiar with that situation than I am, to answer that question.

Mr. SCHULTE. A committee was appointed by the House to investigate the police department just after several crimes involving rape had been committed here. I had the pleasure of serving on that committee as chairman. We went into every phase of the police department and its activities. We found it to be true that a great many members of the police department did not know what they were supposed to do or what their duties were. We found this particularly true of the assistant major of police. He was inefficient; there was no question about that. A great many of the inspectors were inefficient. A great many of the detectives and a great many of the detective sergeants did not realize what their duties were. There was no supervision. We found a chaotic condition existing in the police department here—a condition which has existed for the past 8 or 9 years. The ultimate result was that this committee recommended a new major of police, a new assistant major of police, new inspectors, and practically a new department—the department to be shaken up from top to bottom.

I am confident in saying that the Commissioners of the District of Columbia have selected a man in Inspector Kelly, a man who has come up from the ranks and is a man recognized throughout the United States because of his ability, and I am confident that if we give him the support that we should give him Washington will be one of the cleanest cities and one of the best-regulated cities in the United States. But he must have the men and he must have the equipment. He will personally see to it that the department is cleaned up, and he has told the gentleman from Virginia [Mr. WOODRUM] that the 100 men who are to be given him under this measure will be placed on the beats in the more isolated districts, and the ones where there is the most violence. We have 4 precincts where no policeman dares walk singly. They must walk in pairs, and at no time can they arrest any one man. That is the condition existing here now. They have to send in for squads to arrest a man. These conditions have developed over the years, but I am confident if he is given the men he will clean up Washington, and it will be one of the most undesirable places in the country for the criminal element to come.

Mr. CASE of South Dakota. I am not quite sure that that answers the question I had in mind.

Mr. WOODRUM of Virginia. The gentleman from South Dakota was asking whether or not there have been any suspensions.

Mr. SCHULTE. No, we have not had any.

Mr. CASE of South Dakota. But we have promises of some shake-ups?

Mr. SCHULTE. You are going to have suspensions by the wholesale.

Mr. CASE of South Dakota. I notice the gentleman from Virginia stated that these men are going to be taken from the civil-service register. Can the gentleman state whether in the examinations any questions have been propounded which would determine the intestinal fortitude of the 100 men to be added to the force?

Mr. SCHULTE. No, they have not.

Mr. CASE of South Dakota. I think that is a very serious matter.

Mr. SCHULTE. I grant that.

Mr. WOODRUM of Virginia. They are taken on probation, however.

Mr. SCHULTE. And we intend to establish a probationary school.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Michigan.

Mr. DONDERO. The additional 100 men will be paid for out of District funds?

Mr. WOODRUM of Virginia. That is correct.

Mr. DONDERO. They will not come back to the Congress for any more money?

Mr. WOODRUM of Virginia. No.

Mr. DONDERO. If 300 additional men are requested and 100 given, it seems to me that unless Congress does something in response to that request, the responsibility for the situation in the District here shifts from the police department to ourselves in not supplying the entire number.

Mr. WOODRUM of Virginia. The committee does not feel that way about it, because these 100 men will give them a larger police force per capita than almost any metropolitan city, and while we do have some problems in Washington peculiar to the capital city of a nation, yet we do not have other problems that some of the larger cities have. For instance, a great horde of alien population or a highly industrialized center or a great organized gangster system. The situation here is such that 100 well-trained, efficient police, in addition to the force we now have, could take care of the situation.

Mr. DONDERO. And if it can be shown that it is not adequate they can come back at a later date?

Mr. WOODRUM of Virginia. Yes.

Mr. MICHENER. When I reserved the right to object, Mr. Speaker, I was interested in something different from the colloquy that has followed. This is a bill from the Appropriations Committee, and ordinarily bills from the Appropriations Committee are privileged.

Mr. WOODRUM of Virginia. Only general appropriation bills.

Mr. MICHENER. Yes; and this is not privileged because it is not a general appropriation bill. Is that correct?

Mr. WOODRUM of Virginia. That is correct.

Mr. MICHENER. Does this bill have the approval of the Director of the Budget, as other bills must have?

Mr. WOODRUM of Virginia. Not as they must have, but as we usually like to require. No; I will say to the gentleman that, so far as I know, the Budget has not considered the matter. There is a relatively small amount of money involved, and the committee felt the situation to be very urgent, and that is the justification for it.

Mr. MICHENER. The gentleman is usually so insistent on having nothing come before the Congress that is not in keeping with the program of the President, as he states it. Has he consulted the President, and is this in keeping with the program of the President?

Mr. WOODRUM of Virginia. I have not consulted the President, but I will say to the gentleman that two things would enter into an answer to that observation. No. 1 is that it does not come out of the Public Treasury, but will be paid out of District funds, and this is an authorization to use funds out of the District funds; and proposition No. 2 is I feel sure that the program of the President would include proper law enforcement in Washington. I think we may assume that.

Mr. MICHENER. As to the factual matter stated in No. 1, the gentleman is undoubtedly correct, as usual, and as to No. 2, let us hope his guess is correct. I withdraw my reservation of objection, Mr. Speaker.

Mr. RIZLEY. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Oklahoma.

Mr. RIZLEY. There was a matter that came to my attention yesterday that I think might well be taken into consideration in connection with the matter pending at this time. A young lady who came from my district under civil-service rating and working in one of the departments here, came here in March, a country girl, and she came to my office yesterday and told me that in the War Department, where she works, they have so staggered the hours that, for instance, 6 young men in her group work 6 days in the week from 8 to 4, and the next 6 days they start to work at 4 o'clock in the afternoon and they work until midnight. Then the next 6 start working at 9 or 10 o'clock and they get off at 5 o'clock in the morning. This girl has been accosted a couple of times on the street. When they get off at 2 o'clock in the morning, there is no bus, they have to go to their homes, and I find that some of them live as far as 10 or 12 blocks away. There is not a policeman in sight, and the same condition prevails when they get off at midnight. I agree with some of the remarks that have been made, but it seems to me that some of these policemen could be assigned to take care of a situation of that kind so as to afford some protection to these employees that are coming in here. I know one can go to the water front almost any night and find almost as many policemen there as you can actors, and the same is true at the baseball park, and I hope that in this new set-up attention will be given to that.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. RANKIN of Mississippi. Mr. Speaker, I reserve the right to object. I never was more serious in my life than when I say that this ought not to provide for 100 extra policemen, but that it ought to provide for 300. The next to the last one of these assaults on white women occurred inside of the Lincoln Memorial. This is the only capital city in the world, outside of the war zone, where a white woman is not safe on the streets. It is a disgrace to America.

I think the bill ought to be amended to give at least 300 extra policemen, and if necessary, several companies of marines ought to be sent here to protect these people and keep down a possible race riot, which will likely occur unless something is done at once.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. RANKIN of Mississippi. Yes.

Mr. TABER. One of the worst things about this picture is that the park policemen here are under Mr. Ickes, and are not under the Superintendent of Police. Those things that happened in the Lincoln Memorial are under the park police, who are under Mr. Ickes.

Mr. RANKIN of Mississippi. No matter who is responsible, it is a disgrace to America.

Mr. WOODRUM of Virginia. Mr. Speaker, I think the discussion up to this point has been helpful. I think we should proceed with the consideration of the bill.

The SPEAKER. The regular order has been demanded. Is there objection to the request of the gentleman from Virginia?

Mr. RANKIN of Mississippi. Mr. Speaker, I am going to offer an amendment if I may.

The SPEAKER. Is there objection to the request of the gentleman from Virginia for the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury to the credit of the District of Columbia not otherwise appropriated, for the fiscal year 1942, for the following purposes, namely:

For an additional amount for pay and allowances of officers and members of the Metropolitan Police force, in accordance with the act entitled "An act to fix the salaries of the Metropolitan Police force, the United States Park Police force, and the Fire Department of the District of Columbia" (43 Stat. 174–175), as amended by the act of July 1, 1930 (46 Stat. 839–841), including uniforms and equipment for such personnel, $130,625.

For an additional amount for the expenses necessarily involved in the police control regulation, and administration of traffic upon the highways, payable from the special fund created by the act entitled "An act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes," approved April 23, 1924, and the act entitled "An act to provide additional revenue for the District of Columbia, and for other purposes," approved August 17, 1937, $21,375.

Mr. RANKIN of Mississippi. Mr. Speaker, we are faced with the most dangerous situation that has confronted the District of Columbia in all its history. A white woman is not safe on the streets of Washington. There have been 19 white women raped by Negro brutes in this city, almost in the shadow of the dome of this Capitol, since January 1, 65 reported attempts that failed, and probably a hundred others that were not made public. It is a disgrace to the Nation. Unless something is done immediately this city is headed for a race riot. We should add at least 200 or 250 additional policemen, and I think we should have some marines handy.

Mr. WOODRUM of Virginia. Mr. Speaker, will the gentleman from Mississippi yield?

Mr. RANKIN of Mississippi. Yes; I yield to the gentleman from Virginia.

Mr. WOODRUM of Virgina. Mr. Speaker, there is not a member of this

committee that brings in this bill who is not just as anxious to meet the situation as is the gentleman from Mississippi.

Mr. RANKIN of Mississippi. I appreciate that fact.

Mr. WOODRUM of Virginia. But we do not meet it by just taking on men promiscuously and putting a uniform on them and turning them loose. If you could do that, you could get any number. The only way it can be met is by an intelligent approach to the situation, which means by the man at the head of it, who knows what he is doing. Major Kelly has been very strongly recommended as one to have proper supervision, and this will be done by careful selection of men and the infiltration of them into the system, putting them where they are needed. These hundred men carefully selected, put into these three bad precincts, will be very salutary. There are three bad precincts in the city of Washington. We will not help the matter by overlapping it with an unnecessary number of men.

Mr. RANKIN of Mississippi. Mr. Speaker, I am not criticizing the gentleman from Virginia. If he thinks that this 100 extra men will be sufficient, I am willing to give it a trial.

Mr. WOODRUM of Virginia. I think it is a good starter, and if we need more men, we can give them later.

Mr. RANKIN of Mississippi. Many white people are now moving out of the District of Columbia because of the fear of what may happen. The law-abiding Negroes are scared to death. The Communists in this town are stirring this trouble up. They have been working amongst these Negroes for years, not only here, but all over the South, trying to stir up trouble between the races.

The time has come, as the gentleman from Oklahoma said, when white women are not safe on the streets of Washington. We will not be here for a month, and this trouble may start any day.

Mr. TABER. Mr. Speaker, will the gentleman yield for a suggestion?

Mr. RANKIN of Mississippi. I yield to the gentleman from New York.

Mr. TABER. The 85 policemen have just been put on as a result of civil-service examinations, and are now attending the local police school to qualify themselves to serve. It will be October 1 before these 100 can be put on. It will be the middle of November in all probability before they can be effective policemen and go through the school. Why not let us see how Mr. Kelly develops what he says about what he needs in this situation after he gets these men in? That is the picture that I would call attention to.

Mr. RANKIN of Mississippi. Mr. Speaker, I fear that might be too late. The people in the District of Columbia are entitled to this protection now.

As I said, these Communists are all down through the South, stirring up such trouble. The people of my State know how to protect themselves and we are going to do it. We are not dependent upon the Federal Government, but the people of the District of Columbia are. If this condition continues, I am going to call you back here. We can come here and make a point of no quorum and vote down a motion to adjourn and you will have to come back to help protect the people in the District of Columbia.

These Communists are trying to break down our segregation laws and force Negro equality or mongrelism upon the white people of the South. In other words, they are trying to destroy the white race in the South, which would mean the death of the white man's civilization in America.

Certain Members have been nagging the South on the race question ever since they have been in Congress. One of the main planks in the Communist program is to destroy the white civilization in the Southern States. That is one reason they tried to sneak through a provision here the other day to take our firearms away from us. Fortunately we caught it in time and killed it by a vote of five to one.

Now, let me remind you that, as Henry Grady once said, we wrested the South from the rule of the Negroes, the skalawags, and carpetbaggers when Federal drum beats rolled nearer, and Federal bayonets hedged closer about the ballot box of the South than they ever will again in this Republic.

During the Seventy-fifth Congress the gentleman from Connecticut [Mr. KOPPLEMANN] introduced a bill (H. R. 5333) to force every white hotel, restaurant, picture show, theater, and every boarding house in the District of Columbia to admit Negroes, under penalty of fine and imprisonment. I insert the entire bill at this point:

[H. R. 5333, 75th Cong., 1st Sess.]

A bill to assure to all persons within the District of Columbia full and equal privileges of places of public accommodation, resort, entertainment, and amusement, and for other purposes.

Be it enacted, etc., That within the District of Columbia any person, natural or corporate, who shall make any distinction, discrimination, or restriction on account of race, color, or creed or for any reason not sanctioned by law and not applicable alike to persons generally, in the admission of any person to, or the accommodation or service of any person in any place of public accommodation, resort, entertainment, or amusement, whether licensed or not, or any public conveyance, or any public meeting or assemblage, or who shall aid, incite, or cause the making of any such distinction, discrimination, or restriction, shall for each such act or denial be be liable to a penalty not less than $100 or more than $500, to be recovered by the person aggrieved thereby, or by his assignee, in a civil action in the municipal court of the District of Columbia; and shall also for every such offense be deemed guilty of a misdemeanor, and upon conviction thereof in the police court of the District of Columbia shall be punished by a fine of not less than $10 or more than $100, or by imprisonment for not less than 10 days or more than 100 days, or by both such fine and such imprisonment.

SEC. 2. (a) Places of public accommodation, resort, entertainment, or amusement shall be deemed to include hotels, restaurants, stores, or shops where foodstuffs, drinks, good, or wares are sold or offered, advertised, or displayed for sale to the public, hospitals, clinics, theaters, motion-picture houses, concert halls, amusement parks, and public parks and public buildings under the jurisdiction of the national or municipal government: *Provided*, That the foregoing enumeration shall not be construed as limiting in any way the meaning of the general phrase, "places of public accommodation, resort, entertainment, or amusement."

(b) The publication of any order, notice, or advertisement reasonably calculated to prevent or discourage the patronage or custom of persons of any race, color, or creed, as well as the actual exclusion or segregation of or discrimination against any person on account of race, color, or creed shall be deemed an unlawful distinction, discrimination, and restriction within the meaning of this act. The production of any such order, notice, or advertisement purporting to be made by any person being the owner, lessee, operator, proprietor, manager, agent, or employee engaged in or exercising control over the operation of any public conveyance or any place of public accommodation, resort, entertainment, or amusement, shall be prima facie evidence in any civil or criminal action that the same was authorized and published by such person.

(c) The provisions and requirements of this act shall bind and obligate every owner, lessee, operator, proprietor, manager, agent, and employee, whether natural person, corporation, or unincorporated association, engaged in or exercising control over the operation of any public conveyance or any place of public accommodation, resort, entertainment, or amusement: *Provided*, That whenever any agent or employee shall so exercise any function or employ any power with which he is charged or entrusted as to violate any provision of this act, both he and his principal or employer shall be held equally responsible and liable: *Provided, further*, That the provisions of section 251 of chapter 9 of title 24 of the Code of the District of Columbia shall be applicable to the enforcement of the civil penalty provided in section 1 of this act wherever two or more persons shall be charged with legal responsibility for the act or denial complained of.

(d) Nothing in this act shall be deemed to prohibit the providing of separate accommodations of facilities for persons of different sex.

SEC. 3. The Commissioners of the District of Columbia shall revoke any license issued pursuant to the provisions and requirements of part 9 of chapter 4 of title 20 of the Code of the District of Columbia whenever it shall have been judicially determined that the licensee or person operating or doing business under said license has violated this act in the course of such operation or business two times or more within any 12-month period. No similar license shall be issued to the offending person or for the use of the place where said violations shall have occurred for a period of 60 days following such revocation. The provisions of this section may be enforced by an action of mandamus filed against the said Commissioners by any citizen of the District of Columbia.

SEC. 4. The provisions of this act are hereby declared to be separable. If any provision of this act, or the application thereof to any person or circumstances, is held invalid, the remainder of the act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

SEC. 5. This act may be cited as the "Equal Rights Law of the District of Columbia."

Mr. Speaker, I submit that no human being could have written a greater insult to the white people of the District of Columbia, or one fraught with greater danger to the law-abiding Negroes, as well as the white people, in Washington.

What has been the result of all this agitation? It has encouraged the brutal Negroes to assault white women in every section of the city. As pointed out, there have been 19 innocent white women raped, and many of them murdered, in Washington since January 1, sixty-five

reported attempts that failed, and probably 100 that were not reported. One of the last ones was inside the Lincoln Memorial. Every time that someone high up socially or politically comes out and advocates social equality, or race amalgamation, some innocent white girl in Washington pays with her life, or suffers humiliation that is worse than death. This is the only capital in the world, outside of the war zones, in which a white woman is not safe.

As I have said, there is a race riot brewing here, and the Communists are stirring it up. White people are quietly moving out into Virginia or Maryland. The better element of the Negroes are frightened to death. They know what a race riot means. They know that while the streets of Washington would probably be drenched in the blood of innocent white people, it would also mean the death of untold thousands of Negroes and that the innocent ones would suffer along with the guilty.

"Red" agitators are circulating throughout every Southern State and stirring race trouble wherever they can. If they could get a bill of th's kind passed, then they would try to make it a model for the whole country.

As a friend of the administration and a Representative from the South, I deplore these efforts to stir up race trouble in the District of Columbia, as well as throughout the Southern States. I want to see this administration succeed; but in order to do so it is going to have to deal fairly with the white people of the South.

I have led the administration's power fight in this House for the last 8 years. I have led the fight for rural electrification. My colleagues have repeatedly referred to me as the "father of rural electrification." Whether I am entitled to that honor or not, I can truthfully say that there are more than a million farm homes now lighted by electricity that would not have it if it had not been for my efforts in this House—and the chances are they would not have got it for a generation. It is one of the greatest accomplishments of this administration.

I am for giving England all the aid we can, short of war, but I am not in favor of plunging into the conflict unless we are attacked. I am for keeping our promise to the American people not to send their boys to fight on foreign soil.

I am for decent treatment of our veterans of the World War and their dependents, as I have always been.

I am for developing the water power of this Nation and supplying it to the American people at the lowest rates possible under a sound economic management.

I am in favor of electrifying every farm home in America at rates the farmers can afford to pay.

I am in favor of continuing the only policy by which the whites and Negroes can live together peacefully, in the District of Columbia and throughout the South—segregation of the two races.

I am in favor of a system of national defense that will forever protect my country against all enemies, foreign and domestic.

I am for saving America for Americans.

The SPEAKER. Without objection, the gentleman from Mississippi [Mr. RANKIN] withdraws his amendment.

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include certain newspaper articles and clippings from the CONGRESSIONAL RECORD and also a copy of a bill introduced in the recent Congress.

The SPEAKER. Without objection it is so ordered.

There was no objection.

ARMY MAIL CLERKS AND ASSISTANT ARMY MAIL CLERKS

Mr. MAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4769) authorizing the designation of Army mail clerks and assistant Army mail clerks, with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 1, line 3, strike out "United States."
Page 1, line 3, after "Army", insert "of the United States."

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

CONSTRUCTION OF CERTAIN PUBLIC WORKS BY THE NAVY

Mr. DREWRY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5312), to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes, with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 6, after line 23, insert:
"Naval Proving Ground, Dahlgren, Va.: Railroad connection to Fredericksburg, Va., including acquisition of rights-of-way, $1,500,000."
Page 14, line 23, strike out "Aviation Base, Neuse" and insert "Barracks, New".

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. DREWRY]?

Mr. MICHENER. Mr. Speaker, reserving the right to object, will the gentleman explain these amendments?

Mr. DREWRY. Certainly. There are two amendments. One is a perfecting amendment, changing the word "Neuse", in North Carolina, where the marine barracks are located, to the word "New." That was an error in spelling, I suppose.

The other amendment was placed on by the Senate to provide $1,500,000 to make a connecting road between Fredericksburg and Dahlgren, Va., in order that the transportation of ordnance might be more easily and quickly effected.

Mr. MICHENER. As I recall, the Congress passed a bill not long since providing for national-defense facilities. The work to be done under this amendment could be done under the money appropriated for facilities. I understand, however, that this item has been included in the deficiency bill which has gone to conference and which is about to come before the Congress, and that the real effect of this action would simply be to give legislative authority for something that is going to happen within a few minutes, anyway. Is that right?

Mr. DREWRY. The gentleman is right.

Mr. MICHENER. And the gentleman from Massachusetts [Mr. BATES], a member of the committee on the minority side, is present. I understand at one time he opposed this. May I ask him what his views are at this time?

Mr. BATES of Massachusetts. Mr. Speaker, the Committee on Naval Affairs went into this matter very carefully. This bill contained altogether 1,200 items. The committee at that time in disapproving this particular item—and I was one of those who disapproved of it, together with the chairman of the committee—felt that sufficient information was not available and that a proper survey had not been made of the location over which this railroad was to be built.

Subsequently the Navy Department recommended cutting down the item from $2,000,000 to $1,750,000. Since that time the measure has gone to the Senate without this railroad item, and another survey has been completed, and which has resulted in the estimate being reduced even still further, the amount not to exceed $1,500,000, as compared with the original $2,000,000.

This estimate is based on a more complete survey, because the Navy Department now finds that they can build a shorter line, and they will be able to avoid a great deal of extra heavy grading that would have been necessary in the original survey.

This is an imperative railroad, we believe, because it calls for the building up of the ordnance depot at Dahlgren, where all testing of naval armaments take place. We really believe that if this bill were to go back to the committee today it would receive the unanimous approval of the Committee on Naval Affairs.

Mr. MICHENER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there obection to the request of the gentleman from Virginia [Mr. DREWRY]?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

OFFICE OF DISTRICT JUDGE FOR DISTRICT OF MASSACHUSETTS

Mr. WALTER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2596) to repeal the prohibition against the filling of a vacancy in the office of district judge for the district of Massachusetts, and ask for its immediate consideration.

The Clerk read the title of the bill.

Mr. MICHENER. Mr. Speaker, reserving the right to object, this bill I understand has the approval of the judicial conference.

Mr. WALTER. It has been recommended by the judicial conference for the last 3 years. The need for its passage has become imperative because of the announced intention of one of the judges to resign within the next few weeks. Unless this limitation is removed, the vacancy thus created cannot be filled.

Mr. MICHENER. I might say I am on the Judiciary Committee, as is also the gentleman from Pennsylvania [Mr. WALTER]. I hope the bill passes.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the provision of subsection (e) of section 4 of the act entitled "An act to provide for the appointment of additional judges for certain United States district courts, circuit courts of appeals, and certain courts of the United States for the District of Columbia," approved May 31, 1938 (52 Stat. 585; U. S. C., title 28, sec. 4v), which reads: *"Provided*, That the first vacancy occurring in the office of district judge for the district of Massachusetts by the retirement, disqualification, resignation, or death of judges in office on the date of enactment of this act shall not be filled;" be, and it is hereby, repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by inserting an article by David Lawrence which appeared in yesterday's Washington Star.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BULWINKLE. Mr. Speaker, I also ask unanimous consent that the gentleman from North Carolina [Mr. BURGIN] may have 30 days within which to extend his own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE ROOSEVELT-CHURCHILL MEETING

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KNUTSON. Mr. Speaker, the morning papers contain a very interesting Associated Press story which describes the setting for the now-famous parley on the high seas between the President and the British Prime Minister. We are told that a constantly moving circle of destroyers, patrol boats, and other small warships formed a precautionary ring around the Roosevelt-Churchill conference ship and United States planes droned overhead. The story of the scene was written under a London date line for the London Daily Mail, and it describes the scene vividly and minutely. The morning papers also carry a series of pictures taken of the conferees and their staffs.

All of this would indicate that the British Prime Minister did not ignore the right of the British press to be present on this historic occasion, as did President Roosevelt.

The President's departure for the rendezvous was shrouded in the deepest mystery. Not a single American newspaperman was permitted to accompany him. The first report that we received of the meeting came from London, and for a number of days it was treated as a mere rumor. It was not until yesterday morning that the American people learned definitely that such a meeting had been held.

Naturally, those Americans who yet do their own thinking and have a regard for the future of their own country, are asking why the British press was permitted to get the biggest scoop of the year while the American press was utterly ignored. It is probable that Mr. Churchill also would have left the newsboys at home had he dared to do so, but the Englishman is a peculiar chap. He demands to be kept fully informed of what is going on in his government, and Churchill evidently did not deem it advisable to completely ignore his countrymen in connection with such an historic meeting. Therefore he took representatives of the press with him that the British people might be kept fully informed.

The President loves publicity. This is the first time that anyone can recall the President shunning publicity. Usually he dotes on it. There must be a very good reason for his having left the newsboys and photographers at home. What are those reasons? Has he entered into commitments of which we know nothing and which might arouse the American people were they made public? It is to be hoped that the President will see fit to take the American people fully into his confidence upon his return to Washington. The American people are not children, and they do not like to be treated as such. After all, this is their country, and they have every right to know what steps the President has taken that may vitally affect the future of our country. There is no partisanship in such a demand. To quote Milo J. Warner, national commander of the American Legion at the New York State Legion conference in Rochester yesterday:

We feel that the President should at this time make a clear, concise statement to the people of the United States of the actual conditions of the national emergency as it presently exists; that the President and Congress should act in accordance with such conditions and the country as a united nation should give full support thereto, free of any selfish, personal, or partisanship interests.

RECIPROCAL TRADE TREATY WITH CUBA

Mr. GILCHRIST. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GILCHRIST. Mr. Speaker, notice has come to me and to you that the Reciprocal Trade Commission proposes to make another treaty with Cuba, and in this treaty several things are to be considered, among others blackstrap. I have called blackstrap to your attention several times. It used to be classed as garbage and dumped into the sea. Today, however, they make alcohol out of it. The present rate of duty on blackstrap from Cuba is twenty-four one-hundredths of 1 cent a pound for the sugar content in it.

Blackstrap displaces your corn, your wheat, your garden vegetables in the manufacture of alcohol. They now propose to lower this tariff still further, so that American farmers will have still further competition from coolie black Cuban labor. The bill introduced by me do not affect that part of blackstrap which is to be used as feed for cattle. No one objects to that. But we do say that the farmers of this country ought not to be subjected to the cheap foreign labor of Cuba, with which the international bankers alone are concerned. These bankers hold the whip hand.

In this time of great surpluses of wheat and corn we ought to be required to make motor fuel out of American grain and vegetables, and we ought to run our industrial power machines with domestic products instead of allowing Cuba to get preferential rates and importing her competitive blackstrap here almost free of any duty. So I protest the proposed treaty.

The proposed Cuban treaty also contemplates cheaper tariff duties and further importation of beef and veal. Here again the American producer is going to be gypped. We do not need meat imports from foreign countries because the American market belongs to the American farmer, just exactly as the American manufacturer now actually controls the American market. The farmer should not be discriminated against. He is having a hard time as it is now. Do not add to his troubles.

While on this subject, let me say also that the contemplated trade treaty with the Argentine also proposes to remove the provisions of the sanitary conventions which now protect our American cattle and sheep from the dreaded foot-and-mouth disease. Any waiver of the sanitary protection provisions is likely to cost this country many hundreds of millions of dollars. Recently residents of my State returned from the Argentine and reported the prevalence in a great many places of that disease down there. It is highly contagious and when it spreads to our own livestock it will reduce our producers again to bankruptcy and ruin.

Cattle and sheep down there are much cheaper because they can produce them cheaper. The labor on the cattle ranch is peon labor which is paid only a few cents a day. We cannot expect to employ American boys on that kind of a wage basis. Furthermore, corn in Argentina for feeding cattle is so cheap that they burn it instead of burning coal, and just now I find that the Foreign Commerce Weekly of August 9, 1941, published regulations proclaimed in Argentina for the compulsory use of corn as fuel, and I quote from the regulations established in that country as follows:

ARGENTINE REGULATIONS ESTABLISHED FOR COMPULSORY PURCHASE OF CORN BY IMPORTERS OF FUELS

The granting of exchange permits for importation of fuel will be subject to the purchase of specified quantities of corn to be used as fuel, by provisions of a decree of the Ministry of Agriculture, dated May 20, 1941, according to an announcement of July 21, 1941. Since July 1, 1941, no exchange permits as such have been required, but imports of fuel will be subject to the following requirements established by the national fuel commission.

Up to September 30, 1941, importers of fuel must purchase 1 ton of corn for fuel use for each 2 tons of coal imported, or each 5 tons of fuel oil, or each 25 tons of crude oil. The required quota for fuel oil, however, may be changed.

After September 30, 1941, 1 ton of corn for fuel use will have to be purchased for each 2 tons of coal, or each 3 tons of fuel or Diesel oil, for each 15 tons of crude oil imported.

(See Foreign Commerce Weekly of January 18, 1941, regarding notice of the compulsory purchase of domestic corn for fuel.)

In view of the above facts it is impossible for me to believe that this administration, through the State Department or any other department, is going to allow such an injustice to American farmers as will be brought to them if these proposed trade treaties are consummated and put into effect.

Mr. Speaker, I ask unanimous consent to include in my remarks a table which I have prepared, showing the increased importations of blackstrap molasses into this country.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The table referred to follows:

Imports of blackstrap molasses, calendar years 1938 to April 30, 1941

[Dutiable imports from all countries—molasses from Hawaii and Puerto Rico not included in these figures]

Imports of blackstrap (dutiable only):

	Gallons
1938	177,347,000
1939	190,656,000
1940	272,430,000
1941 (4 months only)	122,587,000

(NOTE.—366,761,000 gallons is indicated for the whole year of 1941.)

LABOR AND THE DEFENSE PROGRAM

Mr. SCHULTE. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SCHULTE. Mr. Speaker, this morning I received a statement from the very well known and ever popular representative of the American Federation of Labor. They say:

The national-defense emergency already has boosted the cost of living to a dangerous degree. Food prices have risen 10 percent in the past year, rents have increased, and wholesale prices have spiraled upward from 13 to 17 percent. Unless the Nation takes steps to control this trend disastrous inflation will be upon us.

Labor knows only too well what price inflation means. During the last World War the cost of living doubled and wages were unable to keep pace with skyrocketing prices. Every inflationary jump meant a corresponding cut in the real value of the wage dollar. After the war deflation inevitably set in and wiped away the gains labor had achieved by years of struggle besides throwing millions out of work.

America cannot afford to go through such experiences again. Our country stands to lose more than jobs and wage standards from a renewal of inflation. We remember how the 1933 depression closed our banks, wiped out millions of dollars of workers' savings, bankrupted thousands of farmers and businesses, and threatened to undermine the democratic institutions of our Government. We know how serious depressions abroad caused the overthrow of democratic governments and brought Hitler into power. A serious price inflation in America today would expose our country to similar dangers.

The Executive Council has given careful consideration to the message sent by President Roosevelt to Congress on this subject and agrees fully with the conclusions which he expressed as follows:

"Faced now with the prospect of inflationary price advances, legislative action can no longer prudently be postponed. Our national safety demands that we take steps at once to extend, clarify, and strengthen the authority of the Government to act in the interest of the general welfare."

The President asked for legislation including authority to establish ceilings for prices and rents, to purchase materials and commodities when necessary to assure price stabilization and to deal more extensively with excesses in the field of installment credit. This authority would last only during the emergency period.

The President wisely refrained from including wages within the realm of this legislation. He recognized the need for wage adjustments from time to time to rectify economic injustices. He warned, however, that abnormal wage increases might seriously affect the Nation's price structure.

The Executive Council sees no immediate danger of "abnormal" wage increases. Three major factors have made it only fair and just that wages should be lifted. These are higher living costs, increased profits in industry and the remarkably growing productivity of workers. In many industries one worker today produces what it took three workers to turn out only a few years ago. Thus, the wages of the individual worker can safely be raised without increasing the aggregate labor cost of the industry

The Executive Council urges Congress to give prompt consideration to the President's recommendations, but it cautions against the granting of too wide discretionary powers to the Federal agency which will administer the price-control program. Congress should specifically limit the sphere of this agency's operations so as to safeguard to the fullest extent the normal functioning of the American system of free enterprise. Industry as a whole favors the application of some measure of Federal price control for its own protection and the stabilization of production schedules. But there is a danger that the power to regulate prices may develop into power to regulate industry entirely. Congress, therefore, should take pains to hedge the grant of new powers within strict limits.

EXTENSION OF REMARKS

Mr. KILDAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter therein addressed to me by Mr. C. B. Lister.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech delivered over radio station KWFT at Wichita Falls.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a recent editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a recent editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HULL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article from the Evening Star.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FINNISH-RUSSIAN QUESTION

Mr. SHANNON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SHANNON. Mr. Speaker—

A current cable item says Russia's disagreement with Finland has been settled peacefully and satisfactorily.

Now I let you know that this was taken from the files of the Kansas City Star of 1901, 40 years ago. Little Finland and Russia were engaging in the same kind of playful enterprise that they are engaged in today. Europe has been the same for centuries, and no interference of any kind is going to change it.

DEFENSE ORDERS SHOULD BE SPREAD OUT

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California, [Mr. VOORHIS]?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I had given to me yesterday some figures that are really alarming to me. They are to the effect that 33 percent of all the national-defense orders have been placed with 6 companies; that over 80 percent have gone to not above 50 companies. The result of this concentration upon the future structure of the economic life of the United States can be foreseen by anybody who thinks about it for a moment. There should be some one sitting in the Office of Production Management with power to veto the giving of these huge orders to one or two companies when there are other small fellows who could take care of part of them, or else we ought to get the Engel amendment out and pass it in the House, as we very nearly did once before.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. LE COMPTE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a resolution by the Labor and Trade

Assembly of Ottumwa, Iowa, on the subject, The Survey of the Des Moines River.

The SPEAKER. Is there objection to the request of the gentleman from Iowa, [Mr. LE COMPTE]?

There was no objection.

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio speech by my colleague from Wisconsin, [Mr. SAUTHOFF].

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin, [Mr. GEHRMANN]?

There was no objection.

Mr. OSMERS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to insert an editorial appearing in the New York Times of August 12, on the subject, The St. Lawrence Waterway.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey, [Mr. OSMERS]?

There was no objection.

THE SUGAR CONSUMERS ARE GOUGED AGAIN

Mr. OSMERS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey, [Mr. OSMERS]?

There was no objection.

Mr. OSMERS. Mr. Speaker, on July 31 I stated to the House that H. R. 3582, an amendment to the Sugar Act of 1937, introduced by the gentleman from Nebraska, Congressman COFFEE, should be opposed, among other reasons, because it would further burden the 132,000,000 sugar consumers in the United States. The bill is still in the Rules Committee and it is in the interest of consumers that it be kept there. But unfortunately, consumers are now faced with another problem.

On August 12, Mr. Leon Henderson, Administrator of the Office of Price Administration and Civilian Supply, set a ceiling price of 3.5 cents per pound of raw sugar. This means that consumers will have to pay about $75,000,000 a year more for their sugar at retail, than they have in recent years under the Sugar Act. I do not criticize the motives of Mr. Henderson; the upsurge in sugar prices should have been stopped. I sincerely believe, however, that in establishing the price of raw sugar at 3.5 cents per pound, Mr. Henderson has set the price too high, and as a consequence, sugar consumers will pay too much for their sugar, while the already highly subsidized beet and cane growers and processors will receive still greater profits.

In taking this stand, I am in direct opposition to certain Members of this House who represent sugar-producing States. According to press reports, these Members roundly criticized the action of Mr. Henderson at the hearings before the House Banking and Currency Committee on the emergency price-control bill. They argued that Mr. Henderson, as head of the Office of Price Administration and Civilian Supply, did not set the price high enough; I maintain that he set the price too high.

Let us look at the facts.

Domestic sugar-beet and sugarcane growers and processors have constantly told Congress that they are unable to produce sugar which can compete with the low-production costs in nearby tropical islands where it is natural and normal to grow that product. They must receive subsidies in one form or another, either from consumers or the Federal Treasury, or both. Under the Sugar Act, which has been in effect since 1934, primarily to protect the high-cost producers, American consumers have had to pay over $1,800,000,000 more for their sugar than would otherwise be necessary. These high-cost sugar producers, who represent only about one-half of 1 percent of American agriculture, have enjoyed a protection which is equivalent to about 225 percent of the actual value of their product.

When the Sugar Act of 1937 was passed, consumers demanded that they be protected, and a provision was written into the act (sec. 201a) which directs the Secretary of Agriculture to determine the sugar quotas—

> so that the supply * * * shall not result in average prices to consumers in excess of those necessary to maintain the domestic sugar industry as a whole.

Prices were to be high enough only to maintain the domestic industry; prices higher than this would be excessive to consumers.

The average price of raw sugar under the Sugar Act (up until 1941) was about 2.95 cents per pound, which in turn, meant a price to the consumer at the retail store of about 5.3 cents per pound, on a national average. This basic market price of 2.95 cents for raw sugar, plus Federal cash bounties of about 0.6 cent per pound, was certainly sufficient to maintain the domestic sugar industry. The Agricultural Adjustment Administration, in its last annual report, Agricultural Adjustment, 1939–40, shows that under the Sugar Act the beet-sugar farmers have received record high incomes, and beet-sugar factories, according to the Department of Agriculture, made a return on their invested capital of around 8 to 10 percent.

Louisiana cane-sugar plantations also did very well. In that area where 10 percent of the growers control about 65 percent of the sugarcane land, handsome profits were made.

The true test of whether the domestic sugar industry was adequately maintained is whether this industry wanted to expand its subsidized production. It is a matter of record that every single year since 1934, the beet-sugar industry and the Louisiana plantation corporations have appeared before Congress for the primary purpose of obtaining larger and larger quotas. If the price of sugar had been too low to maintain the industry, they would not have come to Washington seeking to expand their business. They wanted to expand their production because the Government kept the price of sugar high enough to make their business a very profitable one.

A few months ago, Dr. Joshua Bernhardt, who represents the Secretary of Agriculture as the Administrator of the Sugar Act, substantiated this conclusion. He stated publicly at a New York meeting called to discuss rising sugar prices, that a price of around 2.95 cents a pound, plus subsidies, was about sufficient to maintain this industry.

About last November, the price of sugar began to advance along with the increased economic activity of our national-defense efforts. Raw-sugar prices went past the 2.95-cent level around the first of the year, reached 3.10 cents, and went up rapidly after that. When these prices started their rapid advance, the Department of Agriculture took every step possible to stop the upsurge. The Department officially announced that there were adequate sugar supplies available and that prices were too high, both from the point of view of consumers and from the point of view of producers. But speculation became rampant and prices continued to increase even though the Department of Agriculture increased the quota supply by over 1,000,000 tons. And on August 11, the price of sugar hit the high level of 3.80 cents per pound. The next day, after a joint conference between the Department of Agriculture and the Office of Price Administration and Civilian Supply, Mr. Leon Henderson set the ceiling for the price of raw sugar at 3.50 cents a pound, 0.30 cent under the then current market.

As a result of Mr. Henderson's action, there has been a flood of protests from domestic sugar growers that the price is not high enough and that they, the growers, have been abused.

My analysis of this price leads me to the conviction that this ceiling is not too low but too high. This price will give excessive subsidies to beet producers and beet factories and will cost consumers too much money.

BEET GROWERS AND FACTORIES GET HIGHER SUBSIDIES

The ceiling price of 3.50 cents per pound for raw sugar, on the basis of past experience and official Government records, means that beet farmers will receive, with cash subsidies, about $7.68 per ton of sugar beets. At the current—July 15—index of prices which farmers pay, this will give a return of 105 percent of parity and will be the highest price received by beet farmers since 1924. The ceiling price will mean that beet farmers will receive substantially more for their beets than they have in recent years. And, as I have pointed out, prices have well maintained our domestic high-cost producers under the Sugar Act. At the ceiling price, beet farmers will obtain a net profit per acre substantially in excess of the return to other American farmers.

Now, it may be argued that these figures that I have given are meaningless because the beet farmers should have a 110 percent of parity as is now provided for agricultural commodities in the proposed emergency price-control bill. The answer to that is simple. The present Sugar Act, which is still in effect, wisely makes no mention of parity prices for

sugar beets. Congress, in writing the Sugar Act of 1937, decided that parity would bring excessive sugar prices to consumers and prices more than necessary to maintain this highly subsidized industry.

Mr. Leon Henderson has put a ceiling on sugar prices under the powers granted by the Executive order issued by the President of the United States on April 11, and which was published in the Federal Register on Tuesday, April 15. The Office of Price Administration and Civilian Supply was established in part (section 29)—

> • • • to take all lawful steps necessary or appropriate in order (1) to prevent price spiraling, rising costs of living, profiteering, and inflation, resulting from market conditions caused by • • • the influences growing out of the (national) emergency.

No one can doubt that sugar prices "spiraled" and no one can doubt that prices of sugar have gone beyond the levels necessary to maintain the domestic sugar industry. But an adequate supply of sugar, in my mind, could be obtained at much less than the ceiling price without harming any beet farmer.

The beet farmers may argue that their costs of production have increased and consequently a price rise of 20 percent in raw sugar is justified. There is little justification for higher prices on this score, because the 1941 beet-sugar crop is already one-half grown, and the cost of field labor has already been determined by the labor contracts signed earlier in the year under a schedule approved by the Secretary of Agriculture. In short, the costs of the coming beet crop have been determined largely on the basis of a lower price level which prevailed months ago.

And the argument that the proposed emergency price-control bill provides 110 percent of parity for American agriculture has no validity in this instance. That bill is not yet the law of the land, and if the provision for 110 percent of parity is adopted, an exception should be made for the case of sugar, because a price of even 100 percent of parity would not be fair to consumers or necessary for producers. Since the base years used in the parity formula—1909–14—the costs of producing beet sugar in this country have gone down as a result of the enormous technological improvements which have taken place along with American progress in industry and agriculture. If the highly subsidized beet-sugar industry cannot produce sugar at a relatively lower cost now than it did 30 years ago, the industry has absolutely no justification for its existence.

And if the ceiling price of 3.5 cents is too high for beet farmers, it is certainly too high for the beet-sugar factories. These factories now have a stock of sugar of about 700,000 tons. This sugar was produced and processed last year, and the cost of manufacturing that sugar was determined by the lower costs which prevailed then. In addition, the beet-sugar factories will soon make a new crop which will give a total supply of old and new sugar at the beginning of the harvesting season—September 1—of around 2,000,000 tons. The new crop will cost very little more, if any, to process. The entire supply will be sold by the beet factories to American consumers at prices about $13 a ton more than those prevailing in recent years. On 2,000,000 tons this amounts to $26,000,000. Under the terms of the grower-processor contracts, one-half of this will go to the beet growers, and the remaining half, $13,000,000, will go to the beet-sugar refining corporations. Last year, all of the beet-sugar factories are estimated to have earned a net corporate income of about $13,000,000, and the added windfall of another $13,000,000 will bring them a return of from 20 to 25 percent on their invested capital. I would say that this return is excessive for any industry, and it is certainly excessive for an industry, the very existence of which is contingent upon consumer and Federal subsidies. A ceiling price of less than 3.5 cents a pound would definitely not bring any real hardship to any beet factory.

THE PRICE CEILING BURDENS CONSUMERS

There are about 132,000,000 consumers in the United States, and there are roughly 75,000 producers of sugar beets and sugarcane in this country. I maintain that the interest of these 132,000,000 sugar consumers has been prejudiced by O P. A. C. S.'s determination.

It is widely known that in the last analysis, the sugar consumers of this country pay the bill to support the inefficient domestic sugar-producing industry. In 1938, the Vice President of the United States, when he was Secretary of Agriculture, estimated the cost of protecting this industry amounted to about $10 per family a year. The ceiling price of 3.5 cents per pound will increase this cost by another $3 per family at a time when the families of this country must squeeze every penny in order to make both ends meet. Under the Sugar Act, consumers paid around 5.3 cents a pound for their sugar at the retail store. Under the Henderson determination, that price will be boosted by 10 to 15 percent over this level.

It is repeatedly said by the beet-sugar industry that American consumers obtain their sugar at prices which are reasonable. Prices they claim are lower than they were 40 or 50 years ago. This argument is convincing to no thinking person. Would the beet-sugar bloc have American consumers pay $3,000 for an automobile—which today costs less than $1,000? Would the beet-sugar bloc have consumers pay $1.50 a dozen for oranges instead of 30 or 40 cents?

It is also argued that prices of sugar in the United States are much lower than they are in certain foreign countries. Should we pay 17 cents a pound for sugar here because it costs that much in Germany and Italy? When the beet-sugar industry argues that the price of sugar is cheap because it is lower than it once was or that it is lower than in foreign countries, the industry is arguing that the whole theory of improving the American standard of living by reducing prices, should be discarded. As a matter of fact, sugar at the retail store could be as low as 3 cents a pound if this country predicated its sugar policy upon the interests of consumers alone.

If there is any possibility of reducing any prices during this war, that possibility should not be overlooked, and if there is any possibility of maintaining prices at their 1939 and 1940 levels, that possibility should not be overlooked. The argument that prices of sugar should be advanced in this war because other prices have been advanced is the kind of specious argument that always brings ultimate inflation.

I come to the conclusion that the ceiling on raw-sugar prices is now too high, and that if there is to be any modification, it should be downward. If my recommendation should prove to be harmful to Cuba or any other Latin-American republic selling sugar in the United States, or would be contrary in regard to our good-neighbor policy, I believe the solution would be to give those countries a right to sell more raw sugar here, or reduce the present stiff tariff, or both.

THE PEOPLE OF THE UNITED STATES DO NOT WANT WAR

Mr. BRADLEY of Michigan. Mr. Speaker, I have two requests, first, to extend my own remarks in the RECORD and, second, to address the House for 1 minute and to revise and extend my own remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. BRADLEY]?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, in the debate on last Tuesday our esteemed majority leader made this statement:

> President Roosevelt has consistently said that he is taking steps for the defense of America and for the purpose of keeping us out of war, and he has kept us out of war to date, August 12, 1941.

Mr. Speaker, what has actually kept this country out of war is the voice of America and particularly the voice of the mothers of America. I am not so certain that on August 14, 1941, in the joint statement issued by President Roosevelt and Winston Churchill, we have not changed our national policy from one seeking the defense of America to an offense of Europe in order to free the conquered people of Europe. This means another A. E. F., and the American people will not stand for it—the vote last Tuesday was a mandate against another A. E. F.

The majority leader said:

> The steps we are taking are realistic steps to prevent war from coming to our shores.

The statement of August 14 may cause us to make war on foreign shores. God forbid.

[Here the gavel fell.]

PARLIAMENTARY INQUIRY

Mr. CASE of South Dakota. Mr. Speaker, I am aware of the practice with reference to unanimous-consent requests relating to extensions of remarks and 1-minute speeches. I understand that the portions not read are placed in the Appendix of the RECORD. But yesterday, believing that the joint Roosevelt-Churchill statement was of sufficient

importance that it should be embodied in the body of the RECORD, I asked unanimous consent that it might follow my brief comments thereon.

This morning I find it was placed in the Appendix of the RECORD. I would welcome a statement from the Speaker as to the policy pursued in such matters, and may I ask that in the permanent form of the RECORD the Roosevelt-Churchill statement, as I presented it yesterday, be placed in the body of the RECORD and not in the Appendix?

The SPEAKER. Is there objection to the request of the gentleman from South Dakota [Mr. CASE]?

Mr. MICHENER. Mr. Speaker, reserving the right to object, does the gentleman from South Dakota's speech, which appears in the Appendix of the RECORD, have the heading "Speech" or does it have the heading "Extension of Remarks"? If it has the heading "Speech," when the permanent RECORD is made up it will appear in the body of the RECORD where it was delivered. If it has the heading "Extension of Remarks," it will be included in the permanent Appendix volume.

The SPEAKER. A policy was adopted some months ago in reference to these 1-minute speeches. Of course, the reason for holding speeches to a minute is obvious. While the present occupant of the Chair was leader of the majority party and before that, we would have Members get unanimous consent to speak for 30 minutes, and sometimes we would have 2 hours of speeches on subjects irrelevant to the legislative program in order for the day.

The Chair announced at that time he would object to any speeches longer than 1 minute which were made before the legislative program of the day was completed. That policy has been followed since.

There was a general understanding in the House some months ago that when a Member rose and asked unanimous consent to address the House for 1 minute and then asked to extend his remarks, if those remarks occupied more space in the RECORD than he could speak in 1 minute, it went in the Appendix of the RECORD. That has been the unfailing policy ever since.

The Chair would suggest to the gentleman that if he was speaking under a 1-minute permission we would be breaking our rule if we placed the Roosevelt-Churchill statement in the RECORD at the point where the gentleman made his 1-minute speech.

Mr. CASE of South Dakota. The reason for my noticing the matter was that my request was not to extend my remarks but merely that this statement follow the brief remarks I made. I did not extend my remarks. My inquiry today is further occasioned by the fact that during the course of the 1-minute speeches yesterday another Member of the House, and I had no objection to it, asked that a list of names be placed following his remarks, a list of visitors in Washington. That was done in the body of the RECORD. I thought the relative importance of that list of names and of the Roosevelt-Churchill statement certainly justified the request I made that the Roosevelt-Churchill statement be placed in the body of the RECORD.

The SPEAKER. The gentleman from South Dakota would have no argument with the Chair about that point.

Mr. MICHENER. Mr. Speaker, in view of the remarks just made by the gentleman from South Dakota, and my observation, may I ask the Speaker for a ruling here that will settle the controversy as to what appears in the body of the permanent RECORD and what appears in the Appendix, so far as these 1-minute speeches are concerned? Under the custom as I understand, if the heading in the Appendix of the daily RECORD is "Speech," that indicates that the Member had some time, even though a minute, and did address the House. Therefore, in the permanent RECORD his speech appears at the point in the RECORD where he delivered it.

The SPEAKER. The Chair has understood this to be the policy. Where debate is being had on legislation in the House or in Committee of the Whole, if the Member speaks 5 minutes on an amendment to the bill pending, then, if he asks unanimous consent to extend his remarks, that extension follows right along in the RECORD at that point with his remarks. It becomes a part of the body of the RECORD. It would not look well to put 5 minutes of his speech in the RECORD at that point and 20 minutes of it in the back of the RECORD.

The Chair, in order to try to control this 1-minute matter, has instructed the reporters of debates that where the matter contains more than 300 words, which is as many words as any Member, even the fastest talker, can utter in a minute, that matter is not to go in the body of the RECORD, but in the Appendix.

Mr. MICHENER. May I say that I agree with the Speaker. All the editorials that we are placing in the RECORD, under the custom that has grown up within the past year or so, should be placed in the permanent Appendix.

The SPEAKER. The gentleman did not intend that as a parliamentary inquiry, I am sure.

Mr. MICHENER. I would like to have a ruling from the Chair on this matter for the sake of the integrity of the RECORD.

The SPEAKER. The Chair desires to look into the matter further. However, the Chair, at the moment, is of the opinion that it would not be his affair, as he does not print the permanent RECORD and is not a member of the Joint Committee on Printing.

Mr. MICHENER. I wish he did.

The SPEAKER. In that case, a lot of these extraneous matters would not appear in the body of the RECORD.

EXTENSION OF REMARKS

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Chicago Tribune.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there any objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, now that Mr. Roosevelt and Mr. Churchill have held their dramatic war conference on the high seas, the American people will no doubt wonder how soon American troops will be sent abroad.

I hold in my hand a clipping from the August 14 issue of the New York Herald Tribune which announces that the Army will construct a large embarkation base and supply depot at Jersey City. This new base, according to the announcement, will occupy 40 acres of land, not yet acquired, and will consist, for the most part, of a mammoth pier, which, it is stated, "is planned to eliminate difficulties experienced at Hoboken during the World War."

This clipping may answer the question being asked by the American people. In fact, it indicates that our soldiers may be in the shooting war much sooner than many of us have anticipated, because it states as follows, and I quote:

> It is indicated that the project is considered to be of such urgency that the Army may start work within 24 hours and worry about acquiring the land later. Jersey City officials were warned, it was said, that the Government will condemn the land if it cannot buy it at an equitable price.

EXTENSION OF REMARKS

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

THE NATIONAL DEBT GOES UP LIKE A SKYROCKET

Mr. BENNETT. Mr. Speaker, I wonder how many of the American taxpayers know the national debt soared above the $50,000,000,000 mark on August 14? How many of the American taxpayers, I wonder, know that in addition to the national debt the Federal Government stands as guarantor for over $13,000,000,000 of other liabilities?

Mr. Speaker, according to the statement of the public debt issued by the Treasury Department as of April 30, 1941, the taxpayers stand behind the following obligations:

Obligations of the United States payable on presentation	$631,258,202
Contingent liabilities of governmental agencies	6,561,986,594
Obligations of the Tennessee Valley Authority	8,300,000
Postal Savings deposits	1,350,811,586
Federal Reserve notes (face amount)	6,271,226,391
Total guaranteed obligations	14,823,582,773

Against this, the cash in the Treasury on April 30 amounted to but $2,348,032,669. Therefore, Mr. Speaker, our

total obligations now outstanding are in excess of $62,000,000,000. We must soon start to economize or surely bankrupt every farmer and businessman in the Nation.

EXTENSION OF REMARKS

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein some tables.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an open letter from a constituent to the President.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution on behalf of my friend and colleague the gentleman from New Jersey [Mr. VREELAND].

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a statement from the New York Sun, together with a table.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

THOUGHTS ABOUT SILK

Mr. BENDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BENDER. Mr. Speaker, while thousands of American women were milling their way up to silk-stocking counters some of us in Washington were thinking of a problem which will be harder to solve than the silk-stocking shortage. What shall become of 175,000 silk-stocking factory workers who will be thrown out of their jobs because there will be no more silk for them to convert into hosiery?

The O. P. M. and the O. P. A. C. S. are just setting up a section to study this problem. It was certainly the kind of problem that could have been anticipated months ago. We shall have the same situation very shortly in many other industries, notably automobile. Unless some careful planning takes place, we shall find 400,000 auto dealers, salesmen, mechanics, repair and garagemen out of work. The time to think about this is now—before it happens, not afterwards.

EXTENSION OF REMARKS

Mr. WORLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Moore County News.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

(Mr. WELCH asked and was given permission to revise and extend his own remarks in the RECORD.)

PERMISSION TO ADDRESS THE HOUSE

Mr. THILL. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes following any other special order for today.

The SPEAKER. There are no special orders for today and the gentleman may address the House now if he so desires.

Mr. THILL. Then, Mr. Speaker, I ask unanimous consent to address the House for 5 minutes now.

Mr. TABER. Mr. Speaker, will the gentleman yield so that I may submit a request?

Mr. THILL. I yield.

Mr. TABER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to insert therein some tables that I am going to prepare myself with reference to appropriations.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PETERSON of Florida. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter from Mr. M. Yowell, president of the Constitutional Money League.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

PRESIDENT ROOSEVELT COULD NOT ACT IN HIS OFFICIAL CAPACITY AT THE ROOSEVELT-CHURCHILL MEETING

Mr. THILL. Mr. Speaker, we, of course, have been told that the President and Mr. Churchill had a meeting at sea the other day and I am wondering whether the President of the United States was acting officially as the President of the United States at that time. Some of us recall that back in 1918 a resolution was presented to the Congress for the purpose of permitting President Wilson to leave the territorial confines of the United States in order that he might act officially as President of the United States at the Peace Conference in Europe.

I now read from the CONGRESSIONAL RECORD of December 3, 1918, at which time it seems a resolution was presented to permit President Wilson to act as the President of the United States officially in his attendance at the Peace Conference overseas.

Senator Curtis at that time read the following from the opinion of the Supreme Court of Oklahoma in the case of *Ex parte Nelson Hawkins* (Oklahoma Criminal Reports, vol. 10, pp. 399–400):

> The Governor may go to other States and travel in foreign countries, with all of the military pomp and glory of the commander in chief of the Oklahoma Militia, as he pleases, without forfeiting his office, and may carry his title with him; but his powers as Governor become dormant the very moment he crosses the State line, and they arrive again as soon as he returns and is within the borders of the State. * * *
>
> An emergency may arise at any moment requiring the presence of the Governor within the State. The Constitution provides that there shall always be someone within the State clothed with power to perform the duties of Chief Executive. The Constitution must be obeyed, let it please or displease whom it may. There is nothing more ridiculous than to contend that the Governor, as a matter of whim or caprice, can leave the State to attend banquets or play golf in other States, or for any other purpose, and say to those who have business with his office, "Wait until it suits my convenience to return." This question was fully considered by this court in the case of Ex parte Crump, supra, decided at the September term of this court.

Then Senator Curtis goes on to state:

> It seems to me under this decision, construing the provisions of the Oklahoma Constitution, which are identical with the terms of the Constitution of the United States, that the moment the President leaves the United States, the Vice President becomes the President of the United States, and should fill the office until the President returns.

Now, let us look at the provision of the Constitution which applies to the subject matter:

> In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly until the disability be removed or a President shall be elected.

We, of course, do not know where the meeting of the President of the United States and Winston Churchill occurred. If it occurred outside the boundaries of the United States, outside the territorial limits of the United States, outside the 3-mile limit, it seems to me the President in his discussions with Prime Minister Churchill was not acting officially as the President of the United States.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I have three requests. First, I ask unanimous consent that the gentleman from Illinois [Mr. DIRKSEN] may extend his remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. MICHENER. Next, Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. VAN ZANDT] may extend his remarks in the RECORD and include an article on the St. Lawrence waterway project.

The SPEAKER. Is there objection?

There was no objection.

THE A. A. A. AND THE 49-CENT WHEAT PENALTY

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

[Mr. MICHENER addressed the House. His remarks appear in the Appendix of the RECORD.]

TAXATION OF HOME OWNERS' LOAN CORPORATION PROPERTY

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 5143) to amend the Home Owners Loan Act of 1933, as amended, which I send to the desk and ask to have read.

The Clerk read the bill, as follows:

Be it enacted, etc., That the ninth sentence of subsection (c) of section 4 of Home Owners' Loan Act of 1933, as amended, is hereby amended by striking the period at the end thereof and adding a colon and the following: "*Provided*, That any building now or hereafter owned by the Corporation in the District of Columbia and used principally as an office building of the Corporation, the Federal Home Loan Bank Board, and/or the Federal Savings and Loan Insurance Corporation, together with the land upon which the same stands, and all appurtenances, buildings, and land used principally in connection therewith, shall be exempt from any and all taxation heretofore or hereafter imposed."

The SPEAKER. Is there objection?

Mr. MICHENER. Mr. Speaker, I reserve the right to object. Will the gentleman give us an explanation of what this is?

Mr. STEAGALL. Mr. Speaker, this bill has the unanimous report of the Banking and Currency Committee, and it provides for the exemption from payment of taxes on buildings owned by the Home Owners' Loan Corporation in the District of Columbia, about which there is no controversy.

Mr. MICHENER. The gentleman means there is no controversy between the Home Owners' Loan Corporation and the Tax Assessor of the District or between the distinguished chairman of the Banking and Currency Committee and his colleague, the ranking member of that committee?

Mr. STEAGALL. I mean the latter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. STEAGALL. Mr. Speaker, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Page 1, line 8, strike out the word "principally" and insert the words "in whole or in part."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

EXTENSION OF REMARKS

Mr. PACE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix.

The SPEAKER. Is there objection?

There was no objection.

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include a statement by Colonel Myers, of the United States Army, retired, on aviation.

The SPEAKER. Is there objection?

There was no objection.

RECESS

Mr. COOPER. Mr. Speaker, I move that the House stand in recess until 2 o'clock and 30 minutes p. m.

The motion was agreed to; accordingly (at 1 o'clock and 15 minutes p. m.) the House stood in recess until 2 o'clock and 30 minutes p. m.

AFTER RECESS

The House met at 2 o'clock and 30 minutes p. m., pursuant to the recess.

DEFICIENCY APPROPRIATION FOR NATIONAL DEFENSE, 1942

Mr. WOODRUM of Virginia submitted the following conference report and statement on the bill (H. R. 5412) making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes, for printing in the RECORD:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5412) making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 6, 7, 9, 15, and 16.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 11, 13, 14, 17, 18, 19, 20, 21, 24, 26, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, and 40; and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$2,888,980,486"; and the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following: "The second proviso under the caption 'Ordnance service and supplies, Army', in the Military Appropriation Act, 1942, is hereby repealed."

And the Senate agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$294,528,500"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment, insert the following: "$800,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment, insert the following: "$800,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the sum named in said amendment, insert the following: "$2,500,000"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lines 8 and 9 of the matter inserted by said amendment, strike out the words "to be immediately available,"; and the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment, insert the following:

"MARITIME LABOR BOARD

"Salaries and expenses: For three Board members and for all other authorized and necessary expenditures of the Maritime Labor Board in performing the duties imposed by law, fiscal year 1942, $30,000, to be used for winding up and terminating the affairs of the Board."

And the Senate agree to the same.

The committee of conference report in disagreement amendment numbered 25.

EDWARD T. TAYLOR,
C. A. WOODRUM,
LOUIS LUDLOW,
J. BUELL SNYDER,
EMMET O'NEAL,
GEO. W. JOHNSON,
JOHN TABER,
R. B. WIGGLESWORTH,
Managers on the part of the House.

ALVA B. ADAMS,
CARTER GLASS,
KENNETH MCKELLAR,
CARL HAYDEN,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5412) entitled "A bill making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes," submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

War Department

No. 1: Appropriates $72,679,400 as proposed by the Senate instead of $81,872,000 as proposed by the House for military post construction.

No. 2: Provides, as proposed by the Senate, that certain appropriations for military posts as contained in various appropriation acts shall be available until June 30, 1943.

No. 3: Appropriates $2,888,980,486 for ordnance service and supplies for the Army, instead of $3,486,034,036 as proposed by the House and $2,138,980,486 as proposed by the Senate.

No. 4: The Senate inserted a provision modifying the indefinite contract authorization in the Military Appropriation Act, 1942, for the acquisition of equipment for additional Armored Force divisions. The House has agreed with a substitute repealing such authorization.

Navy Department

No. 5: Strikes out the appropriation of $1,000,000, inserted by the Senate, for a Plant Protection Force.

No. 6: Appropriates $90,000,000 as proposed by the House instead of $80,000,000 as proposed by the Senate for the naval supply account fund.

No. 7: Strikes out the appropriation of $10,000,000 and authority proposed by the Senate for the establishment of a naval accounting fund.

Nos. 8 to 13, inclusive, relating to Public Works, Bureau of Yards and Docks: Appropriates $294,528,500, instead of $291,428,500 as proposed by the House and $295,068,500 as proposed by the Senate, and eliminates the general authority inserted by the Senate for the acquisition of land; provides $800,000, instead of $1,140,000 as proposed by the Senate, for receiving ship facilities at the New Orleans, La., naval station; provides $1,500,000, as proposed by the Senate, for a railroad connection from the naval proving ground, Dahlgren, Va., with Fredericksburg, Va., provides $800,000, instead of $1,000,000, as proposed by the Senate, for a general storehouse at the naval air station, Norfolk, Va.; and makes a technical correction in connection with a public works item in North Carolina.

No. 14. Appropriates $90,000,000 as proposed by the Senate instead of $77,678,880 as proposed by the House for the Bureau of Aeronautics.

No. 15: Strikes out the paragraph, inserted by the Senate, for one additional employee at a rate of pay in excess of $5,000.

No. 16: Provides for the establishment of the Office of Budget and Reports, as proposed by the House, with provision for a naval officer as assistant director instead of an associate civil director as proposed by the Senate.

Civil Activities

Nos. 17, 18, and 19 relating to the Senate: Appropriates for expenses of the Senate in the amounts and for the items proposed by the Senate amendments.

Nos. 20 and 21: Makes provision for the beneficiary of a deceased Member of the House as proposed by the Senate.

No. 22: Provides that $2,500,000, instead of $4,000,000 as proposed by the Senate, of the emergency funds of the President may be used for unvouchered expenditures when the President so authorizes.

No. 23: Appropriates $100,000, as proposed by the Senate, for the expenses of the Board of Investigation and Research for transportation.

No. 24: Appropriates $209,000 as proposed by the Senate for national-defense activities of the Federal Communications Commission.

No. 26: Provides, as proposed by the Senate, that the new Federal office building at Suitland, Md., may be constructed on a cost-plus-a-fixed-fee basis and provides for the transfer of $900,000 from a previous appropriation for the completion of such structure.

No. 27: Appropriates $30,000 as proposed by the Senate for winding up and terminating the affairs of the Maritime Labor Board.

No. 28: Provides, as proposed by the Senate, that the Commissioners of the District of Columbia, may enter into contracts for the new senior high school at Twenty-fourth Street and Benning Road, NE., within the limit of cost fixed by law for such project.

Nos. 29, 30, 31, and 32, relating to the Office of Administrator of Civil Aeronautics: Appropriates $1,100,000 as proposed by the Senate for maintenance and operation of air navigation facilities; appropriates $5,586,000 as proposed by the Senate for establishment of air navigation facilities; and appropriates $5,500,000 as proposed by the Senate for development of landing areas.

Nos. 33, 34, 35, 36, and 37, relating to the Bureau of Mines: Appropriates as proposed by the Senate for the following purposes and in the following amounts:

Testing fuels, $28,500.

Investigation of domestic sources of mineral supply, $300,000.

Investigation of raw material resources for western steel production, $350,000.

Construction and equipment of helium plants, $1,250,000.

No. 38: Provides as proposed by the Senate, that the maintenance and operation of, and the assignment of surplus space in, the new War Department Office building shall be under the jurisdiction of the Public Buildings Administration.

No. 39: Inserts a new section, proposed by the Senate, requiring annual reports by the War and Navy Departments to Congress of all contracts in excess of $10,000 together with a summary of the contracts, the names of the contractors, the persons who negotiated the contract on behalf of the Government and the contractor and, if any contract was awarded without competitive bidding, a statement of the reasons for the selection of the contractor.

No. 40: Corrects a section number in the bill.

Amendment in disagreement

The committee of conference report in disagreement amendment No. 25, relating to the Civilian Conservation Corps. The motion, in connection with such amendment, will be to recede and concur.

EDWARD T. TAYLOR,
C. A. WOODRUM,
LOUIS LUDLOW,
J. BUELL SNYDER,
EMMET O'NEAL,
GEO. W. JOHNSON,
JOHN TABER,
R. B. WIGGLESWORTH,
Managers on the part of the House.

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent for the immediate consideration of the conference report on the bill H. R. 5412, and I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The Clerk read the statement as above set out.

Mr. WOODRUM of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Speaker, I thank the gentleman for yielding me this time. I have asked for the time for the purpose of discussing tanks. But first let me say that I am glad that the committee is going to agree with the Senate on this bill.

I hold in my hands two blueprints, which I shall not open for the inspection of the House except on personal request. They are blueprints of light tanks. The first of these tanks will carry from two to five men, to be armed with one 37-millimeter cannon, three 30-caliber and one 50-caliber machine guns, will have armor plate five-eighths of an inch on the sides and 1¼ inches on the front and will have a road speed of 50 miles an hour and a gross weight that will be about 3½ tons. The cannon and guns are mounted so that they may be used against aircraft. I have not yet seen such a mounting on an army tank.

I think that those of us who have gone along the roads in and about Washington and seen these enormous creations that go up and down the roads on caterpillar tractor treads will recognize that from a military standpoint an enormous vehicle such as those weighing many tons form a perfectly splendid artillery target. They have been known, in the Spanish War, where much experimental work for warfare was carried on, as death traps. It seems to me that somebody in this Government should do as they are doing in other governments abroad; that is, take a little heed of some of the so-called crazy ideas that men in this country and over the world can get together.

We have had the spectacle before us of the Johnson rifle as against the Garand rifle, and the ultimate selection of the Garand rifle, and we find that now Australia and the Dutch East Indies have ordered many, many thousands of the Johnson rifles. Perhaps it was because they could not get the Garand rifle, but at least they thought well of it.

I offer for consideration the fact that there may be some crazy fools in this country who can have queer ideas that at least can be worked over into something that would be very, very suitable and applicable to military use.

I have here another blueprint of a tank with similar specifications to the one I first referred to, except that it weighs 2½ tons. Every Member of this House, except those who come from the big cities, recognizes the fact that over the Nation there are a great many bridges, and from your own districts you know that there are mighty few of those bridges that will carry 18 tons in a single concentrated load—mighty few of them that will carry as high as 26 tons. Anyone who thinks that we can maneuver these enormous juggernauts over the country roads of this country had better take another look at some of the country roads. You will find deep gullies and streams bridged by very moderate structures. If the Corps of Engineers is to be called upon in case of attack upon this country to quickly rebuild destroyed bridges across some of those streams and gullies, which will carry those juggernauts weighing from 18 to 26 tons—and now they propose 40 tons—I would like to know what you think the Corps of Engineers is. They are hard-working, smart men, but they are not wizards. They are being called upon to make ponton equipment to carry tanks across rivers. I have been down to Fort Belvoir and there saw them trying to rig up ponton equipment capable of carrying the lightest tank used in the United States Army. It can be done, but it is a very difficult thing to do, and in order to ferry heavier equipment across streams they will have to provide equipment that is far beyond anything that is now being conceived.

I hope the membership of this House will take an interest in this tank question and also take an interest in furthering the experimental work of the Army, encouraging them to look into these things. If they find some crazy idea, let them build two or three of them, even though it costs $25,000 or $30,000 to build one, to see what military value it might have. Maybe it is crazy, but it might be the saviour of the United States. Remember that we may be called upon to move equipment by airplane and that we may need highly mobile tank equipment small enough and light enough not only to be so transported but for use in the almost trackless jungles and swamps in tropical or subtropical country.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, there is nothing of any controversial nature that I know of in the conference report.

I perhaps should mention for the information of the House the disposition of the matter respecting the cut made by the Senate in the ordnance of the Army. One billion three hundred and forty-seven million dollars was cut out of the ordnance for the Army by the Senate, and the result of the conference was a restoration of $750,000,000 of that. That ordnance was critical items desired to be ordered by the Army in advance, in order that they might have the necessary equipment for the mechanization and motorization of additional mechanized divisions.

We now have four mechanized divisions. Perhaps too much detail should not be placed in the RECORD about these matters. This equipment is being built so that if the Army should decide to mechanize and motorize additional divisions they would have the equipment for them: Tanks, antitank, antiaircraft, and other weapons.

Mr. WOODRUFF of Michigan. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. WOODRUFF of Michigan. Will the gentleman inform the House as to whether the four mechanized divisions of which he speaks are fully and completely equipped with all the necessary equipment?

Mr. WOODRUM of Virginia. I am sure they are, but we have provided for that, and we have provided for additional mechanized divisions. This money is for the manufacture of equipment over and above that announced so that should the emergency and the need arise the Army would be able to equip additional divisions.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. TABER. This conference report should be adopted.

The Senate made some cuts, but I think the restorations will enable the Army to take care of the most-needed things, amongst them antiaircraft guns and that sort of thing that might be needed until the matter can be examined into more carefully.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. MURDOCK. Will the gentleman indicate what minerals it is expected will be explored by the Bureau of Mines in the item appropriating $300,000—strategic minerals, war minerals?

Mr. WOODRUM of Virginia. Yes; that is the purpose—domestic minerals that might be needed in the defense effort. I do not think it is confined to any particular mineral, but I am not certain.

Mr. O'NEAL. If the gentleman will permit, it is for all minerals.

Mr. WOODRUM of Virginia. All minerals.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Speaker, I move the previous question on the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Page 39, line 11:

FEDERAL SECURITY AGENCY

Civilian Conservation Corps: The twelfth paragraph under the caption "Civilian Conservation Corps" in the Federal Security Appropriation Act, 1942, is hereby amended to read as follows:

"In the expenditure of funds appropriated herein under the heading 'Civilian Conservation Corps', the over-all expenditure per enrollee per year shall not exceed $1,000: *Provided*, That such limit of $1,000 may be exceeded if the average enrollee strength is below 210,000 enrollees, but in such event the total expenditures from such appropriation shall not exceed $200,000,000."

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 25 and concur therein.

Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. TABER].

Mr. TABER. Mr. Speaker, this is an attempt to make the Civilian Conservation Corps a little worse than it is at the present time. They have refused to discharge administrative employees. They have nearly as many of them as they had when the enrollment was 50 or 75 percent more than it is now. They are out drumming up trade and advertising for trade all the time, and they are still unable to find boys enough to enroll in the C. C. C. outfit to use their money. This amendment is designed to get rid of a limitation of $1,000 per man total cost. It is just an attempt to keep the biggest part of the 30,000 civil employees now on the pay roll of this outfit when they are not needed. It is perfectly ridiculous, and it should be defeated. If we have any regard for orderly management of the Government business we will oppose this operation.

Mr. HOLMES. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. HOLMES. What pay does the enrollee receive? And what is the pay of the civilian personnel?

Mr. TABER. The enrollee gets $30 per month in cash, but there are a lot of civilian employees who get up to $10,000 a year. There are about 30,000 of them.

The object of this amendment is to keep all these unnecessary civilian employees on the pay roll and waste the people's money.

Mr. HOLMES. I want to say for the benefit of the gentleman from New York that in New Hampshire and in the western part of the State of Massachusetts they are advertising in the newspapers by means of great big advertisements for boys between 17 and 24 years of age to enroll. In fact, in some parts of the country they are making a house to house canvass, going from door to door asking the family if they have any boys between the ages of 17 and 24, and asking them to enroll in the C. C. C. because they get $30 a month, clothing, recreation, and all the comforts they could desire; and stating that there is no need for them to go to school when they can get all that.

Mr. TABER. It is one of the worst things we could do.

Mr. PLUMLEY. Mr. Speaker, will the gentleman yield?

Mr. TABER. I yield.

Mr. PLUMLEY. Is it true that the rules and regulations promulgated by those in authority in the C. C. C. prohibit all forms of preliminary or essential military training?

Mr. TABER. They are not allowed to have military training. It is a refuge for those who do not want to go into the Army.

Mr. KNUTSON. Will the gentleman yield?

Mr. TABER. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Is it true they pay a commission on enrollees they get in the C. C. C.?

Mr. TABER. I do not know, but they must be spending an awful lot of money to get them the way they are advertising.

Mr. KNUTSON. I read somewhere that the applicants are so few they have to send out for recruits.

Mr. TABER. That is correct.

Mr. KNUTSON. And that they are paying a commission to the enrollees who bring in new recruits. I think that ought to be looked into.

Mr. TABER. If it is so, it is bad. I am afraid they are doing a lot of irregular things.

[Here the gavel fell.]

The SPEAKER. The question is on the motion of the gentleman from Virginia [Mr. WOODRUM].

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 39, noes 29.

So the motion was agreed to.

A motion to reconsider was laid on the table.

SPEAKER AUTHORIZED TO SIGN ENROLLED BILL

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign the enrolled bill of the House, H. R. 5412.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

The SPEAKER. The Chair desires at this time to make a short statement. As you all know, for something like 3 years, and especially the last 19½ months, the Chair has been very closely tied to Washington. Although I have enjoyed hugely being here with you ladies and gentlemen, I do have the very great desire of for a few days sniffing a different atmosphere.

I am homesick. I want to go home tomorrow. To all of you who go home—and I hope you do—I trust you will find things fine at home and that you will come back with a renewed vigor, imbued again with the sentiment of your constituents, that they will be kind to you, and especially that they will allow you to have some rest in order that you may be able to take part of the recess where there is no such thing as a telephone.

I am very fortunate in a way. I live on a broad highway, in a white house, where everybody can find me; but I have

another little place that I call the ranch. It is not quite big enough to call a ranch, but I am going to be a ranchman anyhow. When I start toward that place—and it is about 13 miles from my home farm—the road gets narrower and narrower every mile I go; and when I get to the end of the narrowest part of the road, there is the gate, and there is no telephone out there.

The Chair recognizes the gentleman from Massachusetts [Mr. McCORMACK].

ELECTION OF SPEAKER PRO TEMPORE

Mr. McCORMACK. Mr. Speaker, in offering the following resolution for the election of a Speaker pro tempore and asking for its immediate consideration I know I state the sentiments of all the Members when I say that I hope that you have a most enjoyable rest in your white house and in future White Houses.

The Clerk read the resolution (H. Res. 298), as follows:

Resolved, That Hon. CLIFTON A. WOODRUM, a Representative from the State of Virginia, be, and he is hereby, elected Speaker pro tempore during the absence of the Speaker.

Resolved, That the President and the Senate be notified by the Clerk of the election of Hon. CLIFTON A. WOODRUM as Speaker pro tempore during the absence of the Speaker.

The resolution was agreed to.

The SPEAKER. The gentleman from Virginia [Mr. WOODRUM] will present himself at the bar of the House for the purpose of taking the oath.

Mr. WOODRUM of Virginia took the oath of office as Speaker pro tempore.

ANNOUNCEMENT

Mr. McCORMACK. Mr. Speaker, I desire to announce that during the recess I have designated my distinguished friend and colleague the gentleman from Missouri [Mr. COCHRAN] to be the acting majority leader.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

THE ROOSEVELT-CHURCHILL CONFERENCE

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to proceed for 8 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOODRUFF]?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, from time to time, I have pointed out that just as soon as the British had gotten the United States well into this war they would begin their propaganda for the United States to pay all the bills for the fighting, and furnish manpower as well as machine power. I have also noted that when the war was over there would come a vast wave of British propaganda for us to feed all the rest of the world, rebuild the shattered industries of all the war-torn countries—in other words, pay the whole bill for the fighting; reap all the evil consequences of quarrels not our own; and then pay for all the damages. It would be our job, they would insist, to put the other nations back into economic position where they could indulge in their old, unfair competition with us. The propaganda has begun sooner than even the speaker expected.

The terrific build-up of the great world secret—the whereabouts and the doings of President Roosevelt and Prime Minister Winston Churchill—was exceeded only by the even greater dramatic build-up of the "revelations" which were to "change the fate of the world." The surprise in the United States was complete, and the disappointment of the British masses must have been intense when the great revelation proved to be, as someone has said, a poor paraphrase of 8 of Woodrow Wilson's 14 points.

Of course, no one in Washington who knows his way around believes that this weak paraphrase of Wilson by any means told the real story of what transpired on board the warship between the British Premier and the United States' President. The real details will come, as they always do, not frankly from the White House at Washington, but bluntly from London.

The American people may write this down now in their memory books:

Ways and means of luring the American people into this war were undoubtedly discussed. Within 30 days a new wave of propaganda will begin in the United States, the theme song of which will be that Britain is so near exhaustion that if we do not rush over more supplies, and if we do not get into the fight with our Navy, Britain will have to quit and we will see Hitler's shells falling on New York City. Mark that down. The fact that Britain is in better shape than she was 6 months ago, the fact that Hitler is weaker than he was 6 months ago, as was stated by an eminent Britisher here in Washington within the past 2 days, the fact that our lease-lend-give supplies are growing in volume, did not deter the President from demanding that Congress break faith with the draftees and their fathers and mothers and brothers and sisters and wives. Congress in a weak moment yielded, and broke the faith.

No informed observer in Washington believes for a moment that all the high-ranking military and naval officials who went out to sea with the President and who secretly counseled and advised with the canny British Premier spent all that time plagiarizing 8 of Wilson's 14 points which could have been done in a day by mail or trans-Atlantic telephone. Oh, no, the American people will learn the bad news from London piecemeal, bit by bit.

Already the Associated Press dispatches from London said "British feel United States has joined united front." And then came the first revelation of this dramatic secret conference at sea which was not contained in Mr. Roosevelt's statement or in Mr. Attlee's broadcast. Here it is:

Four supreme commitments to the world—to help reconstruct post-war Europe, to support the British and the Russians on every front, to aid in stripping aggressor nations of their weapons, and to jointly police the world after the war is over, "although all nations, including Germany, would be allowed to determine their own form of government"—were made in the joint declaration of President Roosevelt and Prime Minister Churchill, informed London comment held today.

And there we have it. Mr. Roosevelt, with dictatorial attitude, apparently has committed unborn millions of Americans to bend their backs in toil to rebuild war-torn Europe. We are to share all we have with all the other peoples of the world, whether we like it or not. We are to again be "Uncle Shylock" after we get through being "Uncle Sap."

Fear has arisen both in White House circles and around No. 10 Downing Street, London, that the American people have begun to feel Britain is not so near defeat as they had been led to believe. This has weakened the American fever for war. So the propagandists will now begin to beat the drums and blow the trumpets to alarm the American people anew, and to prepare us to rebuild shattered Europe and China—and Communist Russia—and all the other countries in between, because they fought the war for the United States.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. WOODRUFF of Michigan. I yield to the gentleman from Minnesota.

Mr. KNUTSON. One of the eight points, as I recall, is to banish fear and want from the world. Mr. Roosevelt was 8 years trying that in this country. As far as want is concerned, he spent something like $40,000,000,000 in his attempt. How much does the gentleman think it will cost to carry that plan into operation all over the world, and how many hundred years will it take?

Mr. WOODRUFF of Michigan. I should say in answer to that question that it will probably cost not less than 10 times the $40,000,000,000 already spent in the experiment to which the gentleman refers. How many years will be utilized in pursuing this particular policy can only be determined by the patience of the people of the United States and their capacity to take punishment before turning to political revolution for relief.

Mr. KNUTSON. And also their capacity to pay.

Mr. WOODRUFF of Michigan. And their capacity to pay.

Mr. BURDICK. Mr. Speaker, will the gentleman yield?

Mr. WOODRUFF of Michigan. I yield to the gentleman from North Dakota.

Mr. BURDICK. In view of the fact that we have not yet declared war upon the enemies of Great Britain, does the gentleman believe the President has any constitutional power to commit this country in aid of the destruction of any nation on earth?

Mr. WOODRUFF of Michigan. He has no such constitutional power whatever, I may say to the gentleman from North Dakota.

Mr. Speaker, we long ago surrendered our coat and our vest, and we shall be an ungrateful people if we do not then give them our shirt and our pants after

the war is over, regardless of the hardships on Americans yet unborn who have no part in this barbarous madness, and who cannot defend themselves against fatuous and foolish men playing at statesmanship.

It must indeed be a sad day—if they can know—for Washington, and Jefferson, and Lincoln, and Franklin, the host of brave and wise men who risked their all to build for us on the North American Continent a country, a culture, a security, and a progress unmixed, unentangled, and unhampered by the age-old quarrels and hatreds of Europe and Asia.

When Mr. Roosevelt sailed away from American shores he sailed away, too, from the foresight, the wisdom, and the advice of all those whose sacrifices and whose struggles builded for us the great riches of liberty, spiritual, and cultural advantages, and material resources which we now are squandering in this terrible, insane carnage.

Yes, the founding fathers, if they can know, must be sad indeed today. [Applause.]

EXTENSION OF REMARKS

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial on preparation for peace.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

(Mr. MURDOCK asked and was given permission to extend his own remarks in the RECORD.)

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, many people in my State are outraged because munitions of war are going to communistic Russia and there is not enough military equipment in this country with which to train our soldiers. The delay in giving the necessary training material has been inexcusable in the eyes of the service men as well as to the public, and to have it sent to Russia is the source of the greatest anger to them. It is especially hard for them to know that 95,000,000 gallons of gasoline, despite the threatened shortage of gasoline in New England, are on their way to Russia today.

The communism that stems from Russia is not forgotten and which has spread through propaganda in our country must be stopped.

Another point should be added to the eight points in the joint declaration of President Roosevelt, of the United States, and Prime Minister Winston Churchill, of England, in their historic meeting at sea. Point 9 should be added and should provide that foreign propaganda shall not be allowed in other nations, because, while Nazi and communistic propaganda go on the provisions of point 6 cannot be carried out. There cannot be a peace which will afford to all nations the means of dwelling in safety within their own boundaries and which will afford assurance that all the men in all lands may live out their lives in freedom from fear and want.

ENROLLED BILLS SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 647. An act for the relief of Gilbert E. Jackson and Helen Jackson, individually, and to the legal guardian of Edwin Jackson, a minor;

H. R. 1692. An act for the relief of William F. Kliewe;

H. R. 4529. An act for the relief of John Henry Hester;

H. R. 4784. An act to amend the act relating to preventing the publication of inventions in the national interest, and for other purposes;

H. R. 4813. An act to amend section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended; and

H. R. 5300. An act relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended, to provide for withholding from the normal channels of trade and commerce Government-owned cotton and wheat of the 1940 and previous crops, and to provide 85 percent of parity with respect to peanuts of the 1941 crop.

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 162. An act to strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes;

S. 752. An act to provide for the establishment of the Coronado International Memorial, in the State of Arizona; and

S. J. Res. 95. Joint resolution to extend the periods of service of persons in the military service, and for other purposes.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 8 minutes p. m.) under its previous order, the House adjourned until Monday, August 18, 1941, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

861. Under clause 2 of rule XXIV a letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 21, 1941, submitting a report, together with accompanying papers and an illustration, on reexamination of Manasquan River, N. J., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted April 14, 1938 (H. Doc. No. 356), was taken from the Speaker's table, referred to the Committee on Rivers and Harbors, and ordered to be printed, with an illustration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TAYLOR: Committee on Appropriations. H. R. 5553. A bill providing an appropriation for additional members of the Metropolitan Police force of the District of Columbia, and for other purposes; without amendment (Rept. No. 1180). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALTER: Committee on the Judiciary. H. R. 2596. A bill to repeal the prohibition against the filling of a vacancy in the office of district judge for the district of Massachusetts; without amendment (Rept. No. 1181). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALTER: Committee on the Judiciary. S. 1052. An act relating to the traveling and subsistence expenses of judges and retired judges of the Court of Claims; without amendment (Rept. No. 1182). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALTER: Committee on the Judiciary. S. 1051. An act relating to the payment of fees and costs of witnesses and jurors and the accounting therefor; without amendment (Rept. No. 1183). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALTER: Committee on the Judiciary. H. R. 2523. A bill to amend section 245, Criminal Code, as amended; with amendment (Rept. No. 1184). Referred to the House Calendar.

Mr. BURDICK: Committee on Indian Affairs. H. R. 4531. A bill conferring jurisdiction upon the Court of Claims to hear and determine the claims of the Prairie Band or Tribe of Pottawatomie Indians of Kansas and Wisconsin against the United States; without amendment (Rept. No. 1185). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALTER: Committee on the Judiciary. House Joint Resolution 41. Joint resolution making the last Thursday in November a legal holiday; with amendment (Rept. No. 1186). Referred to the House Calendar.

Mr. TAYLOR: Committee of conference on the disagreeing votes of the two Houses. H. R. 5412. An act making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes (Rept. No. 1187). Referred to the Committee of the Whole House on the state of the Union.

Mr. O'LEARY: Committee on Expenditures in the Executive Departments. H. R. 594. A bill to authorize procurement of certain products made by the blind in Alaska, Hawaii, or Puerto Rico; without amendment (Rept. No. 1188). Referred to the Committee of the Whole House on the state of the Union.

Mr. TOLAN: Committee on the Judiciary. H. R. 5192. A bill to authorize employees of the United States to testify on behalf of the District of Columbia and employees of the District of Columbia to testify on behalf of the United States and of the District of Columbia without loss of salary or annual leave; without amendment (Rept. No. 1189). Referred to the Committee of the Whole House on the state of the Union.

Mr. TOLAN: Committee on the Judiciary. H. R. 5235. A bill making applicable to all lands or premises subject to the partial, concurrent, or exclusive jurisdiction of the United States the law of the State within the exterior boundaries of which such land or premises is situated pertaining to the recovery of damages for injury or death by wrongful act or omission; with amendment (Rept. No. 1190). Referred to the Committee of the Whole House on the state of the Union.

Mr. WEAVER: Committee on the Judiciary. H. R. 5578. A bill to permit the United States to be made a party defendant in certain cases; with amendment (Rept. No. 1191). Referred

to the Committee of the Whole House on the state of the Union.

Mr. O'LEARY: Committee on Expenditures in the Executive Departments. S. 377. An act to repeal sections 512, 513, 514, 515, as amended, of the Revised Statutes; sections 1 and 3 of the act approved February 4, 1929 (45 Stat. 1147); and section 3744, as amended; 3745, 3746, and 3747 of the Revised Statutes; with amendments (Rept. No. 1192). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ALLEN of Louisiana: Committee on Immigration and Naturalization. H. R. 1644. A bill to direct the deportation of Harry Renton Bridges; without amendment (Rept. No. 1179). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 5588. A bill to authorize the issuance of certificates of service to applicants for engine-room ratings on vessels, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. VOORHIS of California:

H. R. 5589. A bill to restore to Congress the sole power to issue money and to regulate its value as provided in article I, section 8, of the Constitution of the United States; to improve the banking system; to aid in restoring and maintaining full employment and production; to reduce the public debt; and to provide a stable currency; to the Committee on Banking and Currency.

By Mr. WALTER:

H. R. 5590. A bill discharging certain long-unenforced judgments for the United States against sureties on bail bonds in certain prohibition cases; to the Committee on the Judiciary.

By Mr. HUNTER:

H. R. 5591. A bill to amend the District of Columbia Revenue Act of 1939, and for other purposes; to the Committee on the District of Columbia.

By Mr. RIVERS:

H. R. 5592. A bill to redefine the hours of duty of employees in the Federal service, and for other purposes; to the Committee on the Civil Service.

By Mr. BLAND:

H. J. Res. 231. Joint resolution to authorize the United States Maritime Commission to adjust certain obligations, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DAVIS of Ohio:

H. R. 5593. A bill granting a pension to Augusta B. Sartain; to the Committee on Pensions.

By Mr. FENTON:

H. R. 5594. A bill for the relief of the Kulp Lumber Co.; to the Committee on Claims.

By Mr. GRANT of Alabama:

H. R. 5595. A bill for the relief of Robert Lee Phillips and for the six minor children of Robert Lee Phillips and the late Estelle Phillips, namely, Robert Lee Phillips, Jr., James Rudolph Phillips, Katherine Phillips, Richard Eugene Phillips, Charles Ray Phillips, and David Delano Phillips; to the Committee on Claims.

By Mr. JENNINGS:

H. R. 5596. A bill for the relief of Tommy Huddleston; to the Committee on Claims.

By Mr. MAGNUSON:

H. R. 5597. A bill for the relief of Mrs. Mary Neylon Penry; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1772. By Mr. LUDLOW: Petition of numerous citizens of Indiana, supporting Senate bill 860; to the Committee on Military Affairs.

1773. By Mr. VAN ZANDT: Petition of a number of residents of the Twenty-third Congressional District, urging the passage of House Joint Resolution 131, authorizing an appropriation of $50,000,000 for the use of a Congressional Peace Commission to launch an immediate public peace offensive; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 18, 1941

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. WOODRUM of Virginia.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Infinite and eternal God, with confidence and courage we invoke Thy blessing, for in the revelations of Thy presence and power we find our strength and hope, our joy and peace.

We humbly confess that we are continually failing to validate these revelations by taking counsel with our fears and forebodings. We pray that we may never allow our spiritual ideals and our faith in Thee to become eclipsed by doubt and despair.

Grant that, as God-fearing men, we may earnestly covet the spirit of the Master and courageously seek to have His holiness of life and His heroism of faith become regnant in the minds and hearts of men and nations, delivering them out of the darkness of hatred and war into the glorious light of love and peace.

To Thy name, through Christ, our Lord, shall be the glory forever and ever. Amen.

The Journal of the proceedings of Friday, August 15, 1941, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, received by the Clerk of the House on August 16, 1941, pursuant to the order agreed to on Friday, August 15, 1941, announced that the Senate agrees to the report of the Committee of Conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5412) entitled "An act making supplemental appropriations for the fiscal year ending June 30, 1942, and for other purposes."

ENROLLED BILL SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had on August 16, 1941, examined and found truly enrolled a bill of the House of the following title:

H. R. 5412. An act making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes.

The SPEAKER pro tempore. The Chair desires to announce that pursuant to authority granted on August 15, the Speaker did, on August 16, sign the enrolled bill of the House, H. R. 5412, first supplemental national-defense appropriation bill.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 228. Joint resolution consenting to an interstate oil compact to conserve oil and gas.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1840. An act to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement by Samuel Crowther.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two particulars to include, first, an editorial from the Saturday Evening Post, and, second, an article by Samuel Crowther, but not the same article referred to by the gentleman from Michigan [Mr. WOODRUFF].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered at Valley Forge.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. HILL of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a radio address made Saturday night over N. B. C., and I also ask unanimous consent to extend my remarks and to include a radio address made Sunday afternoon over C. B. S.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein an editorial written by Corp. W. W. Van Pelt, and published in the camp paper at Camp Jackson, S. C.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

(Mr. GUYER of Kansas, Mr. GEHRMANN, and Mr. MICHENER asked and were given permission to revise and extend their own remarks in the RECORD.)

Mr. PITTENGER. Mr. Speaker, I have two requests. First, I ask unanimous consent to extend my own remarks in the RECORD in connection with national old-age pension legislation and to include a short letter, and, second, to extend my remarks in the RECORD in connection with the decentralization of industry and to include extracts from a letter and from an editorial appearing in the Washington Post this morning.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short editorial from the Washington News.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article by Hon. Richard L. Neuberger, which appeared in the Progressive, a western newspaper, on the subject of magnesium.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein two short extracts from editorials.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'BRIEN of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Detroit Free Press on the subject of longevity pay for post-office employees.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address I delivered Saturday night.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan.

There was no objection.

(Mr. MEYER of Maryland, Mr. RANKIN of Mississippi, and Mr. SHAFER of Michigan asked and were given permission to revise and extend their own remarks in the RECORD.)

Mr. RANDOLPH. Mr. Speaker, I have two requests. I ask unanimous consent to extend my remarks in the RECORD and to include therein certain correspondence, and also to extend my remars in the RECORD and to include therewith an editorial from this morning's Washington Post.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. DISNEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a letter from Judge Fletcher Riley, of the Oklahoma Supreme Court, and also a letter from Judge A. G. C. Bierer, a former member of the Supreme Court of Oklahoma.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1840. An act to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes; to the Committee on Roads.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker pro tempore:

H. R. 3261. An act to authorize the Rainbow Division veterans to erect a suitable memorial to the Rainbow (Forty-second) Division, American Expeditionary Forces;

H. R. 3388. An act to permit the Smithsonian Gallery of Art Commission to purchase a model of the winning design for the proposed Smithsonian Gallery of Art, and for other purposes;

H. R. 4769. An act authorizing the designation of Army mail clerks and assistant Army mail clerks;

H. R. 5312. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes;

H. J. Res. 120. Joint resolution to provide for the proper observance of the one hundred and fiftieth anniversary of the adoption of the first ten amendments to the Constitution, known as the Bill of Rights;

H. J. Res. 121. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress;

H. J. Res. 195. Joint resolution providing for the filling of a vacancy which will occur August 6, 1941, in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; and

H. J. Res. 228. Joint resolution consenting to an interstate oil compact to conserve oil and gas.

The SPEAKER pro tempore announced his signature to an enrolled bill of the Senate of the following title:

S. 881. An act to permit the reemployment by the Federal Bureau of Investigation of persons retired under the Civil Service Retirement Act.

BILLS PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on August 15, 1941, present to the President, for his approval, bills of the House of the following titles:

H. R. 647. An act for the relief of Gilbert E. Jackson and Helen Jackson, individually, and to the legal guardian of Edwin Jackson, a minor;

H. R. 1692. An act for the relief of William F. Kliewe;

H. R. 4529. An act for the relief of John Henry Hester;

H. R. 4784. An act to amend the act relating to preventing the publication of inventions in the national interest, and for other purposes;

H. R. 4813. An act to amend section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended; and

H. R. 5300. An act relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended, to provide for withholding from the normal channels of trade and commerce Government-owned cotton and wheat of the 1940 and previous crops, and to provide 85 percent of parity with respect to peanuts of the 1941 crop.

ADJOURNMENT

Mr. COCHRAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 12 minutes p. m.) the House adjourned to meet, in accordance with its previous order, on Thursday, August 21, 1941, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

862. A letter from the Acting President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to amend an act entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia; to the Committee on the District of Columbia.

863. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill for the relief of John Paul Murray; to the Committee on Claims.

864. A letter from the Administrator, Veterans' Administration, transmitting a draft of a proposed bill authorizing the Administrator of Veterans' Affairs to grant an easement for highway purposes to the county of Macon, Ala., in a strip of land located at Veterans' Administration facility, Tuskegee, Ala.; to the Committee on World War Veterans' Legislation.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JENNINGS: Committee on Claims. H. R. 268. A bill for the relief of James Wood; with amendment (Rept. No. 1193). Referred to the Committee of the Whole House.

Mr. MEYER of Maryland: Committee on Claims. H. R. 2718. A bill for the relief of Jean N. Burton and Laura Jones; with amendments (Rept. No. 1194). Referred to the Committee of the Whole House.

Mr. SAUTHOFF: Committee on Claims. H. R. 4246. A bill for the relief of Elizabeth Ayers; with amendment (Rept. No. 1195). Referred to the Committee of the Whole House.

Mr. CAPOZZOLI: Committee on Claims. H. R. 4411. A bill for the relief of the Canton Exchange Bank; with amendment (Rept. No. 1196). Referred to the Committee of the Whole House.

Mr. WINTER: Committee on Claims. H. R. 4437. A bill for the relief of Albert DeMattels; with amendment (Rept. No. 1197). Referred to the Committee of the Whole House.

Mr. WEISS: Committee on Claims. H. R. 4830. A bill for the relief of Mrs. W. V. Justice; with amendment (Rept. No. 1198). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LEA:

H. R. 5598. A bill to amend section 321 of the Transportation Act of 1940 with respect to the movement of Government traffic; to the Committee on Interstate and Foreign Commerce.

By Mr. LEAVY:

H. R. 5599. A bill to enable the Secretary of Agriculture to obtain and administer patents for the best interest of the public, and for other purposes; to the Committee on Patents.

By Mr. MAY:

H. R. 5600. A bill to provide for payments in advance to enlisted men of monetary allowance in lieu of quarters and subsistence under certain conditions; to the Committee on Military Affairs.

By Mr. THILL:

H. R. 5601. A bill to require that newspapers contain an appropriate statement regarding certain news material coming from countries at war; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. McGREGOR:

H. R. 5602. A bill granting a pension to Dessie Priest; to the Committee on Invalid Pensions.

By Mr. PACE:

H. R. 5603. A bill for the relief of the legal guardian of Henry Grady Skelton, Jr., a minor; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1774. By Mr. JOHNSON of California: Petitions signed by 93 residents of the Eighteenth Congressional District of California, to the President of the United States and Members of the Senate and House of Representatives to pass the advisory referendum, Senate Concurrent Resolution No. 7; to the Committee on Foreign Affairs.

1775. By the SPEAKER: Petition of the Collingswood Citizens Old Men's Club, Collingswood, N. J., petitioning consideration of their resolution with reference to Federal Social Security Act; to the Committee on Ways and Means.

SENATE

TUESDAY, AUGUST 19, 1941

Rev. Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

Blessed Saviour, who hast taught us that if any man would come after Thee, let him deny himself, take up his cross, and follow Thee: Vouchsafe, we beseech Thee, to come to us as Thou didst come of old beside the lake to those who knew Thee not, and speak to us as Thou didst speak to them. Set us to the tasks that Thou wouldst have us to do for Thee, and sustain us in the labors, trials, and conflicts through which we must pass to learn from Thee whom Thou art, in the fellowship of Thy sufferings. And if ever we should feel the path too steep, the way too difficult, or the cost too dear, help us, O Lord, to recall Thy footsteps toiling on to Calvary, and to know it is enough for the disciple to be as his Master, and the servant as his Lord. We ask it in Thy name, who didst humble Thyself that we might be glorified, even Jesus Christ, our Saviour. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Friday, August 15, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTIONS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that the President had approved and signed the following acts and joint resolutions:

On August 16, 1941:

S. 1346. An act to authorize the Secretary of War to convey to the Territory of Hawaii certain lands on the island of Oahu, T. H., in consideration of the Governor of Hawaii having transferred to the United States certain lands in the Hawaiian Islands;

S. 1480. An act to amend the act entitled "An act to authorize the leasing of public lands for use as public aviation fields," approved May 24, 1928, as amended;

S. 1524. An act providing for certain deferments and exemptions under the Selective Training and Service Act of 1940, for publicity with respect to classifications, and for other purposes;

S. 1626. An act to reserve a certain part of the public land in California for the benefit of the Rincon Band of Mission Indians;

S. 1642. An act to provide compensation for disability or death resulting from injury to persons employed at military, air, and naval bases acquired by the United States from foreign countries, and on lands occupied or used by the United States for military or naval purposes outside the continental limits of the United States, including Alaska, Guantanamo, and the Philippine Islands, but excluding the Canal Zone, and for other purposes; and

S. J. Res. 40. Joint resolution providing for the representation of the Government and people of the United States in the observance of the two hundredth anniversary of the coming of Dr. Henry Melchoir Muhlenberg to the American Colonies.

On August 18, 1941:

S. 173. An act to amend section 61 of the National Defense Act of June 3, 1916, as amended, for the purpose of extending to Hawaii, Alaska, Puerto Rico, and the Canal Zone the permission to organize military units not a part of the National Guard which was granted to the States by the amendment made to such section by the act of October 21, 1940;

S. 353. An act to provide for the extension of enlistments in the Navy, and for other purposes;

S. 752. An act to provide for the establishment of the Coronado International Memorial, in the State of Arizona;

S. 1261. An act to provide for the punishment of persons transporting stolen cattle in interstate commerce, and for other purposes; and

S. J. Res. 95. Joint resolution to extend the periods of service of persons in the military service, and for other purposes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Swanson, one of its clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 2596. An act to repeal the prohibition against the filling of a vacancy in the office of district judge for the district of Massachusetts; and

H. R. 5143. An act to amend the Home Owners' Loan Act of 1933, as amended.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message also announced that the Speaker pro tempore had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the Vice President:

S. 881. An act to permit the reemployment by the Federal Bureau of Investigation of persons retired under the Civil Service Retirement Act;

H. R. 3261. An act to authorize the Rainbow Division veterans to erect a suitable memorial to the Rainbow (Forty-second) Division, American Expeditionary Forces;

H. R. 3388. An act to permit the Smithsonian Gallery of Art Commission to purchase a model of the winning design for the proposed Smithsonian Gallery of Art, and for other purposes;

H. R. 4769. An act authorizing the designation of Army mail clerks and assistant Army mail clerks;

H. R. 5312. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes;

H. J. Res. 120. Joint resolution to provide for the proper observance of the one hundred and fiftieth anniversary of the adoption of the first 10 amendments to the Constitution, known as the Bill of Rights;

H. J. Res. 121. Joint resolution providing for the filing of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress;

H. J. Res. 195. Joint resolution providing for the filling of a vacancy which will occur August 6, 1941, in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; and

H. J. Res. 228. Joint resolution consenting to an interstate oil compact to conserve oil and gas.

ENROLLED BILL SIGNED DURING ADJOURNMENT

Under authority of the order of the 15th instant,

The VICE PRESIDENT announced his signature during adjournment of the Senate to the enrolled bill (H. R. 5412) making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes, which had been signed previously by the Speaker pro tempore of the House of Representatives.

NATIONAL AVIATION DAY

Mr. BURTON. Mr. President, today is the birthday of Orville Wright. In recognition of that fact the Congress in 1939 designated August 19 of each year as National Aviation Day and authorized the President to proclaim that fact. The President issued such a proclamation in 1939, proclaiming August 19 of each year as National Aviation Day. I ask now to have placed in the body of the RECORD his proclamation, issued on July 25, 1939, and which applies to us today.

There being no objection, the proclamation was ordered to be printed in the RECORD, as follows:

[From the Federal Register of July 29, 1939]

NATIONAL AVIATION DAY

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

Whereas the development of aeronautics in recent years has been so rapid that aviation in its many phases has come to exert a profound influence on the course of events throughout the world; and

Whereas American initiative and industry have contributed greatly to this development and should be encouraged to continue such contribution in order that the United States may retain its outstanding position in the field of aeronautics; and

Whereas Public Resolution No. 14, Seventy-sixth Congress, approved May 11, 1939 (53 Stat. 739), provides:

"That the President of the United States is authorized to designate August 19 of each year as National Aviation Day, and to issue a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on that day, and inviting the people of the United States to observe the day with appropriate exercises to further and stimulate interest in aviation in the United States": Now, therefore,

I, Franklin D. Roosevelt, President of the United States of America, do hereby designate August 19, 1939, and August 19 of each succeeding year as National Aviation Day, and call upon officials of the Government to display the flag of the United States on all Government buildings on that day, and invite the people of the United States to observe the day with appropriate exercises to further and stimulate interest in aviation in this country.

In witness whereof, I have hereunto set my hand and caused the seal of the United States of America to be affixed.

Done at the city of Washington, this 25th day of July, in the year of our Lord 1939, and of the independence of the United States of America the one hundred and sixty-fourth.

[SEAL] FRANKLIN D. ROOSEVELT.

By the President:

CORDELL HULL,
Secretary of State.

Mr. VAN NUYS. Mr. President, as the Senator from Ohio [Mr. BURTON] has said, today, August 19, is the birth date of Dr. Orville Wright, America's renowned aviation scientist who was the first successfully to fly a heavier-than-air machine. We honor this great man and his brother, the late Wilbur Wright, as the "fathers of flight" who were to bring to the world the dream of the ages; and we are privileged to observe this August 19 the third annual celebration of National Aviation Day, as proclaimed by the President of the United States.

Dr. Wright has approved all-out aid to Britain as a moral duty, apart from any political or commercial interests; and I am sure that the thought which must be uppermost in the hearts of all patriotic Americans is that the brilliant achievement of these two greatest aviation scientists has made it possible to defend our Nation from any hostile force or combination of forces in the world. We need but direct and expand this opportunity for our defense.

The Wright brothers thought of their airplane only as a means of transportation; not as a weapon of warfare, but as a means of peace—a device which would insure the world against war. And so it may well become as each improvement makes it all the more fearful. Thus, may we hope that the will to war will be annihilated from the face of the earth.

The memory of these greatest aeronautical engineers will never perish. I am indebted to the Aviation Defense Association for the following letter written by Dr. Wright on May 29, 1939, which shows the retiring, modest character of the man we honor today and his sentiments:

I thank you for your letter of May 20 enclosing a copy of the resolution and of your statement in the CONGRESSIONAL RECORD of February 28.

My suggestion of changing the date from August 19, my own birthday, to April 16, my brother Wilbur's birthday, was prompted by the thought that Wilbur was more deserving of the honor, and that the weather April 16 might be more propitious for the purposes of such a day. When I learned that August 19 was generally considered the better date, I acquiesced.

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

LANDS AT VETERANS' ADMINISTRATION FACILITY, TUSKEGEE, ALA.

A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation authorizing the Administrator of Veterans' Affairs to grant an easement for highway purposes to the county of Macon, Ala., in a strip of land located at Veterans' Administration facility, Tuskegee, Ala. (with accompanying papers); to the Committee on Finance.

REPORT ON CLAIM OF STATE OF VERMONT

A letter from the Comptroller General of the United States, reporting, pursuant to law, on the claim of the State of Vermont against the United States for reimbursement of expenditures made by that State during the war of 1812–15 with Great Britain; to the Committee on Appropriations.

REPORT ON CONTRACTS FOR IMPROVEMENT AND REPAIR OF STREETS AND HIGHWAYS IN THE DISTRICT

A letter from the Comptroller General of the United States, transmitting, pursuant to law, copy of a special report made by representatives of his office, concerning contracts for the improvement and repair of streets and highways in the District of Columbia during the period from February 16, 1937, to July 17, 1940 (with accompanying papers); to the Committee on the District of Columbia.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by Senators, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the sixteenth triennial convention of the Military Order of Foreign Wars of the United States, expressing approval of the action of the Government in extending all possible aid to Great Britain and her loyal dominions, colonies, and allies in the existing war situation, and pledging earnest support to the President and the Congress in all measures to insure the defeat of aggressor nations; to the Committee on Foreign Relations.

Letters in the nature of petitions from several citizens of the United States, praying for only 1 year military service by draftees, and also that the United States keep out of foreign war; to the table.

Petitions of sundry citizens of the States of Massachusetts and New Jersey, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. GREEN:

A petition of sundry citizens of Providence and vicinity, Rhode Island, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. JOHNSON of California:

Petitions, numerously signed, of sundry citizens of the State of California, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

Memorials of sundry citizens of the States of California and Massachusetts, remonstrating against the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to

the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. TYDINGS:

A resolution of the Kiwanis Club, of Pikesville, Md., favoring the prompt enactment of adequate legislation to prevent espionage, sabotage, and hindrance of the preparedness program; to the Committee on the Judiciary.

Petitions of sundry citizens of the State of Maryland and the District of Columbia, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. CAPPER:

Petitions, numerously signed, of sundry citizens of Salina and Winchester, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

WHEAT MARKETING PENALTY—MEMORIAL

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD, without the signatures, a memorial sent to me by 1,000 wheat growers of Cherokee and other counties of Kansas, protesting against the 49-cents-per-bushel penalty provision of the wheat marketing-quota program now in effect. I think these producers have made a strong argument against the provision and have raised several interesting points to bear out their argument. I ask that the petition be referred to the Committee on Agriculture and Forestry.

There being no objection, the petition was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, without the signatures attached thereto, as follows:

We, the undersigned wheat growers, hereby protest the penalty assessed against the 1941 wheat crop under the restrictions of the marketing quota as being an unfair and unjust penalty, said penalty being imposed subsequent to the seeding of the 1941 crop, which was seeded without legal restriction, and hereby petition the Secretary of Agriculture of the United States of America to exercise his authority to remove the said penalty and restrictions on the 1941 wheat crop.

The penalty assessed upon me is illegal for the following reasons:

1. Confiscation of my personal property without due process of law.
2. No notice prior to the seeding of my crop.
3. Violation of due-process clause of the fourteenth amendment to the United States Constitution.
4. Irregularities in the balloting on the referendum of the wheat marketing-quota system.
5. Unfair allotment of my quota.
6. Partiality and favoritism in the administration of the quota system.

IMPORTATION OF LIVESTOCK PRODUCTS—STATEMENT FROM UNITED STATES LIVE STOCK ASSOCIATION

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred a statement from the United States Live Stock Association, of which D. M. Hildebrand, of Seward, Nebr., is president, expressing the opposition of that organization to any trade treaty or tariff legislation which makes it possible for livestock to come in from Argentina, Uruguay, and other South American countries in competition with the livestock producers of the United States.

There being no objection, the statement was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

ARGENTINE TRADE TREATY

The most recent attempt to open the floodgates to cheaper competitive foreign products was made the last week of June under the guise of our "good-neighbor" policy, through a probable reduction of tariff and excise taxes on meat and other livestock products and food and fiber commodities. This was revealed in the determined effort to negotiate trade treaties with Argentina and Uruguay, and that would permit the bringing such products from these countries at reduced tariff rates.

While efforts were made to ascertain the agencies most concerned with bringing in this cheap canned beef, there was but little evidence presented to show who would derive any benefit. It was apparent that those whose capital was invested in Argentina meat-packing plants were to be the principal benefactors. Mention was made that the low-income groups in this country would benefit from such importations, but without supporting evidence.

It was shown from recent bids for purchases by the Army that Argentine canned beef would cost something like 22 cents per pound laid down in this country. Since the consumer can now buy 2 pounds of ground fresh beef for 25 cents, it will be readily seen that there is but little consolation for the low-income groups from the purchase of Argentine canned beef, for it is revealed that when 2 pounds of fresh ground beef which has all of the nutritive qualities of choice roasts and steaks may be purchased at from 12½ to 15 cents per pound, no one present at the hearings became enthused over the possibility of buying the canned product.

It was revealed that American meat packers are finding that many kinds of prepared or ready to serve meat products are becoming more popular each year. Their principal claim for consumer preference is not their cheapness, however, as most folks buy them because of their delightful appetizing flavors, convenience for special occasions, and general satisfying qualities at all times.

The United States Live Stock Association vigorously opposed any reduction in either tariff duties or excise taxes on meat, other livestock, and food and fiber commodities which our stockmen and farmers can produce. The position of the association, which has been consistent for many years, was clearly set forth in the brief signed by the president and the secretary of the association and filed with the Committee for Reciprocity Information in the matter of trade-agreement negotiations between Argentina, Uruguay, and the United States, which held meetings in Washington, D. C., from June 23 to 25, 1941, in which the following appears:

"It has long been the policy of this association to advocate that our home market be retained for our home producers up to their ability to supply its needs. Year after year in annual meeting this association has gone on record as recommending that full and adequate tariff protection be accorded our domestic livestock producers. This action was reiterated in the following resolution adopted during annual convention of the association, February 22-23, 1940:

"'We recommend that so long as disparity of prices of livestock and livestock products and industrial products in the United States exists that full and adequate tariff protection be accorded our domestic producers; that Congress continue its vigilant guard against imports of livestock and its products from Argentina or other countries infected with disease; further, that no changes be made in tariffs or trade agreements involving livestock and livestock products without a full hearing before a tariff commission on which the United States livestock producer interests are represented.'"

The secretary of the association appeared before the Committee for Reciprocity Information on June 24 and presented oral arguments, protesting vigorously against any reduction whatever in meat or any other product or commodity which can be supplied by American producers from our unlimited resources.

In addition to meat, the principal items referred to included hides, tallow, wool, casein, flaxseed, and other livestock products, as well as other food and fiber commodities. The opposition to lowering tariff duties and excise taxes on these products at this time were stressed under the following principal subheads:

1. American stockmen and farmers believe that they are entitled to the American market for the products which they produce on the same basis with those who produce or make the things they buy.
2. Is parity price to be obtained for American stockmen and farmers?
3. You can't defend the United States of America with imports.
4. The cows of the Argentine Pampas are headed this way.
5. The present beef cattle and meat situation.
6. Comparative cost of production in the United States and Argentina.
7. The stockmen's interest in competitive fats and oils imports.
8. For our own security.

Under the caption "For our own security," the following statements summarized the principal reasons for protecting the livestock industry of this country against economic perils and possible diseases and pests from other countries:

"We are not unmindful of the seriousness of the present international situation; neither do we minimize the very great danger which we see to our producers because of the sacrifices which we feel will be exacted of them in the pending negotiations. It therefore becomes our responsibility to look at matters squarely and deal frankly with the many problems involved. * * *

"We have not only the best cattle industry in the world but the best market of any consequence in the world. If the war emergency and the good-neighbor policy is used as an excuse for reducing tariff duties on meat and other livestock products, we will ultimately find this fair land the dumping ground for competitive products and commodities produced with cheap labor and under economic conditions existing in this country nearly a century ago. * * *

"Other countries buy American products largely because they are better, while we are inclined to negotiate for foreign-made products because they are cheaper or for some other reason. The result of such a policy is to depress prices at a time when it brings great hardship to our producers. The discussion about bringing in meat and other competitive products not only is a constant worry and annoyance to our producers but the consequences of such uncertainty and recurring discussions actually costs them millions of dollars every time they are brought up. * * *

"The principal reason for our concern about the committee being able to work out a

mutually beneficial trade treaty with Argentina is because Argentine agriculture is almost identical with farming and livestock production in a very large portion of the United States. It is our hope that the committee, within the limitation of its powers, mak certain that no branch of the livestock industry or of agriculture be sacrificed in an effort to benefit producers in some other country. * * *

"There is grave apprehension in the minds of American stockmen that our country's greatest heritage is in imminent danger. These well-grounded fears are povoked by the apparent desire of those groups and individuals who seek trade or other advantages at the expense of agriculture."

WHEAT-MARKETING PENALTY—RESOLUTION OF FRESNO (CALIF.) PRODUCER'S ASSOCIATION

Mr. DAVIS. Mr. President, where wheat was planted before vote was taken amending the present Wheat Marketing Quota Act, I believe the planting should be allowed to stand. I do not think wheat farmers should be penalized for planting made before this amendment was passed.

Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred a letter and resolution I have received from the Fresno County Producer's Association, Clovis, Calif., on this subject.

There being no objection, the letter and resolution were referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

CLOVIS, CALIF., *August 8, 1941.*

Hon. JAMES J. DAVIS,
United States Senate,
Washington, D. C.

DEAR SIR: At the meeting of July 21, 1941, our organization went on record as favoring the bills being introduced by Senator REED, of Kansas, and we are asking that you support those bills.

Enclosed you will find a copy of the resolution adopted by our organization.

Sincerely yours,
FRESNO COUNTY PRODUCER'S ASSOCIATION,
P. H. MCGARRY, Jr., *Secretary.*

The following resolution was unanimously adopted by the Fresno County Producer's Association, an association formed for the purpose of amending the present Wheat Marketing Quota Act:

"Whereas this association feels the present wheat-marketing penalty of 49 cents per bushel is unjust in view of time limit of the passing of the 85-percent-parity law to the marketing-quota election; and

"Whereas only 20 percent of the wheat growers in this country voted in the referendum; and

"Whereas numerous farmers planted their wheat in the fall of 1940 under terms of the March Quota Act of 1938; that if marketing quotas were called the penalty would be 15 cents per bushel on excess wheat or could be fed to livestock on the farm:

"Therefore this association requests that the present Wheat Marketing Quota Act be amended to allow tax not to exceed 15 cents per bushel for excess wheat or wheat could be fed to livestock on the farm."

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. THOMAS of Oklahoma, from the Committee on Indian Affairs:

S. 1112. A bill to amend the act entitled "An act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California," approved May 18, 1928 (45 Stat. 602); with amendments (Rept. No. 662).

By Mr. BROWN, from the Committee on Banking and Currency:

S. 1014. A bill to amend section 12B of the Federal Reserve Act, as amended; without amendment (Rept. No. 663).

By Mr. MALONEY, from the Committee on Banking and Currency:

H. R. 5395. A bill to amend the National Housing Act, as amended; without amendment (Rept. No. 664).

EXECUTIVE REPORTS OF COMMITTEES

Mr. CONNALLY. As in executive session, from the Committee on Foreign Relations, I report favorably the nomination of Willys R. Peck, of California, now a Foreign Service officer of class 1 and counselor of Embassy at Peiping, China, to be Envoy Extraordinary and Minister Plenipotentiary of the United States to Thailand.

The VICE PRESIDENT. Without objection, the nomination will be received and placed on the calendar.

Mr. TYDINGS. As in executive session, from the Committee on Territories and Insular Affairs, I report favorably the nomination of Mr. Rexford Guy Tugwell, of New York, to be Governor of Puerto Rico, vice Guy J. Swope.

The VICE PRESIDENT. Without objection, the nomination will be received and placed on the Executive Calendar.

Mr. BARKLEY. Mr. President, I wish to state in that connection that a little later, when we go into executive session, I intend to ask that that nomination be taken up and acted upon today.

Mr. TAFT. Mr. President, does the Senator intend to request that the nomination be acted upon today?

Mr. BARKLEY. Yes.

Mr. TAFT. I intend to object to the consideration of the nomination today.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on August 15, 1941, that committee presented to the President of the United States the following enrolled bills and joint resolution:

S. 162. An act to strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes;

S. 752. An act to provide for the establishment of the Coronado International Memorial, in the State of Arizona; and

S. J. Res. 95. Joint resolution to extend the periods of service of persons in the military service, and for other purposes.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LEE:

S. 1854. A bill for the relief of A. L. Eogan; to the Committee on Claims.

By Mr. HAYDEN:

S. 1855. A bill for the relief of Bayard M. Atwood; to the Committee on Claims.

By Mr. MCKELLAR:

S. 1856. A bill for the relief of the Cunningham Insurance Agency (with accompanying papers); and

S. 1857. A bill for the relief of Thompson & McKinney (with accompanying papers); to the Committee on Claims.

By Mr. CLARK of Idaho:

S. 1858. A bill for the relief of Richard Uranga; to the Committee on Immigration.

By Mr. CAPPER:

S. 1859. A bill granting an increase of pension to Mary E. Armstrong (with accompanying papers); to the Committee on Pensions.

By Mr. VAN NUYS:

S. 1860. A bill to amend section 3 of the act of February 11, 1925, to exempt defendants in condemnation proceedings from the payment of filing fees in certain instances; to the Committee on the Judiciary.

By Mr. MURDOCK (for himself and Mr. GILLETTE):

S. 1861. A bill to amend section 40 of the United States Employees' Compensation Act, as amended; to the Committee on the Judiciary.

By Mr. BARBOUR:

S. 1862. A bill to amend section 44 of the Longshoremen's and Harbor Workers' Compensation Act; to the Committee on the Judiciary.

By Mr. THOMAS of Oklahoma:

S. 1863 (by request). A bill providing for the disposal of lands within the Palm Springs or Agua Caliente Indian Reservation in California, and for other purposes; to the Committee on Indian Affairs.

By Mr. LANGER:

S. 1864. A bill relating to employment on Work Projects Administration projects of persons receiving unemployment compensation; to the Committee on Appropriations.

S. 1865. A bill to amend section 8 (e) of the Soil Conservation and Domestic Allotment Act, as amended; to the Committee on Agriculture and Forestry.

(Mr. LANGER introduced S. J. Res. 104, which was referred to the Committee on Agriculture and Forestry, and appears under a separate heading.)

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H. R. 2596. An act to repeal the prohibition against the filling of a vacancy in the office of district judge for the district of Massachusetts; to the Committee on the Judiciary.

H. R. 5143. An act to amend the Home Owners' Loan Act of 1933, as amended; to the Committee on Banking and Currency.

INVESTIGATION OF CAUSE AND METHODS OF COMBATING ENCEPHALITIS

Mr. LANGER. Mr. President, on Saturday the press conveyed the information that the Department of Public Health of the United States was expending the sum of $1,150,000 to send 16 medical men to China to look after the medical welfare of 250,000 Chinese working on the Burma Road. Instantly, the terrible plight of the people of our Northwestern States who are in the throes of the terrific encephalitis came to my mind.

Every Senator from the Middle Northwest, the Senators from Montana, Minnesota, South Dakota, and adjacent States know the terrific loss of life that has occurred there and in Manitoba and Saskatchewan, Canada, from this dread disease which apparently is kin to infantile paralysis.

After a more or less haphazard investigation, and also after earnest meetings of public health authorities of the States and the Public Health Service of the United States, the epidemic today is worse than ever before in our history.

I now introduce a joint resolution providing that under the direction of the Surgeon General of the United States Public Health Service a board shall be

appointed by him consisting of one man from each one of the States affected, and an unrelenting, continuous and intelligent battle shall be waged to ascertain the cause of encephalitis and the method of combating it.

This measure is particularly needed—

First. To unify different State public health services.

Second. To get authority to examine those who are suffering or who have died from this mysterious malady.

Third. To provide sufficient funds in which to combat it.

I am not criticizing the spending of money in China for the protection of the Chinese, but our own American people should receive first consideration, and I believe no better citizenship can be found any place in the United States than is found in our Middle Northwestern States.

Because of the fact that thousands of horses have died from encephalitis—sleeping sickness—and because it is believed by a great many medical experts that the disease is transmitted from the carcasses of dead horses to humans, I have asked that the Secretary of Agriculture appoint one member of the board.

Senators, with the hospitals crowded with encephalitis victims, with thousands of fathers and mothers anxious and worried, I trust that the joint resolution may be unanimously adopted.

Mr. McNARY. Mr. President, I ask that the joint resolution just introduced by the able Senator from North Dakota be referred to the Committee on Agriculture and Forestry.

The VICE PRESIDENT. The joint resolution will be received and referred as requested.

The joint resolution (S. J. Res. 104) to provide for the general welfare by investigations into the origins and causes of the disease of encephalitis, and for other purposes, was read twice by its title and referred to the Committee on Agriculture and Forestry.

INVESTIGATION RELATIVE TO GASOLINE AND FUEL OIL SHORTAGES

Mr. MALONEY. Mr. President, several days ago I suggested the probable need for the introduction of a resolution to investigate fuel oil and gasoline shortages in the eastern part of the United States and now, because the situation is so terribly serious, and threatens to become so much worse, I offer the resolution, for appropriate reference, to which I referred at that time. I shall not ask the Senate to give up its time to have it read, but I ask that it be printed in the RECORD. In connection therewith I ask that there also be printed in the RECORD an article by Frank C. Waldrop, published in the Washington Times-Herald of August 16, 1941, entitled "Who's Tankers, Where?"

In the article there are a few personal references which I wish were not there, but it contains charges or inferences of great importance, which I cannot substantiate, and which I have not had the time to investigate, but which, if true, we ought to know about. I ask unanimous consent that the resolution, together with this article, be printed in the RECORD at this point.

The resolution (S. Res. 156), was referred to the Committee on Commerce, as follows:

Resolved, That there is hereby created a special committee, to consist of five Senators to be appointed by the President of the Senate, which shall make a full and complete investigation with respect to the shortages of gasoline, fuel oil, and other petroleum products in the various States, the methods that are being employed for the purpose of curtailing deliveries of such products for ordinary consumer use, and the most effective means that may be employed for insuring an adequate supply of such products for national-defense purposes without undue hardship to business enterprises and consumers generally. Such committee shall report to the Senate as soon as practicable the results of its investigation, together with its recommendations for any necessary legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Seventy-seventh and succeeding Congresses, to employ such experts, and such clerical, stenographic, and other assistants, to require by subpena, or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $——, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

There being no objection, the article presented by Mr. MALONEY was ordered to be printed in the RECORD, as follows:

[From the Washington Times-Herald of August 16, 1941]

WHOSE TANKERS, WHERE?

(By Frank C. Waldrop)

Mr. Ickes is busy again writing letters to the newspapers.

Reporters who try to find out just how he is doing such remarkable work at saving 50 percent of his normal gasoline consumption and inquire how he manages to get enough of the precious stuff to keep his private storage tank full, are chased off the Ickes premises.

The great man used to be a newspaper reporter himself, he says, but he doesn't think his method of conservation is news.

Perhaps it isn't at that.

But here is another compilation of evidence by the America First Committee research bureau, which Mr. Ickes is invited to analyze and refute. If he can.

It has to do with the alleged shortage of gasoline and oil, and the undeniable shortage of transportation to get gasoline and oil to market, in the United States of America.

Not even Mr. Ickes claims seriously any more that we are actually short on oil fuels and lubricants. We just can't get the goods to the consumer.

Our tankers that used to do that so well are no longer ours, in sufficient quantity, and those we do have are assigned to other business than the domestic wants of the American people.

They are, as everybody knows, shifted to British control.

It is generally assumed by the public that shift was essential to get oil to Britain, and that the British were accepting our own tankers because they have not enough of their own.

But read what the America First researchers have dug up:

"Americans sincerely desire a British victory and are willing to give Britain material help if there is actually a shortage of British tankers. But they resent having their sympathies exploited for the sake of British financial interests.

"A current report says that the recent contract for oil between Japan and American-British-Dutch companies in the Netherlands East Indies provided for delivery in British tankers. A leading Senate authority on oil is reported to have said that the Japanese wanted to take the oil in their own tankers, but the British-Dutch oil combine insisted on the extra profit that would be made if delivery was in British bottoms. Obviously, if Britain has sufficient tankers to carry on business as usual in the Far East, even supporters of the lease-lend bill would be unwilling to give away American tankers.

"Moreover, Senator CHARLES W. TOBEY, of New Hampshire, is still waiting for Oil Coordinator Ickes to answer his letter of July 1 asking whether the transfer of our oil tankers was accomplished under a condition of actual shortage of British oil tankers for wartime purposes or whether British oil interests have used the lease-lend law to further their commercial interests.

"The Senator quoted a Wall Street Journal editorial which said that for wartime purposes Britain required, at the outside, 250 oil tankers. In 1939, just before the war began, she had 498. She later acquired 400 from Norway, Belgium, Holland, and France, giving her a total of 898. About 100 of these have been sunk, leaving a balance of 798 ships, not counting the new tankers she has launched since the war began. This leaves her with 500 tankers in addition to those which she has for her wartime requirements.

"To this total the United States has already added 80 tankers, with 70 more promised. Again, the question is, How many of these tankers are in the service of normal British commerce, instead of being engaged in supplying Britain's actual war needs?

"Even more pertinent is the question whether England is in need of either oil or tankers. According to Warner Grubb, executive of the Standard Oil Co., who recently returned from a 4-month stay in England, the reserves of petroleum products were 'big and healthy.'

"Asked if England was facing a gasoline shortage in the near future, he replied: 'There is no fear whatever of a shortage.' Moreover, it has been estimated that in 1939 consumption of oil by Britain amounted to 91,000,000 barrels. With private consumption in Great Britain restricted, it is quite probable that British needs for war purposes now are no greater.

"To transport 91,000,000 barrels of oil yearly from the United States or the Netherlands West Indies to the United Kingdom would, even under war conditions, require no more than 200 tankers averaging 10,000 tons each. And at the close of last year the British owned or controlled the equivalent of 600 tankers of 10,000 tons each.

"Finally, there is the report made to the Office of Production Management by 25 top oil men. They concluded that the tankers given to Britain had created a shortage of ships, but that this shortage would be almost over by next summer (if no more American tankers are given to the British). Meanwhile, they pointed out five methods of alleviating the situation: Heavier loading of tankers; hauling more oil from the Gulf coast, less from distant California; rearrangement of South and Central American haulage; more effective use of ocean and Great Lakes barges; and completion of new pipe

lines. Also the Association of American Railroads reports that it has 20,000 idle tank cars available.

"It should also be remembered that as of June 1, 1941, 140 tankers are under construction or on order in yards in this country, although 72 of these have already been earmarked for Britain under the Lease Lend Act by the Maritime Commission."

Senator GUY M. GILLETTE, Iowa Democrat, has asked the Senate for "a full and complete investigation with respect to the extent to which, the sources from which, the manner in which, and the mediums through which the so-called Axis Powers are obtaining or have obtained essential war materials from the Western Hemisphere."

The resolution is now in the hands of the Senate committee.

Maybe the Senate, if it would only act on that resolution, could tell us whose tankers have gone where. And why.

INVESTIGATION OF SCARCITY OF RAW MATERIALS—PRIORITIES

Mr. MALONEY. Mr. President, I offer a resolution for the appointment of a committee to investigate the scarcity of raw materials. I think this duty is a serious congressional responsibility. I think the dangers involved to our civilian defense, to our financial system, and to the tens of thousands of men who may lose their employment as the result of the scarcity of raw materials, make it imperative that the resolution be acted upon. I think the Congress itself must take over at this time the investigation of this particularly important matter.

The VICE PRESIDENT. The resolution will be received and appropriately referred.

The resolution (S. Res. 157) was referred to the Committee on Commerce, as follows:

Resolved, That there is hereby created a special committee, to consist of five Senators to be appointed by the President of the Senate, which shall make a full and complete investigation with respect to the administration of priorities under the act of June 28, 1940 (Public, No. 671, 76th Cong.) as amended by the act of May 31, 1941 (Public Law 89, 77th Cong.), or under any other act of Congress or any Executive order, proclamation, or regulation. Such committee shall report to the Senate as soon as practicable the results of its investigation, together with its recommendations for any necessary legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Seventy-seventh and succeeding Congresses, to employ such experts, and such clerical, stenographic, and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $——, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

REQUISITION OF PROPERTY BY THE UNITED STATES—PRINTING OF BILL (S. DOC. NO. 109)

Mr. JOHNSON of Colorado. Mr. President, on Wednesday of last week, August 13, the House of Representatives rejected S. 1579, relating to the requisition of property by the United States as agreed upon by the conferees of the House and the Senate, and recommitted the report to the committee of conference.

There may be some considerable delay before there can be another meeting of the conferees, and in the meantime there is need of a print of the text of the bill as agreed upon by the conferees.

I desire therefore to request that unanimous consent may be granted for the printing of the text of S. 1579 as agreed upon by the conferees as a Senate document.

The VICE PRESIDENT. Without objection, it is so ordered.

INTERVIEW WITH SENATOR BURTON ON SERVICE EXTENSION ACT OF 1941

[Mr. BURTON asked and obtained leave to have printed in the RECORD an interview with him on the Service Extension Act of 1941, broadcast on August 16, 1941, which appears in the Appendix.]

ARTICLE BY JAY FRANKLIN ON THE PRESIDENT'S PEACE PROGRAM

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an article entitled "Roosevelt's Peace Program," written by Jay Franklin and published in Click.]

WAGES OF SOLDIERS—EDITORIAL AND ARTICLES FROM PM

[Mr. LANGER asked and obtained leave to have printed in the RECORD an editorial and two articles relative to the wages of soldiers, published in PM of August 18, 1941, which appear in the Appendix.]

CONFERENCE BETWEEN THE PRESIDENT AND MEMBERS OF CONGRESS—PERSONAL EXPLANATION

Mr. BYRD obtained the floor.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BYRD. I yield.

Mr. BARKLEY. I thank the Senator from Virginia for yielding to me for a moment in order that I may perform a rather unpleasant duty.

Mr. President, I have great respect for the American press, and I have great respect for the representatives of the American press who sit here in the gallery day by day to report to the American people proceedings of the Senate and House of Representatives of the United States and of the Government of the United States; but I have no respect whatever for any such representative who deliberately and with premeditation falsifies what occurs in regard to the Government of the United States, either here or elsewhere.

On yesterday there was held at the White House the usual conference between the President and Representatives of the two Houses. Usually the group is made up of the Vice President, the majority leader of the Senate, the Speaker of the House of Representatives, and the majority leader of the House of Representatives.

On yesterday the group consisted of the Vice President, the majority leader of the Senate, the chairman of the Committee on Foreign Relations of the Senate [Mr. CONNALLY], and the chairman of the Committee on Finance of the Senate [Mr. GEORGE], and the chairman of the Committee on Foreign Affairs of the House, Representative BLOOM, of New York, and Representative WOODRUM of Virginia, who is acting Speaker in the absence of Speaker RAYBURN.

During that conference many things were discussed, and many other things were not discussed. Usually when the conferences break up some one Member is designated to give to the press such information as can be divulged regarding the conference. On yesterday I was designated to impart to the press at the doors of the White House such information as I could divulge with regard to the conference.

In this morning's Washington Times-Herald appears an article written by Mr. Chesly Manly, who, I understand, is a Washington representative of the Chicago Tribune, which probably explains a good deal with respect to this and other similar articles that may appear under his name.

I wish to read a few of the paragraphs from this article written by Mr. Chesly Manly, whom I do not know. I may have seen him some time in small press gatherings, but I would not know him if he were to walk into this Chamber today. Mr. Manly goes on to state that—

After a conference at the White House with President Roosevelt yesterday, congressional leaders revealed what they believe to be the grand strategy of the new Anglo-American-Russian alliance for the defeat and disarmament of Germany and Italy.

That paragraph is a deliberate and intentional and premeditated falsehood, known to be such by the writer when he wrote it, because I have inquired of all the Members of the two Houses who were at the White House yesterday, and none of them gave Mr. Manly any such statement, intimation, or information.

I quote further:

According to the White House conferees, President Roosevelt and British Prime Minister Winston Churchill agreed at their secret conferences aboard British and American warships at sea that a military invasion of the Continent of Europe will be necessary to defeat Germany.

No such matter was discussed, or intimated, or even hinted at, by anybody in that conference at the White House yesterday, and no member of that conference gave Mr. Manly any such information, intimation, or statement.

Congressional leaders intimated after their conference with the President that a British invasion of the Continent is contingent upon—

(1) Maintenance of an eastern front by the Russian Army.

(2) Assistance of a vast American expeditionary force. At all events such an invasion could not be attempted before 1942 and it may not become a possibility before 1943, according to those who discussed the situation with the President.

That paragraph also, Mr. President, is a deliberate and intentional falsehood. No such matter was discussed at the conference. No such matter was even intimated. Nobody asked any question about any such matter, and no one of those who were engaged in that conference told Mr. Manly, or any other newspaper correspondent, that any such thing happened in that conference; and, therefore, it is bound to be a deliberate and

malicious falsehood out of the whole cloth, written by Mr. Manly in order that he might carry out his own purposes, or the purposes of the Chicago Tribune, which he represents here in connection with the Times-Herald, both of which seem to have some sort of intimate family and journalistic connection.

There are several other paragraphs:

The conferees revealed that Lord Beaverbrook, British Minister of Supply, and a participant in the Roosevelt-Churchill sea conferences, came to Washington primarily to expedite the production of tanks for Britain. Lord Beaverbrook wants all the tanks he can get from this country, it was said, for the projected invasion attempt.

Lord Beaverbrook's name was not mentioned by anybody at this conference, and the President did not reveal to the members of this conference anything about Lord Beaverbrook's mission to the United States. It may be he is over here to help get more tanks, and if that be true it is his business, and it is the busi- of the British Government, and it is the business of the tank makers of this country, and it would be the business, of course, of certain departments of our Government to assist in that regard in connection with the lend-lease measure, but that matter was not discussed in the conference, and nobody who came out of the conference told this newspaper correspondent that any such thing happened.

I have taken the pains to inquire of all the members of that conference, and all of them have assured me that I am authorized to state what I am stating here in regard to this article.

Congressional leaders intimated that Mr. Roosevelt does not expect any serious trouble with Japan.

That is also a falsehood. No such thing was discussed in the sense in which it is used here at all.

The President still is persuaded, it was said, that Japan is watching for opportunities to pick up whatever she can take without risking war with the United States and Great Britain and will not fulfill any obligations to Hitler under the tripartite Axis agreement.

No such statement was made. No such expression was indulged in by those at this conference yesterday.

I read further on down:

Other conferees stated privately that the President presumably was speaking only of the immediate future when he said the new alliance did not bring the United States closer to war.

Nobody in that conference and nobody who came out of it said anything about any alliance, or intimated that the President talked about any alliance, because if any member of the conference had made any such statement it would have been false. And I believe that every member of that conference will be recognized as a truthful man. Therefore, if it was not discussed in the conference, and no member of the conference made any such statement to Mr. Manly, there is only one conclusion that any sensible person can come to, and that is that Mr. Manly deliberately falsified what happened at the White House conference.

The congressional leaders were satisfied that no immediate hostilities are contemplated by the administration, unless the Germans should create an "incident" * * *.

Of course, that is a mere gratuitous statement of opinion. No such question was discussed. The only thing, so far as I have been at all able to discover, that was given out by anybody in that conference, was the statement I made when I came out of the White House to the newspaper correspondents assembled there, that the Bureau of the Budget was making a study of further lend-lease requirements and necessities, and that there would be no action requested on that subject until the Budget Director has made his investigation and study and made his report to the President.

Mr. President, I shall not read the entire article, because it is not necessary. I simply wished to state that, while I have great respect for the members of the press, most of whom make a diligent effort to report the truth, when an article of this kind if circulated all over the United States—I do not know in how many papers the article may have appeared—the only purpose of it is to deceive and frighten the American people and to carry out the consistent attitude of those who are seeking to break down the confidence of the American people in the President of the United States, in his Cabinet, in the Congress of the United States, and in those who are responsible for the activities of the Government in the great crisis in which we find ourselves.

When any newspaperman, no matter whom he represents, undertakes deliberately, without justification, to falsify the record of a conference held with the President by some of the responsible congressional leaders, he is certainly conferring no favor upon the people, and doing his own country great harm.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. VANDENBERG. I do not wish to inject myself into the particular subject matter which the Senator is discussing with respect to Mr. Manly, but I think the facts underlying it are of all the importance the Senator attributes to it, and we ought to be very sure that the record is clear.

With the Senator's permission, I should like to read two sentences from an article by Mr. Turner Catledge, on the front page of the New York Times of this morning, reading as follows:

The President told the Capitol spokesmen who conferred with him at the White House to encourage their colleagues not to become alarmed at the early German progress on the eastern front.

Then this, which is what I wish to direct to the Senator's attention:

Russian resistance had probably already precluded an attempt by Germany to invade Great Britain this year, he told them—

That statement is attributed to the President—

expressing meanwhile the British view, which he seemed to endorse—

Referring to the President—

that a decisive German defeat would necessitate the invasion of the Continent by Great Britain and her allies. Apparently he could see nothing but a long war.

Let me ask the Senator to comment upon that quotation as respects its validity.

Mr. BARKLEY. Mr. President, I have great respect, admiration, and affection for Mr. Turner Catledge, who is the Washington correspondent of the New York Times. I do not believe he would deliberately misrepresent what occurred if he felt that the source of the information were reliable or responsible, which he must have thought was true in this instance.

Of course, it is not proper for me, on the floor of the Senate or elsewhere in public, to quote the President of the United States or to say what he said to us. I do feel that within certain restricted ranges I may say what he did not say, and what did not occur. I wish to state in all fairness that I have not read the article in the New York Times, because I have not had time. I do not know how the statement which the Senator has read may dovetail in with other statements in the article; but I can say in all sincerity and frankness that the implications and statements contained in the article are inaccurate. Mr. Catledge must have been misinformed by somebody. Of course, the conference was a running discussion of the meeting between the President and Mr. Churchill. The information was given to all of us in confidence. I think everybody will recognize the impropriety of any member of such conference giving to the newspapers any statement that should be regarded as confidential. The only statement that we agreed to give out to the public was the one which I discussed a moment ago, with respect to a possible Budget message later in regard to additional lease-lend appropriations.

Mr. VANDENBERG. Mr. President, will the Senator yield for a further question?

Mr. BARKLEY. I yield.

Mr. VANDENBERG. In view of the apparent doubt about the validity of these reports, let me inquire of the Senator whether we can rely upon the integrity of the following sentence:

Mr. Roosevelt assured his visitors repeatedly that he had made no new commitments for the United States in his conversations with Mr. Churchill.

Is that true?

Mr. BARKLEY. I think the President has already given out to the public the statement that he made no new commitments. I will not be led into a direct quotation of anything the President said in that conference.

Mr. VANDENBERG. Of course, the Senator will acquit me of any purpose of trying to invade an inappropriate field.

Mr. BARKLEY. Certainly.

Mr. VANDENBERG. The Senator is discussing newspaper reports. I should

like to know how much truth there is in all of them.

Mr. BARKLEY. I do not know. I wish I did. I do not know whether we shall ever know; but an effort has been made on the part of certain newspapers in the country to create the impression that an alliance was entered into by the conversations which took place between Mr. Churchill and President Roosevelt and by the statements which they issued, which I believe not only constituted, very largely, the hopes, wishes, and desires of the two men who joined in that statement, but also represented the aspirations of nearly every civilized nation in the world. Because of the meeting and because of the joint statement, the effort has been made to create the impression that thereby an alliance was created. There is not the slightest foundation for any such contention or implication; and I think the President has so indicated in his statements and the statements which have been made to the public on his behalf. So far as I am personally concerned, it is my judgment that, so far as our country is concerned, no additional commitment was made to Great Britain or to any other country in the eight points suggested and signed by Mr. Churchill and Mr. Roosevelt.

Mr. VANDENBERG. Mr. President, will the Senator yield for one further question?

Mr. BARKLEY. I yield.

Mr. VANDENBERG. Is the Senator free to discuss the nature of the arrangements which apparently have been made to establish some sort of American air bases in Africa and to establish air-convoy lines across Africa?

Mr. BARKLEY. I will state to the Senator that that subject was not even mentioned in the conference, or in any other conference in which I have ever participated. Nobody intimated such a thing. I cannot say what may be in the mind of somebody who has not revealed what he is thinking about in view of possible future eventualities; but no such matter was discussed. Nobody asked anything about it; nobody said anything about it; and nobody has ever mentioned or discussed it in my presence in any conference in which I have participated.

Mr. President, that is all I wished to say. What I wished particularly to emphasize was that, insofar as the article from the Times-Herald of this morning is concerned, insofar as it intimates or states that any American expeditionary force was discussed, considered, asked about, hinted at, or intimated, it is absolutely false and without the slightest foundation.

Mr. JOHNSON of California. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. JOHNSON of California. Without questioning in the slightest what has just been said to us by the distinguished leader, or entering into that discussion at all, I wish to take issue with him if I understood him aright when he said that no commitment was signed by Churchill and the President, and that nothing was done which would indicate any commitment by them.

Mr. President, it is as plain as the nose upon a man's face that the sixth article in the document signed by President Roosevelt and Mr. Churchill tells what they are going to do. For that reason I cannot subscribe to the construction put upon it by the Senator from Kentucky.

> Sixth, after the final destruction of the Nazi tyranny, they hope to see established a peace which will afford to all nations the means of dwelling in safety within their own boundaries, and which will afford assurance that all the men in the lands may live out their lives in freedom from fear and want; * * *.

That means—and no other construction or interpretation can be put upon the language—that after the destruction of the Nazi tyranny—say what you please respecting it—the two nations joining in this particular document and this particular commitment will have a new order, a new order based upon righteousness and justice and decency and good government, headed—they do not say so, but I assume—by Mr. Stalin.

Senators may interpret this document as they please; but from my viewpoint, at least, it does create an offensive and defensive alliance between Britain and the United States, and it does say in so many words that they hope to destroy the common enemy, and after that enemy is destroyed they hope to establish a new order.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. JOHNSON of California. Yes; I yield.

Mr. BARKLEY. I realize that the Senator from California thinks honestly and sincerely that this paragraph constitutes an alliance. He has said so privately, and he has said so publicly, and he is now reiterating what he has heretofore said. But let me suggest to the Senator, reading again—

> Sixth, after the final destruction of the Nazi tyranny—

That does not intimate or say by what means it is to be destroyed or who is to destroy it; so that could constitute no commitment or alliance.

Mr. JOHNSON of California. O Mr. President, let me say——

Mr. BARKLEY. Will the Senator from California wait a moment, please?

Mr. JOHNSON of California. Yes; I am glad to have the Senator proceed.

Mr. BARKLEY. Quoting further from the joint statement:

> Sixth. After the final destruction of the Nazi tyranny, they hope to see established a peace which will afford to all nations the means of dwelling in safety within their own boundaries.

The Senator from California cannot disagree, in my opinion, with the desire to see nazi-ism destroyed. He has expressed such a desire frequently here. I do not believe that the Senator from California can disagree with the hope that when this war is over, and, as we hope, when nazi-ism has been destroyed, there may be established by some method in the world "a peace which will afford to all nations the means of dwelling in safety within their own boundaries." That is not a commitment. That is the expression of a hope, the expression of a desire, the expression of a wish, and an aspiration, and I believe that deep down in his heart the Senator from California himself wishes that something may happen to bring peace to the world and bring a feeling of security to all the nations of the world, that they may dwell in safety within their own boundaries.

Mr. JOHNSON of California. Of course, I hope so, of course, I pray so, and, of coure, I shall do whatever I can do to promote that particular design.

Mr. BARKLEY. That is exactly the meaning of the paragraph referred to.

Mr. JOHNSON of California. But—there are some buts in this—but if there is an agreement in a written instrument with a belligerent and a hope of a certain character is expressed, it will be necessary to do whatever is necessary to be done to make that hope come true, and the force of the United States must be used for the purpose of carrying on war to effectuate that purpose.

Mr. BARKLEY. I do not wish to prolong the Senator's discussion. I cannot agree with his interpretation of the paragraph.

Mr. JOHNSON of California. That is all right.

Mr. BARKLEY. I cannot do so simply because I think the Senator in his anxiety, from his standpoint, to have our Nation be cautious even in what it hopes for or wishes for or as a mass may pray for, believes that such matters should not be incorporated in any joint statement which may be made by any responsible officers of any government involved in the controversy.

Mr. JOHNSON of California. No; I say that I am delighted that the Senator from Kentucky takes that stand. We may disagree as to the construction of a document, we may disagree as to the carrying on of a war, but we can disagree in those particulars or in any others that may be relevant to the particular purpose, and yet we may discuss the matter calmly, distinctly, and fairly, and reach such conclusions as may seem to us to be right.

In the paragraph referred to there is expressed a hope for the destruction of nazi-ism and a hope that after the destruction of nazi-ism the world will be free from want and free from other things that are terrible.

How will that hope be realized? Mr. Churchill was not sitting there writing and then laughing at his words. The President was not sitting there writing and laughing at his words. Their words were not written for the purpose of deceiving someone. If they had been written for the purpose of deceiving someone they would have been otherwise written. But they expressed the hope that after the destruction of nazi-ism they would carry on a certain sort of world. How are they going to do it? They can do it in one way, and one way only, and that is by war. That is what I object to. I object to war in which Joseph Stalin would be an ally of ours. I object to war in any particular upon foreign soil. In

those particulars I disagree with the Senator from Kentucky.

Mr. CLARK of Missouri. Mr. President, will the Senator from California yield before he takes his seat?

Mr. JOHNSON of California. Yes; I yield.

Mr. CLARK of Missouri. Does not the Senator from California agree, Mr. President, that probably the conference was much more significant for what, probably, was not contained in the statement given out by President Roosevelt and Mr. Churchill than for the joint declaration containing the so-called eight points? The British press—which apparently is very much better informed about the conference than the American press, because official representatives of the British press were at the conference, whereas the press informants of the American public were denied that opportunity—the British press has almost universally, as the Senator from California undoubtedly is aware, stated that commitments were made on the part of the United States for the almost immediate entrance of the United States into the war and for American expeditionary forces to points not designated—whether they are for Asia or Africa or Europe or the South Seas, nobody knows. Does not the Senator think it also should be said in that connection that if any commitments were made as to the future policy of the United States on a British battleship, a belligerent battleship in a war zone, or any place else, by the President of the United States or by anyone else, the President of the United States, or whoever made them, thereby exceeded his constitutional authority? Does not the Senator think it should be said and made known to the world, lest later there be a charge of bad faith on the part of anyone, that the President of the United States under the Constitution of the United States has no right to pledge this Government to participation in war; that the President of the United States under the Constitution of the United States has no right to commit the Government of the United States to a future policy, military or otherwise, and, for that matter, that no one Congress has the right to make a declaration of policy which will be binding on a subsequent Congress? A great deal of trouble and charges of bad faith grew out of the unfortunate episode of the League of Nations, because of which other nations assumed that the President of the United States in seeking and in negotiating the Versailles Treaty, containing the League Covenant, was binding the United States. Those nations were ignorant of the fact, or negligent in overlooking it, that under our form of government it was necessary for the Senate to ratify the treaty. Yet for nearly a quarter of a century they have ignorantly accused us of bad faith for our refusal to ratify that unholy compact.

I think that at this time it should be made known to all the world that any commitments by the President or anyone else, made on the British battleship or at any other place, pledging the United States to participation in war were not the action of the Government of the United States, because until the Congress of the United States shall have acted, neither the President nor anyone else has authority to make any such commitments. Until the Constitution has been abolished only the Congress has authority to commit the United States to war.

Mr. JOHNSON of California. Mr. President, I agree with what the Senator has said. I intend at some future time, in the near future likely, to comment upon the agreement which was made between Mr. Churchill and the President, and I intend, as well, to take up the proposition that is intimated by the Senator from Missouri and discuss that, too. But this morning I rose for the single purpose, not to subscribe, and not, by my silence, to admit, that the agreement which was entered into was meaningless, that it was entered into for the purpose of befooling the American people or the British people. I wanted to deny that I subscribe to any such doctrine, and to insist, as I do insist, that the document called us into war, that we are in the war now, and we will be in the war henceforth.

Mr. BARKLEY. Mr. President, I wish merely to say an additional word. Reverting to the remarks—and I am speaking in my own time now; I am not asking the Senator to yield; I thought he had concluded——

The VICE PRESIDENT. The Senator from Virginia [Mr. BYRD] still has the floor.

Mr. JOHNSON of California. I am through.

Mr. BYRD. I yield.

Mr. BARKLEY. Reverting to the remarks made by the Senator from Missouri [Mr. CLARK], in which he attempts to quote the British press, I merely wish to say that I have not seen the British press; I do not know whether the Senator from Missouri has; I do not know what the British press have said; but I think the President of the United States is probably as familiar with the Constitution of the United States as any of us are, and I think that in this world crisis in which we are involuntarily finding ourselves, not by our own fault but by the fault of others not in the United States, he has as keen an appreciation of his responsibility to the American people and to the institutions for which they stand and have always stood as has anybody else in the United States.

I do not know how much time was spent on the British warship which has been mentioned here in great derogation. The newspapers have carried the information, and we all know that the President went to the coast of Maine on the *Potomac* and that the British warship, *Prince of Wales*, I believe, brought Mr. Churchill across to the meeting place.

Mr. CLARK of Missouri. Mr. President, will the Senator yield at that point?

Mr. BARKLEY. I will yield in a moment. And that the President thereafter transferred from the *Potomac*, which is not very seaworthy in stormy waters, to the *Augusta*, a cruiser of the United States Navy. The newspapers have also carried the information that the conferences lasted back and forth for 2 or 3 or 3 or 4 days. They have carried pictures of the church service which was held on one of the ships, we will say, presumably, the *Prince of Wales*, and I draw the deduction that that church service occurred on a Sunday, which would be the natural thing to happen. I do not know whether they had a church service during any of the week days. My information from the press is that most of the conferences took place on the *Augusta* and not on the *Prince of Wales;* but I do not think it makes any difference on which boat they took place. The President of the United States did not violate the Constitution nor violate his duty——

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BARKLEY. When he met the head of the British Government at sea or wherever else they might meet conveniently in order to talk over the conditions and situation which face the world and face our own country and face Great Britain, and issue the joint statement, which is not a military commitment in any sense of the word, but which, in my judgment, is a noble and high-minded statement of ambitions, desires, and hopes, I believe that statement finds a response in the hearts not only of 130,000,000 American people, but I believe it finds a response in the hearts of millions of people throughout the world who do not speak the English language but who believe in democracy and self-government and who are hoping and are willing to fight and pray that the day may come when the nations may live in peace, live within their own boundaries, free from fear of domination and brutality and invasion because some mad conqueror desires to subject the world to his will and to his heel.

Now I yield to the Senator from Missouri.

Mr. CLARK of Missouri. Let me say to the Senator from Kentucky that my information as to the meeting of the *Prince of Wales* came from a White House release, and my impression is that it was from a direct interview with the President of the United States in which he named the battleship he referred to as H. M. S. *Prince of Wales*.

Mr. BARKLEY. Nobody has denied that.

Mr. CLARK of Missouri. Let me further say that the picture shows the President himself and Mr. Churchill standing on the foredeck of the battleship *Prince of Wales*, and that that picture was circulated throughout nearly all the newspapers in the United States in contravention of a statute recently enacted by the Congress of the United States at the request of the Navy Department. That statute did not go so far as the Navy Department originally requested. Originally Secretary Knox asked for a statute without any limitation whatever as to time, making it a felony to print a picture of any American warship or any other warship in any American waters or any other waters.

Mr. BARKLEY. Mr. President, of course——

Mr. CLARK of Missouri. Just a moment. The Naval Affairs Committee cut

that down, limited it to 2 years, and made it a misdemeanor. But, we all recall Secretary Knox wanted to send all the owners and publishers of newspapers of the country to the penitentiary who printed such a picture as that of the *Malaya* being tied up in New York harbor, where millions of Americans could see it. Yet, without any criticism whatever on the part of the Government or anybody else, a picture has been printed in the newspapers of the country of the President of the United States, with the highest ranking officers of the Army and Navy of the United States, the Prime Minister of Great Britain, and the highest ranking officers of the Army and Navy of Great Britain, on the foredeck of one of the largest battleships in the British Navy, without a protest from Secretary Knox, or anybody else.

Mr. BARKLEY. Nobody denies that the President went aboard the *Prince of Wales;* nobody denies that the picture was taken on board the *Prince of Wales,* and it does not make any difference.

Mr. CLARK of Missouri. Let me ask another question.

Mr. BARKLEY. Let me finish my sentence. I have not before me the law to which the Senator refers and I do not know how far it extends. The object of that law was to protect our own ships and ships which we propose to build or to repair in the shipyards of the United States and in the waters of the United States.

I do not know how far out at sea that law prohibits the taking of pictures, but if the Senator from Missouri wants to prosecute somebody——

Mr. CLARK of Missouri. I am not a prosecuting officer.

Mr. BARKLEY. He will have to take it up in connection with the photographers and newspapermen.

Mr. CLARK of Missouri. Knox is the prosecutor. I have never engaged in that sort of thing.

Mr. BARKLEY. Secretary Knox cannot prosecute anybody under the law——

Mr. CLARK of Missouri. He tried to.

Mr. BARKLEY. Anyone who has information of the violation of the law can bring it to the attention of the proper officials, and the Senator from Missouri has no intention to do so, I am sure.

Mr. CLARK of Missouri. No; the Senator from Missouri is talking about that meeting on the battleship *Prince of Wales.* Let me ask the Senator from Kentucky this question. When the President and his two sons, together with the Chief of Staff of the Army, and the Chief of Naval Operations, were on a belligerent ship, a battleship of a nation engaged in war on the high seas, if unfortunately that ship had been bombed by a belligerent aircraft, which thank God it was not, and disaster had ensued, does the Senator think that would have been an act of war against the United States? Does the Senator think that the President had deliberately put himself in a position of danger, by going upon a belligerent battleship subject to attack on the high seas, where an act in the ordinary course of war might have been committed by an enemy aircraft if, in pursuing its undoubted right to bomb a belligerent vessel, it had done so?

Mr. BARKLEY. Of course, if a belligerent warship or a belligerent airplane had bombed the *Augusta*——

Mr. CLARK of Missouri. I am not talking about the *Augusta.* I am talking about the *Prince of Wales.*

Mr. BARKLEY. I am talking about the *Augusta.*

Mr. CLARK of Missouri. And I am talking about the *Prince of Wales.*

Mr. BARKLEY. Well, the *Prince of Wales* and the *Augusta* were both there, and we are talking about both of them.

Mr. CLARK of Missouri. I am not talking about both of them. Will the Senator answer my question as to the *Prince of Wales* when the President was aboard it?

Mr. BARKLEY. If an enemy airplane or an enemy warship had bombed or destroyed the *Prince of Wales* while the President of the United States was on it, or the *Augusta* while it was lashed alongside of the *Prince of Wales,* if the newspapers are correct in saying that it was lashed alongside—and it must have been pretty close alongside because the President was tranferred from one to the other—of course it might have created a situation that would have excited the American people and involved some difficulty with the enemy power.

Mr. CLARK of Missouri. Mr. President——

Mr. BARKLEY. But the president of the United States in the pursuance of his duty was willing to undergo that risk, if it was a risk, in order that he might give to the world, in conjunction with the head of the British Government, an inspiring and a noble statement of aspirations on the part of our Government, and I honor the President of the United States for having the courage not only to go out to sea, but to go aboard the British warship and to give that statement out in conjunction with the Prime Minister of England. [Manifestations of applause in the galleries.]

In the statement which he gave out, as I have already stated, I believe that he expressed the vocal as well as the unspoken aspirations, and hopes, and prayers of millions upon millions of people throughout the world, who hope that in some way, after this war is over, they may live in peace, good will, and in harmony among the nations of the world, and that all the downtrodden men and women, all those who are now suffering and bleeding and dying in order that the things for which democracy and for which free men have been willing always to fight, may be preserved, not only here, but throughout the world, may have their faith strengthened and their hopes justified.

Mr. JOHNSON of California. Mr. President, will the Senator from Virginia yield to me for a moment?

Mr. BYRD. I shall be glad to yield for a little time.

Mr. JOHNSON of California. Mr. President, I cannot fully reply to the remarks of the Senator from Kentucky, and I shall not attempt to do so, but there was presented by the Senator from Missouri [Mr. CLARK] a particular question as to whether the President of the United States conformed to the Constitution of the United States in doing what he did.

Let us look at what he did for a moment. The President secretly engaged in a written instrument with a foreign power. It cannot be said that that instrument was written merely for the purpose of counting or enumerating the petals upon the flowers, or that it was written for the purpose of describing the scenery of the particular location. The President joined in a solemn declaration with the one who is in charge of the affairs of Great Britain, and out of that solemn declaration there came a written instrument.

I shall not take time to argue whether it answers to the desires or designs or idealistic purposes of the people of various countries. Mr. President, you may count the dead in Russia, if you will; you may count the churches razed to the ground; you may count the heads of families torn from their families and places of living; you may count all those things and may then say that situation is presented which appeals to the entire world. You may think of little Lithuania, of Latvia, and of Estonia. You may think of the little country to the north, Finland, for which we had such an affection last year and to which we paid tribute—only a year ago. You may think of all these things, and think of Joseph Stalin now being the champion of these glorious purposes, and of all these idealistic mouthings in which we indulge.

But after all, what concerns us is the conduct of our own President, and I disagree with the Senator from Kentucky that he carried on a conversation with the Prime Minister of England and was entirely within the Constitution of the United States in doing so. I contend that he was entirely without the Constitution of the United States in doing so. When he himself went to meet the Prime Minister of England, and then sat down and wrote the fate of the world—for the fate of the world is considered to be within these declarations—he then being not a belligerent, and Churchill being a belligerent—when he thus made his agreement with one belligerent he did so in utter disregard of the Congress of the United States, and all the Members of the Congress who feel that they represent the people of the United States of America, and that they have been treated as they should be, had better have another think, and recall how the President of the United States dealt with them when it came to a question of dealing with the lives of the people of the United States.

So I say that, in my opinion, the President violated the Constitution of the United States, and that the Congress of the United States is fitted appropriately to pass upon any matter of agreement that he made in his dealings with Churchill.

I beg pardon of the Senator from Virginia [Mr. BYRD] for taking so much of his time.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BYRD. I will yield for a short time, but not for a speech.

Mr. TAFT. I wanted to pursue somewhat the present discussion. As I understand the majority leader, he considers that this agreement does not impose any obligation on the United States, or on the Kingdom of Great Britain. I have been puzzled by the nature of the joint declaration, and I wanted to be sure that I understood the majority leader correctly when he said that it is merely a statement of policy—of the President's policy, if you please—or such policy as he, as President, may properly enunciate, but it does not impose an obligation in any way on the United States Government. Is that the position of the majority leader?

Mr. BARKLEY. Mr. President, I stated, I think, that the joint statement, which I construe as an expression of the hopes and aspirations of the two men who participated in the conference and issued the statement, constitutes no additional commitments beyond those we have already made. We are already committed under the Lease Lend Act and other policies adopted by this Government to aid England, aid the democracies, those who are fighting against aggression. We are already committed to that. The joint statement, as I understand it, does not make any commitments additional to those we are under with regard to that matter.

Mr. TAFT. Let me read to the Senator the fourth clause in the joint statement:

They will endeavor—

That is, the President and the Prime Minister—

with due respect for their existing obligations—

It seems to imply that this is not a new obligation—

to further the enjoyment by all states——

Mr. BARKLEY. How can it be new if it is existing already?

Mr. TAFT. I continue to read:

They will endeavor, with due respect for their existing obligations—

What I mean is that they seem to be assuming a new obligation with due respect for their existing obligations—

to further the enjoyment by all states, great or small, victor or vanquished, of access, on equal terms, to the trade and to the raw materials of the world which are needed for their economic prosperity.

What I am curious about is whether that is intended as an obligation on our part, by reason of the President making an Executive agreement to carry out that policy, or whether it is merely a statement of aspirations, as the Senator states. I should like to know whether the Senator is willing to say that this does not impose an obligation on us, or on England—because I think this particular obligation is one which, in a way, we are requiring from Mr. Churchill. Is it an obligation, or does the Senator think it is a statement of policy which might be changed tomorrow?

Mr. BARKLEY. I am frank to say to the Senator that, in my judgment, the paragraph he has just read constitutes no moral obligation of any sort during or after the war. We all know that we have certain trade agreements with many nations in the world. Great Britain has certain trade agreements, not only with other nations, but among the dominions of the British Empire. We cannot know now, and I suppose we will find it difficult to ascertain until the war is over, what obligations of that sort now exist. I interpret that paragraph to mean that they will endeavor, with due respect to present obligations with respect to trade, the supply of raw materials, and the access of nations, large and small, to raw materials necessary for their economic, industrial, and social life, to work out some process or some situation which will enable all the nations of the world to enjoy the materials referred to in that paragraph.

Mr. TAFT. Is that an obligation? Is this Government, by this joint declaration, assuming an obligation such as we can sometimes assume under the Constitution by Executive agreement?

Mr. BARKLEY. I do not so interpret it.

Mr. TAFT. Or is it merely a general statement of policy of the United States Government?

Mr. BARKLEY. In my judgment—and I think I am correct—it is a general statement of policy, and does not obligate us as to any detailed method by which it shall be carried out in the future, in order that all nations may enjoy access to raw materials and the necessities of their economic and social life.

Mr. TAFT. But the Senator does think that we are assuming a general obligation. He says that we are not assuming any detailed obligation. Are we assuming any kind of obligation? Is this a contract with Great Britain, or is it not? That is what I am trying to find out. I, myself, am puzzled. I do not know.

Mr. BARKLEY. I think it is a statement that when this whole thing is over and the nations sit down to try to work out a method by which war may be abolished and all nations may have justice dealt out to them, we will endeavor, within reasonable bounds, so far as it is humanly possible, to cooperate in working out a plan by which all nations, great and small, may enjoy the bounties of Nature, which have been created by God Almighty and have been placed in some countries and denied to others. I do not regard it as a detailed obligation to do any particular thing when the time comes to talk about it.

Mr. TAFT. I am sorry to say that I cannot understand from the Senator's statement whether this is or is not an agreement.

Mr. BARKLEY. I am not responsible for the Senator's lack of understanding.

LAG IN DEFENSE PRODUCTION

Mr. BYRD. Mr. President, I ask the indulgence of the Senate in order that I may discuss briefly the present state of our national-defense program and aid to England.

If democracy means anything, it means that in times of great crisis the people should know the true facts upon which they must make vital decisions. Events in recent days make it more imperative than ever for the American people to know the truth about the progress of our defense program and aid to England.

From the beginning of the European conflict I have believed that the surest way for America to avoid war is to be ready for it and to furnish to England the war equipment she needs. Acting upon this premise, I have supported all defense appropriations. In fact, to this date I have supported all the foreign policies of the administration presented to the Congress. I have supported all aid to England through the furnishing of military supplies. The avoidance of war, except to repel attack by our own strong defense, has been and will continue to be the controlling influence in my official acts.

In any event, in my judgment, it would be an act of utter folly to become a voluntary shooting participant in the European conflict in our present state of unpreparedness.

The European war has been in progress for 2 years. Fourteen months ago France and Belgium fell. During this period, day by day, and, in fact, hour by hour, by radio and newspaper publications, glowing reports have been made by our officials to the people of America as to the satisfactory progress of our military preparations.

A year ago, on August 25, 1940, I publicly called attention to the fact that in the 100 days following the President's speech on May 15, 1940, in which he called for 50,000 military planes, only 343 fighting planes were contracted for by the Army and Navy combined; and I further said that the lag in the entire defense program seriously menaced our security.

As construction of fighting planes requires from 10 to 16 months, the need to place orders quickly during that period of a year or more ago was obvious.

President Roosevelt took cognizance of this statement of mine in his press conference the next day, August 26, 1940, and said:

Senator BYRD's figures are correct, but his implications dead wrong.

Since then I have refrained from making a public expression with respect to the delay and confusion in our preparedness program, hoping that as the months went by order would come out of chaos, and that our defense program would go forward for the security and protection of our country. I have devoted my efforts, doing what I could to remove all obstacles to this program, one of the most serious being strikes in defense industries.

The War Department advises me that from January 1 to August 12, this year, 2,950,700 man-days were lost through strikes in War Department contracts alone. Moreover, the Navy Department

advises that from January 1 to August 9, 2,151,000 man-days were lost in Navy Department contracts. This makes a total loss, exclusive of strikes in the construction of merchant vessels, in about 7 months of 5,101,700 man-days.

No one can deny that this loss of more than 5,000,000 man-days since January 1 has had a serious effect resulting in delaying the production of war materials. It seems now that after a brief interval, strikes have started again. On August 16, the Navy Department reported that strikes were in existence affecting approximately 18,000 men, and the War Department reported on August 16 that 30 strikes were in existence, with 25,300 men idle. But strikes in defense industries are only one of the causes of general confusion and dangerous delay existing in our program of preparedness.

The Congress can often be blamed for delay, but in the program for the production of military equipment the record will show that the Congress has done its part promptly. Appropriation after appropriation has been passed, and in many instances without even such consideration as would be dictated by ordinary prudence. Everything in the name of national defense has had the right-of-way, nearly all authorizations and appropriations requested by the Executive being passed unanimously.

The job of achieving national defense and giving aid to England has been, and is, an executive one. There must be efficient coordination of industry. Nondefense production must yield to defense needs. Above all else, effective and efficient machinery must be set up at Washington, unified in one head with power to act. There must be stoppage of strikes in defense production and there must be the removal of every present obstacle to defense production, whether it be red tape, inefficient bureaucracy, or the refusal of business enterprise to cooperate.

The obligations confronting America today constitute a challenge to and a test of democracy such as never before have confronted us. We are required now to defend ourselves on two oceans and to protect the length of the Western Hemisphere—10,000 miles. We have guaranteed great quantities of military equipment to England, and it is now proposed to do the same thing for Russia. It is a colossal task to which we have set our hands, and one that will test to the utmost our ingenuity, our fortitude, our zeal, and our patriotism. This is a war of machines more than of men.

Andre Maurois, renowned French author, said after the fall of France:

> It is no mystery, but as a tragically simple explanation, the Battle of France was not lost in the spring of 1940 but between 1935 and 1939 in the factories of France. It is not so much a military defeat as an industrial defeat. France worked 40 hours a week and Germany 80 hours.

America has the capacity in labor and raw materials to outproduce any other nation in the production of mechanized equipment. In that job for the past 2 years we have failed, and miserably failed, and the sooner we as a nation realize it, the better we can remedy our mistakes and can go forward.

We have not sent to England the aid we should have sent her, and our own preparations have dangerously lagged; yet since the beginning of the European war we have spent for national defense nearly $10,000,000,000. What have we to show for the $10,000,000,000 already spent? This fact every American has the right to know. The colossal sum of $53,000,000,000 has been authorized and appropriated. This is twice as much as the cost of our participation in the last World War.

I desire to call to the attention of the Senate a statement made recently by William C. Bullitt, former Ambassador to France:

> We might have avoided getting into the position in which we now find ourselves if, at the outbreak of the present war on September 1, 1939, we had begun to produce airplanes and other implements of defense and merchant ships with all possible speed. By this time we should have had enough to enable Great Britain to avoid the danger of being throttled. We did not produce with any speed at all.
>
> Even after the fall of France last June, when as a nation we should have been able to draw a clear conclusion and to heed the voices warning us that we were in deadly peril and that we must produce with as great speed as if we were in war, we did not do so. Until January of this year it was our policy to superimpose production for defense comfortably on the normal business of the country—in spite of the fact that we were aware that the same policy had led France to defeat and Great Britain to the brink of disaster. We took half measures. We talked big, but we did not deliver the goods.
>
> We knew last summer that the British wanted us to begin at once full-speed construction of 5,000,000 tons of merchant ships. * * *
>
> Fate never forgives loss of time. Hitler does not wait. Because we preferred business as usual to production at war speed, we now face convoying, with the obvious risk of finding ourselves at war.

In this day, with the possibility of grave peril ahead, the consequences of failure to meet more expeditiously this responsibility and this challenge to our democracy may be disastrous. Undoubtedly it will prolong the European war. If in recent months fighting planes could have been sent to England in thousands instead of hundreds the situation today would be vastly different. So far not a single antiaircraft gun or tank has gone to England, and very few merchant ships. In the first 90 days after the passage of the $7,000,000,000 lend-lease bill only $75,000,000 worth of materials was sent to England.

The time has come now to deal with the American people frankly and openly. Today our security lies only in our strength. We are not getting prepared adequately. We are not giving aid to England quickly. Confusion, due to conflicting and overlapping authority exists to such a degree at Washington as virtually to stymie the whole defense program. The O. P. M. and the O. P. A. C. S are engaged in a bitter battle behind the scenes, and by Executive order they have been given conflicting authority. This conflict is deeper than a mere jurisdictional argument. It involves an attempt on the part of some who, under the guise of national defense, would change our form of government. It is a continuance of the conflicting philosophies which for 8 years have existed in our Government and which, at least, should be laid aside during the existing emergency.

All the American people are deeply concerned over the status of our defense program. Not only are many billions of dollars being spent, which must be paid by taxation upon all the people, but national defense and aid to England are vital to our security.

I stand responsible for the information I am giving to the Senate today. It is accurate in all essentials, but, of course, may be approximate in some minor details. I present this very sad picture with regret, but I know of no other way to bring acutely before the Senate the conditions that confront us.

TANKS

England needs tanks desperately, Lord Beaverbrook says. In modern warfare tanks are indispensable.

On September 1, 1940, 1 year after the beginning of the war, we had only 521 tanks on hand, of which 246 were listed as obsolete, and all the remainder as antiquated. Not a single modern tank did the United States possess 1 year after the European war began. Today, 2 years after the beginning of the European war, the situation is little better. As late as 60 days ago, only 128 M–3 light tanks and only 1 of the M–3 medium tanks were on hand. Now we are informed that the most effective medium tank, known as the T–6 will not get into production until May 1942. Of the light tanks, no appreciable production will start until October, when it is expected 300 will be produced monthly. This is a small and belated beginning for the tanks needed for ourselves and for England. No heavy 50-ton tanks are in prospect or have been ordered. This is the type Hitler has used so effectively. As no orders have been placed, it is not likely that the year 1942 will see deliveries of any of the heavy tanks. Comparatively few light tanks, the M–2–A–4, and medium tanks, M–2–A–1, are on hand and in use for training, but this type will not be included in future orders. So, after 2 years, our tank production up to date is practically negligible.

ANTIAIRCRAFT GUNS

On September 1, 1940, 1 year after the war began, we actually had 1 antiaircraft gun of modern design, and it was a handmade model. We had no improved antiaircraft gun suitable to repel high-flying bombers. In fact, we had only 431 3-inch antiaircraft guns in the Army, and this type has been discarded. Only a very few—about a dozen—of the 90-millimeter guns yet have been delivered, and these have been for experimental purposes. The program provides for an average monthly delivery of only four 90-millimeter guns for the 4 remaining months this year, and 22 per month for the year 1942. This is the only type antiaircraft gun on order which is adequate for attacking high-flying bombers and piercing their new armor. A small number of the 37-millimeter antiaircraft guns is being produced, but this gun is effective only against low-flying planes. America, more than any other nation, needs effective

antiaircraft guns. We must protect our coastal cities and fortifications on two oceans, our insular possessions, and especially the Panama Canal, which could be destroyed by bombing, with terrific results. Today, all the antiaircraft guns of modern design we have could not protect effectively a single city in the United States. In this vital weapon our 2-year production has been negligible.

OUR NAVY

The American Navy is equal to, or better than, any other navy in the world. The Navy Department is well organized for expeditious action, because our Nation has always been Navy-minded and has maintained a good naval organization at all times. We have about 323 major naval vessels, battleships, aircraft carriers, cruisers, destroyers, and submarines. It is the best one-ocean Navy in the world. But now we need desperately a two-ocean Navy of at least 700 major vessels. This we will not have until 1946, 5 years hence, unless extraordinary means are adopted to speed production. For the year 1941 only 28 major naval vessels will be added—2 battleships, no aircraft carriers, no cruisers, 17 destroyers, and 9 submarines.

MERCHANT SHIPS

In the war of the Atlantic merchant ships and tankers are of first importance. Unarmored merchant ships should be built quickly. Yet for the entire year of 1940 only 53 merchant ships and tankers were constructed in America, and for the entire year 1941 only 105 merchant ships and tankers will be built. The production in 1941 will be hardly more than the gross sinkings by the Germans in one of the heaviest casualty months.

In the first 6 months of 1941 only 33 merchant ships were built. The estimated number to be built in the last 6 months of 1941 is 45, and Admiral Land tells me that figure may be optimistic. Thus we may have a total of 78 merchant ships for the full year, with a tonnage of 577,000. It is expected in addition that only 27 tankers will be built in 1941, making a total of 105 merchant ships and tankers for the full year. This number is woefully short of the need, and immediate steps must be taken to speed up this production.

PLANES

England's greatest need since the war began has been combat planes, and especially heavy bombers. In fact, the current war has demonstrated that planes constitute the greatest need of any country engaged in modern war. Germany's victories have been primarily due to fighting superiority in the air. During the entire first year of the European war we also made the error which was fatal to France and so disastrous to England. Although day by day as the war progressed airplanes were proving to be the deciding factor in the European combat, we woefully neglected our fighting airplanes. It takes from 10 to 16 months to produce fighting planes, yet only a few hundred were placed on order during this first-year period. On September 1, 1940, 1 year after the war began, the combined fighting air force of the Army, Navy, and Marine Corps equipped and suitable for front-line fighting was less than 800 combat planes. Now, 2 years after the war began, the state of production of combat planes is one of the most discouraging chapters in our national-defense program.

In June of this year the production of military planes declined below the production established in May. In the month of July a still more serious reduction occurred, when the total production of military planes fell 200 below the schedule. In fact, 16 fewer planes were produced in July last month, than in June. In the month of July the total production of all military planes—fighters and trainers—both for ourselves and England was 1,460. Of this number about 700 were training planes, which can be produced quickly and simply from standard designs. Only 700 were combat planes. Less than 300 were bombers of all kinds. In long-range bombers, so desperately needed, production now does not exceed 60 a month. Only 35 dive bombers were produced in May.

In all the Government publications on airplane construction, lump production is stressed, and trainers and fighters are combined, so the public is often confused. The distinction between combat planes and training planes may be emphasized by the fact that 500 man-days are required for the construction of the ordinary training plane, while on an average 6,000 man-days are needed for the construction of each combat plane. Training planes are, of course, necessary but they can be produced quickly in mass production. Combat planes of the most effective types, both for ourselves and for England, are the ones with which we are primarily concerned. Great emphasis has been placed on plane production. Fifteen months ago the President called for 50,000 planes. Now that we find we are producing only 700 combat planes a month, is it not ominous that the production of such planes declined in July, as compared with the two preceding months? It is significant to me, too, that in July 1941, the production of combat planes was only 200 more than in January. The decline during the month of July in the production of military planes, both training and combat, should be a warning, and it is generally descriptive of the lagging of our entire program.

For the year ending September 1, 1941, the total production of combat planes for ourselves and for England will be less than 500 a month, as compared to production in Germany, estimated by competent authorities to be from 2,000 to 3,000 a month.

Mr. CONNALLY. Mr. President, will the Senator yield there?

Mr. BYRD. I yield.

Mr. CONNALLY. Does the Senator say that the combined production of Great Britain and the United States will be only 500 planes a month?

Mr. BYRD. No; I say the production for ourselves and for Britain in America has been an average of 600 combat planes monthly for the past year.

Mr. CONNALLY. Our production?

Mr. BYRD. Yes; our production.

Mr. CONNALLY. I will say to the Senator that I am on the committee which has been looking into these matters. I do not desire to get into an argument with the Senator from Virginia, but my information is quite to the contrary—that probably we are producing, or will produce within a short time, 1,500 planes a month.

Mr. BYRD. I just stated, Mr. President, that the figure 1,400 planes, given out last month, includes training planes and combat planes. I am considering the combat planes, which are very different from the training planes.

Mr. CONNALLY. That is very true; but if we do not have training planes, combat planes will not do us any good because pilots must be trained before they can use combat planes.

Mr. BYRD. If we do not have the combat planes, vice versa, the training planes will not do us any good. We cannot fight with training planes.

Mr. CONNALLY. Probably even more important than the combat plane is the bomber. The combat plane is a fighter plane, whereas the bomber is the plane that does the real destruction. It has to be convoyed or usually to be accompanied by fighting planes. I am not attacking the Senator's position.

Mr. BYRD. The production of heavy bombers is about 60 a month. If the Senator from Texas thinks that is adequate, he is entitled to his opinion.

Mr. CONNALLY. The Senator from Virginia ought not to undertake to make an implication of that kind. Of course, he knows the Senator from Texas would like to see 6,000 a month instead of 60. I do not think his statement is quite in keeping with the well-known high-minded attitude of the Senator from Virginia.

Mr. BYRD. I am not criticizing the Senator from Texas. The Senator from Texas arose to say that the figures I have given to the Senate are not in accordance with those he has. I submit that the figures I have given are correct, and I can prove they are correct—namely, that there were only 700 combat planes produced in July, that that production was less than the month before, with an average of 500 combat planes monthly for the last year, and of the 700 combat planes produced last month only 60 were heavy bombing planes of the latest design.

Certainly, Mr. President, drastic steps must be taken to remedy this condition. In the production of other vital equipment similar delay has occurred. The first 105-mm. howitzer was produced on May 7, last, and only about 100 will be produced during this calendar year. Thirty-seven-millimeter antitank guns will be produced only at the rate of 15 a month. Only 15 of the 80-mm. mortars will be produced in the immediate months ahead. Not a single 155-mm. gun will be produced in 1941.

We must remember, too, that the figures on plane production and tank production do not include guns and other equipment, and no doubt further delay will occur in equipping these fighting machines with the necessary tools.

In all figures and estimates I have given, the combined production for the United States and Britain is used.

The Honorable Robert P. Patterson, Under Secretary of War, for whom I have a high regard, in a broadcast on Saturday, August 16, stated:

> Those who are paying the bill for arming the United States have a right to know how their money is being spent and what it is buying. Their Government welcomes programs on the radio and comment in the press, no matter how critical they are sometimes. The more of them the better. They are a sign that this democracy is full of life and abounding with health. If they ever stopped, we would begin to worry.

With this statement by Mr. Patterson I thoroughly agree. But when the production of equipment is given in percentages of previous production, as Mr. Patterson did in the same speech, the impressions are likely to be misleading to the public. In this speech Mr. Patterson said the production of tanks was 800 percent more than last December. This may be true, as the production of modern, effective tanks in December was nil, and a production of eight now would be 800 percent more. Of antiaircraft guns, Mr. Patterson said in this speech that the production is 400 percent more than in December. The fact is that not a single modern antiaircraft gun was produced in December, and this statement is accurate, to the extent that if four are produced now, the increase would be 400 percent.

Why not tell the people of America the actual facts? The sooner they know and understand the lack of our preparedness and the lagging of the entire program, the quicker the average citizen will respond to make the sacrifices necessary to speed up this program and to do his or her part in the preparedness effort.

The boys in the camps being trained as soldiers have not the essential military equipment. In fact, there is not a single camp today anywhere in this country which has adequate military equipment for training purposes, and this delays the training of boys who are sacrificing for their country.

What should be done?

Many things will have to be done.

The entire system of our defense production must be fundamentally reorganized along sound lines of business efficiency and the avoidance of conflicting authority, the chief bane of any great governmental effort. It is certainly obvious that the first and most important thing to do is to eliminate the conflicting authority that now exists between the different officials and the different agencies at Washington. Anyone observing the situation first hand here at Washington must be greatly alarmed at the great delay occasioned by the very apparent inability of our different governmental agencies to function in coordination and cooperation to produce these materials without unreasonable delay. There must be one head of our defense program, and this head should have the power and authority to give orders and enforce his decisions. This is the first step, and in my judgment nothing of a constructive character can be done until this head is appointed, our defense program unified, and the total lack of coordination which now exists corrected.

That there has been very inadequate planning in past months, of course, is now obvious. This is the cause for the failure to place orders earlier for essential equipment which requires from a year to 18 months to produce. Whatever may have been the excuses for this lack of planning in the past, it should not prevail in the future.

Then, too, there has been too much "business as usual." In this day of national peril, nondefense needs must yield to the necessities of defense. If we are to have all-out preparedness, we must have an all-out effort and an all-out sacrifice on the part of our citizens. This is necessary if we hope to keep out of the war or if we hope to protect ourselves. Only an aroused public opinion and full publicity will, in my judgment, compel a businesslike administration of the colossal task to which we have set our hands, namely, the total arming of our country and giving aid to England.

Social gains, as everything else, must yield to the necessity of our supreme effort for national defense and aid to England. All defense plants in America should at once be placed upon a full week working basis. The President has the power, under the emergency authority granted him, to suspend during the emergency the 40-hour week. Proper provision can be made for overtime work on this basis, but we cannot prepare ourselves effectively by working on a 40-hour week standard. Even though some plants are now working on longer hours, suspension of the 40-hour week should be uniform on all defense contracts and continue for the duration of the emergency.

The people of America are for all-out defense, Congress is for all-out defense. It is now up to the executive branch of the Government to produce the materials and equipment for this all-out defense.

In recent months I have observed that our defense efforts have been measured more in terms of appropriations by Congress; in terms of dollars; in terms of equipment on order rather than in terms of actual production. Appropriations are of no avail, neither does equipment on order win wars. What we must have and have quickly are the completed tanks, the guns, the combat planes, and the ships.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. RADCLIFFE in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters.

The PRESIDING OFFICER. The Chair is informed there is no Executive Calendar today.

ENVOY EXTRAORDINARY TO THAILAND

Mr. CONNALLY. Mr. President, I ask unanimous consent for the present consideration of a nomination which the Senate Committee on Foreign Relations reported only this morning. I refer to the nomination of a Minister to Thailand, popularly known as Siam. Because of the critical situation in the East, it is very desirable that this nomination be confirmed as soon as possible. That is the only reason for asking action at this time. I have consulted members of the committee.

The PRESIDING OFFICER. The nomination will be stated.

The legislative clerk read the nomination of Willys R. Peck, of California, to be Envoy Extraordinary and Minister Plenipotentiary to Thailand.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. CONNALLY. In the case of this nomination, I ask unanimous consent that the President be notified of the confirmation.

The PRESIDING OFFICER. Without objection, it is so ordered.

GOVERNOR OF PUERTO RICO

Mr. BARKLEY. Mr. President, the chairman of the Committee on Territories and Insular Affairs [Mr. TYDINGS] reported today the nomination of Mr. Rexford Guy Tugwell to be Governor of Puerto Rico. A vacancy exists in that office, and it is desirable to have the new Governor take charge as soon as possible. I therefore ask unanimous consent that his nomation be now taken up for consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the nomination?

Mr. TAFT. Mr. President, I desire to say something on this nomination, and have not had time to prepare myself since I came into the Senate Chamber today. I object to the present consideration of the nomination.

Mr. BARKLEY. I wish to state, Mr. President, that, of course, the nomination can only be considered now by unanimous consent, as it was reported only today, but I will attempt to have action taken on it Thursday.

Mr. TAFT. I have no objection to action being taken on Thursday.

ADJOURNMENT TO THURSDAY

Mr. BARKLEY. As in legislative session, I move that the Senate adjourn until Thursday next.

The motion was agreed to; and (at 1 o'clock and 42 minutes p. m.) the Senate adjourned until Thursday, August 21, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 19, 1941:

DIPLOMATIC AND FOREIGN SERVICE

Robert J. Cavanaugh, of Illinois, to be a Foreign Service officer, unclassified, a vice consul of career and a secretary in the Diplomatic Service of the United States of America.

Stephen E. Aguirre, of Texas, now a Foreign Service officer of class 8 and a secretary in the Diplomatic Service, to be also a consul of the United States of America.

Arthur R. Williams, of Colorado, now a Foreign Service officer of class 8 and a secretary in the Diplomatic Service, to be also a consul of the United States of America.

ASSISTANT TO THE COMMISSIONER OF INTERNAL REVENUE

Norman D. Cann, of Atlanta, Ga., to be Assistant to the Commissioner of Internal Revenue, to fill an existing vacancy.

SELECTIVE SERVICE

Brig. Gen. Harold H. Richardson to be State Director of Selective Service for Colorado under the provisions of section 10 (a) (3) of the Selective Training and Service Act of 1940.

The compensation to be paid General Richardson will be in excess of $5,000 per annum, in accordance with his rank as brigadier general in the National Guard of the United States.

APPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES

TO BE CHIEF OF ENGINEERS, WITH THE RANK OF MAJOR GENERAL, FOR A PERIOD OF 4 YEARS FROM DATE OF ACCEPTANCE

Brig. Gen. Eugene Reybold (colonel, Corps of Engineers), Army of the United States, vice Maj. Gen. Julian L. Schley, Chief of Engineers, whose term of office expires October 17, 1941.

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

Lt. Col. Richard Kerens Sutherland, Infantry, to be brigadier general in the Army of the United States, under the provisions of section 127a, National Defense Act, as amended by an act of Congress approved September 9, 1940.

Frederick Henry Osborn to be brigadier general in the Officers' Reserve Corps in the Army of the United States.

APPOINTMENT IN THE REGULAR ARMY

TO BE SECOND LIEUTENANT, INFANTRY, WITH RANK FROM DATE OF APPOINTMENT

Second Lt. John Paul Beall, Infantry Reserve.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO ADJUTANT GENERAL'S DEPARTMENT

Maj. George Edward Isaacs, Infantry, with rank from June 15, 1941.

TO QUARTERMASTER CORPS

Lt. Col. Andrew Jackson Wynne, Cavalry, with rank from August 18, 1940.

TO ORDNANCE DEPARTMENT

First Lt. Eldred George Robbins, Jr., Field Artillery (temporary captain, Army of the United States), with rank from June 12, 1939.

TO SIGNAL CORPS

First Lt. Wilfred Henry Tetley, Cavalry (temporary captain, Army of the United States), with rank from June 12, 1939.

APPOINTMENTS IN THE REGULAR ARMY

The following-named officers of the Judge Advocate General's Department Reserve to be captains, Judge Advocate General's Department, with rank from date of appointment:

Capt. Tom Hughes Barratt.
Capt. Riley McClain.
Capt. Nathan Jay Roberts.
Maj. Noah Louis Lord.
Capt. James William Ellis.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

MEDICAL CORPS

To be captains

First Lt. Angel Antonio Cardona, Medical Corps, with rank from July 12, 1941.

First Lt. Clarence Raymond Brown, Medical Corps, with rank from July 12, 1941.

APPOINTMENT TO TEMPORARY RANK IN THE AIR CORPS, IN THE REGULAR ARMY OF THE UNITED STATES

TO BE COLONEL

Lt. Col. Rudolph William Propst, Air Corps.

TO BE LIEUTENANT COLONELS

Maj. Edmund Clayton Lynch, Air Corps.
Maj. Alfred August Kessler, Jr., Air Corps.
Maj. Mervin Eugene Gross, Air Corps.

TO BE MAJORS

First Lt. Loren Boyd Hillsinger, Air Corps (temporary captain, Army of the United States).

First Lt. Jack Wallis Hickman, Air Corps (temporary captain, Army of the United States).

First Lt. Leighton Ira Davis, Air Corps (temporary captain, Army of the United States).

NOTE.—The dates of rank are omitted as the death or other unforeseen change in status of a senior officer might require a change in the dates of rank and necessitate the renomination of these officers.

CONFIRMATION

Executive nomination confirmed by the Senate August 21, 1941:

DIPLOMATIC AND FOREIGN SERVICE

Willys R. Peck to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Thailand.

SENATE

THURSDAY, AUGUST 21, 1941

Rev. Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O God, almighty and merciful, who art a strength to the poor and needy, a refuge from the storm, and a shadow from the heat of life when its blast is as a furnace of fire: Remember in pity, we beseech Thee, such of Thy children as are this day destitute, homeless, or forgotten of their fellow beings, and comfort and succor all who suffer through violence and cruelty at the hands of men. Relieve the distressed, protect the innocent, awaken the guilty, and grant that by the power of Thy Holy Spirit those who have forsaken Thee may be set free from the chains of sin, to serve Thee in newness of life.

Hasten the day of Thy peace, O Lord, when the children of men shall turn from the violence and destruction of war, to consecrate their strength, energy, zeal, and sacrifice, to the succor of the poor, the relief of the oppressed, the healing of the sick, and the rebuilding of a world to Thy honor and glory. We ask it in the name of Him who alone bringest light out of darkness, and good out of evil, Thy Son, Jesus Christ, Our Saviour. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, August 19, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following letter, which was referred as indicated:

REPORT ON COAST GUARD CONTRACTS

A letter from the Acting Secretary of the Treasury, reporting, pursuant to law, relative to contracts for Coast Guard vessels on which moneys were advanced or partial payments made from appropriations available therefor to pay contractors in amounts not exceeding 30 percent of the contract price, etc.; to the Committee on Commerce.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by a Senator, and referred as indicated:

By the VICE PRESIDENT:

Petitions of several citizens of the United States, praying that the United States keep out of foreign war and that American troops be not sent to fight outside the Western Hemisphere; to the Committee on Foreign Relations.

A letter from Alfred M. Kunze, of New Rochelle, N. Y., submitting a plan or proposal for peace; to the Committee on Foreign Relations.

A petition of sundry citizens of the State of Pennsylvania, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. CAPPER:

A petition, numerously signed, of sundry citizens of Stockton, Kans., praying for the enacting of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

OLD-AGE ASSISTANCE—PETITIONS

Mr. CAPPER. Mr. President, I present a petition sponsored by the Townsendites and their friends, of Topeka, Kans., urging that House bill 1036, the old-age pension bill, receive action at the present session of Congress. It bears the signature of several hundred citizens.

I also present a second petition, numerously signed by residents of Topeka, who are members and friends of the Men's Fellowship Class, urging the enactment of adequate old-age pension laws.

I ask that these two petitions be referred to the Committee on Finance.

The VICE PRESIDENT. The petitions presented by the Senator from Kansas will be referred to the Committee on Finance.

REPORT OF A COMMITTEE

The following report of the Committee on Public Buildings and Grounds was submitted:

By Mr. MALONEY:

H. R. 5146. A bill to amend an act entitled "An act to authorize the Secretary of War to proceed with the construction of certain public works in connection with the War Department in the District of Columbia," approved June 15, 1938; with amendments (Rept. No. 665).

ADDITIONAL COMPENSATION TO ENLISTED MEN—BILL INTRODUCED

Mr. DOWNEY. Mr. President, I introduce a bill to provide for payment of additional compensation, after the termination of their service, to enlisted men who serve in the land and naval forces of the United States during the present emergency.

Very often, after one has reached a conclusion and meditates upon it he decides that the original conclusion was wrong. On the other hand, sometimes the passage of time makes one more certain that he was correct. At the time we were considering the measure providing for the extension of service of the selectees I presented to the Senate an amendment increasing the pay of members of the armed forces of the United States by the sum of $30 a month. By a very narrow margin that amendment was defeated, but an amendment proposed by the Senator from New York [Mr. MEAD] to increase the pay $10 a month was adopted by the Congress and is now or will soon be in effect.

Mr. President, I am more than ever convinced that the morale of our Army and simple human justice require that men whom we force to become members of our armed forces be paid reasonable and fair compensation, to be determined by the prevailing wages of men working in the United States. Consequently, the bill I introduce calls for the payment of an additional sum of $30 a month to all members of the armed forces of the United States, the payment to be retroactive to September 1 of last year and to continue until 6 months after the present emergency has passed, whatever sum is earned to be payable in monthly installments of $30 after the discharge of the members of the armed forces.

I ask unanimous consent to have printed in the RECORD immediately following my remarks editorials and special article from the magazine PM of August 18, 19, and 20, relative to the issue raised by the bill.

The VICE PRESIDENT. The bill will be received and appropriately referred, and, without objection, the articles will be printed in the RECORD, as requested by the Senator from California.

The bill (S. 1866) to provide for paying, after termination of service, additional compensation to enlisted men who serve in the land or naval forces of the United States during the present emergency was read twice by its title and referred to the Committee on Military Affairs.

The articles presented by Mr. DOWNEY are as follows:

[From PM of August 18, 1941]

IS $30 OR $40 A MONTH DECENT PAY FOR OUR SOLDIERS?

When you stop to think about it, the strange thing about our Army is that it doesn't offer just about the best-paid jobs in the country. If our democracy is going to survive in a world stormed by armed fascism, it is going to be because our soldiers are better than the Germans, and because our Army is able to destroy their soldiers more effectively than they can destroy ours. But you'd never guess it from the pay.

Because we think it is important to the country and to the 1,443,500 men who make up the enlisted ranks, which include 681,000 draftees, we on PM have been looking into the subject recently. The first thing we found out is that if you're going to consider Army wages on a reasonable basis, you've got to get straight on a couple of angles that enter into Army service.

First is good, old-fashioned patriotism. It doesn't have a thing in the world to do with the question of how much a soldier should be paid, for the simple reason that you can't buy patriotism, and this country will inspire whatever patriotism it deserves whether or not it pays its soldiers well. But, because a man is patriotic, should he have to hitchhike when he goes to town for an evening?

Second is the matter of sacrifice. Every man in the Army makes a real sacrifice to be there, and some will pay with their lives. You can't pay for that. You can't measure it in money. But should a man who is willing to sacrifice in the larger sense be called on for smaller sacrifice as a special penalty? Isn't he still entitled to smoke tailor-made cigarettes the same as before he joined the Army?

In our check-up of the pay question, we found it does have a very real bearing on the matter of morale. We'll discuss that at greater length later. We found it does bring up the same questions of decency and fair play and human dignity and security that come up in private enterprises when it comes to fixing a wage scale.

On the soldier's side, we found it centers around small but very real things, like the lack of the price of a bus ride to town, lack of money to take a girl out for an evening, lack of wherewithal to do the things that young people work for, to say nothing of the hopeless prospect of laying by enough to get married, or sending a few dollars home to the folks, or putting something away against the day the Germans are licked and the Army won't need men.

What is Army pay, that it won't do these things? Well, it is $21 a month for the first 4 months, $30 a month up to 1 year, and after that, due to a change just voted, it will be $40 a month. Which isn't a complete picture, because the enlisted man gets his food, clothes, and a place to sleep. The story on the next pages goes into that. It estimates that if you figure those in on a cash basis, the $30 soldier is getting about the equivalent of a man paid $90 a month or less in New York City.

And how does this theoretical $90 a month compare with pay in other Government jobs or for similar work? The postmen get $150 to $166 a month. Here in New York, we pay our policemen and firemen $100 a month the first 6 months, then $166 a month, and by the third year they're getting over $200. Even the uniformed custodians you see around Government buildings get $112 to $116 a month.

Which is pretty good evidence that the soldier isn't in line, and brings us around to a very reasonable question:

Assume our soldiers are underpaid, can we afford to pay them more?

The obvious answer, of course, is another question:

Can we afford not to pay them what they're worth and what they should be getting?

But dismiss that and take a look at the story at the bottom of this page. It isn't easy reading because it deals with big figures, but it does give you a basis to compare the cost of an army pay increase with some other expenditures. That is probably the only way you can get at it, unless you can comprehend the box-car figures of Government finances.

Maybe an item that runs into the hundreds of millions is hard to understand, but a $10-a-month raise for soldiers that comes out to less than we spend for spare engines and spare parts for bombers can be understood. Evidence that raises—even substantial raises—would not disturb the defense program or Government finances is found in the fact that casually, during debate on the draft extension bill, a $10 raise for 1-year men was put in without the question's even being raised, so far as we could find out.

All this is just part of the story but it does show that we could and should pay our soldiers more. How much is something else—certainly enough to give them something comparable to a decent living wage outside the Army.

On the next four pages we tell something of what we have been able to learn on the subject. On succeeding days we will complete the picture as we have been able to get it.—John P. Lewis.

WHAT IT WOULD COST TO UP PAY

Exclusive of officers, America's Army totaled 1,443,500 men on August 14. To increase the pay of every one of those soldiers $10 a month would cost the Nation only $14,435,000 a month, or $173,220,000 a year.

To the boys in uniform that's a lot of dough, but to the Nation as a whole it is of little or no significance.

It is only a fraction of 1 percent of the $17,981,000,000 appropriated for our military forces ($13,487,000,000 for the Army and $4,494,000,000 for the Navy) in the fiscal year that ended last June. And the comparable sum for this fiscal year is already $17,000,000,000.

The appropriation for military pay in the fiscal year we're in now (1942) is $1,208,000,000. A $10-a-month raise for every soldier would only make it $1,381,000,000 and a $20-a-month raise would only send it up to $1,554,000,000.

SOME COMPARISONS

This year's appropriation for clothing the Army, $175,000,000, is more than the sum required to give the men $10 a month more; and the 1942 appropriation for spare engines and spare parts for bombers is vastly more—$245,000,000.

If the soldiers' pay were raised only as they became better soldiers—at the end of a year's training, say—it would be even less of a drain on the Treasury. There is talk of an army of 3,000,000 or 4,000,000 men as the defense program continues, but it is estimated that only about three-fifths of them would be eligible at any one time for raises taking effect at the end of the first year's training.

About 120,000 men will be released this year at the end of a year of service because they have reached 28 or for other special reasons.

NO OUTCRIES IN CONGRESS

When the selectees' service recently was extended from a year to two and a half years, Congress included a $10-a-month increase in the men's pay with scarcely any hesitation. Even the legislators who yell most loudly for economy kept silent.

Some newspapers and commentators instantly pointed out, however, that it was going to cost the Government more money. Those were the newspapers and commentators that worry more about what's happening to

the Budget than they do about what's happening to the country.

They rarely point out that Government financing is not like private financing. When an individual goes in debt, he has to make sacrifices in the future to pay that debt. When a government goes in debt, it goes in debt to its people, and when it repays that debt later it repays it to the very people whom it taxes to raise the money to repay them.

The American people have not been afraid to go in debt to themselves to pull this country out of an economic slump and build up its ramparts against fascism.

[From PM of August 19, 1941]

PAY ARMY MORE NOW AND SAVE BONUS—POST-WAR COSTS SHOW FALSE ECONOMY

(By Nathan Robertson)

World War experience indicates the Government doesn't save much in an emergency by paying its soldiers inadequately. It wouldn't have cost any more to pay World War soldiers $10 more a month while they were in the service than it cost to give them the post-war payments.

The bulk of these post-war payments was the bonus, voted by the Congress on the theory that the soldiers had been paid inadequately during their service. If Army salaries were raised now, it would wipe out much of the argument for a bonus later.

Altogether the United States of America has spent about $12,750,000,000 on its World War veterans. Most of this went for hospitalization and insurance, which the present soldiers probably will get regardless of how much they are paid.

But about $4,445,000,000 was used to pay the bonus and to provide vocational education for the veterans—both in the nature of belated salary payments. The bonus cost $3,800,000,000; vocational education $645,000,000.

This money was split among about 4,000,000 veterans and their survivors. The average World War soldier served a little less than 12 months. If the money had been divided up at the time, it would have amounted to very close to $10 a month.

It would cost only $173,220,000 a year now to raise the wages of the present Army of 1,443,500 men by $10 a month. Even if the Army expands to 2,000,000 men, the cost would be only $240,000,000 a year. Present pay is $21 a month for 4 months, $30 up to 1 year and $40 after that.

At that rate, if the Government paid the men $10 more a month for 5 years, or $20 more for 2½ years, the cost would be only a little more than one-fourth of what the belated payments to World War veterans cost.

The Government could double the present pay of the Army, even if it expands past the 2,000,000-man mark, for 5 years and still it wouldn't cost as much as the belated payments to the World War veterans.

Most Members of Congress concede that Army pay is inadequate compared with what the men would get in other jobs. The only argument advanced against paying what might be considered a going wage is the aggregate cost. "How would the Government ever pay for it?" is the usual query.

These figures indicate that sooner or later the bill has got to be paid anyway. The current cost of giving every enlisted man now in service a $30-a-month raise for 1 year—$519,660,000—is only about 11 percent of the cost of the last post-war bonus and vocational education.

[From PM of August 18, 1941]

POOR MORALE IN ARMY LAID TO COOLIE WAGES OF SOLDIERS

(By Joseph Cummiskey)

If one thing is certain in their minds, it's this: $21 a month (pay for the first 4 months) is almost nothing. And $30 a month (pay after that period) is more of the same. And $40 a month (pay after 1 year, just voted by Congress) will be an improvement, but not much.

They are given shelter, food, and clothing. I figure these three items plus salary breakdown over 30 days something like this:

Shelter (bed, barrack room, bathroom)	$20
Food (average about $1 a day)	30
Clothing (about $120 worth a year)	10
Salary (paid in cash once a month)	30
Total	90

In other words, a soldier getting $30 a month is about as well off as $90 cash without board, room, and clothing.

That's what they get. But beyond there, here's where that $30 a month is used. How far it will go you'll see for yourself. This is a kind of composite estimate drawn from talks with scores of soldiers:

Smoking (pipe or cigarettes), about 20 cents daily	$6.00
Shoe polish (a can a week)	.40
Stamps (they haven't much else to do, so soldiers write a lot)	.84
Pressing (coat, 25 cents; pants, 20 cents), once weekly	1.80
Laundry (flat rate per month)	2.10
Haircut (every 10 days), at 30 cents	.90
Razor blades (issued three, must buy rest)	.35
Toothpaste (depending on brands)	.25
Shave cream (ditto)	.40
Mirror (buy it once)	.35
Shave brush (buy it once)	1.00
Shoebrush (buy once, use plenty)	.50
Button board (to keep polish off clothes)	1.00
Housewife kit (buttons, needles, thread, scissors, safety pins)	1.75
Blitz powder (to clean metal)	.50
Face soap	.30
Candy, sweet cakes, soft drinks, gum (big items, buddy, particularly the sweets)	5.00

Let's add up what we have right here before we even start thinking of getting the soldier out of camp for a night—even once a month.

The total right now is $23.44.

Subtract $5 for the items he has to buy only once, and to allow for savings through skimping, and it still comes to about $18.

We haven't got him paying for a bus ride to, say, Trenton, the closest city. When he gets there—or anywhere away from camp—he might want a beer, at 10 cents a glass. Or see a movie at 24 cents.

He has 5 days off a month—Saturday and Sunday four times—and there are also those Friday nights after 5:30 retreat. What's he going to use for money if he wants to go places?

We haven't even mentioned newspapers, books, and magazines. They cost him just what they cost you.

[From PM of August 19, 1941]

PAUPER PAY FOR SOLDIERS IS USED AS ANTI-LABOR WEAPON

(By Albert Deutsch)

The phoniest, most hypocritical antilabor argument I've heard since the onset of the defense emergency is the one now making the rounds. It goes like this:

"It's a crime for workers to strike for bigger pay when our boys in Army camps get a measly $21 a month."

This piece of chicanery has been dinned into our ears so often, especially by reactionaries in Congress, that a lot of well-meaning people have come to accept it as a valid argument against strikes. More serious, it is building up resentment against labor among men in the Army, which is no help to national morale. Incidentally, it diverts public attention from the biggest contradiction of the "equality of sacrifice" principle—the tremendous profits being derived by employers from defense contracts.

Somehow the idea of raising Army pay to a decent level always manages to elude the labor baiters whose hearts bleed for the boys in service. They say it's sordid to tarnish the lofty patriotic ideals in the training camps with talk of paltry pelf.

BETTER PAY AND MORALE

The fact is that raising the base pay of our soldiers would help remedy a gross injustice and considerably strengthen Army morale, which is admittedly low at present.

Soldiers entering the Army now get $21 a month. After 4 months of service they get $30. Last week's Service Extension Act included provision for a monthly wage of $40 after the first year. There is no reason to feel smug and big-hearted about this sop to our soldiers. A $10 raise is certainly an improvement, but it isn't enough and it doesn't cover the first year of service.

My personal opinion is that the base pay of Army privates should be raised to $60 a month. Figuring the private's maintenance (food, clothing, shelter) at $40 a month—on a national basis—that would make the equivalent of a wage of $100 a month. (Maintenance estimates in PM yesterday were on a New York rather than a national basis.)

REASONS FOR CHANGE NOW

At that we wouldn't be paying the private what his work would be worth in normal industry, considering the hazards and required skill in his calling, but it at least would be in accord with a minimum decent standard of living. And all the experts I've read and talked with agree on this point—that the prevailing living standard is a vital factor in computing fairly the base pay of men in military service.

There is a tendency to take the present Army wage for granted. Soldiers have never received more than a pittance, it is argued, so why change now? Several good reasons exist for changing now. Here are some of them:

Morale is a most vital factor in the new type of war, the war of nerves. An important element in army morale is the soldier's feeling that he isn't being pushed around and that his folks back home are being provided for. This has been deeply stressed in the Soviet Union and in Germany, where the soldier gets the best of everything and is assured that his family on the home front is not in need. That's one reason for the relatively high morale of Soviet and German troops.

The average American draftee was a breadwinner before he went into service. Although men with dependents were deferred by the draft boards, many of those inducted came from families that depended on the combined wages of several members. In such families the loss of the inducted wage earner may have seriously lowered the standard of living, even if it hasn't plunged the family below the dependency line. Whether employed or not before getting into the service, the average soldier would get a great lift in morale if he could send some money home—if he felt he was contributing to the family's well-being instead of being a total economic loss to it. He certainly can't do it on $21 or $30 a month, which doesn't even take care of his own laundry, cigarettes, transportation, stamps, adequate recreation, and other needs.

EQUALITY OF SACRIFICE

Raising the base pay of Army men to $60 could have a favorable effect on morale in other ways. It would help level off the prevailing inequality of sacrifice which breeds morale-weakening resentments among inductees and their families.

Don't forget, too, that this is a civilian army, made up of men from all walks of life, representing a faithful cross section of American youth. A large number of men have given up well-paying jobs on being inducted. Others had to postpone promising careers. All

are entitled to a decent minimum. This is total war, involving not merely armies but whole populations. What right have we to ask men already prepared to risk life and limb for their country to take, besides, a far greater economic loss than all other sections of the population?

Another point: The present Army pay, though liberalized since the draft, still follows the traditional view that soldiers should get no more than the rate granted to the lowest-paid, unskilled laborer. The tasks of soldiers in former times, it is true, were mostly simple and routine in nature, not particularly hazardous in the long stretches of peace between wars, and not much more difficult than those of unskilled workers. But modern blitz warfare, highly mechanized and swift moving, requires far greater technical skill, intelligence, and alertness of the soldier. The revolutionary change in war tactics justifies a new orientation toward Army wages, which should now be adjusted to harmonize with skilled, not unskilled, pay rates.

This question of Army pay is not one of patriotism but of simple justice. There is little logic in the sort of thinking that accepts the fact of big profits reaped out of the war emergency but stands aghast at the idea of granting a decent minimum wage to soldiers as an unseemly and unpatriotic act.

In terms of costs the returns in morale, apart from the question of justice, would be worth a good deal more than the battleships, tanks, and planes that could be bought with an equivalent sum.

[From PM of August 20, 1941]

Is $30 or $40 Decent Pay for Our Soldiers?—Congressmen Don't Think So, But Fail to Act—Increases Debated in Both Houses When Draft Bill Was Up—Only Opposition Was on the Grounds of Insufficient Study

(By Nathan Robertson)

Both Houses of Congress debated pay increases for the men in the military services during consideration of the draft-extension bill. Not a single Member of either body challenged the contention that the men were underpaid.

Proposals were offered to double and even to quadruple the pay of men serving more than a year. Congress finally compromised on a flat increase of $10 a month after the first year, but no one contended it was enough. Amendments to provide bigger increases were rejected on the argument that they had not been studied sufficiently, not on the ground that they were unjustified.

Reaction to the proposals indicated a drive for adequate pay would have a good chance to get through, unless the pressure groups that always fight against appropriations, regardless of their merits, were allowed to decide the issue.

STARTED BY DOWNEY

The pay fight started in the Senate with the offering of an amendment by Senator Sheridan Downey (Democrat, California) increasing by $30 a month the pay of all men in the military services more than a year, except officers. The money would not be paid now but given to the men in monthly installments after they were discharged from the service.

Senator Downey said he was not offering it as a proposal for a bonus but to provide additional compensation. Senator Josh Lee (Democrat, Oklahoma) supported the proposal, saying it amounted to "a mere $2 a day" for soldiers "engaged in the most hazardous of all occupations."

"In the light of wages which are being received by those who are not in the service," Senator Lee said, "and in the light of the profits which are being received by those in industry and by all persons who are able to take advantage of an inflation period which always comes at such times, it seems to me that is the least we can do for these soldiers."

Senator Carl Hatch (Democrat, New Mexico) also supported the Downey amendment. He proposed that Congress also should continue the social-security payments the men would be accumulating if they were in private employment.

Democratic Leader Alben W. Barkley (Democrat, Kentucky) asked why men should be paid more after a year than during the first year of service.

Senator Lee replied that the men had expected to get out after a year.

"Now," he said, "Congress comes along and says to them: 'On account of the emergency, we ask you to continue your service; and in order to offset to some extent the economic disadvantages you might suffer by virtue of that service, we will allow you an additional $30 a month.'

"The theory on which I am supporting paying the money in $30 monthly installments after the man is discharged is that it would cushion the economic shock he would face when he comes out of the service and attempts to readjust himself in life."

CUSHION FOR COLLAPSE

Senator Downey added that after the war there would be a "tremendous collapse of purchasing power" and that the payments to the soldiers would cushion this collapse.

Senator Lee said that during the World War every soldier who gave up a job paying him $7 a day to go into the Army took an economic loss of $1,800 if he was in the service 16 months.

"I know we cannot pay for patriotism," he said, "but I do not believe we should penalize it, either."

Replying to a comment by Senator Carl Hayden (Democrat, Arizona) that the Downey plan would cost $540,000,000 a year, Senator Lee said that figure merely showed how much the soldiers were sacrificing, and it would be easier on the Government to take the loss than for the men to take it.

Senator Downey told the Senate the War Department had drafted his amendment. He said the Department did not take any position on it, feeling the question was one for Congress to decide, but "they had no opposition to it."

Senator Hatch berated the Senate for quibbling over the pay raise, saying:

"I do not like the idea of bearing down on the men who are giving all their time every day, and possibly will give their lives as well, in the interest of the country."

BASIS OF OPPOSITION

When Senator Downey estimated that present Army pay corresponds to civilian pay of about $80 a month, which is far below what defense workers are getting, Senator John H. Overton, Democrat, of Louisiana, suggested that the increase should go to $80 a month, or perhaps $100.

Opposition to the Downey amendment was led by Senator Lister Hill, Democrat, of Alabama, on the ground that the Military Affairs Committee had not had time to study it. Senator Hatch said he was "irritated" by the suggestion that the Senate had the necessary information to keep the men in the Army for another 18 months, but did not have sufficient information to increase their pay.

Another member of the Militar Affairs Committee, Senator Albert B. Chandler, Democrat, of Kentucky, promised Senator Downey that if he would introduce his proposal as a separate bill the committee would be diligent in considering it. Senator Lee, however, objected to this, calling it merely a move to shelve the plan.

Senator William Langer, Republican, of North Dakota, offered an amendment to increase the additional pay from $30 a month to $100 a month, but it was quickly defeated without a record vote. Attempts to get a record vote were beaten down.

Then Senator Downey tried to get a record vote on his amendment, but the Senate refused to give it to him. Twelve Senators asked for the record vote, but the Chair ruled it was not enough. Later Senator Bennett Clark (Democrat, Missouri) questioned this ruling. He charged that many of the Senators did not want to have their votes recorded.

Senator James M. Mead (Democrat, New York) then offered the amendment that was finally adopted, raising the pay $10 a month after a year's service. He argued that it was only fair in view of the bonus given Regular soldiers and sailors for reenlistment. David I. Walsh, chairman of the Naval Committee, spoke for the Mead amendment

Before it was finally voted on, Senator Edwin C. Johnson (Democrat, Colorado) proposed a horizontal increase of 25 percent for all enlisted men. He said Canada was paying its soldiers $1.30 a day as compared with the starting pay in the United States Army of 75 cents.

Senator Johnson's amendment was defeated by a single vote—37 to 36. Senator Mead's $10 raise was then approved, 39 to 34. The opposition vote included many Senators favoring higher pay—Senator Hatch among them—who voted against it because it had never been considered by the committee.

In the House the story was similar. Representative Arthur D. Healey (Democrat, Massachusetts) offered the $10-raise plan as "a matter of simple justice." It was approved, 131 to 84.

Representative Jerry Voorhis (Democrat, California) offered the Downey plan for a $30 deferred-pay increase. He presented the same arguments as the Senators who favored it, but the House turned it down without a record vote on the plea of Andrew May chairman of the Military Affairs Committee, who objected that in view of the $10 raise already voted, it was "stacking mercy on top of money."

In both Houses the debate showed clearly that Members of Congress were not anxious to go on record in favor of the present pay scales in the Army and Navy.

ADDRESS BY REAR ADMIRAL BYRD AT MADISON SQUARE GARDEN RALLY OF COUNCIL FOR DEMOCRACY

[Mr. BARKLEY asked and obtained leave to have printed in the Record the address delivered by Rear Admiral Richard E. Byrd at the mass meeting of the Council for Democracy, held at Madison Square Garden, New York City, Tuesday, August 19, 1941, which appears in the Appendix.]

THE GAS CRISIS—EDITORIAL FROM WASHINGTON TIMES-HERALD

[Mr. MALONEY asked and obtained leave to have printed in the Record an editorial from the Washington Times-Herald of August 20, 1941, entitled "Is the Gas Crisis Real?" which appears in the Appendix.]

CONFERENCES BETWEEN THE PRESIDENT AND THE BRITISH PRIME MINISTER (H. DOC. NO. 358)

The VICE PRESIDENT. Morning business is closed.

The Chair lays before the Senate a message from the President of the United States, which will be read.

The legislative clerk read as follows:

To the Congress of the United States:

Over a week ago I held several important conferences at sea with the British Prime Minister. Because of the factor of safety to British, Canadian, and American ships and their personnel, no prior announcement of these meetings could properly be made.

At the close, a public statement by the Prime Minister and the President was

made. I quote it for the information of the Congress and for the record:

The President of the United States and the Prime Minister, Mr. Churchill, representing His Majesty's Government in the United Kingdom, have met at sea.

They have been accompanied by officials of their two Governments, including high-ranking officers of their military, naval, and air services.

The whole problem of the supply of munitions of war, as provided by the Lease Lend Act, for the armed forces of the United States and for those countries actively engaged in resisting aggression has been further examined.

Lord Beaverbrook, the Minister of Supply of the British Government, has joined in these conferences. He is going to proceed to Washington to discuss further details with appropriate officials of the United States Government. These conferences will also cover the supply problems of the Soviet Union.

The President and the Prime Minister have had several conferences. They have considered the dangers to world civilization arising from the policies of military domination by conquest upon which the Hitlerite government of Germany and other governments associated therewith have embarked, and have made clear the steps which their countries are respectively taking for their safety in the face of these dangers.

They have agreed upon the following joint declaration:

"Joint declaration of the President of the United States of America and the Prime Minister, Mr. Churchill, representing His Majesty's Government in the United Kingdom, being met together, deem it right to make known certain common principles in the national policies of their respective countries on which they base their hopes for a better future for the world.

"First. Their countries seek no aggrandizement, territorial or other;

"Second. They desire to see no territorial changes that do not accord with the freely expressed wishes of the peoples concerned;

"Third. They respect the right of all peoples to choose the form of government under which they will live; and they wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them;

"Fourth. They will endeavor, with due respect for their existing obligations, to further the enjoyment by all states, great or small, victor or vanquished, of access, on equal terms, to the trade and to the raw materials of the world which are needed for their economic prosperity;

"Fifth. They desire to bring about the fullest collaboration between all nations in the economic field with the object of securing, for all, improved labor standards, economic advancement, and social security;

"Sixth. After the final destruction of the Nazi tyranny, they hope to see established a peace which will afford to all nations the means of dwelling in safety within their own boundaries, and which will afford assurance that all the men in all the lands may live out their lives in freedom from fear and want;

"Seventh. Such a peace should enable all men to traverse the high seas and oceans without hindrance;

"Eighth. They believe that all of the nations of the world, for realistic as well as spiritual reasons, must come to the abandonment of the use of force. Since no future peace can be maintained if land, sea, or air armaments continue to be employed by nations which threaten, or may threaten, aggression outside of their frontiers, they believe, pending the establishment of a wider and permanent system of general security, that the disarmament of such nations is essential. They will likewise aid and encourage all other practicable measures which will lighten for peace-loving peoples the crushing burden of armaments.

"FRANKLIN D. ROOSEVELT.
"WINSTON S. CHURCHILL."

The Congress and the President having heretofore determined through the Lend Lease Act on the national policy of American aid to the democracies which east and west are waging war against dictatorships, the military and naval conversations at these meetings made clear gains in furthering the effectiveness of this aid.

Furthermore, the Prime Minister and I are arranging for conferences with the Soviet Union to aid it in its defense against the attack made by the principal aggressor of the modern world—Germany.

Finally, the declaration of principles at this time presents a goal which is worth while for our type of civilization to seek. It is so clear-cut that it is difficult to oppose in any major particular without automatically admitting a willingness to accept compromise with nazi-ism; or to agree to a world peace which would give to nazi-ism domination over large numbers of conquered nations. Inevitably such a peace would be a gift to nazi-ism to take breath—armed breath—for a second war to extend the control over Europe and Asia to the American Hemisphere itself.

It is perhaps unnecessary for me to call attention once more to the utter lack of validity of the spoken or written word of the Nazi government.

It is also unnecessary for me to point out that the declaration of principles includes of necessity the world need for freedom of religion and freedom of information. No society of the world organized under the announced principles could survive without these freedoms, which are a part of the whole freedom for which we strive.

FRANKLIN D. ROOSEVELT.
THE WHITE HOUSE, *August 21, 1941.*

The VICE PRESIDENT. The message will be referred to the Committee on Foreign Relations.

INVESTIGATION OF CAUSE AND METHODS OF COMBATTING ENCEPHALITIS

The VICE PRESIDENT. The calendar, under rule VIII, is in order.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the calling of the calendar be dispensed with.

The VICE PRESIDENT. Is there objection?

Mr. McNARY. Mr. President, in connection with the unanimous-consent request, I wish to state that at the last meeting of the Senate the able Senator from North Dakota [Mr. LANGER] introduced a joint resolution to provide for an investigation of the cause and methods of combating encephalitis. At that time the Senator from North Dakota stated he would like immediate action on the joint resolution, as it involves a very important matter, and should receive the attention of the Congress. It was rather understood at that time that the Committee on Agriculture and Forestry would either act or that an opportunity might be given to poll the committee to which the joint resolution was referred. A poll has been made, and the members of the committee to whom it was presented, who constituted a majority, voted unanimously to report favorably the joint resolution.

Therefore, from the Committee on Agriculture and Forestry, I report favorably, without amendment, Senate Joint Resolution 104 to provide for the general welfare by investigations into the origin of and causes of the disease of encephalitis, and for other purposes. Inasmuch as the joint resolution is an authorization measure, and involves the appointment of an Encephalitis Control Board, the object of which is to prevent the spread of this infectious disease, I now ask whether action may not be had today on the joint resolution?

Mr. BARKLEY. Has the joint resolution been placed on the calendar, and, if so, what is its calendar number?

Mr. McNARY. I am referring to Senate Joint Resolution 104.

Mr. BARKLEY. I do not see it on the calendar. It could not have been on the calendar since it was reported a few moments ago.

The VICE PRESIDENT. The joint resolution has not yet received a calendar number.

Mr. BARKLEY. It has been reported to the Senate.

Mr. McNARY. Yes; I reported it to the Senate. I ask that the title of the joint resolution be stated for the information of the Senate.

The VICE PRESIDENT. The clerk will state the title of the joint resolution for the information of the Senate.

The LEGISLATIVE CLERK. A joint resolution (S. J. Res. 104) to provide for the general welfare by investigations into the origins and causes of the disease of encephalitis, and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. BARKLEY. Mr. President, reserving the right to object, I wish to ask whether the Committee on Agriculture and Forestry reported the joint resolution without amendment or with an amendment?

Mr. McNARY. The joint resolution was reported without amendment.

Mr. BARKLEY. The joint resolution carries an authorization of $3,000,000.

Mr. McNARY. Yes.

Mr. BARKLEY. I had a chance to look over the joint resolution only hastily. Is the $3,000,000 provided for in it for the use of the board making the investigation, or is it for use in the States referred to in the effort to combat the disease?

Mr. McNARY. It is for the use of the board under the jurisdiction of the United States Public Health Service.

Mr. BARKLEY. In other words, that sum of money is to be appropriated merely for the investigation?

Mr. McNARY. For the investigation, yes, and for the work. May I refer that question to the able Senator from North Dakota [Mr. LANGER] who introduced the joint resolution?

Mr. BARKLEY. What I have in mind is this: If $3,000,000 is to be appropriated for relief of the situation in the States in question, that is one thing. If $3,000,000

is to be used by the board simply to investigate, it is an unheard of amount to be used simply for the conduct of an investigation. I should like to know what the $3,000,000 is to be used for.

Mr. LANGER. Mr. President, the money is to be used by the boards of health of North Dakota, South Dakota, Montana, and Minnesota, and it is to be used partly in Canada, in the Provinces of Manitoba and Saskatchewan, where the disease of encephalitis is raging.

Mr. BARKLEY. In other words, the Senator is asking the Congress to appropriate money part of which is to be used in Canada?

Mr. LANGER. That is correct, but I will explain the reason. It is all going to be used under the supervision of the Surgeon General of the Public Health Service of the United States. The sum to be used in Canada is to be expended when experts from Canada are called in from Canadian Provinces where encephalitis is also raging. The money will be used to investigate the causes of the disease, to control it and keep it from spreading. At the present time, for example, private doctors are treating those affected by the disease They have no equipment with which to make proper examination, or even to make autopsies, in case of death, to find out the cause of death.

The joint resolution provides that the Secretary of Agriculture shall appoint one member of the Encephalitis Control Board. The reason for that is that the medical profession believes that this disease is caused by mosquitoes and flies which have alighted on horses which have died from the disease. I might add that during the year I served as Governor of North Dakota over 10,000 horses died of this disease. Mosquitoes and flies alight on horses infected by the disease, and then apparently infect children. The hospitals in the States in question are simply filled with little children who have been bitten either by mosquitoes or flies, and the disease is spreading by leaps and bounds.

Mr. BARKLEY. Mr. President, let me ask the Senator a question. The joint resolution, of course, only provides for the authorization of this entire amount. If the Senate should now pass the joint resolution the Senate Appropriations Committee will be obliged to pass on the amount involved. The committee may attempt to control the amount appropriated and determine how it is to be expended. But is the entire amount appropriated, whatever it will be, within the $3,000,000 authorization, to be controlled by the Surgeon General of the United States, or the Encephalitis Control Board of which he is to be the chairman?

Mr. LANGER. Entirely.

Mr. BARKLEY. So that it is not to be turned over in cash to some States or to some provinces in Canada. and it is not to be left to the discretion of the State or provincial authorities as to how the money shall be expended?

Mr. LANGER. No; not one penny of it.

Mr. BARKLEY. Mr. President, I have no objection to the present consideration of the joint resolution, although I think there may be a number of unnecessary whereases in the preamble, which frequently is the case. But I make no point on that.

Mr. LANGER. Mr. President, I wished to make the matter very clear. That is why there were so many whereases in the preamble.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution (S. J. Res. 104) to provide for the general welfare by investigations into the origins and causes of the disease of encephalitis, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Whereas the good health of the people of the United States is an important factor in the program of national defense; and

Whereas many steps have been taken by the Federal Government for the purpose of safeguarding the health of the people of the United States; and

Whereas encephalitis, the disease known as sleeping sickness, has caused the death of many persons and has left hundreds of others in a feeble-minded or partially paralyzed condition; and

Whereas there is a serious epidemic of encephalitis in the Plains States of the Northwest and in that part of the Dominion of Canada adjacent to such States, which, unless eliminated or checked, may spread all over the United States with dire consequences to the health and welfare of the Nation; and

Whereas the causes of such disease have not been definitely established; and

Whereas investigations and research are necessary in order to determine such causes and to find a cure for such disease; and

Whereas immediate action is required in the interest of the public health and the national defense: Therefore be it

Resolved, etc., That there is hereby created and established an Encephalitis Control Board (hereinafter referred to as the "Board") to be composed of six members. One member of the Board shall be the Surgeon General of the Public Health Service, who shall be its chairman; one member shall be an officer or employee in the Department of Agriculture and shall be appointed to membership in the Board by the Secretary of Agriculture; and the remaining four members shall be as follows: One member each from the States of Minnesota, Montana, North Dakota, and South Dakota, each to be appointed by the Surgeon General aforesaid. Members appointed by the Surgeon General shall serve without compensation from the Federal Government; and the Surgeon General of the Public Health Service and the member appointed by the Secretary of Agriculture shall serve without additional compensation, but the payment to members of the Board of necessary travel expenses (including a per diem) incurred in connection with the business of the Board is hereby authorized.

(b) The Board is authorized, without regard to the provisions of any laws applicable to the employment or compensation of officers or employees of the United States, to appoint and fix the compensation of such officers and employees as the Board deems necessary to perform its functions under this joint resolution. The Board is authorized to accept and utilize voluntary and uncompensated services of any person or, with the consent of any State, of any officer or employee of such State or any political subdivision thereof, and may utilize, without additional compensation, the services of such persons as may, at the request of the chairman of the Board, be assigned for that purpose by the head of any department, establishment, or other agency of the United States: *Provided*, That nothing herein shall be construed to prevent the payment of necessary travel expenses (including a per diem) of persons whose services are so utilized.

SEC. 2. (a) In cooperation with the United States Public Health Service and the health authorities of the States, the Board is authorized to investigate and study the origin and causes of encephalitis, the disease known as sleeping sickness. The Board, or any duly authorized representative thereof, shall have power to (1) put under quarantine such area or areas as is deemed necessary in order to prevent the spread of such disease; (2) enter any hospital or other place and examine any patient who has, or who is suspected of having, such disease; (3) order and conduct autopsies on the body of any person who has died, or is suspected of having died, of such disease; and (4) conduct such other investigations and examinations as are deemed necessary to determine the origin and causes of such disease or to find a cure therefor.

(b) The Board shall provide for the establishment of a laboratory or to utilize the laboratory located in Bismarck, N. Dak., at which place the investigations and research herein provided for shall, insofar as possible, be carried on. Such laboratory shall be available for use by the health authorities of any States and of the Dominion of Canada.

(c) The Board is authorized to prescribe, amend, and rescind such regulations as may be necessary to carry out the provisions of this joint resolution.

SEC. 3. The Board shall submit to the Congress annually in January a report covering its activities during the preceding calendar year and including such information, data, and recommendations for further legislation for the purpose of controlling encephalitis as it may find advisable.

SEC. 4. There are hereby authorized to be appropriated annually such sums as may be necessary to carry out the provisions of this joint resolution, of which sums there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $3,000,000, which shall be immediately available and remain available until expended.

The preamble was agreed to.

The VICE PRESIDENT. At the request of the Senator from Kentucky [Mr. BARKLEY], and without objection, the calling of the calendar will be dispensed with.

DEFENSE HOUSING

Mr. MALONEY. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House bill 5395, Calendar No. 696, which would amend the National Housing Act.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 5395) to amend the National Housing Act, as amended.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. McNARY. Does the Senator from Connecticut desire to make a statement with respect to the bill?

Mr. MALONEY. I do not desire to impose upon the time of the Senate, because the Senate is entirely familiar with the measure, but I wish to make a brief statement concerning the bill.

Mr. McNARY. I am advised that the matter has previously been before the Senate.

Mr. MALONEY. It has.

Mr. McNARY. I have no objection.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 5395) to amend the National Housing Act, as amended.

Mr. MALONEY. Mr. President, the bill increases funds available to the Federal Housing Administration in the amount of an additional $200,000,000. The money is for the purpose of providing insurance in connection with title 6 of the Housing Act. Title 6 of the act deals with defense housing. The Federal Housing Administration is at the moment without funds for a continuation of this extremely important part of its work. Applications under this section of the act are being received daily in great numbers by the Federal Housing Administration. The original $100,000,000 providing for the defense housing feature of the Administration's work has been expended. If the work is to continue and be of real value, it must go on at this time.

The bill has already passed the House. It received the unanimous approval of the Committee on Banking and Currency, and I assume it will have the unanimous approval of the Senate.

Mr. President, in order that the Senate may in the future have a record of what transpired on this date, I ask unanimous consent to have incorporated in the RECORD, as a part of my remarks, the report from the Committee on Banking and Currency on this measure.

There being no objection, the report (No. 664) was ordered to be printed in the RECORD, as follows:

The Committee on Banking and Currency, to whom was referred the bill (H. R. 5395) to amend the National Housing Act, as amended, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

STATEMENT

Under title VI of the National Housing Act the Federal Housing Administrator is authorized to insure mortgages on property in areas in which the President determines that an acute shortage of housing exists or impends which would impede national-defense activities. Section 603 of title VI fixes a limit of $100,000,000 upon the aggregate amount of such mortgages which may be so insured.

Since March 28, 1941, when title VI was added to the National Housing Act, many thousand applications for such insurance have been received, and it is apparent that at the present rate of applications ($4,000,000 a week) the $100,000,000 will be exhausted long before July 1, 1942, when the authority of the Administrator under title VI expires.

The House bill (H. R. 5395), which was referred to the committee, changed the limitation of existing law from $100,000,000 to $300,000,000. The committee recommends that this change be made in order that operations under title VI may continue until July 1, 1942.

Mr. MALONEY. Mr. President, unless there are some questions, I have no further statement to make.

The VICE PRESIDENT. The question is on the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 603 of the National Housing Act is hereby amended by striking the figure "$100,000,000" appearing in subsection (a) thereof and inserting in lieu thereof the figure "$300,000,000."

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. GEORGE, from the Committee on Finance:

Norman D. Cann, of Atlanta, Ga., to be assistant to the Commissioner of Internal Revenue, to fill an existing vacancy.

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

Sundry officers for appointment, appointment by transfer, and promotion in the Army.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Mildred L. Feldmann to be postmaster at Wildrose, N. Dak., in place of C. H. Larson, removed.

REPORT AND CONFIRMATION OF POSTMASTER NOMINATION

Mr. McKELLAR. Mr. President, from the Committee on Post Offices and Post Roads I report favorably the nomination of Allen Gilliam Shook to be postmaster at Winchester, Tenn., and ask unanimous consent for its present consideration.

Winchester, Tenn., is the home town of my colleague the junior Senator from Tennessee [Mr. STEWART], and I have a telegram from him asking for immediate consideration of the nomination. I ask unanimous consent for the present consideration of the nomination, and also that the President may be notified.

The VICE PRESIDENT. Is there objection to the present consideration of the nomination? The Chair hears none. Without objection, the nomination is confirmed; and without objection, the President will be notified.

REPORT AND CONFIRMATION OF NOMINATIONS IN THE DIPLOMATIC SERVICE

Mr. CONNALLY. Mr. President, from the Committee on Foreign Relations I report favorably the nomination of Stephen E. Aguirre, of Texas, now a Foreign Service officer of class 8 and a secretary in the Diplomatic Service, to be also a consul of the United States of America; the nomination of Robert J. Cavanaugh, of Illinois, to be a Foreign Service officer, unclassified, a vice consul of career, and secretary in the Diplomatic Service of the United States of America; and the nomination of Arthur R. Williams, of Colorado, now a Foreign Service officer of class 8 and a secretary in the Diplomatic Service, to be also a consul of the United States of America. They are all routine career nominations in the State Department, and, in view of the fact that the Senate is meeting only every so often, I ask unanimous consent for the immediate consideration of these nominations

The VICE PRESIDENT. Is there objection to the present consideration of the nominations? The Chair hears none. The nominations will be stated.

The legislative clerk read the nomination of Stephen E. Aguirre, of Texas, now a Foreign Service officer of class 8 and a secretary in the Diplomatic Service, to be also a consul of the United States of America.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Robert J. Cavanaugh, of Illinois, to be a Foreign Service officer, unclassified, a vice consul of career and a secretary in the Diplomatic Service of the United States of America.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Arthur R. Williams, of Colorado, now a Foreign Service officer of class 8 and a secretary in the Diplomatic Service, to be also a consul of the United States of America.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. CONNALLY. I ask that the President be notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the President will be notified.

If there be no further reports of committees, the clerk will state the nominations on the calendar.

GOVERNOR OF PUERTO RICO

The legislative clerk read the nomination of Rexford Guy Tugwell to be Governor of Puerto Rico.

Mr. DANAHER. Mr. President, with reference to the first item on the Executive Calendar, the nomination of Mr. Rexford Guy Tugwell to be Governor of Puerto Rico, I respectfully ask the distinguished leader to withhold pressing for action on that nomination until the next session of the Senate. I do not know whether the Senate is to recess until Monday or Tuesday, but, as the case may be, I feel satisfied that by that time I shall have had an opportunity to canvass the file which is before me.

As a member of the Committee on Territories and Insular Affairs I have been unable to attend the hearings with reference to Mr. Tugwell for the simple reason that we have been constantly and continuously engaged in the Finance Committee from 10 a. m. until 5 or 5:30 p. m. every day. I omitted to vote when the nomination was pending before the committee the other day for the simple reason that I had had no opportunity to review the record. Since that time there has been delivered to me a typewritten transcript of the testimony of Mr. Tugwell himself, as well as that of other witnesses who appeared before the committee.

Therefore, in order that I may thoroughly familiarize myself with the record and thereafter decide just how I should vote with reference to this nomination, I ask that no action be taken on the matter at this time.

Mr. BARKLEY. Mr. President, this nomination came to the Senate some weeks ago. For reasons which I suppose were sufficient the committee did not act promptly on it. That is, there was some delay in the report. The report was made on Tuesday of this week. We sought then to obtain unanimous consent to have the nomination considered. It could have been considered on that day only by unanimous consent, because that was the day on which it was reported.

The Senator from Ohio [Mr. TAFT] indicated that he desired to make a speech on the nomination. He was not prepared to do so on Tuesday, and said that he would not object to consideration today. Now the Senator from Connecticut says he is not ready to make his speech on Mr. Tugwell, and asks that the nomination go over until Monday. By Monday, other Senators may want to make speeches on Mr. Tugwell, and may ask further time in order that they may dig up whatever it is they want to dig up regarding Mr. Tugwell.

A vacancy exists in the governorship of Puerto Rico. The situation is such that it is essential that there be somebody in charge of the government. It is desirable, and I think imperative, that this nomination be confirmed at the very earliest possible date. I find it difficult to resist the importunities of the Senator from Connecticut in this case, as I always do in any case in which he seeks consideration.

I shall not object to the nomination going over until Monday, with the understanding that it will be taken up on Monday. I shall not then consent to any further delay. Is that satisfactory to the Senator from Connecticut?

Mr. DANAHER. Mr President, I appreciate the consideration and courtesy which the Senator from Kentucky has extended to me. It is perfectly satisfactory to me to have the nomination go over on that basis; but lest I appear in an unfair light by reason of the use of the expression that some Senators might want to dig up something else on Mr. Tugwell, let me say that it is entirely possible that I may prove to be a firm supporter of Mr. Tugwell. I have not read the record at all.

Mr. BARKLEY. If that turns out to be true, Mr. Tugwell could not have a more able defender and sponsor than the Senator from Connecticut.

Mr. DANAHER. As usual, the Senator from Kentucky and I are in agreement.

Mr. President, let me say further that on Tuesday last, at the Finance Committee meeting, the chairman said that he had conferred with our distinguished majority leader, who had assured him there was no business to be taken up in the Senate on that day, and that therefore we need not leave the Finance Committee meeting to come over here. I did not even know that the Tugwell nomination was to be presented.

So, Mr. President, lest I appear in any unfavorable light as a result of the observations of the Senator from Kentucky, I state these facts of record.

Mr. BARKLEY. Far be it from me to say anything that would present the able Senator from Connecticut in an unfavorable light. At the time I made the remark in the Finance Committee I did not know that the nomination of Mr. Tugwell was to be reported on that day; and, if I had known it, probably I would have considered then, as I now consider, that the Senator's able assistance and his usual presence in the Finance Committee to help write a tax bill were more important than his opposition or even his vote on Mr. Tugwell's nomination. Probably it was in view of that fact that I may have persuaded the Senator to stay in the Finance Committee meeting where he could render some service, rather than to come over here where he might not.

Mr. DANAHER. Yet let me say, Mr. President, to the Senator from Kentucky that had I been here I undoubtedly would have enjoyed listening to the observations which were made with reference to certain newspaper articles so ably discussed that day. In fact, it appears to me that I missed one of the most interesting debates of the week by staying in the Finance Committee meeting.

Mr. BARKLEY. As usual, the Senator from Connecticut and I are in agreement.

Mr. DANAHER. Mr. President, let me report that the tax bill is progressing quite satisfactorily because I have continued on the job. [Laughter.]

The VICE PRESIDENT. Without objection, the nomination will go over.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc and that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, the nominations of postmasters are confirmed en bloc, and the President will be notified of their confirmation.

That completes the Executive Calendar.

ADJOURNMENT

Mr. BARKLEY. If there be nothing further, as in legislative session, I move that the Senate adjourn until 12 o'clock on Monday next.

The motion was agreed to; and (at 12 o'clock and 33 minutes p. m.) the Senate adjourned until Monday, August 25, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received August 21, 1941:

POSTMASTERS

ARIZONA

Owen Grant Macdonald to be postmaster at Mesa, Ariz., in place of F. K. Pomeroy, deceased.

Gail I. Gardner to be postmaster at Prescott, Ariz., in place of G. I. Gardner. Incumbent's commission expired July 27, 1941.

Annie Lee Killebrew to be postmaster at Ray, Ariz., in place of W. J. Philipson, deceased.

CALIFORNIA

Fred L. Kehlet to be postmaster at Meeks Bay, Calif. Office became Presidential July 1, 1940.

Joseph Anthony Chargin, Jr., to be postmaster at San Jose, Calif., in place of J. A. Chargin, Jr. Incumbent's commission expired May 28, 1941.

Arthur C. Parsons to be postmaster at Soquel, Calif., in place of L. S. Pringle, resigned.

COLORADO

Mr. Pearl L. Robb to be postmaster at Central City, Colo., in place of N. G. Parsons, resigned.

CONNECTICUT

Saul L. Peizer to be postmaster at Rockville, Conn., in place of George Forster. Incumbent's commission expired May 1, 1938.

FLORIDA

Gus C. Bryan to be postmaster at Pierce, Fla., in place of Burdett Loomis, Jr., retired.

ILLINOIS

Henry J. Cheze to be postmaster at Schiller Park, Ill. Office became Presidential July 1, 1940.

Andrew Mikel to be postmaster at Westville, Ill., in place of D. J. Giacoma, resigned.

INDIANA

Albert L. Dobbs to be postmaster at Greencastle, Ind., in place of A. L. Dobbs. Incumbent's commission expired June 25, 1940.

Effie M. Pugh to be postmaster at Upland, Ind., in place of P. D. Pugh. Incumbent's commission expired April 28, 1940.

KANSAS

Albert C. Chambers to be postmaster at Dexter, Kans. Office became Presidential July 1, 1941.

Clarence J. Hart to be postmaster at Severy, Kans., in place of H. D. Burke, retired.

James Glenn Hunsucker to be postmaster at Winchester, Kans., in place of M. A. Housh, removed.

KENTUCKY

William H. Roe to be postmaster at Olive Hill, Ky., in place of O. M. Lyon, resigned.

Simon B. Smith to be postmaster at Owensboro, Ky., in place of L. W. Hager, resigned.

Earl Rogers to be postmaster at Owingsville, Ky., in place of W. S. Thomas, removed.

LOUISIANA

Sidney J. Davis to be postmaster at Angola, La., in place of B. V. Williams, resigned.

Joseph P. Boulian to be postmaster at Westlake, La., in place of T. M. Fleming. Incumbent's commission expired February 18, 1941.

Allan F. Hebert to be postmaster at White Castle, La., in place of E. J. Templet. Incumbent's commission expired February 18, 1941.

MINNESOTA

Alvin S. Steen to be postmaster at Clinton, Minn., in place of William Spalinger. Incumbent's commission expired June 25, 1940.

MISSISSIPPI

Hershel Loamma Lott to be postmaster at Seminary, Miss., in place of E. L. Morris, resigned.

MISSOURI

Mary C. Cook to be postmaster at Lathrop, Mo., in place of E. C. Cook, deceased.

George W. Wood to be postmaster at Linneus, Mo., in place of A. J. Knapp. Incumbent's commission expired February 24, 1941.

Basil V. Jones to be postmaster at Pleasant Hill, Mo., in place of B. V. Jones. Incumbent's commission expires August 23, 1941.

NEBRASKA

Magnus P. Hemmingsen to be postmaster at Marquette, Nebr. Office became Presidential July 1, 1941.

NEW JERSEY

Charles A. Heiser to be postmaster at Bayonne, N. J., in place of J. T. Brady, deceased.

Arthur Necker to be postmaster at Union City, N. J., in place of C. W. Nolan, deceased.

Louis Meretta to be postmaster at Zarephath, N. J., in place of J. F. Garretson. Incumbent's commission expired June 19, 1940.

NEW YORK

Daniel F. Flanagan to be postmaster at Cazenovia, N. Y., in place of A. E. Fitch, retired.

John Richard Byard to be postmaster at Hartwick, N. Y., in place of Dorr Gardner, deceased.

Mark E. Monaghan to be postmaster at Malone, N. Y., in place of M. E. Monaghan. Incumbent's commission expired February 4, 1941.

Charles T. Davis to be postmaster at Mount Sinai, N. Y. Office became Presidential July 1, 1941.

Charles McGrane to be postmaster at Romulus, N. Y., in place of G. L. O'Marra, transferred.

OHIO

Helen E. Doubrava, to be postmaster at Twinsburg, Ohio, in place of E. H. Richner, resigned.

OREGON

Helen Peetz to be postmaster at Turner, Oreg., in place of W. A. Rankin, transferred.

PENNSYLVANIA

Herman I. Siegfried to be postmaster at Bath, Pa., in place of A. B. Scheffler, removed.

Ralph B. McQuistion to be postmaster at Harmony, Pa., in place of R. B. McQuistion. Incumbent's commission expired March 13, 1941.

Charles W. Swoyer to be postmaster at Reading, Pa., in place of W. A. Ringler. Incumbent's commission expired June 28, 1940.

Frances M. Ruland to be postmaster at Russell, Pa., in place of H. W. Hale, transferred.

TENNESSEE

Allen Gilliam Shook to be postmaster at Winchester, Tenn., in place of L. S. McDowell. Incumbent's commission expired March 28, 1940.

TEXAS

Robert L. Hight, to be postmaster at Grand Prairie, Tex., in place of I. C. Landers, resigned.

William Edward Wade to be postmaster at Jayton, Tex., in place of E. C. Wade, resigned.

Arthur J. Endres to be postmaster at Muenster, Tex., in place of H. W. Meurer, resigned.

Garland M. Shelley to be postmaster at Rogers, Tex., in place of J. H. Harris, transferred.

Gladys M. Kyle to be postmaster at Velasco, Tex., in place of M. E. Featherhoff, resigned.

William Patrick Campbell to be postmaster at Wilson, Tex., in place of Elmer Rice, transferred.

VIRGINIA

Virginia K. Wright to be postmaster at Roanoke, Va., in place of J. W. Wright, deceased.

WEST VIRGINIA

Harold E. Starcher to be postmaster at Ripley, W. Va., in place of J. K. Kerwood, deceased.

WISCONSIN

Royal E. Reckord to be postmaster at Evansville, Wis., in place of R. E. Reckord. Incumbent's commission expired February 18, 1941.

John J. G. Laing to be postmaster at Waukesha, Wis., in place of J. J. G. Laing. Incumbent's commission expired July 27, 1941.

APPOINTMENTS AND PROMOTIONS IN THE NAVY

The following-named lieutenants to be lieutenant commanders in the Navy, to rank from the date stated opposite their names:

Henry T. Dietrich, January 1, 1941.
Lawrence R. Daspit, July 1, 1941.
Clifford S. Cooper, July 1, 1941.
Allen Smith, Jr., July 1, 1941.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the date stated opposite their names:

Robert E. Fair, January 1, 1941.
Hugh R. McKibbin, January 1, 1941.
Ralph M. Pray, February 1, 1941.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the 1st day of April, 1941:

Joseph I. Manning	William J. Catlett, Jr.
Joseph C. McGoughran	Robert S. Riddell
Ray Davis	Charles F. Garrison
John L. Phillips, Jr.	Walter H. Newton, Jr.
Joseph W. Koenig	Charles W. Travis
Selby K. Santmyers	

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the 1st day of May 1941:

Hilary C. Rowe
Francis O. Iffrig
Albert G. Peiling

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the 1st day of July 1941:

George P. Unmacht	Lyle E. Strickler
William A. Hunt, Jr.	Ernest V. Bruchez
William E. Seipt	Lowell S. Price
Samuel H. Pattie	George M. Clifford
Paul T. Metcalf	Douglas M. Swift
William F. Cassidy	Ellis B. Rittenhouse
Paul Van Leunen, Jr.	Stanley S. Daunis
Charles M. Henderson	Francis D. Boyle
Charles Bienman, Jr.	Benjamin C. Fulghum
Robert H. Close	Frank K. Upham
Ernest E. Christensen	John T. Lowe, Jr.
Edgar S. Powell, Jr.	Charles H. Clark
Robert J. Ovrom	Walker Ethridge
James R. Compton	Forrest M. Price
Reuben T. Whitaker	Louis Lefelar
James D. Fulp, Jr.	Joe M. Alexander
Arthur L. Newman	Colin J. Mackenzie
Charles W. Brewer	Jackson D. Arnold
Juan B Pesante	Irving S. Presler
Donald G. Irvine	William T. Dutton
Frederic W. Hawes	George A. Hill, Jr.
John M. Hyde	Samuel R. Brown, Jr.
Robert J. Oliver	John H. Parker
Robert N. Robertson	Robert A. Chandler
Duncan P. Dixon, Jr.	Raymond Payne
Allan G. Schnable	Craig R. Garth
Robert C. Houston	Robert E. Bourke
Melvin H. Dry	Joseph S. Lewis
Joseph B. Tibbets	Frank G. Marshall, Jr.
Howard E. Day, Jr.	Lester J. Stone
Thomas B. Oakley, Jr.	Carl W. Schoenweiss
John F. McGillis	Frederick A. Gunn
Marshall W. White	Charles C. Coley

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the 1st day of August 1941:

Edward H. Worthington	John M. Lee
	Howard B. Beckwith
Dewey G. Johnston	Lewis L. Schock, Jr.
Gorman C. Merrick	Robert S. Burdick
James E. Vose, Jr.	John R. Middleton, Jr
John L. Foster	Cyrus C. Cole
Herbert F. Carroll, Jr.	Richard B. Lynch

The following-named ensigns to be lieutenants (junior grade) in the Navy, to rank from the 2d day of June 1941:

John K. Leydon	John C. Isham
Richard D. Mugg	William A. Hasler, Jr.
Howard F. Clark	Herman E. Miller
Arnold E. Jakel	Willis R. Denekas
Frederick G. Dierman	Hamilton O. Hauck
Otis A. Wesche	Edward B. Jarman
Irwin F. Fike	Alan R. McFarland
Robert L. Jackson	Charles F. McGivern
Robert A. O'Neill	George A. Whiteside
Jamie Adair	Carl R. Dwyer
Ben B. Pickett	William C. Leedy
Robert W. McNitt	Leonard W. Thornhill
Robert P. Blauvelt	Charles S. Arthur, Jr.
Elton L. Knapp	Richard E. Johnson
Freeland H. Carde, Jr.	James A. Boyd
Joe C. Eliot	Raymond Berthrong
Herold J. Weiler, Jr.	Richard D. Sampson
George F. Richardson	James M. Palmer
Robert R. Managhan	Edward S. Manown
Harold S. Hamlin, Jr.	John L. Haines
Leslie J. O'Brien, Jr.	Albert F. Hollingsworth
William R. Hunnicutt, Jr.	Gene Collison
Frank C. Lynch, Jr.	John R. Sweeney
Charles R. Johnson	James W. Danforth
Robert M. Kercheval	Frank L. Bogart
George C. Bullard	West A. Payne
Keene G. Hammond	James B. Ginn
Victor B. Graff	Eugene T. B. Sullivan
Henry S. Jackson	Gordon B. Williams
William T. Ingram 2d	Eli Vinock
Heydon F. Wells	Charles S. Moffett
Edward L. Anderson	Raphael Semmes, Jr.
John W. Reed	William R. Cook
Walter L. Small, Jr.	Harrison H. Holton
Verner J. Soballe	Frederick W. Brown, Jr.
Robert E. Cutts	David B. Cohen
Frank D. Case, Jr.	Marion W. Dufilho
Rhonald J. Hoyle	Ralph H. Lockwood
Elvin C. Ogle	Lionel T. McQuiston
Charles J. Reimann	John F. Woodruff
Charles V. Gordon	Theodore A. Grell
John N. Myers	Ernest D. Cody
Marion H. Buaas	John E. Black
John A. Bogley	Robert G. Bywater
Paul C. Lovelace	Charles R. Gebhardt
James A. Boorman, Jr.	Gerald G. Hinman
Lucien B. McDonald	Paul L. Benthin
Edward M. Luby	Willard de L. Michael
Robert C. Giffen, Jr.	Roy E. Green, Jr.
George R. Reinhart 3d	Frank H. Rile, Jr.
Roger N. Starks	Jep C. Jonson
Louis K. Bliss	Frederic A. Bardshar

Assistant Paymaster Roy G. Buck to be a passed assistant paymaster in the Navy, with the rank of lieutenant, to rank from the 1st day of July 1941.

The following acting chaplains to be chaplains in the Navy, with the rank of lieutenant, to rank from the 1st day of August 1941:

Charles J. Hacherl	Martell H. Twitchell
Robert M. Schwyhart	Paul W. J. Dickman
Edwin T. Bauer	Harris W. Howe

Boatswain Willie L. Jones to be chief boatswain in the Navy, to rank with but after ensign, from the 1st day of July 1941.

Pay Clerk Ned L. Thomas to be a chief pay clerk in the Navy, to rank with but after ensign, from the 1st day of June 1941.

The following-named chaplains to be chaplains in the Navy, with the rank of lieutenant, to rank from the 1st day of May 1941, to correct the date of rank as previously nominated and confirmed:

John F. Robinson	George A. Rosso
Everett P. Wuebbens	Joseph F. Dreith
Edgar C. Andrews, Jr.	

Lt. Lewis R. Miller to be a lieutenant commander in the Navy, to rank from the 1st day of April 1941.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the date stated opposite their names:

Charles T. Fritter, March 22, 1941.
Millener W. Thomas, April 1, 1941.
George T. McCutchan, May 1, 1941.
Kenneth S. Shook, March 6, 1941.
Carl R. Tellefsen, May 1, 1941.
James R. Reedy, May 1, 1941.
John D. Bulkeley, May 1, 1941.
James B. Denny, May 1, 1941.
Theodore H. Brittan, May 1, 1941.
Irvin L. Dew, May 13, 1941.

The following named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the 1st day of July 1941:

Eugene C. Rider	Edward N. Blakely
George S. Bullen	Clarence E. Dickinson, Jr.
Carl W. Rooney	
Harry L. Thompson, Jr.	Bernard A. Clarey

Robert R. Williams, Jr.	Clarence T. Doss, Jr.
William M. Collins, Jr.	William N. Deragon
James E. Owers	Frank C. Bolles, Jr.
Carlyle Ingram	Thomas R. Hine
George D. Hoffman	

The following named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the 1st day of August 1941:

Robert M. Lee	Denis H. Biwerse
Gordon P. Chung-Hoon	Howard Z. Senif

The following-named ensigns to be lieutenants (junior grade) in the Navy to rank from the 2d day of June 1941:

Paul G. Schultz, Jr.	David G. Nickerson
Joseph R. Tucker	Leo R. Jensen
Leon S. Eubanks	Frank D. Whalen
Raymond W. Alexander	David K. Sloan, Jr.
Herman K. Rock	Bricker McD. Ganyard
Charles D. Sooy	Norman J. Kleiss
Ralph Weymouth	Charles H. Morrison, Jr.
John A. Leonard	Miles P. Refo 3d
Raymond Shile	Robert J. Antrim
Beriah Magoffin 3d	David L. Harris
Charles M. MacDonald	Osborne B. Wiseman
Sherman H. Stearns	John W. McManus
George R. Muse	George F. Neel, Jr.
Richard H. Woodfin	William A. Sissons

Passed Assistant Paymaster Kenneth R. Miller to be a paymaster in the Navy, with the rank of lieutenant commander, to rank from the 1st day of July 1941.

Pay Clerk John A. Donehoo to be a chief pay clerk in the Navy, to rank with but after ensign, from the 1st day of July 1941.

COAST GUARD OF THE UNITED STATES

The following-named officers in the Coast Guard of the United States:

TO BE A COMMANDER, TO RANK AS SUCH FROM MAY 25, 1941

Lt. Comdr. Charles W. Harwood.

TO BE A LIEUTENANT COMMANDER, TO RANK AS SUCH FROM MAY 25, 1941

Lt. Watson A. Burton.

TO BE LIEUTENANTS, TO RANK AS SUCH FROM MAY 25, 1941

Lt. (Jr. Gr.) Frank V. Helmer.
Lt. (Jr. Gr.) Bernard E. Scalan.

TO BE A LIEUTENANT, TO RANK AS SUCH FROM JUNE 8, 1941

Lt. (Jr. Gr.) George R. Boyce.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 21, 1941:

DIPLOMATIC AND FOREIGN SERVICE

TO BE A SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA

Robert J. Cavanaugh

TO BE CONSULS OF THE UNITED STATES OF AMERICA

Stephen E. Aguirre
Arthur R. Williams

POSTMASTERS

MINNESOTA

Carmon J. Auble, Chisholm.
Theresa Pallansch, Richmond.

TENNESSEE

Allen Gilliam Shook, Winchester.

HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 21, 1941

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, Mr. WOODRUM of Virginia.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Almighty God, our Heavenly Father, who art the life and light of men, we are lifting our hearts and voices in prayer, grateful for thy kind and merciful Providence.

We pray that Thou wilt bless us in the duties to which we have been called and may we perform them with a sure and joyful sense of Thy presence and power. Give us the high and holy conviction that we are engaged in the Father's business. Fill us with a sensitiveness toward the eternal which will lead to clear thinking and right decisions for we realize that our judgment is so faulty and our wisdom so incomplete.

Grant that our souls may be enlarged with songs of hope and with an unfaltering confidence in the coming of Thy Kingdom when mankind everywhere shall join in crowning the Christ, as Lord of all.

In His name we offer our petitions. Amen.

The Journal of the proceedings of Monday, August 18, 1941, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On August 9, 1941:

H. R. 1359. An act for the relief of Robert Edward Lee.

On August 11, 1941:

H. R. 4671. An act to authorize a plant-protection force for naval shore establishments, and for other purposes.

On August 16, 1941:

H. R. 3537. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes;

H. R. 3625. An act to provide for the adjustment of tolls to be charged by the city of Washington, Mo., in the maintenance and operation of a toll bridge across the Missouri River at or near Washington, Mo.; and

H. R. 4052. An act to extend the times for commencing and completing the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Ind.

On August 18, 1941:

H. R. 587. An act to extend the provisions of the act entitled "An act to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes," approved September 2, 1937;

H. R. 1352. An act for the relief of Norman Carlin Brown, a minor;

H. R. 1354. An act for the relief of Herman R. Allen;

H. R. 1576. An act for the relief of Emily Barlow;

H. R. 1606. An act for the protection of walruses in the Territory of Alaska;

H. R. 2688. An act granting an extension of patent to the United Daughters of the Confederacy;

H. R. 2753. An act for the relief of Lewis Jones;

H. R. 3206. An act to afford greater protection to the purchase of patent rights;

H. R. 4045. An act for the relief of Tony Cirone;

H. R. 4085. An act to extend the times for commencing and completing the construction of bridges across the Monongahela River in Allegheny County, Pa.;

H. R. 4231. An act granting the consent of Congress to the South Carolina State Highway Department to construct, maintain, and operate a free highway bridge across the Santee River, at or near Leneudes Ferry, S. C.;

H. R. 4306. An act to extend the times for commencing and completing the construction of a toll bridge across the Wabash River, at or near Mount Vernon, Posey County, Ind.;

H. R. 4315. An act to legalize the construction by the Big Creek Bridge Co., Consolidated, of a bridge across the Tug Fork of the Big Sandy River at Nolan, W. Va.;

H. R. 4582. An act to permit construction, maintenance, and use of certain pipe lines for petroleum and petroleum products in the District of Columbia;

H. R. 4732. An act granting the consent of Congress to the Department of Highways, Commonwealth of Virginia, to construct, maintain, and operate two free bridges across the New River, one at Bluff City and the other at Eggleston, in the State of Virginia;

H. R. 4911. An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes; and

H. R. 5122. An act to extend the times for commencing and completing the construction of a bridge across the Monongahela River, between the boroughs of Elizabeth, in Elizabeth Township, and West Elizabeth, in Jefferson Township, in the county of Allegheny, and in the Commonwealth of Pennsylvania.

EXTENSION OF REMARKS

Mr. WORLEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial appearing in the Childress Index.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an editorial written by Mr. Samuel Crowther, appearing in the Made in America Monthly of April of this year.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I also ask unanimous consent to extend my remarks in the RECORD and include therein an editorial appearing in a recent edition of the Made in America Monthly, written by F. X. A. Eble, managing editor.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

(By unanimous consent, Mr. GUYER of Kansas was granted permission to extend his own remarks in the RECORD.)

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include brief excerpts from editorials appearing in 22 newspapers.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks and include a newspaper clipping.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DIRKSEN] may extend his own remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. BENDER] may extend his remarks in the RECORD five times, and in each time include some excerpts.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an editorial.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. NORRELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD by including therein an editorial contained in the Washington Daily News of Monday, August 18, 1941, with reference to my distinguished colleague, Hon. OREN HARRIS, on the subject Taught to Think.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. CAMP. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an editorial from the Atlanta Constitution of Tuesday, August 19, 1941, on the life and career of the late James W. Cole, of Georgia.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. FORD of Mississippi. Mr. Speaker, I ask unanimous consent that my colleague, the gentleman from Mississippi [Mr. RANKIN], may have permission to extend his own remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. O'BRIEN of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include excerpts from a letter from the president of the Michigan-Great Lakes Tidewater Commission to the gentleman from Michigan [Mr. RABAUT], on the Great Lakes-St. Lawrence seaway.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to insert in the RECORD a speech made by Mr. Justice Frank Murphy before the Knights of Columbus supreme convention at Atlantic City.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include an editorial from the Birmingham News.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 358)

The SPEAKER pro tempore laid before the House the following message from the President of the United States which was read by the Clerk and together with the accompanying papers referred to the Committee on Foreign Affairs:

To the Congress of the United States:

Over a week ago I held several important conferences at sea with the British Prime Minister. Because of the factor of safety to British, Canadian, and American ships and their personnel no prior announcement of these meetings could properly be made.

At the close, a public statement by the Prime Minister and the President was made. I quote it for the information of the Congress and for the record:

The President of the United States and the Prime Minister, Mr. Churchill, representing His Majesty's Government in the United Kingdom, have met at sea.

They have been accompanied by officials of their two Governments, including high ranking officers of their military, naval, and air services.

The whole problem of the supply of munitions of war, as provided by the Lease-Lend Act, for the armed forces of the United States and for those countries actively engaged in resisting aggression has been further examined.

Lord Beaverbrook, the Minister of Supply of the British Government, has joined in these conferences. He is going to proceed to Washington to discuss further details with appropriate officials of the United States Government. These conferences will also cover the supply problems of the Soviet Union.

The President and the Prime Minister have had several conferences. The have considered the dangers to world civilization arising from the policies of military domination by conquest upon which the Hitlerite Government of Germany and other governments associated therewith have embarked, and have made clear the steps which their countries are respectively taking for their safety in the face of these dangers.

They have agreed upon the following joint declaration:

"Joint declaration of the President of the United States of America and the Prime Minister, Mr. Churchill, representing His Majesty's Government in the United Kingdom, being met together, deem it right to make known certain common principles in the national policies of their respective countries on which they base their hopes for a better future for the world.

"First. Their countries seek no aggrandizement, territorial or other;

"Second. They desire to see no territorial changes that do not accord with the freely expressed wishes of the peoples concerned;

"Third. They respect the right of all peoples to choose the form of government under which they will live; and they wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them;

"Fourth. They will endeavor, with due respect for their existing obligations, to further the enjoyment by all states, great or small, victor or vanquished, of access, on equal terms, to the trade and to the raw materials of the world which are needed for their economic prosperity;

"Fifth. The desire to bring about the fullest collaboration between all nations in the economic field with the object of securing, for all, improved labor standards, economic advancement, and social security;

"Sixth. After the final destruction of the Nazi tyranny they hope to see established a peace which will afford to all nations the means of dwelling in safety within their own boundaries, and which will afford assurance that all the men in all the lands may live out their lives in freedom from fear and want;

"Seventh. Such a peace should enable all men to traverse the high seas and oceans without hindrance;

"Eighth. They believe that all of the nations of the world, for realistic as well as spiritual reasons, must come to the abandonment of the use of force. Since no future peace can be maintained if land, sea, or air armaments continue to be employed by nations which threaten or may threaten aggression outside of their frontiers, they believe, pending the establishment of a wider and permanent system of general security, that the disarmament of such nations is essential. They will likewise aid and encourage all other practicable measures which will lighten for peace-loving peoples the crushing burden of armaments.

"FRANKLIN D. ROOSEVELT.
"WINSTON S. CHURCHILL."

The Congress and the President having heretofore determined, through the Lend Lease Act, on the national policy of American aid to the democracies which, east and west, are waging war against dictatorship, the military and naval conversations at these meetings made clear gains in furthering the effectiveness of this aid.

Furthermore, the Prime Minister and I are arranging for conferences with the Soviet Union to aid it in its defense against the attack made by the principal aggressor of the modern world—Germany.

Finally, the declaration of principles at this time presents a goal which is worth while for our type of civilization to seek. It is so clear-cut that it is difficult to oppose in any major particular without automatically admitting a willingness to accept compromise with nazi-ism; or to agree to a world peace which would give to nazi-ism domination over large numbers of conquered nations. Inevitably such a peace would be a gift to nazi-ism to take breath—armed breath—for a second war to extend the control over Europe and Asia to the American Hemisphere itself.

It is perhaps unnecessary for me to call attention once more to the utter lack of validity of the spoken or written word of the Nazi Government.

It is also unnecessary for me to point out that the declaration of principles includes of necessity the world need for freedom of religion and freedom of information. No society of the world organized under the announced principles could survive without these freedoms which are a part of the whole freedom for which we strive.

FRANKLIN D ROOSEVELT.

THE WHITE HOUSE, *August 21, 1941.*

EXTENSION OF REMARKS

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a

dispatch from this morning's New York Times.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

(Mr. CASE of South Dakota asked and was given permission to extend his own remarks in the RECORD.)

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from South Dakota [Mr. MUNDT] may extend his own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. VAN ZANDT] and the gentleman from Pennsylvania [Mr. DITTER] may each extend his own remarks in the RECORD on two occasions and include therein certain excerpts.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ELIZALDE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a radio broadcast delivered by myself over a national hook-up of the Columbia Broadcasting System.

The SPEAKER pro tempore. Is there objection to the request of the Resident Commissioner from the Philippine Islands?

There was no objection.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a short editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on the following dates present to the President, for his approval, bills and joint resolutions of the House of the following titles:

On August 18, 1941:

H. R. 5412. An act making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes.

On August 19, 1941:

H. R. 3261. An act to authorize the Rainbow Division veterans to erect a suitable memorial to the Rainbow (Forty-second) Division, American Expeditionary Forces;

H. R. 3388. An act to permit the Smithsonian Gallery of Art Commission to purchase a model of the winning design for the proposed Smithsonian Gallery of Art, and for other purposes;

H. R. 4769. An act authorizing the designation of Army mail clerks and assistant Army mail clerks;

H. R. 5312. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes;

H. J. Res. 120. Joint resolution to provide for the proper observance of the one hundred and fiftieth anniversary of the adoption of the first 10 amendments to the Constitution, known as the Bill of Rights;

H. J. Res. 121. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress;

H. J. Res. 195. Joint resolution providing for the filling of a vacancy which will occur August 6, 1941, in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; and

H. J. Res. 228. Joint resolution consenting to an interstate oil compact to conserve oil and gas.

ADJOURNMENT

Mr. HARE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly, at 12 o'clock and 16 minutes p. m., the House adjourned to meet on Monday, August 25, 1941, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

865. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated April 2, 1941, submitting a report, together with accompanying papers and illustrations, on review of the existing project for flood control of the Mississippi River in its alluvial valley and for its improvement from the Head of Passes to Cape Girardeau, Mo., requested by resolutions of the Committee on Flood Control, House of Representatives, adopted August 2, 1939, and the Committee on Commerce, United States Senate, adopted March 12, 1940 (H. Doc. No. 359); to the Committee on Flood Control and ordered to be printed, with nine illustrations.

866. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1942, amounting to $140,000, for salaries of the Administrative Division, Department of Justice (H. Doc. No. 360); to the Committee on Appropriations, and ordered to be printed.

867. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for salaries and expenses of Forest Service (forest products), Department of Agriculture, in the sum of $217,500 (H. Doc. No. 361); to the Committee on Appropriations and ordered to be printed.

868. A letter from the Acting Secretary of the Treasury, transmitting a report to Congress with reference to partial payment made under section 1 of the act of June 28, 1940 (Public, No. 671, 76th Cong.); to the Committee on Naval Affairs.

869. A communication from the President of the United States, transmitting a supplemental estimate of appropriations for the Treasury Department for the fiscal year 1942 amounting to $18,988,435 (H. Doc. No. 362); to the Committee on Appropriations.

870. A letter from the Comptroller General of the United States, transmitting a special report made by representatives of the Comptroller General, concerning contracts for the improvement and repair of streets and highways in the District of Columbia during the period from February 16, 1937, to July 17, 1940; to the Committee on Expenditures in the Executive Departments.

871. A letter from the Secretary of War, transmitting draft of a proposed bill to extend, under certain conditions, the time for examination of monthly accounts covering expenditures by disbursing officers of the Army after the date of actual receipt by bureaus and offices of the War Department, and before transmitting the same to the General Accounting Office; to the Committee on Military Affairs.

872. A letter from the Assistant Secretary, Department of Agriculture, transmitting draft of a proposed bill which would bring to a conclusion activities in connection with the agricultural adjustment program in effect prior to January 6, 1936; to the Committee on Agriculture.

873. A letter from the Acting Attorney General, transmitting draft of a proposed bill to amend section 3 of the act of February 11, 1925, to exempt defendants in condemnation proceedings from the payment of filing fees in certain instances; to the Committee on the Judiciary.

874. A letter from the Acting Attorney General, transmitting draft of a proposed bill to amend section 24 of the Immigration Act of February 5, 1917; to the Committee on Immigration and Naturalization.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SHAFER of Michigan:

H. Res. 299. Resolution requesting the Navy Department to furnish to the House of Representatives information whether or not censorship of the press exists in this Department; to the Committee on Naval Affairs.

H. Res. 300. Resolution requesting the War Department to furnish to the House of Representatives information whether or not censorship of the press exists in this Department; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM:

H. R. 5604. A bill for the relief of Manuel Maiz y Humara; to the Committee on Immigration and Naturalization.

By Mr. COFFEE of Washington:

H. R. 5605. A bill for the relief of Lt. Col. J. B. Conmy; to the Committee on Claims.

By Mr. DAVIS of Ohio:

H. R. 5606. A bill granting a pension to Susan Davis; to the Committee on World War Veterans' Legislation.

By Mr. FITZPATRICK:

H. R. 5607. A bill for the relief of Uta Bulmer; to the Committee on Immigration and Naturalization.

By Mr. JACKSON:

H. R. 5608. A bill granting a pension to Charles E. Baker; to the Committee on Pensions.

By Mr. JENKINS of Ohio:

H. R. 5609. A bill granting a pension to Dayton Pierce; to the Committee on Invalid Pensions.

By Mr. LEWIS:

H. R. 5610. A bill for the relief of Marshall E. Cannon; to the Committee on Claims.

H. R. 5611. A bill for the relief of Charlie C. Gasaway; to the Committee on Claims.

By Mr. O'BRIEN of Michigan:

H. R. 5612. A bill for the relief of Maurice Clifford; to the Committee on Naval Affairs.

By Mr. GUYER of Kansas:

H. R. 5613. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Smith-Leavitt Coal Co.; to the Committee on Claims.

H. R. 5614. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Smith-Leavitt Coal Co.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1776. By the SPEAKER: Petition of the Allied Printing Trades Council of New York State, petitioning consideration of their resolution with reference to foreign affairs; to the Committee on Foreign Affairs.

1777. Also, petition of the Social Security Reform League of Ocala, Fla., petitioning consideration of their resolution with reference to House bill 1410, the General Welfare Act; to the Committee on Ways and Means.

1778. Also, petition of the Utility Workers Organizing Committee, Local 132, Congress of Industrial Organizations, Los Angeles, Calif., petitioning consideration of their resolution with reference to price-fixing legislation; to the Committee on Banking and Currency.

1779. Also, petition of the Brotherhood of Railroad Shop Crafts of America, Chicago, Ill., petitioning consideration of their resolution with reference to the St. Lawrence waterway project; to the Committee on Rivers and Harbors.

1780. Also, petition of the Military Order of Foreign Wars of the United States, Philadelphia, Pa., petitioning consideration of their resolution with reference to foreign affairs; to the Committee on Foreign Affairs.

1781. Also, petition of the Chicago Federation of Labor, Chicago, Ill., petitioning consideration of their resolution with reference to the tax bill, which is now before Congress; to the Committee on Ways and Means.

1782. By Mr. MANASCO: Petition of sundry citizens of Isbell, Ala., favoring enactment of Senate bill 860; to the Committee on Military Affairs.

SENATE

MONDAY, AUGUST 25, 1941

The Reverend Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O Righteous Saviour, who art near us in Thy tenderness and compassion, yet infinitely removed from us by Thy purity and perfect love: Forgive us, we beseech Thee, that we walk with heedless steps and work with careless hands when Thou art ever present to guide and teach us. Be Thou the Companion of all our journeys; and, though veiled from us by the limitations of mortal flesh, vouchsafe, we beseech Thee, so to quicken us by Thy Holy Spirit that we may realize Thy presence and live each day for Thee.

Fill our hearts with such longing for Thee that we shall yield ourselves completely to Thine invitation to follow whithersoever Thou goest. When we cannot see, help us to trust; when we cannot understand, give us grace to obey; and when the hour of trial cometh, grant, we beseech Thee, that we may be found faithful unto Thee, cost what it may. And this we ask in Thy name, O Lord, who didst think no sacrifice too great for us, even Jesus Christ our Saviour. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 21, 1941, was dispensed with, and the Journal was approved.

ORDER FOR ADJOURNMENT TO THURSDAY

Mr. BARKLEY. I ask unanimous consent that when the Senate concludes its business today it stand in adjournment until 12 o'clock on Thursday next.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE COMMUNICATION

The VICE PRESIDENT laid before the Senate the following letter, which was referred as indicated:

CLAIMS AND ACCOUNTS INCIDENT TO AGRICULTURAL ADJUSTMENT PROGRAMS

A letter from the Assistant Secretary of Agriculture transmitting a draft of proposed legislation to expedite the settlement of claims and accounts incident to certain agricultural programs, and for other purposes (with an accompanying paper); to the Committee on Agriculture and Forestry.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by Senators, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Collingswood (N. J.) Citizens Old Men's Club, favoring the enactment of House bill 1410, the so-called General Welfare Act, granting old-age assistance; to the Committee on Finance.

A petition of sundry citizens of Conotton, Ohio, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. WALSH:

A memorial of sundry citizens of the State of Massachusetts, remonstrating against any amendment to the bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States which would permit personal firearms to be confiscated by the Government; to the table.

By Mr. TYDINGS:

A petition of sundry citizens of the State of Maryland, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. CAPPER:

Petitions, numerously signed, of sundry citizens of Topeka and Wakefield, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

RESOLUTION OF OAK GRANGE, NO. 665, TOPEKA, KANS.—WHEAT PENALTY

Mr. CAPPER. Mr. President, I ask consent to have printed in the RECORD and referred to the Committee on Agriculture and Forestry a resolution declaring the opposition of Oak Grange, No. 665, Topeka, Kans., to the A. A. A. program, particularly the 49-cents-per-bushel penalty provision of the wheat-marketing quota section of the program.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

TOPEKA, KANS., *August 6, 1941.*

At a regular meeting of Oak Grange, No. 665, Topeka, Kans., the following resolution was unanimously adopted:

"Resolved, That Oak Grange, No. 665, hereby declares itself firmly opposed to the recent developments of the A. A. A. farm program, especially the unfair imposition of the 49-cent wheat penalty."

OAK GRANGE, NO. 665,
By ELWYN O. ENGLER,
Master.

Attest:
MRS. FRANCES (F. E.) ENGLER,
Secretary.

ENROLLED BILL PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on August 19, 1941, that committee presented to the President of the United States the enrolled bill (S. 881) to permit the reemployment by the Federal Bureau of Investigation of persons retired under the Civil Service Retirement Act.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

S. 1867. A bill for the relief of Edith M. Powell; to the Committee on Claims.

By Mr. LA FOLLETTE:

S. 1868. A bill to create the Prairie du Chien Bridge Commission; defining the authority, power, and duties of said commission; and authorizing said commission and its successors and assigns to purchase, maintain, and operate a bridge across the Mississippi River at or near Prairie du Chien, Wis., and to purchase, maintain, and operate certain ferries, to the Committee on Commerce.

By Mr. WHEELER:

S. 1869. A bill for the relief of certain claimants against the United States who suffered property losses as a result of the failure of the Big Porcupine Dam on the Fort Peck Project, Mont.; to the Committee on Indian Affairs

By Mr. WALSH:

S. 1870. A bill for the relief of John Paul Murray; to the Committee on Naval Affairs.

By Mr. TYDINGS:

S. J. Res. 105. Joint resolution transferring the administration of the homestead projects established in the Virgin Islands from the Government of the Virgin Islands to the Department of Agriculture; to the Committee on Territories and Insular Affairs.

RESEARCH ASSISTANTS

Mr. GUFFEY (for himself and Mr. WHITE) submitted the following resolution (S. Res. 158), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That in addition to any other clerical assistance to which each may be entitled, the majority leader and the minority leader of the Senate shall each be entitled to have a research assistant, to be paid at the rate of $6,000 per annum out of the contingent fund of the Senate until otherwise provided by law.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate, by Mr. Miller, one

of his secretaries, who also announced that on August 21, 1941, the President had approved and signed the following acts:

S. 162. An act to strengthen the national defense by creating the grade of chief warrant officer in the Army, and for other purposes; and

S. 861. An act to permit the reemployment by the Federal Bureau of Investigation of persons retired under the Civil Service Retirement Act.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the Speaker pro tempore had affixed his signature to the enrolled bill (H. R. 5395) to amend the National Housing Act, as amended, and it was signed by the Vice President.

ADDRESS BY SENATOR BARKLEY AT PHILADELPHIA, PA.

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an address delivered by Senator BARKLEY before a mass meeting under the auspices of the Veterans of Foreign Wars at Philadelphia, Pa., August 24, 1941, which appears in the Appendix.]

ADDRESS BY SENATOR CONNALLY ON IMPERATIVE NATIONAL DEFENSE

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address on the subject Imperative National Defense, delivered by Senator CONNALLY on August 23, 1941, which appears in the Appendix.]

ADDRESS BY SENATOR GUFFEY ON THE FREEDOM OF THE SEAS

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD a radio address delivered by Senator GUFFEY on August 22, 1941, on the subject of freedom of the seas, which appears in the Appendix.]

ADDRESS BY SENATOR BUNKER AT RENO, NEV.

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD a radio address delivered by Senator BUNKER at Reno, Nev., which appears in the Appendix.]

PRESERVATION OF BASIC FREEDOMS—ADDRESS BY MR. JUSTICE BLACK

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD the address delivered by Mr. Justice Black, of the Supreme Court of the United States, at the University of Alabama on August 23, 1941, on the occasion of the presentation to him of the honorary degree of doctor of laws, which appears in the Appendix.]

ARTICLE BY SENATOR BUTLER ON THE AMERICAN DAIRYMAN'S MARKET

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an article on The American Dairyman's Market, prepared by him and published in the Nebraska Farmer of August 9, 1941, which appears in the Appendix.]

AMERICANS ALL—EDITORIAL FROM OMAHA EVENING WORLD HERALD

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an editorial entitled "Americans All," published in the Evening World Herald, of Omaha, Nebr., on August 19, 1941, which appears in the Appendix.]

LETTERS FROM MOTHERS OF LOS ANGELES OPPOSING INVOLVEMENT IN WAR

[Mr. CLARK of Idaho asked and obtained leave to have printed in the RECORD a letter to the President of the United States and a letter to the President of the Senate written by Lany Lewis Renard, chairman, Mothers of Los Angeles, opposing the entry of the United States into war, which appear in the Appendix.]

STATEMENT BY JIMMIE FIDLER ON RADIO CENSORSHIP

[Mr. NYE asked and obtained leave to have printed in the RECORD a statement entitled "Radio Censorship Unbearable," by Jimmie Fidler, which appears in the Appendix.]

ALLEGED GAG ON LETTER WRITERS—ARTICLE FROM SPOKESMAN-REVIEW

[Mr. NYE asked and obtained leave to have printed in the RECORD an article from the Spokane, Wash., Spokesman-Review of August 21, 1941, under the heading "Letter writers gag charged," which appears in the Appendix.]

DEFENSE PRODUCTION

[Mr. BYRD asked and obtained leave to have printed in the RECORD an editorial from the Baltimore Sun entitled "Mr. Byrd versus Mr. Roosevelt" and an article by Walter Lippmann entitled "The Underlying Mistake," which appear in the Appendix.]

AMERICA'S STATE OF PREPAREDNESS

[Mr. BYRD asked and obtained leave to have printed in the RECORD several articles published in the Washington Post relative to the production of defense articles, which appear in the Appendix.]

ORDER DISPENSING WITH CALL OF THE CALENDAR

The PRESIDING OFFICER (Mr. THOMAS of Utah in the chair). Morning business is closed. The calendar under rule VIII is in order.

Mr. BARKLEY. I ask unanimous consent that the calling of the calendar be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. THOMAS of Utah in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations (and withdrawing a nomination), which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. HAYDEN, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

By Mr. WALSH, from the Committee on Naval Affairs:

Sundry officers for appointment and promotion in the Navy.

NORTH DAKOTA POSTMASTER NOMINATIONS REPORTED AND CONFIRMED

Mr. LANGER. Mr. President, from the Committee on Post Offices and Post Roads, I report favorably the following nominations of postmasters in North Dakota:

Hulda E. Hezel, to be postmaster at Zeeland, N. Dak.

Joseph E. DeMers, to be postmaster at St. John, N. Dak.

Nathan C. Myrick, to be postmaster at Pembina, N. Dak.

Sigrid Vick, to be postmaster at Sheyenne, N. Dak.

H. C. Erhart Petersen, to be postmaster at Makoti, N. Dak.

Otto Engel, to be postmaster at Kenmare, N. Dak.

Lawrence C. Lerud, to be postmaster at Hoople, N. Dak.

George Knauss, to be postmaster at Hannaford, N. Dak.

Elizabeth Moriarty, to be postmaster at Enderlin, N. Dak.

William C. Drake, to be postmaster at Bowdon, N. Dak.

Richard T. L. Noyes, to be postmaster at Cando, N. Dak.

I ask unanimous consent that the nominations be now confirmed.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and, without objection, the nominations are confirmed en bloc.

Mr. HAYDEN. I ask unanimous consent that the President be notified of the confirmation of the nominations.

The PRESIDING OFFICER. Without objection, the President will be notified.

If there be no further reports of committees, the clerk will state the nominations on the calendar.

GOVERNOR OF PUERTO RICO

The Chief Clerk read the nomination of Rexford Guy Tugwell, of New York, to be Governor of Puerto Rico.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to this nomination?

Mr. TAFT. Mr. President, I desire to oppose the nomination of Mr. Tugwell as Governor of Puerto Rico for three reasons. First, whereas the position from the administrative standpoint is one of the most difficult in the entire service, Mr. Tugwell has shown himself, by actual experience in every Government job he has held, to be an incompetent administrator.

Second, because, though the position requires a man to represent to a people of a different race the ideals of America, Mr. Tugwell has shown that he has no sympathy whatever with the ideals of American democracy.

Third, because whereas a man appointed Governor of Puerto Rico ought to be above parties that exist in Puerto Rico, Mr. Tugwell is closely associated with one of the parties there, and undoubtedly will favor it and has favored it against the other parties in Puerto Rico.

There is no doubt that the island of Puerto Rico presents one of our most difficult national problems, one which I certainly have not sufficiently studied to enable me to propose any solution, and there are few people in this country who know enough about conditions on the island to take an intelligent interest in its problems. For that very reason, the Senate should take all the more responsibility for those who are appointed to act for us in Puerto Rico, particularly the Governor of Puerto Rico. We are trustees for 2,000,000 people there, who are

probably as badly off as any others under our Government, and to them we owe a serious obligation. The Governor of Puerto Rico is a long way from Washington, and he has a wider discretion than some official here who is immediately under the control of the President of the United States. I think, therefore, we have a correspondingly greater obligation to examine into his qualifications and to pass on the question whether he is a competent and fair administrator and properly capable of representing to the Puerto Rican people the ideals we hold as Americans. I think we must scrutinize this appointment more closely than we scrutinize even those in the United States Government itself.

For a position of very difficult administration, a man is here selected whose record as administrator is one of complete failure. For many years during his life Mr. Tugwell was a professor of economics in various universities, certainly giving him no experience in the problems of administration. I certainly should not be disposed to question the fact that he is a brilliant Socialist writer. His views and his books are there for all to read. But since, with other members of the brain trust, he come into politics in 1933, he has moved from one job to another, and I challenge anyone to point to any successful accomplishment in any job. He was Assistant Secretary of Agriculture and Under Secretary of Agriculture, and his adventures in the administrative field in those positions injured both himself and the New Deal.

In his effort to secure the enactment of a pure food and drug law, Mr. Tugwell quarreled with everybody with whom he should have cooperated. The bill was finally passed only after it was rewritten and promises were made that Tugwell should have nothing to do with its administration. He was assigned to develop codes for the food industries, but so much rancor and confusion developed that the subject was transferred from him in the A. A. A. to the N. R. A. He antagonized the advertising industry by suggesting that 90 percent of all advertising was waste, and that proper control and reduction of advertising would release, or throw out of work, more than 400,000 advertising men and printers to engage in more useful work. He had to deal with the beet-sugar people. After he remarked that any industry which could not stand on its own bottom ought not to exist, his usefulness in the regulation of sugar-beet growers and processors came to a sudden end. He told businessmen that they did not know how to run their businesses, and he told farmers that they did not know how to run their farms, stating at one time that many of them knew no better than to build their chicken houses where their homes ought to be. In short, he is a complete theorist. He is utterly unable to get on with other people, or to cooperate with them. A man with such qualities cannot be a successful administrator except in a dictatorship.

Before the congressional campaign of 1934 Tugwell was sent abroad, and the general conclusion of the press was that he was put out of the way for the period of the election, because he had antagonized so many persons. In any event, when he returned he was placed in charge of the Resettlement Administration, the purpose of which was to move farmers from poor land to new Government-improved farms, and to move population from crowded cities to Government-created villages and towns.

Out of the great appropriation for public works Tugwell was allotted $278,000,000, and what has happened to that money no one today has ever carefully checked. As far as results are concerned today, that $278,000,000 might just as well have been thrown into the sewer. It was said that at one time Tugwell had 20,000 employees in his administrative force, and the expenditures for administration were 10 times the amount that was spent on any actual housing. No one can take exception to the general theory that the Government may assist in the relief of congestion and the improvement of rural settlement; but my principal objection to Mr. Tugwell is that he has not the administrative ability to carry out any of his crusades, no matter how well justified they may be.

Even the inside new dealers will admit that the Tugwelltown projects were probably the greatest flops of all the spending years. Perhaps the most sensational failure was the Bound Brook project, near Hightstown, N. J. The original plan was to set up a 10,000-acre rural industrial community and transplant 10,000 or more New Yorkers to that rural village. Of course, this did not please the people who live in that neighborhood and who did not relish the idea of 10,000 slum dwellers immigrating to their midst. As in the other projects, land was optioned and purchased without regard to expense. The statements of hundreds of Government agents swarming through the country changed radically from week to week. The authority and constitutionality of the whole project was questioned, with much additional expense and confusion.

Finally, some of the projects got under way. We have one near Cincinnati, known as Green Hills. There is one out here in Maryland—Greenbelt. I think it fair to say that those communities are not well planned and the houses are not attractive. At Green Hills, in Cincinnati, up to date the cost of the project is approximately $16,000 a house, although if enough additional houses are built for the facilities provided the cost can be reduced to $8,000 a unit; whereas the United States Housing Authority—and it is not by any means the most economical agency of the Government—is now building similar houses for less than $4,000 a unit.

Tugwell is a free spender whom we are asked to confirm as Governor of Puerto Rico, a territory which is the poorest of all our possessions and one in which economy is the most necessary.

Perhaps the prize spending project was reported about Christmas 1935, when a large number of men in some sections of the country received R. A. checks without knowing why they came. Tugwell's subordinates made an official explanation which said that these checks had been given "in preparation for recommendation for relief prior to investigation." The subordinates seem to have just thrown the checks out of the window before Christmas, hoping they would find someone who needed the money.

Finally, in 1937, Tugwell resigned his position as Under Secretary of Agriculture. It is certainly extraordinary that a man who was supposed to be a close friend of the President and a leading member of the "brain trust" should have been allowed to leave the Government service if he was considered to be an efficient and able administrator. He became executive vice president of the American Molasses Co., a corporation which operates in the West Indies and has at least one mill in Puerto Rico. I know nothing of his accomplishments in that position as executive vice president. I know, however, that he remained only a year or so, and today no longer has any connection whatever with that company. He became president of the New York City Planning Commission, but it is impossible to find anyone who knows what he has done in that position. I am told that he would not have been reappointed by Mayor LaGuardia. In any event, it is not an administrative job.

I think it is fair to say that, regardless of one's feeling toward Mr. Tugwell, he has shown a complete incompetence as an administrator, a complete incompetence in the very field to which we are now asked to confirm his appointment.

In the second place, the Governor of Puerto Rico, appointed by the President of the United States without any direct approval or authority of the people of Puerto Rico, is sent there to represent the United States Government and the American people. The Puerto Ricans are an entirely different race from our own with a completely different governmental background. They aspire to statehood or to independence. They are located on one of the most strategic islands of the Caribbean absolutely essential to our defense. The American point of view must be correctly set before them, and the ideals of American democracy and the American system of government must be instilled in their minds. Naturally, they will look to the American Governor to interpret those ideals.

In my opinion, Mr. Tugwell has not the slightest sympathy with the ideals of American democracy. There can be little doubt of this, because he has written many books and made many speeches setting forth his beliefs. He is opposed to the American constitutional system. He looks with the greatest sympathy on the program of communism in Russia. He is in favor of the redistribution of wealth and the totalitarian state. He has attempted to divide classes and stir up class hatred, which I believe to be the most dangerous method of attacking American democracy.

I shall read a few extracts from a book published by Mr. Tugwell in 1934, entitled "Our Economic System and Its Problems," and from a speech which he made in Los Angeles in 1935. Thus he says:

> The difficulty in attaining the experimental habit of mind toward social or economic arrangements arises largely from a confusion of ends with means, and from an

emotional attachment to the instruments of social life. An illustration of such feeling is the unreasoning, almost hysterical attachment of certain Americans to the Constitution.

This from one of the most emotional men in public life. He has no real appreciation of the Constitution or its purposes, or the reasons for checks and restraints to prevent the development of an autocracy. Its restraints are an essential feature of American government.

Tugwell is opposed to the whole profit system, which means the system of private business as opposed to Government operation, and says:

We continue to think in terms of individualism and competitive profit seeking long after the conditions favorable to that economic philosophy have passed away.

He says, in his book The Principle of Planning:

Most of those who say so easily that this is our way out do not, I am convinced, understand that fundamental changes of attitude, new disciplines, revised legal structures, unaccustomed limitations on activity, are all necessary if we are to plan. This amounts, in fact, to the abandonment finally of laissez faire. It amounts practically to the abolition of "business." * * * I believe that the world awaits a great outpouring of energy so soon as we shall have removed the dead hand of competitive enterprise.

He does not believe in the system of competition. He believes in complete Government ownership and operation. I proceed with the quotation:

When industry is government and government is industry, the dual conflict deepest in our modern institutions will be abated. This is one of the basic reasons why the prospect of a planned economy is so congenial to every other hope and belief I have.

The reason why he is in favor of planning is that he desires that industry be government and that government be industry.

Mr. Tugwell is extremely fond of Russia, although he has never completely committed himself to the Communist principle.

He said, in 1935, after the present government had been in power for 10 or 15 years:

The challenge of Russia to America does not lie in the merits of the Soviet system, although they may prove to be considerable. The challenge lies rather in the idea of planning—of purposeful, intelligent control over economic affairs. This, it seems, we must accept as a guide to our economic life to replace the decadent notions of a laissez faire philosophy.

Again:

The organization of the Soviet system seems to have many advantages of efficiency and directness.

Again:

Just as it was impossible for our Union to exist half slave and half free, so it may become impossible for the world to exist half socialistic and half capitalistic, and there are many who believe that capitalism in its nineteenth century and present form would prove a weaker system than the system being developed by the Soviet Union.

On October 28, 1935, Mr. Tugwell went to Los Angeles and spoke in the Olympic Auditorium. I doubt if anyone can deny that this is an inflammatory speech, designed to stir up class hatred, and, at least, suggesting the use of violence to secure a socialistic state.

Mr. President, I ask that the entire speech be printed at the end of my remarks in order that I may not be accused of unfairness in reading the extracts which I am about to use.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. TAFT. The speech is addressed to workers and farmers, and urges an alliance between them to deprive everyone else of their power and their situation in life. He begins:

How deep are the sources of your indignation? * * * Do they lie so deep that your wrath may sustain a genuine reconstruction of American life? * * * We must draw together, nursing the sources of that anger which has driven us forward in making more and more clear the great hopes which pull us in the same direction.

He is not satisfied with the accomplishments of the New Deal, and says:

The system of speculative competition has been modified but little. Its most obvious abuses have been checked; its most intolerable injustices have been corrected; but the freedom of enterprise and the right of profit making have been abridged only in traditional American ways.

Apparently Mr. Tugwell desires to throw aside traditional American ways and adopt the Russian method of destroying altogether the competitive system. He suggests violence. He says:

What we are witnessing now is the death struggle of industrial autocracy and the birth of democratic discipline. * * * We have no reason to expect that the disestablishing of our plutocracy will be pleasant. These historical changes never are. We have, however, the duty of avoiding violence as the process goes on.

I do not see how the following quotation could have been written by anyone except a complete believer in socialism, and one completely out of accord with the whole history of American democracy.

We have been pitiable grubbing creatures up to now, laboring in sweat and sorrow to make money, to multiply it at others' expense, and to hide it away like misers for our children * * *. Many of our favorite preachments have been devoted to holding us up to scratch in these respects, to keeping us stingy, competitive, unwilling to cooperate. In our hearts we have always known these attitudes to be wrong. It is part of the progressive duty to penetrate these springs of generosity, these impulses of cooperation, and to cause them to spread their reviving waters upon a land now parched from long meanness and withholding.

"Man's progress," he says, "will be accelerated a thousandfold once he gives up the sterile morality of individualism." Tugwell is the apostle of collectivism. He says, "The autocrats must get out of the way along with the moral system which supports them." Then, in an expression like Marc Anthony's phrase, "But Brutus is an honorable man," he adds, "It is our duty to prevent that being done with violence." That is the third time in his speech he suggests that violence is probably a means which may well be used to accomplish the purposes sought.

I urge the Members of the Senate to read this speech. If Mr. Tugwell means what he says, then he is utterly incapable of presenting to the Puerto Ricans the real ideals of America.

Mr. Tugwell permits his views to affect his actions. In the case of the various Tugwelltowns he designed a village with hundreds of individual homes, but provided that no one should ever be able to buy his home. He maintained that the Government should own all these houses permanently, and move men back and forth like an army as the Government might desire their services in one place or another. He has opposed the whole theory of promoting individual ownership of homes, perhaps as basic an element in our American economic system as exists.

I do not desire to discuss the Puerto Rican land situation, which seems to have been the principal subject of discussion at the hearings of the Committee on Territories and Insular Affairs. But Mr. Tugwell's views perhaps become of greater importance because the Puerto Ricans have a land problem, and with him as Governor it is much less likely to be worked out in accordance with American principles. Mr. Tugwell has been investigating the Puerto Rican land laws as a member of a committee appointed by Secretary Ickes. On May 12 the Department of the Interior issued a release, undoubtedly prepared by Mr. Tugwell, which declares, first, that the land law, limiting the ownership of land to 500 acres, should be extended to apply to individuals as well as corporations. I am inclined to agree with him on that question. But later on in the release he proposes a kind of communal farm, very reminiscent of the Tugwelltown idea, as exemplified in Green Hills and Greenbelt. He says:

A better procedure would be to provide for initial holding by a public agency, setting up on family places, with secure lifetime tenure, as many families as possible who desire to live that way, and establishing cash cooperative farms to be operated on a participating basis. With continuous and active supervision of farming practices, present efficiencies and yields should be retained. This would leave open for the future the possibility of eventual family ownership or any other tenure arrangement.

So far as our lifetime or the lifetime of these peasants is concerned, this is to be a Government-owned farm, and they are simply to lease their little farms from the Puerto Rican Government. That is the plan, which is very similar to the general theory of communal farms carried out in Russia, of which Dr. Tugwell has often expressed his approval.

In his testimony, Dr. Tugwell tried to disown this idea, but a careful reading of that testimony will show that he does not actually do so. He is proposing a communal farm, very much along the lines of the Russian idea in which the farmers are never to own their own homes,

at least not during the lifetime of any of us here.

Dr. George Mitchell, who went to Puerto Rico as one of Dr. Tugwell's committee, was reported in Puerto Rican newspapers as stating that fee simple ownership of property is the greatest detriment to Puerto Rican prosperity, and advocating a long-lease tenure of farm land, subject to cancelation when it is demonstrated—of, course in the judgment of the Government—that the lessee is improperly using the land.

I do not even assert that such communal farms might not ultimately be the solution of a difficult problem, but I do know that Dr. Tugwell will do everything he can to promote that idea, and do everything he can to sabotage the development of home ownership along traditional American lines. I do know he will always support the most radical proposals that may be made in Puerto Rico.

Mr. President, I have a third objection to Dr. Tugwell. I think the testimony shows, and the fact is, that he is closely associated with one political party, now in control of the legislature; that he is hand and glove with it, and has been so for the past 6 months. Its leaders have appointed him chancelor of the University of Puerto Rico, which the Government controls. It seems to me the American Governor should be absolutely impartial, and maintain a fair balance between the different groups in island politics. Mr. Tugwell is not only constitutionally incapable of doing this, but he will always adhere to the most radical group. As a matter of fact, the leaders of the party in question talked the former chancelor into resigning. He received $6,000 a year. Then they raised the salary of the chancelor of the university to $15,000 a year, with some additional allowance for his home, and got Dr. Tugwell to come there and take the position.

I am not perfectly clear that Dr. Tugwell is not going to draw the salary of the chancelor. The Senator from Missouri [Mr. CLARK] asked Dr. Tugwell at the hearings whether he would hold both jobs, as Governor and also as chancelor of the university. What he said was that he intends to remain as chancelor as well as Governor, but that he will ask for a leave of absence as chancelor. In other words, he is going to hang onto this $15,000 job. He does not make it clear whether he is going to take the salary or any part of the salary. He says he is going to ask for leave of absence; and, of course, since he as Governor can control the board which appoints the chancelor, of course, that position will not be filled, and it will be held for Dr. Tugwell until he is through with the governorship. On his own testimony, he is not giving up the job of chancelor of the Puerto Rican University.

I believe as strongly as possible that if Dr. Tugwell becomes Governor of Puerto Rico he will leave behind him the same kind of confusion which he left behind in the Department of Agriculture. I believe that he will build up trouble which will add tremendously to the difficulties of every future Governor. I believe that he will freely spend money and do all he can to increase the drain of American cash into Puerto Rico. That is his nature and he cannot change it.

EXHIBIT 1

[From Vital Speeches of the Day of December 2, 1935]

THE PROGRESSIVE TASK TODAY AND TOMORROW

(By Rex G. Tugwell, Under Secretary of Agriculture and Administrator Resettlement Administration, in Olympic Auditorium, Los Angeles, October 28, 1935)

How deep are the sources of your indignation? Do they lie on the surface, and are they at the command of those who would have you turn against a national government which has invaded the modern strongholds of privilege? Or do they lie deeper so that your wrath may sustain a genuine reconstruction of American life?

For the sickness of our system is not yet cured. We have made some diagnoses; we have got some partial remedies; we have made a good beginning. That it is not yet enough must be admitted—we still have the testimony of poverty, debt, and unemployment; but, with what it is, we shall soon be required to ask for a new mandate. And what is needed in these months to come is an access of confidence among all progressives, a submission to discipline under leadership, and a drive for complete victory against the most powerful reaction ever organized in this Nation. If we cannot achieve unity we shall lose—and we shall deserve to lose. For this time we have the fact of accomplishment behind us and a leader who deserves our loyalty; discipline is the only lack.

What I have to say to you, therefore, is of this sort: We must draw together, nursing the sources of that anger which has driven us forward and making more and more clear the great hopes which pull us in the same direction.

Conservatives prevail by the cohesiveness of inaction; those who are inert by nature stick together with persistence. It is easy to agree and to form a compact mass when what is desired is merely to form a protective cordon about possessions which are thought to be in danger. It is more difficult to plan and to execute a concerted attack on well-stocked Tory citadels. Those who desire social advance always seem to differ concerning the strategy to be used. Every private in the ranks thinks of himself not only as a potential but as an actual general. This is both our strength and our weakness; we gain from it initiative, hope, and courage; but we lose from it the essential willingness to sink our differences in an agreed kind of action. Its effect in crisis is apt to be a slackening of force, a dissipation of driving power against the rock of inaction. The further the advance goes, also, the more its energies are scattered. Many fall by the wayside, unable to accept discipline; many exhaust their enthusiasm in the gaining of some small reform; and many become faint-hearted at critical attacks. We have in the past months been experiencing this; it accounts for many of our half victories.

The system of speculative competition has been modified but little. Its most obvious abuses have been checked; its most intolerable injustices have been corrected; but the freedom of enterprise and the right of profit-making have been abridged only in traditional American ways. The Federal Trade Commission, the Interstate Commerce Commission are not new in this administration; they have merely been made effective for the first time in many years. The control of security exchanges and the regulation of private utilities are no different in their effect. We have gone further in the reconstruction of agriculture and banking, but not so far as to alter the framework of the system. Yet it is already being said that commitment has been made to complete communism. This is an obviously false and vicious statement of the case—so much so that it leads to wonder. Yet I think it is not difficult to understand. The desire is to stop all this equalitarian nonsense before it gets too long a start, before the strongholds are really required to surrender. The coming political campaign is the time to do it; and this is when the great effort will be made to dissipate our strength and to discredit our program.

This administration is committed to democracy and to equal justice. Autocrats fear nothing so much as the democratic idea; and our financial and industrial autocrats are no exception. They have been used to doing as they pleased, not only with our national resources but with us. When simple and direct exploitation was met with resistance, they found it not too difficult to put on the mask of government, adopt as slogans paraphrases of our most precious principles and do essentially as they pleased in a slightly more roundabout way. Whatever else can be said of the present administration it can at least be claimed honestly that a long start has been made toward driving the money changers from the temple and the forestallers from the market place.

What we are witnessing now is the death struggle of industrial autocracy and the birth of democratic discipline. It is the task of the progressives to lead the way toward this future and to prevent another turning backward toward the past. Another Harding, another Coolidge, another Hoover entrusted with leadership now would set us back as many decades as we were set back before, and at the end of it there might not be another leader with the genius to avert a revolution.

We have no reason to expect that the disestablishing of our plutocracy will be pleasant. These historical changes never are. We have, however, the duty of avoiding violence as the process goes on, and this is why I regard the coming months as among the critical ones of our history, for the movement will go on in any case; it lies in the brains and the blood of a people bringing into substance the stuff of old racial dreams. With all the materials at their immediate command, with the technical skills already cemented firmly into a universal educational system, no power on this earth can stop the progress of our people toward national well-being. There can be a slowing up; there can be a period of reaction; but there cannot be an end. It is not a fixed and physical goal toward which we move; we are not children to be attracted only by material and mechanical picture-book things; it is much more than this. We have, by taking thought, added cubits to our children's physical stature; we are becoming determined by taking thought to add to their moral and spiritual stature, too. We want for them opportunities, freedoms, securities, comforts, which are more than we have had. We have been pitiable grubbing creatures up to now, laboring in sweat and sorrow to make money, to multiply it at others' expense, and to hide it away like misers for our children. But none of us ever thought it good or right to do so. Our generous impulses have had to be vigorously suppressed. Many of our favorite preachments have been devoted to holding us up to scratch in these respects—to keeping us stingy, competitive, unwilling to cooperate. Because we were little exploiters, we have been tolerant of big ones; because we were collectors of little hoards, we

could not object to big ones. We have been in no position to complain of results for which our own attitudes were responsible. In our hearts we have always known these attitudes to be wrong. It is part of the progressive duty to penetrate these springs of generosity, these impulses of cooperation, and to cause them to spread their reviving waters upon a land now parched from long meanness and withholding.

The philosophy of calculated injury to our neighbors is not only repugnant to the hearts of men but it will not work in a world like ours. The fundamental driving effort of man has been to free himself from the compulsions laid on him by nature and by his human competitors. He has never really been at peace in the face of any limitations; nor has he happily accepted the moral compulsions of competition. He has made the beasts work for him; he has seriously abridged time and space; he has compelled the hidden forces of earth and sky to reveal themselves and to submit to his mastery. Without, perhaps, intending to do so, he has created a system which will not function except with outright cooperation. There will be no end to his advance so long as the urges within him remain unimpaired; but it will be accelerated a thousandfold once he gives up the sterile morality of individualism. Already it has come close to making physical work obsolete; and it has held out the immediate promise of plenty. How badly these victories fit with the philosophy of penury it is not necessary to elaborate. But we do need a clearer and wider recognition of the main trends we are in and a straightforward movement to claim their advantages. If this requires the removal of barriers, that is historically unimportant. We need only care as human beings how it is done. The autocrats must get out of the way along with the moral system which supports them; but it is our duty to prevent that being done with violence. That is why I regard the coming campaign as so important. It may very well determine whether, some years from now, we shall do as other nations have—throw over completely the democratic and evolutionary process—or whether we shall find then that our leadership, our administration, and our discipline have been equal to the task of creating institutions suited to the world in which they are expected to operate. Reaction at this time would commit us to a future uncertain in many ways, but certain enough in this: that there would be a vast rising of rebellious, exploited people after we had revived for a while the game of getting rich at one another's expense.

It is not difficult to forecast the strategy which we shall have to meet in the coming campaign That strategy will be to magnify the differences among us, and so to break down our morale. By perverting facts and spreading abroad alarming tales they will try at the outset to create an atmosphere of dread. Those who fear that they may be taxed to pay for the program of relief, recovery, and expansion will be appealed to. It will be said that inflation impends, that our finances are in disorder, and that only sound Tory management can save us from fiscal disaster.

Let us see in what manner arguments of this sort may be met. My calculations show that we can satisfy every humanitarian demand which may be made upon us and come to a balance of the Budget within the fiscal year of 1938. This is arrived at by estimating receipts for the Treasury on the basis of present rates of taxation but taking into account the fact that they are to be applied to a national income which has increased by now about one-third since March of 1933. Furthermore, unless something unforeseen happens, such as war or catastrophe, the national debt by the end of the fiscal year 1938 ought to show a real net increase of only some three billions. We are all hearing a great deal about the extravagance of this administration and of how we are bequeathing a great burden of debt to our children, but the plain facts do not support such a contention. By 1938 the ordinary expenditures of government will add up, according to my figures, to $19,200,000,000, and the expenditures for relief and recovery may add up to fifteen billion at the outside. Ordinary receipts of the Government will total twenty-two billion six hundred million. But of the fifteen billion spent on recovery and relief, 37½ percent will consist of recoverables. I therefore subtract from an apparent gross deficit of eleven billion six hundred million recoverables amounting to five billion six hundred million. I also subtract gold devaluation profits of three billion. From an apparent deficit of more than eleven and one-half billions, a realistic calculation comes down to a real deficit of three billion.

Our enemies say that the larger figure is the proper one to use. But that implies a method of accounting to which I find it hard to agree. No business would list its investments in mortgages, bonds, stocks, and properties as liabilities, and I see no reason why the Government should do so. I believe in the extension of this investment principle, first in rescue operations, next in yardstick acquisitions, and then in the complete dominance by the Government of suitable areas of enterprise. I think this will happen; and I think we ought not to accept an absurd accounting principle which will make these activities more difficult. If we subtract both the assets we have acquired in these past months and the profit from devaluation operations, the real price we have paid for recovery and relief taken together seems very small indeed considering what we were willing to pay for a war not long ago. Besides, I would point out to you that innumerable public improvements have been created which ought, in any careful assessment, to be added to our assets. Many a man's employment and many another's enterprise, have been restored and made profitable by these expenditures. The national income has been increased enormously and is still gaining; the Government has made unprecedented efforts to see that food and shelter should be available to all. Those who would have us stop now, not only have conveniently short memories, they have hardened hearts and lying tongues as well. Their ingratitude is understandably traceable to hurt pride and deflated egotism. Their substitution of fancy for fact in the field of public finance is, however, understandable only as another evidence of the lamentable lack of sportsmanship which has characterized the reactionaries throughout the crisis. Always ready to shift the burdens which they themselves create onto the shoulders of those least able to bear them, always unwilling to pay the social costs of the policies they have fastened on our people—they show a kind of sportsmanship which would rule them out of any of their favorite sports by common consent.

The truth of the matter is that we can project our adopted policy ahead into 1938, still continuing our investment in public works and in the prevention of human distress, and come out at the end with not only a currently balanced Budget but with net Federal obligations increased very little over March of 1933.

It ought not to be difficult to show that the program which has been followed was not only necessary but sound in the fiscal sense; that its burdens are lighter than might have been expected, and that there is no inequity in their distribution. With fair access to the public mind, these facts ought to be easy enough to establish generally; they should create confidence that what must be done in the future will be similarly well-considered and successfully carried out. There is, as we all know, a part of the press which can be counted on for this fair dealing; but there is a part of it also which we know equally well is merely an accessory of those privileged groups which will fight desperately to halt our operations. On the whole, I think we may expect this particular attack to separate from our ranks only the receivers of unearned income, together with their hangers-on. Some others of the fainter hearted who confuse the traditions of competition with the Ten Commandments and the Constitution will go with them. But this will be a salutary purge. The tradition of progress, experiment care for the unfortunate, and the bold mastering of nature for the common good—this is the tradition on which our movement must base itself knowingly and with determination. We shall gain more by gathering into our army the likeminded progressives than by fearful conciliation of those whose single interest is the protection of their privileges and their codes of exploitation.

The far more serious attack will be of another sort—the attempt to separate the two great masses of people who have been helped most by our policies and from whom we draw our strength—the farmers and the workers. It should, however, be possible for us to say so clearly what is true—that the injury of one is the concern of all—that we should succeed for once in establishing a farmer-worker alliance in this country which will carry all before it; which will reduce our dependence on half-way measures and allow us to carry through those reconstructive ones both in agriculture and in industry, without which our Nation cannot continue either free or prosperous.

To do this we shall have to recognize our enemies, pouring out upon them the indignation we have too much withheld; and we shall have to consolidate our support and go forward with closed ranks. What has been done for farmers, what for workers, and has either group been given privileges at the expense of the other? I need not repeat here the whole list of gains for farmers or for workers; I shall merely remind you of a few.

For the farmers we have achieved rescue from a decade and a half of depression. They have been freed from slavery to the money lenders at home and from the competition of peasant labor abroad. They have been made secure in the possession of their farms; their debts have been conciliated and reduced. But above all, they have been given the means for finding what their common interests are and for defending them against their enemies; they are being offered the opportunity of resettlement to correct the mistakes of a century during which our resources were mercilessly wasted. This does not, by any means, exhaust the list. New and extensive measures for the conservation of soil and water have been undertaken; our forest and park land are being enlarged and put under intensive care; and the task of extending the benefits of electric power and better roads has been accepted in its full implications.

And for the workers a similar long list of gains has been registered. Honest attempts to regulate the hours and conditions of work have been made; the labor of women and children has been curtailed. Serious legal difficulties which have been interposed against these reforms we have refused to regard as insuperable. The intention has been made so plain that a new mandate will certainly result in their establishment and extension. Further than this the right of collective bargaining has been made a firm commitment, something which labor had hitherto struggled to gain these many dec-

ades without success. And do I need to remind you of the emergency measures taken to mitigate the disaster of unemployment? Without questioning for the moment its causes or its ultimate treatment, the arms of a neighborly government have surrounded the unfortunate victims of industrial disaster. A Nation-wide unemployment service has undertaken the task of replacement; and the damage wrought by the great decade of expansion and exploitation has been met by care for those who have suffered the inevitable effects.

Aside from all this, tentative and experimental efforts toward a better organization of industry have been made. The difficulties were of course almost insuperable. As soon as our industrial leaders, after the complete demoralization of 1929, were helped to regain something of their lost morale, they permitted their deflated egos to expand once more, and entered upon a determined sabotage of efforts to regularize their fields of industry. Each business sought gains for itself within the structure of N. R. A., just as each had formerly sought them in the unorganized competitive system. Policies of restriction and private control of prices were sought to be set up which went far toward neutralizing the value of organization. It is a good thing to rationalize the use of the Nation's capital and credit resources; it is a good thing to produce no more than a needed amount of each service or good so that energy and capital may not go to waste; it is, however, a bad thing to allow this to be done on private estimates and with a view to getting the greatest returns instead of redistributing the greatest amount of good. In this field much less than many of us had hoped might be accomplished has been done—and the failure has been due to those same autocrats of industry who led us into the depression and neither would accept its consequences nor could find a way out of it. At any rate, the record of the President and of his administration is good. These things have been done or have been tried against extraordinarily powerful opposition.

The whole record—and I have referred only to part of it, let me remind you, leaving out the whole effect of financial and banking reform, the abandonment of imperialism, the building up of a rational nationalism—and many others—the whole record is a progressive one. And that means, if I may define it, one which is flexible in its method but determined in its protection of common human liberties and aspirations. It is a record on which we are entitled to unity. The question is whether we shall, in reality, succeed in achieving it; whether those who ought to belong in our army of progressive action will actually be found there. That is our remaining task; and it is almost the most necessary of all. We must make certain that all of our friends are with us and that all of our enemies are against us—and one is about as essential as the other. A progressive political army marches on its morale—and the sources of our morale are two: Enthusiasm for a challenging national task well begun, and the existence of an enemy we can despise with a lasting and righteous anger.

We are fortunate to have gone so far in crisis government under a leader who commanded a vast majority consent. For we have established a record now which may well substitute itself for the plan and the minority dictatorship which others use. It is well enough known by now what the leadership of President Roosevelt commits America to; it is also well enough known by what methods further achievements will be made. If on this record and with these methods the progressives of this country are unwilling to form themselves into the necessary army of victory, no plan would have that effect. We must never forget that we are always a powerful potential majority; that all the weight of democratic mass is on our side; but also we must not forget that the opposing minority of reactionaries is extremely mobile, extremely well financed, and as ruthless as may be necessary in any crisis.

Our best strategy is to surge forward with the workers and the farmers of this Nation, committed to general achievements, but trusting the genius of our leader for the disposition of our forces and the timing of our attacks. I do not need to remind you of his genius for this task, nor of his devotion to the cause of overthrowing industrial autocracy and the creation of the democratic discipline. If you do not believe in these qualities of his by now, I despair of convincing you. I only hope to make more clear to you the need for coming together under his leadership and for declining to serve our enemies' purposes by dispersion in pursuit of lesser goals than the great ones which lie so clearly before us.

The broad principle upon which we find our common ground and in which we sink our differences is the growing consciousness of joint interest among all men who work. The injury of one is the concern of all; so long as a single family in our land exists in poverty, denied those things we think all Americans entitled to, none of us can feel secure in his prosperity. And we shall not be secure any more than a community is which is touched by malignant disease. Poverty spreads itself as disease does. It signalizes lack of power to consume; and how directly that lack leads to unemployment and economic paralysis, all of us ought to know by now. There are still people who say that measures taken to protect public health are a menace to the race because they prevent the rigorous selection of the fit. But they always avoid the definition of fitness. He who is lucky enough or by accident so constituted that he is immune to the contagion of malaria, tuberculosis, or infantile paralysis is not necessarily a stronger individual, much less more valuable to society. And the incidence of unemployment and poverty is just as accidental. The swift intrusion into ordinary employments of machines and power which replaces the labor of man throws onto the scrap heap the good workman along with the poor one. And even this is not the worst of it, for the workman's family suffers along with him. Ask the next man who tells you that there is a beneficent principle at work in the hardships of poverty which ought not to be interfered with whether that also applies to the wives and children of the workers. It will be interesting to see him squirm.

They will not say so openly, but the prophets of fiscal doom who are now ringing the changes on extravagance and debt throughout the land base themselves upon this position. They say that the Government is wasteful. I say it could more easily be convicted of being niggardly. This administration has kept some 10,000,000 families alive, at least, during these past few years. Was it extravagant to do this? They say so. But I say that it would have been wiser to have kept them in health and comfort and to have provided a generous system of retraining and even of new economic opportunities. And I say it on the theory that poverty is in large part like disease, falling as it does on the just as well as on the unjust, on the innocent dependent as well as on the responsible father. For my part, I hope our Government will never accommodate itself to the ruthless doctrine of survival; I hope it may continue to repair whatever ravages of industrial ruthlessness it finds itself unable to prevent. And I hope the costs will continue to be assessed upon the profits attributable to our increasing mechanical efficiency. For there is where they belong.

But it is not only this lowliest and most helpless group around which our national policy ought to center itself. Work of this sort is the simplest act of justice which I should suppose no one would openly oppose. We shall not differ in this; it is, however, a more complex, a more foresighted policy to which we ought to make determined commitment. I refer to the sort of economic arrangement which would prevent the weight of change from falling upon whole classes of unsuspecting victims, and do it at the beginning rather than at the end of the process. The principle is the same, even if the policy called for is different. The injury of one is the concern of all; the good of one is the benefit of all. We need an economic program which will carry this principle into effective action. We found it in the great agricultural occupations by insisting on the establishment of parity. We thought that a decade and a half of depression for farmers was more than enough; we believed that a great part of industrial paralysis was traceable to the lack of buying power among farmers, so we sought means of discovering what was the real responsibility of our farmers to our own people, and how, without evading that responsibility, purchasing power could be restored. We sought to adjust agricultural production to this responsibility rather than to a fictitious and long-vanished foreign market. And agriculture is in consequence as well back on the way to prosperity as it can be so long as industry remains unorganized. We had plenty of opposition from middlemen, from money lenders, from exporters, and all the horde of parasitic handlers who live and thrive on the separation of producer from consumer. But we prevailed; and our farmers are now providing at least an improving market for industrial goods.

What we lacked and what we still lack is a similar policy carried out in various fields of industry. Those of us who have as our first responsibility the welfare of American farmers have known for a long time that employed and well-paid workers are what we really need to make our agricultural gains secure. The good of one, you see, really is the benefit of all. We want to raise the milk, butter, cotton, wool, and meat consumption of our people; we want them to pay our farmers only a parity price for these goods; and our farmers are quite willing to pay a parity price for industrial goods in return. But this cannot be achieved while unemployed millions and their families are forced to live on scanty relief allowances. Why is it, we want to know, that industry cannot take measures to secure industrial adjustment as we are securing agricultural adjustment? We are retiring our worn-out and marginal acres; we are putting our investment into plant which we know will be effectively and fully used; we are assisting our people to place themselves in the most advantageous and permanently secure situations that the most rigorous management can devise. Why is it that industry cannot follow the same policy, scrapping its obsolete plant, directing its investment toward an obviously wanted production, emasculating its parasitical hangers-on, giving its workers security either by steady employment or by the divergence of some of the gains made through increased efficiency to the provision of retraining and reemployment agencies? And why cannot the rest of the gains flow steadily into renewed purchasing power so that new industries will rise and old ones expand?

At this time in the affairs of the Nation it is all-important that farmers and workers should see how their interests merge in the parity principle; how the interest of one can be made the interest of all, how we can become a largely cooperative, instead of a completely competitive, nation. Long steps have

been taken in this direction in agriculture. I think our policy there has been essentially right. But in industry most of this remains still to be done.

We must not commit ourselves to a policy of restriction. We need large production and low prices, not low production and high prices, and we ought not to tolerate combinations within or without the Government which violate this principle. It has been said that we restricted in agriculture beyond reason. We did not. We subtracted only those acres which produced goods for vanished foreign markets; and we held close to the parity principle always. Industry must do the same. It must accommodate itself to a dynamic parity, redefined as conditions change, but having as its basis the maintenance of purchasing power for all groups. We must avoid those areas of chronic depression which lasted for many years before 1929 and finally resulted in catastrophe. If each group possesses the wherewithal to buy what every other group makes we shall never have another depression. But no group will award this power to others unless central compulsion, governmental or otherwise, is used. Each tries to exploit the other; it must, because its primary function is not production but profit making. We measure prosperity by profits. This is a fundamental error. We ought to measure it by our people's living standards. Then we could find a way to permanent prosperity.

It is not so much the getting of profits for the labor of management which causes trouble; it is the unscrupulous use which is made of a system so devised that it may be abused with impunity. Moderate gains cause no difficulties; immoderate ones do. Moderate gains do not form those sterile pools of deflected purchasing power which interrupt the healthy activity of our economy. Immoderate ones are used for speculation, for overexpansion, for the building up of extravagant business structures. There must be such an organization of industry that flows are kept constant, that purchasing power is kept equal to our productive capacity. Only in this way can our complex economic machine be kept going, furnishing services and goods to all.

So long as each industry finds itself in a position in which, through the lack of any general policy of parity it must fight only for its own existence, and cannot join in policies looking to the general good, we never can conquer the divisive forces which bring us to periodic ruin. Each industry lacking any rules or standards of practice expends a good share of its energy in useless competition for restricted markets, thus raising its cost and making low prices impossible. Each industry likewise anticipates the time of disaster which this very policy makes inevitable It sets aside the surpluses which ought to go to workers in wages or to consumers in lower prices and so dries up the potential market for its own and others' goods. This double process of multiplying costs and hoarding gains can only be cured by cooperative action in industry similar to that which is growing into agriculture. For this whole process to emerge into workable practice I have no doubt that a long time and more patience will be required I have the feeling also that the compulsion needed for industrial change is more likely to come from the workers than from present owners. So many of the owners stand to gain from disorder and disunity rather than from cooperation that united action for such a purpose seems remote and unlikely. It is the workers who stand to gain most—just as the dirt farmer stands to gain most in agriculture. These, as I have said, are our natural progressive allies in the days of change which are now upon us. And so we come back to the question of strategy. The farmers and the workers must not permit themselves to be separated. Theirs is a common cause. And hope and confidence ought to flow from the obvious gains to be got from its forthright recognition.

I have sought to lay before you what I believe to be the progressive task in the months to come and in the years to come. In the long run, we must make commitment to an economic policy of expansion, of widened use of goods, of rising living standards, of increased efficiency, of the abolition everywhere, and without reservation, of poverty. We must make irrevocable political commitment to disciplined democracy, to calculated change of institutions whenever that may be necessary, so that they may insure the expression of our national aims.

Out of these long-run commitments we must create the strategy of the immediate campaign. It will be a titanic one, with forces massed as they have never been before. We shall have certain disadvantages, among them unscrupulousness and lack of sportmanship among the enemy, as well as their access to plentiful funds. But he is notoriously well armed who has a righteous cause—it nurses an energizing wrath—and no cause was ever more fundamentally righteous than our own. We must work with and for that rising of common men, that irresistible strength which has carried us through the dangerous years just past and which may sweep us forward into the future to which we Americans are entitled. It has come from farmers on the land; it has come from workers in the cities. We must foster its intelligent fusion in the principle of parity, going forward knowingly, not regretting the past but with eyes fastened on what the future may be made to be with faith and work.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the nomination of Rexford Guy Tugwell to be Governor of Puerto Rico?

Mr. TAFT. On that question I ask for a division.

On a division, the nomination was confirmed.

Mr. BYRD subsequently said: Mr. President, I should like the RECORD to show that had I been present at the time the vote was taken on the confirmation of Dr. Tugwell's nomination I would have voted against confirmation.

Mr. GUFFEY. Mr. President, I want the RECORD to show that had I been present at the time the action was taken I would have voted for the confirmation of the nomination of Dr. Tugwell.

Mr. BARKLEY. Mr. President, I want the RECORD to show that that these distinguished Senators were absent because of attendance at a meeting of the Finance Committee, which is attempting to write a new tax bill.

Mr. TAFT. Mr. President, I should like to have it noted in the RECORD that a quorum of the Senate is not in town, and that a quorum of the Senate probably could not be obtained.

Mr. VANDENBERG. Mr. President, I should like to note in the RECORD that the Senate Finance Committee recessed at 12 o'clock noon.

Mr. BARKLEY. And, Mr. President, I should like to note in the RECORD that no Senator has a right to assume that there is no quorum present unless a roll call is had.

The VICE PRESIDENT. The remaining nominations on the calendar will be stated.

INTERNAL REVENUE BUREAU

The legislative clerk read the nomination of Norman D. Cann, of Atlanta, Ga., to be Assistant to the Commissioner of Internal Revenue.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

POSTMASTEP

The legislative clerk read the nomination of Mildred L. Feldmann to be postmaster at Wildrose, N. Dak.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

THE ARMY—NOMINATION RECOMMITTED

Mr. THOMAS of Utah. Mr. President, on August 21, on behalf of the chairman of the Committee on Military Affairs, the Senator from North Carolina [Mr. REYNOLDS], from the Committee on Military Affairs, I reported favorably the nominations in the Army which are now on the Executive Calendar, with the understanding that they were routine nominations, made in the ordinary way. The nomination of Frederick Henry Osborn to be brigadier general in the Officers' Reserve Corps is legal, and, I suppose, is regular, but it is not routine. Therefore, I move that the nomination of Frederick Henry Osborn to be brigadier general in the Officers' Reserve Corps be recommitted to the Committee on Military Affairs.

The VICE PRESIDENT. The question is on the motion of the Senator from Utah.

The motion was agreed to.

THE ARMY—NOMINATIONS CONFIRMED

The legislative clerk proceeded to read the other nominations in the Army on the calendar.

The VICE PRESIDENT. Without objection, the nominations in the Army will be confirmed en bloc, with the exception of the nomination of Frederick Henry Osborn to be brigadier general in the Officers' Reserve Corps, which has been recommitted to the Committee on Military Affairs.

STRIKES IN DEFENSE INDUSTRIES

As in legislative session,

Mr. BYRD. Mr. President, I ask unanimous consent to insert in the body of the RECORD, as a part of my remarks, reports made to me by the War Department and by the Navy Department with respect to the number of strikes now occurring in the country affecting War Department and Navy Department defense contracts.

There being no objection, the reports were ordered to be printed in the RECORD, as follows:

On Thursday, August 21, 1941, there were 26 strikes affecting War Department procurement, with approximately 26,740 workers idle, as follows:

Company	Number idle	Union	Strike began—	War Department interest
American Brake Shoe & Foundry, Mahwah, N. J.	450	American Federation of Labor.	July 28, 1941	Castings for bombs.
American Car & Foundry, Chicago, Ill.	1,000	Congress of Industrial Organizations.	July 10, 1941	Freight cars for defense shipping.
American Chain & Cable, Page Steel & Wire Division, Monessen, Pa.	1,200	do	Aug. 18, 1941	Supplying wire reels to General Cable Corporation on Signal Corps contract.
Arcade Malleable Iron Works, Worcester, Mass.	400	do	Aug. 5, 1941	Malleable iron castings for carriage mounts for Ordnance.
Arlington Mills, Lawrence, Mass.	8,000	American Federation of Labor and Congress of Industrial Organizations.	Aug. 8, 1941	Contracts for flannel shirting and serge cloth.
Benton Harbor Malleable Co., Benton Harbor, Mich.	1,350	Congress of Industrial Organizations.	Aug. 11, 1941	Castings and forgings for Ordnance.
Dake Engine Co., Grand Haven, Mich.	94	American Federation of Labor.	July 25, 1941	Engine for Du Pont project.
Ertel Machine Co., Indianapolis, Ind.	130	Congress of Industrial Organizations.	July 30, 1941	Valve guides, valve seat inserts, rocker arms for aircraft engines; 75 percent of production for defense.
Howell Electric Motor Co., Howell, Mich.	340	Independent	Aug. 13, 1941	Subcontractor for Ordnance; electric motors, on the priority critical list, for Olds Motor Works, Buick, Ford, Packard, etc.
Interstate Drop Forge, Milwaukee, Wis.	42	do	July 2, 1941	Castings and forgings for bombers, tanks, guns, and ammunition.
Knoxville Iron Co., Knoxville, Tenn.	400	American Federation of Labor.	Aug. 12, 1941	Large steel supplier to Kentucky Metal Products Co. and Hunkin-Conkey Construction Co., both engaged in defense work.
Leland Gifford Co., Worcester Mass.	1,400	Congress of Industrial Organizations.	Aug. 11, 1941	Crankshafts and metal parts for Ordnance.
Marshall Stove Co., Lewisburg, Tenn.	(1)	Unascertained	Aug. 18, 1941	Heating stoves for Quartermaster Corps.
Mechanics Universal Joint Co., Division of Borg-Warner Corporation, Rockford, Ill.	700	Congress of Industrial Organizations.	Aug. 21, 1941	Important manufacturer of wheel-drive shafts; Quartermaster Corps contracts for motorcycles, fuzes on prime contracts for Ordnance.
Milwaukee Malleable & Grey Iron Works, Milwaukee, Wis.	350	American Federation of Labor.	Aug. 15, 1941	Manufacturing spring hangers, radius rods, pressure plates, etc.
New Haven Clock Co., New Haven, Conn.	1,500	Congress of Industrial Organizations.	Aug. 19, 1941	Prime contractor for time fuzes for Ordnance.
Pennsylvania Alcohol Co., Philadelphia, Pa.	1,600	American Federation of Labor.	June 15, 1941	Chemicals for Ordnance.
Pioneer Flint Kote Co., Los Angeles, Calif.	550	do	Aug. 19, 1941	Manufactures cartons for shipping cartridge cases for Norris Stamping & Manufacturing Co.
Pullman Standard Car Co., Bessemer, Ala.	600	Congress of Industrial Organizations.	Aug. 12, 1941	Manufactures freight cars of all types for defense shipping.
Richter Manufacturing Co., Inc. Glendale, Long Island, N. Y.	150	do	June 26, 1941	Surgical instruments for Medical Corps; vitally important.
Joseph P. Ryerson, Detroit, Mich.	100	American Federation of Labor.	June 15, 1941	Kenlee Corporation, making nose plugs for Scullin Steel's bomb contracts, is being delayed because of failure to get steel from this warehouse.
Ryerson Steel Co., Cleveland, Ohio	60	Congress of Industrial Organizations.	Aug. 11, 1941	Steel for annealing furnaces to Salem Engineering Co., engaged on Frankford Arsenal contract.
United States Gauge Co., Sellersville, Pa.	1,100	American Federation of Labor.	Aug. 19, 1941	Subcontractor for Ordnance, supplying oil-pressure gages for tanks.
United States Gypsum Co., Chicago, Ill.	5,000	Congress of Industrial Organizations.	June 26, 1941	Material for defense construction.
Utica Knitting Mills, Sherburne, N. Y.	(2)	do	Aug. 19, 1941	Large Quartermaster Corps contracts for underwear.
Henry Vogt Machine Co., Louisville, Ky.	900	do	Aug. 11, 1941	Important manufacturer of shell machining and nitric-acid equipment for Picatinny and Frankford Arsenals

[1] 42 out of 232.

[2] Unascertained.

New strikes reported August 21, 1941: Mechanics Universal Joint (division of Borg-Warner Corporation), Rockville, Ill.; Utica Knitting Mills, Sherburne, N. Y.

Cases where men returned to work: Detroit Brick Manufacturing Co., Detroit, Mich.; Oneita Knitting Co., Utica N. Y.; Pacific States Cast Iron Pipe, Provo, Utah.

DEPARTMENT OF THE NAVY,
OFFICE OF THE ASSISTANT SECRETARY,
Washington, August 23, 1941.

Memorandum for the Assistant Secretary of the Navy.

Subject: Strikes on naval defense contracts.

There are listed below strikes which were in effect during the week ending August 23, 1941, in plants having naval defense contracts. More complete information may be obtained from the Shore Establishments Division, room 2026, branch 3812, where information as to discrepancies noticed, or as to urgency of contracts in the plants listed, should be sent.

The estimated number of man-days lost during the past week affecting naval defense contracts was approximately 105,000, making a total for the month of August to date approximately 297,000.

The following cases have been settled:

American Chain & Cable Co. (Wright manufacturing division and Manley manufacturing division), York, Pa.: Began August 13, ended August 17. Status: 300 affected.

Challenge Machinery Co., Grandhaven, Mich.: Began August 2, ended August 19. Status: 100 affected.

Centennial Flour Mill, Spokane, Wash.: Began August 8, ended August 21.

Curtiss-Wright Propeller Co., Caldwell, N. J.: Began August 8, ended August 14 (back-to-work agreement; negotiating). Status: 300 affected.

Dake Engine Co., Grandhaven, Mich.: Began July 24, ended August 21. Status: 94 affected.

Erie Steel Construction Co., Erie, Pa.: Began August 5, ended August 15. Status: 67 affected.

Gifford, Leland Co., Worcester, Mass.: Began August 11, ended August 22. Status: 1,400 affected.

Hauserman, E. P., Co., Cleveland, Ohio: Began July 9, ended August 17. Status: 350 affected.

Pressed Steel Car Co., Pittsburgh, Pa.: Began August 4, ended August 14. Status: 2,800 affected.

Quaker City Iron Works, Quaker City Tank Co., and Philadelphia Valve Co., Philadelphia, Pa.: Began August 8, ended August 15. Status: 40 affected.

Standard Ultramarine Co., Huntington, W. Va.: Began August 8, ended August 15.

The following cases are still open:

American Chain & Cable Co. (Page Steel and Wire Division), Monessen, Pa.: Began August 18. Status: 1,200 affected. Return to work expected August 22, pending further negotiations.

American Hair & Felt Co., McCook, Ill.: Began August 1. Status: 100 affected. Prospect of early settlement.

Arcade Malleable Iron Works, Worcester, Mass. Began August 5. Status: 400 affected. Union recognition involved.

Arlington Mills, Lawrence, Mass. Began August 7. Status: 7,000 affected. A. F. of L.-C. I. O. union jurisdiction.

Benton Harbor Malleable Foundry Co., Benton Harbor, Mich. Began August 10. Status: 1,300 affected. Issues: closed shop and check-off.

Federal Shipbuilding Co., Kearny, N. J. Began August 7. Status: 15,000 affected. Closed-shop issue deadlocked.

Koven, L. O. Co., Jersey City, N. J. Began August 12. Status: 375 affected. No satisfactory progress.

McCahan, W. J., Sugar Refining & Molasses Co., Philadelphia, Pa. Began June 17. Status: 800 employees. Marine Corps contract for sugar. Importance to defense program minor. This case will be dropped from future reports.

National Steel Corporation, Ecorse, Mich.: Status: No actual strike reported, but company reports 25 tons of steel lost per month through slow downs to force settlement of union demands.

New Haven Clock Co., New Haven, Conn.: Began August 19. Status: 1,500 affected. N. L. R. B. plant election pending.

Norwood Sash & Door Manufacturing Co., Norwood, Ohio: Began August 19. Status: 200 affected. C. I. O. and company union jurisdictional dispute.

Ohio Brass Co., Barberton, Ohio: Began June 10. Status: 500 affected. N. D. M. B. hearing referred to N. L. R. B. to determine conflicting unions' claims.

Pioneer Flintkote Co., Los Angeles, Calif.: Began August 19. Status: 550 affected. A. F. of L. teamsters and warehousemen. Strike holding up large deliveries for overseas bases.

Ryerson Steel Co., Cleveland, Ohio: Began August 11. Status: 60 affected. No change in status.

Sievering Philip Co., New York, N. Y.: Began July 28. Status: 160 men affected. No change in status.

Star Electric Motor Co., Bloomfield, N. J.: Began July 21. Status: No change in status.

United States Gauge Works, Sellersville, Pa.: Began August 7. Status: 70 affected. Employees returned to work August 15, but initiated new strike beginning August 19. No satisfactory progress in negotiations.

United States Gypsum Co., Chicago, Ill.: Began July 26. Status: 2,000 affected. Still under consideration by N. D. M. B.

Vogt, Henry, Machine Co., Louisville, Ky.: Began August 11. Status: 1,000 affected. Certified to N. D. M. B. August 22.

Listed below are companies in which strikes are pending but information relative to naval-defense contracts not yet available:

Aluminum Ore Co., East St. Louis, Ill., August 19, 1941.

Ford Motor Co., Detroit, Mich., August 19, 1941.

Knoxville Iron Co., Knoxville, Tenn., August 12, 1941.

Pennsylvania Transformer Co. Pittsburgh, Pa., August 13, 1941.

Pullman Standard Car Co., Bessemer, Ala., August 12, 1941.

Pullman Standard Car Manufacturing Co., Michigan City, Ind., August 14, 1941.

Saco-Lowell Shop, Biddeford, Maine, August 14, 1941.

Spring Products Corporation, Baltimore, Md., August 13, 1941.

Utica Knitting Co., Utica, N. Y., August 12, 1941.

Western Trailer Co. Los Angeles, Calif., August 8, 1941.

Winston Slipper Co., Darby, Pa., August 2, 1941.

C. W. FISHER,
Captain, United States Navy,
Director of Shore Establishments.
L. M. ATKINS,
Captain, United States Navy,
By direction.

ADJOURNMENT TO THURSDAY

Mr. BARKLEY. Mr. President, as in legislative session, I move that the Senate adjourn.

The motion was agreed to; and (at 12 o'clock and 38 minutes p. m.) the Senate adjourned, the adjournment being, under the order previously entered, until Thursday, August 28, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 25, 1941:

ATTORNEY GENERAL OF THE UNITED STATES

Francis Biddle, of Pennsylvania, to be Attorney General of the United States.

SELECTIVE SERVICE

Leigh N. Bittinger to be assistant State director of selective service for Illinois, under the provisions of section 10 (a) (3) of the Selective Training and Service Act of 1940.

Compensation for the office of assistant State director of selective service for Illinois will be at the rate of $5,600 per annum.

APPOINTMENTS AND PROMOTIONS IN THE NAVY

MARINE CORPS

The following-named citizens to be second lieutenants in the Marine Corps from the 2d day of September 1941:

Edmund E. Allen, a citizen of New York.
Robert V. Allen, a citizen of Kentucky.
Donald E. Asbury, a citizen of Illinois.
William F. Becker, a citizen of the District of Columbia.
Benjamin C. Bentson, a citizen of Wyoming.
Allyn A. Bernard, a citizen of Connecticut
James R. Blackwell, a citizen of Indiana.
John O. Blackwell, a citizen of Virginia.
William R. Bonner, a citizen of West Virginia.
Peter J. Boyd, a citizen of Idaho.
John H. Brickley, a citizen of Montana.
Vernon H. Broertjes, a citizen of Indiana.
Edgar F. Carney, Jr., a citizen of Virginia.
Alexander W. Chilton, Jr., a citizen of New Mexico.
Harry D. Clarke, a citizen of Wisconsin.
John D. Cooper, a citizen of California.
Frederick D. Cortner, a citizen of Utah.
Francis K. Coss, a citizen of Illinois.
James R. Crockett, a citizen of Arkansas.
George W. E. Daughtry, a citizen of Georgia.
Leo J. Dulacki, a citizen of Nebraska.
Benton H. Elliott, a citizen of Texas.
Arthur T. Feaster III, a citizen of Wyoming.
James H. Flagg, a citizen of New York.
David R. Griffin, a citizen of Alabama.
Arthur D. Gutman, a citizen of New York.
Bruce B. Hammond, a citizen of Oregon.
Robert C. Hammond, Jr., a citizen of Mississippi.
James R. Haynes, a citizen of Arkansas.
George R. Helmer, a citizen of Washington
Albert W. Hess, a citizen of Pennsylvania.
Harold L. Hiner, a citizen of Utah.
John R. Hogan, a citizen of Pennsylvania.
Raymond M. Hogue, a citizen of Florida.
Harold W. Hyland, a citizen of Rhode Island.
Norman P. Hyldahl, a citizen of South Dakota.
Shelton C. Ingle, a citizen of Oregon.
Duncan H. Jewell, a citizen of Maine.
Edgar J. Johnson, a citizen of Massachusetts.
Eugene W. Kelley, a citizen of Michigan.
John H. King, a citizen of Tennessee.
Edward G. Kurdziel, a citizen of New York.
Stanley D. Low, a citizen of New Hampshire.
William H. Marsh, a citizen of California.
William E. McMahon II, a citizen of the District of Columbia.
Morgan B. McNeely, a citizen of California
Norman A. Miller, Jr., a citizen of Maryland.
Roy D. Miller, a citizen of Ohio.
Benjamin E. Mitchell, a citizen of Louisiana.
Guy O. Monroe, a citizen of Oregon.
Victor F. Monta, a citizen of Virginia.
Emile P. Moses, Jr., a citizen of Virginia.
Reginald R. Myers, a citizen of Idaho.
Stanley J. Nelson, a citizen of South Dakota.
William R. Norton, a citizen of California.
Merlin R. Olson, a citizen of North Dakota.
Kenneth B. Pickle, a citizen of California.
Derek W. Price, a citizen of Montana.
George G. Ryffel, a citizen of Montana.
Francis R. Schlesinger, a citizen of New Hampshire.
Ernest E. Schott, a citizen of Texas.
Donald W. Sherman, a citizen of North Dakota.
Littleton K. Smith, a citizen of New Jersey.
Robert E. Smith, Jr., a citizen of Georgia.
Earl Spangler, a citizen of Oklahoma.
Augustus O. B. Sparks, Jr., a citizen of Georgia.
Theodore F. Spiker, a citizen of Pennsylvania.
William K. Stewart, a citizen of South Carolina.
Paul J. Thomson, Jr., a citizen of Virginia.
Wallace E. Tow, a citizen of Iowa.
Joseph D. Trompeter, a citizen of South Dakota.
Kirby B. Vick, a citizen of Alabama.
LeRoy L. Wade, a citizen of Nebraska.
Ralph E. Walter, Jr., a citizen of Pennsylvania.
William A. Ward, a citizen of Ohio.
Edgar B. Watson, a citizen of North Carolina.
Thomas C. J. Whedbee, a citizen of Maryland.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 25, 1941:

GOVERNOR OF PUERTO RICO

Rexford Guy Tugwell to be Governor of Puerto Rico.

INTERNAL REVENUE BUREAU

Norman D. Cann to be Assistant to the Commissioner of Internal Revenue.

POSTMASTERS

NORTH DAKOTA

William C. Drake, Bowdon.
Richard T. L. Noyes, Cando.
Elizabeth Moriarty, Enderlin.
George Knauss, Hannaford.
Lawrence C. Lerud, Hoople.
Otto Engel, Kenmare.
H. C. Erhart Petersen, Makoti.
Nathan C. Myrick, Pembina.
Sigrid Vick, Sheyenne.
Joseph E. DeMers, St. John.
Mildred L. Feldmann, Wildrose.
Hulda E. Hezel, Zeeland.

APPOINTMENT IN THE REGULAR ARMY

Brig. Gen. Eugene Reybold to be Chief of Engineers, with the rank of major general, for a period of 4 years from date of acceptance.

TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

Richard Kerens Sutherland to be brigadier general.

APPOINTMENT IN THE REGULAR ARMY

John Paul Beall to be second lieutenant, Infantry.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

Maj. George Edward Isaacs to Adjutant General's Department.

Lt. Col. Andrew Jackson Wynne to Quartermaster Corps.

First Lt. Eldred George Robbins, Jr., to Ordnance Department.

First Lt. Wilfred Henry Tetley to Signal Corps.

APPOINTMENTS IN THE REGULAR ARMY

TO BE CAPTAINS, JUDGE ADVOCATE GENERAL'S DEPARTMENT

Tom Hughes Barratt
Riley McClain
Nathan Jay Roberts
Noah Louis Lord
James William Ellis

PROMOTIONS IN THE REGULAR ARMY

TO BE CAPTAINS, MEDICAL CORPS

Angel Antonio Cardona
Clarence Raymond Brown

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS, IN THE REGULAR ARMY

TO BE COLONEL

Rudolph William Propst

TO BE LIEUTENANT COLONELS

Edmund Clayton Lynch
Alfred August Kessler, Jr.
Mervin Eugene Gross

TO BE MAJORS

Loren Boyd Hillsinger
Jack Wallis Hickman
Leighton Ira Davis

WITHDRAWAL

Executive nomination withdrawn from the Senate August 25, 1941:

PROMOTION IN THE NAVY

Lt. (Jr. Gr.) Sidney L. Erwin to be a lieutenant in the Navy.

HOUSE OF REPRESENTATIVES

MONDAY, AUGUST 25, 1941

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, Mr. WOODRUM of Virginia.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Most merciful and gracious God, who hast called us to the duties and responsibilities of a new day, we are not turning our eyes upon the ground, whence no help can come, but we are lifting them heavenward and unto Thee, for the memory of the yesterdays gives us the blessed testimony that Thy resources are inexhaustible and sufficient for all our needs.

We pray that our lives may be continually characterized by spiritual frontage and that the occasional and intermittent visions we have of the eternal values may become the constant and abiding desires of our hearts.

May we resolutely declare that we have enlisted under the banner of righteousness by striving to correct the wrongs of the world, overcoming the evils, blotting out its sins and rebuilding the crumbling structure of civilization, until justice, mercy, peace, and brotherhood shall become in truth the deep concerns in the daily life of men and nations.

Hear us in the name of the Christ, whose heart opens with love in response to the aspirations and longings of our souls. Amen.

The Journal of the proceedings of Thursday, August 21, 1941, was read and approved.

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that no August 21, 1941, the President approved and signed bills and joint resolutions of the House of the following titles:

H. R. 191. An act for the relief of Franklin Stencil and Dominic Stencil;

H. R. 647. An act for the relief of Gilbert E. Jackson and Helen Jackson, individually, and to the legal guardian of Edwin Jackson, a minor;

H. R. 1692. An act for the relief of William F. Kliewe;

H. R. 2010. An act for the relief of Wade H. Erwin and Vonnie Erwin;

H. R. 2182. An act for the relief of John S. Small;

H. R. 2212. An act for the relief of Raymond W. Reed and Rose Reed;

H. R. 2434. An act for the relief of Margaret S. Holten;

H. R. 3261. An act to authorize the Rainbow Division veterans to erect a suitable memorial to the Rainbow (Forty-second) Division, American Expeditionary Forces;

H. R. 3388. An act to permit the Smithsonian Gallery of Art Commission to purchase a model of the winning design for the proposed Smithsonian Gallery of Art, and for other purposes;

H. R. 3752. An act to amend an act entitled "An act to punish the willful injury or destruction of war material, or of war premises or utilities used in connection with war material, and for other purposes" approved April 20, 1918, as amended November 30, 1940;

H. R. 4150. An act to extend the times for commencing and completing the construction of a bridge across the St. Lawrence River at or near Ogdensburg, N. Y., and for other purposes;

H. R. 4338. An act to provide for adjustment of the inactive-duty pay of certain transferred and retired members of the Fleet Reserve;

H. R. 4529. An act for the relief of John Henry Hester;

H. R. 4660. An act to amend the act entitled "An act to provide aid for needly blind persons of the District of Columbia and authorizing appropriations therefor," approved August 24, 1935;

H. R. 4769. An act authorizing the designation of Army mail clerks and assistant Army mail clerks;

H. R. 4784. An act to amend the act relating to preventing the publication of inventions in the national interest, and for other purposes;

H. R. 4813. An act to amend section 73 of an act entitled "An act to provide a government for the Territory of Hawaii," approved April 30, 1900, as amended;

H. R. 5312. An act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes;

H. R. 5339. An act granting increases in pensions to certain widows and dependents of persons who served in the military or naval forces of the United States during the War with Spain, the Boxer Rebellion, or the Philippine Insurrection;

H. J. Res. 120. Joint resolution to provide for the proper observance of the one hundred and fiftieth anniversary of the adoption of the first 10 amendments to the Constitution, known as the Bill of Rights;

H. J. Res. 121. Joint resolution providing for the filling of a vacancy in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress;

H. J Res. 195. Joint resolution providing for the filling of a vacancy which will occur August 6, 1941, in the Board of Regents of the Smithsonian Institution of the class other than Members of Congress; and

H. J. Res. 228. Joint resolution consenting to an interstate oil pact to conserve oil and gas.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 5395. An act to amend the National Housing Act, as amended.

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S. J. Res. 104. Joint resolution to provide for the general welfare by investigations into the origins and causes of the disease of encephalitis.

EXTENSION OF REMARKS

Mr. TAYLOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein the address of Winston Churchill, Prime Minister of Great Britain, delivered over the radio yesterday.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Michigan [Mr. HOFFMAN] may be permitted to extend his own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I further ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Washington News.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DIMOND. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Ketchikan Daily Chronicle about wood pulp in Alaska.

The SPEAKER pro tempore. Is there objection to the request of the Delegate from Alaska?

There was no objection.

Mr. GUYER of Kansas. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Kansas [Mr. LAMBERTSON] be permitted to extend his own remarks in the RECORD, and also that the gentleman from South Dakota [Mr. MUNDT] be permitted to extend his own remarks in the RECORD and include therein an editorial from a South Dakota paper.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. GUYER of Kansas. Mr. Speaker, I further ask unanimous consent to extend my own remarks in the RECORD and also to include in the Appendix of the RECORD an editorial from the Tablet, a newspaper.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. LEWIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include in connection therewith a news item and certain editorials in regard to the late Maj. Gen. Adna R. Chaffee.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. HILL of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address I delivered last evening over WWDC.

The SPEAKER pro tempore. Is there objecttion to the request of the gentleman from Washington?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. PADDOCK] be permitted to extend his remarks in the RECORD concerning a bill he has this day introduced into the Congress.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MICHENER. Mr. Speaker, I further ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

CARR CHINA CO.—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 364)

The SPEAKER pro tempore laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, a bill (H. R. 2431) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Carr China Co.

It appears that during the construction by the War Department of the Tygart Valley Dam near the city of Grafton, W. Va., surplus concrete was from time to time washed into the river, thereby resulting in an increased lime content of the water.

The city of Grafton used the river water for its water-supply system. The Carr China Co. maintained a plant for the manufacture of chinaware near Grafton and drew its water from the city water supply. It is claimed that because of the increased chemical content of the water the glazing on the chinaware manufactured by the claimant became extremely defective and the claimant was constrained to accept returns of a considerable amount of merchandise sold by it to its customers.

The bill proposes to permit the company to bring suit against the United States in the Court of Claims for damages alleged to have been so sustained.

The terms of the bill are very broad and would comprise losses from damage to the company's products and trade.

It will be observed that the claimant is not in the position of a riparian owner who has been directly injured by the pollution of the stream by another riparian owner. The position of the claimant is far more remote and indirect. There is grave doubt whether under such circumstances the Government as a matter of equity and fair dealing should accept liability for damages so consequential as those presented in this instance.

A different question would perhaps be presented if the bill contained an express provision, such as is at times included in private jurisdictional acts, to the effect that the Government should be held liable only to the extent to which a private individual would be liable under like circumstances. It is conceivable that the broad and somewhat indefinite phraseology of the bill under consideration might result in imposing on the Government a liability far greater than that which would devolve on a private individual in parallel circumstances.

No reason appears discernible why the Government should assume a liability of this kind.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *August 25, 1941.*

The SPEAKER pro tempore. The objections of the President will be entered at large upon the Journal, and the message and the bill will be printed as a House document. Further action will be deferred until September 15, under the agreement.

WHEAT MARKETING QUOTAS—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 365)

The SPEAKER pro tempore laid before the House the following further veto message from the President of the United States:

To the House of Representatives:

I am returning herewith, without my approval, a bill (H. R. 5300) entitled "An act relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended, to provide for withholding from the normal channels of trade and commerce Government-owned cotton and wheat of the 1940 and previous crops, and to provide 85 percent of parity with respect to peanuts of the 1941 crop."

It is my conviction that approval of the measure would seriously and adversely affect the agricultural adjustment program and the attendant policies which have been so beneficial to our farmers during the past few years.

One provision of this act would permit the farmers to dispose of, as feed, without penalty, an indefinite amount of wheat produced in excess of their farm acreage allotments for 1941. This provision would place a premium on noncompliance with the wheat program, constitute a breach of faith with the large majority of farmers who complied with the program, and so relax the control features of the farm program as to adversely affect future participation therein.

Even more objectionable is the provision which would direct the Commodity Credit Corporation to acquire title to all cotton and wheat of the 1940 and previous crops in which it has an interest, and to hold these commodities for an indefinite period. The goal of the administration's agricultural policy has been parity prices for the farmers, and this has been accepted by the producers, the consumers, and the Congress as fair and reasonable. I do not feel that farmers would wish this acceptance destroyed by action designed to force prices above parity through the arbitrary withholding of Government-owned stocks from the normal channels of trade and commerce.

Recently, I approved legislation enacted by the Congress authorizing the Commodity Credit Corporation to make loans at a rate of 85 percent of the parity prices of the five basic agricultural commodities, which, in addition to agricultural conservation payments and authorized parity payments, will enable the growers of these crops to realize parity for their 1941 production. Parity, however, is only one of two elements of income. The other is volume sold. The ultimate effect of this bill would be to restrict the volume of the products sold and thus shrink the use of and the market for these commodities. Moreover, in times such as these no one can foresee how soon these Government-owned stocks may be needed.

The Commodity Credit Corporation should be free to dispose of the commodities acquired under the loan programs in an orderly manner. Otherwise it will be impossible to maintain an "ever normal granary" to protect farmers against surpluses and consumers against scarcity. Restriction of this authority of the Corporation would greatly increase its losses, nullify the effectiveness of existing programs, and, by breaking faith with consumers, be inconsistent with our present price-control efforts.

In my judgment, this bill is contrary to sound governmental policy and the longtime best interests of both farmers and consumers.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *August 25, 1941.*

The SPEAKER pro tempore. The objections of the President will be entered at large upon the Journal, and the message and the bill will be printed as a House document. Further action will be deferred until September 15.

ENROLLED BILL SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro tempore:

H. R. 5395. An act to amend the National Housing Act, as amended.

ADJOURNMENT

Mr. COCHRAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 18 minutes p. m.), under its previous order, the House adjourned until Thursday, August 28, 1941, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. O'CONNOR: Committee on Indian Affairs. H. R. 5261. A bill to authorize the sale of certain Indian lands to the city of Cut Bank, Mont.; without amendment (Rept. No. 1199). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 5615. A bill to provide for preliminary examination and survey of Jackson Creek, Westmoreland County, Va., and the channel connecting with the Potomac River; to the Committee on Rivers and Harbors.

By Mr. DINGELL:

H. R. 5616. A bill to prevent unemployment and bankruptcies resulting from the exercise of the power to establish priorities, and for other purposes; to the Committee on the Judiciary.

By Mr. PADDOCK:

H. R. 5617. A bill to equalize income taxation in cases of transfer of corporate properties upon judicial sale; to the Committee on Ways and Means.

MEMORIAL

Under clause 3 of rule XXII, a memorial was presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Republic of Nicaragua, memorializing the President and the Congress of the United States to consider their motion dated August 5, 1941, relative to pan-Americanism; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LEWIS:

H. R. 5618. A bill granting a pension to Vera Mae Scott; to the Committee on Pensions.

By Mr. O'BRIEN of Michigan:

H. R. 5619. A bill for the relief of certain clerks in the post office at Detroit, Mich.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1783. By Mr. KRAMER: Petition of the Board of Supervisors of the County of Los Angeles, Calif., endorsing the provisions of Senate bill 1201, now before the Seventy-seventh Congress of the United States, and respectfully requesting Congress to enact this legislation, and ask its approval by the President of the United States; to the Committee on Ways and Means.

1784. Also, petition of the Fresno County Producers Association, of Fresno, Calif., requesting that the present Wheat Marketing Quota Act be amended to allow tax not to exceed 15 cents per bushel for excess wheat, or wheat could be fed to livestock on farms; to the Committee on Ways and Means.

1785. Also, petition of the United Rubber Workers of America, Local No. 100, Congress of Industrial Organizations, of Los Angeles, Calif., protesting against the antilabor action of the War Department in its intention to use military labor battalions to perform all unloading and loading of Army transports; to the Committee on Labor.

1786. Also, petition of the United Rubber Workers of America, Local No. 100, Congress of Industrial Organizations, of Los Angeles, Calif., protesting against the dismissal of employees of the National Youth Administration in California; to the Committee on Appropriations.

1787. By Mr. WOLCOTT: Petition of Frank Werkmeister and 185 others, requesting that immediate action be taken to remove the marketing penalties on wheat and other products of American agriculture, and to restore to the American farmer a free market; to the Committee on Agriculture.

1788. Also, petition of William Yerke and 59 others, requesting that immediate action be taken to remove the marketing penalties on wheat and other products of American agriculture, and to restore to the American farmer a free market; to the Committee on Agriculture.

1789. Also, petition of Melburn Tinsey and 105 others, requesting that immediate action be taken to remove the marketing penalties on wheat and other products of American agriculture, and to restore to the American farmer a free market; to the Committee on Agriculture.

1790. Also, petition of Angus McCallum and 10 others, requesting that immediate action be taken to remove the marketing penalties on wheat and other products of American agriculture, and to restore to the American farmer a free market; to the Committee on Agriculture.

1791. By the SPEAKER: Petition of the United Rubber Workers of America, Los Angeles, Calif., petitioning consideration of their resolution with reference to price-fixing legislation; to the Committee on Banking and Currency.

1792. Also, petition of the Texas State Federation of Labor, El Paso, Tex., petitioning consideration of their resolution with reference to their Resolution No. 13, relative to immigration and naturalization; to the Committee on Immigration and Naturalization.

1793. Also, petition of the Texas State Federation of Labor, El Paso, Tex., petitioning consideration of their resolution No. 6, relative to additional Federal judges; to the Committee on the Judiciary.

SENATE

THURSDAY, AUGUST 28, 1941

The Reverend Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

Almighty and eternal God, Creator of heaven and earth, in whose hand are the destinies of all mankind: We beseech Thee mercifully to behold our Nation, and to bless her people with Thy continual care and providence. Inspire in them a new vision of Thee, that they may labor diligently to Thine honor and glory, for the peace and prosperity of our country, and for the highest good of the entire world. Fill them with the spirit of loyalty, that in singleness of heart they may be united with their leaders in advancing Thy purposes for America.

Vouchsafe, O Lord, Thine especial blessing upon our President, and all who immediately surround him, that in the exacting duties of their high and holy offices their minds may be stayed on Thee. Inspire all those in authority with Thy heavenly wisdom, that they may have a right judgment in all things. Crown them with holy gifts of leadership, that they may sail a united and faithful people to safety beyond the turbulence of impending storms to find peace upon calm and tranquil seas. We ask it in the name of Him who by a word didst still the tempest, Thy Son, Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Monday, August 25, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

LETTERS FROM VESSELS ARRIVING AT UNITED STATES PORTS

A letter from the Postmaster General, transmitting a draft of proposed legislation amending section 204 of the act of March 4, 1909 (with an accompanying paper); to the Committee on Post Offices and Post Roads.

LAWS OF MUNICIPAL COUNCILS AND LEGISLATIVE ASSEMBLY OF THE VIRGIN ISLANDS

A letter from the Acting Secretary of the Interior, transmitting, pursuant to law, a complete set of laws passed by the municipal councils and the Legislative Assembly of the Virgin Islands during the fiscal year 1941 (with accompanying papers); to the Committee on Territories and Insular Affairs.

PETITIONS

Petitions, etc., were laid before the Senate by the Vice President, or presented by a Senator, and referred as indicated:

By the VICE PRESIDENT:

Resolutions of Local Union, No. 1414, Steel Workers Organizing Committee, of Torrance, and the Women's Auxiliary of Local No. 1421, United Electrical, Radio, and Machine Workers of America (C. I. O.), Los Angeles, both in the State of California, favoring the imposition of severe penalties against profiteering and speculation in the necessities of life in connection with proposed legislation providing for the control of prices; to the Committee on Banking and Currency.

By Mr. CAPPER:

A petition, numerously signed, of sundry citizens of Manhattan, Kans., praying for the enactment of House bill 1036, providing for old-age pensions; to the Committee on Finance.

Petitions of sundry citizens of Ransom and Morris Counties, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

SALE OF ALCOHOLIC BEVERAGES AND PREVENTION OF VICE IN THE VICINITY OF MILITARY CAMPS—PETITIONS

Mr. MALONEY. Mr. President, I present for appropriate disposition several petitions received from organizations and citizens in the State of Connecticut, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity

of military camps and naval establishments.

These petitions were submitted to me through Mrs. Ella F. Burr, of South Windsor, Conn., president of the Woman's Christian Temperance Union of the State of Connecticut.

The VICE PRESIDENT. The petitions presented by the Senator from Connecticut will be received and lie on the table.

REPORT OF SPECIAL COMMITTEE TO INVESTIGATE OLD-AGE PENSION SYSTEM (REPT. NO. 666)

Mr. DOWNEY. Mr. President, at this time I wish to file with the Senate the preliminary report of the Special Committee to Investigate the Old-Age Pension System. This report contains not only the majority recommendations but likewise the minority views of the Senator from Rhode Island [Mr. GREEN], filed in opposition to the majority report.

I desire to say to our distinguished majority leader that I know he will be very happy over the recommendations made in this report, because these recommendations are almost exactly in accordance with the solemn pledge made by the Democratic National Convention for the early realization of a minimum pension for all workers retired from gainful employment; and, as our very able and distinguished majority leader presided at that convention, he will be glad to know that this particular committee has now, at long last, brought in recommendations to carry out that pledge.

While I speak of the platform of the Democratic Party, I am anxious to absolve myself of any claim that this is a partisan measure. The distinguished minority leader, the Senator from Oregon [Mr. MCNARY], has not only for many years been in the forefront of all liberal and advanced legislation but he has been particularly devoted to the attainment of an adequate and humane pension payment for the aged people of America, and he was helpful and very instrumental in having this committee appointed. He has always been devoted to this cause, and he has suggested to me that it would be a most unfortunate thing if this report and the bill to which it refers were given any partisan tinge; that it is a great issue that should be lifted out of sordid politics and taken care of by the great parties of America without any partisan thought. Consequently, I wanted to explain to our distinguished minority leader that in referring to the fact that this bill carries out the pledge of the Democratic platform I am not in any way intimating that it is not also, of course, the will and the wish of our liberal Republicans. I may say that within the past month many Republican Senators have told me that they hope they will finally have the opportunity on the floor of the Senate to vindicate to the American people and to their electors the pledge they have solemnly made to their own constituents that they would in every possible way expedite the attainment of a humane and decent pension in America.

The VICE PRESIDENT. The report will be printed.

Mr. GREEN subsequently said: Mr. President, the Senator from California [Mr. DOWNEY] has presented a report of the Committee on Old Age Pensions. It was with great regret that I found myself unable to agree with all that was contained in the report. For that reason I filed minority views.

I wish to pay tribute to the thoughtfulness with which the Senator from California prepared the material for the use of the committee. He gave a great deal of care to procuring from the Social Security Board and from other sources statistical and other information which was of great help to the committee. I also wish to thank him for the uniform courtesy with which he treated all the members of the committee, whether they agreed with him in whole or only in part.

Together with the report of the committee was filed minority views. There has not been time to formulate a bill to carry into effect the recommendations of the minority, although a bill has been presented this morning by the Senator from California to carry into effect the recommendations of the majority report. I shall try to present at an early date a bill to carry into effect the recommendations of the minority.

Mr. LANGER. Mr. President, in response to what the junior Senator from California [Mr. DOWNEY] said with reference to old-age pensions, in behalf of the folks of North Dakota I wish to express their appreciation for the prompt action taken by the committee, and I hope prompt action will be taken by the Senate. Our people are more interested in the proposed legislation on this subject than in any other, in my opinion, except that relating to national defense.

INVESTIGATION RELATIVE TO GASOLINE AND FUEL-OIL SHORTAGES (S. REPT. NO. 667)

Mr. MALONEY. From the Committee on Commerce, I report back favorably, with an amendment, Senate Resolution 156, submitted by me on August 19, calling for an investigation relative to gasoline and fuel-oil shortages; and I submit a report, No. 667, thereon.

Mr. BARKLEY. Mr. President, I understand that this resolution will have to go to the Committee to Audit and Control the Contingent Expenses of the Senate.

The VICE PRESIDENT. Yes; the resolution will be referred to that committee.

Mr. BARKLEY. I understand, however, that the committee is ready to report the resolution.

Mr. HAYDEN. Mr. President, by direction of the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably, with an amendment, Senate Resolution 156, and ask unanimous consent for its present consideration.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution? The Chair hears none. The amendments reported by the committees will be stated.

The amendments were, on page 1, line 6, after the words "purpose of", to strike out "curtailing" and insert "providing"; and on page 2, line 16, after "$", to insert "12,500", so as to make the resolution read:

Resolved, That there is hereby created a special committee, to consist of five Senators to be appointed by the President of the Senate, which shall make a full and complete investigation with respect to the shortages of gasoline, fuel oil, and other petroleum products in the various States, the methods that are being employed for the purpose of providing deliveries of such products for ordinary consumer use, and the most effective means that may be employed for insuring an adequate supply of such products for national-defense purposes without undue hardship to business enterprises and consumers generally. Such committee shall report to the Senate as soon as practicable the results of its investigation, together with its recommendations for any necessary legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Seventy-seventh and succeeding Congresses, to employ such experts, and such clerical, stenographic, and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $12,500, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

The amendments were agreed to.

Mr. BARKLEY. Mr. President, let me ask a question of the Senator from Arizona and the Senator from Connecticut.

Of course, all of us are concerned about the oil situation, not because, as I understand, there is any shortage of oil, but because of the fact that as a result of the dislocation of transportation facilities it is impossible to get the oil to the places where it is needed. Is it true that so far as the oil situation in the country at large is concerned there is no shortage, but that because of the lack of facilities the oil cannot be transported into the East, Northeast, and other sections of the country?

Mr. MALONEY. That is the impression I have; and I think it is the generally held opinion that there is no shortage of petroleum products, but the existing shortage in the East is really due to a shortage of transportation facilities.

Mr. BARKLEY. Is one of the things that the Senator from Connecticut proposes to have investigated the effect which the construction of the pipe line which Congress authorized a few weeks ago may have upon that situation?

Mr. MALONEY. Of course, the committee hopes to cover the pipe-line situation and every other facility of transportation that would be available for petroleum.

Mr. MCNARY. Mr. President, I have no objection to the resolution; indeed, I favor it. Yesterday the Senate Committee on Commerce acted on this matter, taking advantage of a resolution heretofore adopted by the Senate. Pursuant to the action of the committee, a subcommittee was appointed by the eminent

chairman of the committee, the Senator from North Carolina [Mr. BAILEY], to consider this subject.

The resolution before us provides for the appointment of a special committee. I express the hope to the President of the Senate that he appoint on the special committee the same Senators designated yesterday by the Senator from North Carolina, the chairman of the Senate Committee on Commerce. Otherwise there will be presented a very anomalous situation, having two resolutions, with two committees attempting to function in the same field.

Mr. BARKLEY. If the Senator will yield, the resolution presented by the Senator from Connecticut was referred to the Committee on Commerce, and authorized the appointment of a special committee. Subsequently, by the action taken by the committee yesterday, a subcommittee of the Committee on Commerce was appointed to do the very thing covered by the resolution.

Mr. McNARY. That is what I stated.

Mr. BARKLEY. Why would it not be better for the Senator from Connecticut to amend his resolution so as to give to the subcommittee already created by the Committee on Commerce the $12,500 which is to be appropriated for this purpose? I make that suggestion because we do have here the possibility of duplication if there is to be a different committee appointed. I do not assume that would be done, but it would create a different status, at least. A special committee does not have to be appointed from one of the existing committees of the Senate. The members of such a committee might be appointed wholly outside of the Committee on Commerce. Even if the special committee were appointed from the Committee on Commerce, they would be acting as a special committee under the resolution and under the authority we have already conferred. Why could not an amendment be adopted simply giving to the subcommittee already appointed by the chairman of the Committee on Commerce the funds for the investigation?

Mr. McNARY. I mentioned this situation only in order to relieve the Vice President of embarrassment, so far as the appointments are concerned. It is my opinion that if the Vice President should appoint on the special committee the same members who have been designated as the subcommittee of the Committee on Commerce, the whole situation would be straightened out, and there would not be any complications. I have no objection, if the able Senator from Kentucky desires, to have it expressly provided in the resolution that the membership shall be limited to those on the subcommittee, but I think the same purpose would be accomplished if, upon the adoption of the resolution, the Vice President should appoint on the special committee contemplated in the resolution the same members who have been designated as the subcommittee of the Committee on Commerce. That is why I made the suggestion.

Mr. MALONEY. Mr. President, I think that the adoption of either the suggestion offered by the Senator from Kentucky [Mr. BARKLEY] or the suggestion of the Senator from Oregon [Mr. MCNARY] would settle the matter. But if the Vice President, or the President pro tempore of the Senate, does not consider it presumptuous, I am inclined toward the view suggested by the Senator from Oregon. I think it would simplify matters. I should like to say, however, that the special committee appointed by the chairman of the Committee on Commerce was not appointed at my suggestion. I had hoped that my resolution would proceed in the regular way and that it would not be presumed to be trespassing upon the privileges of the Senate. But the situation was so grave and the pressure so great that the committee was compelled to the belief that there should not be a delay of even a few days. I am sure the Vice President will understand how the situation came about. It seems to me that the matter can be best handled under the pending resolution by the appointment of a new committee. I am hopeful that the suggestion offered by the Senator from Oregon will be followed.

Mr. BARKLEY. If I may make a suggestion, I do not care which course is followed; probably the same object will be accomplished in either event. But in view of the fact that a subcommittee has been appointed by the Committee on Commerce, if the Vice President should appoint a new committee, even consisting of the same Members, they would be serving in a dual capacity; first, as members of a subcommittee of the Committee on Commerce and, secondly, as members of the special committee appointed under the pending resolution.

Mr. MALONEY. In reply, I should like to say that it was the understanding of the Committee on Commerce, certainly it was my understanding, that if and when the resolution were adopted and the President of the Senate appointed the special committee provided for therein, the temporary special committee appointed by the chairman of the Committee on Commerce would cease to function, would go out of existence.

Mr. HAYDEN. Mr. President, there is a standard procedure with respect to investigating committees, and that is the procedure provided for in the pending resolution. To clothe a subcommittee of a committee of the Senate with the power of an investigating committee appointed by the Senate seems to me to be an irregular procedure. It seems to me the procedure provided in the resolution is the better way to accomplish the result desired.

The VICE PRESIDENT. The question is on agreeing to the resolution as amended.

The resolution (S. Res. 156), as amended, was agreed to.

The VICE PRESIDENT. The Chair appoints for the purposes of the investigation the same committee that has been serving in that capacity as a subcommittee of the Committee on Commerce, namely, the Senator from Connecticut [Mr. MALONEY], the Senator from Maryland [Mr. RADCLIFFE], the Senator from Texas [Mr. O'DANIEL], the Senator from New Jersey [Mr. BARBOUR], and the Senator from Ohio [Mr. BURTON].

REPORTS OF THE COMMITTEE ON COMMERCE

The following reports of the Committee on Commerce were submitted:

By Mr. RADCLIFFE:

H. R. 3864. A bill to amend the act entitled "An act to provide for the registry of pursers and surgeons as staff officers on vessels of the United States, and for other purposes," approved August 1, 1939; without amendment (Rept. No. 668);

H. R. 4446. A bill relating to the manning of vessels; without amendment (Rept. No. 669);

H. R. 4946. A bill relating to the manning of certain seagoing barges; without amendment (Rept. No. 670); and

H. R. 5289. A bill to dispense with the requirement of clearance and entry for certain United States vessels on the Great Lakes which touch at Canadian ports for bunker fuel only; without amendment (Rept. No. 671).

INVESTIGATION OF THE ADMINISTRATION OF PRIORITIES—REPORT

Mr. MALONEY, from the Committee on Commerce, to which was referred the resolution (S. Res. 157) creating a special committee to investigate the administration of priorities, reported it without amendment, and, under the rule, the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LANGER:

S. 1871. A bill for the relief of C. H. Ebel; to the Committee on Claims.

By Mr BILBO:

S. 1872. A bill for the relief of the town of Coldwater, Miss.; to the Committee on Claims.

By Mr. BARBOUR:

S. 1873. A bill to authorize the lowering of the minimum-age limit of enrollees of the Civilian Conservation Corps from 17 years to 16 years; to the Committee on Education and Labor.

By Mr. BURTON:

S. 1874. A bill for the relief of Yeichi Nimura (Tomizo Miki); to the Committee on Immigration.

By Mr. WHEELER:

S. 1875. A bill to extend the time granting preference right of entry to veterans; to the Committee on Public Lands and Surveys.

STATEMENT BY SENATOR THOMAS OF IDAHO BEFORE COMMITTEE FOR RECIPROCITY INFORMATION

[Mr. THOMAS of Idaho asked and obtained leave to have printed in the RECORD a statement made by him on August 22 before the Committee for Reciprocity Information relative to the proposed negotiations with Cuba for a supplemental trade agreement, which appears in the Appendix.]

ADDRESS BY SENATOR LUCAS ON THE ADMINISTRATION'S FOREIGN POLICY

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an address by Senator LUCAS on the subject of the administration's foreign policy, delivered before the American Legion convention held at Springfield, Ill., August 25, 1941, which appears in the Appendix.]

BRIEF BY SENATOR BUTLER ON SUPPLEMENTAL TRADE AGREEMENT WITH CUBA

[Mr. BUTLER asked and obtained leave to have printed in the RECORD a brief filed by

him on August 25, 1941, with the Committee for Reciprocity Information in connection with the negotiation of a proposed supplemental trade agreement with Cuba, which appears in the Appendix.]

ADDRESS BY SENATOR CAPPER TO THE PEOPLE OF NORWAY

[Mr. AIKEN asked and obtained leave to have printed in the RECORD the text of a talk to Norway by Senator CAPPER on August 10, 1941, sent by short-wave broadcast from station WRUL, Boston, which appears in the Appendix.]

ADDRESS BY MR. JUSTICE FRANK MURPHY BEFORE CONVENTION OF KNIGHTS OF COLUMBUS

[Mr. MALONEY asked and obtained leave to have printed in the RECORD an address delivered on August 19, 1941, by Associate Justice Frank Murphy, of the United States Supreme Court, before the Fifty-ninth International Convention of the Knights of Columbus, at Atlantic City, N. J.]

ORDER DISPENSING WITH CALL OF THE CALENDAR

The VICE PRESIDENT. If there be no concurrent or other resolutions to be submitted, morning business is closed. The calendar under rule VIII is in order.

Mr. BARKLEY. I ask unanimous consent that the calling of the calendar be dispensed with.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. HAYDEN, from the Committee on Post Offices and Post Roads:

Several postmasters.

By Mr. BAILEY, from the Committee on Commerce:

Sundry officers for promotion in the Coast Guard.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Is there objection? The Chair hears none, and, without objection, the nominations are confirmed.

IN THE NAVY

The Chief Clerk proceeded to read sundry nominations in the Navy.

Mr. BARKLEY. I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Is there objection? The Chair hears none, and, without objection, the nominations are confirmed.

Mr. BARKLEY. I ask unanimous consent that the President be immediately notified of the nominations confirmed at the session of the Senate on Monday last, and also of those confirmed at the session today.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the President will be notified forthwith.

ADJOURNMENT

Mr. BARKLEY. Mr. President, it is necessary that the Senate meet tomorrow in order that it may adjourn over Labor Day, until Tuesday. So far as I know, no business will be transacted tomorrow.

As in legislative session, I move that the Senate adjourn until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 12 o'clock and 20 minutes p. m.) the Senate adjourned until tomorrow, Friday, August 29, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate August 28, 1941:

ASSISTANT SECRETARY OF THE NAVY FOR AERONAUTICS

Artemus L. Gates, of New York, to be Assistant Secretary of the Navy for Aeronautics.

COLLECTORS OF CUSTOMS

Joseph H. Lyons, of Mobile, Ala., to be collector of customs for customs collection district No. 19, with headquarters at Mobile, Ala. (Reappointment.)

Fred A. Russell, of Superior, Wis., to be collector of customs for customs collection district No. 36, with headquarters at Duluth, Minn., to fill an existing vacancy.

APPOINTMENT IN THE REGULAR ARMY

Second Lt. Truman Holt Setliffe, Corps of Engineers Reserve, to be second lieutenant, Corps of Engineers, with rank from date of appointment.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO QUARTERMASTER CORPS

Maj. Paul Kellam, Infantry, with rank from July 1, 1940.

TO CAVALRY

Lt. Col. Hiram Edwin Tuttle, Quartermaster Corps, with rank from August 18, 1940.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

(Those officers whose names are preceded by the symbol (×) are subject to the examination required by law. All others have been examined and found qualified for promotion.)

To be lieutenant colonels with rank from September 4, 1941

Maj. Francis Valentine FitzGerald, Quartermaster Corps (temporary lieutenant colonel, Army of the United States).

Maj. Charles Summers Miller, Cavalry (temporary lieutenant colonel, Army of the United States).

Maj. Thomas James Chrisman, Infantry (temporary lieutenant colonel, Army of the United States).

Maj. Benjamin Harrison Graban, Finance Department (temporary lieutenant colonel, Army of the United States).

×Maj. Arthur Ross Nichols, Infantry (temporary lieutenant colonel, Army of the United States).

Maj. Bernice Musgrove McFadyen, Infantry (temporary lieutenant colonel, Army of the United States).

Maj. Logan Woods Boyd, Infantry (temporary lieutenant colonel, Army of the United States).

×Maj. Ulysses Grant Jones, Air Corps (temporary lieutenant colonel, Air Corps; temporary lieutenant colonel, Army of the United States).

Maj. George Stainback Deaderick, Quartermaster Corps (temporary lieutenant colonel, Army of the United States).

MEDICAL CORPS

To be majors

Capt. Robert Reeve Estill, Medical Corps (temporary major, Army of the United States), with rank from September 5, 1941.

Capt. Charles Laurn Leedham, Medical Corps (temporary major, Army of the United States), with rank from September 19, 1941.

×Capt. Willis Hinton Drummond, Medical Corps (temporary major, Army of the United States), with rank from September 19, 1941.

Capt. Charles Chute Gill, Medical Corps (temporary major, Army of the United States), with rank from September 19, 1941.

To be captains

First Lt. Granville Leon Richey, Medical Corps (temporary captain, Army of the United States), with rank from September 5, 1941.

First Lt. John Randall McBride, Medical Corps (temporary captain, Army of the United States), with rank from September 12, 1941.

First Lt. Rollin Farrington Bunch, Medical Corps (temporary captain, Army of the United States), with rank from September 15, 1941.

First Lt. Wendell Playfair Harris, Medical Corps (temporary captain, Army of the United States), with rank from September 26, 1941.

CHAPLAINS

To be colonels

Chaplain (Lt. Col.) Edward Larose Branham, United States Army, with rank from September 21, 1941.

×Chaplain (Lt. Col.) John Thomas DeBardeleben, United States Army, with rank from September 22, 1941.

Chaplain (Lt. Col.) Samuel Johnson Miller, United States Army (temporary colonel, Army of the United States), with rank from September 22, 1941.

Chaplain (Lt. Col.) John Thomas Axton, United States Army (temporary colonel, Army of the United States), with rank from September 22, 1941.

Chaplain (Lt. Col.) Earl Dudley Weed, United States Army (temporary colonel, Army of the United States), with rank from September 27, 1941.

Chaplain (Lt. Col.) Frank Hallie Hayes, United States Army, with rank from September 28, 1941.

Chaplain (Lt. Col.) Aristeo Vincent Simoni, United States Army (temporary colonel, Army of the United States), with rank from September 29, 1941.

To be major

Chaplain (Capt.) Leo James McDonald, United States Army (temporary major, Army of the United States), with rank from September 5, 1941.

APPOINTMENTS AND PROMOTIONS IN THE NAVY

MARINE CORPS

Capt. William R. Williams to be a major in the Marine Corps from the 1st day of July 1941.

Second Lt. Douglas E. Keeler to be a first lieutenant in the Marine Corps from the 2d day of June 1941.

The following-named citizens to be second lieutenants in the Marine Corps from the 27th day of May 1941:

Harold C. Howard, a citizen of Washington.

William E. Davis, a citizen of Washington.

Samuel W. Smith, Jr., a citizen of Pennsylvania.

The following-named citizens to be second lieutenants in the Marine Corps from the 29th day of May 1941:

Edward G. Walker, Jr., a citizen of Tennessee.

Robert W. Glickert, a citizen of Georgia.

George L. Hays, a citizen of Illinois.

Herbert T. Elliott, Jr., a citizen of Colorado.

Roland E. Carey, a citizen of Maryland, to be a second lieutenant in the Marine Corps from the 2d day of September 1941.

Quartermaster Clerk Percy H. Uhlinger to be a chief quartermaster clerk in the Marine Corps, to rank with but after second lieutenant, from the 1st day of June 1941

Pay Clerk Ernest M. Jones to be a chief pay clerk in the Marine Corps, to rank with but after second lieutenant, from the 22d day of July 1941.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 28, 1941:

POSTMASTERS

ARIZONA

Owen Grant Macdonald, Mesa.
Gail I. Gardner, Prescott.
Annie Lee Killebrew, Ray.

CALIFORNIA

Fred L. Kehlet, Meeks Bay.
Joseph Anthony Chargin, Jr., San Jose.
Arthur C. Parsons, Soquel.

CONNECTICUT

Saul L. Peizer, Rockville.

FLORIDA

Gus C. Bryan, Pierce.

KANSAS

Albert C. Chambers, Dexter.
Clarence J. Hart, Severy.
James Glenn Hunsucker, Winchester.

OKLAHOMA

C. Estelle Douthat, Quapaw.

WISCONSIN

Royal E. Reckord, Evansville.
John J. G. Laing, Waukesha.

PROMOTIONS IN THE NAVY

The nominations of Joseph L. McGuigan et al. (with the exception of the nomination of Sidney L. Erwin to be a lieutenant), which appear in the CONGRESSIONAL RECORD for August 14, 1941, under the caption "Nominations," beginning on page 7150; and the nominations of Henry T. Dietrich et al., which appear in the CONGRESSIONAL RECORD for August 21, 1941, under the caption "Nominations," beginning on page 7221.

HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 28, 1941

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. WOODRUM of Virginia.

Rev. Joseph M. Schmutz, rector of the Church of the Immaculate Conception, of Birmingham, Ala., offered the following prayer:

Almighty God, Father of us all, first we acknowledge Your great, omnipotent power and Your all-inspiring spirit. Today we ask Your guidance for the House assembled in general and for each Member of the House in particular. Make our considerations profitable both to ourselves and to our country, the country that we love.

We ask this grace in the name of Thy divine Son, Jesus Christ. Amen.

The Journal of the proceedings of Monday, August 25, 1941, was read and approved.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a statement by William Allen White.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. MCCORMACK] may have permission to extend his own remarks in the RECORD and include an editorial from the Boston Post.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. DINGELL] be permitted to extend his own remarks in the RECORD and include a speech by Commissioner Manly, of the Federal Power Commission, and a speech by Lieutenant General Kruger, of the Third Army Corps.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CELLER] may have permission to extend his own remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to insert a resolution adopted by the Young Democratic Clubs of America in Louisville last week.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. LAMBERTSON] may have permission to extend his own remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent that I be permitted to extend my remarks in the RECORD and include therein an editorial from the Washington News.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. MANSFIELD], chairman of the Committee on Rivers and Harbors, be permitted to extend his remarks in the RECORD on the subject of inland waterways improved by France for military preparedness.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. LEWIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include in such extension a short paragraph from a bill recently enacted, a quotation from committee reports and committee hearings, a statement by the President of the United States, and a letter to me from the Chief of Engineers.

I am informed by the Public Printer that the extension will exceed the usual limit. I have an estimate from the printer that the extension would amount to approximately six pages. Despite this unusual length, I earnestly request unanimous consent to insert the matters I have referred to.

The SPEAKER pro tempore. Without objection, the request of the gentleman from Colorado is granted.

There was no objection.

Mr. SNYDER. Mr. Speaker, on Monday I asked unanimous consent to place in the Appendix of the RECORD a statement by the late General Chaffee on armed forces and our armed force. The printer returned it, stating that it covered more than the usual amount, and will require three and one-half pages. I ask unanimous consent that it be printed in the Appendix, notwithstanding.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. WEISS] be allowed to extend his own remarks and include a few excerpts.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent for two extensions in the RECORD, one to include a letter from former Mayor Slack, of Indianapolis, Ind., and another to include an article from the Pointer, the West Point Military Academy journal.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. BLOOM. Mr. Speaker, I desire to extend my remarks in the RECORD and to include therein a speech I have prepared on the work of Carlos Finlay and the Finlay Institute of the Americas. I have received an estimate from the Government Printing Office and find that it will take approximately three pages and will cost $135. I therefore ask unanimous consent that I may extend my speech in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. PATRICK. Mr. Speaker, I ask unanimous consent that I be permitted to extend my remarks in the CONGRESSIONAL RECORD and include a radio address by Augustus F. Lindbergh.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

(By unanimous consent, Mr. PATRICK was granted permission to extend his own remarks in the RECORD.)

Mr. JARMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a radio address I recently made over the Mutual Broadcasting System.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DIRKSEN] may extend his own remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that I may extend my own remarks in the RECORD and include an editorial.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

APPOINTMENT OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair designates the gentleman from Kentucky [Mr. SPENCE] to act as Speaker pro tempore at the session of the House to be held on Monday, September 1, 1941.

BILL PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on August 25, 1941, present to the President, for his approval a bill of the House of the following title:

H. R. 5395. An act to amend the National Housing Act, as amended.

ADJOURNMENT

Mr. COCHRAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 7 minutes p. m.) the House, pursuant to its previous order, adjourned until Monday, September 1, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON MERCHANT MARINE AND FISHERIES

The Committee on Merchant Marine and Fisheries will hold public hearings at 10 a. m. on the following dates to consider the following matters:

Thursday, September 25, 1941:

H. R. 5509, to authorize the Secretary of the Treasury to requisition or purchase motorboats, yachts, and similar vessels for Coast Guard use.

Tuesday, September 30, 1941:

H. R. 5446, to establish a system of unemployment insurance for the maritime industry, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

875. A letter from the Acting Secretary of War, transmitting a report of awards made under the authority of Public, No. 426, Seventy-sixth Congress; to the Committee on Military Affairs.

876. A letter from the Postmaster General, transmitting a request that the act of March 4, 1909 (18 U. S. C. 327), be amended; to the Committee on the Post Office and Post Roads.

877. A letter from the Acting Secretary of the Interior, transmitting a set of laws passed by the municipal councils and the legislative assembly of the Virgin Islands during the fiscal year 1941 (H. Doc. No. 366); to the Committee on Insular Affairs and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COCHRAN:

H. R. 5620. A bill to repeal the requirement that one member of the District of Columbia Boxing Commission be a member of the Police Department; to the Committee on the District of Columbia.

By Mr. MERRITT:

H. R. 5621. A bill to exempt from Federal tax all tobacco, snuff, cigars, and cigarettes sold to personnel of the Army, Navy, Marine Corps, and Coast Guard in uniform; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS:

H. R. 5622. A bill for the relief of Alice Stamps and Henrietta E. Stamps; to the Committee on Claims.

By Mr. KILBURN:

H. R. 5623. A bill for the relief of J. Ernest LeBlanc; to the Committee on Immigration and Naturalization.

By Mr. O'CONNOR:

H. R. 5624. A bill for the relief of certain claimants against the United States who suffered property losses as a result of the failure of the Big Porcupine Dam on the Fort Peck project, Montana; to the Committee on Claims.

By Mr. RAMSAY:

H. R. 5625. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Carr China Co.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1794. By Mr. BISHOP: Petition of sundry farmers of Perry County, protesting against the wheat program of the Agricultural Adjustment Administration; to the Committee on Agriculture.

1795. By Mr. GRAHAM: Petition of sundry citizens of Butler County, Pa., favoring Senate bill 860 as a contribution to a wholesome defense program, and a reenactment of legislation similar to that of 1917, and so give to the young men of 1941 the protection their fathers had in 1917; to the Committee on Military Affairs.

SENATE

FRIDAY, AUGUST 29, 1941

The Reverend Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O God, Thou Light Eternal, in whom there is no darkness, and with whom we have fellowship if we walk in the light: Lift up Thy countenance upon us, we beseech Thee, that in these troubled times, when the legions of evil spread black shadows over the earth, when nations arise against nations and brothers against brothers, when issues are clouded and truth obscured by twisted facts, distorting lies, and selfish lusts, through Thy guidance we may be turned from the gloom without to seek Thee first within.

So fill us with Thy grace, O Lord, that in the battle of good and evil within our souls Thy righteousness may prevail, and, Thou being our Guide, we who toss upon troubled seas may rise above the tempest to behold that light which no clouds of this mortal life can obscure. Though our own brightness may be dim, grant that through pureness of heart and singleness of purpose we may so reflect Thy radiance that those who have forsaken Thee may take heed as unto a light that shineth in a dark place, until the day dawn and the day star arise in their hearts, and all men shall be led out of darkness into Thy glorious light. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 28, 1941, was dispensed with, and the Journal was approved.

EXECUTIVE COMMUNICATION

The VICE PRESIDENT laid before the Senate the following letter, which was referred as indicated:

PRACTICES IN CONTRACTING FOR IMPROVEMENT AND REPAIR OF STREETS AND HIGHWAYS IN THE DISTRICT

A letter from the president of the Board of Commissioners of the District of Columbia, making comment and a report in the matter of the special report of irregular practices in contracting for the improvement and repair of streets and highways in the District of Columbia submitted by the Comptroller General of the United States under date of August 18, 1941 (with an accompanying paper); to the Committee on the District of Columbia.

PETITIONS

Petitions were presented and referred as indicated:

By Mr. TYDINGS:

A petition of sundry citizens of Elkton, Md., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. CAPPER:

Petitions, numerously signed, of sundry citizens of Alden, McLouth, and Reserve, all in the State of Kansas, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

RESOLUTIONS OF INDEPENDENT FARMERS OF KANSAS

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the

RECORD and appropriately referred resolutions with respect to the A. A. A. wheat-marketing program, and other matters, adopted at a meeting of 4,000 independent farmers of Kansas held on August 21 at the municipal auditorium in the city of Topeka, and which they have asked me to bring to the attention of the Senate.

The VICE PRESIDENT. Without objection, the resolutions will be received, appropriately referred, and printed in the RECORD.

To the Committee on Agriculture and Forestry:

Whereas the Government of the United States is at the present time appropriating enormous funds to give to other countries and peoples; and

Whereas it is the opinion of this meeting that charity should begin at home: Now, therefore, be it

Resolved, That the Congress of the United States be memorialized to cancel all penalties for the marketing of wheat for the 1941 marketing season, it now being common knowledge that conditions have so changed as to justify this action by the Congress of the United States; be it further

Resolved, That copies of this resolution be sent to the President of the United States, the Secretary of Agriculture, and to all Senators and Congressmen of the Kansas delegation and any other persons whom the officers of this association may deem proper.

Whereas under the Agricultural Adjustment Act of 1938, as amended, the farmers of the United States planted wheat in the fall of 1940, relying upon the provisions of said law granting to them their full allotment in acres times actual yield; and

Whereas at said time said law provided that if quotas were voted, a penalty of 15 cents would be charged on excess wheat; and

Whereas representatives of the A. A. A., the Agricultural Department, and various representatives of the Farm Bureau and the agricultural colleges, in campaigning for the passage of said quota, represented to the farmers that the law would be applied as it existed when the wheat was planted, except that the parity price would be raised to 85 cents to cooperators; and

Whereas Congress did, on May 29, 1941, just 2 days before the quota election was held (1 of such days being a holiday, namely, Decoration Day), pass a joint resolution, in which joint resolution the penalty was increased to 49 cents a bushel and free wheat computed on the basis of seeded acres; and

Whereas, due to freezing, droughts, and other causes, large acreages were destroyed; and

Whereas, as a result of the passage and attempted enforcement of the above law, great hardships have resulted, in many instances the entire livelihood of farmers has been totally confiscated, and if this law is permitted to stand, these farmers will be destitute and will be unable to provide food and clothing for their families during the coming winter: Now, therefore, be it

Resolved by this meeting, That the action of Congress in passing said joint resolution and making same applicable to the marketing year of 1941 be condemned and the action of the Department of Agriculture in enforcing rules and regulations placing same in effect be, and the same is hereby, condemned as breaking faith with the American farmer, as passing retroactive legislation, as confiscating the property of the American farmer for public use without compensation, and, by rules and regulations, indulging in unlawful search and seizure of the premises of citizens of the United States who are thereby being deprived of their natural inalienable and constitutional rights; be it further

Resolved, That the action of Congress in passing what is known as the Fulmer bill be, and it is hereby, commended and approved, and the appreciation of this meeting is extended to Senator CAPPER, Congressmen HOPE, LAMBERTSON, CARLSON, GUYER of Kansas, REES of Kansas, and WINTER for the excellent work which they have done in assisting to secure the passage of this act, and also extending the appreciation of this meeting to all other Congressmen and Senators from other States who have assisted in securing the passage of said act; be it further

Resolved, That this meeting urge the President of the United States to sign the said Fulmer bill and permit it to become a law; be it further

Resolved, That copies of this resolution be sent to the President of the United States, the Secretary of Agriculture, and to all Senators and Congressmen of the Kansas delegation, and any other persons whom the officers of this association may deem proper.

To the Committee on Appropriations:

Whereas the President of the United States has declared that it is his desire to extend the blessings of life, liberty, and the pursuit of happiness to all the peoples of the earth and has announced that he desires an appropriation of an additional $6,000,000,000 be paid by the American taxpayer and given to Great Britain and other countries; and

Whereas at the same time his administration is forcing the American wheat farmer to buy back his own wheat at a price of 49 cents per bushel to feed to his own livestock, and to provide necessities for his family: Now, therefore, be it

Resolved, That the Congress of the United States be memorialized to refuse to appropriate any additional money of any kind or nature for the assistance of any peoples other than citizens of the United States until such time as the tyranny resulting from the passage of the amendments to the Agricultural Adjustment Act of 1938, as amended, by joint resolution of Congress on May 29, 1941, have been removed; be it further

Resolved, That copies of this resolution be sent to the President of the United States, the Secretary of Agriculture, and to all Senators and Congressmen of the Kansas delegation, and any other persons whom the officers of this association may deem proper.

To the Committee on Banking and Currency:

Whereas the present administration in charge of the Government of the United States is, in the opinion of this meeting, spending money lavishly and extravagantly, and far beyond the necessities of the existing situation and is maintaining many unnecessary departments of government; and

Whereas said administration at the present time is proposing to fix prices for farm products and all other commodities except that of labor; and

Whereas everything which the farmer and all other citizens have to purchase must necessarily be increased to pay increased labor costs and taxation: Now, therefore, be it

Resolved, That no action of any kind or nature be taken by Congress fixing the prices of any product or commodity or the prices of labor, this meeting submitting that when spending is conducted on a basis far beyond the ability to pay that the enormous debt cannot possibly be paid by the people of the United States unless prices and earnings are inflated in proportion, and that any other method must necessarily result in the repudiation by the Government of the United States of its obligations evidenced by its defense bonds and other securities; be it further

Resolved, That all expenditures for A. A. A., N. Y. A., W. P. A., P. W. A., Social Security, etc. should be eliminated so long as the present defense program is in progress; be it further

Resolved, That copies of this resolution be sent to the Senators and Congressmen of the Kansas delegation and to the Secretary of Agriculture of the United States.

OIL AND GASOLINE SHORTAGES—PETITION

Mr. DANAHER. Mr. President, I am in receipt of and now present a petition from the Greater Hartford Retail Gasoline Dealers Association signed by some 70 of its membership of over 400 retail suppliers of gasoline and oil in and around Hartford. The petitioners present an outline of their difficulties consequent upon the shortage of the supply of gasoline available to them in serving that area. I respectfully ask that their petition be referred to the appropriate committee to the end that it may receive due consideration.

The VICE PRESIDENT. The petition of the Senator from Connecticut will be referred to the Committee on Commerce.

LOCATION OF WISCONSIN BOYS OF THE THIRTY-SECOND DIVISION—PETITIONS

Mr. WILEY. Mr. President, I present and ask to have referred to the proper committee a number of petitions which have come to my office during my absence. Each of the petitions reads as follows:

Whereas it has come to our attention that the morale of the Wisconsin boys of the Thirty-second Division is not 100 percent; and

Whereas we feel that the morale of the Wisconsin boys of the Thirty-second Division would be greatly improved if they were encamped either near or in Wisconsin: Now, therefore,

We, the undersigned mothers, wives, sisters, and sweethearts of these boys earnestly request that you make every effort to send our Wisconsin boys of the Thirty-second Division to a camp in or near Wisconsin.

The VICE PRESIDENT. The petitions will be received and referred to the Committee on Military Affairs.

RESOLUTIONS RELATIVE TO OLEOMARGARINE AND PLAN FOR DAIRY AND POULTRY FARMERS

Mr. WILEY. Mr. President, I also ask to be privileged to read into the RECORD and have appropriately referred three short resolutions which were passed at a meeting of dairy farmers held under the auspices of the Four State Dairy Protective Committee at Sparta, Wis., on the afternoon of August 17, 1941, as follows:

Resolution 1

Be it resolved, That the Federal Security Administration be requested to rescind its recent ruling regarding the standard for oleomargarine, and also be requested to seek the guidance and advice of competent leaders of the dairy industry before making any further rulings affecting this basic industry; and be it further

Resolved, That if the Federal Security Administration fails to honor this request, that the Senators and Representatives of the Congress of the United States be instructed to introduce and requested to pass legislation removing all powers whatsoever affecting the dairy industry in any way from the jurisdiction of the Federal Security Administration.

Resolution 2

Be it resolved, That the United States Department of Agriculture be requested to cease the untruthful and free advertising of oleomargarine, and, failing to do so, that the Congress be requested to change the name

of that Department from the Department of Agriculture to that of the Department of Oleomargarine.

Resolution 3

Be it resolved, That the Federal Government be requested to devise and put into effect a plan similar to the stamp plan, whereby dairy and poultry farmers would receive stamps in proportion to the pounds of butterfat and dozens of eggs delivered to market which would enable them to purchase feed wheat at a reduced price.

The VICE PRESIDENT. The resolutions presented by the Senator from Wisconsin will be referred to the Committee on Agriculture and Forestry.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. HAYDEN, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TAFT (for himself, Mr. WILLIS, and Mr. BUTLER):

S. 1876. A bill to amend the Agricultural Adjustment Act of 1938, as amended by the joint resolution of May 26, 1941; to the Committee on Agriculture and Forestry.

By Mr. CLARK of Missouri:

S. 1877. A bill to amend the act of July 15, 1940, pertaining to emergency officers' retirement benefits to the Committee on Finance.

ADDRESS BY SENATOR WILEY ON KEEPING AMERICA SAFE AND AT PEACE

[Mr. WILEY asked and obtained leave to have printed in the RECORD a radio address delivered by him over station WISN, Milwaukee, Wis., August 11, 1941, on the subject Keep America Safe and at Peace, which appears in the Appendix.]

DAIRY DAY MEETING ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address delivered by him before the Dairy Day meeting held at the Barron County Fair, Rice Lake, Wis., August 12, 1941, which appears in the Appendix.]

AMERICA'S STATE OF PREPAREDNESS

[Mr. BYRD asked and obtained leave to have printed in the RECORD several articles published in the Washington Post relative to the production of defense articles, which appear in the Appendix.]

ARTICLE BY W. C. NEILL ON BANKHEAD-EASTLAND BILL (S. 1815)

[Mr. EASTLAND asked and obtained leave to have printed in the RECORD an article by W. C. Neill, of North Carrollton, Miss., relative to the Bankhead-Eastland bill, S. 1815, which appears in the Appendix.]

LETTER FROM CARL VROOMAN TO DR. E. STANLEY JONES AND NATIONAL MINISTERS' NO-WAR COMMITTEE

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an open letter from Carl Vrooman to Dr. E. Stanley Jones and the National Ministers' No-War Committee, which appears in the Appendix.]

A SIMPLE PROCEDURE—EDITCRIAL FROM NEBRASKA DAILY NEWS-PRESS

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an editorial from the Nebraska Daily News-Press of August 21, 1941, entitled "A Simple Procedure," which appears in the Appendix.]

EDITORIALS ON DEFENSE STRIKES AND FOREIGN AFFAIRS FROM OMAHA EVENING WORLD-HERALD

[Mr. BUTLER asked and obtained leave to have printed in the RECORD editorials from the Omaha Evening World-Herald of August 21 and August 22, 1941 relative to strikes in defense industries and foreign affairs, which appear in the Appendix.]

ORDER DISPENSING WITH CALL OF THE CALENDAR

The VICE PRESIDENT. If there be no concurrent or other resolutions to be submitted, morning business is closed. The calendar under rule VIII is in order.

Mr. BARKLEY. I ask unanimous consent that the calling of the calendar be dispensed with.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

AUTHORIZATION TO FINANCE COMMITTEE TO REPORT TAX BILL

Mr. BARKLEY. Mr. President, I ask unanimous consent that during the adjournment of the Senate the Committee on Finance be authorized to report the tax bill.

Mr. McNARY. Mr. President, I have no objection to that request. I simply wish to propound an inquiry before the matter is determined. When, in the opinion of the able Senator, will the bill come on the floor of the Senate for discussion and consideration?

Mr. BARKLEY. Next Wednesday.

Mr. McNARY. I am very happy to have that information.

CONFIRMATION OF COAST GUARD, POSTMASTER, AND ARMY NOMINATIONS

Mr. BARKLEY. Mr President, as in executive session, I ask unanimous consent that the nominations on the Executive Calendar, consisting of a number of routine Coast Guard nominations and a few postmaster nominations be considered and confirmed.

The VICE PRESIDENT. Is there objection? Without objection, as in executive session, the nominations in the Coast Guard and the nominations of postmasters are confirmed en bloc.

Mr. THOMAS of Utah. Mr. President, does that statement on the part of the leader imply that we are not to have an executive session?

Mr. BARKLEY. We can do anything as in executive session

Mr. THOMAS of Utah. Then, if it is in order, I ask, as if we were in executive session, that I may report from the Committee on Military Affairs certain routine nominations; and I shall ask that they be acted upon today, and that the President be immediately notified.

Mr. McNARY. Mr. President, I think that statement should be enlarged. Are these routine nominations in the Army?

Mr. THOMAS of Utah. Entirely in the Army. They are routine promotions of Army officers in the Army.

Mr. McNARY. Have they a favorable report of the committee?

Mr. THOMAS of Utah. They have.

Mr. McNARY. I have no objection.

The VICE PRESIDENT. Without objection, as in executive session, the nominations presented by the Senator from Utah are confirmed.

Mr. BARKLEY. I ask that the President be immediately notified of all confirmations.

The VICE PRESIDENT. Without objection, the President will be immediately notified of all confirmations.

CONFIRMATION OF NOMINATION OF LEIGH N. BITTINGER

Mr. THOMAS of Utah. Mr. President, I have two more nominations to bring to the attention of the Senate, which are a little different from the others. On behalf of the Committee on Military Affairs, as in executive session, I report favorably the nomination of Mr. Leigh N. Bittinger, of Illinois, to be assistant State director of Selective Service for Illinois. The two Senators from Illinois have approved the nomination, and a sufficient number of the members of the Committee on Military Affairs have approved to warrant us in reporting the nomination to the Senate, and I ask that it be considered at the present time.

Mr. McNARY. Is this the nomination of one whose service will be general throughout the country?

Mr. THOMAS of Utah. No; he will serve merely as assistant director of selective service for the State of Illinois. It is in conformity with the provisions of the Selective Service Act.

Mr. McNARY. I have no objection.

The VICE PRESIDENT. Is there objection to the present consideration of the nomination? The Chair hears none, and, without objection, the nomination is confirmed, and the President will be notified immediately.

NOMINATION OF FREDERICK HENRY OSBORN

Mr. THOMAS of Utah. Mr. President, as in executive session, I report favorably the nomination of Frederick Henry Osborn to be a brigadier general in the Officers' Reserve Corps United States Army, and I think there should be some explanation of the report.

The President sent up the name of Frederick Henry Osborn to be a brigadier general in the Army of the United States. The title was later changed to brigadier general, Officers' Reserve Corps, Army of the United States.

As I reported the name for the calendar among a group of others which were routine and ordinary, I assumed that this was routine and ordinary; but it is very extraordinary from the standpoint of our military habits and customs. Therefore I asked that the nomination be recommitted to the Committee on Military Affairs, and that has already been done.

On canvassing all the members of the Committee on Military Affairs who are in the city, and telegraphing others, I find we now have enough responses to warrant us in reporting the nomination favorably, and I do report the nomination favorably, with a short explanation, if I may make one.

It is legal and it is proper to call from civilian life a citizen to be a brigadier general in the Reserve Corps. It is not ordinary, it is extremely extraordinary, to

call a man who has had no military service at all and to give him the high office of brigadier general in the Reserves. But this case is an exceptional one from every standpoint.

Mr. Osborn has been acting as chairman of the Joint Army-Navy Committee on Morale. It is assumed that he will now become the chief morale officer of the Army. Mr. Osborn's record is, of course, one of splendid service in civilian life, and in connection with the Red Cross in Europe. As a morale officer I think he will be of great benefit to the Army as he functions in the position to which he has been appointed.

I think I should add that there are scores and scores of Reserve officers who have come up through the years to high rank who might be called, and who it was assumed would be called, in an emergency like the present. I am glad, however, that the President has seen fit to go out into civilian life and choose a man of extraordinary ability for the position to which the President has appointed Mr. Osborn.

When we refer to a morale officer, one who knows about the training of men, we realize that every officer of the United States who wears shoulder straps, if he fails to deem himself a morale officer, fails to be a true officer of the United States. The commander of every unit of the Army, whether it be a division, or a corps, or an army, on down to a company, should take upon himself the responsibility of looking after the morale of his outfit. If he does not, he will fail. Army morale is inherent in the Army scheme itself. The ability to command is one thing; the ability to command justly is quite another thing, and a very much more important thing.

We have been working under the Selective Service Act for nearly a year. The one thing which has been forgotten about the selective-service law more than anything else is the word "selective." That means much. The Army of the United States has not been able adequately to investigate and discover the qualifications of the individuals in the Army and properly select them for the kind of service they are best able to perform. We hope that through the morale officer, acting with what should be civilian sympathies, this great injustice to the men and the service will not continue.

Mr. President, I should like it better if Mr. Osborn had been trained in personnel work, if he had been in touch with what has been discovered in regard to human nature and social relationships, these great branches of knowledge dealing with men. From such experience there will come into the Army that necessary human understanding which one always finds in great officers, but which one seldom finds in lesser officers, and then we will have in the Army no morale problem at all.

Mr. President, the morale officer must be something more than simply a leader of recreation. He must be a man of wide experience. I believe that this move to provide a morale officer for the Army, taken all in all, is a good and helpful one. By taking this step the Army will be greatly benefited. The Army will discover in the course of much less than 9 or 10 months that some men who have been properly trained have been improperly assigned, men who are engaged in the performance of duties which could be performed by men of less ability, all of which results in the Army being deprived of skilled services which are greatly needed.

Mr. President, I have in mind two instances which I wish to cite as illustrations. The first is of a man who became 35 years of age on the day after he registered. That man has managed one of the biggest intercollegiate or athletic conferences in the country. He has had to do with the care of men. He has profound knowledge of men. After 6 months' service in the Army that man has been promoted to be a corporal. His special services are needed, as are those of hundreds of others like him, but his peculiar abilities have not been discovered. There is something the matter with a scheme which makes it possible under the selective-service theory for a man's special qualifications to remain undiscovered.

Another case I wish to cite is that of a man 33 years old, with a wife and two children, a graduate engineer, who is serving as a private in the infantry at a time when this country needs engineers, and needs them badly.

It was the theory of the selective service that men would be called to do that which they were best fitted to do. That was one reason why during the discussion of the selective-service legislation the Senator from Utah suggested that a civilian director should be provided.

Mr. President, I ask that Mr. Osborn's nomination be received, that the nomination be confirmed today, and that the President be notified.

Mr. McNARY. Mr. President, the able Senator from Utah intimates that a poll of the members of the committee has been taken on this nomination, in person and by wire. There has been no formal committee action on the nomination. The position in question is an important one, and, using the Senator's language, it is an extraordinary appointment, probably a good one. But inasmuch as the Senator has occupied some little time in explaining the situation, I think we should have more Members present to hear a further explanation of the nomination, and to consider it, and I should object to the nomination being considered now. I ask that it go to the calendar.

The VICE PRESIDENT. The nomination will go to the calendar.

ADJOURNMENT TO TUESDAY

Mr. BARKLEY. I move that the Senate adjourn until Tuesday next.

The motion was agreed to; and (at 12 o'clock and 20 minutes p. m.) the Senate adjourned until Tuesday, September 2, 1941, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate August 29, 1941:

SELECTIVE SERVICE

Leigh N. Bittinger to be assistant State director of Selective Service for Illinois.

APPOINTMENT, APPOINTMENTS BY TRANSFER, OR PROMOTIONS IN THE REGULAR ARMY

The nominations of Second Lt. Truman Holt Setliffe, et al., which appear in the CONGRESSIONAL RECORD for August 28, 1941, under the caption "Nominations," beginning on page 7240.

COAST GUARD OF THE UNITED STATES

TO BE CAPTAIN

Wilfrid N. Derby

TO BE COMMANDER

Charles W. Harwood

TO BE LIEUTENANT COMMANDER

Watson A. Burton

TO BE LIEUTENANTS

Frank V. Helmer
Bernard E. Scalan
George R. Boyce

TO BE LIEUTENANT (JUNIOR GRADE)

James A. Hyslop

POSTMASTERS

NEBRASKA

Magnus P. Hemmingsen, Marquette.

NEW JERSEY

Charles A. Heiser, Bayonne.
Arthur Necker, Union City.
Louis Meretta, Zarephath.

VIRGINIA

Virginia K. Wright, Roanoke.

HOUSE OF REPRESENTATIVES

MONDAY, SEPTEMBER 1, 1941

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore [Mr. SPENCE].

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou Creator of the universe, who worketh unceasingly, we rejoice that in the calendar of our national life we have a day called Labor Day.

We pray that Thou wilt give us the high and holy conception that every place is a sacred shrine where man labors and invests his strength of body, mind, heart, and soul in the task of building a better world.

Grant that we may never regard work, no matter how routine and commonplace, as a curse or a mere expedient, but a sacrament, an act of worship. Help us to feel that every duty, faithfully performed, is our part in the Father's business and that in the divine judgment no task is mean and sordid unless performed in a mean and sordid fashion.

We pray that we may be inspired and motivated by an all-consuming passion to be coworkers with Thee in building the Kingdom of God upon earth where men shall live in peace.

Hear us in the name of the Carpenter of Nazareth, who dignified work and glorified the life of labor. Amen.

The Journal of the proceedings of Thursday, August 28, 1941, was read and approved.

EXTENSION OF REMARKS

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein excerpts of

testimony of Mr. Carl H. Mote, of Indianapolis, before a Senate committee.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. CRAVENS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a statement made by Mr. M. L. Sigmon, of Monticello, Ark., on August 27, 1941.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief description of our Capitol.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

(Mr. MICHENER, Mr. WOODRUFF of Michigan, and Mr. BENDER asked and were given permission to extend their own remarks in the RECORD.)

Mr. DAY. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DIRKSEN] may have permission to extend his own remarks in the RECORD and include therein a statement entitled "The Congressional Front."

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. DAY. Mr. Speaker, I also ask unanimous consent to extend my own remarks in the RECORD and to include therein a copy of a radio address I delivered on August 29 last.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address the President of the United States is making at this hour today.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to extend in the Appendix of the RECORD a statement I made about 18 months ago as to what our national preparedness should consist of with reference to equipment.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CARTER (at the request of Mr. ENGLEBRIGHT), indefinitely, on account of official business.

ADJOURNMENT

Mr. SNYDER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly, at 12 o'clock and 5 minutes p. m., the House, pursuant to its previous order, adjourned until Thursday, September 4, 1941, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

878. A letter from the President, Board of Commissioners of the District of Columbia, transmitting a special report from the Comptroller General of the United States entitled "Report of Irregular Practices in Contracting for the Improvement and Repair of Streets and Highways in the District of Columbia"; to the Committee on the District of Columbia.

879. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill to reserve a certain part of the public lands in California for the benefit of the Manchester Band of Pomo Indians of the Manchester Rancheria; to the Committee on the Public Lands.

880. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill to authorize the Secretary of the Interior to acquire lands or interests in lands for the Geological Survey; to the Committee on the Public Lands.

881. A letter from the Acting Secretary of War, transmitting a report of awards made under the authority of Public, No. 426, Seventy-sixth Congress; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1796. By the SPEAKER: Petition of the Mothers of Los Angeles, Los Angeles, Calif., petitioning consideration of their resolution with reference to foreign affairs; to the Committee on Foreign Affairs.

1797. Also, petition of the United Automobile Workers of America, Local 230, Southgate, Calif., petitioning consideration of their resolution with reference to price-fixing legislation; to the Committee on Banking and Currency.

1798. Also, petition of the Gatemen's and Watchmen's Union, San Francisco, Calif., petitioning consideration of their resolution with reference to military labor; to the Committee on Military Affairs.

1799. Also, petition of the Daughters of America, city of Columbus, Ohio, petitioning consideration of their resolution with reference to House bill 3; to the Committee on the Judiciary.

1800. Also, petition of the Daughters of America, Columbus, Ohio, petitioning consideration of their resolution with reference to House bill 4861; to the Committee on Immigration and Naturalization.

SENATE

TUESDAY, SEPTEMBER 2, 1941

The Reverend Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O God, Creative Father, who hast labored even until now, manifesting Thyself in the glory of Thy handiwork, yet revealing Thyself chiefly to us through Thy Son, Jesus Christ, our Saviour: Grant, we beseech Thee, that like as He didst dignify human tasks in earning His daily bread by the work of His hands, so we in our turn may serve Thee in mind, spirit and body, giving to everyone who toils the position of dignity that is his due.

Teach us, O Father, that honest labor is Christlike. By His example of unselfish sacrifice and irrevocable dedication to a high and holy purpose, inspire us, we beseech Thee, to subordinate every private aim and selfish interest to the preservation of fundamental freedoms, the continuance of democratic principles, and the defeat of every doctrine that opposes Thy holy will. And this we ask, O Lord, in the name of Him who didst teach us the sacrament of service that we might labor more diligently for Thee and our fellow men, even Jesus Christ, our Saviour. Amen.

THE JOURNAL

On request of Mr. CONNALLY, and by unanimous consent, the reading of the Journal of the proceedings of Friday, August 29, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

AWARDS OF CONTRACTS FOR THE ARMY

Two letters from the Acting Secretary of War, reporting, pursuant to law, relative to divisions of awards of certain quantity contracts for aircraft, aircraft parts, and accessories therefor entered into with more than one bidder under authority of law; to the Committee on Military Affairs.

LANDS IN CALIFORNIA FOR THE MANCHESTER BAND OF POMO INDIANS

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to reserve certain public lands in California for the benefit of the Manchester Band of Pomo Indians of the Manchester Rancheria (with an accompanying paper); to the Committee on Indian Affairs.

ACQUIREMENT OF LANDS FOR THE GEOLOGICAL SURVEY

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to authorize the Secretary of the Interior to acquire lands or interests in lands for the Geological Survey (with accompanying papers); to the Committee on Public Lands and Surveys.

PETITIONS

Petitions were laid before the Senate by the Vice President, or presented by a Senator, and referred as indicated:

By the VICE PRESIDENT:

Petitions of several citizens of the United States, praying that the United States keep out of war; to the Committee on Foreign Relations.

A petition of several citizens of Roxbury, and Gypsum, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. CAPPER:

Petitions, numerously signed, of sundry citizens of Highland and Minneola, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

WHEAT-MARKETING QUOTAS—PETITION

Mr. CAPPER. Mr. President, I ask consent to have printed in the RECORD with the signatures attached thereto and

appropriately referred a petition I have received from a number of wheat growers in Thomas, Jewell, and other Kansas counties, expressing their approval of the A. A. A. wheat-marketing-quota program.

There being no objection, the petition was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD with the signatures attached thereto, as follows:

To Hon. ARTHUR CAPPER:

We, the undersigned wheat growers, hereby request that you use your good office influence and vote to preserve the marketing-quota provision of the Agricultural Adjustment Act including the present 49-cent penalty We believe that any amendments that seek to reduce the present penalty or release penalty wheat for feed is a direct repudiation of the mandate of over 80 percent of the wheat growers voted in the wheat-marketing quota referendum on May 31, 1941.

Roy A. Kistler, Colby; Earl Willmeth, Beloit; Lester Barnett, Philip Ulrich, Mrs. Earl Willmeth, Colby; Mrs. Joe McDill, Jewell; Mrs. E. D. McMillan, Randall; R. O. Birdsell, Jewell; Harry Weishoor, Gem; Floyd Emel, Thomas County; Nellie Anderson, Decatur County; Harold Sloan, Thomas County; Aura B. Kimbrough, Jewell County; C. S. Dietz, Esbon; Joe Boeskool, Jewell; A. J. Taylor, Scottsville; John Surk, Esbon; R. Nelson, H. B. Van de Riet, Jewell County; Mrs. E. N. Tepliff, Jewell; J. J. Lovell, Mrs. G. H. Gish, Glen Elder; Mrs. Glenn Grout, Mankato; Meyer Miles, D. W. Abram, Randall; H. J. Seidel, Glen Elder; Donald Brush, Henry Ahrens, Mankato; J. A. Kimbrough, Jewell County; John Matousk, Ernest Ost, Glenn E. Kindler, Chas. A. Hollem, Farmer W. Smull, C. R. Haggart, Glenn E. Grout, John Hollem, L. J. Tustin, G. D. Tustin, E. L. Tustin, Grinnell; W. G. Mesnard, Jewell; Leslie A. Wilkes, Ed McMillan, Randall; Chas. H. Graham, Mankato; Joe McDill, David Fields, E. N. Tepliff, Jewell; Earl Vaughn, Esbon; Floyd McMurray, Jewell; G. H. Gish, Glen Elder; J. L. Gallagher, O. C. Bussehil, Zatha M. Abram, Randall; M. T. Carrico, Beloit; George Haggart, W. F. McElroy, Randall; Roy Loomis, Floyd O. Smith, Twila McDill, Jewell; Emit Henningsen, Mankato; Bert Varney, A. D. Buffington, Jewell; Ernest L. Folsom, Randall; R. F. Croke, J. E. Riley, Jewell.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. TYDINGS, from the Committee on Territories and Insular Affairs:

H. R. 4520. A bill to ratify and confirm certain right of purchase leases, special homestead agreements, cash freehold agreements, certificates of occupation, homestead leases, and patents issued under or in purported compliance with section 73 of the Hawaiian Organic Act and the laws of the Territory of Hawaii; without amendment (Rept. No. 672).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BUTLER:

S. 1878. A bill granting a pension to Charles J. Fuhrer; to the Committee on Pensions.

Mr. LANGER. Mr. President, I introduce for appropriate reference a bill providing for the establishment and operation of plants for the manufacture of power fuel from agricultural products and lignite. I desire to say that if this bill becomes a law I believe it will go a long way toward solving the gasoline shortage.

The VICE PRESIDENT. The bill introduced by the Senator from North Dakota will be referred to the Committee on Agriculture and Forestry.

By Mr. LANGER.

S. 1879. A bill to provide for the establishment and operation of plants for the manufacture of power fuel from agricultural products and lignite; to the Committee on Agriculture and Forestry.

ADDRESS BY THE PRESIDENT ON LABOR DAY

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD the radio address delivered by the President from Hyde Park on September 1, 1941, which will appear hereafter in the Appendix.]

YOUTH AND AMERICAN IDEALS—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address entitled "Youth and American Ideals," delivered by him before a joint meeting of the Kiwanis and Eau Claire County 4-H Clubs at Eau Claire, Wis., August 13, 1941, which appears in the Appendix.]

ELECTION OF REPRESENTATIVE IN FIRST WISCONSIN DISTRICT—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address delivered by him at Kenosha, Wis., on August 27 in behalf of Mr. Smith candidate for Congress in the First Wisconsin District, which appears in the Appendix].

ADDRESS BY HON. ALF M. LANDON AT SPARKS, KANS.

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address delivered by the Honorable Alf M. Landon at the annual picnic of northeast Kansas, held at Sparks, Kans., on August 30, 1941, which appears in the Appendix.]

ADDRESS BY HON. JOSEPH E. DAVIES AT LOS ANGELES, CALIF.

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD the address delivered by Hon. Joseph E. Davies at the Biltmore Hotel, Los Angeles, Calif., on August 11, 1941, which will appear hereafter in the Appendix.]

ADDRESS BY HON. JOSEPH E. DAVIES AT NATIONAL ENCAMPMENT OF VETERANS OF FOREIGN WARS

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD an address delivered by Hon. Joseph E. Davies at the Forty-second National Encampment of the Veterans of Foreign Wars at Philadelphia, Pa., on August 25, 1941, which appears in the Appendix.]

EDITORIAL COMMENT ON APPOINTMENT OF MR. BIDDLE AS ATTORNEY GENERAL

[Mr. HATCH asked and obtained leave to have printed in the RECORD several editorials commenting on the appointment of Hon. Francis Biddle to be Attorney General, which appear in the Appendix.]

DUTY ON SUGAR—STATEMENT OF NEBRASKA NONSTOCK COOPERATIVE BEET GROWERS' ASSOCIATION

[Mr. BUTLER asked and obtained leave to have printed in the RECORD a statement opposing a reduction in the duty on sugar, filed by the Nebraska Nonstock Cooperative Beet Growers' Association before the Committee for Reciprocity Information, which appears in the Appendix.]

AUTHORITY TO REPORT TAX BILL

The VICE PRESIDENT. Morning business is closed.

Mr. WALSH. I move that the Senate proceed to the consideration of executive business.

Mr. CONNALLY. Mr. President, will the Senator withhold the motion for a moment in order that I may make a request?

Mr. WALSH. I withhold the motion.

Mr. CONNALLY. I ask unanimous consent that the Committee on Finance may have until midnight tonight to file the report on the tax bill and that it be regarded as having been filed during today's session.

The VICE PRESIDENT. Is there objection to the request of the Senator from Texas?

Mr. McNARY. Mr. President, I should not have any objection, of course, to the report being filed before midnight, but if it goes over until tomorrow, I should not want then to consent to take the bill up tomorrow, because the Members of the Senate should have an opportunity to read the bill and the report before the measure is considered. If the report is filed today before midnight, as I assume will be done, and the bill and report are printed and available tomorrow, I shall have no objection to considering the bill not as to amendments but for general discussion. I am keeping in mind the bill as finally reported and the report. I know it will be perfectly satisfactory to the able Senator from Texas and the Senator from Georgia to have an understanding that if the report is not filed today and the bill and report are not available, no action will be taken on the bill tomorrow or on any amendment. I do not want the bill to come before the Senate without opportunity being given to Members of the Senate to study the measure and read the report. If the bill and report are printed tomorrow and are on the desks of Senators, I shall not have any objection to going forward. So it is a qualified consent which I am giving. I am trying to make clear that I have no objection to the request, but I shall couple that with the suggestion that no action be taken until the bill and report are filed and printed and on the desks of the various Senators. I think I have made myself clear.

Mr. CONNALLY. I will say to the Senator from Oregon that I have communicated with the chairman of the committee, the Senator from Georgia [Mr. GEORGE], and he feels very certain that he will be able to submit the report and have it printed and on our desks in the morning. So I have no disposition to press the matter upon the Senator from Oregon. I think we ought to have the printed report. So, with the condition attached suggested by the Senator from Oregon, I renew my request that the committee have permission to file its report up to midnight tonight and that, in the event the report is not printed and available tomorrow, the Senator can then

object and have the bill go over until the following day.

Mr. McNARY. That is very fair, Mr. President.

Mr. CONNALLY. I thank the Senator from Oregon.

The VICE PRESIDENT. Is there objection to the request of the Senator from Texas as now presented? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION

Mr. CONNALLY. Mr. President, in response to a request from the Senator from Massachusetts [Mr. WALSH], I move that the Senate proceed to the consideration of executive business.

The VICE PRESIDENT. The question is on the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable committee reports of nominations were submitted:

By Mr. WALSH, from the Committee on Naval Affairs:

Artemus L. Gates, of New York, to be Assistant Secretary of the Navy for Aeronautics; and

Sundry officers and citizens for appointment or promotion in the Marine Corps.

By Mr. HAYDEN, from the Committee on Post Offices and Post Roads:

Several postmasters.

By Mr. GEORGE, from the Committee on Finance:

Joseph H. Lyons, of Mobile, Ala., to be collector of customs for customs collection district No. 19, with headquarters at Mobile, Ala. (Reappointment.)

THE MARINE CORPS

Mr. WALSH. From the Committee on Naval Affairs, I report favorably a series of nominations of young men who for several months have been in training for commissions in the Marine Corps, and who, in case action is taken today, will receive their commissions as second lieutenants in the Marine Corps on September 2. They are approximately 80 in number. I ask unanimous consent that the nominations be considered at this time and confirmed en bloc.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the nominations are confirmed en bloc.

Mr. WALSH. I ask that the President be immediately notified of the action of the Senate.

The VICE PRESIDENT. Without objection, the President will be immediately notified.

If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. CONNALLY. I ask that the nominations of postmasters be confirmed en bloc.

The VICE PRESIDENT. Without objection, the postmaster nominations are confirmed en bloc.

THE ARMY

The legislative clerk read the nomination of Frederick Henry Osborn to be brigadier general in the Officers' Reserve Corps.

Mr. McNARY. Mr. President, that is the nomination to which I objected on Friday. I think it had better go over until tomorrow, when there will be a larger attendance.

The VICE PRESIDENT. The nomination will be passed over.

The Executive Calendar is completed.

TAXATION—REPORT OF THE COMMITTEE ON FINANCE

As in legislative session,

Mr. GEORGE subsequently, from the Committee on Finance, to which was referred the bill (H. R. 5417) to provide revenue, and for other purposes, reported it with amendments and submitted a report (No. 673) thereon.

Mr. CONNALLY and Mr. LA FOLLETTE, individually submitted minority views on the bill (H. R. 5417) to provide revenue, and for other purposes (pt. 2 and pt. 3, respectively, of Rept. 673).

RECESS

Mr. CONNALLY. As in legislative session, I move that the Senate stand in recess until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 12 o'clock and 12 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, September 3, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 2, 1941:

DIPLOMATIC AND FOREIGN SERVICE

George R. Merrell, of Missouri, now a Foreign Service officer of class 3 and a secretary in the Diplomatic Service, to be also a consul general of the United States of America.

APPOINTMENTS IN THE REGULAR ARMY

TO BE SECOND LIEUTENANTS, WITH RANK FROM JULY 1, 1941

Infantry

Second Lt. James Howard Shelton, Infantry Reserve.

Cavalry

Second Lt. Charles Edward Mosse, Cavalry Reserve.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 2, 1941:

POSTMASTERS

NEW YORK

Daniel F. Flanagan, Cazenovia.
John Richard Byard, Hartwick.
Mark E. Monaghan, Malone.
Charles T. Davis, Mount Sinai.
Charles McGrane, Romulus.

APPOINTMENTS AND PROMOTIONS IN THE NAVY

MARINE CORPS

The nominations of Edmund E. Allen et al. to be second lieutenants in the Marine Corps from the 2d day of September 1941, which appear in the CONGRESSIONAL RECORD for August 25, 1941, under the caption "Nominations," beginning on page 7400.

SENATE

WEDNESDAY, SEPTEMBER 3, 1941

(Legislative day of Tuesday, September 2, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Reverend Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O Heavenly Father, Thou God of holiness, righteousness, and love, who hast bestowed upon Thy creatures the gift of life thereby to obey Thy divine will: Set free our hearts, we beseech Thee, from service of self, that we may realize our true life through complete harmony with Thine eternal purpose and in perfect obedience to Thy holy will. Give us such grace, O Lord, that we, conscious of Thy mercy and justice, may deal in such like spirit with our fellow men, that we shall reveal within ourselves something of Thy divine nature.

And grant, we beseech Thee, O Father, that we whom Thou hast called Thy children may obey Thee, in an attitude not of resignation, but of soaring aspiration and joyful dedication to a high adventure wherein we may achieve Thy purpose of life through growing like Thee in mind and heart and will, doing always such things as are pleasing in Thy sight. We ask it in the name of Him who in all things was obedient, even unto the death of the Cross, Thy Son, Jesus Christ our Saviour. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Tuesday, September 2, 1941, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	Nye
Aiken	Downey	O'Daniel
Andrews	Eastland	O'Mahoney
Austin	Ellender	Overton
Bailey	George	Peace
Bankhead	Gerry	Radcliffe
Barbour	Gillette	Rosier
Barkley	Green	Russell
Bilbo	Guffey	Schwartz
Brewster	Hatch	Smathers
Bridges	Hayden	Smith
Brooks	Herring	Spencer
Bulow	Hill	Taft
Bunker	Holman	Thomas, Idaho
Burton	Johnson, Colo	Thomas, Utah
Butler	Kilgore	Tobey
Byrd	La Follette	Tunnell
Capper	Langer	Tydings
Caraway	Lee	Vandenberg
Clark, Idaho	McCarran	Van Nuys
Clark, Mo.	McFarland	Walsh
Connally	McNary	Wiley
Danaher	Maloney	

Mr. BARKLEY. I announce that the Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. GLASS], the Senator from North Carolina [Mr. REYNOLDS], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Michigan [Mr. BROWN], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Delaware [Mr. HUGHES], the Senator from Illinois [Mr. LUCAS], the Senator from Tennessee [Mr. MCKELLAR], the Senator from Utah [Mr. MURDOCK], the Senator from Florida [Mr. PEPPER], the Senator from Tennessee [Mr. STEWART], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

The Senator from Montana [Mr. MURRAY] is detained on official business in the State of Montana.

The Senator from New York [Mr. MEAD], the Senator from Missouri [Mr. TRUMAN], and the Senator from Washington [Mr. WALLGREN] are engaged in holding hearings on behalf of the Committee to Investigate the National Defense Program.

The Senator from Kentucky [Mr. CHANDLER] is absent on a defense-inspection tour.

Mr. AUSTIN. The Senator from Minnesota [Mr. BALL], the Senator from South Dakota [Mr. GURNEY], the Senator from Massachusetts [Mr. LODGE], the Senator from Kansas [Mr. REED], and the Senator from Minnesota [Mr. SHIPSTEAD] are necessarily absent.

The Senator from Indiana [Mr. WILLIS] is absent because of a personal injury.

The VICE PRESIDENT. Sixty-eight Senators have answered to their names. A quorum is present.

EXECUTIVE COMMUNICATION

The VICE PRESIDENT laid before the Senate the following letter, which was referred as indicated:

DISPOSITION OF EXECUTIVE PAPERS

Letters from the Archivist of the United States, transmitting, pursuant to law, lists of papers and documents on the files of the Departments of the Treasury (2), War, Navy (3), Agriculture, and Commerce (2); the Executive Office of the President, the Federal Security Agency, the Social Security Board (2), the Federal Works Agency, Work Projects Administration, the United States Housing Authority (2), and the United States Food Administration, which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with the accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were presented and referred as indicated:

By Mr. CAPPER:

Petitions, numerously signed, of sundry citizens of El Dorado, Parsons, and St. John, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. VANDENBERG:

A memorial of sundry citizens of Kent County and vicinity, in the State of Michigan, remonstrating against the imposition of a 49-cent penalty on wheat quotas for 1941; to the Committee on Agriculture and Forestry.

A resolution of the City Council of Saginaw, Mich., approving the application for Federal aid in the construction of a new hospital unit heretofore filed by the Board of Supervisors of the County of Saginaw; to the Committee on Appropriations.

A memorial of sundry citizens of Ludington, Mich., remonstrating against the United States entering any foreign war; to the Committee on Foreign Relations.

A petition of sundry citizens of Escanaba and vicinity, in the State of Michigan, praying for the enactment of Senate bill 1466, to amend the disability provision of the Railroad Retirement Act, etc.; to the Committee on Interstate Commerce.

Memorials of sundry citizens of the State of Michigan, remonstrating against the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

REVENUE ACT OF 1941—INDIVIDUAL VIEWS OF MR. VANDENBERG (PT. 4 OF S. REPT. NO. 673)

Mr. VANDENBERG. Mr. President, as a member of the Finance Committee, I wish to submit, on my own behalf, minority views respecting the pending tax bill. I ask that my individual minority views may be printed in report form.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. VANDENBERG. I desire to make a further request. Inasmuch as the debate on the tax bill will cost the Government $3,000,000 a day—that being the loss of revenue each day the conclusion of action is postponed—and I am anxious to expedite consideration as much as I can, I shall be content, so far as an expression of my own views is concerned, if I may be permitted to have this brief report printed in body type in the RECORD at this point in my remarks; and I make that request.

The VICE PRESIDENT. Without objection, it is so ordered.

The individual views submitted by Mr. VANDENBERG are as follows:

In the total tax raised by the pending measure, some such measure is inevitable if there is to be any pretense of protecting the public credit. It is inevitable because there is no inexpensive way to go to war or to prepare for war. It is inevitable because there is no inexpensive way to underwrite the war bills of all foreign countries which the President may choose to include within our war expenditures. The quicker the country understands this cruel fact, the sooner it can realistically assess the extent to which it is prepared to pursue the unlimited foreign policy upon which we are now embarked. It would be folly to put dollars ahead of freedoms. But it would be worse folly to ignore the fact that our resources are not unlimited; that we cannot become the unlimited treasury as well as the arsenal of all those who may choose to fight the Axis; and that this tax bill—which will probably be followed by a lend-lease request for added billions which will consume the total new revenue here provided—puts us and our allies on notice to face facts. Although this bill takes every possible penny of new revenue which the Senate Finance Committee could find, so long as it ignores fundamental changes in our tax system, and although it will fall with heavy burden on all our people, its approximate 4 billions of return is less than 10 percent of our appropriations and commitments for this fiscal year. No crystal-gazing is required to see where these trends lead. This bill is but a preview of the "belt-tightening" which lies ahead for all America. To this extent, at least, it is a contribution to candor and realism. If we are drawn into a shooting war the burden will be relatively heavier. These considerations will became utterly inconsequential if we are attacked. Even now they must be weighed in the scales of relative jeopardy. But they should be weighed. This bill brings the war home to the people of the United States. Some such measure is inevitable; and it must be accepted as inevitable even by those citizens who have opposed the policies that make it necessary.

It is inevitable for another reason. This war and defense era was preceded by an 8-year nondefense spending spree without parallel in the history of the world; and now the "chickens are coming home to roost." Our people are now loaded down with a burden of Federal taxation which is 50 percent greater than even was required to pay our World War bills. From July 1, 1933, to June 30, 1941, this administration has already spent sixty-seven billions, collected forty billions in revenue, accumulated a combined peacetime deficit of twenty-seven billions, and increased the public debt beyond fifty billions, not including collateral guaranties. Of the sixty-seven billions, only five billions can possibly represent extraordinary defense expenditures. Our debt limit already has been raised from forty-five to sixty-five billions. We are on our way to one hundred billions—which is nearly equal to the assessed valuation of all the real estate in the United States. The danger inherent in this situation was defined by President Roosevelt himself on March 10, 1933, when he officially reported that accumulated deficits of only five billions had put us "on the road toward bankruptcy," and when he promised that if he was given his "economy bill"—which he was—"there would be reasonable prospect that within a year the income of the Government will be sufficient to cover the expenditures of the Government." That prospect became a mirage. Thrift became a hissing and a byword. Deficit spending became a passion. Yet it never ceased to be true, as asserted by the President on March 10, 1933, that it "is our first concern to make secure the foundation" of the public credit, and that "most liberal governments are wrecked on the rocks of loose fiscal policy."

We entered upon this war era—this defense era—tragically handicapped by this inheritance. There is no consolation in recalling the facts. But they bear upon our present necessities. They accumulate the reasons why this Congress dare not turn its back upon a new tax bill—to be followed by other tax bills—to "make secure the foundation" of the public credit. Nor can those who consistently opposed this orgy of peacetime extravagance dismiss this necessity on the grounds that it was none of their doing. We face a condition not a theory. We have all been shoved into the same boat. We must all face the bills and we must all help pay them.

The Secretary of the Treasury told us last April that he would not be responsible for the hazard to the public credit unless this Congress had the courage to put the Nation on a two-thirds pay-as-you-go basis, and, without regard to parties or politics, we all acquiesced. That called for a $3,500,000,000 new tax bill, and here it is, plus. But since

then the Federal expenditures have taken another flight—and many more flights are in prospect ere this fiscal year is done. The Secretary's pious formula is already out the window. Although this bill climaxes an annual public revenue at least 50 percent greater than we ever had in the World War—when we were at war—it does not approach the distinguished Secretary's two-thirds formula. It would probably be impossible presently to do much more, however, without wrecking our internal economy—and our internal economy is probably already threatened more by priorities and price controls and curtailments and taxes, unless these factors are prudently administered, than it will ever be damaged by any alien tyrant on the march. But this only serves to emphasize two propositions: First, at the very least we must have this much of a new tax bill; second, we must, at long last, institute far-reaching nondefense economies. At the same time we must realistically determine how far, short of war, we can underwrite the war bills of the world. We owe this to ourselves, we owe it to those abroad who must not be left to a dangerous disillusionment. We cannot be content with a bankrupt utopia.

Nondefense economies—plus our money's worth, instead of wild waste, in defense expenditures—are just as important as new taxes in saving this situation. We have had practically none of them to date. They will never be achieved without the same sort of stern executive leadership which we had in 1933. But executive leadership alone is not enough. Congress must cooperate. The one and only economy veto from the White House in many red-ink months was promptly overridden in the Senate. These are dangerous trends. It is a desperately dangerous legislative state of mind. The public credit is the first line of the national defense. The best thing about the pending bill as it comes from the Senate Finance Committee is the Byrd amendment which valiantly struggles toward reduced nondefense expenditures. But it is only a national anesthetic unless the President and Congress highly resolve to follow the hard way of stopping all Federal expenditures which are not indispensable. We must quit the free-and-easy notion that the Treasury of the United States is inexhaustible. We must quit the complacent, convenient notion of the last prodigal decade that debts are an asset. We must go to war against our spendthrifts long before we go to war against another enemy 3,000 miles away. We may be relatively rich. But we do not posses Aladdin's lamp. Simple arithmetic cannot be repealed even by the New Deal.

But there will still remain the unescapable need for $4,000,000,000 in new revenue—and more. Therefore a tax bill to this end is unavoidable—and the worst kind of a tax bill—which this probably is—would be better than no tax bill at all. No relatively incidental sacrifice on the part of the citizen, as a result of this bill, could be as bad as his sacrifice if we should neglect the need for additional Federal revenues under the circumstances. The result of any such blind course would be the collapse of our capitalistic system.

There can be no denial of the fact that this bill has many dangerous taxes in it. They eat at the very heart of our domestic economy. Many of these new taxes are highly discriminatory. The burden is not fairly spread. The reduction in personal-income tax brackets to an extreme degree is highly illusory as a means to spread the burden. It goes down into incomes which cannot, by any stretch of the imagination, be further reduced. Yet it taxes seven times as much out of the higher brackets as it does out of the lowest brackets, and really becomes a device to pile still more burdens upon that minority of Americans who already pay most of the Nation's bills.

The Senate Finance Committee voted down my proposal for a general manufacturer's sales tax as a substitute for many of these new discriminatory taxes. There is no practical way that I can bring this issue to the Senate floor. It is much too complicated to be settled on the Senate floor. But I venture the prophecy that some such recourse is inevitable within another 12 months. With food, clothing, and medicine exempted from such a tax, and with careful precautions against pyramiding, it would produce a minimum of one and one-half billion dollars at 5 percent; and yet, according to labor's own statistics, it would not touch 80 percent of the average wage earner's annual budget. It comes far closer to measuring ability to pay than any other new tax that could be devised. Yet it would create a national partnership in this business of salvaging America. It would be fair and just to all concerned. Either it, or a "withholding tax," must soon come if we are to meet this fiscal challenge which is just as real and far more imminent than anything which threatens from abroad. My complaint against this pending bill is its failure to go to fundamentals in meeting this emergency. We cannot much longer ignore tax fundamentals. Our whole citizenship must join in paying these bills. There is no other way. We have only started to pay in this pending bill. And we have started in the same old, familiar, habitual way—namely, by picking out the easiest and most convenient tax targets and giving them another blast. Yet I recognize the parliamentary fact that this bill must go to conference with the House, and that the Senate could not hope to succeed in substituting entirely new formulas. And there must be action with least possible delay, because we are losing $3,000,000 a day in sadly needed revenue every day that the final enactment of this measure is postponed.

I shall reluctantly support the bill, if at all, only because any bill could not possibly be worse than no bill at all, in view of the truly desperate fiscal emergency which the Federal Treasury confronts. I shall hope to see it improved before final Senate action. But it can never be rid of its inherent vice until Congress is prepared to face the realities to which I have referred.

I cannot conclude this expression of my minority views without paying my tribute to the new chairman of the Senate Finance Committee, the distinguished Senator from Georgia [Mr. GEORGE], who has a completely sound conception of national finance, and who, within the limitations with which he is surrounded, may always be trusted to serve the best welfare of the people of the United States.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

S. 1880. A bill for the relief of Florence B. Hutchinson; to the Committee on Claims.

By Mr. HOLMAN:

S. 1881. A bill for the relief of Roy L. Howard; to the Committee on Claims.

By Mr. SCHWARTZ:

S. 1882. A bill granting pensions to persons who suffered injury or disease prior to final induction in the Regular Army, Navy, or Coast Guard, and for other purposes; to the Committee on Pensions.

By Mr. JOHNSON of Colorado:

S. 1883. A bill to increase the monthly base pay of enlisted personnel of the land forces of the United States; to the Committee on Military Affairs.

By Mr. THOMAS of Utah (for Mr. REYNOLDS):

S. 1884. A bill to make provision for the construction activities of the Army;

S. 1885. A bill to extend, under certain conditions, the time for examination of monthly accounts covering expenditures by disbursing officers of the Army; and

S. 1886. A bill to amend the Pay Readjustment Act of June 10, 1922, so as to equalize the rates of pay of commissioned officers of corresponding grade and length of service; to the Committee on Military Affairs.

By Mr. KILGORE:

S. 1887. A bill granting a pension to Herman Meikle; to the Committee on Finance.

S. 1888. A bill authorizing the President to proclaim the Sunday before Memorial Day as a day for memorial services for deceased firemen; to the Committee on the Judiciary.

REVENUE ACT OF 1941—AMENDMENTS

Mr. DOWNEY. Mr. President, I offer an amendment to House bill 5417, the revenue bill, which I ask to have printed in the CONGRESSIONAL RECORD for the information of Senators, and also request that it may lie on the table for the present.

The VICE PRESIDENT. Without objection, it is so ordered.

The amendment intended to be proposed by Mr. DOWNEY to House bill 5417 is as follows: At the end of the bill insert the following new title:

TITLE VII—AMENDMENTS TO SOCIAL SECURITY ACT

SEC. 801. General pensions.

Title I of the Social Security Act, as amended, is amended to read as follows:

"TITLE I—GRANTS TO STATES FOR GENERAL PENSIONS

"APPROPRIATION

"SECTION 1. (a) For the purpose of providing general pensions to citizens of the United States who are 60 years of age or over, there is hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year commencing July 1, 1942, such sums as may be necessary to carry out such purpose in accordance with the provisions of this title. The sums made available under this section shall be used for making payments to States which have submitted, and had approved by the Social Security Board established by title VII (hereinafter referred to as the Board), State plans to administer such payments.

"(b) Any money appropriated pursuant to the authorization contained in this section shall, insofar as practicable, be borrowed from the Federal old-age and survivors insurance trust fund. Special obligations shall be issued to such trust fund, in accordance with the provisions of section 201 (c), in an amount equal to the amount so borrowed.

"STATE PLANS FOR ADMINISTRATION

"SEC. 2. (a) A State plan for the administration of general pensions must (1) either provide for the establishment or designation of a single State agency to administer the plan, or provide for the establishment or designation of a single State agency to supervise the administration of the plan; (2) provide for granting to any individual, whose claim for pension is denied, an opportunity for a fair hearing before such State agency; (3) provide such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Board shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Board to be necessary for the proper and

efficient operation of the plan; (4) provide that the State agency will make such reports, in such form and containing such information, as the Board may from time to time require, and comply with such provisions as the Board may from time to time find necessary to assure the correctness and verification of such reports; (5) provide safeguards which restrict the use or disclosure of information concerning applicants and pensioners to purposes directly connected with the administration of such pension; (6) beginning with the period commencing July 1, 1942, provide for the payment of general pensions of not less than $20 per month, and with the period commencing January 1, 1944, provide for the payment of general pensions of not less than $30 per month, to each United States citizen who has made application for such pension and who, at the time of such payment, is a resident of such State, is 60 years of age or older, and is not an inmate of a public institution; (7) provide that any such citizen who for any month receives a Federal old-age and survivors insurance benefit payment under title II of the Social Security Act or an annuity under the Railroad Retirement Act of 1935 or 1937 shall not be entitled to receive such pension for such month; and (8) provide that if any such citizen or his or her spouse, if such citizen is dependent upon and supported by said spouse, during any month engages in any occupation, trade, business, profession, or other activity from which a profit, wage, compensation, or other remuneration is realized or expected (other than the performance of services in a private home for room and board and other than the collection of interest, rents, or other revenues from his or her own investments), such citizen shall not be entitled to receive such pension for such month.

"(b) The Board shall approve any plan which fulfills the conditions specified in subsection (a).

"PAYMENT TO STATES

"SEC. 3. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for the administration of general pensions, for each quarter, beginning with the quarter commencing July 1, 1942, (1) an amount, which shall be used exclusively to pay general pensions, equal to the product of $20 multiplied by the total number of pensions paid during such quarter, and (2) an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Board for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for general pensions, or both, and for no other purpose: *Provided*, That for each quarter beginning with the quarter commencing January 1, 1944, the amount provided for in clause (1) shall be increased to an amount equal to the product of $30 multiplied by the total number of pensions paid during such quarter.

"(b) The method of computing and paying such amounts shall be as follows:

"(1) The Board shall, prior to the beginning of each quarter, estimate the amount to be paid to the State for such quarter under the provisions of subsection (a), such estimate to be based on (A) a report filed by the State containing its estimate of the total sum to be expended in such quarter in accordance with the provisions of such subsection, (B) records showing the number of United States citizens in the State who are 60 years of age or older, and (C) such other investigation as the Board may find necessary.

"(2) The Board shall then certify to the Secretary of the Treasury the amount so estimated by the Board, reduced or increased, as the case may be, by any sum by which it finds that its estimate for any prior quarter was greater or less than the amount which should have been paid to the State under subsection (a) for such quarter, or by any sum by which it finds that its estimate for any quarter prior to July 1, 1942, was greater or less than the amount which should have been paid to the State for such quarter under the provisions of law in effect prior to such date, except to the extent that such sum has been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the Board for such prior quarter.

"(3) The Secretary of the Treasury shall thereupon, through the Division of Disbursement of the Treasury Department and prior to audit or settlement by the General Accounting Office, pay to the State, at the time or times fixed by the Board, the amount so certified.

"OPERATION OF STATE PLANS

"SEC. 4. In the case of any State plan for the administration of general pensions which has been approved by the Board, if the Board, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of such plan, finds—

"(1) that the plan has been so changed as to include any requirement not provided for in section 2 (a), or

"(2) that in the administration of the plan there is a failure to comply substantially with any provision required by section 2 (a) to be included in the plan; the Board shall notify such State agency that further payments will not be made to the State until the Board is satisfied that such additional requirement is no longer so imposed, and that there is no longer any such failure to comply. Until it is so satisfied it shall make no further certification to the Secretary of the Treasury with respect to such State."

SEC. 802. (a) Subsections (a), (b) (1), (d) (1), and (f) (1) of section 202 of such act are amended by striking out "sixty-five" and inserting in lieu thereof "sixty."

(b) Section 202 (b) (1) of such act is amended by striking out "one-half of" wherever it appears therein.

(c) Section 202 (b) (2) of such act is amended by striking out the words "one-half of a primary insurance benefit of her husband" and inserting in lieu thereof "a primary insurance benefit of her husband."

(d) Section 202 (d) (1) is amended by striking out "three-fourths of" wherever it appears therein.

(e) Section 202 (d) (2) of such act is amended by striking out the words "three-fourths of a primary insurance benefit of her deceased husband" and inserting in lieu thereof "a primary insurance benefit of her deceased husband."

(f) Section 202 (f) (2) of such act is amended by adding after the words "one-half of a primary insurance benefit of such deceased individual" the words "or $30, whichever is greater."

SEC. 803. (a) Subsection (a) of section 203 of such act is amended by striking out "$20" wherever it appears therein and inserting in lieu thereof "$60."

(b) Subsection (b) of such section is hereby repealed.

SEC. 804. The last sentence of section 209 (e) (2) is amended to read as follows: "Where the primary insurance benefit thus computed is less than $30, such benefit shall be $30."

SEC. 805. Subsection (g) of section 209 of such act is amended by striking out "65" and inserting in lieu thereof "60."

SEC. 806. (a) Subsections (i) and (k) of section 209 of such act are amended by striking out "60" wherever it appears therein and inserting in lieu thereof "55."

(b) The amendments made by this section shall not be applicable to a wife or child who became entitled to an insurance benefit prior to the effective date of this section.

SEC. 807. The last sentence of section 209 (g) of such act is amended to read as follows: "In any case where an individual has received in a calendar year $200 or more in wages, each quarter of such year shall be deemed a quarter of coverage, excepting any quarter in such year in which such individual dies or becomes entitled to a primary insurance benefit and any quarter succeeding such quarter in which he died or became so entitled."

SEC. 808. Section 1400 of the Internal Revenue Code is amended to read as follows:

"SEC. 1400. Rate of tax.

"In addition to other taxes, there shall be levied, collected, and paid upon the income of every individual a tax equal to the following percentages of the wages (as defined in section 1426 (a)) received by him after December 31, 1936, with respect to employment (as defined in section 1426 (b)) after such date:

"(1) With respect to wages received during the calendar years 1939, 1940, 1941, and 1942 the rate shall be 1 percent.

"(2) With respect to wages received during the calendar year 1943 the rate shall be 2 percent.

"(3) With respect to wages received after December 31, 1943, the rate shall be 3 percent."

SEC. 809. Section 1410 of the Internal Revenue Code is amended to read as follows:

"SEC. 1410. Rate of tax.

"(a) In addition to other taxes, every employer shall pay an excise tax, with respect to having individuals in his employ, equal to the following percentages of the wages (as defined in section 1426 (a)) paid by him after December 31, 1936, with respect to employment (as defined in section 1426 (b)) after such date:

"(1) With respect to wages paid during the calendar years 1939, 1940, 1941, and 1942 the rate shall be 1 percent.

"(2) With respect to wages paid during the calendar year 1943 the rate shall be 2 percent.

"(3) With respect to wages paid after December 31, 1943, the rate shall be 3 percent."

SEC. 810. The amendments made by sections 2, 3, 4, 5, 6, and 7 shall be applicable with respect to the individuals receiving old-age and survivors insurance benefit payments on July 1, 1942, but shall not be construed to increase any such benefit payments which became due prior to such date.

SEC. 811. Sections 801, 802, 803, 804, 805, 806, and 807 shall take effect on July 1, 1942; and sections 808 and 809 shall take effect on January 1, 1942.

Mr. LA FOLLETTE and Mr. VANDENBERG each submitted an amendment intended to be proposed by them, respectively, to House bill 5417, the revenue bill, which were ordered to lie on the table and to be printed.

EDITORIAL FROM OSBORNE COUNTY FARMER ON NONDEFENSE SPENDING

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD an editorial written by Charles E. Mann and printed in the last issue of the Osborne County Farmer, one of the influential weekly newspapers of the State of Kansas.

I heartily endorse Mr. Mann's appeal for economy in public expenditures at Washington. Our appropriations this year for national-defense purposes will amount to approximately $50,000,000,000. It is money that must be spent, and I am giving national defense my best

support. But we are also going stronger than ever on nondefense appropriations, much stronger than we should in time of emergency. The time has come to call a halt on nondefense expenditures.

The VICE PRESIDENT. Without objection, the editorial will be printed in the RECORD.

The editorial is as follows:

Pressure should be brought upon Congress by every section of the United States to force the administration to stop the outlandish nondefense spending, which apparently has decreased but little, if any, since the big defense drive began. Adequate national defense we must have, even at great cost, but there is neither sense nor justice in keeping up the tremendous outlay for nondefense needs that has characterized the administration for years. Unless there is a curb put upon nondefense spending, there is likely to be such a reaction over the country that it will result almost in a revolution—not a bloody one, we hope, but such a reaction that may do harm to many good things that have been established. The public is rapidly becoming conscious of the terrible waste of money by the Washington administration, and there is a rising tide of indignation that may have serious repercussions. It would seem that plain, common sense would teach the powers that be in Washington that this is no time to waste the money of the people with the outcome of the future of the world in such doubt. Every voter should write his Congressman or Senator and insist upon economy.

SHORTAGE IN STEEL SCRAP

Mr. DAVIS. Mr. President, the shortage in steel scrap has been the subject of much comment throughout the country. There is no end to suggestions as to what should be done to remedy this situation, extending all the way from opening up new steel mills in the West closer to the supposed source of rural scrap supply to the idea that substitutes for steel would make it unnecessary to have so much scrap. Meanwhile, we hear of an impending governmental attempt to get volunteer gathering up of scrap at the same time that the Price Administrator clamps down on the market. Of this, not much makes sense.

Mr. President, I ask unanimous consent to have inserted in the RECORD as a part of my remarks an editorial from the Iron Age of August 14, 1941, entitled "When Balloons Are in Order, Inflate."

The VICE PRESIDENT. Without objection, it is so ordered.

The editorial is as follows:

[From Iron Age of August 14, 1941]

WHEN BALLOONS ARE IN ORDER, INFLATE

We have no quarrel with Price Administrator Henderson. In fact, we find him in agreement with us, if somewhat belated, as to the inevitability of inflation. (The Iron Age is on record as predicting this some 6 months ago.)

What we do object to is his using the scrap-steel industry to be one of the inflation scapegoats.

As publishers, I may point out that we cannot be accused of mercenary motives in coming to the defense of that industry. If you were to make up a list of the non-advertising branches of the metal-working industry, I dare say that the scrap dealers would head the list.

Also, if you were to attempt to catalog individuality in American enterprise, this branch of our industry would have to appear on page one. Until the ceiling was clamped on scrap, this commodity was the most volatile as to price movement of the many that are listed from week to week in our price pages.

American scrap dealers and brokers have been brought up on individualistic practices based upon close competition and shrewd dealing mixed with a certain degree of speculation. If that is a crime, it has not as yet been written in the statute books. It is probably true, as Mr. Henderson says, that the scrap industry is dominated by 10 or 15 large concerns; but the same thing is true of almost every industry in this country. We might even point out that less than that number of individuals are dictating the diplomatic, military, and economic policies of the United States today.

What Mr. Henderson overlooks, in our opinion, is that you cannot cure or remedy an infraction of economic law by sticking a courtplaster over it. The causes of inflation in this country are not in the price rises that are taking place. They are deeper than that. This inflation is the direct and inevitable result of the "squanderation" policy that has been in effect for the past 9 years and that has brought us to the brink of war with the greatest national indebtedness of any country, anywhere, at any time.

You can't cure that with price ceilings.

You can't cure scrap shortages with a price ceiling. Such a ceiling, in fact, induces and invites shortages.

In the last World War, scrap was set at $29 a ton. Today it is set at $20. (Agricultural parity exponents please note.) In spite of this, more scrap is being collected and delivered than ever before in our history and at less profit.

Yes, we need more than even this to prevent a shortage. There are thousands of tons of reclaimable trolley rails, for instance, buried under our streets. But the "scrappies" can't unearth them at $20 a ton.

And the same thing goes for many other commodities in which we are experiencing or anticipating shortages. If you want to dance, you have to be willing to pay the piper.

J. H. VAN DEVENTER.

NATIONAL DEFENSE NOW—ADDRESS BY SENATOR BYRD

[Mr. BYRD asked and obtained leave to have printed in the RECORD a radio address delivered by him on September 1, 1941, on the subject National Defense Now, which appears in the Appendix.]

ARTICLE BY ARTHUR KROCK ON AMERICAN DEFENSE PRODUCTION

[Mr. BYRD asked and obtained leave to have printed in the RECORD an article by Arthur Krock, published in the New York Times of September 2, 1941, entitled "American Defense Production in War's Third Year," which appears in the Appendix.]

ADDRESS BY SENATOR WILEY ON DAIRYING AND DEFENSE

[Mr. WILEY asked and obtained leave to have printed in the RECORD a radio address delivered by him on August 14, 1941, on the subject Dairying and Defense, which appears in the Appendix.]

CHURCHILL'S MESSAGE TO MANKIND—POEM BY HORACE C. CARLISLE

[Mr. BILBO asked and obtained leave to have printed in the RECORD a poem by Horace C. Carlisle entitled "Churchill's Message to Mankind," which appears in the Appendix.]

REVENUE ACT OF 1941

Mr. GEORGE. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House bill 5417, the revenue bill.

The VICE PRESIDENT. Is there objection to the request of the Senator from Georgia?

There being no objection, the Senate proceeded to consider the bill (H. R. 5417) to provide revenue, and for other purposes, which had been reported from the Committee on Finance, with amendments.

Mr. GEORGE. I ask unanimous consent that the formal reading of the bill be dispensed with; that it be read for amendment, and that the committee amendments be first considered.

The VICE PRESIDENT. Without objection, the request will be complied with.

Mr. GEORGE. Mr. President, I submit a further unanimous-consent request which I think is in order—that the consideration of amendments over which controversy is likely to arise be postponed until after all amendments which are noncontroversial shall have been disposed of.

The VICE PRESIDENT. Is there objection to the method of procedure requested? Without objection, it is so ordered.

Mr. GEORGE. Mr. President, I wish to make a brief statement concerning the bill. The statement will be brief, because during the debate on the bill all of us on the committee who are here will, of course, be pleased to furnish all the information and answer all the questions that we can. What I shall say now is in the nature of a general statement.

First, I desire to congratulate the Ways and Means Committee of the House under the able leadership of Representative DOUGHTON, its chairman, and the House itself, upon the conscientious consideration given to this tax measure. While the Senate Finance Committee has added some amendments to the bill as it passed the House, the bill in its main features stands as the work of the Ways and Means Committee of the House.

It becomes more apparent each day that no one can accurately foresee even the approximate cost of this national emergency; but it daily becomes increasingly evident also that the American people is making up its collective mind to see this job through, cost what it may. It becomes obvious, too, that the tax burden is of necessity growing more universal, and that its weight must be borne with grim patience and high patriotism. Every individual and every corporation is going to know in the pocketbook that the Nation is in a grave emergency.

As we approach the immediate task of raising these additional tax billions it is, in my best judgment, in the interest of the country as a whole that the tax bill of this period, laying, as it must, a heavy burden on us all, shall nevertheless be written with a spirit of determination not to make its provisions so suddenly drastic as to chill the genius of creative enterprise, or paralyze the driving force of individual effort, and the suggestion will be urged upon us to do precisely that in the interest of raising a larger volume of revenue.

We must hold in sight the fact that the reason why the resources of this Nation are more powerful than those of any country on this earth arises not merely from our natural advantages, our great natural resources, great as they are; our ultimate and invincible strength arises from the spirit, the ambition, and the ingenuity of a free people.

The two most powerful forces of our national life are the strength of private enterprise and a willingness to work, indeed, an eagerness to work, an insistence upon working, combined with the persistent hope of the average American citizen that he may accumulate enough to better himself and provide a degree of security for his family.

For three generations the cost of the preservation of our freedom now must be borne not only by those who are now alive, but by millions yet unborn. Any man who thinks need have little apprehension of the danger of accumulated wealth undermining the foundation of American democracy in the days that lie ahead, but every man who thinks will realize that one of the safest future reservoirs for the Government to draw on to meet the needs of this unprecedented period is a reasonable tax rate, which, although high, will encourage and develop a national annual income of $100,000,000,000, together with the most rigorous effort for economy in every expenditure that is not of the most imperative urgency in the immediate emergency.

It is my hope that we may formulate a policy—and in the bill before us there are only feeble steps in that direction—which will fortify the fiscal foundation of the Treasury, and give added prestige and power to the Government as it girds itself to meet the swiftly developing responsibilities of the crisis confronting our Nation and the free world.

In that connection I desire to say that in its deliberations the committee has given some consideration to new types of taxes. We have considered, in a general way, a general manufacturer's sales tax and a withholding tax upon personal incomes, whether wages, salaries, rents, interest, dividends, or what not. We have likewise given some consideration to a purchase tax, and I think we must ultimately give more consideration to what I am pleased to call a Federal service tax upon the primary profits of industry. By primary profits I do not mean gross income, but the profits after the deduction of those things which necessarily enter into all production, to wit, the cost of raw materials, wages, and rents.

I wish to say now that there is but one inducement in this world as great as the profit motive. The reward for risk taken is the one thing which will cause men to work for other men through enterprise. I must confess that in the tax bill as it passed the House, and in the bill as it is reported to the Senate, it is controlled somewhat, but I hope not unduly.

We face the necessity of planning to get a business boom, if you please, to follow the unnatural rise in employment now taking up all the labor slack, but it is going to start to fall before we are through with this program. The shortages of material, the curtailment of the uses of all kinds of products—even gasoline—will reduce the incomes of countless thousands of people, which will be the forerunner of the next depression. We are due for the skids unless we invite private enterprise to take up the burden of making more employment, and that will not happen unless men can risk their capital with some assurance of reward, some assurance that they may keep a reasonable part of it if they win.

The American people will be either made or broken by what happens in the nature of private enterprise activity, which will be entirely controlled by the tax processes. Nothing else governs this situation. We cannot hold back American ingenuity except by one means. Tax away the incomes of the people, and they will lose all incentive. Free them, and though we take the most heavy taxes, they will take the right way, and they will provide work for men.

Mr. President, we face the acid test of sincerity in the tax bill before us. Of course, as I have already suggested, it is not a perfect measure, but it should be strong enough to stand against unreasonable demands which would destroy the very power of production at a time when our chief, primary, and continuing problem is production, and more production, because in the workshop of America, certainly in the workshop of this, our country—and let us confine ourselves to that—is to be found the answer to the problems we face today, and the means of meeting those problems.

I have said that we now face the acid test of our sincerity, because the bill as it was passed by the House was estimated to produce added revenue, that is to say, new revenue, of $3,216,400,000 annually. The amendments made by the Committee on Finance add $463,400,000 to this figure, bringing the total additional annual yield of new revenue, added revenue, to $3,679,800,000.

If I may digress for just a moment to refer to the actual internal-revenue collections for the fiscal year 1941, and the estimated collections for the fiscal year 1942, under present law, without reading the separate items, I should like to offer for the RECORD the table I have in my hand, and should like to say that the total internal revenue for the fiscal year 1941, excluding employment taxes, totals $6,444,251,917.28. The estimated revenue for the fiscal year 1942, under present law, excluding again employment taxes, totals $8,555,930,000. Including employment taxes, the actual collections for the fiscal year 1941 are to be $7,370,108,377.66. Including employment taxes in the estimated revenue for the fiscal year 1942, under present law the total is $9,517,230,000.

There are, of course, certain items in this tabulation which are nonrecurring, and certain items that should be specially spoken of, but for the present purpose the figures are substantially correct.

Mr. President, I ask that the table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Actual internal-revenue collections for fiscal year 1941, compared with estimated collections for fiscal year 1942

	Actual collections, fiscal year 1941	Estimated, fiscal year 1942, present law
Corporation income taxes	[1] $1,851,987,990.58	[6] $2,641,000,000
Individual income taxes	[2] 1,417,655,126.50	[7] 2,065,000,000
Excess-profits taxes:		
Declared value	25,919,566.83	32,000,000
Vinson Act	2,156,717.81	[8]
Second Revenue Act of 1940	164,308,967.23	679,000,000
Unjust enrichment	9,095,561.51	4,000,000
Capital-stock tax	166,652,639.88	193,400,000
Estate tax	[3] 355,194,033.49	350,000,000
Gift tax	[4] 51,863,714.03	100,000,000
Liquor taxes:		
Distilled spirits (imported and domestic) (excise taxes)	428,641,521.17	453,800,000
Fermented malt liquors	316,741,027.11	330,800,000
Wines (domestic and imported) (excise tax)	11,423,446.62	15,200,000
Rectification tax	13,400,554.79	12,800,000
Container stamps	10,123,000.68	10,400,000
Special taxes in connection with liquor occupations	11,926,361.64	10,200,000
All other	27,740,206.32	1,300,000
Total liquor taxes	820,056,178.83	839,500,000
Tobacco taxes:		
Cigars (large)	13,400,527.60	13,900,000
Cigarettes (small)	616,667,234.31	645,100,000
Snuff	6,899,820.62	6,800,000
Tobacco (chewing and smoking)	54,927,764.18	56,100,000
Cigarette papers and tubes	1,431,315.35	1,500,000
All other	4,750,228.81	130,000
Total, tobacco taxes	698,076,890.87	723,530,000
Stamp taxes:		
Issues of securities, bond transfers, and deeds of conveyance	22,072,603.40	25,300,000
Stock transfers	12,176,496.92	14,000,000
Silver bullion sales or transfers	51,286.28	80,000
Playing cards	4,756,586.50	4,800,000
Total, stamp taxes	[5] 39,056,966.09	44,180,000
Manufacturers' excise tax:		
Lubricating oils	38,220,844.40	37,100,000
Gasoline	343,021,269.39	399,800,000
Electric energy	47,021,015.62	51,400,000
Tires and inner tubes	51,054,262.05	54,200,000
Automobile trucks	10,746,619.35	12,400,000
Passenger automobiles and motorcycles	51,402,519.06	73,400,000
Parts and accessories for automobiles	13,083,554.90	13,300,000
Radio sets, etc	6,935,182.03	7,900,000
Mechanical refrigerators	13,278,909.66	12,300,000
Firearms, shells, pistols, and revolvers	5,621,074.38	5,400,000
Toilet preparations	6,661,922.05	8,800,000
All other, including repealed taxes	306,718.73	
Total, manufacturers' excise taxes	617,353,891.64	676,000,000

[1] Including back taxes amounting to $202,960,938.85.
[2] Including back taxes amounting to $103,389,320.03.
[3] Including back taxes amounting to $133,354,000.
[4] Including back taxes amounting to $9,654,000.
[5] Includes $92.99 collected from repealed tax on sales of produce (future delivery).
[6] Includes estimated back tax collections of $174,000,000.
[7] Includes estimated back tax collections of $87,000,000.
[8] Estimate not available.

Actual internal-revenue collections for fiscal year 1941, compared with estimated collections for fiscal year 1942—Continued

	Actual collections, fiscal year 1941	Estimated, fiscal year 1942, present law
Miscellaneous taxes:		
Telephone, telegraph, radio, and cable facilities, leased wires, etc.	$27,331,113.61	$28,000,000
Transportation of oil by pipe line	12,490,585.65	13,300,000
Leases of safe deposit boxes	2,215,898.10	2,200,000
Admissions to theaters, concerts, cabarets, etc.	70,963,094.06	83,100,000
Club dues and initiation fees	6,582,649.28	7,000,000
Oleomargarine, etc., including special taxes, and adulterated butter	2,151,335.78	2,300,000
Coconut and other vegetable oils processed	23,185,936.63	4,500,000
Bituminous coal tax	4,522,083.92	4,900,000
Sugar tax	74,608,554.45	62,400,000
All other, including repealed taxes	742,421.80	620,000
Total, miscellaneous taxes	224,873,672.38	208,320,000
Total, internal revenue, excluding employment taxes	6,444,251,917.28	8,555,930,000
Employment taxes	925,856,460.38	[1] 961,300,000
Total, internal revenue, adding employment taxes	7,370,108,377.66	9,517,230,000

[1] As estimated in Budget, January 1942.

Mr. GEORGE. Mr. President, the added revenue under the bill now reported by the committee is estimated at $3,679,000,000, which, added to the estimated revenue for the fiscal year 1942 under present law, will make a total of over $13,000,000,000. The sum is a staggering one. Undoubtedly a heavy burden will be placed upon all our people. At the same time the total estimated revenue, even when adding the amount which it is estimated will be collected under the bill which has been reported by the Finance Committee and is now before the Senate, will not quite meet the formula of two-thirds payment upon our current spending out of taxes and one-third out of borrowed money. But if it be true, as some of us hope and think, that the actual yield during the full year under the bill now reported to the Senate plus the yield under existing law will run above the $13,000,000,000 estimated, as I have already stated, then we will not be far below the two-thirds and one-third formula, provided there is some retrenchment in the nondefense spending, and provided that expenditures for all purposes are held within as strict bounds as the necessities facing us will enable us to hold them.

The added revenue under the Finance Committee bill comes largely, or I should say mainly, from three sources—approximately $19,000,000 from the corporate normal income tax, approximately $120,500,000 from the corporate surtax, and approximately $332,400,000 from individual income taxes, those increases last mentioned being increases over the House bill, and not the total burden placed either upon corporations or individuals under the Senate bill.

Mr. President, if I may call attention to one further table, without reading it in detail, I will do so at this point, and I call attention now to income taxes alone. The table sets forth the estimated calendar year 1941 liabilities under present law and estimated increased income-tax liabilities for a full year under the provisions of the Senate bill at levels of income estimated for the calendar year 1941. It also shows the estimated increase under the House bill, but I will not refer to that at the moment.

Mr. President, I ask that the table be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Income taxes—Estimated calendar year 1941 liabilities under present law and estimated increased income-tax liabilities under a full year effect of the income-tax provisions of the House bill and the Senate bill at levels of income estimated for calendar year 1941

[In thousands of dollars]

	Estimated liabilities under existing law	Estimated increase or decrease under House bill	Total liabilities under House bill and existing law	Estimated increase or decrease under Finance Committee bill	Total liabilities under Finance Committee bill and existing law
Income taxes:					
Corporation normal	2,939,200	−520,100	2,419,100	−501,100	2,438,100
Corporation surtax		644,700	644,700	765,200	765,200
Individual	2,223,300	864,800	3,088,100	1,197,200	3,420,500
Back taxes	260,000		260,000		260,000
Excess-profits tax	1,026,400	1,198,300	2,224,700	1,130,600	2,157,000
Declared value excess profits	37,000		37,000		37,000
Unjust enrichment	4,000		4,000		4,000
Total, income taxes	6,489,900	2,187,700	8,677,600	2,591,900	9,081,800

Mr. GEORGE. Mr. President, from the corporate normal income the estimated liability under existing law for the calendar year 1941 is $2,939,200,000. Under the Senate bill the corporate normal income is minus $501,100,000, which will be accounted for in the next figure given.

The total liability under the Finance Committee bill and existing law will be, on corporate normal income, $2,438,100,000.

By the corporate surtax—which does not now exist, but which has been imposed both under the House bill and under the Senate bill—the estimated increase under the Finance Committee bill is $765,200,000, and the total liability under the Finance Committee bill and the existing law is, of course, the same amount, because in the present law there is no surtax on corporate income.

Individual incomes. Estimated liability under existing law, $2,223,300,000. Under the Senate bill the estimated increased liability is at $1,197,200,000. The increase—Senators, note that—is $1,197,200,000 over present law, making a total tax on personal incomes under the Finance Committee bill and present law of $3,420,500,000.

The estimated liability under existing law for excess-profits tax is $1,026,400,000. The estimated increase under the Senate Finance Committee bill is $1,130,600,000. This makes a total of $2,157,000,000 on excess-profits tax.

On declared-value excess profits the tax liability is $37,000,000 under present law, which is not affected by any increase in the Finance Committee bill. Under the item of "Unjust enrichment" the tax liability is only $4,000,000.

So we have as the estimated liabilities of the taxpayers under existing law, plus the bill as amended in the Finance Committee, a total of income taxes as follows:

Estimated liabilities under existing law, $6,489,900,000. Total liabilities under the Finance Committee bill and existing law, $9,081,800,000.

Mr. President, I ask the Senate to note that the tax on corporations under this estimate is as follows:

Two billion four hundred and thirty-eight million one hundred thousand dollars normal income corporate tax.

Seven hundred and sixty-five million two hundred thousand dollars corporate surtax.

Two billion one hundred and fifty-seven million dollars excess-profits tax.

Thirty-seven million dollars declared-value excess profits.

Four million dollars unjust enrichment.

The total liability of corporations is $5,401,300,000.

The first major change made in the bill now presented to the Senate is in the personal-income-tax section. As we all remember, under existing law the personal exemptions are $800 for a single person and $2,000 for a married person without dependents. Under the terms of the bill the exemptions are reduced by $50 in the case of a single person—from $800 to $750—and by $500 in the case of a married person or head of a family—from $2,000 to $1,500.

This change in the personal income-tax law creates an additional liability of approximately $303,000,000. About $49,000,000 of this amount will be collected from new taxpayers, who will be brought in by virtue of lowering the exemption. Some $254,000,000 will be payable by the same taxpayers who now pay personal income taxes under existing law. So, lowering the exemptions, or broadening the base, as we speak of it, will have the effect of increasing the tax liability on individual incomes by some $303,000,000, as estimated by the Treasury officials.

It must be borne in mind that this broadening of the base does not place any great added burden upon the new taxpayers. On page 7 of the bill will be found a table which may be conveniently described as the short form of making income-tax returns. Under the terms of an amendment inserted in the bill, the short form may be used by the individual taxpayer whose total income consists of wages, salaries, or compensation for personal services, dividends, interest, rents, annuities, or royalties. The short form for the return is optional with the taxpayer whose gross income is $3,000 or less. It may not be used by any taxpayer whose income is derived from sources other than those already enumerated, or whose income exceeds $3,000 per year.

Looking at the short form of return, it will be seen that on an income from $1 to $750 no tax is imposed. This is because the exemption allowed a single person is $750. On incomes from $750 to $775 the tax for a single person is only $1; from $775 to $800, the present exemption, the tax is only $2. From $800 to $825 the tax for a single person is only $3. Not until an income between $825 and $850 is reached does the tax reach $5. In simple language, for the first time the tax becomes more than 1 cent a day.

Not until the income reaches $1,500 is there any tax in the case of the head of a family or a married person. From $1,500 to $1,525 the tax is only $1; from $1,525 to $1,550 the tax on the head of a family or a married person is only $2, and so on up to the present exemption of $2,000, when the tax becomes $37. On an income of $1,800 in the case of a married person, the tax is $22.

Whatever may be said hereafter in debate, no one who fairly considers these slight liabilities to the new taxpayers who will be brought into the taxing system by virtue of the lowering of the exemptions can justly complain of the small tax to which they will be subjected.

I should say, in passing, that the short form for the return takes into consideration what the Treasury has found to be the average deduction of those who may be described as falling in the lower brackets; that is, those whose income does not exceed $3,000.

It must also be borne in mind that the short form is optional. The taxpayer may use it. If he uses it for a certain year, he is precluded from changing over and calculating the tax another way for that particular year. The next year he may use it again or he may compute his tax in the ordinary way.

One change has been made that should be noted, and that is this: A married person—let us say, a widower—who has one child is not entitled to take a deduction of $400 for the child because the child brings him into the category or class of the head of a family. In other words, a widower with one child under 18 years of age dependent upon the father becomes the head of a family, and is entitled to an exemption not of $750 but of $1,500. If he has two children in the same circumstances, he is entitled to an exemption of $1,500, plus $400, or $1,900. If he has three children, his exemption is increased by the further addition of $400 for the additional child. The head of a family is, of course, entitled not only to the $1,500 exemption but to the exemption in the present law of $400 for each dependent child under 18 years of age, or other dependents for whom he is allowed the deduction.

Another important change recommended by the committee and included in the bill, applicable to individual incomes, is the so-called tax on incomes from community property. That, of course, is a controversial provision.

Ever since the advent of the income tax, the disparity in the taxation of income in the community-property States as compared with that in the non-community-property States has caused considerable concern. This situation has become more accentuated as the graduated surtax rates have been increased from time to time; and it becomes more important because of the rather drastic increases made in the present bill. Married persons in the community-property States under existing law are able to effect substantial tax savings as compared with married persons in the other States. Remedies for this inequitable situation have been frequently recommended to the Congress by the Treasury Department and by various other tax experts. With the substantial increases in the surtax rates contained in the bill these inequities become more apparent and their termination more desirable.

Consequently, the committee bill provides a method whereby taxpayers in community-property States are placed on a parity with all other taxpayers and will pay the same amount of tax as do individuals similarly situated in the non-community-property States.

I will read to the Senate the amendment which is found on page 32 of the bill, and I call especial attention to it:

For the purpose of determining the income-tax liability of any individual:

(a) Income earned by each spouse (whether or not treated as community property under the State law) shall be considered as the income of the earner thereof.

That is to say, the salary of a husband and the salary of a wife shall remain separate, and shall be separately returned. The income of a doctor, of a dentist, or of a lawyer shall be considered as the income of the actual earner, and shall remain separate.

(b) Income derived from property of the marital community—

Now, note—

(except such property as constitutes either income derived from the separate property of either spouse or property acquired therewith)—

That is to say, with the income—

shall be considered as the income of the spouse who has the management and control thereof under the law of the jurisdiction in which the marital community exists.

The third section I need not read, because the whole meat of it is in these two.

I know very well, and I entirely respect, the views and opinions of Senators who come from the so-called community-property States. I understand exactly their position. There is no purpose on the part of the Finance Committee or of the Congress to interfere in any single respect with the law of a State so far as it controls the property rights of the wife or of the husband, except in one particular, and that is for Federal tax purposes. The person who earns the money must return it as his income; and for Federal tax purposes the income from the community property, but not including the income from the separate property of the wife or property purchased by her out of the income from her separate property, must be returned by the one who has the management and control of the property under the law of the jurisdiction in which such marital community exists.

There is no attempt to invade the rights of the States; but the Congress is now doing what in my opinion it should have done from the first—determining the liability to Federal taxes not upon the laws of different jurisdictions but upon the Congress' own declaration of how incomes, from whatever source derived, should be made taxable, and to whom those incomes should be made taxable.

I dare say that the Senate will hear a great deal of argument on the constitutionality of this part of the bill; but to me there is no constitutional question involved in it. So long as the Federal Government taxes on the basis of the varying laws of the several States, of course the community-property States are entitled to special treatment, because under the laws of their States there are different rules governing the income after marriage. But when the Federal Government exercises its undoubted plenary power to tax earnings, in whatever State they may be earned, to the person who actually produces them, there can be no question of constitutionality. Not only that, but I do not see how there can be any question as to the morality of this amendment, its fairness, and its justice. Let me give an illustration. Here is a Senator from a community-property State, whose total net taxable income consists alone of the salary paid him by the Federal Government, $10,000; here is another Senator from a non-community-property State, whose total net taxable income consists only of the $10,000 paid him by the Federal Government; yet the Senator who lives in the community-property State may split his income, because, under the law of the State, the wife has a vested right in the income, and he may escape with more than $300 saving as against the Senator who lives in the non-community-property State.

So the committee has recommended that earned income be taxed to the person who earns it, and that the income of property be taxed to the person who manages and controls it, provided always that there is excluded the income from the separate property of the husband or the wife and the income from property purchased out of the income of the separate property of husband or wife.

Mr. OVERTON. Mr. President, will the Senator yield, or did he ask not to be interrupted?

Mr. GEORGE. No; I did not ask not to be interrupted. I will be glad to yield if the Senator wishes me to do so. I was about to pass on to another point.

Mr. OVERTON. The marital partnership existing in the community-property-law States is an involuntary copartnership forced upon the husband and the wife, by law, by virtue of their marital relations?

Mr. GEORGE. That is by virtue of the law of the State.

Mr. OVERTON. Yes; by virtue of the law of the State. Whether they desire it or whether they do not desire it, it is compulsory that there should be a marital copartnership.

Mr. GEORGE. Yes; I understand that.

Mr. OVERTON. I was following the argument made by the able Senator from Georgia, and I was wondering whether the committee had taken into consideration whether the principle which he is now advocating should not also apply, and perhaps a fortiori, to voluntary partnerships which are entered into, so that the tax liability would be upon the managing head of any partnership.

Mr. GEORGE. Oh, no; because the law looks right through the partnership, and it taxes to each partner his proportion of the earnings of the partnership. In other words, this amendment does exactly what is done to a partnership in a non-community-property State or in a community-property State, as for that, where the partnership is not between husband and wife.

Mr. OVERTON. Is it not true that, under existing law, each member of the marital copartnership is taxed for his or her portion of the revenue of the copartnership?

Mr. GEORGE. Exactly.

Mr. OVERTON. And makes returns on it?

Mr. GEORGE. And that enables the two to reduce their tax liability.

Mr. OVERTON. I understand that. Under existing law revenue derived by a copartner out of the business of the copartnership is taxed against the copartner.

Mr. GEORGE. Exactly, because the partnership, as such, does not pay the tax.

Mr. OVERTON. I understand that. Under the bill as reported by the Senate Committee on Finance that principle would continue so far as voluntary partnerships are concerned, so far as partnerships generally are concerned.

Mr. GEORGE. Certainly.

Mr. OVERTON. What I am asking the Senator is why should not the argument and the reasoning which he has made in support of forcing a tax liability upon the managing head of the involuntary marital copartnership apply with equal, if not greater, force to imposing the same liability upon the managing head of a voluntary copartnership anywhere situated?

Mr. GEORGE. I will be glad to answer the Senator. This amendment applies the identical rule that is applied to partnerships. If one partner owns 99 percent of the interest in a partnership, and the firm makes a hundred dollars, he must return $99. The husband and wife, if they are both owners, under this amendment must return their income separately, but if the husband is the earner, and has earned the entire income, it must be taxable to him, that is the personal income. When it comes to the question of the community property in which it is said a partnership exists under the law of every community-property State, one spouse, at least under general rules and under ordinary circumstances, is given the management of that property, given the right to control it the right to use it, and the right to deal with it, practically as if it were his own. I do not believe anyone can say that such a partnership is comparable to a partnership in the ordinary sense where either partner can demand an accounting at any time and both are liable personally for the partnership debts. I am unable to find under the community-property system any liability against the separate property of the wife for the debts of the husband. This amendment is leveled only at the taxation of the income of the property by the Federal Government, and does not interfere with any of the property interests of the wife in the community property, even though it consists of salary or other earned income of the husband.

But the Senator asks, since there is an involuntary partnership which produces this result, then, why not let the husband and wife, as if they were not related at all, each make a return of the marital income—that is, make a separate return—as I understand the position which the Senator takes?

There are many answers to that question. While it is said that there is a complete partnership in the community-property States, those States whose laws I have had an opportunity to examine do not make the wife's separate property liable for the debts of the community-property estate, if I make myself clear. The wife's separate property cannot be held liable for a loss incurred by the husband in the management and in the conduct of the community property. Under an ordinary partnership, each partner can demand an accounting at any time. They are not, therefore, partners in the same sense in which the ordinary voluntary partnership exists. Furthermore, it is very difficult for a family partnership in a non-community-property State to be recognized as such for Federal-tax purposes unless the partners contribute either capital or services.

I will discuss this matter more fully at a little later time.

Mr. OVERTON. I had not really desired to interrupt the Senator in his presentation, but I simply wanted to know if the committee had considered broadening the principle he was advocating so as to extend it to partnerships generally?

Mr. GEORGE. No; the committee did not consider that, because there is not any occasion for it, as I have just tried to indicate. A word further, and then I will pass from the consideration of this particular amendment. It may be said, and will, undoubtedly, be said, that this is but the camel's nose under the tent, and that the next move will be what was attempted in the so-called compulsory joint-return provision of the House bill.

The joint return attempted to combine the separate incomes of husband and wife and measure the tax with reference to income over which the husband had no management or control. This amendment takes care of that situation, because it is provided in paragraph (b) that—

> Income derived from property of the marital community (except such property as constitutes either income derived from the separate property of either spouse or property acquired therewith) shall be considered as the income of the spouse who has the management and control thereof under the law of the jurisdiction in which the marital community exists.

The exception operates directly against the argument, born of fear, that hereafter, if this amendment be adopted, all married persons in this country, wherever they reside, will be forced to make joint returns, because it recognizes the separate property of the wife, whether she inherited it prior to marriage or subsequent to marriage, whether it came from her father or mother or from an aunt or an uncle, or whether she earned it, and moreover recognizes that she has the right to enjoy that income, and that she cannot be compelled to join in a return with the husband of that income.

Mr. ELLENDER. I would like to inquire from the Senator if the committee gave consideration to the fact that in Louisiana at the death of either spouse the community property belongs half to the surviving spouse and half to the surviving children, that at all times the property is really and actually owned by both in the proportion of one-half to each?

Mr. GEORGE. Yes; that matter was brought to our attention.

Mr. ELLENDER. As I understood the Senator, the theory upon which the committee imposed this additional burden on community-property States is that since the husband manages the community property, that fact in itself should be a sufficient reason to impose a tax upon it. On the theory that since the husband has control of it, manages it, and does as he pleases with it, he is the owner and therefore should bear all taxes thereon.

Now I desire to ask the Senator another question. Will he agree with me that in most States the husband manages the separate estate of the wife?

Mr. GEORGE. Oh, yes; but it is not a question of who manages it. It may be managed through any sort of an agent. The question is, who has the right of management; who has the right to control it; who has the right to deal with it very much as if it were his own?

Mr. ELLENDER. But, as I understand, because of the fact that the husband, let us say in Louisiana, manages the community property, although the wife owns half thereof, you want to impose a tax; but in common-law States, where the husband manages the separate estate of the wife, no tax is levied.

Mr. GEORGE. Oh, no; there is nothing immoral in this thing. Just as surely

as we stand on the floor of the Senate, all the moralities, in my judgment, are in favor of the tax we have recommended.

In the common-law States the husband may manage the wife's property, but he is merely acting as her agent under a voluntary arrangement.

Mr. ELLENDER. I understand that. The authority in both cases is about the same.

Mr. GEORGE. She could get anyone else to manage it; and that, of course, would not make her separate property taxable to the husband nor the income of it taxable to the husband.

We gave consideration to that subject. I will get back to it after awhile when we reach that amendment.

Mr. ELLENDER. A while ago the Senator stated, as I understood him, that the fact that the husband has the management of the community estate of itself gives the right to tax it as a whole.

Mr. GEORGE. Oh, no; to the spouse who has the management and control of the property; but the fact must always be kept in mind that by virtue of the law of the State the right of management and the right of control is involved, and not the mere physical management or control of the property. In the common-law States nothing is involved but physical control or physical management, which, of course, any owner may exercise through any agent of his own choosing or selection. For example, in *Matern* v. *Com.* (61 Fed. (2d) 663), the circuit court held that where title to property was in the wife, but she permitted her husband to manage it because of her inexperience, the income from the property was properly taxable to the wife. She was not deprived of the enjoyment of the income, because she could select any agent of her own choosing to manage it and require the fruits to be turned over to her.

Mr. ELLENDER. In all the common-law States, though, the husband manages the wife's estate to the same extent, I dare say, as the husband manages the wife's share in a community-property State.

Mr. GEORGE. I would not doubt it for a moment. I am sure the Senator is right.

Mr. ELLENDER. Why not make the taxes the same, then?

Mr. GEORGE. The taxes are the same.

Mr. ELLENDER. They are not.

Mr. GEORGE. Oh, yes; they are. That is what we are trying to do right now. In the common-law States the wife is taxable upon her property, and the husband is taxable upon his property; and the wife cannot build up an estate out of the wages and salaries and income of the husband and call it community property and thereby enable her to split that income in two and take a part of it to reduce the total tax.

Mr. ELLENDER. The only reason why they split it in two is because the law recognizes it as property belonging to husband and wife.

Mr. GEORGE. I understand. I am not quarreling with the law of Louisiana or Texas or any other State. I recognize the right of the State to make its own laws.

Mr. ELLENDER. I do not see how the Senator can take the position, then, that he is treating all the States alike.

Mr. GEORGE. Exactly alike. That is what we are aiming to do.

Mr. ELLENDER. I do not desire to question the Senator further, but I propose to discuss the matter fully in my own time.

Mr. GEORGE. Another important provision of the bill is one relating to payments for alimony and separate maintenance. Without any lengthy discussion of it at this time, I will state that under the existing law periodic payments of alimony or for separate maintenance are not deductible from the gross income of the spouse making such payments and are not taxable to the spouse receiving them. Thus, for example, a husband is taxed upon his entire income even though a considerable amount thereof may be going periodically to his spouse or to his former spouse under a court decree or under a written instrument incident to a divorce or separation. This situation has resulted in substantial hardship in certain cases. The committee bill therefore provides that periodic payments of alimony or for separate maintenance—and I think we must bear in mind the exact provision; that is, for alimony or separate maintenance—shall, in taxable years beginning after December 31, 1941, be includible in the gross income of the recipient and shall be deductible from the gross income of the payor. Likewise, in the case of trusts for the payment of alimony or separate maintenance, the bill provides that the trust income shall be taxed to the beneficiary, rather than to the grantor.

Another important amendment made in the bill to which I direct attention without going into it in detail is that the surtax on corporate income, which was fixed by the House at 5 percent on incomes of $25,000 or less and 6 percent on incomes of more than $25,000, has been changed by the Senate committee so that the surtax is placed at 6 percent on the first $25,000 of corporate income and 7 percent on the balance.

The committee made another change in the bill which the Senate will observe running throughout the bill wherever applicable—that is, the committee integrated the 10-percent defense tax which was imposed in the Revenue Act of 1940 on personal incomes and on corporate incomes, and other taxes into the rate itself.

Another important change in the House bill was made by the committee in eliminating the so-called special 10-percent excess-profits tax on corporations using the invested capital credit system. We had great sympathy with the stated objectives and purposes of the Treasury, but we thought that for sound taxation purposes this special 10-percent excess-profits tax could not be justified. So, in its report to the Senate, the committee asks for the elimination of this special 10-percent excess-profits tax. That, of course, does affect the revenue to some extent—approximately somewhere in the neighborhood of $50,000,000, I believe—and it accounts in part for the fact that the Senate committee raised the surtax rate on normal or corporate income to 6 and 7 percent—1 percent above the House rate.

There is another matter of importance in the bill—the capital-stock tax. The capital-stock tax was raised by the House from $1.10 to $1.25 per thousand. The Senate committee report gives to the corporations the advantage of an annual declaration of value. Corporations are under existing law required to declare a value for capital-stock-tax purposes every third year, and the value thus fixed runs through the two succeeding years until the third year comes around again. In view of the extreme difficulty of foretelling or foreknowing with any degree of accuracy how a corporation will fare under existing conditions, it was thought wise by the committee to permit an annual declaration of value.

The committee also extended by 30 days the period in which the annual declaration is to be made, but this is for the current year only.

There are a great many excise taxes in the bill. It will be seen at a glance, as the separate sections are considered, that some of the excise taxes in existing law have had their rates increased or their exemptions allowed. In a number of other cases a new excise tax has been imposed, and in three instances—in the case of furs, jewelry, and cosmetics—the tax has been applied to the retail sales of those particular articles. In this respect we did not change the provisions of the House bill.

The Senate committee has eliminated certain miscellaneous taxes and excise taxes imposed by the House in the tax bill now before us. The committee eliminated the soft-drink tax, because it was believed that the House tax unduly penalized the small bottlers. We also eliminated the so-called billboard tax, or the tax on outdoor advertising, and the tax on radio broadcasting. Those taxes were entirely eliminated.

The Senate committee added only one new excise tax. This was a manufacturer's excise tax of 10 percent on the sale of electric-light bulbs. The committee did, however, increase some existing rates which should be called to the attention of the Senate at this time, and with this I shall be through.

The committee increased the admission-tax rate by approximately 50 percent, as I interpret the tax. The committee likewise increased the tax on local telephone bills from 5 to 10 percent, and made other changes in the telegraph, telephone, and radio taxes.

The committee relieved certain articles relatively small in point of value of one or more of the excise taxes imposed by the House.

Finally, the Senate committee increased the wine tax from 8 cents on wines containing not more than 14 percent of alcohol by volume to 10 cents per gallon. Then, on wines containing not more than 21 percent of alcohol by volume, the tax was raised to 35 cents per gallon. The House rates were 8 percent in the first classification and 24 percent in the second classification. In a third classification the House rate was 50 cents per wine-gallon on all wines

containing 21 percent and up to 24 percent of alcohol by volume. The Senate committee increased that rate to 65 cents and made an increase on champagnes and some other types described in the excise-tax provision.

The committee also increased the House rate on brandy by taxing it at the full rate applicable to other distilled spirits, that is to say, $4 per gallon.

Mr. President, I believe the statement I have made covers, in brief, the substantial questions involved and the material changes made by the Senate committee. Of course, there are a great many minor changes, which require no more explanation than a mere reading of them when they are reached.

Perhaps I should suggest the absence of a quorum before we proceed with the amendments.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Davis	Nye
Aiken	Downey	O'Daniel
Andrews	Eastland	O'Mahoney
Austin	Ellender	Overton
Bailey	George	Peace
Bankhead	Gerry	Radcliffe
Barbour	Gillette	Rosier
Barkley	Green	Russell
Bilbo	Guffey	Schwartz
Brewster	Hatch	Smathers
Bridges	Hayden	Smith
Brooks	Herring	Spencer
Bulow	Hill	Taft
Bunker	Holman	Thomas, Idaho
Burton	Johnson, Colo.	Thomas, Utah
Butler	Kilgore	Tobey
Byrd	La Follette	Tunnell
Capper	Langer	Tydings
Caraway	Lee	Vandenberg
Clark, Idaho	McCarran	Van Nuys
Clark, Mo.	McFarland	Walsh
Connally	McNary	Wiley
Danaher	Maloney	

The PRESIDING OFFICER (Mr. McFARLAND in the chair). Sixty-eight Senators have answered to their names. A quorum is present.

The clerk will state the first committee amendment.

The first amendment of the Committee on Finance was, under the heading "Title I—Individual and Corporation Income Taxes," on page 4, after line 9, to strike out:

If the surtax net income is—	The surtax shall be—
Not over $2,000	5% of the surtax net income.
Over $2,000 but not over $4,000.	$100, plus 8% of excess over $2,000.
Over $4,000 but not over $6,000.	$260, plus 11% of excess over $4,000.
Over $6,000 but not over $8,000.	$480, plus 15% of excess over $6,000.
Over $8,000 but not over $10,000.	$760, plus 19% of excess over $8,000.
Over $10,000 but not over $12,000.	$1,160, plus 22% of excess over $10,000.
Over $12,000 but not over $14,000.	$1,600, plus 25% of excess over $12,000.
Over $14,000 but not over $16,000.	$2,100, plus 28% of excess over $14,000.
Over $16,000 but not over $18,000.	$2,660, plus 31% of excess over $16,000.
Over $18,000 but not over $20,000.	$3,280, plus 33% of excess over $18,000.
Over $20,000 but not over $22,000.	$3,940, plus 36% of excess over $20,000.
Over $22,000 but not over $26,000.	$4,660, plus 39% of excess over $22,000.
Over $26,000 but not over $32,000.	$6,220, plus 42% of excess over $26,000.
Over $32,000 but not over $38,000.	$8,740, plus 45% of excess over $32,000.
Over $38,000 but not over $44,000.	$11,440, plus 48% of excess over $38,000.
Over $44,000 but not over $50,000.	$14,320, plus 50% of excess over $44,000.
Over $50,000 but not over $60,000.	$17,320, plus 53% of excess over $50,000.
Over $60,000 but not over $70,000.	$22,620, plus 55% of excess over $60,000.
Over $70,000 but not over $80,000.	$28,120, plus 57% of excess over $70,000.
Over $80,000 but not over $90,000.	$33,820, plus 59% of excess over $80,000.
Over $90,000 but not over $100,000.	$39,720, plus 61% of excess over $90,000.
Over $100,000 but not over $150,000.	$45,820, plus 62% of excess over $100,000.
Over $150,000 but not over $200,000.	$76,820, plus 63% of excess over $150,000.
Over $200,000 but not over $250,000.	$108,320, plus 64% of excess over $200,000.
Over $250,000 but not over $300,000.	$140,320, plus 66% of excess over $250,000.
Over $300,000 but not over $400,000.	$173,320, plus 68% of excess over $300,000.
Over $400,000 but not over $500,000.	$241,320, plus 70% of excess over $400,000.
Over $500,000 but not over $750,000.	$311,320, plus 71% of excess over $500,000.
Over $750,000 but not over $1,000,000.	$488,820, plus 72% of excess over $750,000.
Over $1,000,000 but not over $2,000,000.	$668,820, plus 73% of excess over $1,000,000.
Over $2,000,000 but not over $5,000,000.	$1,398,820, plus 74% of excess over $2,000,000.
Over $5,000,000	$3,618,820, plus 75% of excess over $5,000,000.

And insert:

If the surtax net income is—	The surtax shall be—
Not over $2,000	6% of the surtax net income.
Over $2,000 but not over $4,000.	$120, plus 9% of excess over $2,000.
Over $4,000 but not over $6,000.	$300, plus 13% of excess over $4,000.
Over $6,000 but not over $8,000.	$560, plus 17% of excess over $6,000.
Over $8,000 but not over $10,000.	$900, plus 21% of excess over $8,000.
Over $10,000 but not over $12,000.	$1,320, plus 25% of excess over $10,000.
Over $12,000 but not over $14,000.	$1,820, plus 29% of excess over $12,000.
Over $14,000 but not over $16,000.	$2,400, plus 32% of excess over $14,000.
Over $16,000 but not over $18,000.	$3,040, plus 35% of excess over $16,000.
Over $18,000 but not over $20,000.	$3,740, plus 38% of excess over $18,000.
Over $20,000 but not over $22,000.	$4,500, plus 41% of excess over $20,000.
Over $22,000 but not over $26,000.	$5,320, plus 44% of excess over $22,000.
Over $26,000 but not over $32,000.	$7,080, plus 47% of excess over $26,000.
Over $32,000 but not over $38,000.	$9,900, plus 50% of excess over $32,000.
Over $38,000 but not over $44,000.	$12,900, plus 53% of excess over $38,000.
Over $44,000 but not over $50,000.	$16,080, plus 55% of excess over $44,000.
Over $50,000 but not over $60,000.	$19,380, plus 57% of excess over $50,000.
Over $60,000 but not over $70,000.	$25,080, plus 59% of excess over $60,000.
Over $70,000 but not over $80,000.	$30,980, plus 61% of excess over $70,000.
Over $80,000 but not over $90,000.	$37,080, plus 63% of excess over $80,000.
Over $90,000 but not over $100,000.	$43,380, plus 64% of excess over $90,000.
Over $100,000 but not over $150,000.	$49,780, plus 65% of excess over $100,000.
Over $150,000 but not over $200,000.	$82,280, plus 66% of excess over $150,000.
Over $200,000 but not over $250,000.	$115,280, plus 67% of excess over $200,000.
Over $250,000 but not over $300,000.	$148,780, plus 69% of excess over $250,000.
Over $300,000 but not over $400,000.	$183,280, plus 71% of excess over $300,000.
Over $400,000 but not over $500,000.	$254,280, plus 72% of excess over $400,000.
Over $500,000 but not over $750,000.	$326,280, plus 73% of excess over $500,000.
Over $750,000 but not over $1,000,000.	$508,780, plus 74% of excess over $750,000.
Over $1,000,000 but not over $2,000,000.	$693,780, plus 75% of excess over $1,000,000.
Over $2,000,000 but not over $5,000,000.	$1,443,780, plus 76% of excess over $2,000,000.
Over $5,000,000	$3,723,780, plus 77% of excess over $5,000,000.

Mr. McNARY. Mr. President, the statement was made today by the able Senator in charge of the bill, that all controversial amendments would go over. I think that amendment falls in the controversial amendment classification, and I ask that it go over.

Mr. GEORGE. Mr. President, does the Senator from Oregon desire that the first amendment go over?

Mr. McNARY. Yes; that is an amendment dealing with the surtax.

Mr. GEORGE. On the individual income taxes?

Mr. McNARY. I think so.

Mr. LA FOLLETTE. Mr. President, perhaps the Senator from Georgia might make a brief statement concerning the amendment. This is the amendment which simply absorbs the 10-percent defense tax into the existing surtax rates.

Mr. McNARY. Mr. President, I assumed that that particular amendment was a controversial matter. If it is solely apart from the excess-profits tax, and the normal tax, and other individual taxes, including those that are affected by lowering the income brackets, I would have no objection to consideration of the amendment at this time.

Mr. GEORGE. I think it is true that it only changes the surtax rate to absorb the 10-percent tax known as the defense tax.

Mr. McNARY. Mr. President, under that statement I have no objection to the present consideration of the amendment.

The PRESIDING OFFICER. The question is on agreeing to the first committee amendment.

The amendment was agreed to.

Mr. GEORGE. Mr. President, the next committee amendment, on page 6, I take it is not controversial. It is only an optional provision, and I take it that it is not at all controversial. It simply relates to the optional short form for computing the income tax of the small taxpayer.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, on page 6, after the table, to insert the following section:

SEC. 102. Optional tax on individuals with certain gross income of $3,000 or less.

(a) Optional tax: The Internal Revenue Code is amended by inserting after section 396 the following new supplement:

"Supplement T—Individuals with gross income from certain sources of $3,000 or less

"SEC. 400. Imposition of tax.

"In lieu of the tax imposed under sections 11 and 12, an individual may elect, for each taxable year, to pay the tax shown in the following table if his gross income for such taxable year is $3,000 or less and consists wholly of one or more of the following: Salary, wages, compensation for personal services, dividends, interest, rent, annuities, or royalties:

If the gross income is over—	But not over—	The tax shall be—	
		Single person (not head of a family)	Head of family or married person
$1	$750	$0	$0
$750	775	1	0

If the gross income is over—	But not over—	The tax shall be— Single person (not head of a family)	Head of family or married person
$775	$800	$2	$0
$800	825	3	0
$825	850	5	0
$850	875	7	0
$875	900	9	0
$900	925	11	0
$925	950	14	0
$950	975	16	0
$975	1,000	18	0
$1,000	1,025	20	0
$1,025	1,050	22	0
$1,050	1,075	24	0
$1,075	1,100	26	0
$1,100	1,125	29	0
$1,125	1,150	31	0
$1,150	1,175	33	0
$1,175	1,200	35	0
$1,200	1,225	37	0
$1,225	1,250	39	0
$1,250	1,275	42	0
$1,275	1,300	44	0
$1,300	1,325	46	0
$1,325	1,350	48	0
$1,350	1,375	50	0
$1,375	1,400	52	0
$1,400	1,425	55	0
$1,425	1,450	57	0
$1,450	1,475	59	0
$1,475	1,500	61	0
$1,500	1,525	63	1
$1,525	1,550	65	2
$1,550	1,575	68	3
$1,575	1,600	70	5
$1,600	1,625	72	6
$1,625	1,650	74	7
$1,650	1,675	76	9
$1,675	1,700	78	11
$1,700	1,725	80	13
$1,725	1,750	83	15
$1,750	1,775	85	17
$1,775	1,800	87	19
$1,800	1,825	89	22
$1,825	1,850	91	24
$1,850	1,875	93	26
$1,875	1,900	96	28
$1,900	1,925	98	30
$1,925	1,950	100	32
$1,950	1,975	102	35
$1,975	2,000	104	37
$2,000	2,025	106	39
$2,025	2,050	109	41
$2,050	2,075	111	43
$2,075	2,100	113	45
$2,100	2,125	115	48
$2,125	2,150	117	50
$2,150	2,175	119	52
$2,175	2,200	122	54
$2,200	2,225	124	56
$2,225	2,250	126	58
$2,250	2,275	128	60
$2,275	2,300	130	63
$2,300	2,325	132	65
$2,325	2,350	134	67
$2,350	2,375	137	69
$2,375	2,400	139	71
$2,400	2,425	141	73
$2,425	2,450	143	76
$2,450	2,475	145	78
$2,475	2,500	147	80
$2,500	2,525	150	82
$2,525	2,550	152	84
$2,550	2,575	154	86
$2,575	2,600	156	89
$2,600	2,625	158	91
$2,625	2,650	160	93
$2,650	2,675	163	95
$2,675	2,700	165	97
$2,700	2,725	167	99
$2,725	2,750	169	102
$2,750	2,775	172	104
$2,775	2,800	174	106
$2,800	2,825	177	108
$2,825	2,850	180	110
$2,850	2,875	183	112
$2,875	2,900	186	114
$2,900	2,925	189	117
$2,925	2,950	191	119
$2,950	2,975	194	121
$2,975	3,000	197	123

In applying the above schedule to determine the tax of a taxpayer with one or more dependents there shall be subtracted from his gross income $400 for each such dependent.

"SEC. 401. Rules for application of section 400.

"For the purposes of this supplement—

"(a) Definitions—

"(1) 'Married person' means a married person living with husband or wife.

"(2) 'Dependent' means a person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer if such dependent person is under 18 years of age or is incapable of self-support because mentally or physically defective, excluding as a dependent, in the case of a head of a family, one who would be excluded under section 25 (b) (2) (B).

"(b) Determination of status: The determination of whether a person is living with husband or wife, is a head of a family, or is a dependent, shall be made as of the last day of the taxpayer's taxable year.

"(c) Separate return of husband and wife: If a husband and wife living together file separate returns, each shall be treated as a single person.

"(d) Married persons not living with husband or wife: A married person not a head of a family and not living with husband or wife shall be treated as a single person.

"SEC. 402. Manner of election.

"The election referred to in section 400 shall be considered to have been made if the taxpayer files the return prescribed for this supplement, and such election shall be irrevocable. If the taxpayer for any taxable year has filed a return computing his tax without regard to this supplement, he may not thereafter elect for such year to compute his tax under this supplement.

"SEC. 403. Credits against tax not allowed.

"Section 31 (relating to foreign tax credit) and section 32 (relating to credit for taxes withheld at source) shall not apply with respect to the tax imposed by this supplement.

"SEC. 404. Certain taxpayers not eligible.

"This Supplement shall not apply to a nonresident alien individual or an estate or trust."

(b) Cross-references.—

(1) Section 11 of the Internal Revenue Code is amended by inserting at the end thereof the following: ("For alternative tax if gross income from certain sources is $3,000 or less, see section 400)".

(2) Section 12 of the Internal Revenue Code is amended by inserting at the end thereof the following:

"(g) For alternative tax if gross income from certain sources is $3,000 or less, see section 400."

(c) Amendment to section 4: Section 4 of the Internal Revenue Code is amended by inserting at the end thereof the following:

"(k) Shareholders of Personal Service Corporations—Supplement S.

"(l) Individuals with gross income from certain sources of $3,000 or less—Supplement T."

Mr. GEORGE. The language thus far read, Mr. President, applies to this short-form return.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The next amendment was, on page 11, after line 16, to insert:

SEC. 103. Corporation defense-tax rates incorporated in rate schedules.

(a) Tax on corporations in general: Section 13 (b) (1) and (2) of the Internal Revenue Code are amended to read as follows:

"(1) General rule: A tax of 24 percent of the normal-tax net income; or

"(2) Alternative tax (corporations with normal-tax net income slightly more than $25,000): A tax of $4,250, plus 37 percent of the amount of the normal-tax net income in excess of $25,000."

(b) Tax on special classes of corporations: Section 14 (b) of the Internal Revenue Code is amended to read as follows:

"(b) Corporations with normal-tax net incomes of not more than $25,000: If the normal-tax net income of the corporation is not more than $25,000, and if the corporation does not come within one of the classes specified in subsection (c), (d), or (e) of this section, the tax shall be as follows:

"Upon normal-tax net incomes not in excess of $5,000, 15 percent.

"$750 upon normal-tax net incomes of $5,000, and upon normal-tax net incomes in excess of $5,000 and not in excess of $20,000, 17 percent in addition of such excess.

"$3,300 upon normal-tax net incomes of $20,000, and upon normal-tax net incomes in excess of $20,000, 19 percent in addition of such excess."

(c) Foreign corporations: Section 14 (c) of the Internal Revenue Code (relating to tax on resident foreign corporations) is amended by striking out "22½ percent" and inserting "24 percent."

(d) Surtax on corporations improperly accumulating surplus: The rate schedule of section 102 of the Internal Revenue Code is amended to read as follows:

"27½ percent of the amount of the undistributed section 102 net inome not in excess of $100,000, plus

"38½ percent of the undistributed section 102 net income in excess of $100,000."

(e) Mutual investment companies: Section 362 (b) of the Internal Revenue Code (relating to tax on mutual investment companies) is amended by striking out "22½ percent" and inserting "24 percent."

Mr. McNARY. Mr. President, I suggest that the able Senator in charge of the bill explain the amendments as we go along. The report and the bill have only just been printed.

Mr. GEORGE. Mr. President, I shall be glad to do so. When any real question is raised by any Senator, he will have the opportunity to examine the amendment.

All this section does is to integrate the defense tax of 10 percent, which was imposed for a period of 5 years under the Revenue Act of 1940. The rate was simply merged or integrated with the normal rate on corporations. There is no change in the tax liability, except perhaps some infinitesimal changes which were made necessary in order to carry out the policy with even numbers rather than fractions. Subsection (a) of section 103 is simply an integration of two existing taxes.

It will be remembered that we favor the small corporations in our income-tax scheme by graduating the tax on corporate incomes up to $25,000 at lower rates. There is a step-up. On account of the so-called notch there is a slight readjustment above that amount. This amendment does not change existing law. It merely integrates or combines the 10-percent defense tax with the existing tax, except for fractional differences, which I have already undertaken to explain. I hope the amendment may be agreed to.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. LANGER. As a member of the Judiciary Committee I have been busy all morning in connection with the consideration of the nomination of Mr. Biddle to be Attorney General. When I came into the Chamber I found on my desk a book of 123 pages. I understand it has just been printed. This is the first

time I have seen a copy of the bill. Frankly, I cannot vote intelligently on any of these amendments because I do not know what I am voting on. I believe we ought to be allowed time enough to read the bill. I should like to be well enough informed so that when I go among the people and talk to farmers or businessmen I shall be able to explain what I voted on. Frankly, I am at a loss to know.

Mr. GEORGE. Mr. President, let me say to the Senator that I myself asked that the committee amendments be first considered, and that any committee amendments which were at all controversial be passed over. So if the Senator would like to have any amendment go over for study, amendment, or objection, I shall be pleased to have it go over.

Mr. LANGER. Mr. President, will the Senator yield for a question?

Mr. GEORGE. I yield.

Mr. LANGER. In the morning newspapers I noticed an item to the effect that the distinguished Senator from Georgia gave an interview in which he stated that the bill would be passed tomorrow, if not by tonight. I should like to know if that statement is correct.

Mr. GEORGE. No. I do not know that it has anything to do with the merits of the tax bill. It is not true. I have expressed the hope that the bill may be passed sometime before the end of the week.

Mr. LANGER. Then we shall have time enough to look it over.

Mr. GEORGE. Certainly. On that point, I should like to say that every day the bill is in the Congress the Treasury is losing—that is to say, is failing to collect—between two and a half and three million dollars. For that reason I rather earnestly hope that we may conclude the consideration of the bill sometime during the week. However, there is no purpose on the part of the chairman of the committee to rush through any amendment which is known to be controversial or concerning which any Senator raises a question.

Mr. LANGER. I do not intend to delay consideration of the bill. I merely wish to know what I am voting on.

Mr. GEORGE. I thank the Senator very much.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 11, after line 16.

The amendment was agreed to.

COMMUNITY-PROPERTY TAX

Mr. McCARRAN. Mr. President, on page 32 of the bill is an item in which many of us are interested, section 119, pertaining to a new section to be entitled "Section 29." Many of us are compelled to be present this afternoon at a meeting of the Judiciary Committee.

Mr. GEORGE. Is the Senator referring to the community-property section?

Mr. McCARRAN. Yes. I wonder if it will be agreeable to the Senator to have that matter go over until sometime tomorrow?

Mr. GEORGE. It will not be pressed this afternoon. It will go over until tomorrow.

Mr. McCARRAN. I thank the Senator.

Mr. OVERTON. Mr. President, will the Senator yield so that I may make a request for unanimous consent?

Mr. GEORGE. I yield.

Mr. OVERTON. I ask unanimous consent to have printed at this point in the body of the RECORD a memorandum brief prepared by Hon. Charles E. Dunbar, Jr., a leading member of the Louisiana bar, in opposition to the community income amendment proposed by the Senate committee. This brief is an exceptionally able one. It does not deal with the constitutional questions involved, but with the practical application of the community income amendment to community-property-law States, and institutes a comparison between the income taxes that have to be paid in the community-property States and the taxes that would be paid in what are known as common-law States.

With this request I submit a statement from the Public Printer showing what will be the cost of printing the brief in the RECORD. It is estimated to make five and one-half pages of the CONGRESSIONAL RECORD, at a cost of $247.50.

The PRESIDING OFFICER. Without objection, the brief will be printed at this point in the RECORD.

The memorandum brief referred to is as follows:

MEMORANDUM BRIEF

(a) Explanation of substantial character of wife's ownership of half of the community partnership income and property in Louisiana.

(b) Summary of the practical and substantial differences between the community property or marital partnership law and the common law.

(c) Illustrations of the practical and serious burdens on husbands in relation to their property rights in community-property States, as distinguished from common-law States, which entitle such community-property States to the benefit of separate returns for income-tax purposes.

(d) Discrimination and unfairness to community-property States resulting from the attempt by the Government to ignore local State laws regulating and fixing ownership and property rights by the passage of the proposed Senate amendment.

FOREWORD

Following an earlier opinion applicable to Texas rendered in 1920, the Attorney General of the United States, on February 26, 1921, rendered an opinion which was promulgated by the Commissioner of Internal Revenue as Treasury Decision 3135 on March 3, 1921, based on exhaustive study of the laws of all the community-property States. In these opinions the Treasury Department announced that in Louisiana, Texas, Arizona, New Mexico, Idaho, Nevada, and Washington, all of which are community-property States, the wife, as a partner in community, was the vested and real owner of one-half of all of the community property and income of the community partnership, and that all community-partnership income, for the reason that it belonged equally to husband and wife, might be returned separately for income-tax purposes. (California was excepted from the ruling in 1921. Subsequent changes in the community-property law of California have resulted in the Government recognizing the same right of husbands and wives in California since 1930.)

In 1921, 1924, and 1934 attempts were made in Congress to amend the Revenue Act, which amendments were designed to compel the husband in community-partnership States to include in his individual income-tax return the half of the community income which belonged to his wife under the local State law. These amendments were substantially similar to the Finance Committee amendment, which is now pending in Congress. Arguments were made and briefs were filed in behalf of the community-partnership States in 1921, 1924, and 1934 showing that the proposed amendments were grossly discriminatory and unjust, and, as a result, the amendments were rejected by Congress (appendix 1). When the sponsors of the legislation in 1921 and again in 1924 failed to persuade Congress to ignore the laws of the community-partnership States and to compel by legislative fiat the husband to pay taxes on his wife's half of the community-partnership income, efforts were then made to change the rulings of the Treasury Department and of the Attorney General which had been in effect for many years. Following the decision of the Supreme Court in *U. S. v. Robbins* (269 U. S. 315), dealing with the law of California, the Treasury Department finally decided to institute test suits in some of the other community-partnership States, so that the Supreme Court of the United States might decide the matter. The Supreme Court of the United States in 1930 unanimously decided that the prior rulings of the Attorney General and Treasury Department were correct, and that accordingly in the States of Louisiana, Washington, Texas, New Mexico, and California the wife had a legal and real ownership in half of the community-partnership property and community-partnership income, and the right of husbands and wives in community-property States to make separate returns of the community income was again recognized (appendix 2). The Treasury Department accepted the decisions of the United States Supreme Court dealing with the local laws of Louisiana, Texas, Washington, Arizona, and California as applicable to the remaining community-property States of New Mexico, Idaho, and Nevada without the necessity of further test cases. Another attempt (the fourth) is now being made by legislative act to take away from husbands and wives in community-partnership States the rights, which, after a careful study of the local laws, have been recognized by three Attorneys General, the Treasury Department, and the Supreme Court of the United States (appendix 3). The pending Finance Committee amendment, which has been introduced for this purpose, reads as follows:

"For the purpose of determining the income-tax taxability of any individual for any taxable year beginning after December 31, 1940:

"(a) Income earned by each spouse (whether or not treated as community property under the State law) shall be deemed the income of the earner thereof.

"(b) Income derived from property of the marital community (except such property as constitutes either income derived from the separate property of either spouse or property acquired therewith) shall be considered as the income of the spouse who has the management and control thereof under the law of the jurisdiction in which the marital community exists.

"(c) In case the spouses elect to file separate returns, the spouse required under this section to treat such income as his individual income shall alone be entitled to the deductions and credits allowed under the internal-revenue laws which are properly allocable to such income."

The purpose of the above-quoted amendment, which is now pending, is to ignore and nullify the effect of the local community partnership laws of Louisiana, Washington, Texas, California, New Mexico, Arizona, Idaho, and Nevada and force the husband in these States to include in his individual tax return property and income, which, under the law of his State, does not belong to him but which belongs to his wife. The present proposed

legislation is not only grossly discriminatory and unfair to the community property States but it violates the Constitution of the United States.

The sixteenth amendment to the Constitution permits Congress to tax a person's income. The Federal Government under this amendment has adopted on the whole a policy of taxing the real or equitable owner of income as determined by local State law. If ownership as created by the local statutes of the various States is not recognized by Congress and is to be disregarded by Congress endless complications, hardships, and gross injustice and discrimination will result and uniformity in matters of Federal taxation will be destroyed.

To the average layman and lawyer unfamiliar with the community-property or marital-partnership law there is a general impression that the only difference between the laws of community-property States and common-law States is a difference of theory, and that the community-property law is only a fiction which gives community-property States benefits in relation to income-tax returns at the expense of common-law States that have a different system of law.

It is respectfully submitted that such an impression is erroneous and contrary to the law and facts as announced by three Attorneys General, the Treasury Department, and the Supreme Court of the United States (appendix 4).

The purpose of this memorandum is to explain simply and briefly, with as little use of technical language and the citation of authorities as possible, the general principles of the community law and by practical illustrations to demonstrate that the community-partnership law is not only theoretically different from the common law but as a practical and substantial fact creates a marital partnership in which the wife is the real and substantial owner of one-half of the community property and income with resulting burdens and practical limitations on the property rights of husbands, unknown to the common law, which entitle such husbands in community-property States to the corresponding rights that they now have in the way of separate income-tax returns.

Brief explanation of the effect of the community-partnership law

The most important effect of the law of Louisiana and other community-property States is to create a partnership between the husband and wife, and, as a result, one-half of the income and property acquired during marriage by this partnership immediately vests in the wife and the other half in the husband. The community system of law as it exists in Louisiana and other States is more analogous as a matter of legal principle and substantial fact to a partnership than any other common-law legal status. The right of the husband to administer and manage the community-partnership property that is acquired after marriage as a result of the joint or individual efforts of the two spouses is in substance analogous to that of a managing partner at common law or a trustee at common law with very broad power of administration (appendix 5). Under the community or partnership theory, the husband and wife, with certain exceptions, become absolute and equal owners of all property and income acquired by them during the marriage share and share alike (appendix 6). The courts of the various States have repeatedly held that there is no distinction to be made between husband and wife as to the degree, quantity, nature, or extent of the interest each has in the community property (appendix 7). The husband, as managing partner or trustee, or as he is called in some of the community States, the master of the community, is given the administration of the community property by law, and this right to administer is terminated by divorce, or by his death or the death of his wife. This right of administration may also be terminated without the necessity of a divorce, by a separation of the community property and a liquidation of the partnership, which may be claimed and obtained by the wife on the ground that the husband is a gambler, or if he is guilty of mismanagement or otherwise incompetent or incapable of properly administering the community-partnership property.

The pending amendment proposes, although the husband is admittedly not the owner, to tax him on his wife's half of the community-partnership property, because he is the manager and administrator of the community partnership under the local State law. It is probably unnecessary to state that in common-law States, a managing partner of a partnership is not required by the Federal revenue act to include in his individual income-tax return the share of the partnership income belonging to his other partner or partners. The proposed bill, however, would require the husband, who is analogous to a managing partner at common law, to include in his individual income-tax return not only his share of the community-partnership income but the share which belongs to his wife as a partner in the community partnership. In short, it is proposed that for taxation purposes the community partnership in eight States is to be treated differently from ordinary partnerships in every State of the Union.

Practical illustrations of the wife's one-half ownership of the community-partnership property and income and the substantial restrictions and limitations placed on the husband's administration of the community-partnership property

(a) The husband in Louisiana, in addition to being restricted by law as to gifts of community-partnership property (appendix 8), is expressly denied, by statute, the right to dispose of or deal with the community-partnership property or income in fraud of his wife's property rights in half of the community-partnership property and community income. The liberal equitable power of our courts in relation to fraud are an ever-present potential protection to the wife against an unfaithful or dishonest husband, who deals with the community-partnership property in violation of his trust or fiduciary obligation as master and managing partner of the community (appendix 9). The husband is merely the managing partner of the marital partnership, with full discretion and power of administration, but, as an agent and fiduciary, he must act in good faith in the handling of the wife's interest in the community partnership. If the husband wastes the community-partnership property in dissipation and debauchery for his own pleasure, it has been held in several community-property States which have no express statute on the subject similar to the Louisiana statute that such conduct on his part is a disposition of the community property in fraud of his wife's rights. The husband, in common-law States, since he is the owner of all property acquired by him during marriage, can give it away to anyone he pleases and whenever he sees fit. Moreover, he can use it for gambling, waste it in dissipation, or dispose of it in any other way he chooses, and it is no fraud against the wife, and the wife has no right to complain, because in common-law States the husband is the exclusive owner of all of the property, and the wife has no interest in it (appendix 10).

(b) Unlike the common law, and because of the community-partnership law, if the husband in Louisiana, even in the absence of fraud on his part, is wasteful, reckless, incapable, or incompetent, or if he is a careless administrator and is mismanaging the community-partnership property, or if his affairs are in such disorder as to jeopardize the wife's property rights, or, a fortiori, if he is fraudulently disposing of community property, the wife can immediately demand and obtain a separation of property, which carries with it the dissolution and liquidation of the community partnership. The wife, under such circumstances, receives immediate possession and control of her half of the community property existing at the date of the separation of property, and takes over the immediate control and administration of her half of the community property and removes the husband thereafter as managing partner of the community property. Each spouse thereafter manages his or her property, and all property thereafter acquired belongs, as separate property, to the spouse acquiring it. When the wife sues for separation of property, she may, as a matter of protection, immediately obtain an injunction restraining the husband from further activity as manager of the community property (appendix 11). This right of the wife in Louisiana is similar to the right of a partner in an ordinary commercial partnership to provoke a liquidation or dissolution of the partnership in case of mismanagement or fraud. Furthermore, this right of the wife in Louisiana has nothing to do with and is distinct from her right to a divorce, and can be asserted by her while she and her husband are living together as man and wife. This right of the wife to force a dissolution and liquidation of the community, in case the husband is incompetent or guilty of mismanagement, or fraud, or if his affairs are in disorder, is a serious limitation and check on the husband's authority as manager of the marital partnership, and is a substantial safeguard established for the benefit and protection of her property right. This very practical remedy given by the Louisiana law to the wife is consistent only with the theory that the husband is only an administrator or managing partner, and that the wife has a real and substantial ownership in half of the community property administered by the husband, which the Louisiana courts will protect. In common-law States the wife, of course, has no such right, because there is no community partnership between husbands and wives created and established by State law. The husband, in common-law States, is the owner of all property acquired by him during marriage, and it is immaterial whether he is incompetent or incapable, and he can spend it in dissipation or debauchery, gamble with it, or mismanage it, as he chooses, and the wife, because she has no ownership or interest in her husband's property, has no legal right to complain (appendix 11).

(c) That the husband is only the managing partner of the community partnership and cannot enjoy or use the property for himself is further demonstrated by his inability to use community-partnership income or property without accountability to his wife. Thus, if he uses any part of the community-partnership income for the benefit of his separate estate, he becomes a debtor to the community partnership to the extent to which his separate estate has been enhanced in value. If he pays his separate debts out of the community funds, his separate funds must reimburse the community for the amount so paid. In common-law States, where there is no community partnership between husbands and wives, all property and income acquired by the husband during marriage belongs exclusively to him, and all property and income acquired by the wife during marriage belongs to her, and the husband can use and spend his property and income to pay his personal and separate debts, or in any other way he pleases, and his wife has no legal right to complain because she has no interest or ownership in the property and income acquired by her husband during marriage (appendix 12).

(d) The wife, in the event that she does go into business for herself, is still a partner in the community estate; and if she acts

unwisely and contracts debts, these debts operate against the entire community estate and against the husband individually, since he is the head and master of the community. This situation is true even though the husband has nothing whatever to do with the business which the wife has undertaken and even though he objects to the debts being contracted. (See appendix 13.)

(e) The husband in Louisiana can, by his will, dispose only of his half of the community property, and is powerless to affect the wife's half. The converse of the husband's lack of testamentary power over the wife's half of the community income is illustrated by the completeness of the wife's power of disposition of her half. The wife can will her half of the community property to anyone she chooses, even to a lover, and when she dies, the husband must, by agreement or judicial partition, sell the community property and liquidate any and all business ventures in order to deliver the value of half of the marital partnership property to the legatee or legatees of the wife. It is only because one-half of the community-partnership property belongs to the wife that the law gives her the right of testamentary disposition of half of the community-partnership property and income. At common law, because the husband owns all property and income acquired by him after marriage, he has the free and unrestricted power of testamentary disposition of the whole of this property, and his wife cannot dispose of any of his property by will. Likewise, since the wife is the exclusive owner of all property acquired by her during marriage, she can dispose of all of it by will, and the husband cannot dispose of any part thereof. This is because there is no community partnership in common-law States and the wife has not a half interest in any part of the husband's property acquired during marriage, and the husband has not a half interest in any part of the wife's property acquired during marriage (appendix 14).

(f) If the wife in Louisiana dies without having made a will, her half of the community-partnership property and income descends to her heirs and her husband is powerless to prevent it. It has been held in Louisiana, that even the illegitimate children of the wife, born before her marriage and not the children of her husband, were entitled, on her death, to inherit her share of the community estate, to the exclusion of the surviving husband (appendix 15). If the wife in Louisiana dies, her heirs or legatees pay both State and Federal inheritance taxes on her half of the community-partnership property and income, and if the husband happens to be the legatee or heir of his wife, he is required to pay both a State and Federal inheritance tax. Thus, under the law of Louisiana, if a man has the misfortune to lose his wife, he must pay to the United States and the State of Louisiana a heavy inheritance tax for the privilege of inheriting from her one-half of the property which in a common-law State would be considered entirely his. In this connection, it should be noted that the Treasury Department recognizes the community partnership and the wife's half ownership in the community property and income for the purpose of levying an inheritance tax on the husband or the heirs of the wife, on the theory that they receive the wife's property and income, and yet, if the present amendment is adopted, the Government will compel the husband to pay an income tax on the same property and income, evidently on the theory that it should be treated as his property. We submit that this is in effect "blowing hot and cold" at the same time (appendix 16).

The rules we have stated are unknown to the common law. At common law all of the property acquired by the husband during marriage belongs to him alone, and, accordingly, upon his death, descends to his heirs, and his heirs must pay both State and Federal inheritance taxes; and, conversely, all the property acquired by the wife during marriage belongs to her alone, and, upon her death, descends to her heirs, and her heirs must pay both State and Federal inheritance taxes.

(g) The community partnership in Louisiana is dissolved, and the husband is automatically removed as managing partner in case a divorce is obtained by either husband or wife, and as a result, the community-partnership property is immediately liquidated and the community property and accrued income divided equally between the husband and wife. This is true irrespective of the merits of the marital disagreement and even though the wife alone is guilty and wholly to blame for the situation bringing about the divorce and the resulting dissolution and liquidation of the community partnership (appendix 17). The right of the wife in this connection is independent of any question of alimony, which is governed and regulated by separate statutes. The wife's right, in the event of divorce, to remove the husband as manager of the community partnership and immediately receive one-half of the community-partnership property and income results from the fact that in Louisiana she is the owner of one-half of the community-partnership property and income. As a consequence, therefore, if a wife in Louisiana is guilty of adultery and runs away with her lover, she can leave instructions with her attorney in connection with the divorce proceedings, to require an immediate dissolution and liquidation of the community partnership, and she can force the husband to account for and deliver to her immediately one-half of the community-partnership property and income, which she can then spend, if she pleases, in luxury with her lover. In a common-law State, a wife leaving her husband under such guilty circumstances could be divorced by her husband and would not even be entitled to alimony, much less to an equal division of property. The simple reason for this result, as we have said before, is because in common-law States the husband is the exclusive owner of all of the property acquired by him during marriage, and the wife has not the slightest interest or ownership in his property.

SUMMARY

In the light of the many illustrations of the practical and substantial nature of the wife's ownership and the restrictions on the husband as agent or managing partner of the community partnership we have briefly outlined, we submit that the proposed amendment is grossly unjust and discriminatory. The pending community-property amendment, in substance, proposes to tax the husband on income which belongs to his wife, by treating the income as if it were his, when, as a matter of fact, he cannot give it away if he chooses; when he cannot dispose of it in fraud of his wife's property rights, if he pleases; when, if he is reckless, careless, or a bad manager, he loses the administration of it; when, if he is of a speculative disposition, or the disorder of his affairs is such as to jeopardize his wife's property rights, he loses the administration of it; when he loses the administration of it in case of a divorce and even without any fault on his part, if his wife is unfaithful to her marital obligation; when he cannot spend it to improve his separate property, if he wants to; when he cannot use it to pay his separate debts, if he pleases; when he has no right or power to have it descend to his heirs; when, if his wife dies, he loses the administration of it and must deliver it to his wife's heirs; and when, if it is willed to him by his wife, he takes it not as owner but by inheritance, and is compelled to pay both a State inheritance tax and a Federal estate tax for the privilege of receiving it.

None of these restrictions and limitations on the power of the husband with regard to property and income acquired during marriage exists in common-law States, where the husband is the owner of all of the property and income acquired during marriage; and, conversely, the restrictions and limitations we have outlined exist in Louisiana, because the wife is the owner of one-half of the property and income acquired during marriage by the marital partnership composed of both husband and wife.

We have emphasized the fundamental and practical features of the Louisiana community-partnership law, in order to show clearly that the community partnership between husband and wife in Louisiana and other community-property States is not a fiction, but is, in substance, a partnership imposed by law, which creates burdens and limitations as well as privileges in relation to the property rights of husbands and wives. These burdens and limitations on property rights are unknown in the common-law States, and, we submit, if it were true that any benefits flowed from the community-partnership law, they are more than counterbalanced by the multitude of burdens and restrictions placed upon the property rights of husbands and wives in Louisiana, which do not exist in any common-law State. The proposed amendment is unjust and discriminatory in its practical effect, and violates sound principles of uniformity in Federal taxation.

Practical instances of discrimination and unfairness, which will result from the passage of the proposed bill

An attempt to force the husband and wife in Louisiana, who, under our local law, are in substance partners, to report all of the community-partnership income in the name of the husband alone, when, as a matter of law and fact the husband owns only one-half of the community income, and is merely the managing partner of his wife's other half, will not produce uniformity, but, on the contrary, will unfairly discriminate against Louisiana and other community-property States, and will ignore the fundamental law of our State, by treating what in Louisiana is in substance a partnership created by law, differently from voluntary partnerships in every common-law State.

Furthermore, in addition to the discrimination resulting from voluntary partnerships, it is important to note that as a matter of fact there are a number of common-law States that permit husbands and wives to form partnerships voluntarily, and in these States, husbands and wives may make voluntary partnership agreements which may accomplish the same result, by contract, that the law accomplishes in Louisiana. Where such a partnership agreement has been entered into between husband and wife in these common-law States, the Commissioner of Internal Revenue has recognized that each spouse may return his or her distributive share of the partnership income, and is liable only for the tax upon such share. Numerous cases, both in the Federal court and before the Board of Tax Appeals, recognize that under the common-law system separate returns by husband and wife, effecting a division of income, may easily be arranged by any one of a number of legal transactions which have been sanctioned by the law. For example, an informal joint venture or partnership for the purpose of trading on the stock exchange has been recognized as legally authorizing husband and wife to return one-half of the profits each (appendix 19). Likewise, an oral agreement that a partnership should exist in a lumber business between husband and wife, although the wife takes no active part in the business, will authorize separate returns, and, in the same case, a donation of a farm by the husband, which the husband subsequently rented from

the wife, was authorized and the wife was permitted to return the profits from the farm (appendix 20). A simple declaration by the husband that he is purchasing certain property and that the ownership is to be divided equally between him and his wife authorizes the wife to return one-half of the profit resulting from a subsequent sale on her separate income tax (appendix 21). There are numerous other cases illustrating the same principle and rulings (appendix 22). As shown by the rulings set out in the Income Tax Service of the Commerce Clearing House, section 1169, the Government has recognized and permitted separate returns as a result of a partnership entered into between husband and wife in 22 common-law States and in the District of Columbia.

It is to be noted that none of the transactions above referred to, which have been held legal in common-law States, is permissible under the Louisiana law. The husband and wife in Louisiana cannot make contracts with each other or enter into partnership agreements (appendix 23). It is thus apparent that while the common-law States, by a variety of legal transactions between husband and wife which have already been approved by the Government, permit the making of separate returns by husbands and wives and the shifting of property in various ways to authorize a rearrangement of income between husband and wife, none of these accepted legal methods in common-law States is possible under Louisiana law.

Moreover, the voluntary partnership arrangements between husbands and wives in the common-law States, permitting and authorizing husbands and wives to make separate income-tax returns referred to above, will not be affected or changed by the proposed amendment, because the amendment only applies to so-called community-property States, and is, therefore, intended to and actually does affect only eight community States. The adoption of the proposed amendment, therefore, would result in permitting husbands and wives who are voluntary partners in other States to divide income, and would, in eight States of the Union, where a partnership between husband and wife is created by law and called a community partnership, prevent the division of income between the partners and the making of separate returns by the partners.

On the other hand, if the husband in community-property States is analogized to a trustee at common law insofar as he manages one-half of the community-partnership property and income for his wife, surely it cannot be contended that one in the position of a trustee for another person can or should be forced to add the income derived from property administered for the benefit of the beneficiary to his individual property and income for Federal income-tax purposes. Yet, this is in substance what the pending community-property amendment proposes to do, by forcing a Louisiana community husband to add the community-partnership income to his personal income for taxation purposes.

It is respectfully submitted that if the inhabitants of common-law States should be of the opinion that it is to their interest to place the burdens and limitations on the husband's earnings and accumulations during marriage and confer upon the wife a substantial property right in the earnings and accumulations of the husband during marriage, which the law of Louisiana confers upon her, there is nothing to prevent them from changing their laws accordingly, and from accepting this advanced view of women's rights, by adopting the community-partnership system. By establishing a community-partnership system, which has prevailed in eight States long before the income-tax amendment was adopted, common-law States may obtain any advantages, if such there are, that flow from the law and facts in community-partnership States.

It is evident that the community-partnership system is so substantial in its nature with reference to property rights that common-law States, up to this time, have considered it objectionable in this regard and not desirable to adopt on any theory of Federal income-tax benefit.

With reference to the argument as to the necessity for bringing about harmony in the Federal taxation law, this is impossible on account of the fact that the Federal tax must be based on the person's income, and what is property and income of an individual, corporation, or partnership is necessarily a matter depending on the constitutions and laws of the various States of the Union. We have already pointed out that in many common-law States, husbands and wives may make voluntary partnership agreements and obtain the same benefits which result from a community-property partnership established by law. More than this, in all common-law States a husband may make a gift of half of his property to his wife and thereafter the income from the property thus donated may be returned as the separate property of the wife (appendix 24). This is done as a matter of practice, and has never been questioned. The laws of Louisiana and other community States make the wife the owner of one-half of the income and property acquired during marriage and yet the Federal Government, by the proposed amendment, is attempting to ignore this fundamental law of the State for taxation purposes. The result will be, in case the proposed amendment is adopted, that simply because the property becomes joint property as a result of the positive law of Louisiana and other community-property States, a different rule will be applied in community States than is applied in other States where the same situation is brought about voluntarily.

In Louisiana, a gift by a husband to his wife during marriage is as a matter of law revocable during the marriage, and in view of the provisions of the Revenue Act taxing income from revocable trusts to the grantor, the Treasury Department may contend that the income from property donated by a husband to his wife should remain taxable to the husband. In common-law States no such contention can be made, and the income from donated property is clearly taxable to the wife only. Thus the Louisiana law may prevent the husband from making an effective division with his wife by donation to her. This is not important so long as the present Treasury regulations stand, recognizing the right of the husband and wife in Louisiana each to return his or her half of the community-partnership income, but it affords another reason why, so long as spouses in noncommunity States can make an effective division of property by donation from one spouse to another with a resulting division of income for income-tax purposes which spouses in Louisiana may not be able to accomplish, Congress should not undertake by passage of the pending amendment to ignore the division which the fundamental law of Louisiana automatically accomplishes between the spouses (appendix 25).

It is important to note, in connection with an explanation and statement of the practical effect of the wife's half interest in community-partnership property in Louisiana and other community-property States, that a common-law State will recognize the ownership and legal title of the wife in one-half of the community-partnership property acquired while the spouses are domiciled in Louisiana, when the spouses leave Louisiana and community-partnership property is removed by the spouses from Louisiana to other States. It is a generally recognized proposition of conflict of laws that the title and status of property is to be determined by the law of the jurisdiction under which the property was acquired, and in case of the removal of the property to another State, the State to which the property is removed will approve and recognize the law of the jurisdiction from which the property was removed, in order to determine the ownership of the property. Thus, if a husband and wife domiciled in Louisiana accumulate $1,000,000, this is community property, and under the amendment disregarding the Louisiana law for Federal tax purposes, the husband is compelled to report as his income the wife's one-half of the income of this property. If the husband and wife, however, sell their Louisiana property and move to New York or some other common-law State and invest the proceeds of the property in the latter State, the common-law States, under the law and decisions of the courts, recognize the vested interest of the wife created by the law of Louisiana where the property was acquired, and the $1,000,000 invested in New York is therefore recognized by the courts of New York as belonging one-half to the husband and one-half to the wife. This is true, even though the property technically may stand in the name of the husband in the common-law State, for under such circumstances the husband is considered trustee for $500,000 of the property for the benefit of the wife. In New York, therefore, or in any common-law State, when the property taken from the community State is reinvested, one-half immediately becomes the property of the husband and the other half the separate property of the wife, and the husband and wife may make separate returns for Federal income-tax purposes (appendix 26).

It is clear, in the light of these facts, that if the proposed amendment is passed, the result of the situation will be that a husband and wife who sell their community property in Louisiana and reinvest it in common-law States where the same property will be considered separate property, will be able to make separate returns in common-law States, whereas, if they had remained in Louisiana, they could not make separate returns. The proposed amendment, in attempting to emasculate the law of Louisiana and other community-property States, and applying, as it does, only to community-property States, would result in discrimination against community-property States, and would not be legally applicable when the husband and wife removed their property to another State.

We have the amusing and illogical situation of Congress attempting to fix property rights in eight States for taxation purposes in the very teeth of the law of the eight States involved, when, if the same property is removed to the other States of the Union, these latter States recognize the law of Louisiana and the property rights of the spouses, and Congress, following the law of the common-law States, taxes the former community husband and wife on the very basis that they should have been taxed on if the pending community-property amendment had not been adopted. In short, Congress would recognize for income-tax purposes the law of common-law States which recognize the law of Louisiana, but when dealing directly with Louisiana citizens the Louisiana property law would be disregarded.

This is only another illustration of the inequity and unfairness resulting from any attempt on the part of the Government to disregard the local State laws with reference to the ownership of income and property. Unless the Government is prepared to go to the full extent of requiring husbands and wives in every State, common law as well as community, to combine all their income in one return, there can be no justification for requiring such a result in community States alone.

We might give numerous illustrations, showing that by contract the ownership of property may be and is frequently changed in the various common-law States, resulting

in a different application of the Federal income-tax law. This condition of affairs is inherent and fundamental under our State and Federal Constitutions, and ownership and property rights, as fixed by the various State laws must, in the nature of things, be followed by the Federal Government in applying its laws. It is submitted that the principles we have outlined are elementary under our constitutional system. In Louisiana, the community-partnership law is imposed by statute, and does not result from contract, and, of course, was not adopted to bring about any income-tax benefits, because the community-partnership law was in existence many years before the adoption of the first income-tax law. In fact, the community-partnership law has been a part of the civil law of Louisiana ever since colonial days. Louisiana inherited the community-partnership law from France, which in turn borrowed it from Spain, where it had prevailed since the seventh century (appendix 2, 3, 5, 6, and 7).

Uniformity among all States could fairly be obtained by Federal legislation only by requiring income of husband and wife in every State to be combined in Federal income-tax returns

It is apparent, since the law of each State must determine questions of ownership, that it is not possible to obtain identical practical results from the operation of the Federal revenue laws in each of the 48 States of the Union, unless Congress wishes to do violence to the dual character of our Government and the historic and settled principle that the Federal Government will recognize property and the ownership of property as defined and created by local State laws in the various States. It has been suggested that uniformity is desirable. It is obvious that uniformity cannot be obtained by having Congress, in the form of a discriminatory legislative act, disregard the fundamental laws of 8 States of the Union and at the same time recognize the local law of all of the other States of the Union as a guide and basis for the application of the Federal income-tax law. If the Government desires to tax the separate income of both husband and wife as a whole and as a unit in one return, it is not fair to attempt to bring about this result by legislative fiat in only 8 States of the Union. If identical uniformity is desired, Congress should tax husbands and wives as a unit in all the States of the Union and compel a single return in which must be included the income of both husband and wife in all States. Insofar as husbands and wives are concerned, such a law would be perfectly uniform in its application in every State of the Union. In fact, we understand that this is the method of solving the problem suggested and recommended by Secretary Morgenthau, of the Treasury Department. (See statement of Secretary Morgenthau issued December 15, 1933, Appendix 28.) In referring to this method of solving the problem of uniformity, we do not intend to suggest that husbands and wives of common-law States would approve such an inequitable, discriminatory, and unconstitutional law. In fact, the adoption of such a law would ignore the separate individuality and property rights of men and women, penalize marriage, and discriminate against married people in favor of single persons.

The foregoing brief summary of the community-partnership law and its practical operation make clear how futile and impossible it is for Congress to ignore property rights in an attempt to produce uniformity, and that instead of securing uniformity the proposed bill, even if it could be adopted under the Constitution, will produce endless confusion and inequities. Moreover, we feel that we have demonstrated that the proposed Finance Committee amendment is discriminatory and if passed will result in gross unfairness to the taxpayers of 8 States of the Union.

Respectfully submitted.

CHARLES E. DUNBAR, JR.,
SPENCER, GIDIERE, PHELPS & DUNBAR,
Attorneys for Louisiana Community-Property Taxpayers Committee.

APPENDIX

The following decisions, statutes, and authorities are submitted in support of the Statements of Law contained in the foregoing brief:

(1) Vol. 61, CONGRESSIONAL RECORD, No. 146, for November 3, 1921; pp. 8037, 8038; report of hearings before Committee on Ways and Means, House Reports, Revenue Division, 1924, pp. 194, 348, 375 to 482, inclusive; Hearings, Ways and Means Committee (H. R. 8396), May and June 1934.

(2) *Poe* v. *Seaborn*, (Wash.) 75 Law Ed. 239–247, 282 U. S. 101–118; *Fred O. Goodell* v. *I. B. Koch*, (Ariz.), 75 Law Ed. 247, 282 U. S. 118–122; *Jacob O. Bender* v. *Wm. Pfaff*, (La.), 75 Law Ed. 252, 282 U. S. 127–132; *Geo. C. Hopkins* v. *G. W. Bacon*, (Texas), 75 Law Ed. 249, 282 U. S. 122–127; *United States* v. *Malcolm*, (Calif.), 75 Law Ed. 714, 282 U. S. 792; see also *Warburton* v. *White*, 176 U. S. 484; *Arnett* v. *Reade*, 220 U. S. 311.

(3) Opinions of Acting Attorney General Mitchel in 1927, and Opinions of Attorney General Daugherty in 1924; Attorney General Stone in 1924, and Attorney General Sargeant in 1926; see 32 Op. Att. Gen. 298, 435; 34 Ibid. 376, 395; 35 Ibid. 89, 265. General Counsel Memorandum, 6351; 32 Op. Att. Gen. 435. T. D. 2090, 2137, Of. Dec. No. 426, reported at 2 C. B. 198. T. D. 3071, reported at 3 C. B. 221; and T. D. 3138. See also Appendix (1), *supra*.

(4) See Appendix (1), (2), and (3), *supra*.

(5) Louisiana Revised Civil Code, arts. 2404, 2399, 2402, 2334. *Childers* v. *Johnson*, 6 La. Ann. 634, at p. 641.

(6) Louisiana Revised Civil Code, arts. 2334, 2399, 2402, 2404, 2386, 2385, and 2406.

(7) See State decisions cited and quoted in Supreme Court decisions referred to in appendix (2), supra, and decisions quoted in opinion of Attorney General Palmer, of February 26, 1921, 32 Op. Att. Gen. 435, which was published and promulgated by the Treasury Department on March 3, 1921, in connection with T. D. 3138. See also authorities and statutes quoted in brief for respondent in the Supreme Court of the United States, in the case of *Jacob O. Bender* v. *William Pfaff*, Docket No. 86, October term, 1930, filed in behalf of respondent and Louisiana taxpayers by Charles E. Dunbar, Jr., and Monte M. Lemann, attorneys, of New Orleans, La.

(8) Louisiana Revised Civil Code, art. 2404; *Melady* v. *Succ. of Bonnegent*, 142 La. 534; *Bister* v. *Menge*, 21 La. Ann. 216; *Radovich* v. *Jenkins*, 123 La. 355; *Snowden* v. *Cruse*, 152 La. 144; *Ramsey* v. *Beck*, 151 La. 190; *Succ. of Moore*, 42 La. Ann. 331, at p. 341. See authorities contained in brief of respondent in Supreme Court of the United States in the matter of *Jacob O. Bender* v. *William Pfaff*, Docket No. 86, pp. 23–26, inclusive.

(9) Louisiana Revised Civil Code, art. 2404; *Smallwood* v. *Pratt*, 3 Rob. 132; *Dixon* v. *Dixon's Executors*, 4 La. 188; *Phillips* v. *Phillips*, 160 La. 813. See authorities contained in brief filed in Supreme Court of the United States in behalf of respondent in the matter of *Jacob O. Bender* v. *William Pfaff*, docket No. 86, October term, 1930, pp. 26–28, inclusive.

(10) See authorities referred to in Appendix (9), *supra*.

(11) Louisiana Revised Civil Code, arts. 140 to 161, inclusive, and arts. 2425 to 2437, inclusive, and art. 155. *Davock* v. *Darcy*, 6 Rob. 342; *Jones* v. *Morgan*, 6 La. Ann. 630; *Wolfe & Clark* v. *Lowry*, 10 La. Ann. 272; *Mock* v. *Kennedy*, 11 La. Ann. 525; *Webb* v. *Bell*, 24 La. Ann. 75; *Vickers* v. *Block*, 31 La. Ann. 672; *Chaffe* v. *Watts*, 37 La. Ann. 324; *Brown* v. *Smyth*, 40 La. Ann. 325; *Walmsley* v. *Theus*, 170 La. 417; *Gasteur* v. *Gasteur*, 131 La. 1, Cf. opinion of district court in this case, R. 21; *Carite* v. *Trotot*, 105 U. S. 751; *Jones* v. *Jones*, 119 La. 677; *Larose* v. *Maquin*, 150 La. 359 at 358, La. Code of Practice, art. 298; *Hill* v. *Hill*, 115 La. 489; *White* v. *White*, 159 La. 1065; see authorities referred to, pp. 28 to 30, inclusive, in brief for respondent, filed in the Supreme Court of the United States in the case of *Jacob O. Bender* v. *William Pfaff*, docket No. 86, October term, 1930.

(12) Louisiana Revised Civil Code, arts. 2403, 2408; *Glenn* v. *Elan*, 3 La. Ann. 611; *Dillon* v. *Treville*, 129 La. 1005; *Succ. of Casey*, 130 La. 743; *Succ. of Goll*, 156 La. Ann. 910. Compare *Childers* v. *Johnson*, 6 La. Ann. 634. See authorities referred to, pp. 35 to 38, inclusive, in brief for respondent, filed in the Supreme Court of the United States in the case of *Jacob O. Bender* v. *William Pfaff*, docket No. 86, October term, 1930;

(13) See *Lob's Sons* v. *Karnofsky*, 177 La. 229, 148 So. 34.

(14) See Louisiana Revised Civil Code, arts. 915 and 916; *Theall* v. *Theall*, 7 La. 226; *Ramsey* v. *Beck*, 151 La. 190; *Succ. of Hayes*, 33 La. Ann. 1143; *Succ. of Moore*, 40 La. Ann. 531.

(15) Louisiana Revised Civil Code, art. 915; *Bossier* v. *Herwig*, 112 La. 539; *Brooks* v. *House*, 168 La. 542. See authorities referred to in Appendix (14), *supra*.

(16) *Burton* v. *Brugier*, 30 La. Ann. 478; *Webre* v. *Lorio*, 42 La. Ann. 178; *Succ. of Marsal*, 118 La. 212; *Coreil's Estate*, 137 La. 702; *Liebman* v. *Fontenot*, 275 Fed. 688; *Succ. of May*, 120 La. 692; see Appendix (14) and (15), *supra*. See authorities referred to, pp. 38 to 43, inclusive, in brief for respondent, filed in the Supreme Court of the United States in the case of *Jacob O. Bender* v. *William Pfaff*, Docket No. 86, October term, 1930.

(17) Louisiana Revised Civil Code, arts. 123, 136, 138, 149, 150, 155, 159, and 2406. Louisiana Code of Practice, art. 298. *Dillon* v. *Dillon*, 35 La. Ann. 92; *Succ. of Lebesque*, 137 La. 567; *Crochet* v. *Dugas*, 126 La. 285; *Williams* v. *Goss*, 43 La. Ann. 868; *McClelland* v. *Gasquet*, 122 La. 241; *Hill* v. *Hill*, 115 La. 490; *White* v. *White*, 153 La. 313, 159 La. 1065; *Lockhart* v. *Dicey*, 161 La. 282; *Nichols* v. *Her Husband*, 7 La. Ann. 263; *Ford* v. *Kittredge*, 26 La. Ann. 190; Act 21 of 1928, amending art. 160 of the Revised Civil Code. See authorities referred to, pp. 31 to 35, inclusive, in brief for respondent, filed in the Supreme Court of the United States in the case of *Jacob O. Bender* v. *William Pfaff*, Docket No. 86, October term, 1930.

(18) See *Houghton* v. *Hall*, 177 La. 237, 148 So. 37; *Succ. of Howell*, 177 La. 276, 148 So. 48.

(19) *Tracy* v. *Commissioner* (C. C. A. 6th Cir.), 70 F. (2d) 93.

(20) *Virden* v. *Commissioner*, 6 B. T. A. 1123.

(21) *Wright* v. *Commissioner*, 26 B. T. A. 2:.

(22) See, for example, *Dunham* v. *Commissioner*, 27 B. T. A. 1068; *Gillette* v. *Commissioner*, 18 B. T. A. 434; *In re Bellingrath*, 3 B. T. A. 11; *First National Bank* v. *Commissioner*, 13 B. T. A. 1096.

(23) Louisiana Revised Civil Code, articles 2446, 2329, and 1790.

(24) See, for example, *Appeal of Robinson's Estate*, 4 B. T. A. 47; *Garden* v. *Commissioner*, 16 B. T. A. 592; *Henningsen* v. *Commissioner*, 30 B. T. A. 301; *Johnson* v. *Commissioner*, 5 B. T. A. 253; *Bailey* v. *Commissioner*, 3 B. T. A. 362; *Appeal of Hoffman*, 3 B. T. A. 964; see also, *Bingham* v. *White*, 31 Fed. (2) 574.

(25) Louisiana Revised Civil Code, art. 1749.

(26) *Depas* v. *Mayo*, 11 Mo. 314; *T. C. Phillips, Petitioner*, v. *Commissioner*, 9 B. T. A. 153 (1927); *Succ. of Popp*, 146 La. 464. The Treasury Department has also recognized this rule in the application of the income-tax law in Solicitor's Opinion 121, reported in Internal Revenue Cumulative Bulletin for December 1921, at page 197.

(27) *Houghton* v. *Hall*, 177 La. 237, 148 So. 37 (1933); *Hellberg* v. *Hyland*, 168 La. 493 (1929); Louisiana Revised Civil Code, articles 2402, 2334, as amended by Act No. 170 of 1912 and Act No. 186 of 1920. See authorities referred to in Appendix (5) and (6), *supra*.

(28) Revenue Revision 1934, hearings before the Ways and Means Committee December 16 to 21, 1933, and January 9 to 11, 1934, pp. 112–113.

The PRESIDING OFFICER. The next committee amendment will be stated.

The next amendment was, on page 13, after line 11, to strike out:

SEC. 102. Surtax on corporations.

(a) General rule: The Internal Revenue Code is amended by inserting after section 15 a new section to read as follows:

"SEC. 16. Surtax on corporations.

Mr. GEORGE. Mr. President, this amendment is of a minor nature.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 13, after line 11.

The amendment was agreed to.

The next amendment was, on page 13, after line 17, to insert:

SEC. 104. Surtax on corporations and termination of defense tax.

(a) General rule: Section 15 of the Internal Revenue Code (relating to defense tax) is amended to read as follows:

"SEC. 15. Surtax on corporations.

The amendment was agreed to.

The next amendment was, on page 14, line 1, after "(b)", to insert a comma and "computed by limiting such credit to 85 percent of the net income in lieu of 85 percent of the adjusted net income"; in line 10, before the words "of the", to strike out "5 percent" and insert "6 percent"; and in line 14, before the words "of the", to strike out "$1,250, plus 6 percent" and insert "$1,500, plus 7 percent."

Mr. GEORGE. This amendment makes an increase in the surtax rates on corporations. The minority leader may wish to have it go over. I can explain in a moment what it does. So far as I know, it is not controversial.

The House increased the surtax on corporations. That is to say, in lieu of an increase in the normal rate the House imposed on corporations what is known as a surtax, and that surtax, as carried in the House provision, is 5 percent on corporations having an income of not exceeding $25,000 and 6 percent on the remainder.

The Senate committee further increased the surtax by 1 percent; that is to say, on corporate net incomes of not more than $25,000 the surtax is increased to 6 percent in the Senate committee bill, and on all above that to 7 percent. The reason why a surtax is imposed is stated in the House report. It is that there are many Federal obligations which are only partially federally tax exempt, and they are not subject to a normal tax; they are exempt from a normal tax. Through the imposition of a surtax we will reach the income from many of those obligations and make them taxable. That section does precisely what I have tried to explain; it simply increases by 1 percent the rate imposed by the House on both categories of corporations.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, in "Sec. 363. Surtax on mutual investment companies", on page 15, line 10, before the words "of the", to strike out "5 per centum" and insert "6 per centum"; and in line 13, after the numerals "$25,000", to strike out "$1,250, plus 6 per centum" and insert "$1,500, plus 7 per centum."

Mr. GEORGE. That simply treats the mutual investment companies as other corporations, insofar as surtax increases are concerned.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 15, at the end of line 19, after the word "section", to strike out "16" and insert "15"; on page 16, at the end of line 2, after the word "section", to strike out "16" and insert "15"; in line 11, after the word "section", to strike out "16" and insert "15"; at the end of line 19, after the word "section", to strike out "16" and insert "15"; in line 24, after the numerals "14", to strike out "16" and insert "15"; and on page 17, line 2, after the word "or", to strike out "16" and insert "15."

Mr. GEORGE. That is a purely technical amendment, Mr. President.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 17, after line 3, to strike out:

SEC. 103. Income defense tax made permanent.

(a) The heading of section 15 of the Internal Revenue Code is amended to read as follows:

"SEC. 15. Defense tax."

(b) The first sentence of section 15 of the Internal Revenue Code is amended to read as follows:

"In the case of any taxpayer, the amount of tax under this chapter for any taxable year beginning after December 31, 1940, shall be the tax computed without regard to this section, increased by 10 per centum; except that in the case of a corporation the increase shall be limited to 10 per centum of the tax computed without regard to sections 16 and 363 and without regard to the amendments made by section 101 (a), (b), and (c) of the Second Revenue Act of 1940."

Mr. GEORGE. Mr. President, it is proper to strike out section 103 because the defense tax having been made permanent, there is no longer any necessity for retaining this section.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HOLMAN. Mr. President, on page 17, line 2, after the word "or", was it agreed to strike out "16" and insert "15"?

Mr. GEORGE. That is simply a clerical amendment.

Mr. HOLMAN. But I think no action was taken upon it.

Mr. GEORGE. I ask that the purely clerical amendments be agreed to without having the clerk state them.

The PRESIDING OFFICER. These are changes in section numbers.

Mr. GEORGE. Mr. President, I now request that purely clerical changes in the numbers of sections be made without having the clerk state them.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the next amendment.

The next amendment was, on page 17, line 18, to change the section number from 104 to 105; in line 24, before the words "per centum", to strike out "25" and insert "27½"; on page 18, line 1, after the word "Than", to strike out "$23,800" and insert "$23,000"; in line 4, after the word "than", to strike out "$23,800" and insert "$23,000"; in line 8, after the word "than", to strike out "$23,800" and insert "$23,000"; in line 10, after the word "Than", to strike out "$23,800" and insert "$23,000"; in line 13, after the word "thereof", to strike out "$23,800" and insert "$23,000"; and in line 15, after the word "thereof", to strike out "25" and insert "27½."

The amendment was agreed to.

The next amendment was, on page 18, line 16, to change the section number from 105 to 106, and in line 20, before the words "per centum", to strike out "25" and insert "27½."

Mr. GEORGE. That is simply an integration of the defense tax.

The amendment was agreed to.

The next amendment was, on page 18, line 21, to change the section number from 106 to 107.

The amendment was agreed to.

The next amendment was, on page 20, after line 15, to strike out:

SEC. 109. Defense tax on personal holding companies and transfers to avoid income tax made permanent.

(a) Personal holding companies: Section 500 (b) of the Internal Revenue Code is amended by striking out "and before January 1, 1945," and by striking out in the heading "for 5 years."

(b) Transfers to avoid income tax: Section 1250 (b) of the Internal Revenue Code is amended by striking out "and before July 1, 1945," and by striking out in the heading "for 5 years."

And, on page 21, after line 2, to insert:

SEC. 110. Defense tax rates on personal holding companies and transfers to avoid income tax incorporated in rate schedules.

(a) Personal holding companies: Section 500 of the Internal Revenue Code (relating to tax on personal holding companies) is amended as follows:

(1) By striking out the heading "(a) General rule.—";

(2) By amending the rate schedule to read as follows:

"(1) 71½ percent of the amount thereof not in excess of $2,000; plus

"(2) 82½ percent of the amount thereof in excess of $2,000."; and

(3) By repealing subsection (b) (relating to defense tax for 5 years).

(b) Transfers to avoid income tax: Section 1250 of the Internal Revenue Code (relating

to tax on transfers to avoid income tax) is amended as follows:

(1) By striking out the heading "(a) General Rule.—";

(2) By striking out "25 percent" and inserting "27½ percent"; and

(3) By repealing subsection (b) (relating to defense tax for 5 years).

Mr. GEORGE. Mr. President, I may explain that this is simply the integration of the defense tax with the existing tax.

The amendment was agreed to.

The next amendment was, on page 22, after line 2, to insert:

SEC. 111. Personal exemption.

(a) Section 25 (b) (1) of the Internal Revenue Code is amended to read as follows:

"(1) Personal exemption: In the case of a single person or a married person not living with husband or wife, a personal exemption of $750; or in the case of the head of a family or a married person living with husband or wife, a personal exemption of $1,500. A husband and wife living together shall receive but one personal exemption. The amount of such personal exemption shall be $1,500. If such husband and wife make separate returns, the personal exemption may be taken by either or divided between them, except that if one spouse makes a return under Supplement T, the personal exemption of the other spouse shall be $750."

(b) Section 214 of the Internal Revenue Code (relating to personal exemption of nonresident alien individuals) is amended by striking out "$800" and inserting in lieu thereof "$750."

(c) Section 251 (f) of the Internal Revenue Code (relating to personal exemption of citizens entitled to benefits of section 251) is amended by striking out "$800" and inserting in lieu thereof "$750."

Mr. LA FOLLETTE. I think that amendment should go over.

Mr. GEORGE. This is the personal-exemption amendment, and I think it should go over, Mr. President.

Mr. LA FOLLETTE. It has been agreed that it will go over.

The PRESIDING OFFICER. The amendment will be passed over.

The next amendment was, at the top of page 23, to insert:

SEC. 112. Returns of income tax.

(a) Individual returns: Section 51 (a) of the Internal Revenue Code is amended to read as follows:

"(a) Requirement: The following individuals shall each make under oath a return stating specifically the items of his gross income and the deductions and credits allowed under this chapter and such other information for the purpose of carrying out the provisions of this chapter as the Commissioner with the approval of the Secretary may by regulations prescribe—

"(1) Every individual who is single or who is married but not living with husband or wife, if having a gross income for the taxable year of $750 or over.

"(2) Every individual who is married and living with husband or wife, if no joint return is made under subsection (b) and if—

"(A) Such individual has for the taxable year a gross income of $1,500 or over, and the other spouse has no gross income; or

"(B) Such individual and his spouse each has for the taxable year a gross income and the aggregate gross income is $1,500 or over."

(b) Fiduciary returns: Section 142 (a) of the Internal Revenue Code is amended to read as follows:

"(a) Requirement of return: Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make under oath a return for any of the following individuals, estates, or trusts for which he acts, stating specifically the items of gross income thereof and the deductions and credits allowed under this chapter and such other information for the purpose of carrying out the provisions of this chapter as the Commissioner with the approval of the Secretary may by regulations prescribe—

"(1) Every individual having a gross income for the taxable year of $750 or over, if single, or if married and not living with husband or wife;

"(2) Every individual having a gross income for the taxable year of $1,500 or over, if married and living with husband or wife;

"(3) Every estate the gross income of which for the taxable year is $750 or over;

"(4) Every trust the net income of which for the taxable year is $100 or over, or the gross income of which for the taxable year is $750 or over, regardless of the amount of the net income; and

"(5) Every estate or trust of which any beneficiary is a nonresident alien."

(c) Information returns: Section 147 (a) of the Internal Revenue Code (relating to information at the source) is amended by striking out "$800" wherever occurring therein and inserting in lieu thereof "$750."

Mr. LA FOLLETTE. That amendment should go over.

Mr. GEORGE. Yes; the amendment should go over because it relates to personal exemptions. That continues to the top of page 25. All those amendments should go over.

The PRESIDING OFFICER. The amendment will be passed over.

Mr. OVERTON. Mr. President, may I ask the able Senator from Georgia whether it is contemplated to take up this amendment this afternoon, or whether it also will go over until tomorrow?

Mr. GEORGE. I will say to the Senator from Louisiana that the amendment will go over until tomorrow. I should like to dispose of it today, but it may be passed over until tomorrow.

The PRESIDING OFFICER. The next amendment will be stated.

The next amendment was, on page 27, after line 2, to insert:

SEC. 115. Short-term obligations issued on a discount basis.

(a) Discount accrued at maturity: Section 42 of the Internal Revenue Code (relating to period in which items of gross income are included) is amended by inserting at the end thereof the following new subsection:

"(.) Short-term obligations issued on discount basis.—In the case of any obligation of the United States or any of its possessions, or of a State or Territory, or any political subdivision thereof, or of the District of Columbia, issued on or after March 1, 1941, on a discount basis and payable without interest at a fixed maturity date not exceeding 1 year from the date of issue, the amount of discount at which such obligation is originally sold shall not be considered to accrue until the date on which such obligation is paid at maturity, sold, or otherwise disposed of."

(b) Capital gain rule not applicable.—Section 117 (a) (1) of the Internal Revenue Code (relating to definition of capital assets) is amended by striking out the semicolon at the end thereof and inserting in lieu thereof the following: ", or an obligation of the United States or any of its possessions, or of a State or Territory, or any political subdivision thereof, or of the District of Columbia, issued on or after March 1, 1941, on a discount basis and payable without interest at a fixed maturity date not exceeding 1 year from the date of issue;".

(c) Effective date of amendments: The amendments made by this section shall be applicable with respect to taxable years ending after February 28, 1941.

Mr. GEORGE. Mr. President, I will explain the amendment. I do not think it is controversial. This section was not contained in the bill as it passed the House. It provides that in the case of certain short-term Federal, State, and local government obligations issued on a discount basis on or after March 1, 1941, the amount of the discount shall not be deemed to accrue until such obligation is paid at maturity, sold, or otherwise disposed of, and that such obligations shall not be treated as capital assets. That is a statement of the substance of the amendment; and I may say that the amendment was recommended by the Treasury Department. This section applies only to those short-term obligations. It is intended to save much bookkeeping and more realistically to represent the actual transaction.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The next committee amendment will be stated.

The next amendment was, on page 28, after line 19, to insert:

SEC. 117. Alimony and separate maintenance payments.

(a) Amount includible in gross income: Section 22 (relating to definition of gross income) of the Internal Revenue Code is amended by inserting at the end thereof the following new subsection:

"(k) Alimony, etc., income: In the case of an individual who is divorced or legally separated from a spouse under a decree of divorce or of separate maintenance, periodic payments received (subsequent to such decree) in discharge of, or attributable to property transferred in discharge of, a legal obligation imposed upon or incurred by such individual's spouse or former spouse under such decree or under a written instrument incident to such divorce or separation shall be includible in the gross income of such individual, and such amounts received as are attributable to property so transferred shall not be includible in the gross income of such other spouse or former spouse. This subsection shall not apply to that part of any such periodic payment which, by the terms of the decree or written instrument, is specifically designated as a sum payable for the support of minor children of the spouses. Installment payments discharging a part of an obligation the principal sum of which is, in terms of money or property, specified in the decree or instrument, shall not be considered periodic payments for the purposes of this subsection. (For amount includible under this subsection in case the property is held in trust, see section 171.)"

(b) Deduction for amounts paid: Section 23 of the Internal Revenue Code (relating to deductions from gross income) is amended by inserting at the end thereof the following new subsection:

"(u) Alimony, etc., payments: In the case of an individual, amounts includible under section 22 (k) in the gross income of a spouse (or former spouse) of such individual, payment of which is made within the individual's taxable year. If the amount of any such payment is, under section 22 (k) or section 171, excluded from such individual's gross income, no deduction shall be allowed

with respect to such payment under this subsection."

(c) Income from trusts: Supplement E of the Internal Revenue Code is amended by inserting at the end thereof the following new section:

"SEC. 171. Trust income in case of divorce, etc.

"There shall be included in the gross income of an individual who is divorced or legally separated under a decree of divorce or of separate maintenance the amount of the income of any trust such individual is entitled to receive which, except for the provisions of this section, would be includible in the gross income of such individual's spouse or former spouse, and such amount shall not, despite section 166, section 167, or any other provision of this chapter, be includible in the gross income of such spouse or former spouse. This section shall not apply to that part of any such periodic payment which, by the terms of the decree or trust instrument, is specifically designated as a sum payable for the support of minor children of the spouses."

(d) Credit for dependents: Section 25 (b) (2) of the Internal Revenue Code (relating to credit for dependents) is amended by inserting at the end thereof the following: "A payment to an individual's spouse or former spouse which is includible under section 22 (k) or section 171 in the gross income of such spouse or former spouse shall not be considered a payment by such individual for the support of minor children of such persons."

(e) Effective date of amendments: The amendments made by this section shall be applicable only with respect to taxable years beginning after December 31, 1941.

Mr. GEORGE. Mr. President, this is the alimony provision which I explained somewhat in detail. It is inserted in the bill for the purpose of ironing out differences which have grown up by virtue of differing State laws and also for the purpose of making certain when the payment of alimony or separate maintenance is taxable to the husband rather than to the wife; that is, to make it clear where it is taxable. The general principle is that a payment made as alimony or for separate maintenance is not taxable to the husband but is taxable to the recipient, and that same general principle is applicable to a trust set up for the payment of alimony or separate maintenance.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The next committee amendment will be stated.

The next amendment was, on page 31, after line 11, to insert:

SEC. 118. Extension of time of orders of Securities and Exchange Commission.

Section 373 (a) of the Internal Revenue Code (relating to the definition of orders of the Securities and Exchange Commission with respect to which Supplement R applies) is amended to read as follows:

"(a) The term 'order of the Securities and Exchange Commission' means an order (1) issued after May 28, 1938, and prior to January 1, 1943, by the Securities and Exchange Commission to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, 49 Stat. 820 (U. S. C., Supp. III, title 15, sec. 79 (b)), or (2) issued by the Commission subsequent to December 31, 1942, in which it is expressly stated that an order of the character specified in clause (1) is amended or supplemented, and (3) which has become final in accordance with law."

Mr. GEORGE. This amendment, Mr. President, I am sure is not controversial. The Securities and Exchange Commission requested the amendment and the Treasury Department has approved it. It is necessary by reason of the fact that distributions of property and divestments of property under the Public Utilities Holding Act of 1935, made under order of the Commission, are given special taxable treatment. The time in which the orders could be issued by the Securities and Exchange Commission expired on January 1 of this year. The Commission is still issuing orders, and has represented to the committee that it will continue to issue them during 1942. The entire amendment is intended merely to extend until January 1, 1943, the time within which utility corporations making distributions or divestments may receive the same treatment as like utility corporations have heretofore received when the distribution or divestment was made under an order of the Commission.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The PRESIDING OFFICER. Section 119, beginning in line 4, on page 32, relating to community income, has heretofore been ordered passed over. The next amendment reported by the committee will be stated.

The next amendment was, on page 33, line 4, after the word "sections", to strike out "106 and 112" and insert "107, 115, 116, and 117."

The amendment was agreed to.

The next amendment was, under the heading "Title II—Excess-profits tax", on page 33, after line 16, to strike out:

"(2) Special rule in certain cases where invested capital credit is used: In the case of a taxpayer entitled to have its excess profits credit computed under either section 713 (income credit) or section 714 (invested capital credit), if the use of the credit under section 714 is more advantageous to the taxpayer, the tax imposed by this section shall be the sum of—

"(A) an amount determined under paragraph (1) of this subsection with the use of the credit provided in section 714, plus—

"(B) Ten percent of the amount, if any, by which—

"(i) the adjusted excess profits net income computed with the use of the credit under section 713 and with the excess profits credit carry-over which would be available for the taxable year if the excess profits credit applicable to each of the preceding taxable years for which tax is imposed by this subchapter had been the excess profits credit computed under section 713, exceeds

"(ii) the adjusted excess profits net income computed with the use of the credit under section 714.

"(3) Limitation on application of special rule: If the tax under paragraph (2) is greater than the amount determined, with the use of the credit provided in section 713, under paragraph (1) of this subsection, the tax shall be the amount so determined under paragraph (1)."

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The next amendment was, at the top of page 36, to strike out:

SEC. 202. Disclaimer of credit.

(a) Section 712 (c) of the Internal Revenue Code (relating to disclaimers of excess-profits credit) is amended to read as follows:

"(c) Effect of disclaimer of credit: If the taxpayer states in its return for the taxable year under this subchapter that it disclaims the use of the credit computed under section 714, such credit shall not, for the purposes of the internal revenue laws, be applicable to the computation of the tax under this subchapter for such taxable year."

(b) The last sentence of section 729 (b) (1) is amended to read as follows: "If the taxpayer states in such return that it disclaims the use of the credit computed under section 714 in the computation of the tax under this subchapter for the taxable year, the computation and information based on such credit may be omitted from the return."

(c) Section 741 (b) of the Internal Revenue Code (relating to disclaimers of excess-profits credit) is amended to read as follows:

"(b) Effect of disclaimer of credit: If the taxpayer states in its return for the taxable year under this subchapter that it disclaims the use of the credit computed under section 714, such credit shall not, for the purposes of the internal revenue laws, be applicable to the computation of the tax under this subchapter for such taxable year."

Mr. GEORGE. That amendment I think is tied in with the provision of the House bill relating to the special 10-percent excess-profits tax. That should go over. I think the Senator from Wisconsin desires to discuss that section.

Mr. LA FOLLETTE. I did not understand that the amendment on page 32 had automatically gone over.

Mr. GEORGE. Yes; that amendment has gone over.

Mr. LA FOLLETTE. The Senator previously asked that it go over. I did not know that he had done so.

Mr. GEORGE. Then we might proceed regularly with the amendment on page 33.

The PRESIDING OFFICER. The amendment beginning at the bottom of page 33 has been agreed to.

Mr. GEORGE. Very well.

Mr. LA FOLLETTE. Mr. President, the amendment on page 33, paragraph 2, I ask to have excepted from the agreement. The amendment, beginning on page 33, line 17, and going down to line 17, on page 35, provides for the elimination of the so-called 10-percent tax. I ask that the amendment be passed over.

Mr. GEORGE. Then, the amendment relating to the disclaimer of credit should go over.

Mr. LA FOLLETTE. That should go over also.

The PRESIDING OFFICER. Without objection, the vote by which the amendment beginning on page 33, line 17, was agreed to, is reconsidered, and, without objection, that amendment and the amendment at the top of page 36 will be passed over. The next amendment reported by the committee will be stated.

The next amendment was, at the top of page 37, to strike out:

SEC. 203. Cases in which no return required.

Section 729 (b) (2) of the Internal Revenue Code is amended to read as follows:

"(2) No return required. Notwithstanding subsection (a), no return under section 52 (a) shall be required to be filed under this subchapter:

"(A) By any taxpayer entitled to have its excess-profits credit computed under either section 713 or section 714 for any taxable year for which its excess-profits net income, computed with the adjustments provided in section 711 (a) (1) and placed on an annual

basis as provided in section 711 (a) (3), is not greater than $5,000; or

"(B) By any taxpayer not entitled to have its excess-profits credit computed under section 713 for any taxable year for which its excess-profits net income, computed with the adjustments provided in section 711 (a) (2) and placed on an annual basis as provided in section 711 (a) (3), is not greater than $5,000."

The amendment was agreed to.

The next amendment was, on page 43, after line 4, to strike out:

(i) Adjusted declared value:

(1) Section 1202 (b) (1) (C) of the Internal Revenue Code is amended to read as follows:

"(C) its net income, computed without the deduction of the tax imposed by Subchapter E of Chapter 2,".

(2) Section 1202 (b) (1) (iii) is amended to read as follows:

"(iii) the excess of the deductions allowable for income-tax purposes (not including the deduction for the tax imposed by Subchapter E of Chapter 2) over its gross income."

Mr. ADAMS. Mr. President, I should like to have some information from the Senator from Georgia, not with reference to the pending committee amendment, but with reference to the provisions on pages 40 and 41. As I understand, under the existing law amounts paid as excess-profits taxes are deductible by the taxpayer when he is computing his net income. This provision takes away that privilege and denies the taxpayer the right to deduct such items in computing his taxable income. Am I correct in that statement?

Mr. GEORGE. I do not quite understand the Senator. He is referring to the excess-profits tax?

Mr. ADAMS. I am referring to page 40. There is subsection (A), beginning "Section 711," and so forth, then there is a second subsection with a capital (A), and there is subsection (C) at the bottom of page 40 and the top of page 41.

Mr. GEORGE. I will explain to the Senator very briefly, because that is a section which the Finance Committee did not amend, and, under the order, we are proceeding first with committee amendments. The matter referred to by the Senator from Colorado brings up what is popularly referred to as the reversal of credit; that is to say, under the Excess Profits Tax Act of 1940 the net income of a corporation is reduced by the amount of the normal tax in arriving at excess-profits net income. In other words, the corporation has the benefit of a deduction for normal tax accrued or paid. The House bill reverses that, and denies to the corporation the credit for the normal tax, which, under this bill, would be 31 percent on incomes of more than $25,000. It denies the right to deduct the normal tax for excess-profits-tax purposes and gives to the corporation the right to deduct the excess-profits tax for normal and surtax purposes.

In other words, if I may illustrate it imperfectly, as the Senator will understand—but I think we both understand what I have in mind——

Mr. ADAMS. I never heard the Senator do anything imperfectly.

Mr. GEORGE. Yes; this will be very imperfect.

Suppose a corporation has an excess-profits credit of $80,000 based on its invested capital. It earns $105,000. Its credit is $80,000; and under the language of the House bill to which the Senator is drawing attention, and under the bill as approved by the Finance Committee, the credit of $80,000 would, of course, be deducted, as now, from the $105,000 in arriving at excess profits. That is, the excess-profits credit on the invested-capital basis would be deducted from the $105,000 net income of the corporation, which would leave $25,000. By statutory exemption, the corporation is given the benefit of a $5,000 exemption, which would reduce the $25,000 to $20,000. Now, coming directly to the Senator's inquiry, under the change made by the House and approved by the Finance Committee, an excess-profits tax would be imposed upon the $20,000, and the corporation would be entitled to deduct excess-profits tax computed on that amount in computing its income subject to normal and surtax. I believe I have stated the matter reasonably accurately. In other words, the pending bill reverses the credit; whereas under existing law the corporation reduces its excess-profits net income by the normal tax.

Mr. ADAMS. As I get it, the subsection at the bottom of page 40 says:

In computing such normal-tax net income the deduction for the tax imposed by this subchapter shall not be allowed.

Mr. GEORGE. That is correct.

Mr. ADAMS. The existing law allows the deduction.

Mr. GEORGE. Exactly.

Mr. ADAMS. This denies the deduction.

Mr. GEORGE. Exactly. In computing the excess-profits tax a deduction is not allowed for the normal tax. But in computing the normal and surtax a deduction is allowed for the excess-profits tax of the same year.

Mr. ADAMS. Is not the practical result that at the present time the corporation pays the excess-profits tax, and that is deducted from the amount upon which the normal taxes are to be paid?

Mr. GEORGE. No; that is not the present law. That is what this bill does. Double taxation is avoided by permitting the excess-profits tax to reduce the net income subject to the normal and the surtax.

Mr. ADAMS. Yes; but what I am getting at is this: Does not this provision practically require the corporation to pay taxes upon money which it is compelled to pay the Government as excess-profits taxes? In other words, is it not being compelled to pay taxes upon money which it is required to pay the Government—that is, a tax upon a tax?

Mr. GEORGE. No; it is paying only on the excess-profits net income. The Senator is dealing with a highly controversial matter on which there is a wide difference of opinion; but what the House did in its bill and what the Senate committee is now recommending is to go back to the same rule that was applied in the first World War Excess Profits Tax Act. It is the same rule that is now applied in Great Britain. In effect, it is very nearly the same principle which is applied by the Dominion of Canada.

What happens is this: In the example which I gave, if the corporation has earned $105,000, it has an excess-profits credit of $80,000 on the invested-capital basis. The credit is subtracted from the net income. From the income of the corporation of $105,000, $80,000 is subtracted, leaving $25,000, from which the corporation is entitled to take $5,000 as a statutory deduction, leaving $20,000, and then the excess-profits rate is applied to the $20,000. The excess-profits rate in the House bill—and the Finance Committee has approved it—is 35 percent upon the first $20,000; so 35 percent of the $20,000 is $7,000 and is the amount of the excess-profits tax that would be paid. The corporation is entitled to deduct this $7,000 in computing its income subject to the normal and the surtax.

In the same example as applied to existing law, the corporation would pay a normal tax of 24 percent. That 24 percent, or a little over $25,000, would be taken off the $105,000, leaving $80,000. It has an $80,000 credit on the invested-capital basis, which, under existing law, would result in no excess-profits tax. It just happens to work out that way in the example I have given the Senator; but I think the principle is clear. That is to say, I think what the House has done and what the Senate Finance Committee has approved is clear—that a corporation is not entitled to the deduction, when it comes to compute its excess-profits taxes, of the normal tax; but, on the contrary, on account of the reversal of the credit, so to speak, it is entitled to deduct the excess-profits tax in arriving at its taxable net income for normal and surtax purposes.

Mr. ADAMS. I am obliged to the Senator, because while I knew this matter was not involved in the amendment I was rather inclined to think the reversal in policy was substituting an unfair method for a fair method. I may bother the Senator again later on in the discussion.

Mr. GEORGE. The change makes the corporations pay more excess-profits taxes. There is no question about that.

Mr. ADAMS. It looks as though it is making them pay taxes on taxes which they are paying.

Mr. GEORGE. I think the principle of avoiding double taxation is pretty well maintained. So long as the excess-profits tax is allowed as a deduction in computing income subject to normal and surtax, there is no double taxation of the same income.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). The question is on agreeing to the committee amendment as stated.

The amendment was agreed to.

The next amendment was, on page 44, after line 12, to insert "(or would be applicable except for section 371 (g))."

Mr. GEORGE. That is a technical amendment.

The amendment was agreed to.

The next amendment was, on page 47, after line 13, to strike out:

SEC. 206. Corporations engaged in mining strategic metals.

Section 731 of the Internal Revenue Code (exempting from excess-profits tax income derived from mining certain metals) shall not apply with respect to any taxable year beginning after December 31, 1940.

Mr. GEORGE. That is a so-called strategic-metals amendment, Mr. President. It will be remembered that in the Excess Profits Tax Act of last year we exempted from the excess-profits tax income the production of certain strategic metals of which there was and always is a shortage in this country, and which cannot be produced here in the absence of much higher tariff rates or in an emergency such as we are now going through, when bottoms are not available for import. This amendment restores the same exemption which was carried in that act.

Mr. ADAMS. This amendment leaves the existing section 731, which protects domestic corporations engaged in the mining of tungsten, quicksilver, manganese, platinum, antimony, chromite, or tin. That is, those are the strategic minerals protected by that section.

Mr. GEORGE. The Senator is right. The House struck out that section, and made income from the production of those metals subject to the excess-profits tax, and we have restored the exemption.

Mr. ADAMS. I know the mining sections of the country are appreciative of the consideration the committee gave.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as stated.

The amendment was agreed to.

Mr. HOLMAN. Mr. President, I ask the indulgence of the Senator from Georgia. I want to be sure I understand this. Just what is the effect of the amendment?

Mr. GEORGE. The amendment on page 47?

Mr. HOLMAN. On page 47, section 206. What is the effect of that?

Mr. GEORGE. The amendment merely restores existing law. The House repealed an existing provision of the Excess Profits Tax Act which exempted profits made in producing certain strategic metals. The House repealed that and thereby made the producers of these strategic metals subject to the excess-profits tax. This amendment restores the exemption which the producers of those metals had before.

Mr. HOLMAN. In other words, the action is in compliance with the telegram I sent the Senator?

Mr. GEORGE. Exactly.

Mr. HOLMAN. I thank the Senator.

Mr. GEORGE. I received the Senator's telegram, and I hope I acknowledged it. If I did not, I am acknowledging it now.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 47, line 14.

The amendment was agreed to.

The next amendment was, under the heading "Title III—Capital Stock Tax and Declared Value Excess Profits Tax", on page 48, at the end of line 7, to insert "and by striking out the word 'adjusted' wherever occurring therein."

Mr. GEORGE. Mr. President, this merely integrates the defense tax with the capital-stock tax.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 48, after line 10, to insert:

(c) Annual declaration of value: Section 1202 of the Internal Revenue Code (relating to declaration of value) is amended to read as follows:

"SEC. 1202. Declared value.

"(a) Declaration of value: The declared value shall be the value as declared by the corporation in its return for the year (which declaration of value cannot be amended). The value declared by the corporation in its return shall be as of the close of its last income tax taxable year ending with or prior to the close of the capital-stock-tax taxable year.

"(b) Credit for China Trade Act Corporations: For the purpose of the tax imposed by section 1200 there shall be allowed in the case of a corporation organized under the China Trade Act, 1922 42 Stat. 849 (U. S. C., title 15, ch. 4), as a credit against the adjusted declared value of its capital stock, an amount equal to the proportion of such adjusted declared value which the par value of the shares of stock of the corporation, owned on the last day of the taxable year by (1) persons resident in China, the United States, or possessions of the United States, and (2) individual citizens of the United States or China wherever resident, bears to the par value of the whole number of shares of stock of the corporation outstanding on such date. For the purposes of this subsection shares of stock of a corporation shall be considered to be owned by the person in whom the equitable right to the income from such shares is in good faith vested; and as used in this subsection the term 'China' shall have the same meaning as when used in the China Trade Act, 1922."

(d) Returns: Section 1203 (a) (2) of the Internal Revenue Code (relating to extensions of time for filing capital-stock-tax returns) is amended by inserting at the end thereof the following: "With respect to the year ending June 30, 1941, the extension may be for not more than 90 days."

(e) Prior returns effective: If a return is filed in accordance with section 1203 of the Internal Revenue Code with respect to the year ending June 30, 1941, on the basis of a 3-year declaration of value, the value declared on such return shall constitute the declared value for the purposes of section 1202 of the Internal Revenue Code, as amended by this section, for such year ending June 30, 1941, unless a different value is declared on another return filed within the time prescribed by law for filing such return.

Mr. GEORGE. Mr. President, I have an amendment to offer to this amendment, which is clerical only. On page 48, line 25, and on page 49, line 2, I move to strike out the word "adjusted."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 50, at the beginning of line 4, to strike out "(c)" and insert "(f)", and in the same line, after the words "Effective Date", to strike out "Subsections (a) and (b)" and insert "This section."

Mr. GEORGE. This is a clerical amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 50, after line 6, to strike out:

SEC. 302. Declared-value excess-profits tax—defense tax made permanent.

Section 600 (b) of the Internal Revenue Code is amended to read as follows:

"(b) Defense tax: In the case of any taxpayer, the amount of tax payable under this section for any income-tax taxable year ending after June 30, 1940, shall be 10 percent greater than the amount of tax which would be payable if computed without regard to this subsection."

And to insert:

SEC. 302. Declared value excess-profits tax—Defense-tax rates incorporated in rate schedule.

(a) Rates: Section 600 of the Internal Revenue Code (relating to rate of declared value excess-profits tax) is amended as follows:

(1) By striking out the heading "(a) General rule.—";

(2) By amending the rate schedule to read as follows:

"6.6 percent of such portion of its net income for such income-tax taxable year as is in excess of 10 percent and not in excess of 15 percent of the declared value;

"13.2 percent of such portion of its net income for such income-tax taxable year as is in excess of 15 percent of the declared value."; and

(3) By repealing subsection (b) (relating to defense tax for 5 years).

(b) Technical amendment: Section 601 (including the heading) of the Internal Revenue Code is amended by striking out the word "adjusted" wherever occurring therein.

(c) Effective date: This section shall be effective only with respect to income-tax taxable years ending after June 30, 1941, and succeeding years.

Mr. GEORGE. Mr. President, I may state that this merely integrates the defense tax.

The amendment was agreed to.

The CHIEF CLERK. The next amendment is in title IV, estate and gift taxes.

Mr. LA FOLLETTE. Mr. President, I ask that the estate-tax schedules and the gift-tax schedules go over, since I may wish to offer some amendments to them.

Mr. GEORGE. That is satisfactory.

The PRESIDING OFFICER. All of title IV will be passed over.

The clerk will state the next amendment.

The next amendment was, under the heading "Title V—Excise Taxes," in section 521, on page 58, after line 7, to strike out:

(1) Box seats: Section 1700 (b) (1) is amended by striking out "10 percent" and inserting in lieu thereof "11 percent."

(2) Sales outside box office: Section 1700 (c) (1) is amended by striking out "10 percent" and inserting in lieu thereof "11 percent."

Mr. GEORGE. It is probable that the admissions tax will be debated, and there may be some amendments. These sections would be related, and should not be disposed of until the admissions tax is disposed of.

The PRESIDING OFFICER. Does the Senator desire that all of title V be passed over?

Mr. GEORGE. Not all of title V; but no amendment is to be acted on until we reach page 62.

The PRESIDING OFFICER. The clerk will state the next amendment.

The next amendment was, in section 533, "Distilled spirits," on page 62, line 20, after the figure "$4", to strike out "(and on brandy at the rate of $3.75)", and on page 63, line 4, after the figure "$4", to strike out "(or, in the case of brandy, $3.75)."

Mr. GEORGE. I have already explained that that merely puts brandy on the same tax basis as distilled spirits.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, in section 534, "Wines," on page 64, line 18, after the word "thereof", to strike out "8 cents" and insert "10 cents"; in line 19, after the word "thereof", to strike out "24 cents" and insert "35 cents", and in line 21, after the word "thereof", to strike out "50 cents" and insert "65 cents."

Mr. GEORGE. Mr. President, this amendment is an increase in the tax on wine. I do not know whether it is controversial or not. If the taxes in the wine schedule are agreed to, and anyone wishes to offer an amendment subsequently, I shall be glad to ask unanimous consent that the matter be reopened.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, in the item relating to the rate on sparkling wines, liqueurs, cordials, etc., on page 65, line 1, after the word "thereof", to strike out "4 cents" and insert "7 cents", and in line 2, after the word "thereof", to strike out "2¼ cents" and insert "3½ cents".

The amendment was agreed to.

The next amendment was, in section 541, "Admissions tax", on page 67, line 25, after the word "Rate", to strike out "A tax of 1 cent for each 10 cents or fraction thereof of the amount paid for admission to any place, including admission by season ticket or subscription; except that in case the amount paid for admission is less than 10 cents, no tax shall be imposed. In the" and insert:

A tax on the amount paid for admission to any place, including admission by season ticket or subscription, at the rates set forth in the following schedule:

If the amount charged is—	The tax shall be—
Not over 10 cents	1 cent.
Over 10 cents and not over 15 cents	2 cents.
Over 15 cents and not over 20 cents	3 cents.
Over 20 cents and not over 25 cents	4 cents.
Over 25 cents and not over 35 cents	5 cents.
Over 35 cents and not over 40 cents	6 cents.
Over 40 cents and not over 45 cents	7 cents.
Over 45 cents and not over 50 cents	8 cents.
Over 50 cents	15 percent of the amount charged; fractions of ½ cent or more shall be increased to 1 cent; smaller fractions shall be disregarded.

Mr. GEORGE. This is the admissions tax.

Mr. LA FOLLETTE. I think this section should go over, since there is some controversy concerning it.

Mr. DAVIS. I should like to have it go over.

The PRESIDING OFFICER. The amendment will be passed over, and the clerk will state the next amendment of the committee.

The next amendment was, in section 548, telephone, telegraph, etc.—on page 78, after line 17, to strike out:

"(1) In the case of each telegraph, telephone, cable or radio dispatch, message, or conversation which originates within the United States for which the charge is more than 24 cents, a tax of 5 cents for each 50 cents, or fraction thereof, of the charge. Only one payment of such tax shall be required notwithstanding the lines or stations of one or more persons are used for the transmission of such dispatch, message, or conversation; and

"(2) A tax equivalent to 5 percent of the amount paid for any of the following services:

"(A) Leased wire or talking circuit special service; or

"(B) Wire and equipment services (including teletypewriter service, burglar alarm service, news ticker services, stock quotation and information services, and all other similar services)."

And insert:

"(1) (A) In the case of each telephone or radio telephone message or conversation which originates within the United States, for which the charge is more than 24 cents, a tax of 5 cents for each 50 cents, or fraction thereof, of the charge.

"(B) In the case of each telegraph, cable, or radio dispatch or message which originates within the United States, a tax of 10 percent of the amount of the charge.

Only one payment of a tax imposed by subparagraph (A) or (B) shall be required notwithstanding the lines or stations of one or more persons are used in the transmission of such dispatch, message, or conversation.

"(2) (A) A tax equivalent to 10 percent of the amount paid for leased wire, teletypewriter, or talking circuit special service.

"(B) A tax equivalent to 5 percent of the amount paid for any wire and equipment service (including stock quotation and information services, and all other similar services, but not including news ticker services furnishing a general news service similar to that contained in the public press, burglar or fire alarm service, or service described in subparagraph (A))."

Mr. GEORGE. Mr. President, it may be necessary to make a technical amendment to this section, and I ask that if the amendment shall be agreed to, we may have a right to recur to it if necessary.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 80, line 13, before the words "of the", to strike out "5 percent" and insert "10 percent."

The amendment was agreed to.

The next amendment was, in section 549. Installment, etc., payments—on page 82, line 17, after the word "before", to strike out "July 1, 1941", and insert "the effective date of part IV of the Revenue Act of 1941"; and in line 19, after the word "on", to strike out "June 30, 1941", and insert "the day before the effective date of part IV of the Revenue Act of 1941"; and on page 83, line 2, after the word "before", to strike out "July 1, 1941", and insert "the effective date of part IV of the Revenue Act of 1941."

Mr. GEORGE. Mr. President, I should like to explain, because I think it is a matter of rather wide interest, that this amendment deals with the so-called installment sales provision of the bill. Under the amendment, the date July 1, 1941, as the House inserted it, is stricken out, and the effective date of part IV of the Revenue Act is inserted, and that is inserted also in line 19. The same principle is carried forward on page 83, and under the retail sales tax provision of the measure. Most Senators have had some complaints about taxes on installment sales, and these amendments have been recommended for the purpose of preventing the tax from being retroactive.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, under the subhead "Part V—New excise taxes," on page 84, after line 19, to strike out:

SEC. 551. Soft drinks.

Subchapter A of chapter 29 of the Internal Revenue Code is amended by inserting after section 3401 the following new section:

"SEC. 3402. Tax on soft drinks.

"(a) Definitions: As used in this section—

"(1) The term 'soft drinks' means carbonated beverages of the kind commonly known as soft drinks, carbonated liquids of the kind commonly known or commonly used as mixers, sparkling waters, and carbonated natural or artificial mineral waters if such mineral waters contain not more than 60 grains of minerals (dried at the temperature of boiling water) per U. S. gallon. As used in this paragraph the term 'carbonated' includes both natural and artificial carbonation.

"(2) The term 'bottler' means any person who places soft drinks in bottles.

"(3) The term 'bottle' means any bottle, can, keg, or similar closed container.

"(b) Bottled soft drinks—

"(1) Imposition of tax: There shall be imposed on soft drinks in bottles sold by the bottler or importer a tax at the following rates:

"(A) If the bottle contains not more than 33 fluid ounces:

"If bottled or imported to retail at not more than 10 cents per bottle, ⅛ cent per bottle.

"If bottled or imported to retail at more than 10 cents and not more than 20 cents per bottle, ⅓ cent per bottle.

"If bottled or imported to retail at more than 20 cents per bottle, ½ cent per bottle.

"(B) If the bottle contains more than 33 fluid ounces, 6 percent of the price for which so sold.

"(2) Retail prices: Whenever in paragraph (1) reference is made to soft drinks bottled or imported to retail at not more than a certain price per bottle, then in determining the tax to be paid regard shall be had to the ordinary retail price of a single bottle in its principal market.

"(c) Finished or fountain syrups—

"(1) Imposition of tax: There shall be imposed upon finished or fountain syrups, of the kind used in manufacturing, compounding, or mixing soft drinks, sold or used by the manufacturer, producer, or importer, a tax of 6 cents per gallon.

"(2) Exempt sales: No tax shall be imposed under this subsection with respect to the sale of such syrups where it is established to the satisfaction of the Commissioner that such syrups are sold (A) to a bottler for use in the preparation of bottled soft drinks, or (B) to a person who does not engage in the preparation of soft drinks for consumption by him in some use other than the preparation of soft drinks.

"(3) Exempt uses: No tax shall be imposed under this subsection with respect to—

"(A) The use of such syrups by the manufacturer, producer, or importer in the preparation of bottled soft drinks; or

"(B) The consumption of such syrups by the manufacturer, producer, or importer, who is not engaged in the preparation of soft drinks, in some use other than the preparation of soft drinks.

"(d) Carbonic acid gas:

"(1) Imposition of tax: There shall be imposed upon carbonic acid gas in gaseous, liquid, or solid form, suitable for use in the preparation of soft drinks, sold by the manufacturer, producer, or importer, or by a dealer in such gas, to any person who sells soft drinks otherwise than in bottles, a tax of 4 cents per pound.

"(2) Exempt sales: No tax shall be imposed under this subsection with respect to the sale of carbonic acid gas where it is established to the satisfaction of the Commissioner that—

"(A) Such gas is sold for use by the vendee in the preparation of bottled soft drinks, or for consumption by him in some use other than the preparation of soft drinks; or

"(B) Such gas is sold for resale by the vendee in the course of his regular business as a dealer in carbonic acid gas, if such gas is in due course so resold.

"(e) Inapplicability of provisions: The provisions of section 3442 (1) and (2), section 3443 (a), (1), and section 3444 shall not be applicable to the taxes imposed by this section.

"(f) Effective date: This section shall take effect on the effective date of part V of title V of the Revenue Act of 1941."

Mr. GEORGE. This is the so-called soft-drinks tax.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, in the item relating to new manufacturers' excise taxes, on page 89, line 9, after the word "creels," to strike out "reels, and artificial lures, baits, and flies" and insert "and reels."

Mr. GEORGE. Mr. President, all the amendment accomplishes is the striking from the section imposing a tax on sporting goods of the words "artificial lures, baits, and flies." We thought it wise to eliminate them.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 90, line 13, after the word "electric," to insert a comma and "gas, and oil"; and in line 15, after the word "electric," to strike out "storage" and insert "gas, or oil," and in line 18, after the word "electric," to insert "gas, or oil."

Mr. GEORGE. Mr. President, that amendment was made because of many objections which reached the committee that the section as written was discriminating in that it imposed a manufacturer's sales tax on only electric heaters, and so forth, and the committee amended it by including not only electric, but gas and oil heaters, and so forth.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The next amendment was, on page 91, line 17, after the word "devices", to strike out "comptometers," and in line 18, after the word "dictographs", to strike out "dictaphones, dictaphone" and insert "dictating machine."

Mr. GEORGE. Mr President, the sole purpose of that amendment was to take out of the section trade names and insert other descriptive terms which would cover the articles which are taxable.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The next amendment was, in the item relating to washing machines, on page 92, line 16, after the word "machines", to strike out "of the kind used in commercial laundries, 10 percent. No tax shall be imposed under this paragraph on washing machines of the household type" and insert "10 percent."

Mr. GEORGE. Mr. President, that is the washing-machines amendment. Under the House provision a manufacturer's excise tax was imposed upon washing machines used in commercial laundries. The Senate Finance Committee has stricken out the descriptive words after "machines" so as to make the provision applicable to all washing machines.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The next amendment was, at the top of page 93, to insert:

(10) Electric-light bulbs: Electric-light bulbs, 10 percent.

Mr. GEORGE. Mr. President, this is a new section added by the Senate committee, and provides a manufacturer's excise tax on electric-light bulbs at the same rate generally carried in the bill, to wit, 10 percent.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The next amendment was, in the item relating to tax on jewelry, etc., on page 94, line 1, after the word "instruments", to strike out the word "or", and in line 2, after the word "eyeglasses", to insert a comma and "or to a fountain pen if the only part of the pen which consists of precious metals is the point."

Mr. GEORGE. Mr. President, that amendment simply takes fountain pens out of this jewelry section, when the only part of the pen which consists of precious metal is the point.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The next amendment was, in the item relating to "Return and Payment of Retailers' Excise Taxes," on page 95, after line 22, to insert:

(c) In determining, for the purposes of this chapter, the price for which an article is sold, there shall be included any charge for coverings and containers of whatever nature, and any charge incident to placing the article in condition packed ready for shipment, but there shall be excluded the amount of tax imposed by this chapter, whether or not stated as a separate charge. A transportation, delivery, insurance, installation, or other charge (not required by the foregoing sentence to be included) shall be excluded from the price only if the amount thereof is established to the satisfaction of the Commissioner, in accordance with the regulations. There shall also be excluded, if stated as a separate charge, the amount of any retail sales tax imposed by any State or Territory or political subdivision of the foregoing, or the District of Columbia, whether the liability for such tax is imposed on the vendor or the vendee.

Mr. GEORGE. Mr. President, that is a Treasury Department amendment. It has been found necessary to apply the same principles that are applied to existing manufacturers' excise taxes. The amendment is also for the purpose of protecting the revenue.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The next amendment was, in the item relating to leases, conditional sales, etc., on page 97, line 5, after the word "before", to strike out "July 1, 1941" and insert "the effective date of part V of the Revenue Act of 1941."

Mr. GEORGE. Mr. President, that is a retail sales provision, so as not to have a retroactive tax on installment sales.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The next amendment was, in the item relating to credits and refunds, on page 98, after line 10, to insert:

(c) There shall be credited against the tax payable under subsection (b) of section 2402 the amount of tax paid by any person under subsection (a) of such section with respect to any article subject to tax under subsection (b) of such section.

Mr. GEORGE. Mr. President, that amendment is intended merely to give a rebate or refund to beauty parlors, barber shops, and others who buy at retail any articles upon which the tax has been paid under the cosmetics section.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The next amendment was, on page 98, after line 21, to insert:

SEC. 2409. Penalty for representation that tax is not passed on.

Whoever in connection with the sale or lease, or offer for sale or lease, of any article taxable under this chapter, makes any statement, written or oral, in advertisement or otherwise, intended or calculated to lead any person to believe that the price of the article does not include the tax imposed by this chapter, shall on conviction thereof be punished by a fine of not more than $1,000.

Mr. GEORGE. Mr. President, this amendment was offered by the senior Senator from Ohio [Mr. TAFT] in the committee. It is in effect a condemna-

tion of unfair trade practices. It is intended to prevent any representation, however made by any retailer, that he is absorbing the tax, or at least that the price made upon the article sold does not include the tax.

Mr. ADAMS. Mr. President, the person in question would be prosecuted even though the statement made were absolutely true?

Mr. GEORGE. Yes. There is a tax on the article, and it is made unlawful for him to advertise or hold himself out as selling an article for a price which does not include the tax.

Mr. ADAMS. I wish to ask the Senator a question. Suppose an article had a fixed price, and it was continued to be sold at that price, and there was no change of price, but the manufacturer simply reduced his own profits by an amount equal to the tax. Why should such action be an offense?

Mr. GEORGE. The purpose of the amendment is to characterize that kind of thing as an unfair trade practice.

Mr. ADAMS. It would be unfair for the manufacturer himself to pay the tax?

Mr. TAFT. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. TAFT. The provision applies only to retailers.

Mr. ADAMS. Why should it be a crime for the retailer in fact to pay the tax rather than to pass it on to the consumer?

Mr. GEORGE. He can pay the tax, but he cannot advertise that the price does not include the tax.

Mr. ADAMS. But this provision makes it an offense if he tells the truth about the matter.

Mr. GEORGE. If he says the price does not include the tax on the article. He can pay the tax. The tax is there, and he can pay it.

Mr. ADAMS. But if he says that he has paid the tax, and says it truthfully, then he commits a crime, does he?

Mr. GEORGE. Mr. President, I will let the Senator from Ohio answer.

Mr. TAFT. Mr. President, I think I might explain first the purpose of the provision. This is what will more than likely happen under this tax, if we do not have such a provision in the measure. A large department store will advertise, "We absorb the tax on all cosmetics." The small fellow cannot absorb the tax. Either he will offer the cosmetics as a loss leader or he will misrepresent the facts. In effect, what he does if he sells at a lower price without counting the tax is to reduce the cost of his article. He is selling it at a lower price. He is paying that tax money to the Government as a part of his cost necessarily, and it cannot be said that he is absorbing the tax. In many cases he will not be absorbing the tax.

Take the case of credit jewelers, and this applies only to retailers. A credit jeweler will advertise in order to get custom, that "I will absorb the tax on jewelry." As a matter of fact, how can one tell whether he is absorbing the tax or not? One could not prove whether he was absorbing the tax or whether he was lowering the price of his particular article and adding the tax in.

We considered the possibility of requiring him separately to state the tax, but that would create a tremendous complication when there is a fractional tax. An article selling for 25 cents, for instance, has a 2½-cent tax. Does the seller absorb that or not? He cannot under another statute represent that he is going to sell that article at 25 cents, plus 3 cents tax, because that is a crime. If it is only 2½ cents, he cannot advertise the tax to be more than it is. So he is in a position where he cannot be required separately to state the tax. He cannot say what the price is and what the tax is. He cannot meet the situation in that way.

Many of the members of the committee thought there ought to be a compulsory requirement that the seller be forced to pass the tax on, because, after all, we are reaching his profits through an excess-profits tax, or through an income tax, or through surtaxes, and it is admittedly the purpose in imposing these taxes to pass them on to the consumer. The only method that seemed to be practical was simply to say, "We cannot determine whether you passed that tax on or not, but you cannot go out and use as an advertisement to induce trade the claim that you are not passing on the tax, whether you are passing it on or whether you are not passing it on."

Nearly every retailer in the United States wants this amendment. All the smaller retail stores, particularly, want it. All the regular jewelers want it, because they say that credit jewelers can put the tax in in the form of extended payments. They all charge a large premium for giving time on such purchases.

The object seems to be a perfectly ligitimate one. It is to prevent retailers from using the retail tax as a means of attracting trade, claiming that they are absorbing the tax when probably they are not, and when even if they are absorbing the tax they ought not to be doing so. If it were practical to do so, they ought to be required to say, "This is the price, and this is the tax." They ought to be separately stated. Unfortunately, with a fractional tax, that cannot be done.

Mr. ADAMS. I can understand the reason for punishing any one for making a false statement; but this amendment would punish a person even when he makes a statement which is true.

Mr. TAFT. It is impossible to prove the facts. If a man sells an article for 30 cents it is impossible to prove whether he is absorbing the tax or not. That is merely a matter of calculation. He may say that he is absorbing the tax, or he may say that the price is 27½ cents and the tax is 2½ cents; or he may say that the price is 30 cents. How can it be proved whether or not he is absorbing the tax? It is not a matter of fact which can be proved. All we are trying to prevent is the gaining of trade by a claim that the retailer is absorbing the tax, thereby forcing everybody in the trade to claim that he is absorbing the tax, and to invent all sorts of methods for evading the fact, when it cannot possibly be proved whether he is absorbing the tax or not.

Mr. ADAMS. The theory of the amendment is the assumption that a man is guilty, because the fact is difficult to prove. Some men may tell the truth about it. It is proposed to prosecute a man who tells the truth, because it is difficult to convict the man who makes a false statement.

Mr. TAFT. No. The great majority of retailers are wholly unable to absorb the tax. Do we want to give the big retailer, who can conceivably absorb the tax, the advantage of gaining trade by the advertisement of that fact? I think not. It is obvious that such a course would put everyone else at a disadvantage. It would permit a big retailer to carry out the very practice which is forbidden by the Miller-Tydings law or the Federal Trade Commission laws with regard to loss leaders. It would permit a man to avail himself of this particular retailer's tax to carry on what is in fact unfair competition. It is not necessary to prohibit the retailer from absorbing the tax; but it seems to me it is necessary to prohibit him from making that fact an advertising feature of his business, even though it be true that he absorbs the tax.

Mr. ADAMS. I do not see why a man should be punished for telling what is conceded to be the truth, if in fact he is telling the truth, simply because it is difficult to establish what is the truth.

Mr. TAFT. If it were possible, I should be in favor of prohibiting the retailer from absorbing the tax. Such a thing would be impracticable. It seems to me that the next best thing is to prevent his attracting customers by advertising that he is absorbing the tax. Whether he is absorbing it or not, I think, makes no difference. It is not a tax question. It is really a fair trade question. Since we are creating the means by which he can carry on unfair competition against his competitors, I think it is proper to provide in the bill a defense against his using the tax for that particular purpose.

Mr. ADAMS. The Senator is discussing the matter entirely from the standpoint of the man who is selling. I am thinking of it partly from the standpoint of the man who is buying. The Senator would prohibit the seller from absorbing the tax.

Mr. TAFT. In the State of Ohio we have a 3-percent sales tax. I believe it is the most successful sales tax in the United States. It has created less trouble and has resulted in the collection of more money in proportion to the population than any other tax. In that State the retailers are required to pass on the tax. That is easy to do, because they do it through the stamp system. A 1-cent stamp is issued for the first 40 cents, a 2-cent stamp up to 70 cents, and so forth. The retailer must give the customer a stamp showing what the tax is. He may not absorb the tax. He must pass the tax on. He may reduce his price, but he must pass on the tax. That system has worked. It has met with universal approval. It has met with no criticism. It has prevented the use of the sales tax as a means of unfair competition. The amendment reported by

the committee is as close as we can come to that system under this kind of a retail sales tax.

Mr. SCHWARTZ. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. SCHWARTZ. The effect of the amendment is that as a matter of public policy the dealer is prohibited from making any representation about the tax.

Mr. TAFT. That is true. As a matter of public policy he shall not make any representation that he is absorbing the tax to induce trade to come to his store.

Mr. ADAMS. It is a system of regimentation to prevent people from telling the truth.

Mr. TAFT. Not at all. It has nothing to do with their telling the truth. It is to require them, in effect, to pass on the tax.

Mr. DANAHER. Mr. President, I am in favor of the amendment reported by the committee. While I usually take everything that comes from the Committee on Finance without dotting an "i" or crossing a "t," I point out to the chairman that before we vote on the amendment I do not quite know what to do when there is no "t." [Laughter.] If the chairman will look on page 99, in line 1, he will find the word "written" with a "t" missing. I ask unanimous consent to insert it.

Mr. GEORGE. Mr. President, that is a satirical amendment, but it is entirely agreeable.

The PRESIDING OFFICER. Without objection, the amendment to the amendment is agreed to.

The question now is on agreeing to the amendment as amended.

The amendment as amended was agreed to.

The next amendment was, on page 99, after line 16, to insert:

SEC. 553. Administrative changes in manufacturers' excise-tax title of code.

(a) Leases: Section 3440 of the Internal Revenue Code is amended to read as follows:

"SEC. 3440. Definition of sale.

"For the purposes of this chapter the lease of an article (including any renewal or any extension of a lease or any subsequent lease of such article) by the manufacturer, producer, or importer shall be considered a taxable sale of such article."

Mr. GEORGE. Mr. President, that amendment is inserted to make it clear that not only a lease but also any renewal or extension of the lease of an article subject to the manufacturers' excise tax is to be regarded as a taxable sale of such article.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 99, after line 16.

The amendment was agreed to.

The next amendment was, on page 100, after line 2, to insert:

(b) Existing contracts: Chapter 29 of the Internal Revenue Code is amended by adding at the end thereof the following new section:

"SEC. 3453. Existing contracts.

"(a) Tax payable by vendee: If (1) any person has, prior to the effective date of Part V of Title V of the Revenue Act of 1941, made a bona fide contract for the sale on or after such date, of any article with respect to the sale of which a tax is imposed by that act or an existing rate of tax is increased by that act, and (2) such contract does not permit the adding to the amount to be paid under such contract of the whole of such tax or increased rate of tax, then (unless the contract prohibits such addition) the vendee shall, in lieu of the vendor, pay so much of the tax as is not so permitted to be added to the contract price.

"(b) Tax paid to vendor: Taxes payable by the vendee shall be paid to the vendor at the time the sale is consummated, and shall be collected and paid to the United States by the vendor in the same manner as provided in section 3467. In case of failure or refusal by the vendee to pay such taxes to the vendor, the vendor shall report the facts to the Commissioner, who shall cause collection of such taxes to be made from the vendee."

(c) Unexposed motion picture films: Section 3443 (a) (3) (A) of the Internal Revenue Code (relating to credits or refunds of tax to manufacturer) is amended by inserting at the end thereof the following new clause:

"(v) in the case of unexposed motion picture films, used or resold for use in the making of news reel motion picture films."

Mr. GEORGE. Mr. President, in substance that provision is now in the Internal Revenue Code, but the principle is applied only to sales made prior to 1932. This amendment is solely for the purpose of protecting the vendor where the vendor has a bona fide existing contract with the vendee which does not permit him to add the tax.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, in section 554, under the heading "Transportation of persons, etc.", on page 103, in line 8, after "(f)", to strike out "governmental exemption" and insert "exemptions"; and at the beginning of line 9, to insert "(1) governmental exemption."

The amendment was agreed to.

The next amendment was, on page 103, after line 13, to insert:

(2) Exemption of members of military and naval service: The tax imposed by this section shall not apply to the payment for transportation or facilities furnished under special tariffs providing for fares of not more than 1¼ cents per mile applicable to round-trip tickets sold to personnel of the United States Army, Navy, Marine Corps, and Coast Guard traveling in uniform of the United States at their own expense when on official leave, furlough, or pass, including authorized cadets and midshipmen, issued on presentation of properly executed certificate.

Mr. GEORGE. Mr. President, this amendment is intended to apply only to the members of the armed forces, the Army, Navy, Marine Corps, and Coast Guard, traveling in uniform and is to bring them into the accepted class under the transportation tax.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, in section 555, under the heading "Coin-operated amusement and gaming devices," on page 105, at the beginning of line 1, to strike out "tax of $25 per year in respect of such device, and shall pay an additional special tax of $25 per year for each additional such device so maintained or the use of which is so permitted" and insert:

tax as follows:

"(1) $10 per year in the case of a device defined in clause (1) of subsection (b);

"(2) $200 per year, in the case of a device defined in clause (2) of subsection (b); and

"(3) $10 or $200, as the case may be, for each additional device so maintained or the use of which is so permitted.

Mr. GEORGE. Mr. President, the junior Senator from Nevada [Mr. BUNKER] has indicated that he desires to offer an amendment to this section. Therefore I ask that it be passed over for the day so that he may prepare an amendment.

The PRESIDING OFFICER. Without objection, the amendment will be passed over.

The next amendment was, in section 556, under the heading "Bowling alleys, etc.", on page 106, at the beginning of line 17, to strike out "$15" and insert "$10."

The amendment was agreed to.

The next amendment was, to strike out all of pages 107 and 108, as follows:

SEC. 557. Outdoor advertising.

Subchapter A of chapter 27 of the Internal Revenue Code is amended by adding at the end thereof the following new part:

"PART XI—OUTDOOR ADVERTISING

"SEC. 3269. Tax on outdoor advertising.

"(a) Tax: Every person who engages in business as a lessor of billboards for outdoor advertising shall pay with respect to each billboard maintained or controlled by him for use in such business a special tax at the following rates:

"Tax classification

"For each billboard having an advertising space area of:	*Per annum*
"(1) Not more than 100 square feet	$1.00
"(2) More than 100 and not more than 200 square feet	2.00
"(3) More than 200 and not more than 300 square feet	3.00
"(4) More than 300 and not more than 400 square feet	5.00
"(5) More than 400 and not more than 600 square feet	8.00
"(6) More than 600 square feet	11.00

"(b) Additional billboards: Where a person has paid the special tax with respect to each of a number of billboards of the same tax classification and thereafter discontinues the maintenance or control of one or more, and also assumes the maintenance or control of additional billboards of the same tax classification, he shall pay special tax only with respect to so many of such additional billboards as exceed the number with respect to which he has already paid special tax.

"(c) Definitions: As used in this section—

"(1) The term 'billboard' means any outdoor structure or device primarily designed for the display of advertising matter, and includes so-called sign space on the exterior of a building the use of which is controlled by a person engaged in business as lessor of billboards for outdoor advertising.

"(2) The term 'lessor' means any person who maintains or controls the use of billboards and, for compensation, displays advertising matter thereon for another person or permits the display of advertising matter thereon by another person.

"(d) Penalties: Any person liable for the special tax under this section with respect to any billboard maintained or controlled by him who fails to pay such tax, besides being liable for the payment of the tax, shall be fined not more than $50 for each offense.

"(e) Other laws applicable: All administrative and penalty provisions of subchapters A, B, and C of chapter 11, insofar as applicable, shall apply to the special tax imposed by subsection (a) and to the persons upon whom imposed.

"(f) Effective date of tax: With respect to the year ending June 30, 1942, no tax shall be payable under this part for any period prior to the effective date of part V of title V of the Revenue Act of 1941."

Mr. GEORGE. Mr. President, this is the so-called billboard tax, which I think everyone understands. We have certainly had enough correspondence about it. The committee thought it was a rather trivial sort of tax. Actually it would produce almost no revenue.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. DANAHER. Mr. President, I would say to the Senator from Georgia that at the close of today's session I will take up with him the matter of a proposed amendment on page 109, line 11, to strike out the words "Motor vehicles—$5." I should like very much to go over the matter in full with the chairman of our committee, and I want him now to have notice of my intention.

The PRESIDING OFFICER. That will be in order when amendments other than committee amendments are considered.

Mr. GEORGE. That will be in order when we reach it.

Mr. DANAHER. I simply desire to give notice of my intention in regard to the matter.

The next amendment was, in the item relating to tax on use of motor vehicles and boats, on page 110, line 17, after the word "used", to strike out "exclusively" and insert "chiefly", and in line 20, after the word "seamen", to insert a comma and "or boats used by the Sea Scouts department of the Boy Scouts of America chiefly for training Scouts in seamanship."

Mr. GEORGE. That speaks for itself; exemption of tax on boats used chiefly in trade and used by Sea Scouts.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 113, after line 18, to insert:

PART VI—PROCESSING TAX ON CERTAIN OILS

SEC. 561. Payment of proceeds of processing tax to Guam and American Samoa.

(a) Payment to possessions: Chapter 21 of the Internal Revenue Code (relating to processing tax on oils) is amended by adding at the end thereof the following new section:

"SEC. 2483. All taxes collected under this chapter with respect to coconut oil wholly of the production of Guam or American Samoa or produced from materials wholly of the growth or production of Guam or American Samoa, shall be held as separate funds and paid to the Treasury of Guam or American Samoa, respectively. No part of the money from such funds shall be used, directly or indirectly, to pay a subsidy to the producers or processors of copra, coconut oil, or allied products, except that this sentence shall not be construed as prohibiting the use of such money, in accordance with regulations prescribed by the Commissioner with the approval of the Secretary, for the acquisition or construction of facilities for the better curing of copra or for bona fide loans to copra producers of Guam or American Samoa."

(b) Effective date of amendment: The amendment made by this section shall be applicable only with respect to taxes collected after the date of enactment of this act.

Mr. GEORGE. Mr. President, the amendment simply would do in the case of Guam and American Samoa what already has been done by the Congress in the case of the Philippines.

The amendment was agreed to.

The next amendment was, on page 114, after line 17, to strike out:

TITLE VI—RADIO BROADCASTING AND NETWORK TAX

SEC. 601. Tax on radio broadcasting stations and networks.

Subtitle B of the Internal Revenue Code is amended by inserting after chapter 6 the following new chapter:

"CHAPTER 6A

"SEC. 1220. Tax on radio broadcasting stations and networks.

"(a) Rate: For each calendar year beginning after December 31, 1941, there shall be imposed upon every person with respect to operating a radio broadcasting station or engaging in network broadcasting for any part of such year, an excise tax computed as follows:

"(1) If the net time sales exceed $100,000 and do not exceed $500,000, an amount equal to 5 percent of the net time sales, or an amount equal to the net time sales in excess of $100,000, whichever is the lesser.

"(2) If the net time sales exceed $500,000 and do not exceed $1,000,000, an amount equal to 10 percent of the net time sales, or an amount equal to $25,000 plus the amount of the net time sales in excess of $500,000, whichever is the lesser.

"(3) If the net time sales exceed $1,000,000, an amount equal to 15 percent of the net time sales, or an amount equal to $100,000 plus the amount of the net time sales in excess of $1,000,000, whichever is the lesser.

"(b) Definitions: For the purposes of this section—

"(1) 'Network broadcasting' means the making of arrangements with persons operating radio broadcasting stations for the simultaneous broadcast of an identical program by two or more connected stations and the distribution of programs by wire or radio to such persons.

"(2) 'Time sales' means the gross amount received or accrued from the sale of broadcast time. Where the sale is for a consideration other than money the gross amount considered to be received or accrued shall be the seller's published card rate for broadcast time. Where the sale is for a consideration, less a commission to an advertising agency (whether such sale is made to such agency or its principal) the amount of such commission (not in excess of 15 percent of such consideration) shall be excluded in determining the gross amount received or accrued with respect to such sale.

"(3) 'Net time sales' means time sales minus the amounts paid or incurred for broadcast time to other persons operating radio stations or engaged in network broadcasting.

"SEC. 1221. Returns.

"(a) Requirement: Every person liable for tax under section 1220 shall make a return under oath. Such return shall contain such information and be made in such manner as the Commissioner with the approval of the Secretary may by regulations prescribe.

"(b) Time for filing:

"(1) General rule: Such return shall be made with 2 months after the close of the year with respect to which such tax is imposed.

"(2) Extension of time: The Commissioner may extend the time for making the returns, under such rules and regulations as he may prescribe with the approval of the Secretary, but no such extension shall be for more than 60 days.

"(c) Place for filing: The return shall be made to the collector for the district in which is located the principal place of business of the taxpayer, or, if it has no principal place of business in the United States, then to the collector at Baltimore, Md.

"SEC. 1222. Other laws applicable.

"All provisions of law (including penalties) applicable in respect of the taxes imposed by chapter 6 shall, insofar as not inconsistent with this chapter, be applicable in respect of the tax imposed by this chapter."

Mr. GEORGE. That is the so-called radio-broadcasting tax which the committee, upon consideration, thought unwise to impose, and therefore recommended that it be stricken out.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, on page 118, after line 2, to insert:

TITLE VI—NONESSENTIAL FEDERAL EXPENDITURES

SEC. 601. Nonessential Federal expenditures.

(a) There is hereby established a committee to investigate nonessential Federal expenditures (hereinafter referred to as the "committee"), to be composed of (1) three members of the Senate Committee on Finance and three members of the Senate Committee on Appropriations, to be appointed by the President of the Senate; (2) three members of the House Committee on Ways and Means and three members of the House Committee on Appropriations, to be appointed by the Speaker of the House of Representatives; and (3) the Secretary of the Treasury, and the Director of the Bureau of the Budget. A vacancy in the committee shall not affect the power of the remaining members to execute the functions of the committee, and shall be filled in the same manner as the original selection. A majority of the committee shall constitute a quorum, and the powers conferred upon them by this section may be exercised by a majority vote.

(b) It shall be the duty of the committee to make a full and complete study and investigation of all expenditures of the Federal Government with a view to recommending the elimination or reduction of all such expenditures deemed by the committee to be nonessential. The committee shall report to the President and to the Congress the results of its study, together with its recommendations, at the earliest practicable date.

(c) The committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places, to employ such experts and such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The provisions of sections 102 to 104, inclusive, of the Revised Statutes shall apply in case of any failure of any witness to comply with any subpena, or to testify when summoned under the authority of this section.

(d) The committee is authorized to utilize the services, information, facilities, and personnel of the departments and agencies of the Government.

(e) There is hereby authorized to be appropriated the sum of $10,000, or so much thereof as may be necessary, to carry out the provisions of this section.

(f) All authority conferred by this section shall terminate upon the submission of the committee's final report.

SEC. 602. Section 1303 of the Revenue Act of 1918, as amended, is amended by striking out "President of the Senate" wherever it appears therein and inserting in lieu thereof "President pro tempore of the Senate."

Mr. ADAMS. Mr. President, I have one suggestion to make in reference to the amendment. It seems to me that on line 7 the word "nonessential" should go out. In other words, the investigation should be of all Federal expenditures, and not merely of nonessential ones. Because at the bottom of the page the amendment provides that the committee shall recommend the elimination of expenditures deemed to be nonessential. It seems to me that in order to find out what expenditures are nonessential we shall have to investigate many expenditures which are not nonessential. Therefore I suggest that the word "nonessential" go out. I discussed the matter with the Senator from Virginia, and the Senator from Virginia is agreeable to that elimination. Therefore I move, Mr. President, that the word "nonessential" be stricken out.

The PRESIDING OFFICER. The question is on the motion of the Senator from Colorado [Mr. ADAMS] to amend the committee amendment by striking out the word "nonessential" on page 118, line 7.

The motion was agreed to.

Mr. GEORGE. The question is on agreeing to the amendment as amended; is it not?

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as amended.

The amendment as amended was agreed to.

The next amendment was, at the top of page 120, to insert:

TITLE VI—CREDIT AGAINST FEDERAL UNEMPLOYMENT TAXES

SEC. 701. Credit against Federal unemployment taxes.

(a) Allowance of credit against tax for 1936, 1937, and 1938: Against the tax imposed by section 901 of the Social Security Act for the calendar year 1936, 1937, or 1938, any taxpayer shall be allowed credit (if credit is not allowable under sec. 902 of such act) for the amount of contributions paid by him into an unemployment fund under a State law—

(1) Before the sixtieth day after the date of the enactment of this act, if such credit is claimed before the expiration of 6 months after such date of enactment;

(2) Without regard to the date of payment, with respect to wages paid after September 19, 1939;

(3) Without regard to the date of payment, if the assets of the taxpayer are, at any time during the 59-day period following such date of enactment, or were at any time during the period August 11, 1939, to October 8, 1939, inclusive, or the period October 9, 1940, to December 6, 1940, inclusive, in the custody or control of a receiver, trustee, or other fiduciary appointed by, or under the control of, a court of competent jurisdiction.

The provisions of the Social Security Act in force prior to February 11, 1939 (except the provision limiting the credit to amounts paid before the date of filing returns), shall apply to allowance of credit under this subsection; except that the amount of credit against the tax for the calendar year 1936, 1937, or 1938, for contributions paid after December 6, 1940, shall not (unless the credit is allowable on account of par. (2) or (3)) exceed 90 percent of the amount which would have been allowable as credit on account of such contributions had they been paid before the last day upon which the taxpayer was required under section 905 of such act to file a return for such year. The terms used in this subsection shall have the same meaning as when used in title IX of such act prior to February 11, 1939. The total credit allowable against the tax imposed by section 901 of such act for the calendar year 1936, 1937, or 1938 shall not exceed 90 percent of such tax.

(b) Allowance of credit against tax for 1939 and 1940: Against the tax imposed by the Federal Unemployment Tax Act for the calendar year 1939 or 1940, any taxpayer shall be allowed credit (if credit is not allowable under sec. 1601 of such act) for the amount of contributions paid by him into an unemployment fund under a State law—

(1) Before the sixtieth day after the date of the enactment of this act, if such credit is claimed before the expiration of 6 months after such date of enactment;

(2) Without regard to the date of payment, if the assets of the taxpayer are, at any time during the 59-day period following such date of enactment, or were at any time during the period from the last day upon which the taxpayer was required under section 1604 of the Federal Unemployment Tax Act to file a return of the tax against which credit is claimed to June 30 next following such last day, inclusive, or (in the case of credit against the tax for the calendar year 1939) the period October 9, 1940, to December 6, 1940, inclusive, in the custody or control of a receiver, trustee, or other fiduciary appointed by, or under the control of, a court of competent jurisdiction.

The provisions of the Federal Unemployment Tax Act (except sec. 1601 (a) (3)), including such provisions as modified by section 902 (e) of the Social Security Act amendments of 1939, shall apply to allowance of credit under this subsection. The amount of such credit against the tax for the calendar year 1939 or 1940, in the case of contributions paid after the last day upon which the taxpayer was required under section 1604 of the Federal Unemployment Tax Act to file a return for such year shall not (unless the credit is allowable on account of par. (2)) exceed 90 percent of the amount which would have been allowable as credit on account of such contributions had they been paid on or before such last day. The terms used in this subsection shall have the same meaning as when used in the Federal Unemployment Tax Act. The total credit allowable against the tax imposed by such act for the calendar year 1939 or 1940 shall not exceed 90 percent of such tax.

(c) Refund: Refund, credit, or abatement of the tax (including penalty and interest assessed or collected with respect thereto, if any), based on any credit allowable under subsection (a) or (b) may be made in accordance with the provisions of law applicable in the case of erroneous or illegal assessment or collection of the tax (including statutes of limitations). No interest shall be allowed or paid on the amount of any such credit or refund. On and after the date of the enactment of this act no refund, credit, or abatement shall be allowed based on any credit allowable under section 810 of the Revenue Act of 1938, section 902 (a) of the Social Security Act amendments of 1939, or section 701 of the Second Revenue Act of 1940.

Mr. DANAHER. Mr. President, I respectfully ask the chairman of the committee to allow title VI, as recommended on page 120 and following pages, to go over. I should like very much to take up with him a matter that I think will seriously affect title VI.

The PRESIDING OFFICER. That should be title VII.

Mr. DANAHER. I see it is marked "title VI"; and I have so designated it by reference to the pages in order to identify it.

Mr. BYRD. Mr. President, will the Senator from Georgia yield?

Mr. GEORGE. Yes; I yield.

Mr. BYRD. I ask unanimous consent to have inserted in the body of the RECORD at this point a resolution passed by the Senate Finance Committee which is in a sense a companion measure to section 601 which has just been adopted. I ask unanimous consent to have the resolution inserted in the RECORD at this point as a matter of information. The resolution was adopted last night.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution is as follows:

Resolved by the Committee on Finance of the Senate, acting under the authority vested in it by section 20 of the Budget and Accounting Act of 1921, That the Director of the Bureau of the Budget be requested to transmit to the chairman of said committee, as promptly as possible, but not later than the 15th day of October 1941, such detailed revisions of the estimates of expenditures for the fiscal year ending June 30, 1942, as he would make if he had been instructed to prepare three Budget estimates for such fiscal year in which the total annual expenditures for nondefense purposes were less by $1,000,000,000, by $1,500,000,000, and by $2,000,000,000, respectively, than the total amounts appropriated for such nondefense purposes for such fiscal year, and to transmit to the chairman of said committee, together with such revisions of estimates, complete data showing all items which were classified or considered as being nondefense expenditures in the Budget estimates for the fiscal year ending June 30, 1940, and which, in the Budget estimates of expenditures for the fiscal year ending June 30, 1941, or for the current fiscal year, have been included, directly or indirectly, as defense expenditures, and are now classified or considered as being defense expenditures.

Resolved further, That the chairman of said committee be directed to transmit to the chairman of the Committee on Appropriations of the Senate and to the chairman of the Committee to Investigate Nonessential Federal Expenditures established by the Revenue Act of 1941 copies of the revisions of estimates and other data transmitted by the Director of the Bureau of the Budget pursuant to this resolution.

Resolved further, That the chairman of the Committee on Finance of the Senate be directed to transmit a copy of this resolution, immediately upon its adoption, to the Director of the Bureau of the Budget.

Adopted by the Committee on Finance of the Senate August 28, 1941.

———, *Chairman.*

Mr. BYRD. Mr. President, I ask that the clerk read the resolution.

Mr. WALSH. Mr. President, this resolution is merely for the information of the Senate. Such a proposal does not have to be ratified by the Senate.

Mr. BYRD. It is not to be ratified by the Senate. The information is furnished by the Finance Committee in accordance with section 20 of the Budget and Accounting Act of 1921, which provides that—

The Bureau shall at the request of any committee of either House of Congress having jurisdiction over revenue or appropriations, furnish the committee such aid and information as it may request.

Mr. WALSH. So the request is simply to have the resolution made a matter of record, for the information of the Senate?

Mr. BYRD. Yes. I think the resolution should be read for the information of the Senate.

The Chief Clerk read the resolution.

Mr. DANAHER. Mr. President, I renew my request of our distinguished chairman of the committee and ask that action on title VII be deferred until I have had a chance to take up with him the matter of the proposed amendment.

Mr. GEORGE. That is on page 120?

Mr. DANAHER. It is called title VI in the bill, but that is an error. It appears on pages 120, 121, 122, and 123, and it applies to the Social Security Act.

Mr. GEORGE. That is quite agreeable, Mr. President.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DANAHER. I thank the Senator from Georgia.

Mr. GEORGE. That completes the committee amendments, Mr. President, except for those passed over. I should like to offer one further amendment at this time: On page 26, line 9, to strike out the word "such" and insert "the."

The amendment was agreed to.

Mr. GEORGE. Mr. President, I would not want any misunderstanding. I think Senators who are interested in the community-property amendment understood that it would go over until tomorrow morning.

The PRESIDING OFFICER. An order has been made to that effect.

Mr. GEORGE. I am not sure about the other amendments, whether they simply went over or whether they went over until tomorrow.

Mr. BARKLEY. I thought that amendments which went over went over until we went through the bill for uncontested amendments, and then we would go back and take up the amendments which had been passed over.

Mr. GEORGE. That is quite agreeable to me.

Mr. McNARY. Mr. President, I may have conveyed the intimation to some Members of the Senate that amendments which went over until the following day were passed over to afford an opportunity to read and study the bill. I think when a request is made that an amendment be passed over, it means that it be passed over until tomorrow.

Mr. BARKLEY. That is true when the calendar is called, but ordinarily when we go through a bill, and take up the amendments, when an amendment goes over it, it goes over until we finish the uncontested amendments. Whatever the Senator from Georgia wants to do is agreeable to me, but it is a little early to quit work today unless we can agree to meet at an earlier hour tomorrow.

Mr. McNARY. I wish to say, in fairness to Members of the Senate, that if the amendments go over until tomorrow, I would have no complaint if the Senate should meet earlier in the day.

Mr. GEORGE. Mr. President, if the majority and minority leaders agree to meet at 11 o'clock tomorrow in lieu of 12 o'clock, I think it would be better to recess until tomorrow, that is, so far as the tax bill is concerned.

Mr. BARKLEY. Would the Senator from Georgia, for the advice of the Senate, indicate what amendments have gone over, so that Members may understand what will be under consideration tomorrow?

Mr. GEORGE. I do not know that I could, without the assistance of the clerk, to give the information. The amendment lowering the personal exemption and the community property income amendment would be first in order.

Mr. BARKLEY. Then, do we understand that the amendments which have gone over will be taken up in the order in which they appear in the bill?

Mr. GEORGE. Yes; I think so.

Mr. BARKLEY. And that the first one will be the amendment lowering exemptions?

Mr. GEORGE. That is the first amendment in order; yes.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent that I may be permitted to submit an amendment to the tax bill, and have it printed, although I am not able to offer it at this moment.

The PRESIDING OFFICER. Without objection, the amendment will be printed and lie on the table.

EXECUTIVE SESSION

Mr. BARKLEY. With the understanding that when I move a recess I shall move that the Senate take a recess until 11 o'clock tomorrow morning, in order that Senators may familiarize themselves with the bill and the remaining amendments which have gone over, I now move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. HAYDEN, from the Committee on Post Offices and Post Roads:

Several postmasters.

THE ARMY—FREDERICK HENRY OSBORN

The PRESIDING OFFICER (Mr. SMATHERS in the chair). If there be no further reports of committees, the clerk will state the nomination which has been passed over.

The legislative clerk read the nomination of Frederick Henry Osborn to be brigadier general in the Officers' Reserve Corps.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to this nomination? [Putting the question.]

The nomination was confirmed.

NAVY DEPARTMENT

The PRESIDING OFFICER. The clerk will state the other nominations on the calendar.

The legislative clerk read the nomination of Artemus L. Gates, of New York, to be Assistant Secretary of the Navy for Aeronautics.

Mr. WALSH. Mr. President, this is rather an important nomination. The office of Assistant Secretary of the Navy for Aeronautics has been vacant for some time. I move the confirmation of the nomination.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COLLECTOR OF CUSTOMS

The legislative clerk read the nomination of Joseph H. Lyons, of Mobile, Ala., to be collector of customs, with headquarters at Mobile, Ala.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read the nominations of sundry postmasters.

Mr. WALSH. I ask unanimous consent that the postmaster nominations be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

MARINE CORPS

The legislative clerk proceeded to read sundry nominations for promotions in the Marine Corps.

Mr. WALSH. I ask unanimous consent that the nominations in the Marine Corps be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Marine Corps are confirmed en bloc.

That completes the calendar.

Mr. BARKLEY. I ask unanimous consent that the President be notified immediately of the confirmation of the nominations acted on by the Senate today.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 3 o'clock and 3 minutes p. m.) the Senate took a recess until tomorrow, Thursday, September 4, 1941, at 11 o'clock a. m.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 3 (legislative day of September 2), 1941:

APPOINTMENT IN THE OFFICERS' RESERVE CORPS, IN THE ARMY OF THE UNITED STATES

Frederick Henry Osborn to be a brigadier general in the Officers' Reserve Corps, in the Army of the United States.

NAVY DEPARTMENT

Artemus L. Gates to be Assistant Secretary of the Navy for Aeronautics.

COLLECTOR OF CUSTOM

Joseph H. Lyons to be collector of customs for customs collection district No. 19, with headquarters at Mobile, Ala.

POSTMASTERS

OREGON

Goldie V. Smith, Brookings.
James T. Brophy, Hines.
Helen Peetz, Turner.

APPOINTMENTS AND PROMOTIONS IN THE NAVY

MARINE CORPS

To be major

William R. Williams

To be first lieutenant

Douglas E. Keeler

To be second lieutenants

Harold C. Howard	Robert W. Glickert
William E. Davis	George L. Hays
Samuel W. Smith, Jr.	Herbert T. Elliott, Jr.
Edward G. Walker, Jr.	Roland E. Carey

To be chief quartermaster clerk

Percy H. Uhlinger

To be chief pay clerk

Ernest M. Jones

SENATE

THURSDAY, SEPTEMBER 4, 1941

(Legislative day of Tuesday, September 2, 1941)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Reverend Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O Loving Saviour, Who didst reveal the meaning of unselfish love through a life of heavenly riches spent amid earthly poverty: Vouchsafe, we beseech Thee, the Spirit of Wisdom to the people of America, that, amid temporal plenty, we who have received so much from Thee may choose wisely in all things, laying up treasures not earthly but heavenly from the bounty which Thou bestowest.

Lead us forth, O Shepherd, beside the waters of comfort and in the paths of righteousness for Thy Name's sake, that we whom Thou hast fed in green pastures may never stray from Thy way, but, knowing Thy voice, may ever hearken unto Thee. And pour into our hearts, O Lord, the spirit of unselfishness, that when our cup overfloweth we may show forth our gratitude to Thee by sharing our happiness with others. We ask it through Jesus Christ, to whom be glory for ever and ever. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Wednesday, September 3, 1941, was dispensed with, and the Journal was approved.

CLAIM OF STATE OF VERMONT FOR EXPENDITURES DURING WAR OF 1812–15 (S. DOC. NO. 111)

Mr. AUSTIN. Mr. President, I ask unanimous consent to have printed as a Senate document a communication or report dated August 16, 1941, together with an earlier report, dated February 19, 1935, both from the Comptroller General of the United States to the President of the Senate relating to the war claims of 1812–15 of the State of Vermont.

The VICE PRESIDENT. Without objection, the reports will be printed as a document.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Bunker	Ellender
Aiken	Burton	George
Andrews	Butler	Gerry
Austin	Byrd	Gillette
Bailey	Capper	Green
Bankhead	Caraway	Guffey
Barbour	Clark, Idaho	Hatch
Barkley	Clark, Mo.	Hayden
Bilbo	Connally	Herring
Brewster	Danaher	Hill
Bridges	Davis	Holman
Brooks	Downey	Hughes
Bulow	Eastland	Johnson, Colo.
Kilgore	O'Daniel	Taft
La Follette	O'Mahoney	Thomas, Idaho
Langer	Overton	Thomas, Utah
Lee	Peace	Tobey
Lucas	Radcliffe	Tunnell
McCarran	Rosier	Tydings
McFarland	Russell	Vandenberg
McNary	Schwartz	Van Nuys
Maloney	Smathers	Walsh
Murray	Smith	Wiley
Nye	Spencer	

Mr. HILL. I announce that the Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. GLASS], the Senator from North Carolina [Mr. REYNOLDS], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Michigan [Mr. BROWN], the Senator from New Mexico [Mr. CHAVEZ], the Senators from Tennessee [Mr. MCKELLAR and Mr. STEWART], the Senator from Utah [Mr. MURDOCK], the Senator from Florida [Mr. PEPPER], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

The Senator from New York [Mr. MEAD], the Senator from Missouri [Mr. TRUMAN], and the Senator from Washington [Mr. WALLGREN] are engaged in holding hearings on behalf of the Committee to Investigate the National Defense Program.

The Senator from Kentucky [Mr. CHANDLER] is absent on a defense-inspection tour.

Mr. AUSTIN. The Senator from Minnesota [Mr. BALL], the Senator from South Dakota [Mr. GURNEY], the Senator from Massachusetts [Mr. LODGE], the Senator from Kansas [Mr. REED], and the Senator from Minnesota [Mr. SHIPSTEAD] are necessarily absent.

The Senator from Indiana [Mr. WILLIS] is absent because of a personal injury.

The VICE PRESIDENT. Seventy-one Senators have answered to their names. A quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

LEGISLATION BY MUNICIPAL COUNCILS IN VIRGIN ISLANDS

Two letters from the Acting Secretary of the Interior, transmitting, pursuant to law, copies of legislation enacted by the municipal councils of St. Croix and St. Thomas and St. John, V. I. (with accompanying papers); to the Committee on Territories and Insular Affairs.

RELIEF OF LT. COMDR. JOSEPH SIMON AND R. D. LEWIS

A letter from the Acting Secretary of Agriculture, transmitting a draft of proposed legislation for the relief of Joseph Simon, lieutenant commander (S. C.), United States Navy, and R. D. Lewis (with accompanying papers); to the Committee on Claims.

JUNE 1941 REPORT OF THE R. F. C.

A letter from the Chairman of the Reconstruction Finance Corporation, transmitting, pursuant to law, a report of the activities and expenditures of the Corporation for the month of June 1941, including a statement of loan and other authorizations made during the month, etc. (with accompanying papers); to the Committee on Banking and Currency.

PETITIONS

Petitions were presented and referred as indicated:

By Mr. WALSH:

Petitions of sundry citizens of the State of Massachusetts praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. CAPPER:

Petitions, numerously signed, of sundry citizens of Wichita and Garden City, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. TYDINGS, from the Committee on Territories and Insular Affairs:

S. J. Res. 105. Joint resolution transferring the administration of the homestead projects established in the Virgin Islands from the Government of the Virgin Islands to the Department of Agriculture; without amendment.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. CONNALLY, from the Committee on the Judiciary:

Francis Biddle, of Pennsylvania, to be Attorney General of the United States.

By Mr. HAYDEN, from the Committee on Post Offices and Post Roads:

Several postmasters.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. GEORGE:

S. 1889. A bill authorizing the Administrator of Veterans' Affairs to grant an easement for highway purposes to the County of Macon, Ala., in a strip of land located at Veterans' Administration facility, Tuskegee, Ala.; to the Committee on Finance.

By Mr. SMATHERS:

S. 1890. A bill authorizing the appointment and retirement of John J. Reilly as a captain, United States Army; to the Committee on Military Affairs.

By Mr. CAPPER:

S. 1891. A bill to increase the efficiency of the Army of the United States by making certain gratuitous issues; to the Committee on Military Affairs.

By Mr. NYE:

S. 1892. A bill for the relief of the widow and child of Walfred Pearson; to the Committee on Claims.

By Mr. LANGER:

S. 1893. A bill for the relief of Leslie Truax; to the Committee on Claims.

S. 1894. A bill relating to the compensation of custodial employees in the public schools of the District of Columbia; to the Committee on the District of Columbia.

By Mr. CLARK of Missouri:

S. 1895. A bill to extend the time for completing the construction of a bridge across the Mississippi River at or near a point between Cherokee and Osage Streets, St. Louis, Mo.; to the Committee on Commerce.

REVENUE ACT OF 1941—AMENDMENTS

Mr. ADAMS and Mr. BAILEY each submitted an amendment, and Mr. BUTLER, Mr. BANKHEAD, and Mr.

EASTLAND, jointly, submitted an amendment intended to be proposed by them to the bill (H. R. 5417) to provide revenue, and for other purposes, which were severally ordered to lie on the table and to be printed.

Mr. OVERTON. Mr. President, on behalf of the senior Senator from New Mexico [Mr. HATCH] and myself I send to the desk an amendment intended to be proposed to House bill 5417, the revenue bill, and ask that it be printed and lie on the table. The amendment deals with the levying of income taxes on partnership incomes generally and is to be offered by us only in the event that the community-income amendment proposed by the committee shall be adopted.

The VICE PRESIDENT. The amendment will lie on the table and be printed.

IMPROVEMENT OF NAVIGATION, IRRIGATION, AND FLOOD CONTROL ON MISSOURI RIVER AND TRIBUTARIES

Mr. BULOW submitted the following resolution (S. Res. 159), which was referred to the Committee on Agriculture and Forestry:

Resolved, That the Committee on Agriculture and Forestry, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation with respect to the improvement and development of navigation, irrigation, and control of floods on the Missouri River and its tributaries, for the promotion of the national defense, and for other purposes. The committee shall report to the Senate, at the earliest practicable date, the results of its investigation, together with its recommendations, if any, for necessary legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-seventh and succeeding Congresses, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

FOOD FOR SMALL DEMOCRACIES

Mr. TAFT. Mr. President, 62 leading American rabbis have issued a statement approving the food-relief program of the National Committee on Food for the Small Democracies, of which former President Herbert Hoover is vice chairman, and on which more than 1,000 representative and outstanding men and women, residing in every State in the Union, are serving.

The basis for a workable formula through which millions of helpless and destitute fellow humans in the small invaded democracies may be saved from starvation and epidemic disease is embodied in Senate Resolution 124, which was introduced by the Senator from Oklahoma [Mr. THOMAS] for himself and 36 others of our distinguished colleagues on June 2 last. That resolution is now pending before the Senate Committee on Foreign Relations.

This important and significant statement from 62 prominent rabbis, living in 24 different States, was printed in the New York Times and in other newspapers throughout the country on August 28.

Because of the urgent need of the victims of oppression in the small invaded democracies, and because the next winter, now drawing near, gives tragic promise of being the most terrible since the dawn of recorded history insofar as the lives and physical welfare of millions of noncombatants are concerned, I feel that we should give early and sympathetic attention to the pleas of the helpless, which grow more acute with each passing day.

The rabbis' statement calls for the thoughtful and compassionate consideration of all of us, and I therefore ask unanimous consent to have it printed in the CONGRESSIONAL RECORD.

The VICE PRESIDENT. Without objection, the statement will be printed in the RECORD.

The statement is as follows:

The state of unlimited emergency which the President has proclaimed cannot blind us to human needs and should not stifle our humanitarian impulses. This is a truism which our national administration itself would affirm. And yet there is the danger that, in concentrating upon the program of action which has been mapped out for them, our people may overlook duties not incompatible with that program and still meriting our attention.

We, as religious leaders, cannot be indifferent to the suffering that, in increasing measure, is the lot of the innocent civilian population of western Europe. It is our duty to apply our intelligence and our energies to an unremitting effort to find some means, acceptable to all concerned, to succor our unfortunate fellowmen. We recognize the practical problems involved in any effort to bring food to Belgium and other stricken areas, and we also recognize that segment of American opinion which fears that help to starving civilians may mean aid to the Nazis.

But we are confident that some plan can be worked out which will save the lives of women and children, and which will not materially affect the military situation. The plan of supervised soup kitchens, with attendant safeguards, proposed by the National Committee on Food for the Small Democracies, gives promise of providing the solution. This proposal should engage the sympathetic consideration of all who are in any way involved in this problem, and we especially urge our brethern to accord to the finding of the national committee the painstaking study merited by its effort to preserve human values and to save human lives.

Our Jewish tradition, no less than that of our Christian brethren, enjoins upon us compassion for the suffering, and emphasizes the sanctity of human life. "He who saves one life is accounted as thought he had saved an entire world," says our rabbinic literature. The Biblical command to feed even our enemy when he is hungry is reiterated by our sages. How much the more then are we obliged to seek to save the lives of these starving innocents who are not our enemies but vanquished friends of democracy, the unfortunate victims of events beyond their control.

We record our approval of the quiet, courageous way in which the National Committee on Food for the Small Democracies has striven to carry out the mission entrusted to it, working to win support for its proposals without entering the realm of political controversy or using those methods of intense campaigning which might evoke debate and stir up unwanted prejudices.

We regret that, despite this fact, the committee has been the target for unjustified attacks. Some agency must continue to uphold the cause of these starving men, women, and children and must continue to seek to formulate a plan acceptable to the belligerents, which will bring relief to the millions of innocent sufferers whose piteous cry is all but lost in the din of conflict.

In the name of the God and Father of all men and of our common humanity we commend the work of the National Committee on Food for the Small Democracies in the blessed effort it is making.

Those who signed the statement were:

Rabbi Lawrence A. Block, Congregation Ohev Sholom, Huntington, W. Va.

Rabbi Maurice J. Bloom, Temple Beth Jacob, Newburgh, N. Y.

Rabbi Stanley R. Brav, Congregation Anshe Chesed, Vicksburg, Miss.

Rabbi Edward N. Calisch, Congregation Beth Ahabah, Richmond, Va.

Rabbi Henry Cohen, Congregation B'nai Israel, Galveston, Tex.

Rabbi Abraham Cronbach, professor of social studies, Hebrew Union College, Cincinnati, Ohio.

Rabbi Max C. Currik, Reform Congregation Anshe Hesed, Erie, Pa.

Rabbi Daniel L. Davis, Congregation Shaarai Shomayim, Lancaster, Pa.

Rabbi Harry Essrig, Chicago, Ill.

Rabbi Gustave F. Falk, northeast regional director, U. A. H. C., New York City.

Rabbi Julian B. Feibelman, Temple Sinai, St. Charles and Calhoun, New Orleans, La.

Rabbi Adolph J. Feinberg, Temple Beth El, Hammond, Ind.

Rabbi David Fichman, social work executive, New Orleans, La.

Rabbi Gresham George Fox, South Shore Temple, Chicago, Ill.

Rabbi Hirsch L. Freund, Temple Judah, Cedar Rapids, Iowa.

Rabbi Iser L. Freund, Congregation Bickur Cholim, San Jose, Calif.

Rabbi Benjamin Friedman, Temple Society of Concord, Syracuse, N. Y.

Rabbi Maurice Goldblatt, Indianapolis Hebrew Congregation, Indianapolis, Ind.

Rabbi Albert Goldman, Decatur, Ill.

Rabbi Sidney E. Goldstein, Free Synagogue, New York City.

Rabbi Ezra Gerson Gotthelf, director, American Nonsectarian Friendship Service, San Francisco, Calif.

Rabbi L. Elliot Grafman, Temple Israel, Long Beach, Calif.

Rabbi Joseph H. Gumbiner, Congregation Beth Or, Reno, Nev.

Rabbi Samuel M. Gup, Temple Israel, Columbus, Ohio.

Rabbi Robert P. Jacobs, Congregation Beth Ha-Tephila, Asheville, N. C.

Rabbi Israel L. Kaplan, Congregation Ahavath Chesed, Jacksonville, Fla.

Rabbi Louis Kuppin, B'nai Sholom Temple, Quincy, Ill.

Rabbi Charles B. Latz, Canton Hebrew Congregation, Canton, Ohio.

Rabbi Arthur J. Lelyveld, Congregation Bene Israel, Hamilton, Ohio.

Rabbi Samuel J. Levinson, Temple Beth Emeth of Flatbush, Brooklyn, N. Y.

Rabbi Meyer Lovitt, Temple Beth Israel, Jackson, Miss.

Rabbi Lothar Lubasch, Congregation Agudath Achim B'er Abraham, Elyria, Ohio.

Rabbi Jerome Mark, Temple Beth-El, Knoxville, Tenn.

Rabbi Meyer H. Marx, Temple B'nai Israel, Natchez, Miss.

Rabbi Meyer Miller, Greenwich Hebrew Institute, Greenwich, Conn.

Rabbi Perry E. Nussbaum, Temple Emanu-El, Wichita, Kans.
Rabbi Jacob J. Ogle, Congregation B'nai Jeshurun, Lincoln, Nebr.
Rabbi Levi A. Olan, Temple Emanuel, Worcester, Mass.
Rabbi Harry B. Pastor, Anshai Emeth Temple, Peoria, Ill.
Rabbi David Philipson, Congregation Bene Israel, Cincinnati, Ohio.
Rabbi W. Gunther Plaut, Washington Boulevard Temple, Chicago, Ill.
Rabbi Herman I. Pollack, Temple Israel, Blytheville, Ark.
Rabbi Max Raisin, Barnert Memorial Temple, Paterson, N. J.
Rabbi Sidney L. Regner, Reform Congregation Oheb Sholom, Reading, Pa.
Rabbi Karl Richter, Temple Israel, Springfield, Mo.
Rabbi William Rosenau, Oheb Shalom, Baltimore, Md.
Rabbi Harold I. Saperstein, Temple Emanu-El, Lynbrook, Long Island, N. Y.
Rabbi Sidney Wolf, Temple Beth El, Corpus Christi, Tex.
Rabbi Samuel Wolk, Congregation B'nai B'rith, Wilkes-Barre, Pa.
Rabbi Jacob K. Shankman, Temple Israel, New Rochelle, N. Y.
Rabbi Nathaniel S. Share, Gates of Prayer, New Orleans, La.
Rabbi Meyer H. Simon, Temple Israel, Lafayette, Ind.
Rabbi Edgar E. Siskin, Congregation Mishkan Israel, New Haven, Conn.
Rabbi Samuel D. Soskin, Temple Beth El, Fort Worth, Tex.
Rabbi Adolph Spiegel, Long Branch, N. J.
Rabbi Ulrick B. Steuer, Temple Beth Sholom, Fredericksburg, Va.
Rabbi Samuel Teitelbaum, United Hebrew Congregation, Fort Smith, Ark.
Rabbi Samuel Thurman, United Hebrew Temple, University City, St. Louis, Mo.
Rabbi Leo E. Turitz, Temple Beth Zion, Bradford, Pa.
Rabbi Harvey E. Wessel, Temple Beth El, Tyler, Tex.
Rabbi David L. Zielonka, Congregation Schaarai Zedek, Tampa, Fla.
Rabbi Maurice L. Zigmond, Temple Israel, Waterbury, Conn.

LETTER FROM THE PRESIDENT TO HOMER MAT ADAMS

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a letter from the President addressed to Homer Mat Adams under date of August 18, 1941, which appears in the Appendix.]

ST. LAWRENCE SEAWAY—LETTER OF CHARLES MORRIS MILLS

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD a letter relating to the St. Lawrence seaway, written by Charles Morris Mills, of Jaffrey, N. H., and printed in the New York Herald Tribune of August 17, 1941, which appears in the Appendix.]

ADDRESS BY I. M. ORNBURN ON AMERICA AND THE UNION LABEL

[Mr. DAVIS asked and obtained leave to have printed in the RECORD a radio address on the subject America and the Union Label, delivered by I. M. Ornburn, secretary-treasurer, union-label trades department, American Federation of Labor, on September 1, 1941, which appears in the Appendix.]

ARTICLE BY FRANK R. KENT ON RETRENCHING NONESSENTIAL SPENDING

[Mr. BYRD asked and obtained leave to have printed in the RECORD an article by Frank R. Kent, published in the Baltimore Sun of September 3, on the necessity of retrenching nonessential spending, which appears in the Appendix.]

ARTICLE BY WILLIAM ALLEN WHITE ON UNITED STATES FOREIGN POLICY

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD an article by William Allen White on the subject United States Foreign Policy Held Peaceful, published in the Washington Star of August 31, 1941, which appears in the Appendix.]

ARTICLE BY WILLIAM ALLEN WHITE ON THE ROAD TO PEACE

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD an article by William Allen White entitled "The Road to Peace," published in the Emporia (Kans.) Gazette of August 21, 1941, which appears in the Appendix.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. EDWARD T. TAYLOR, late a Representative from the State of Colorado, and transmitted the resolutions of the House thereon.

REVENUE ACT OF 1941

The Senate resumed the consideration of the bill (H. R. 5417) to provide revenue, and for other purposes.

Mr. DANAHER. Mr. President, yesterday, without having had a chance to examine the minority views filed by the Senator from Wisconsin [Mr. LA FOLLETTE], I had given notice to the chairman of the committee of my intention to file an amendment repealing the proposed use tax on motor vehicles. I wish to say now to the Senator from Wisconsin that I have since read the minority views which he filed, and I absolutely concur in the section in which he deals with the subject, and shall be most happy to collaborate with him in any amendment which he proposes with reference to that particular subject.

The VICE PRESIDENT. The clerk will state the first committee amendment passed over.

The CHIEF CLERK. The first amendment passed over is, on page 22, after line 2, to insert:

SEC. 111. Personal exemption.

(a) Section 25 (b) (1) of the Internal Revenue Code is amended to read as follows:

"(1) Personal exemption: In the case of a single person or a married person not living with husband or wife, a personal exemption of $750; or in the case of the head of a family or a married person living with husband or wife, a personal exemption of $1,500. A husband and wife living together shall receive but one personal exemption. The amount of such personal exemption shall be $1,500. If such husband and wife make separate returns, the personal exemption may be taken by either or divided between them, except that if one spouse makes a return under Supplement T, the personal exemption of the other spouse shall be $750."

(b) Section 214 of the Internal Revenue Code (relating to personal exemption of nonresident alien individuals) is amended by striking out "$800" and inserting in lieu thereof "$750."

(c) Section 251 (f) of the Internal Revenue Code (relating to personal exemption of citizens entitled to benefits of section 251) is amended by striking out "$800" and inserting in lieu thereof "$750."

Mr. LA FOLLETTE. Mr. President, I rise to oppose the committee amendment providing for an additional reduction in the personal income-tax exemptions.

It may be remembered by some Senators that for a number of years, in connection with past tax bills, I have offered amendments proposing reductions in the personal exemptions in the income-tax laws. The amendments I have offered in past years provided for a reduction in the then-existing exemptions for married persons from $2,500 to $2,000 and for single persons from $1,000 to $800. Those provisions were incorporated in the revenue bill of last year by the House Ways and Means Committee and confirmed by the Senate.

In connection with the general subject of personal exemptions, I hope the Senate will bear in mind that as we go down into the low-income group we reach a point where we begin, by the process of taxation, to reduce the standard of living of the persons affected. As an example of what I have in mind, I wish to refer to the minimum food requirements as estimated by the Department of Agriculture.

In a circular, No. 295, entitled "Diets at Four Levels of Nutritive Content and Cost," the necessary expenditures for food for a restricted diet, for emergency use only, are estimated at $350. This estimate is based on the 1929 price level and is intended to supply a family consisting of two moderately active adults and three children, aged 3, 5, and 13 years, respectively. I wish to emphasize that it is a minimum emergency diet. The minimum food cost for an adequate diet for the same family is estimated at $500 annually, a moderate food cost for an adequate diet at $800 annually, and a liberal diet at $950 annually.

The average family with a $1,500 income spends approximately 35 percent of its total income for food; the average family with an income of $10,000 and over spends 18 percent of total income for food. In dollars, the average is about $525 per family in the $1,500-income class. Obviously, therefore, comparing $525 with $500, the average family with an income of $1,500 annually is living only barely above the minimum standard set up by the United States Department of Agriculture.

According to the report, the emergency diet to which I have referred contains an irreducible minimum of foods, and is not considered adequate for use over an indefinite period.

I have an additional objection to the further reduction of the personal income tax exemptions because of the enormous increase which has occurred in recent years in the Federal tax structure of what are commonly termed regressive types of taxation—manufacturers' excise taxes and retail sales taxes. That portion of the Federal tax structure has been constantly increased in recent years. That must be borne in mind in considering the total impact of Federal taxes upon those in the lower income groups.

Already, due to the increase in excise taxes and sales taxes, which are ultimately paid by the consumer, and which have no relation to ability to pay, we have dipped into the pockets of the low-income groups in this country by asking them to

contribute additional sums of money to the support of the activities of the Federal Government, including national defense.

I should like to refer further, in this connection, to the studies of the National Resources Committee on average consumer expenditures at the $1,500 income level, to which point the committee now proposes to go in the taxation of the head of a family. According to this study, as previously stated, 35 percent of the income at this level is spent for food, or, $525; 19 percent is spent for housing, or $285; 11 percent is spent for household operations, or $165; 10 percent is spent for clothing, or $150; 6 percent is spent for medical care, or $90; education, recreation, and other miscellaneous expenses aggregate 19 percent, or $285.

I have a further objection to the proposed reduction in the personal income tax exemptions under the pending bill. That objection is based upon my firm conviction that the existing tax structure is inequitable, and that the proposed law would make it more so. That was the position taken by the head of the Treasury Department, Secretary Morgenthau, when he appeared before the Finance Committee. He did not recommend or advocate a reduction in the personal income tax exemption unless and until certain inequities, which he conceived to be existing in the present structure and in the pending bill, had been corrected. I desire to quote briefly from his statement on this point. He said:

We ought not to accept such sacrifices—

Referring to the sacrifices of those in the lower income-tax group if the exemptions were reduced—

We ought not to accept such sacrifices, even though willing sacrifices, from millions of people with low incomes on whom the burden of other types of taxes falls most heavily, unless we reach in other places ability to pay which is escaping its fair share of taxes. Among these are the following:

The excess-profits tax exempts profits of even the most prosperous corporation, except to the extent that such profits are in excess of its average profits for the years 1936-39. Surely Congress will not wish to impose additional taxes on millions more of our low-income group unless it also imposes the excess-profits tax on exempt excess profits of such corporations.

Families pay lower Federal income taxes when both husband and wife receive incomes than when the same total amount of income is received by only one of them. This is a discrimination of which many wealthy people have taken advantage by large gifts of income-producing property between husband and wife.

The Secretary further stated:

For years the concerns engaged in extracting certain of our natural resources, notably oil, have been granted far greater allowances for depletion than can be justified on any reasonable basis of tax equity. If the income tax is to be extended to lower incomes, this privilege of tax escape should simultaneously be removed.

A few months ago the Congress eliminated the tax-exemption privilege from new issues of Federal securities. The purchasers of new State and local securities still enjoy this exemption. The exemption was inequitable and expensive even in normal times. It cannot be borne longer in a time like this, and especially if we are to increase the direct tax burdens of persons with smaller incomes.

In its suggestion to the Ways and Means Committee, the Treasury recommended substantial increases in estate and gift taxes and lower exemptions. In part, this recommendation was followed; but, in my opinion, the estate and gift taxes should reach more estates and provide more revenue if we are going to tax smaller incomes.

He also stated, in his suggestion to the Ways and Means Committee:

The Treasury recommended substantial increases in estate and gift taxes, and lower exemptions. In part its recommendation was followed, but in my opinion the estate and gift taxes should reach more estates and provide more revenue if we are going to tax smaller incomes.

Mr. President, I could not make a better statement of my objection to the reduction of income-tax exemptions proposed by the pending bill than was made by the Secretary of the Treasury. Certainly we are not justified, it seems to me, in reaching down into that group whose incomes, as every study shows, are already inadequate to provide a decent standard of living to protect the health of parents and children and to afford opportunities for the education of the children until we have had the courage and have taken the time to revise the existing tax structure in such a manner as to prevent some of the inequities, some of the extraordinary loopholes because of which corporations and persons in the higher income-tax groups enjoy benefits.

I recognize that the tax structure has become so complicated and so complex that it is difficult, if not impossible, for the average citizen to understand it. Nevertheless, I say that in the critical emergency which confronts this country it should be a part of the objective of Congress to make certain that the taxpayers who are called upon to make these extraordinary sacrifices feel that they are doing so under a tax structure which places the burden of taxation, insofar as possible, on the sound principle of ability to pay, and which levies the taxes in such manner that there can be no claim made by an humble citizen, as well as by the Secretary of the Treasury, that the structure is inequitable, and that extraordinary and inordinate sacrifices are demanded of those in the lower income groups, while corporations and others in the higher income-tax brackets are not required to pay their fair share.

Mr. President, I recognize that the particular amendment now pending is estimated to raise a very substantial amount of revenue. It is estimated that the reduction in the personal income-tax exemptions will increase the yield above the House bill by $303,700,000, which is a very substantial amount of revenue. The parliamentary situation is such that I cannot specifically offer an alternative to this proposed reduction in the personal-income exemption, but I make the statement that I shall offer an amendment to the estate-tax provision embodying the schedules recommended by the Treasury Department to the Ways and Means Committee, which will in the aggregate produce an additional $202,000,000. At least it can be said, Mr. President, that such an effort to raise taxes will be predicated upon the principle of ability to pay. That would leave a difference of $101,000,000, which would be taken from the total yield of this bill, but, in my opinion, it would be a small price to pay in order that we may at least assure those in the lower income groups that we are not going to approach them with a tax-pincers movement, so to speak, while hitting them hard by the increases in the manufacturers' excise taxes and in the sales taxes. They pay those taxes. Let no one have any delusions on that point. The manufacturers' excise tax is passed on to the ultimate consumer. The testimony given before the committee is replete with such evidence. The direct sales taxes imposed by this bill obviously will be paid by the ultimate consumer.

Mr. President, I repeat that such taxes are regressive in their nature. They are not predicated upon any principle of ability to pay. They violate that principle for the obvious reason that persons in the lower income groups must spend a larger percentage of their incomes to maintain their families and to support life itself, while those in the higher income groups pay out a lesser percentage of their total incomes for the commodities on which the manufacturers' excise and retail sales taxes are levied.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. TAFT. Merely for the purpose of the record, let me state that of the $303,000,000 which is to be raised by lowering the exemptions, only $50,000,000 will come from the new taxpayers who will come under the law.

Mr. LA FOLLETTE. Yes. I was coming to that point.

Mr. TAFT. It is also true, is it not, that, whereas a new taxpayer pays the lowest rate, the lowering of the exemption increases the tax of every income taxpayer, and increases the wealthy man's tax more in dollars and cents, at least, because it increases the amount he has to pay in the higher brackets.

Mr. LA FOLLETTE. Yes.

Mr. TAFT. So it cannot be said that, like the taxes on automobiles, it is an absolutely even tax. The effect of the lowering of the exemption is to impose a graduated tax somewhat in accordance with ability to pay.

Mr. LA FOLLETTE. Yes, Mr. President; but it is not very much in accordance with the ability to pay. I now quote from the majority report:

It has been estimated by the Treasury Department that this reduction in the personal exemptions will require the filing of 4,911,000 new income-tax returns and will increase the number of income taxpayers by 2,256,000. Under the House bill, it is estimated that 17,107,000 individual income-tax returns would have been filed, of which 10,925,000 would have been taxable. Under the Finance Committee bill it is estimated that 22,108,000 individual income-tax returns will be filed, of which 13,181,000 will be taxable.

I quote further from the report:

The decrease in the personal exemptions has the effect of increasing the tax throughout the bracket structure. This increase—

I emphasize this—

is substantial in the lower brackets. The following table sets out the additional burden on single persons and on married per-

sons without dependents caused solely by the reduced exemptions.

A married man with no dependents, having a net income of $2,000, will pay out an additional $40.70 as a result of reducing the tax exemption; a person with a net income of $8,000 will pay out $104.50 additional; and a person with $5,000,000 of net income will pay out $351 additional.

So it becomes apparent, Mr. President, that the lowering of the exemptions will not have the effect of imposing additional graduated taxes as would be the case if we were to readjust the income-tax structure itself. Pulling down the exemption will have the effect of putting income in the upper brackets in a higher surtax bracket, but it is not graduated sufficiently, nor does it fall in any equitable manner. I want that to be made perfectly clear.

Mr. President, it is easy enough to say, "In the light of the emergency why should not a married man with no dependents be asked to pay $40.70 more into the Federal Treasury?" That appears on the surface as a plausible argument, but it is my contention that when we reach down with the tax mechanism into the incomes which are below the existing exemptions, we lower the standard of living. In addition, the proposal to lower the exemptions does not take into account the taxes which are already being paid by persons in the lower income group.

I quote statistics from Monograph No. 3 submitted to the Temporary National Economic Committee, entitled "Who Pays the Taxes?" The monograph shows that persons receiving incomes under $500 pay out 21.9 percent of their income in taxes. That includes all taxes, Federal, State, and local, based on the tax structure of 1939. In the case of persons receiving incomes from $500 to $1,000, 18 percent of the income is being paid out in taxes. In the case of persons receiving incomes from $3,000 to $5,000 the figure is 17.6 percent. Not until the very highest brackets are reached does the percentage of income paid in taxes exceed the 21.9 percentage which is paid in the lowest bracket.

So, it cannot be said that we are simply asking for $40.70 from a married man with no dependents. We are asking that amount on top of all the Federal, State, and local taxes which he is now paying, a burden which is more than $356 on a $2,000 income, according to the T. N. E. C. report.

Mr. President, I do not wish longer to delay the Senate. I should like to point out, however, that the present taxes on an income of a thousand dollars received by a single person amounts to $4.40. The Finance Committee bill brings that tax up to $21, or an increase of $16.60, a percentage increase of 337 percent.

The present tax on a $3,000 income of a married person is $30.80. The Finance Committee bill would raise that tax to $138. This is an increase of $107.20, or 348 percent. The increase in rates accounts for $57.70, or 187 percent, and the lowered exemption accounts for $49.50, or 161 percent.

I should like now to quote very briefly from what I said on June 19, 1940, on the floor of the Senate:

> As the chief advocate in this body in past years for broadening the income-tax base, I must now state that I consider it is a gross inequity to the low-income taxpayers to ask them to increase their taxes, and, at the same time fail to ask the corporations, which are going to be vastly enriched by the necessity for national rearmament, to carry their fair share of the load, according to their ability.

It is my contention, as previously stated, that the bill intensifies and aggravates the inequities in our present tax structure. As the tax load increases, the impact of an inequitable structure becomes all the more acute from the standpoint of the functioning of our economy and from the standpoint of the willingness of the taxpayers to carry their share of the load.

I should like also to quote from an article in Fortune magazine for August 1941 by Hon. Marriner S. Eccles, Chairman of the Board of Governors of the Federal Reserve System:

> During the emergency the excess-profits tax should, in my opinion, be the keystone of a well-balanced tax program. Increased taxes, however, should not be imposed on the great numbers of small business concerns and on millions of individual taxpayers until they have been given every reasonable assurance that the funds they are being asked to provide will not go to swell the profits of wealthy individuals and corporations.

One further thought, and I shall be through. Let it be remembered, Mr. President, that the persons in the lower income groups will feel first and most severely the impact of the increase in the cost of living. As I have previously stated, when we go down into the very low-income groups we are taxing persons who are already paying substantial sums in the form of excise taxes, sales taxes, and State and local taxes; and we are taxing them at the expense of their standard of living.

We all know that prices have risen in recent months as a result of the impact of the defense program. Those in the lower income groups suffer most, because a decrease in their standard of living means a decrease in health, housing standards, and medical care.

Mr. President, I am sure that every Senator was shocked, as was I, to find when the draft went into effect that the medical officers of the Army were forced to reject because of physical defects 40 percent of the selectees called up for examination. In the richest country in the world I think that fact should give pause to legislators who have the power to wield the sharp ax of taxation.

I hope the committee amendment will be rejected, and that the Senate will then give favorable consideration to an estate-tax amendment I shall offer which would restore all but $101,000,000 of the amount which would be lost by the rejection of this committee amendment.

Mr. HILL. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. HILL. I wonder if the Senator proposes to offer an amendment dealing with the excess-profits taxes?

Mr. LA FOLLETTE. As the Senator knows, I have made that fight several times.

Mr. HILL. I well remember the very valiant fights the Senator has made in the past.

Mr. LA FOLLETTE. If the Senator has taken time to glance over the minority views filed by me, he will see that I feel that the present excess-profits tax is wholly inadequate; that it does not do the job that the excess-profits tax did during the last war; and that the tax structure will be inequitable and unjust so long as we do not remedy that condition. However, I have the feeling—and I will be perfectly frank with the Senator—that in view of the pressure upon us to pass this bill, and the fact that the House Ways and Means Committee failed to act upon the Treasury recommendations for alteration of the excess-profits-tax structure, in all probability my efforts would be futile at this time. I intend to await a more opportune moment when I hope there will be greater opportunity for deliberative consideration.

Mr. HILL. Does the Senator think there will be a more opportune moment at any time in the near future?

Mr. LA FOLLETTE. The able chairman of the Ways and Means Committee has already announced that we are to have another tax bill in 1942. So I feel certain that there will be another opportunity. In the meantime, we shall have additional experience under this bill, which I hope will then convince the majority of the Congress that we should thoroughly revise the excess-profits-tax structure.

Mr. WILEY. Mr. President, will my colleague yield for a question?

Mr. LA FOLLETTE. I am glad to yield.

Mr. WILEY. I was very much interested in the Senator's comments. As I recall, under the terms of the pending amendment, 4,000,000 new taxpayers would be brought into the picture if the amendment should become law. I should like to ask the Senator about how much money those 4,000,000 would pay into the Treasury?

Mr. LA FOLLETTE. If my recollection serves me correctly, the Treasury estimate is $50,000,000.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. BARKLEY. The Senator does not include in his statement the entire amount which would be raised?

Mr. LA FOLLETTE. I have stated several times that $303,700,000 is the total amount which would be raised, but my colleague the Senator from Wisconsin [Mr. WILEY] asked me directly about the new taxpayers. My recollection is that about $50,000,000 would be paid by them.

Mr. WILEY. I remember the statement that an additional amount of approximately $300,000,000 would be imposed if the exemptions were reduced with respect to the remainder of the taxpayers. Is that correct?

Mr. LA FOLLETTE. Yes.

Mr. WILEY. How many do they constitute in number, not counting the 4,000,000 new taxpayers?

Mr. LA FOLLETTE. I again quote from the majority report:

> It has been estimated by the Treasury Department that this reduction in the personal exemptions will require the filing of 4,911,000 new income-tax returns and will increase the number of income taxpayers by 2,256,000.

The point is, of course, that by reducing the exemptions we may require persons to file returns, but not all those who file returns will pay any taxes, any more than all those who now file returns pay taxes. In other words, under any given rate of exemptions always more persons file returns than are required to pay.

Mr. WILEY. Well, of course——

Mr. LA FOLLETTE. Let me complete the thought, and perhaps it will answer the Senator's question in full.

Under the House bill it is estimated that 17,107,000 individual income-tax returns would have to be filed, of which 10,925,000 would have been taxable. Under the Finance Committee bill it is estimated that 22,108,000 individual income-tax returns will be filed, of which 13,181,000 will be taxable.

Mr. WILEY. That gives me the information I sought. In other words, if the pending amendment becomes law, there will be 22,000,000 persons who will have to file, but there will be 13,000,000 who will have to pay, which includes approximately 2,250,000 new payers.

Mr. LA FOLLETTE. That is correct.

Mr. WILEY. In other words, that leaves about 10,000,000 of the old taxpayers to pay the additional amount. That is approximately correct, is it not?

Mr. LA FOLLETTE. Roughly speaking, yes.

Mr. WILEY. In listening to the Senator's argument, which was very illuminating, it occurred to me that this matter is like a two-edged sword. If we do not adopt this amendment, Senators will be incidentally reducing the amount of tax that they will have to pay, too. Is that not correct?

Mr. LA FOLLETTE. Yes; and assuming that a Senator's net income without any deduction is $10,000, and that he is a married man with no dependents, the reduction of the exemption would have the effect of increasing his tax by $126.50.

Mr. WILEY. I arrived at substantially the same figures my colleague has given me. In other words, if we do not adopt this amendment we shall be saving ourselves $126 and some cents. On the other hand, if we do adopt it we shall provide that a man who has an income of $1,500 and is single will pay $63, whereas if he is married he will pay $1, according to this schedule. A single man with an income of $1,600 will pay $72, and a married man having the same income will pay only $6.

It seems to me, in view of those circumstances, that we are liable to be criticized if we do take this action, and we are liable to be criticized if we do not. It may be said that we have a personal interest in the matter.

Mr. LA FOLLETTE. Mr. President, of course, Senators drawing a salary, as well as Representatives, cannot enact legislation affecting the individual income-tax structure without having some effect upon their own taxes. My contention is that it is unjustifiable to go down into the lower-income groups in order to obtain additional revenue. If the Senator wishes to increase the taxes on persons whose incomes are above the present exemptions, he can accomplish that result by increasing the surtax rates. Furthermore, let me say that the House has already taken action which has the effect of increasing the surtaxes; so the Senator will not be left out of this bill when he comes to make out his income-tax return. He will find a very substantial increase in his income tax, due to the action of the House, which has been confirmed by the Senate.

Mr. DAVIS. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. DAVIS. Does the Senator recall the amount that it would cost to collect taxes in accordance with the schedule shown on page 7 on incomes from $750 to $2,975?

Mr. LA FOLLETTE. No, Mr. President; I have no estimate of the cost. As I remember, it was a substantial or a considerable sum, but I have not those figures at hand.

Mr. GEORGE. Mr. President——

Mr. DAVIS. As I recall now, I think the Treasury said that the cost of collection would be greater than the amount collected.

Mr. LA FOLLETTE. No; I do not think that statement was made under any circumstances. There would be some slight increase in the cost of collection.

Mr. GEORGE. Mr. President, the Treasury estimates that by the use of the short form, which would embrace every one of the new taxpayers brought in, there would not be any substantial increase in the actual cost of collection.

Mr. DAVIS. I think the Secretary told us that it would cost some $16,000,000.

Mr. LA FOLLETTE. I do not remember any such figure as that. Some figure was given prior to the time the short form was adopted; but, as the Senator from Georgia has pointed out, there is no question that all the new income-tax payers to be brought in by this amendment will use the short form, since they are so low in the income scale that they would get no advantage by trying to calculate their income-tax liability under any other procedure. It is true that the short form may cost some $16,000,000, but we can tell better about that after we have had experience under it.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I shall be glad to yield to the Senator from Colorado.

Mr. ADAMS. My inquiry is with respect to the change in the existing law which would be made by the amendment. I suppose I should know that.

Mr. LA FOLLETTE. The existing law was changed last year, and the exemption for a married person was reduced from $2,500 to $2,000. The committee bill proposes to reduce that exemption to $1,500. The single man's exemption was reduced last year from $1,000 to $800, and the committee proposes to reduce it to $750.

Mr. ADAMS. Then the result is that we are increasing the tax on the married man ten times as much as we are increasing the tax on the single man. In other words, we are increasing the taxable income of the married man, or his family, $500. We are increasing the taxable income of a single man $50. Why should the extra tax load be put upon the man with a family rather than upon the single man?

Mr. LA FOLLETTE. Mr. President, there has been a larger differential in the exemption for a married person as against a single person. The exemption, as I stated before, was $2,500 for a married person and $1,000 for a single person, which was a differential of $1,500. When the exemptions were reduced last year, the married man's exemption was reduced from $2,500 to $2,000, and the single person's exemption was reduced from $1,000 to $800. The differential now is $1,200.

Mr. ADAMS. Yes; but we have the practical result that those upon whom rests the burden of family life have imposed upon them a $500 additional tax burden, while the single man who has no such burden has his tax burden increased only $50.

Mr. LA FOLLETTE. That is true; but, as I see the matter, we are preserving the differential which has existed between the married person and the single person.

Mr. ADAMS. But does the Senator feel that an increase of $500 in one case is relative to an increase of $50 in the other? It is in the proportion of 10 to 1.

Mr. LA FOLLETTE. I did not say it was relative. All I said was that it preserves in a measure the differential which has always existed between single persons and married persons.

Mr. ADAMS. I think it rather a discriminatory measure.

Mr. LA FOLLETTE. As the Senator knows, it is my feeling that we are not justified at this time, in view of the situation and the tax burden now carried, in making any further reductions in this respect.

Mr. President, I ask for the yeas and nays on this amendment.

Mr. GEORGE. We want the yeas and nays.

The yeas and nays were ordered.

Mr. CLARK of Missouri. Mr. President——

Mr. GEORGE. Does the Senator from Missouri desire to discuss the matter?

Mr. CLARK of Missouri. Yes; I wish to discuss it.

Mr. GEORGE. I should like to have the privilege of making a few concluding remarks.

Mr. CLARK of Missouri. Mr. President, I intend to vote for the pending bill, although I do so with very great reluctance, because it is certainly as unscientific, haphazard and patchwork a measure as it would have been possible to devise in this time of great national

crisis. I shall vote for it not because it is a good bill, for I know that it is an exceedingly bad bill, but I shall vote for it merely and only because of the fact that, with the tremendous expenditures which the Congress has already made or authorized, it is absolutely necessary, in my opinion, at this time to raise revenue if any attempt whatever is to be made to preserve national solvency by fair means of foul.

Ever since I have been a Member of the United States Senate, now some eight and a half years, and, to my knowledge, long before that, in fact, almost ever since the inception of the present income-tax theory of providing revenue, every tax bill which has come before the Congress of the United States—and sometimes, as we know, they have come as often as twice a year—has been accompanied by a solemn pledge on the part of the party in control of the Congress and the administration, sometimes one party, sometimes the other party, sometimes with one party in control of one body and the other party in control of the other body, that before the next tax bill is brought in there will be a conscientious, careful recasting of the whole tax structure to wipe out the inequalities and the patchwork which have developed over a period of something more than 20 years. Yet by the time the next tax bill comes in to be considered, by the time the increase in the national expenditures makes a new tax bill necessary, invariably nothing has been done toward an honest attempt to recast the tax system of the United States along scientific lines.

Mr. President, of course, I am familiar, as I suppose every other Member of the Senate is familiar, with the famous remark of a long-forgotten British Chancelor of the Exchequer who said that there is no such thing as the science of taxation, that the whole principle involved in taxation is to get the greatest amount of feathers with the least amount of squawking.

Nevertheless, Mr. President, be that as it may, it would seem to be perfectly practicable, particularly at a time when we are, I started to say "entering upon," but I correct it to say that we are already well into the most stupendous program of expenditures the world has ever seen or conceived of, for the Congress of the United States and the administrative agencies of the United States courageously to face the fact and the prospect and put in the tremendous amount of toil and make a tremendous amount of legislative sacrifice, possibly of our legislative lives, to take the American people into their confidence and recast the tax structure on what might somewhat at least as closely as possible approximate both a scientific and equitable basis.

No one likes to pay taxes. All my life I have waited to meet somebody who really likes to pay taxes; but I never have encountered such an individual yet. We have been 4 weeks in the hearings in the Finance Committee of the United States Senate, and, almost without exception, every witness who came before the committee said, "We realize the tremendous expenditures the United States will have to make and the tremendous expenditures which have been made, and that very heavy sacrifices are necessary, and we are in favor of that; we are in full support of the Government's program; but there is one little item in this bill to which we should like to call your attention." Then they proceed to ask to be relieved of paying certain taxes imposed by the bill itself. I assume that that will always be true in the case of any tax bill whatever.

But, Mr. President, in this bill—I believe I am correct in saying it is the largest tax bill ever proposed to be passed by the Congress in wartime or in peacetime—no attempt whatever has been made to do equity or to reconstruct the fundamental tax structure equitably and on a scientific basis. All the effort that has been made in this bill is simply to pick out some particular industries or particular parts of an industry and slap a tax on them, frequently without any consideration whatever of the effect on the particular industry or of the competitive situation of that industry or portion of an industry, or to pick out some particular section of the income-tax brackets or the inheritance or estate tax brackets and put a tax on them without any consideration of the whole.

Mr. President, let me say that I am not questioning the integrity or the good faith or the patriotism or the earnest effort of either the Treasury officials or the Internal Revenue officials, or the committees of the House of Representatives, or the Senate, or the Members of the House of Representatives, or the Senate. It is a system that has persisted through all the years since the present income-tax and heritance-tax system were set up; but I do say, in view of the stupendous expenses we have incurred and the stupendous expenses that are to be incurred, according to the announced program in the immediate future, it is time for the Government of the United States to stop and recast its whole tax structure instead of pursuing the policy of hit or miss haphazard tax measures, measures which affect all Americans sometimes to the point of denying them their daily bread. No member of the Finance Committee will stand here and deny, no member of the Ways and Means Committee of the House of Representatives will stand up anywhere and deny that this bill is a pure patchwork, and that in many respects it is a very bad piece of patchwork.

Mr. President, so far as I am concerned, so far as I recall, without exception, I think that on every vote which has been taken since I have been a Member of the Senate on the question of broadening the tax base, lowering the exemptions, I have supported such proposals both in the Finance Committee and in the Senate, the proposals usually offered by the senior Senator from Wisconsin [Mr. LA FOLLETTE]. I believe, without exception, I have supported those proposals. I have supported them for two reasons, Mr. President. In the first place, I think that the burden of taxation ought to be distributed as widely as possible, and, in the second place, I believe that the inclusion of as many taxpayers as possible who knew that they were paying taxes instead of being "soaked" by general taxes, is the very best way, and probably the only way, that I could ever conceive by which the riot of extravagance in which this country has engaged now for a good many years could be brought to a close. I have uniformly voted for those proposals; but I agree with the Senator from Wisconsin that when we cut the exemptions to the bone in the income-tax brackets of the tax bill of last year we went just as far as we ought to go in reducing the exemptions until we tapped to the fullest degree other sources of revenue higher up in the tax brackets—other sources of revenue from other forms of taxation—and certainly in this emergency until we have taxed the sources of revenue which are going to profit enormously from the tremendous defense expenditures of the United States, and which are not being reached by the excess-profits provisions of this bill.

As far as I am concerned, I am willing to wipe out all exemptions; I am willing to tax everybody who has a dollar; but I am not willing to abandon the principle of taxation according to ability to pay, and tax the dollar of the poor devil barely able to hold body and soul together, while people who are waxing fat out of the defense expenditures of the United States are not taxed to an adequate degree.

Therefore, I shall vote against this committee amendment. I think it is unjustifiable to tax a man or a woman making $62.50 a month—fifteen dollars a week—barely able to hold body and soul together, until all the other sources of taxation, particularly the incomes of those making enormous profits out of the defense expenditures, have been brought into line.

Mr. President, of course I know that a tax of $1.50 a year, I believe it is, on a man or woman making $62.50 a month or $15 a week will not be tremendously burdensome, possibly, although $1.50 is a very large sum to some of them. They have a hard time eating for a month, clothing themselves, and finding a place to live. That will not be such a tremendous burden, and it will not raise any particularly great amount of revenue. We shall get only $40,000,000 out of the new taxpayers, stupendous as that sum used to be, but negligible now, when we occasionally spend $7,000,000,000 here without even reading the bill. But $40,000,000 will be raised out of the new taxpayers. Something like $275,000,000 will be raised from the increase of the surtaxes in the lower brackets. It may not mean more than a dollar and a half a year to a man earning $62.50 a month; but to a man who has been earning $2,000, a married man with two children or three children or four children, it means adding $500 a year to his taxable income at the top of the surtax, and that is going to mean a great deal of additional sacrifice, and to my mind unjustifiable sacrifice, not only in that new class of taxpayers brought under the bill but in the class of small taxpayers already within the operation of the internal-revenue system.

Mr. President, let me say just one word about amounts.

It was announced that it was the aim and objective of the Government, of the Treasury Department, of the Congress, to raise $3,500,000,000; and at the time that goal was set that was an entirely reasonable and explicable goal. That goal was based on Secretary Morgenthau's statement last spring in a conference down at the Treasury Department in which he proposed to congressional leaders that of these defense expenditures two-thirds should be raised by taxation and one-third by borrowing, and that was an entirely sound and reasonable proposition. To be sure, it was exactly the reverse of the scheme which was followed in the World War, when it was attempted to raise one-third by taxation and two-thirds by borrowing; but it was a scheme so sound in the interest of national solvency that nearly everybody in the United States except the official spenders was willing to agree to it. At that time that formula worked out to three and a half billion dollars; but before the bill could even be considered by the Ways and Means Committee of the House, let alone be reported to the House or passed by the House, the dislocation of the Budget by tremendously increased expenditures threw that formula completely out of kilter, and by the time the bill reached the Finance Committee of the Senate to have adhered to Secretary Morgenthau's formula would have meant raising by taxation between five and a half and six billion dollars. So nobody pays any attention to that formula any more; and therefore the objective of three and a half billion dollars became purely a fictitious, arbitrary objective that had no particular meaning in rhyme or reason.

The distinguished majority leader, the Senator from Kentucky [Mr. BARKLEY], came into the committee and got up another objective of his own. I do not know whether he had been in consultation with the Treasury Department or whom he had been in consultation with, and I do not care; but he came in and said he had set an objective of $4,000,000,000 which had no reference whatever to the original formula of the Treasury or the original objective announced by the Treasury.

In other words, the Senator from Kentucky was a good deal like a colored boy that I had rowing me across the Mississippi River at one time when I was going fishing. He said, "Mr. BENNETT, I wish I had $7. Gee, don't I just wish I had $7. I just wish I had $7." I said, "Brooks, what do you want $7 for? What would you do with $7 if you had it?" "Well, sir," he said, "I don't know." I said, "Why do you want $7?" "Well," he said, "I just think that's a nice sum to have." [Laughter.]

So all these objectives now have become purely arbitrary, unless we go back to the original formula of the Secretary of the Treasury and undertake to raise two-thirds of the prospective Budget by taxation; and, even if we do that, even if we could go back to the original formula of the Secretary of the Treasury and raise five and a half or six billion dollars, we are already on notice that that gain will be wiped out within the next week or so by another estimate of five or six billion dollars for another lease-lend bill.

Mr. BARKLEY. Mr. President——

Mr. CLARK of Missouri. I yield to the Senator from Kentucky.

Mr. BARKLEY. I merely wish to observe that the difference between the Senator's colored boy and me is that while he did not know what he could do with $7 if he had it, I know what we can do with the money we are going to raise by this tax bill.

Mr. CLARK of Missouri. Mr. President, I do not think the Senator does, because the program is liable to be changed before he takes his seat. [Laughter.]

Mr. BARKLEY. Whatever change is made, we know that the amount will be increased, and therefore we know that it will be needed.

While I am on my feet, I desire to say to the Senator that I did not arrive at the amount of $4,000,000,000 by consulting anybody.

Mr. CLARK of Missouri. I did not say the Senator did.

Mr. BARKLEY. The Senator had some doubt about whether I had consulted the Treasury.

Mr. CLARK of Missouri. I said I did not know whether the Senator had consulted anybody.

Mr. BARKLEY. I will tell the Senator—not that it is worth anything.

Mr. CLARK of Missouri. I myself think $4,000,000,000 is a nice sum. I agree with the Senator.

Mr. BARKLEY. Yes; it is quite a handy amount.

When the Secretary of the Treasury made his estimate, back in February or March, of two-thirds and one-third, and fixed $3,500,000,000 as the minimum amount to be raised in the new tax bill to carry out that formula—adding that, of course, to the taxes already being collected by the Treasury—it seemed that the raising of $3,500,000,000 could, with reasonable certainty, be expected to carry out that formula. In the meantime, the House Ways and Means Committee spent 2 or 3 months, as the Senator knows, working on the bill, and making an effort to raise the $3,500,000,000. While that was going on, the expenses increased. Additional requests were made beyond what we expected for defense work, and for lend-lease activities, and all of that.

Mr. CLARK of Missouri. That is precisely what I have been saying.

Mr. BARKLEY. So that to carry out the formula, if we wanted to carry it out, would have cost more than $3,500,000,000.

Mr. CLARK of Missouri. Between five and a half and six billion dollars, before the next lease-lend estimate.

Mr. BARKLEY. Yes. Soon after that estimate was made the Senator from Texas [Mr. CONNALLY], a member of the Committee on Finance, gave out a statement to the public that he thought the bill ought to be raised a billion dollars more.

Mr. CLARK of Missouri. The Senator from Texas is just coming into the Chamber now.

Mr. BARKLEY. I said in the committee, and I say now, that I agree with the Senator from Texas that the tax bill should raise a billion dollars more than was proposed to be raised in the bill as it passed the House.

When we got into the matter, we found the House struck out $350,000,000 when they eliminated the joint returns, and I thought we should make that up. I felt that as between the three and a half billions which the Secretary of the Treasury had asked for in March and the four and a half billions suggested by the Senator from Texas, four billion was a fair compromise, and was a reasonable goal. This bill does not raise that sum, but I still think that, in order not only to carry out any formula to the meticulous degree of having two-thirds paid for in cash and one-third in credit, we should try to raise approximately $4,000,000,000 in the pending bill. And that will not do the job; we might as well understand that we will have another tax bill here early next year.

Mr. CLARK of Missouri. Probably before the end of this year, will we not?

Mr. BARKLEY. We may have an administrative bill before the end of the year.

Mr. CLARK of Missouri. And probably two or more next year.

Mr. BARKLEY. I feel, and I have felt all along—and I feel it more and more—the more I think of it, that the people of the United States, the industries and the businesses and the individuals who are to pay this tax ultimately, should know as soon as possible what is expected of them, so that they may make their calculations accordingly. I know we can never arrive at the time when we will be able to say that there will be no more tax bills, but while we are writing a tax bill we should go as far as possible to make it as permanent as possible, so that the people would have at least a little while to operate under the existing taxes before we undertake to write another bill.

Mr. CLARK of Missouri. I agree entirely with what the Senator from Kentucky has said. Let me say that in my remarks about the objective of the $4,000,000,000 I had no thought whatever of criticising the Senator from Kentucky. My only purpose in mentioning the fact is to point out what the Senator from Kentucky himself has corroborated, that there is no rhyme or reason in any particular objective at the present moment, and to emphasize the fact that in view of the tremendous expenditures which are to be necessary, in view of the fact that there is to be another tax bill either this year or early next year, possibly two tax bills next year, in view of what the country does face, it does seem to me that the Congress and the other officials of the Government should sit down and make a scientific reconstitution of the whole tax system.

I defy anyone in this Chamber who is not a member of the Committee on Finance, or, in fact, anyone in this Chamber who is a member of the Committee on Finance, or anyone outside of this Chamber who is not a tax attorney, just to take this bill and run right through

it and tell what everything in it means. We cannot even consider one of these bills without the aid of about 45 or 50 experts, experts from the Treasury Department, experts from the Internal Revenue, experts from the Joint Tax Committee. None of us can take one of these bills and tell what it means, because it is a patchwork system.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CLARK of Missouri. Every tax bill which comes before us amends this or that, and we cannot understand it without going back and reading about 15 statutes and 45 Supreme Court decisions. I yield to the Senator from Kentucky.

Mr. BARKLEY. I agree with what the Senator says about that, and when we passed the last tax bill, in 1940, I expressed the hope on this floor that long before now we might sit down and undertake to revise the entire tax system scientifically.

Mr. CLARK of Missouri. That hope has been expressed by the responsible leadership, not only ever since I have been a Member of the Senate but long before I came to the Senate, every time a tax bill would come in; but nothing was done about it. I understand the Finance Committee of the Senate and the Senate leadership cannot originate a tax bill unless the Treasury and the House, and the House Ways and Means Committee more particularly, cooperate in the first place; that the Senate, and more particularly the Senate Committee on Finance, never have a chance to pass on a tax bill. What I am pointing out is the hazard, the very great danger, in a time of tremendous national stress, such as the present, when the very solvency of the Government is very much in the balance, of persisting in this system of haphazard tax revision.

Mr. BARKLEY. If the Senator will yield, I do not wish to delay the Senator longer, except to make one observation. Of course, the rewriting of the tax laws is an almost insuperable task.

Mr. CLARK of Missouri. I understand we cannot do it while we are immediately under the gun raising specific taxes. That is the only reason why I will vote for the pending bill, that I recognize that we must take this or we may get nothing. But we are not going to revise the system unless we start in and do it.

Mr. BARKLEY. Undoubtedly, under the Constitution, the House Ways and Means Committee and the House must take the initiative in undertaking to rewrite the tax laws. It is almost like recodifying the laws of the United States.

Mr. CLARK of Missouri. I am familiar with that fact; but it should be done.

Mr. BARKLEY. It has been a patchwork since 1913.

Mr. CLARK of Missouri. That is what I stated a moment ago.

Mr. BARKLEY. The first income-tax law was written largely by our present Secretary of State, Mr. Cordell Hull, as a member of the Ways and Means Committee of the House. It reminds us of the old adage that when it rains you cannot fix your roof, and when it stops raining, you do not need to fix it.

Mr. CLARK of Missouri. It is raining now, and it is going to continue to rain, probably, all during the lives of ourselves and our children and our grandchildren.

Mr. BARKLEY. What I mean is that when we have a gun pointed at us——

Mr. CLARK of Missouri. We are told they are on every side, that we have a number of guns pointed at us.

Mr. BARKLEY. I am serious about this; I am not trying to be facetious.

Mr. CLARK of Missouri. Nor am I. It is a very tragic matter.

Mr. BARKLEY. When we need a certain amount of money, it is difficult to sit down and revise all the tax laws, which is something that ought to be done.

Mr. CLARK of Missouri. If a man's house is afire there is no more important work to which he can devote himself than in putting out the fire, and it seems to me that is the situation of the United States at this time. I know what the situation is, and I think the American people should be made to realize what the situation is. We are faced with a situation in which the most drastic taxes are going to be imposed on everyone. But they should be as equitable as possible. At the gait at which we are going, we will have spent, at the end of the next fiscal year, probably a hundred billion dollars in the defense program and in what we have given away and are proposing to give away to various countries around over the world, added to the national debt of $48,000,000,000. That will mean that it will be necessary to raise by taxation in this country $4,000,000,000 a year forever, at least $4,000,000,000 a year forever, simply to pay the interest on the national debt, without laying up a cent for amortization or sinking fund, or without taking into consideration to any degree whatever the ordinary expenses of the Government, which certainly are not likely to diminish in the lifetime of any of us. We might as well realize that not one single tax that is being imposed in this bill, under the guise of it being an emergency measure, or being a temporary measure, will be taken off in the lifetime of any of us here, or in the lifetime of our children or our grandchildren.

If we are to have another tax bill before the end of this year, or certainly at the beginning of next year, if we are to continue a program of expenditures which may logically result in a capital levy, or the most drastic taxes the world has ever seen, it seems to me that the sooner we look the situation in the face and let the American people look the situation in the face, and enter upon the construction of a sound tax system—realizing that any tax system is burdensome, but as sound and equitable a tax system as is possible—the better the country will be off and the better we will be off, even though some of us may be beaten for our participation in the construction of such a tax system.

In the meantime, while I shall vote for this patchwork measure, I am not willing to vote for the proposed reduction in income-tax exemptions, which could only have the effect of penalizing those of our people least able to pay, until some effort has been made to tax the people better able to pay.

Mr. GEORGE. Mr. President, I do not wish to delay the Senate very long, but I do desire to speak very earnestly. If there are Members of the Senate who wish to write a constructive tax law, this is the beginning right here and now on the present vote. Make no mistake about that. Until we have brought in as large a number of taxpayers as we reasonably can with fairness to all recognized principles of taxation, we have no basis on which we ever will be able to write an equitable, scientific tax measure. The real acid test of the sincerity of every Senator is to lower the exemptions, and let a larger number of the American people pay taxes, because a good tax bill will never be written here by theorists, nor will a good tax bill be written in the Treasury Department by theorists. A good tax bill will be written by the American people when they become taxpayers and understand the problem they have to meet. Senators are doing the American people no service, but a definite and distinct disservice, when they refuse to lower the tax base, as the pending committee amendment recommends be done.

Mr. President, it is easy enough to criticize in generalities and say that this is a patchwork bill. I have never defended it as being a perfect bill. I have never seen a perfect tax bill. But we must take one step at a time. We cannot go all the way at one jump, particularly in building up a tax bill under which the American people can live, and under which the business of the American people can be carried on, under which, if it is desired to put it the other way, they can make the money to pay the taxes.

It is repeated in the public press and on the floor of the Senate that this is a mere patchwork, that it is a hodgepodge, and that it does not have anything to commend itself to the Senate. Bear in mind that we can take but one step at a time. Let us look at the measure. When we come to this question—and everything else has been discussed except the question before the Senate—when we come to this question, let us look at the exemptions given in some other countries. Great Britain, of course, is at war. She is fighting desperately with her back to the wall. But she allows single persons an exemption of $325. We propose to allow single persons an exemption of $750. England allows married persons an exemption of $560. Is this measure a hodgepodge? What about the British system? Senators are talking about one point. Why do they not confine themselves to it, and why not be sincere about it? Perhaps there is something wrong with the excess-profits tax, perhaps there is something wrong with the individual income tax, something wrong with the other kinds of taxes, something wrong with the world, and with the whole program of the administration. All that may be granted, but Senators are talking on this point.

Here are the British, with their long experience. They are today giving a single man an exemption of only $325, and a married person an exemption of

only $560. They allow only $200 exemption for each dependent child, and we allow $400. We allow $1,500 exemption for married persons and $750 exemption for single persons.

Has our neighbor, Canada, a hodgepodge law? A little while later Senators will hear the Canadian excess-profits system extolled, they will hear the Canadian excise system extolled, they will hear the Canadian income-tax system extolled as being a fairly good tax system. What are the exemptions in Canada? Exactly what we are proposing here. They are $750 for a single person and $1,500 for a married person or the head of a family, and $400 for each child or dependent. Are the American people less able to pay and are they faced by less necessity for meeting this issue than the Canadian people?

Mr. President, I have said we are trying to take one step at a time. We are taking more than one step in this bill in the right direction. The Senate Finance Committee has done the best it can do to provide some means and some machinery for lowering the ordinary expenses of the Government—a thing absolutely vital. We are trying to bring upon the tax rolls some additional taxpayers not for the purpose of annoying them but in fairness to the income earners of the country. There can never be anything in the nature of a general sales tax intelligently levied, nothing in the nature of a general withholding tax intelligently imposed, nothing in the nature of a Federal service tax based upon primary profits intelligently worked out until we have a more adequate study of the taxpayers of the United States, and we can get that only by lowering the exemptions.

Besides that, Mr. President, this proposal does no injustice to the American taxpayer. By lowering the exemptions, as is proposed, we will obtain revenue amounting to approximately $304,000,000, sorely needed, but of that amount only $49,000,000 will come from new taxpayers, and of the $49,000,000 only $10,000,000 will come from those who for the first time will file returns. Is anyone here striking at the foundations of the American standard of living? Is there anything in this proposal which justifies the generalization that this is a hodgepodge, when it is in line with the oldest income-tax system among nations whose experience has been almost like our own, or more nearly like our own, than that of any other nation?

Yesterday I tried to point out that the present exemption for a single or unmarried person is $800 and that we are lowering his exemption by only $50. What will he pay by reason of this lowered exemption? On a net income of from $750 to $775 he will pay $1 a year, a little less than one-quarter of a cent a day. On a net income from $775 to $800 he will pay $2 a year. There we arrive at the point of the exemption in the present law.

Mr. President, the distinguished Senator from Colorado [Mr. ADAMS] called attention to the disparity in the percentage of increase in the case of a married person, but there is no added tax by virtue of the lowering of the exemption until we get to a net income of $1,500. If the married person has one dependent he adds $400 to his exemption. If he has two dependents he adds another $400 to his exemption. If he has three dependents he adds $1,200 to his $1,500 exemption, making a total exemption of $2,700. From $1,500 to $1,525 he pays $1 tax. From $1,525 to $1,550 he pays $1 additional tax, or a total tax of $2, I should say; that is all he pays. From $1,550 to $1,575 he pays $3. Up to his present exemption of $2,000 he will pay a total tax of only $39. He would pay $39 on $2,000 of net income, on which he is liable for a tax.

I understand the Senator's difficulty. He feels that there has been a discrimination because we have reduced by $500 the exemption of the head of a family, who has a greater responsibility in theory, at least, whereas we have reduced the exemption of an unmarried or single person by only $50. That grows out of the fact that in the beginning we provided very liberal exemptions. Under the terms of the 1913 act, the first income-tax act after the passage of the amendment to the Constitution, as I recall we had exemptions of $3,000 for single persons, and $4,000 for married persons. In the midst of the World War those exemptions remained substantially in effect. Then there was a lowering of the exemptions to $1,000 and $2,000 for the respective categories. Last year we lowered the exemptions from $2,500 to $2,000 for married persons, and from $1,000 to $800 for unmarried persons.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. ADAMS. My complaint is not as to the extent of the reduction, but as to the ratio, and the discrimination. When we had an exemption of $2,500 for married persons we had an exemption of $1,000 for single persons, or a ratio of 2½ to 1. When we reduced the exemptions to $2,000 for married persons and $800 for single persons the ratio was still 2½ to 1. Now it is proposed to lower the exemptions to $1,500 for married persons and $750 for single persons, or a ratio of 2 to 1.

If the original ratio was wrong, I have nothing to say. I think it was a correct ratio. I think that ratio should be maintained. If it were proposed still further to lower the exemptions and maintain the ratio, I should vote with the committee. In accordance with what I conceive to be the correct ratio, if we have an exemption of $750 for a single person we should have an exemption of $1,875, and not $1,500, for a married person. I know of no reason why we should increase the burden on the family to an extent five times greater than the extent to which we increase the burden on the single person. It is proposed to increase the burden on the family by 25 percent, and on the single person by only 6.3 percent.

Mr. GEORGE. Let me say to the Senator that there can be no certainty that we ever had an absolutely correct ratio, and there can be nothing sacred about the ratio.

Let me call the Senator's attention to the fact that the ratio has varied widely. From 1913 to 1916 a single person, or a married person not living with husband or wife, and not the head of a family, had an exemption of $3,000. The married person living with wife or husband, or who was the head of a family, had an exemption of $4,000.

From 1917 to 1920 the single person had an exemption of $1,000, and the married person had an exemption of $2,000, exactly the ratio to which we are returning under almost similar conditions.

From 1921 to 1924 the single person had an exemption of $1,000 and the married person an exemption of $2,500. Then we began to increase the ratio in favor of the married person. From 1925 to 1931 the single person had an exemption of $1,500, and the married person an exemption of $3,500.

So in a comparable period, from 1917 to 1920, when the demands upon government were heavy, as they now are, we had precisely the same ratio, the exemption being slightly higher both to the married person and to the single person. The ratio was exactly 2 to 1.

Mr. ADAMS. I have assumed that in recent years the Finance Committee has gained additional knowledge from experience, and that the ratios in the last two bills were more nearly satisfactory than the previous ratios. I do not yet understand why we should increase the burden on the family.

Mr. GEORGE. Let me put it plainly. It is because we think it is right.

Mr. ADAMS. Is it simply to obtain more money?

Mr. GEORGE. No; it is not simply to obtain more money. It is because we think it is about the right proportion. If the married man has children or dependents he is entitled to an additional exemption. The same thing is true of a single person with dependents.

Mr. ADAMS. There are some limitations. If a man does not have a wife, but is the head of a family, he must include one dependent in order to qualify as the head of a family.

Mr. GEORGE. That seems to be fair, because one dependent makes him the head of a family, and then he is brought into the same category as that of a married person.

Mr. ADAMS. I am merely pointing out that the action of the Finance Committee seems to be prejudicial to the man who has a family as distinguished from the individual who is free from that burden.

Mr. GEORGE. I have tried to point out to the Senator in all good faith that it seemed to the committee, and to those of us who had given study to the matter, that the ratio was about as nearly fair and equitable as we could make it.

Mr. ADAMS. If the Senator wants to reduce the exemption, I will go along with him, because I think the citizenry of the country should be made tax conscious. I think the citizenry should understand some of the consequences of their demands for expenditures, which meet a response in this body; but I feel that the action of the committee is a discrimination against those with family burdens, which is not justified by the facts.

Mr. KILGORE. Mr. President, will the Senator yield for a question?

Mr. GEORGE. I yield.

Mr. KILGORE. In his remarks I believe the Senator was reading from the table on page 7. The Senator used the expression, "tax on net income," while the language of the bill is "if his gross income" and so forth. I merely wish to straighten out the matter in my own mind.

Mr. GEORGE. Let me explain to the Senator that in the so-called short form of return an arbitrary allowance is made for the deduction which the Treasury has found from experience represents an average deduction for earners within those brackets. Therefore I referred to the net or taxable income. The table on page 7 is a so-called short form, which is available to and may be used by all taxpayers with incomes of $3,000 or less.

Mr. KILGORE. But the taxes listed in the table would be on gross income, and not on net income.

Mr. GEORGE. No; an allowance has been made.

Mr. KILGORE. The payments would be on gross income.

Mr. GEORGE. In the short form an allowance has been made for the average deduction. The Treasury Department compiled the table on that basis. It is actually based on net income.

Mr. KILGORE. Is the tax on net income?

Mr. GEORGE. Yes; the computation takes into consideration the average deduction.

Mr. KILGORE. If the taxpayer wanted to use his gross income as a basis, and did not want to bother with figuring net income, he could pay a lump sum according to the table.

Mr. GEORGE. Yes; he could pay a lump sum according to the table and be through with it.

Mr. KILGORE. Immediately following the table there is a provision that $400 may be deducted from the gross income for each dependent. According to the table, if a man had a gross income of $2,500, and one dependent in addition to his wife, he would pay a tax based on an income of $2,100.

Mr. GEORGE. The Senator is correct.

Mr. President, I have nothing further to say on this amendment. It is vital to the bill; and if we are to make any progress toward simplification, and if we are to make any progress toward creation of a system which will eliminate some of the objectionable features of the present one, this is a vital and necessary step, as necessary as bringing about economies in government.

Mr. BARKLEY. Mr. President, will the Senator yield for a suggestion?

Mr. GEORGE. I yield.

Mr. BARKLEY. Inasmuch as the question of complications involved in the writing of a tax bill has been discussed, I think the Senator will agree that many of the complications and misunderstandings and so-called patchwork results have grown out of administrative matters, as well as substantive taxation, and we are now in process of preparing an administrative bill which will be brought here very shortly from the House, it is my understanding, and which will correct many of the things that are regarded as patchworks in the present law. That is a correct statement, is it not?

Mr. GEORGE. Undoubtedly; yes.

Mr. BARKLEY. Have we not undertaken in this bill to bring about greater simplification not only by the formal table which we have made available to the persons included in the lower brackets but by the integration of the 10-percent defense tax which was levied last year?

So it is not a separate tax, but it is now included in the taxing system. We have, at least in that respect, made a very substantial contribution toward simplification of corporate taxes, as well as others.

Mr. GEORGE. The Senator is entirely correct.

Mr. President, I believe the yeas and nays have been ordered on this amendment.

The PRESIDING OFFICER (Mr. HILL in the chair). The question is on agreeing to the committee amendment on page 22, lines 3 to 25.

Mr. ADAMS. Mr. President, in order that I may definitely present my view, I am submitting an amendment. Its purpose is to continue the ratio which has existed with respect to the exemption for married persons as compared to that for single persons.

Mr. GEORGE. The purpose of the Senator from Colorado will be accomplished merely by defeating the committee amendment.

Mr. ADAMS. That is not the purpose of the Senator from Colorado. The purpose of the Senator from Colorado is to make some reduction in order to get back to the original act.

The PRESIDING OFFICER. The amendment of the Senator from Colorado will be stated.

The LEGISLATIVE CLERK. On page 22, in line 13, it is proposed to amend the committee amendment by striking out "$1,500" and inserting "$1,875."

Mr. ADAMS. Mr. President, my amendment would continue the ratio between the exemption for the single man and for the family at the basis of 1 to 2½. It seems to me that it is a fair thing to do. I am entirely unwilling to impose a 25-percent increase on the tax burden of the family while we are imposing a 6.3-percent increase on the single man, which is what the committee amendment would do.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. ADAMS. Gladly.

Mr. O'MAHONEY. If I understand the argument the Senator from Colorado is making, and the response which was made to it by the chairman of the Finance Committee, the contention is that under the bill the Finance Committee asks the Senate to approve a scheme of taxation by which married persons shall be called upon to bear an increased share of the burden resulting from emergency expenditures, and that the justification of the proposed increase is merely that in a previous emergency the same added burden was placed upon married persons. Yet, in defense of lowering the exemption, the Senator from Georgia argues that it is essential to make a larger number of persons tax-conscious, and so the exemption is lowered upon single persons, as well as upon married persons. It seems to me that there is an inconsistency in this argument, and an unfairness which is not at all justified. I am convinced that the point of the Senator from Colorado is well taken, and I shall vote to support his amendment.

Mr. ADAMS. Mr. President, we speak of the provision as if it were an exemption. What it really amounts to is this: We are starting with the tax program which now exists, and we are increasing the tax burden. That is the foundation upon which we are building. My complaint is that, starting from that foundation, we are increasing the tax burden upon the family 25 percent, and upon the single person in the same bracket 6.3 percent, and I can see no justification for the discrimination as against the family units. Therefore, the amendment which I offer would continue the ratio which now exists. It would increase the tax burdens upon both, but would increase them at the same ratio. I think we shall have difficulty in justifying or sustaining the committee figures.

Some argument has been made as to the amount involved. As a matter of fact, we do not deal entirely with the single man whose income is just $750; we do not deal entirely with the family whose income is just $1,500. We are providing for an increased rate which will apply to those who may have families having an income, such as Members of the Senate have; and the increased tax will not be merely $1 or $2. No one knows so well as the Treasury Department that the amount which will be raised will be much more than appears upon the face of the bill; that is to say, surtax rates and other rates are being increased at the same time, so that much more is involved than merely the items of $1 and $2. As a matter of plain equity and plain justice, I do not think we have a right, in building upon a foundation, to increase the tax upon the family 25 percent, while we increase the tax upon the single man only 6.3 percent.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Colorado [Mr. ADAMS] to the committee amendment on page 22, lines 3 to 25.

Mr. GEORGE. Mr. President, let me call attention to what the Senate would do if it were to adopt the amendment of the Senator from Colorado. We would cut off approximately three-fourths of the revenue to be raised under the committee amendment. In other words, we would reduce it by at least $200,000,000; because there is very little left to the proposal if we reduce the exemption for the married man by only $125.

Mr. ADAMS. The Senator recognizes that there are two elements in tax bills.

Mr. GEORGE. Yes; I recognize that, and I know that the committee proposal is fair to the married man. I beg the Senator from Colorado to listen to me for a moment. Under the proposal which we are making, a single man who makes just a little over $60 a month will begin to pay taxes, while the married man can make $125 a month without paying taxes.

That is the way it translates itself in terms of dollars and cents, and that is about fair. It is just as fair as the Senator's arbitrary decision that the married man should have $1,875 exemption and the unmarried man $750. I might ask the Senator from Colorado where he obtained that figure, where he obtained that proposal, and what is sacred about the proposal.

It does not seem to the committee to be fair to tax a man until he has made at least about $15 a week, or $60 a month; and then the tax would commence at the low rate of $1 a year. It likewise seemed fair that when the married man makes $125 a month, he should begin to pay at the low rate.

I call this one fact to the attention of the Senator from Colorado, and of all other Senators who will be good enough to look at the facts: The single person who earns, let us say, $3,000, will pay $197 in taxes, while the married person will pay only $123 in taxes. That seems to the committee to be fair.

Mr. ADAMS. Mr. President, the Senator from Georgia is quite correct that there is no sanctity to the figures which the Senator from Colorado presents, but I suggest that there is no sanctity to the figures which the committee presents.

We are starting with a tax base; we are starting with an existing tax law which imposes certain tax burdens. My objection is that the bill picks out one group—the group that carries the burden of families—and increases their tax 25 percent, while it increases the tax of a single man only 6 percent. I am accepting the existing tax structure as the basis.

There are two things in tax legislation: One, of course, is the raising of revenue, but the other is that the revenue shall be raised by taxes which are equitable and just; and whenever a tax bill departs from justice and equity it cannot be sustained. The increase in this particular case is not just and proportionate.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Colorado [Mr. ADAMS] to the amendment reported by the committee.

The amendment to the amendment was rejected.

The PRESIDING OFFICER. The question recurs on the committee amendment on page 22, beginning in line 3, on which the yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOLMAN (when his name was called). I have a general pair with the junior Senator from Tennessee [Mr. STEWART]. I am advised that if he were present he would vote as I shall vote. I am therefore at liberty to vote, and vote "yea."

Mr. McNARY (when his name was called). On this vote I have a pair with the senior Senator from Tennessee [Mr. McKELLAR]. If he were present, he would vote "yea." If permitted to vote, I should vote "nay."

The roll call was concluded.

Mr. TYDINGS. My colleague the Senator from Maryland [Mr. RADCLIFFE] is necessarily detained from the Senate. If he were present, he would vote "yea."

Mr. DAVIS. I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER]. I understand that if he were present he would vote "yea." If I were permitted to vote, I should vote "nay."

Mr. HILL. I announce that the Senator from Washington [Mr. BONE], the Senator from Iowa [Mr. GILLETTE], the Senator from Virginia [Mr. GLASS], the Senator from North Carolina [Mr. REYNOLDS], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Michigan [Mr. BROWN], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Idaho [Mr. CLARK], the Senators from Tennessee [Mr. McKELLAR and Mr. STEWART], the Senator from Utah [Mr. MURDOCK], the Senator from Florida [Mr. PEPPER], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

The Senator from Kentucky [Mr. CHANDLER] is absent on a defense-inspection tour.

The Senator from Missouri [Mr. TRUMAN], the Senator from New York [Mr. MEAD], and the Senator from Washington [Mr. WALLGREN] are engaged in holding hearings on behalf of the Committee to Investigate the National Defense Program.

Mr. AUSTIN. I announce the following pair on this question:

The Senator from Massachusetts [Mr. LODGE], who would vote "nay," with the Senator from North Carolina [Mr. REYNOLDS], who would vote "yea."

I also announce the following general pairs:

The Senator from Indiana [Mr. WILLIS] with the Senator from New Mexico [Mr. CHAVEZ];

The Senator from Minnesota [Mr. SHIPSTEAD] with the Senator from Virginia [Mr. GLASS];

The Senator from South Dakota [Mr. GURNEY] with the Senator from Florida [Mr. PEPPER];

The Senator from Minnesota [Mr. BALL] with the Senator from Missouri [Mr. TRUMAN]; and

The Senator from Kansas [Mr. REED] with the Senator from Washington [Mr. WALLGREN].

The Senator from Minnesota [Mr. BALL], the Senator from South Dakota [Mr. GURNEY], the Senator from Massachusetts [Mr. LODGE], the Senator from Kansas [Mr. REED], and the Senator from Minnesota [Mr. SHIPSTEAD] are necessarily absent.

The Senator from Indiana [Mr. WILLIS] is absent because of a personal injury.

The result was announced—yeas 43, nays 23, as follows:

YEAS—43

Andrews	Burton	Hatch
Austin	Byrd	Hayden
Bailey	Caraway	Butler
Bankhead	Connally	Herring
Barbour	Eastland	Hill
Barkley	Ellender	Holman
Bilbo	George	Johnson, Colo.
Brewster	Gerry	Lucas
Bridges	Green	Maloney
Bunker	Guffey	O'Daniel
O'Mahoney	Smith	Van Nuys
Overton	Spencer	Walsh
Peace	Taft	Wiley
Schwartz	Thomas, Utah	
Smathers	Tydings	

NAYS—23

Adams	Hughes	Nye
Aiken	Kilgore	Rosier
Brooks	La Follette	Russell
Bulow	Langer	Thomas, Idaho
Capper	Lee	Tobey
Clark, Mo.	McCarran	Tunnell
Danaher	McFarland	Vandenberg
Downey	Murray	

NOT VOTING—30

Ball	Gillette	Mead
Bone	Glass	Murdock
Brown	Gurney	Norris
Chandler	Johnson, Calif.	Pepper
Chavez	Lodge	Radcliffe
Clark, Idaho	McKellar	Reed
Davis	McNary	Reynolds
Shipstead	Truman	Wheeler
Stewart	Wagner	White
Thomas, Okla.	Wallgren	Willis

So the committee amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment passed over.

The next amendment passed over was, at the top of page 23, to insert:

SEC. 112. Returns of income tax.

(a) Individual returns: Section 51 (a) of the Internal Revenue Code is amended to read as follows:

"(a) Requirement: The following individuals shall each make under oath a return stating specifically the items of his gross income and the deductions and credits allowed under this chapter and such other information for the purpose of carrying out the provisions of this chapter as the Commissioner with the approval of the Secretary may by regulations prescribe—

"(1) Every individual who is single or who is married but not living with husband or wife, if having a gross income for the taxable year of $750 or over.

"(2) Every individual who is married and living with husband or wife, if no joint return is made under subsection (b) and if—

"(A) Such individual has for the taxable year a gross income of $1,500 or over, and the other spouse has no gross income; or

"(B) Such individual and his spouse each has for the taxable year a gross income and the aggregate gross income is $1,500 or over."

(b) Fiduciary returns: Section 142 (a) of the Internal Revenue Code is amended to read as follows:

"(a) Requirement of return: Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make under oath a return for any of the following individuals, estates, or trusts for which he acts, stating specifically the items of gross income thereof and the deductions and credits allowed under this chapter and such other information for the purpose of carrying out the provisions of this chapter as the Commissioner with the approval of the Secretary may by regulations prescribe—

"(1) Every individual having a gross income for the taxable year of $750 or over, if single, or if married and not living with husband or wife;

"(2) Every individual having a gross income for the taxable year of $1,500 or over, if married and living with husband or wife;

"(3) Every estate the gross income of which for the taxable year is $750 or over;

"(4) Every trust the net income of which for the taxable year is $100 or over, or the gross income of which for the taxable year is $750 or over, regardless of the amount of the net income; and

"(5) Every estate or trust of which any beneficiary is a nonresident alien."

(c) Information returns: Section 147 (a) of the Internal Revenue Code (relating to information at the source) is amended by striking out "$800" wherever occurring therein and inserting in lieu thereof "$750."

Mr. GEORGE. Mr. President, that is a purely adjusting amendment, dependent upon the exemptions; and I think there will be no objection to its adoption.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

The clerk will state the next committee amendment passed over.

The LEGISLATIVE CLERK. The next committee amendment is, on page 32, lines 4 to 24, section 119, community income.

Mr. GEORGE. Mr. President, if it is agreeable to the Senators who are interested in the community-property amendment, I make the suggestion and express a willingness to take up first some of the other amendments that may be more quickly disposed of.

Mr. McCARRAN. Mr. President, I am wondering if it would be in keeping with the Senator's program if this matter might be understood as going over until tomorrow.

Mr. GEORGE. I should not be able to make such an agreement, because we might reach it before tomorrow. I should be very happy to do that if I could; but at the present time I cannot agree to postpone it for that long.

Mr. McCARRAN. May this matter, then, be considered as the last controversial item?

Mr. GEORGE. I am perfectly willing to have it considered as the last item now in the bill; but, of course, I could not say that some Senators would not offer amendments from the floor which would lead to controversy.

Mr. BARKLEY. The last controversial committee amendment.

Mr. GEORGE. That is what I understand the Senator to mean. That would be quite agreeable.

Mr. McCARRAN. The last controversial matter now in the bill.

Mr. GEORGE. Yes; the last committee amendment now made in the bill.

Mr. McCARRAN. Very well.

The PRESIDING OFFICER. Without objection, the community-property amendment will be deferred for consideration until all other committee amendments shall have been disposed of. The Chair hears no objection, and it is so ordered.

The clerk will state the next committee amendment passed over.

The next amendment passed over was, under the heading "Title II—Excess-profits tax", on page 33, after line 16, to strike out:

"(2) Special rule in certain cases where invested capital credit is used: In the case of a taxpayer entitled to have its excess-profits credit computed under either section 713 (income credit) or section 714 (invested capital credit), if the use of the credit under section 714 is more advantageous to the taxpayer, the tax imposed by this section shall be the sum of—

"(A) an amount determined under paragraph (1) of this subsection with the use of the credit provided in section 714, plus—

"(B) Ten percent of the amount, if any, by which—

"(i) the adjusted excess profits net income computed with the use of the credit under section 713 and with the excess-profits credit carry-over which would be available for the taxable year if the excess-profits credit applicable to each of the preceding taxable years for which tax is imposed by this subchapter had been the excess-profits credit computed under section 713, exceeds

"(ii) the adjusted excess-profits net income computed with the use of the credit under section 714.

"(3) Limitation on application of special rule: If the tax under paragraph (2) is greater than the amount determined, with the use of the credit provided in section 713, under paragraph (1) of this subsection, the tax shall be the amount so determined under paragraph (1)."

Mr. LA FOLLETTE. Mr. President, I think the Senate should have its attention drawn to this amendment.

As will be understood by those who have studied the present excess-profits tax law, we have a double-barreled system. Under the average-earnings method, corporations strike an average of their earnings from 1936 to 1939, and pay only on any excess earnings in the taxable year over and above the average for the so-called base period. Under the invested-capital method, a corporation computes its excess-profits-tax liability on the basis of its invested capital, and pays a tax on any profits over the percentage return allowed by the law. Obviously, the corporate taxpayer uses the method which results in the least tax liability.

As I view the matter, the House committee has moved in the direction of making the average-earnings method the primary-base method, permitting the invested-capital method to be employed in the nature of a relief provision. Whether I am correct about that is immaterial. The fact is that there are many corporations with high invested capital that have had very poor average-earning years in the base period, but that have made very substantial profits and will make increasingly substantial profits before they begin to pay any excess-profits tax.

Mr. President, I am not advocating the rejection of the committee amendment in this regard upon any basis of theoretical taxation. It simply comes down to the question whether we wish to permit corporations which have high invested capital, which are suddenly receiving tremendously increased profits directly and indirectly from the defense program, to go on paying no excess-profits tax because their earnings do not eat up the credits which they have under the invested-capital method.

The House evidently endeavored to reach that situation by imposing a 10-percent tax on corporations using the invested-capital method. From the standpoint of theory, perhaps the tax is not so easily justified; but from the standpoint of practical results, it may have much to commend it, especially since we are using this double-barreled method of taxation.

I wish to cite a few examples of the corporations I have in mind.

Take the case of the United States Steel Corporation, for example. Its net income in 1936 was $62,300,000. In 1937 it was $125,400,000. In 1938 it had a deficit of $4,800,000, and in 1939 a net income of $54,100,000. Therefore, the average for 1936–39 is $59,200,000. Earnings in 1940, however, were $155,800,000. The excess of earnings in 1940 over the 1936–39 average amounted to $96,600,000; but because of the high capitalization of the United States Steel Corporation it has no excess-profits tax liability under the existing law.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield to the Senator from Massachusetts.

Mr. WALSH. Notwithstanding the fact that it is one of the corporations in the country that undoubtedly has benefited by the large number of defense contracts.

Mr. LA FOLLETTE. The increase in profits of the United States Steel Corporation in 1940 over the 1936–39 average is 163 percent.

Mr. WALSH. Is it not fair to assume that a good deal of that is the result of its Government contracts?

Mr. LA FOLLETTE. As the Senator points out, of course, all steel companies are direct beneficiaries of the defense program. United States Steel was awarded defense contracts in the amount of $209,900,000 between June 1940 and June 1941.

Mr. WALSH. Will the Senator tell us, if he has the figures, what the United States Steel Co. would pay in excess-profits tax under the bill as it passed the House? As I understand, it would pay nothing under the Senate committee bill.

Mr. LA FOLLETTE. I am afraid I do not have those figures at hand.

Mr. WALSH. It would be a rather substantial tax.

Mr. LA FOLLETTE. It would be a substantial amount. As it now stands, they did not pay any excess-profits tax in 1940. Of course, how much their net income may increase in 1941, to absorb their credit under the invested capital method, I have no way of knowing.

Mr. WALSH. I think I have seen figures somewhere, submitted by the Treasury, taken from the financial reports which were available of profits for the first 6 months of this year, indicating that they would pay no excess-profits tax, or a very slight one.

Mr. LA FOLLETTE. Of course, that is true. Another example is the American Woolen Co., which in 1936 had a net income of $2,550,000; in 1937 a deficit of $1,690,000; in 1938 a deficit of $4,870,000; in 1939 a net income of $2,740,000. The average for the base period, 1936 to 1939, was a deficit of $320,000. The excess of earnings in 1940 over the 1936–39 average amounted to $4,280,000, but their excess-profits tax liability under the existing excess-profits tax law is nothing.

The American Car & Foundry Co. is another example in point. In 1936 they had a net income of $1,410,000; in 1937 a net income of $960,000; in 1938 a deficit of $1,540,000; in 1939 a net income of $200,000. Their average, 1936 to 1939, was $260,000. Their excess of earnings in 1940 over the 1936–39 average was $6,320,000, but their excess-profits tax liability is nothing under the existing law.

The International Paper & Power Co. had an average in 1936–39 of $5,120,000. Their 1940 net income, according to published data, was $23,180,000. Their excess-profits tax liability, however, is only $2,130,000.

As I recall, the Treasury estimates that approximately $67,000,000 is involved in this item, which will be lost to the Treasury if the committee's recommendation prevails.

I do not wish to labor the point, but I believe that the House made a conscientious effort to reach corporations using the invested-capital method which it felt were direct or indirect beneficiaries of the defense program and which should be paying some excess-profits tax as a result of that situation. As I stated at the outset, however, the tax in theory is perhaps not a proper tax, but we are confronted here, in a way, with a situation of which I thought the Senate should be aware before it voted upon this matter.

Mr. GEORGE. Mr. President, the distinguished Senator from Wisconsin is somewhat wrong in his figures. Under the pending bill these rates are retroactive to the 1st of January. While I do not like to take particular companies, United States Steel, for instance, will pay a very heavy excess-profits tax this year. In 1940, because the upward industrial movement did not begin until the last 3 or 4 months of the year, they did not reach the level of their credit; the Senator is quite right about that.

Mr. LA FOLLETTE. I did not make that statement; I was very careful, if the Senator will permit me, to point out that I had no way of knowing what their tax liability would be under existing law.

Mr. WALSH. I think I gave that information. My impression was, and it may be a fact, that they did not pay any this year.

Mr. GEORGE. They did not pay any as of March 15.

Mr. WALSH. My information was that they would not pay any under the Senate committee provisions, but would under the House text.

Mr. GEORGE. The statement the Senator from Wisconsin has made with reference to steel corporations undoubtedly is accurate. But most of all these large payers would, under the bill, have paid something in 1940, not all of them, but some of them. Certainly a large earning company such as the United States Steel Corporation will pay a considerable amount in taxes in 1940, under the bill. The 10 percent, of course, would apply under those circumstances if their earnings in the base period were less than the invested-capital credit.

The United States Steel Corporation, from the very best information I am able to obtain, will actually pay an excess-profits tax of more than $12,000,000, and a normal tax of over $27,000,000, or a total tax of approximately $39,000,000. And many of the higher-earning corporations will also pay heavy taxes under the bill.

With reference to one of the high earners using the average earnings base, I should like to call attention to certain figures, which I have verified, using round numbers. One company paid a tax in 1939 of $7,000,000. In 1940—and this is on the average earning base, not the invested capital base—it paid a tax of $12,500,000, of which $1,000,000 was excess-profits tax. Under the pending bill the 1941 tax, at the rate of earning for the two first quarters of the year and for the third quarter, will amount to $24,300,000, of which $5,000,000 will be excess-profits taxes. So that there is a group of corporate taxpayers who have not earned enough to get above their excess-profits credit even for the current year, perhaps, and many of them earned enough to show a substantial increase in earnings.

The position of the Treasury is easily understandable, and, of course, makes a rather strong appeal, that is, that such companies as have profited presumably by the general increase in business due to Federal spending or the defense progam, many of which have profited directly from that program, but have not reached earnings equal to their excess-profits credit, though they have traveled far toward that credit base, should pay some tax. That is the theory on which this tax was imposed by the House, as I understand. As I said it has a good deal to commend it, particularly when we consider a corporation whose earnings are directly traceable or almost directly traceable to the defense spending by the Government. But it seemed to me to be so unsound that we ought not to approve it, for this reason: Whatever excess-profits tax we have, and whatever the basis of that excess-profits tax is, whether invested capital or average earnings, or both, if such earnings do not exceed what we have fixed as a normal return through the invested capital credit or the average earnings credit they have not realized excess profits. In the pending bill, as Senators know, the excess profits, when they are ascertained, are taxable at the rate of 35 percent of the first $20,000, and are taxable at 60 percent on all over $500,000. So whatever the credit is, and whatever the defect may be in the excess-profits tax, whether we have the right base, or whether we have given too high a credit, or whether the credit is excessive, it would seem that we ought to adhere to something like consistency in imposing the tax, and see to it that this extremely high tax on excess profits will not be applied unless the corporation has earned its full credit.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. GEORGE. I am glad to yield to the Senator from Massachusetts.

Mr. WALSH. The Senator's statement is very fair and is an admirable presentation of the pros and cons of this delicate and intricate subject. There is this to be said, I think, that if the Senate committee amendment is adopted, as it probably will be, the whole subject will be open to consideration in conference.

Mr. GEORGE. I was about to remark that if the Senate committee amendment is approved the whole subject anyway will be in conference, and there will be opportunity to give consideration to this special tax.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. GEORGE. I am glad to yield.

Mr. VANDENBERG. Might there not be a middle ground where minds might meet on the basis of the suggestion originally submitted by the able Senator from Ohio [Mr. TAFT]? In other words, might there not be a primary cushion of 2- or 3-percent exemption established before the 10-percent penalty is applied, so as to cushion the effect of the tax against those upon whom it would obviously be unfairly burdensome, and yet to reach those in the classification the Senator from Wisconsin [Mr. LA FOLLETTE] has been discussing?

Mr. GEORGE. Mr. President, I should like to say to the Senator from Michigan that I think there was much in the suggestion which I believe originally was made by the Senator from Ohio. His precise proposal would probably bear heaviest upon the relatively small corporation. If it is found desirable in conference, where the whole question will be open, to impose some tax and at the same time not work an undue hardship upon relatively small companies, I should like to express the hope that the Senator from Wisconsin, who will be one of the conferees, of course, will allow the Senate committee amendment to be approved, because it will be in conference, and there will be an opportunity to work out something on this particular section of the tax bill.

The PRESIDING OFFICER (Mr. KILGORE in the chair). The question is on agreeing to the committee amendment on page 33, beginning with line 17 and ending in line 4 on page 35.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment passed over at the instance of the chairman of the Finance Committee will be stated.

The next amendment passed over was, on page 36, line 1, to strike out:

SEC. 202. Disclaimer of credit.

(a) Section 712 (c) of the Internal Revenue Code (relating to disclaimers of excess-profits credit is amended to read as follows:

"(c) Effect of disclaimer of credit: If the taxpayer states in its return for the taxable year under this subchapter that it disclaims the use of the credit computed under section 714, such credit shall not, for the purposes of the internal-revenue laws, be applicable to the computation of the tax under this subchapter for such taxable year."

(b) The last sentence of section 729 (b) (1) is amended to read as follows: "If the taxpayer states in such return that it disclaims the use of the credit computed under section 714 in the computation of the tax under this subchapter for the taxable year, the computation and information based on such credit may be omitted from the return."

(c) Section 741 (b) of the Internal Revenue Code (relating to disclaimers of excess-profits credit) is amended to read as follows:

"(b) Effect of disclaimer of credit: If the taxpayer states in its return for the taxable year under this subchapter that it disclaims the use of the credit computed under section 714, such credit shall not, for the purposes of the internal-revenue laws, be applicable to the computation of the tax under this subchapter for such taxable year."

SEC. 203. Cases in which no return required.

Section 729 (b) (2) of the Internal Revenue Code is amended to read as follows:

"(2) No return required: Notwithstanding subsection (a), no return under section 52 (a) shall be required to be filed under this subchapter:

"(A) By any taxpayer entitled to have its excess-profits credit computed under either section 713 or section 714 for any taxable year for which its excess-profits net income, computed with the adjustments provided in section 711 (a) (1) and placed on an annual basis as provided in section 711 (a) (3), is not greater than $5,000; or

"(B) By any taxpayer not entitled to have its excess-profits credit computed under section 713 for any taxable year for which its excess-profits net income, computed with the adjustments provided in section 711 (a) (2) and placed on an annual basis as provided in section 711 (a) (3), is not greater than $5,000."

Mr. GEORGE. Mr. President, that amendment, I think, should now be agreed to because it is connected with or tied up with the special 10-percent excess-profits tax which the Senate has just passed upon. It becomes necessary to agree to it especially since that amendment has been agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment beginning at the top of page 36 and continuing down to and including line 20 on page 37.

The amendment was agreed to.

The PRESIDING OFFICER. The next committee amendment, being in title 4, which was passed over at the instance of the Senator from Wisconsin [Mr. LA FOLLETTE] will be stated.

The next committee amendment passed over was, on page 51, after line 21, to strike out:

If the net estate is—	The tentative tax shall be—
Not over $5,000	3% of the net estate.
Over $5,000 but not over $10,000	$150, plus 7% of excess over $5,000.
Over $10,000 but not over $20,000	$500, plus 10% of excess over $10,000.
Over $20,000 but not over $30,000	$1,500, plus 13% of excess over $20,000.
Over $30,000 but not over $40,000	$2,800, plus 16% of excess over $30,000.
Over $40,000 but not over $50,000	$4,400, plus 20% of excess over $40,000.
Over $50,000 but not over $60,000	$6,400, plus 23% of excess over $50,000.
Over $60,000 but not over $100,000	$8,700, plus 25% of excess over $60,000.
Over $100,000 but not over $250,000	$18,700, plus 27% of excess over $100,000.
Over $250,000 but not over $500,000	$59,200, plus 29% of excess over $250,000.
Over $500,000 but not over $750,000	$131,700, plus 32% of excess over $500,000.
Over $750,000 but not over $1,000,000	$211,700, plus 34% of excess over $750,000.
Over $1,000,000 but not over $1,250,000	$296,700 plus 36% of excess over $1,000,000.
Over $1,250,000 but not over $1,500,000	$386,700, plus 38% of excess over $1,250,000.
Over $1,500,000 but not over $2,000,000	$481,700, plus 41% of excess over $1,500,000.
Over $2,000,000 but not over $2,500,000	$686,700, plus 45% of excess over $2,000,000.
Over $2,500,000 but not over $3,000,000	$911,700, plus 48% of excess over $2,500,000.
Over $3,000,000 but not over $3,500,000	$1,151,700, plus 51% of excess over $3,000,000.
Over $3,500,000 but not over $4,000,000	$1,406,700, plus 54% of excess over $3,500,000.
Over $4,000,000 but not over $5,000,000	$1,676,700, plus 58% of excess over $4,000,000.
Over $5,000,000 but not over $6,000,000	$2,256,700, plus 61% of excess over $5,000,000.
Over $6,000,000 but not over $7,000,000	$2,866,700, plus 64% of excess over $6,000,000.
Over $7,000,000 but not over $8,000,000	$3,506,700, plus 66% of excess over $7,000,000.
Over $8,000,000 but not over $10,000,000	$4,166,700, plus 69% of excess over $8,000,000.
Over $10,000,000	$5,546,700, plus 70% of excess over $10,000,000.

And in lieu thereof to insert:

If the net estate is—	The tentative tax shall be—
Not over $5,000	3% of the net estate.
Over $5,000 but not over $10,000	$150, plus 7% of excess over $5,000.
Over $10,000 but not over $20,000	$500, plus 11% of excess over $10,000.
Over $20,000 but not over $30,000	$1,600, plus 14% of excess over $20,000.
Over $30,000 but not over $40,000	$3,000, plus 18% of excess over $30,000.
Over $40,000 but not over $50,000	$4,800, plus 22% of excess over $40,000.
Over $50,000 but not over $60,000	$7,000, plus 25% of excess over $50,000.
Over $60,000 but not over $100,000	$9,500, plus 28% of excess over $60,000.
Over $100,000 but not over $250,000	$20,700, plus 30% of excess over $100,000.
Over $250,000 but not over $500,000	$65,700, plus 32% of excess over $250,000.
Over $500,000 but not over $750,000	$145,700, plus 35% of excess over $500,000.
Over $750,000 but not over $1,000,000	$233,200, plus 37% of excess over $750,000.
Over $1,000,000 but not over $1,250,000	$325,700, plus 39% of excess over $1,000,000.
Over $1,250,000 but not over $1,500,000	$423,200, plus 42% of excess over $1,250,000.
Over $1,500,000 but not over $2,000,000	$528,200, plus 45% of excess over $1,500,000.
Over $2,000,000 but not over $2,500,000	$753,200, plus 49% of excess over $2,000,000.
Over $2,500,000 but not over $3,000,000	$998,200, plus 53% of excess over $2,500,000.
Over $3,000,000 but not over $3,500,000	$1,263,200, plus 56% of excess over $3,000,000.
Over $3,500,000 but not over $4,000,000	$1,543,200, plus 59% of excess over $3,500,000.
Over $4,000,000 but not over $5,000,000	$1,838,200, plus 63% of excess over $4,000,000.
Over $5,000,000 but not over $6,000,000	$2,468,200, plus 67% of excess over $5,000,000.
Over $6,000,000 but not over $7,000,000	$3,138,200, plus 70% of excess over $6,000,000.
Over $7,000,000 but not over $8,000,000	$3,838,200, plus 73% of excess over $7,000,000.
Over $8,000,000 but not over $10,000,000	$4,568,200, plus 76% of excess over $8,000,000.
Over $10,000,000	$6,088,200, plus 77% of excess over $10,000,000.

Mr. GEORGE. Mr. President, does the Senator from Wisconsin desire to offer an amendment?

Mr. LA FOLLETTE. Mr. President, I desire to offer in lieu of the schedule proposed to be inserted by the committee amendment, the amendments which were originally proposed to the House Ways and Means Committee by the Treasury. If it is agreeable to the Senator from Georgia I can do so now.

Mr. GEORGE. Mr. President, I think that may as well be done, unless there is some reason why the Senator would like to have the matter go over.

Mr. LA FOLLETTE. No; I have no desire to have it go over.

Mr. President, I offer an amendment on pages 52 and 53, in lieu of the schedule proposed to be inserted by the committee amendment, and I ask unanimous consent that the amendment may be printed in the RECORD as though read, because I can explain very briefly what the amendment proposes to do.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

On pages 52 and 53, in lieu of the schedule proposed to be inserted by the committee amendment, insert the following schedule:

If the net estate is—	The tentative tax shall be—
Not over $5,000	4% of the net estate.
Over $5,000 but not over $10,000	$200, plus 8% of excess over $5,000.
Over $10,000 but not over $20,000	$600, plus 12% of excess over $10,000.
Over $20,000 but not over $30,000	$1,800, plus 17% of excess over $20,000.
Over $30,000 but not over $40,000	$3,600, plus 22% of excess over $30,000.
Over $40,000 but not over $60,000	$5,800, plus 25% of excess over $40,000.
Over $60,000 but not over $80,000	$10,800, plus 28% of excess over $60,000.
Over $80,000 but not over $100,000	$16,400, plus 31% of excess over $80,000.
Over $100,000 but not over $150,000	$22,600, plus 34% of excess over $100,000.
Over $150,000 but not over $200,000	$39,600, plus 37% of excess over $150,000.
Over $200,000 but not over $250,000	$58,100, plus 40% of excess over $200,000.
Over $250,000 but not over $300,000	$78,100, plus 44% of excess over $250,000.
Over $300,000 but not over $500,000	$100,100, plus 48% of excess over $300,000.
Over $500,000 but not over $1,000,000	$196,100, plus 52% of excess over $500,000.
Over $1,000,000 but not over $2,000,000	$456,100, plus 54% of excess over $1,000,000.
Over $2,000,000 but not over $3,000,000	$996,100, plus 56% of excess over $2,000,000.
Over $3,000,000 but not over $4,000,000	$1,556,100, plus 58% of excess over $3,000,000.
Over $4,000,000 but not over $5,000,000	$2,136,100, plus 61% of excess over $4,000,000.
Over $5,000,000 but not over $6,000,000	$2,746,100, plus 63% of excess over $5,000,000.
Over $6,000,000 but not over $7,000,000	$3,376,100, plus 65% of excess over $6,000,000.
Over $7,000,000 but not over $8,000,000	$4,026,100, plus 67% of excess over $7,000,000.
Over $8,000,000 but not over $9,000,000	$4,696,100, plus 69% of excess over $8,000,000.
Over $9,000,000 but not over $10,000,000	$5,386,100, plus 71% of excess over $9,000,000.
Over $10,000,000 but not over $20,000,000	$6,096,100, plus 73% of excess over $10,000,000.
Over $20,000,000 but not over $50,000,000	$13,396,100, plus 75% of excess over $20,000,000.
Over $50,000,000	$35,896,100, plus 77% of excess over $50,000,000.

On page 54, between lines 3 and 4, insert the following new subsection:

"(b) Exemption reduced: Section 935 (b) of the Internal Revenue Code is amended by striking out '$40,000' and inserting in lieu thereof '$25,000'."

On page 54, line 4, strike out "(b)" and in lieu thereof insert "(c)."

On page 54, between lines 5 and 6, insert the following subsection:

"(d) Insurance exemption for estate taxes reduced: Section 811 (g) of the Internal Revenue Code is amended by striking out '$40,000' and inserting in lieu thereof '$25,000'."

On page 54, line 6, strike out "(c)" and in lieu thereof insert "(e)"; and in the same line, strike out "(a) and (b)" and in lieu thereof insert "(a), (b), (c), and (d)."

On pages 55 and 56, in lieu of the rate schedule proposed to be inserted by the committee amendment insert the following:

If the net gifts are—	The tax shall be—
Not over $5,000	3% of the net gifts.
Over $5,000 but not over $10,000	$150, plus 6% of excess over $5,000.
Over $10,000 but not over $20,000	$450, plus 9¼% of excess over $10,000.
Over $20,000 but not over $30,000	$1,425, plus 12¾% of excess over $20,000.
Over $30,000 but not over $40,000	$2,700, plus 16½% of excess over $30,000.
Over $40,000 but not over $60,000	$4,350, plus 18¾% of excess over $40,000.
Over $60,000 but not over $80,000	$8,100, plus 21% of excess over $60,000.
Over $80,000 but not over $100,000	$12,300, plus 23¼% of excess over $80,000.
Over $100,000 but not over $150,000	$16,950, plus 25½% of excess over $100,000.
Over $150,000 but not over $200,000	$29,700, plus 27¾% of excess over $150,000.
Over $200,000 but not over $250,000	$43,575, plus 30% of excess over $200,000.
Over $250,000 but not over $300,000	$58,575, plus 33% of excess over $250,000.
Over $300,000 but not over $500,000	$75,075, plus 36% of excess over $300,000.
Over $500,000 but not over $1,000,000	$147,075, plus 39% of excess over $500,000.
Over $1,000,000 but not over $2,000,000	$342,075, plus 40½% of excess over $1,000,000.

If the net estate is—	The tentative tax shall be—
Over $2,000,000 but not over $3,000,000	$747,075, plus 42% of excess over $2,000,000.
Over $3,000,000 but not over $4,000,000	$1,167,075, plus 43¼% of excess over $3,000,000.
Over $4,000,000 but not over $5,000,000	$1,602,075, plus 45¼% of excess over $4,000,000.
Over $5,000,000 but not over $6,000,000	$2,059,575, plus 47¼% of excess over $5,000,000.
Over $6,000,000 but not over $7,000,000	$2,532,075, plus 48¾% of excess over $6,000,000.
Over $7,000,000 but not over $8,000,000	$3,019,575, plus 50¼% of excess over $7,000,000.
Over $8,000,000 but not over $9,000,000	$3,522,075, plus 51¾% of excess over $8,000,000.
Over $9,000,000 but not over $10,000,000	$4,039,575, plus 53¼% of excess over $9,000,000.
Over $10,000,000 but not over $20,000,000	$4,572,075, plus 54¾% of excess over $10,000,000.
Over $20,000,000 but not over $50,000,000	$10,047,075, plus 56¼% of excess over $20,000,000.
Over $50,000,000	$26,922,075, plus 57¾% of excess over $50,000,000."

On page 56, after the rate schedule, insert the following new subsection:

"(b) Exemption reduced: Section 1004 (a) (1) of the Internal Revenue Code is amended by striking out '$40,000' and inserting in lieu thereof '$25,000'."

On page 56, line 1, strike out "(b)" and in lieu thereof insert "(c)."

On page 56, line 16, strike out "(c)" and in lieu thereof insert "(d)."

Mr. LA FOLLETTE. Mr. President, the Treasury in its recommendation to the House Ways and Means Committee, proposed substantial increases in the estate tax rates. The House Ways and Means Committee went about half way, approximately, between the existing law and the Treasury proposal.

Under the terms of my amendment, after the exemption of $25,000, the rates start at 4 percent of the net estate, if the net estate is less than $5,000, and go up by progressive brackets. If the net estate were over $50,000,000, the tax would be $35,896,100, plus 77 percent of the excess over $50,000,000.

My amendment proposes to reduce the existing exemption by striking out $40,000, the present exemption, and inserting in lieu thereof $25,000. So if my amendment is adopted an estate of $25,000 would be exempt, as against an estate of $40,000, which is now exempt under existing law and under the provisions of the bill as reported by the committee.

My amendment also proposes to reduce the insurance exemption from $40,000 to $25,000.

Mr. President, if my amendment were enacted into law it would produce approximately an additional $202,000,000 over and above the amount produced by the House rates and by the rates confirmed by the Senate committee. Let me give a few examples of taxes on net estates, before exemption, under existing law, under the Finance Committee proposal, under my amendment, and under the British law.

In Great Britain a net estate, before exemption, of $2,500 would pay $50; an estate of $5,000 would pay $150; an estate of $10,000 would pay $300; and an estate of $25,000 would pay $1,000.

Under the existing law in this country a net estate, before exemption, of $30,000, of course, pays nothing, because of the $40,000 exemption. Under the terms of the bill as reported by the Finance Committee it would pay nothing. Under my amendment it would pay $200; and under the British law, $1,200.

An estate of $35,000 would pay nothing under the existing law. Under the terms of the bill as reported by the Finance Committee it would pay nothing. Under the terms of my amendment it would pay $600. In Great Britain it would pay $1,400.

Under existing law an estate of $40,000 would pay nothing. Under the Finance Committee bill it would pay nothing. Under my amendment it would pay $1,250. In Great Britain it would pay $1,600.

An estate of $50,000 would pay $220 under existing law. Under the terms of the bill as reported by the committee it would pay $500. Under my amendment it would pay $2,750. In Great Britain it would pay $3,600.

An estate of $60,000 would pay $660 under existing law. Under the bill as reported by the committee it would pay $1,600. Under my amendment it would pay $4,700. In Great Britain it would pay $4,320.

An estate of $80,000 would pay $2,200 under existing law. Under the Finance Committee bill it would pay $4,800. Under my amendment it would pay $9,550. Under the British law it would pay $7,680.

An estate of $200,000 would pay $20,460 under existing law. Under the bill as reported from the committee it would pay $38,750. Under my amendment it would pay $48,850. Under the British law it would pay $39,000.

An estate of $500,000 would pay $77,440 under existing law. Under the Finance Committee bill it would pay $132,900. Under my amendment it would pay $184,100. Under the British law it would pay $143,000.

An estate of $2,000,000 would pay $488,400 under existing law. Under the Finance Committee bill it would pay $735,200. Under my amendment it would pay $983,100. Under the British law it would pay $832,000.

An estate of $10,000,000 would pay $4,255,900 under existing law. Under the bill as reported from the Committee it would pay $6,057,800. Under my amendment it would pay $6,078,350. Under British law it would pay $6,500,000.

Mr. President, the Senate has just gone on record in favor of reducing the personal income-tax exemptions, reaching down into the lower brackets. The justification advanced for such action is that, despite the effect of the amendment upon the standard of living of those in the lower-income groups, the emergency which the country confronts from a fiscal standpoint justifies the imposition of such taxes. It seems to me that if the Senate is to take the position that the long arm of the Government is to reach into the pockets of the low-income groups, by the same token we should increase the taxes on estates.

It is my opinion that the original recommendations of the Treasury Department, which are borne out by the rates proposed in my amendment, were amply justified. Except for the argument which may be advanced that small estates should be reserved for the taxation of States under their inheritance or State tax laws, I see no compelling argument against the utilization of an increase in the estate taxes in order to raise additional revenue. Since we have not followed the principle of permitting the States to reserve to themselves fields of taxation, I believe we are more than justified in increasing the rates upon estates. In my opinion, in many respects it is the most just of all the graduated systems of taxation.

Under the terms of the bill reported by the committee, an estate of $41,000 would bear a Federal tax of $30. It may be pointed out that the same amount would be paid by a single individual earning $21.65 a week. If we are going about the revision of the tax structure piecemeal, as recommended by the chairman of the committee, which I believe is absolutely impossible of accomplishment, I believe that this is the time to take a step in the right direction so far as estate taxes are concerned. Therefore, Mr. President, I hope that the Senate will give consideration to my amendment. I hope it may be possible to obtain a record vote. I ask for the yeas and nays.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE] to the committee amendment on page 51, beginning after line 21. On this question the yeas and nays have been demanded.

The yeas and nays were not ordered.

Mr. LA FOLLETTE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Downey	Murray
Aiken	Eastland	Nye
Andrews	Ellender	O'Daniel
Austin	George	O'Mahoney
Bailey	Gerry	Overton
Bankhead	Gillette	Peace
Barbour	Green	Radcliffe
Barkley	Guffey	Rosier
Bilbo	Hatch	Russell
Brewster	Hayden	Schwartz
Bridges	Herring	Smathers
Brooks	Hill	Smith
Bulow	Holman	Spencer
Bunker	Hughes	Taft
Burton	Johnson, Colo.	Thomas, Idaho
Butler	Kilgore	Thomas, Utah
Byrd	La Follette	Tobey
Capper	Langer	Tunnell
Caraway	Lee	Tydings
Clark, Idaho	Lucas	Vandenberg
Clark, Mo.	McCarran	Van Nuys
Connally	McFarland	Walsh
Danaher	McNary	Wiley
Davis	Maloney	

The PRESIDING OFFICER. Seventy-one Senators having answered to their names, a quorum is present.

Mr. LA FOLLETTE. Mr. President, I have just offered an amendment which I conceive to be of some importance to this bill, providing for increased estate-tax rates. I asked for a sufficient second to my demand for the yeas and nays on the amendment, but was unable to obtain it. I wish to renew that demand while a sufficient number of Senators remain in the Chamber.

The yeas and nays were ordered.

Mr. GEORGE. Mr. President, I wish to be heard on this amendment. As I understand the amendment it is both

for the purpose of reducing the exemptions and increasing the rates.

Mr. LA FOLLETTE. It would reduce the exemption from $40,000 to $25,000, and the insurance exemption from $40,000 to $25,000, and would increase the rates, as well, as was shown by the table I quoted.

Mr. GEORGE. I understood that. I did not know whether the Senator from Wisconsin was offering all of it at one time or separately.

Mr. President, I hope very much that the Senate will give serious attention to the amendment. The amendment proposed by the Senator from Wisconsin would reduce from $40,000 to $25,000 the specific credit which now is allowed to an estate, and also would reduce from $40,000 to $25,000 the insurance exclusion. By that is simply meant that if a man who dies is fortunate enough to have insurance of $40,000 or more payable to others than to his estate, an estate tax does not have to be paid upon $40,000 of his insurance. If the man does not have any insurance, the whole matter is a pipe dream to him, anyway, and the provision would not affect him. Actually it would help only those persons who are able to carry and do carry insurance.

The present exemption is a $40,000 specific exemption and a $40,000 insurance exemption. Why is that? There is a very good and sound reason for it. On an estate of $40,000 or less the States levy high taxes. In some instances—in one State, I believe—the tax actually applies on the whole estate above $500. In other words, the State itself levies a tax not only on the larger estates but on the smaller estates. There has been a controversy for many years between the States and the Federal Government, the States insisting that the estate taxes should be levied for State purposes. We have not done that. We impose a Federal tax, but we do not tax below $40,000; we give an exemption of $40,000 largely on the theory—and it is a perfectly sound and right theory—that an estate which does not exceed $40,000 should be taxed only by the States and not by the Federal Government. A credit is given for the State tax paid as against the Federal tax only if the estate amounts to $100,000 or more. The estates which would be brought under the bill and taxed by the Federal Government if this amendment should be adopted—that is, if the exemption should be lowered from $40,000 to $25,000—the estates which fall within the bracket of from $25,000 to $40,000 should be taxed solely by the States. That is a field which the States have insisted with a great deal of force ought not to be taken away from them. For the tax paid the State, whether Ohio, Michigan, or Rhode Island, or any other State, the estate, as I have said, can get no credit against the Federal tax because the credit is only applicable and may be availed of only when the estate is $100,000 or more.

Now, a word as to the rates. The rates proposed exceed the rates now fixed by Great Britain even in wartime on an estate of $60,000. In other words, on a net estate of $60,000 in the United Kingdom the pre-war tax was $3,600; now it is $4,320. Under the proposed amendment of the Senator from Wisconsin the Federal tax would be $4,840, or $500 higher than the English are paying under present war conditions.

On an estate of $100,000 the British tax now is $10,800. Under the proposal made by the Senator from Wisconsin the United States tax would be $15,290.

On an estate of $500,000 the British pre-war tax was $121,000, and at present the tax is $143,000 on a $500,000 estate. The proposed increase, if adopted, would carry that tax up to $177,100 for the United States.

The House has already increased the rates above preexisting rates; it has cut in between the existing rate and the British rate. But the strongest reason why we should not tax the little estates of $40,000 and under is that they can have no credit against the Federal tax for the tax paid the State, and because at least that much of the estate-tax field should be left to the States themselves.

So I hope that the amendment will not be adopted. The increases made by the House are substantial, and I believe will result in a total increase in the estate tax of approximately $141,600,000 over the present rate, and the gift-tax increase of $16,000,000.

Mr. LA FOLLETTE. Mr. President, I wish to say just a word. The Senator's argument, so far as estates are concerned, might be very compelling if the Senator were consistent about it, but, as Senators know, the States are already taxing persons in the low-income tax brackets and the Senator has not hesitated to go on record to permit the Federal Government to invade that field. The same thing is true of gasoline taxes and practically all other taxes which are proposed by the pending bill and have been in past bills and which invade various fields of taxation.

I should like also to say, Mr. President, that when we reach down into the low-income groups for needed income taxation on the ground that we are facing a grave national emergency, I do not think we contribute to the national morale, and I do not think we contribute to national unity when we become tender about estates and are not willing to ask that their burden be substantially increased over and above what the House provided. The issue it seems to me is clear. It is merely a question of whether we regard the accumulation of wealth as more important than the standard of living of people in the lower income groups. I am perfectly content to let the matter go to the Senate.

Mr. TAFT. Mr. President, I am opposed to the La Follette amendment for several reasons. In the first place, it seems to me that inheritances are not a proper subject of emergency taxation. There is no reason in the world why the estate of a man who dies during the period of 3 or 4 years of a crisis should necessarily pay a larger tax or why his widow should be worse off than the widow of a man who dies just before a war or just after a war. Unless we are going to say this ought to be the permanent tax rate in the United States for all time to come, I do not think we ought to vote for this increase in this schedule.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. LA FOLLETTE. The fact of the matter is, however, that this tax has been employed in past financial crises not only by this Government but by other governments.

Mr. TAFT. I am stating that I think that it is a wrong policy, and I certainly think it ought not to be carried to extreme. Because more crimes have been committed in tax systems in the past than it is possible to conceive of is no reason, it seems to me, why they should be continued.

Mr. LA FOLLETTE. Does the Senator think that an increase of a few hundred dollars on a net estate is any less justifiable in an emergency than to go down into the low-income groups in the case of the income taxation?

Mr. TAFT. Absolutely I do, because it affects the accumulation a man has made during his entire life, an accumulation which is not attributable to this particular emergency. An estate is no larger because of the present emergency; it is no larger in time of war than in time of peace, but the man in the low-income brackets is getting more money; wages have increased in total volume nearly 50 percent in a couple of years.

Mr. LA FOLLETTE. They may be getting increased wages, but what the Senator has already gone on record to do is to tax the increase in wages in the very low income groups, yet he takes the position that because a person has been fortunate enough to accumulate an estate he should not be taxed because it is bad tax policy. I cannot follow the Senator's logic.

Mr. TAFT. I say because he has been able enough, has been diligent enough, has been industrious enough, and because he has worked all his life as hard as a man can work; not that he has been fortunate enough to have accumulated some money.

Mr. LA FOLLETTE. So far as the Senator's vote reducing the exemption is concerned, he is moving in the direction that the low-income groups will not be able to accumulate any future estate and their present standard of health and of living will be reduced.

Mr. TAFT. Obviously the two have no relation.

The question here is whether we should tax estates. In the first place, I repeat that estates are not a proper subject of emergency taxation. In the second place, this is a tax on the smaller estates and not the larger estates. Look at the comparative amendments. An estate of $10,000,000 pays practically the same under the La Follette amendment as it pays under the committee amendment. There is no difference. The increase is in the smaller estates. Under this amendment the increase is in the estates under $40,000 and estates of a hundred or two hundred thousand dollars.

Take the case of a man who perhaps has run a successful business and perhaps has saved his money. Even a Senator may save money from his salary if he is diligent enough. It is perfectly possible in a business for a man to accumulate one hundred or two hundred thousand dollars. If he dies and leaves his widow $200,000 today she may be able to get $7,000 income, perhaps $6,000 income, if she can keep it all. A considerable portion of it is taken away, however. Under this provision it is proposed that $58,000 shall be taken away from the man's family to which he has left the estate. If it is a small business—and there are many small businesses scattered through all the States, representing something of that value—a business that a man has built up all his life, to take $58,000 which is not in the business is a burden that certainly is unfair, and I think is most unwise.

So, in my opinion, the increase proposed here is neither justified as an emergency nor justified as a permanent policy. It seems to me that in the case of the smaller estates we could well leave the tax where it is, even without the increase proposed in the House provision.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Georgia.

Mr. GEORGE. It is also true that when the exemption is lowered we are only taxing income. This is a tax on capital. It must be paid out of accumulated capital. It is also true that while we provide a long term within which an estate tax must be paid, it is with the utmost difficulty that the average going estate can convert itself into a cash position and pay the extremely high estate taxes that are suggested in this amendment.

Mr. TAFT. I thank the Senator.

Mr. BRIDGES. Mr. President, I should like to ask the Senator from Wisconsin, if I may, the reason for reducing on page 4 of his amendment, the exemption on life insurance. Life insurance is of very great importance to the average person in the country, and it is one way in which a person of modest means and modest cirmumstances, with a modest income, may provide for his widow or children after his death.

I wonder what is the theory of reducing the exemption on life insurance from $40,000 to $25,000. Personally, I am very much opposed to the reduction, because I feel that up to $40,000 life insurance should be almost sacred. I hope this amendment reducing the amount of life insurance exempt from taxes will be defeated.

Mr. LA FOLLETTE. Mr. President, I can explain to the Senator the theory of it. The present exemption for estates is $40,000, and the present exemption on life insurance is $40,000, the theory being that life insurance accumulated as the result of premium payments out of income is an accumulation of capital into the net estate just as if it came from dividends, rent, royalties, or any other source.

Mr. TAFT. Mr. President, there is one thing I desire to suggest to the Senator from New Hampshire, and that is that whereas $40,000 reinvested might have brought 5 percent interest 5 years ago, today a person receiving $40,000 will not be able to get much more than 3-percent interest with any safety; so, really, the situation with regard to interest is such that the exemptions ought to be increased rather than reduced.

The PRESIDING OFFICER (Mr. KILGORE in the chair). The question is on agreeing to the amendment offered by the Senator from Wisconsin [Mr. LA FOLLETTE] in the nature of a substitute for the schedule proposed to be inserted by the committee amendment on pages 51, 52, and 53. On that amendment the yeas and nays have been demanded and ordered. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. DAVIS (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER]. I understand that on this question he would vote as I am about to vote. Therefore, I am at liberty to vote "nay."

Mr. HOLMAN (when his name was called). I have a general pair with the junior Senator from Tennessee [Mr. STEWART]. I am advised that if that Senator were present and voting he would vote "nay." If I were at liberty to vote I would vote "yea." I withhold my vote.

Mr. McNARY. Again referring to my pair with the senior Senator from Tennessee [Mr. MCKELLAR], who, if present would vote "nay," I withhold my vote. If I were at liberty to vote I would vote "yea."

The roll call was concluded.

Mr. TYDINGS. My colleague [Mr. RADCLIFFE] is necessarily absent. If he were present he would vote "nay."

Mr. HILL. I announce that the Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. GLASS], the Senator from Iowa [Mr. GILLETTE], the Senator from North Carolina [Mr. REYNOLDS], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Kentucky [Mr. CHANDLER] is absent on a defense-inspection tour.

The Senator from New York [Mr. MEAD], the Senator from Missouri [Mr. TRUMAN], and the Senator from Washington [Mr. WALLGREN] are engaged in holding hearings on behalf of the Committee to Investigate the National Defense Program.

The Senator from Michigan [Mr. BROWN], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Utah [Mr. MURDOCK], the Senators from Tennessee [Mr. MCKELLAR and Mr. STEWART], the Senator from Florida [Mr. PEPPER], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

Mr. AUSTIN. I announce the following general pairs:

The Senator from Indiana [Mr. WILLIS] with the Senator from New Mexico [Mr. CHAVEZ];

The Senator from Minnesota [Mr. SHIPSTEAD] with the Senator from Virginia [Mr. GLASS];

The Senator from Minnesota [Mr. BALL] with the Senator from Missouri [Mr. TRUMAN];

The Senator from South Dakota [Mr. GURNEY] with the Senator from Florida [Mr. PEPPER];

The Senator from Kansas [Mr. REED] with the Senator from Washington [Mr. WALLGREN]; and

The Senator from Massachusetts [Mr. LODGE] with the Senator from North Carolina [Mr. REYNOLDS].

The result was announced—yeas 19, nays 47, as follows:

YEAS—19

Aiken	La Follette	Russell
Bunker	Langer	Schwartz
Capper	Lee	Smathers
Clark, Idaho	Murray	Walsh
Clark, Mo.	Nye	Wiley
Downey	O'Mahoney	
Kilgore	Rosier	

NAYS—47

Adams	Danaher	McFarland
Andrews	Davis	Maloney
Austin	Eastland	O'Daniel
Bailey	Ellender	Overton
Bankhead	George	Peace
Barbour	Gerry	Smith
Barkley	Green	Spencer
Bilbo	Guffey	Taft
Brewster	Hatch	Thomas, Idaho
Bridges	Hayden	Thomas, Utah
Brooks	Herring	Tobey
Bulow	Hill	Tunnell
Burton	Hughes	Tydings
Byrd	Johnson, Colo.	Vandenberg
Caraway	Lucas	Van Nuys
Connally	McCarran	

NOT VOTING—30

Ball	Johnson, Calif.	Reynolds
Bone	Lodge	Shipstead
Brown	McKellar	Stewart
Butler	McNary	Thomas, Okla.
Chandler	Mead	Truman
Chavez	Murdock	Wagner
Gillette	Norris	Wallgren
Glass	Pepper	Wheeler
Gurney	Radcliffe	White
Holman	Reed	Willis

So Mr. LA FOLLETTE's amendment to the committee amendment was rejected.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment of the committee passed over.

The CHIEF CLERK. On page 51, after line 21, under the heading "Title IV—Estate and Gift Taxes," it is proposed to strike out:

If the net estate is—	The tentative tax shall be—
Not over $5,000	3% of the net estate.
Over $5,000 but not over $10,000.	$150, plus 7% of excess over $5,000.
Over $10,000 but not over $20,000.	$500, plus 10% of excess over $10,000.
Over $20,000 but not over $30,000.	$1,500 plus 13% of excess over $20,000.
Over $30,000 but not over $40,000.	$2,800, plus 16% o excess over $30,000.
Over $40,000 but not over $50,000.	$4,400, plus 20% of excess over $40,000.
Over $50,000 but not over $60,000.	$6,400, plus 23% of excess over $50,000.
Over $60,000 but not over $100,000.	$8,700, plus 25% of excess over $60,000.
Over $100,000 but not over $250,000.	$18,700, plus 27% of excess over $100,000.
Over $250,000 but not over $500,000.	$59,200, plus 29% of excess over $250,000.
Over $500,000 but not over $750,000.	$131,700, plus 32% of excess over $500,000.
Over $750,000 but not over $1,000,000.	$211,700, plus 34% of excess over $750,000.
Over $1,000,000 but not over $1,250,000.	$296,700, plus 36% of excess over $1,000,000.
Over $1,250,000 but not over $1,500,000.	$386,700, plus 38% of excess over $1,250,000.
Over $1,500,000 but not over $2,000,000.	$481,700, plus 41% of excess over $1,500,000.

If the net estate is—	The tentative tax shall be—
Over $2,000,000 but not over $2,500,000.	$686,700, plus 45% of excess over $2,000,000.
Over $2,500,000 but not over $3,000,000.	$911,700, plus 48% of excess over $2,500,000.
Over $3,000,000 but not over $3,500,000.	$1,151,700, plus 51% of excess over $3,000,000.
Over $3,500,000 but not over $4,000,000.	$1,406,700, plus 54% of excess over $3,500,000.
Over $4,000,000 but not over $5,000,000.	$1,676,700, plus 58% of excess over $4,000,000.
Over $5,000,000 but not over $6,000,000.	$2,256,700, plus 61% of excess over $5,000,000.
Over $6,000,000 but not over $7,000,000.	$2,866,700, plus 64% of excess over $6,000,000.
Over $7,000,000 but not over $8,000,000.	$3,506,700, plus 66% of excess over $7,000,000.
Over $8,000,000 but not over $10,000,000.	$4,166,700, plus 69% of excess over $8,000,000.
Over $10,000,000	$5,546,700, plus 70% of excess over $10,000,000.

And insert:

If the net estate is—	The tentative tax shall be—
Not over $5,000	3% of the net estate.
Over $5,000 but not over $10,000.	$150, plus 7% of excess over $5,000.
Over $10,000 but not over $20,000.	$500, plus 11% of excess over $10,000.
Over $20,000 but not over $30,000.	$1,600, plus 14% of excess over $20,000.
Over $30,000 but not over $40,000.	$3,000, plus 18% of excess over $30,000.
Over $40,000 but not over $50,000.	$4,800, plus 22% of excess over $40,000.
Over $50,000 but not over $60,000.	$7,000, plus 25% of excess over $50,000.
Over $60,000 but not over $100,000.	$9,500, plus 28% of excess over $60,000.
Over $100,000 but not over $250,000.	$20,700, plus 30% of excess over $100,000.
Over $250,000 but not over $500,000.	$65,700, plus 32% of excess over $250,000.
Over $500,000 but not over $750,000.	$145,700, plus 35% of excess over $500,000.
Over $750,000 but not over $1,000,000.	$233,200, plus 37% of excess over $750,000.
Over $1,000,000 but not over $1,250,000.	$325,700, plus 39% of excess over $1,000,000.
Over $1,250,000 but not over $1,500,000.	$423,200, plus 42% of excess over $1,250,000.
Over $1,500,000 but not over $2,000,000.	$528,200, plus 45% of excess over $1,500,000.
Over $2,000,000 but not over $2,500,000.	$753,200, plus 49% of excess over $2,000,000.
Over $2,500,000 but not over $3,000,000.	$998,200, plus 53% of excess over $2,500,000.
Over $3,000,000 but not over $3,500,000.	$1,263,200, plus 56% of excess over $3,000,000.
Over $3,500,000 but not over $4,000,000.	$1,543,200, plus 59% of excess over $3,500,000.
Over $4,000,000 but not over $5,000,000.	$1,838,200, plus 63% of excess over $4,000,000.
Over $5,000,000 but not over $6,000,000.	$2,468,200, plus 67% of excess over $5,000,000.
Over $6,000,000 but not over $7,000,000.	$3,138,200, plus 70% of excess over $6,000,000.
Over $7,000,000 but not over $8,000,000.	$3,838,200, plus 73% of excess over $7,000,000.
Over $8,000,000 but not over $10,000,000.	$4,568,200, plus 76% of excess over $8,000,000.
Over $10,000,000	$6,088,200, plus 77% of excess over $10,000,000.

Mr. LA FOLLETTE. Mr. President, in view of the action on the amendment which I offered, the gift-tax amendment, of course, should be agreed to.

Mr. GEORGE. That is correct, the gift tax being three-fourths of the estate tax.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 51, beginning in line 21.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment passed over.

The CHIEF CLERK. On page 53, after the table, it is proposed to strike out:

(b) Effective date of amendment: The amendment made by subsection (a) shall be applicable only to estates of decedents dying after the date of the enactment of this act.

(c) Defense tax made permanent: Subchapter C of chapter 3 of the Internal Revenue Code is amended by striking out "and before the expiration of 5 years after such date"; by striking out in the heading of the subchapter "for 5 years" and by striking out in the heading of section 951 "for 5 years."

And insert:

(b) Defense tax repealed: Subchapter C of chapter 3 of the Internal Revenue Code is repealed.

(c) Effective date: Subsections (a) and (b) shall be effective only with respect to estates of decedents dying after the date of the enactment of this act.

Mr. GEORGE. Mr. President, this amendment merely makes the defense tax rate permanent, the tax which has been integrated with the estate and gift tax rates in the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment passed over.

The CHIEF CLERK. In section 402, gift-tax rates, page 54, after line 11, it is proposed to strike out:

If the net gifts are—	The tax shall be—
Not over $50,000	2¼% of the net gifts.
Over $5,000 but not over $10,000.	$112.50, plus 5¼% of excess over $5,000.
Over $10,000 but not over $20,000.	$375, plus 7½% of excess over $10,000.
Over $20,000 but not over $30,000.	$1,125, plus 9¾% of excess over $20,000.
Over $30,000 but not over $40,000.	$2,100, plus 12% of excess over $30,000.
Over $40,000 but not over $50,000.	$3,300, plus 15% of excess over $40,000.
Over $50,000 but not over $60,000.	$4,800, plus 17¼% of excess over $50,000.
Over $60,000 but not over $100,000.	$6,525, plus 18¾% of excess over $60,000.
Over $100,000 but not over $250,000.	$14,025, plus 20¼% of excess over $100,000.
Over $250,000 but not over $500,000.	$44,400, plus 21¾% of excess over $250,000.
Over $500,000 but not over $750,000.	$98,775, plus 24% of excess over $500,000.
Over $750,000 but not over $1,000,000.	$158,775, plus 25½% of excess over $750,000.
Over $1,000,000 but not over $1,250,000.	$222,525, plus 27% of excess over $1,000,000.
Over $1,250,000 but not over $1,500,000.	$290,025, plus 28½% of excess over $1,250,000.
Over $1,500,000 but not over $2,000,000.	$361,275, plus 30¾% of excess over $1,500,000.
Over $2,000,000 but not over $2,500,000.	$515,025, plus 33¾% of excess over $2,000,000.
Over $2,500,000 but not over $3,000,000.	$683,775, plus 36% of excess over $2,500,000.
Over $3,000,000 but not over $3,500,000.	$863,775, plus 38¼% of excess over $3,000,000.
Over $3,500,000 but not over $4,000,000.	$1,056,025, plus 40½% of excess over $3,500,000.
Over $4,000,000 but not over $5,000,000.	$1,257,525, plus 43¼% of excess over $4,000,000.
Over $5,000,000 but not over $6,000,000.	$1,692,525, plus 45¾% of excess over $5,000,000.
Over $6,000,000 but not over $7,000,000.	$2,150,025, plus 48% of excess over $6,000,000.
Over $7,000,000 but not over $8,000,000.	$2,630,025, plus 49½% of excess over $7,000,000.
Over $8,000,000 but not over $10,000,000.	$3,125,025, plus 51¾% of excess over $8,000,000.
Over $10,000,000	$4,160,025, plus 52½% of excess over $10,000,000.

And insert:

If the net gifts are—	The tax shall be—
Not over $5,000	2¼% of the net gifts.
Over $5,000 but not over $10,000.	$112.50, plus 5¼% of excess over $5,000.
Over $10,000 but not over $20,000.	$375, plus 8¼% of excess over $10,000.
Over $20,000 but not over $30,000.	$1,200, plus 10½% of excess over $20,000.
Over $30,000 but not over $40,000.	$2,250, plus 13¼% of excess over $30,000.
Over $40,000 but not over $50,000.	$3,600, plus 16¼% of excess over $40,000.
Over $50,000 but not over $60,000.	$5,250, plus 18¾% of excess over $50,000.
Over $60,000 but not over $100,000.	$7,125, plus 21% of excess over $60,000.
Over $100,000 but not over $250,000.	$15,525, plus 22½% of excess over $100,000.
Over $250,000 but not over $500,000.	$49,275, plus 24% of excess over $250,000.
Over $500,000 but not over $750,000.	$109,275, plus 26¼% of excess over $500,000.
Over $750,000 but not over $1,000,000.	$174,900, plus 27¾% of excess over $750,000.
Over $1,000,000 but not over $1,250,000.	$244,275, plus 29¼% of excess over $1,000,000.
Over $1,250,000 but not over $1,500,000.	$317,400, plus 31½% of excess over $1,250,000.
Over $1,500,000 but not over $2,000,000.	$396,150, plus 33¾% of excess over $1,500,000.
Over $2,000,000 but not over $2,500,000.	$564,900, plus 36¾% of excess over $2,000,000.
Over $2,500,000 but not over $3,000,000.	$748,650, plus 39¾% of excess over $2,500,000.
Over $3,000,000 but not over $3,500,000.	$947,400, plus 42% of excess over $3,000,000.
Over $3,500,000 but not over $4,000,000.	$1,157,400, plus 44¼% of excess over $3,500,000.
Over $4,000,000 but not over $5,000,000.	$1,378,650, plus 47¼% of excess over $4,000,000.
Over $5,000,000 but not over $6,000,000.	$1,851,150, plus 50¼% of excess over $5,000,000.
Over $6,000,000 but not over $7,000,000.	$2,353,650, plus 53¼% of excess over $6,000,000.
Over $7,000,000 but not over $8,000,000.	$2,878,650, plus 54¾% of excess over $7,000,000.
Over $8,000,000 but not over $10,000,000.	$3,426,150, plus 57% of excess over $8,000,000.
Over $10,000,000	$4,566,150, plus 57¾% of excess over $10,000,000.

Mr. GEORGE. Mr. President, this is simply a portion of the gift and estate tax.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment passed over.

The CHIEF CLERK. On page 56, line 1, it is proposed to strike out "Amendment" and to insert "Amendments"; on line 2 to strike out "amendment made by subsection (a)" and to insert "amendments made by this section"; and on line 6, to strike out "Amendment" and to insert "amendments."

Mr. GEORGE. That is a clerical amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment passed over.

The CHIEF CLERK. On page 56, after line 10, it is proposed to strike out:

(c) Defense tax rates made permanent: Section 1001 (d) of the Internal Revenue Code is amended by striking out "1941 to 1945, both inclusive," and inserting in lieu thereof "after 1940"; and by striking out in the heading "for 1940–1945."

And after line 15, to insert:

(c) Defense tax repealed: Section 1001 (d) of the Internal Revenue Code (relating to defense tax for 5 years on gifts) is repealed.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment passed over.

Mr. GEORGE. The next amendment passed over is on page 58, and that should

go over until the rates of the admission tax are fixed.

The PRESIDING OFFICER. Without objection, the amendment will be passed over, and the clerk will state the next amendment passed over.

The CHIEF CLERK. On page 67, line 25, after the word "Rate," it is proposed to strike out:

A tax of 1 cent to reach 10 cents or fraction thereof of the amount paid for admission to any place, including admission by season ticket or subscription; except that in case the amount paid for admission is less than 10 cents, no tax shall be imposed. In the

And to insert:

A tax on the amount paid for admission to any place, including admission by season ticket or subscription, at the rates set forth in the following schedule:

If the amount charged is—	The tax shall be—
Not over 10 cents	1 cent.
Over 10 cents and not over 15 cents	2 cents.
Over 15 cents and not over 20 cents	3 cents.
Over 20 cents and not over 25 cents	4 cents.
Over 25 cents and not over 35 cents	5 cents.
Over 35 cents and not over 40 cents	6 cents.
Over 40 cents and not over 45 cents	7 cents.
Over 45 cents and not over 50 cents	8 cents.
Over 50 cents	15 percent of the amount charged; fractions of ½ cent or more shall be increased to 1 cent; smaller fractions shall be disregarded.

Mr. GEORGE rose.

Mr. LA FOLLETTE. Does the Senator from Georgia wish to speak on this amendment.

Mr. GEORGE. No.

Mr. LA FOLLETTE. This is the so-called admissions-tax admendment. It is one of the amendments which was adopted very late in the committee's proceedings, there was no opportunity for any hearing, and what it amounts to is a 50-percent increase over the admissions tax provided in the bill as it passed the House.

Senators can familiarize themselves with the rates provided in the bill as it passed the House by referring to page 67, lines 25 and following, where they will find this provision:

(1) Rate: A tax of 1 cent for each 10 cents or fraction thereof of the amount paid for admission to any place, including admission by season ticket or subscription; except that in case the amount paid for admission is less than 10 cents, no tax shall be imposed.

Then follows the committee amendment, which proposes the following rates:

If the amount charged is—	The tax shall be—
Not over 10 cents	1 cent.
Over 10 cents and not over 15 cents	2 cents.
Over 15 cents and not over 20 cents	3 cents.
Over 20 cents and not over 25 cents	4 cents.
Over 25 cents and not over 35 cents	5 cents.
Over 35 cents and not over 40 cents	6 cents.
Over 40 cents and not over 45 cents	7 cents.
Over 45 cents and not over 50 cents	8 cents.
Over 50 cents	15 percent of the amount charged; fractions of ½ cent or more shall be increased to 1 cent; smaller fractions shall be disregarded.

If it is agreeable to the Senator from Georgia, I should like to get unanimous consent that the Senate vote on the rate changes separately from the amendment below, which has to do with raising the age limit for so-called children from 12 to 18. At least it would seem to me that that would be logical. In my opinion, the question of rates has no relationship to the age at which persons under a certain age may be permitted to pay, at the reduced rate of their ticket, the tax that would be applicable at that rate.

Mr. GEORGE. Mr. President, I may say that as I understand the situation, if the committee amendment beginning in line 25, on page 67, and going down through line 4, on page 68, striking out portions of the House bill, and inserting new matter from line 5 down to line 8, should be disagreed to, then there might not be any objection to the amendment as it is written in the bill.

Mr. LA FOLLETTE. That is my position, Mr. President, and it would seem to me that there should not be any relationship.

Mr. GEORGE. I would have no right to agree to an amendment striking out these rates and coming back to what, as I understand, was the first decision made by the committee.

Mr. LA FOLLETTE. That is correct.

Mr. GEORGE. As chairman of the committee I would not have any right to do so, but I am perfectly willing for the Senate to vote on it, and vote on it at this time, because I feel that the rapid increase of 50 percent—which is what it amounts to—in the rates on admissions is out of line, and that the first decision of the committee was very much better than its final determination.

Mr. LA FOLLETTE. Mr. President, with that statement from the able chairman of the committee, who has demonstrated his great influence upon this body today as usual, so far as I am concerned, I will refrain from taking any more time of the Senate, and allow a vote to be taken immediately and dispose of this matter, because I feel that the time has not come when the Senator from Georgia is not going to be followed by a majority of the Senate.

Mr. WALSH. Mr. President, do I understand that if the Finance Committee amendment is defeated the Senator from Georgia will then offer the rates fixed originally by the committee?

Mr. LA FOLLETTE. That will not be necessary. If we reject the committee amendment, the provisions contained in the House bill will remain.

Mr. GEORGE. The rate fixed by the House is 1 cent on each 10 cents.

Mr. WALSH. I was under the impression there was a slight difference between the original House bill and the original rate fixed by the Finance Committee. Is that a fact?

Mr. GEORGE. I do not think so, except as to persons under 18 years of age, as provided by the words proposed to be stricken out and inserted in lines 9 and 10 in the House text.

Mr. WALSH. Then the purpose which we all have in mind could be accomplished by rejecting the committee amendment and permitting the House rates to be retained in the bill?

Mr. GEORGE. I think so.

Mr. WALSH. In my opinion, that is most desirable. I think this is an extreme tax which ought not to be levied. I think the increase in the House bill over the present tax is ample and sufficient, and it seems to me we are going to an unjustifiable extreme in the rates contained in the bill.

Mr. TAFT. Mr. President, whenever I agree with the distinguished Senator from Wisconsin I wish to say so. It seems to me that the increase of 15 percent is out of line with the other excise tax rates in the bill. Most of them are 10 percent. I do not see why amusements should carry any greater excise-tax rates than are fixed for other purposes. The rate in question was placed in the bill at the moment. Furthermore, I think every one should realize how the bill removes practically all the exemptions on charitable and religious shows and entertainments of different kinds. It imposes a tax on all such shows. The rate of 10 percent will be a great blow in many cases, anyway. Then to increase it to 15 percent, which is a 300-percent increase over the present rate on non-charitable shows, seems to me to be unreasonable. So I believe the committee amendment should be rejected.

The PRESIDING OFFICER (Mr. RUSSELL in the chair). The question is on agreeing to the committee amendment beginning in line 25 on page 67 and running down to line 8 on page 68.

The amendment was rejected.

The PRESIDING OFFICER. The clerk will state the next committee amendment which was passed over.

The next amendment passed over was, on page 68, line 8, before the word "case", to insert "In the."

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment passed over.

The next amendment passed over was, on page 68, line 9, after the word "business", to strike out "children under twelve" and to insert "persons under eighteen."

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment passed over.

The next amendment passed over was, on page 69, line 1, after the word "admitted" and the period, to strike out "Amounts paid for admission by season ticket or subscription shall be exempt only if the amount which would be charged to the holder or subscriber for a single admission is less than 10 cents", and insert:

(b) Box seats: Section 1700 (b) (1) of the Internal Revenue Code is amended by striking out "10 percent" and inserting in lieu thereof "15 percent."

(c) Sales outside box office: Section 1700 (c) (1) of the Internal Revenue Code is amended by striking out "10 percent" and inserting in lieu thereof "15 percent."

Mr. GEORGE. Mr. President, that amendment should be disagreed to in view of the action taken by the Senate on the admission tax proper.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was rejected.

The PRESIDING OFFICER. Without objection, the Senate will recur to the amendment on page 58, to strike out lines 8 to 13, inclusive, which wil be stated.

The CHIEF CLERK. On page 58, line 8, it is proposed to strike out:

(1) Box seats: Section 1700 (b) (1) is amended by striking out "10 percent" and inserting in lieu thereof "11 percent."

(2) Sales outside box office: Section 1700 (c) (1) is amended by striking out "10 percent" and inserting in lieu thereof "11 percent."

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was rejected.

Mr. CONNALLY. Mr. President, may I ask the Senator from Georgia a question? Have all the committee amendments on page 69 been rejected?

Mr. GEORGE. We have acted only down to the language ending in line 11.

Mr. CONNALLY. It is the language which follows that I have in mind.

The PRESIDING OFFICER. The clerk will state the next committee amendment passed over.

The next committee amendment passed over was on page 69, line 12, to strike out:

(b) Termination of exemptions: Section 1701 of the Internal Revenue Code (relating to exemptions from admissions tax).

And insert:

(d) Termination of exemptions of charitable, etc., entertainments: Section 1701 (a) of the Internal Revenue Code.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment which was passed over.

The next amendment passed over was, on page 105, after the word "special", to strike out "tax of $25 per year in respect of such device, and shall pay an additional special tax of $25 per year for each additional such device so maintained or the use of which is so permitted," and insert:

tax as follows:

"(1) $10 per year in the case of a device defined in clause (1) of subsection (b);

"(2) $200 per year, in the case of a device defined in clause (2) of subsection (b); and

"(3) $10 or $200, as the case may be, for each additional device so maintained or the use of which is so permitted."

Mr. BUNKER. Mr. President, I offer an amendment, on page 105, line 7, to strike out the figures "$200" and to insert in lieu thereof "$50."

I should like to comment briefly on this amendment. A $200 tax on slot machines will not accomplish the purpose sought in this amendment. A slot machine is a mechanical device and can be fixed so that the customer playing the machine can get 15 percent, 20 percent, or even as high as 80 percent. Slot-machine gambling is legal in the State of Nevada, and where the machines are legalized the take is fixed at 15 percent. We in Nevada derive a revenue in the local subdivisions and in the State of $152 per slot machine. No person under age is permitted to play a slot machine, and they are carefully inspected so that the customers get back the legitimate percentage, or the 15 percent to which he is entitled. There is that protection provided. You could not win or lose a sum of any consequence on a slot machine in our State if you played one all day.

I say that this $200 tax on slot machines will not put them out of business in States where they are not legalized. As I understand it, we are the only State in the Nation where there is legalized gambling. There may be some pinball machines in use in other States that are legal, but slot machines are legal in Nevada. In my own county we derived last year some $88,000 from the tax on slot machines alone.

The population of Nevada is less than that of most of the larger cities in other States. I think the revenue from the tax on slot machines last year in the State of Nevada, at the rate of $152 apiece, would have netted the State about $450,000. Four hundred and fifty thousand dollars is not a small sum in comparison to the taxable wealth of a small State such as Nevada.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BUNKER. I yield.

Mr. BARKLEY. I think it is probably true that some of the members of the committee voted for the high rate of $200 with the view of undertaking to put so-called gambling machines out of business rather than to raise revenue. If the object were accomplished, and they were all put out of business, no revenue would be raised.

Mr. BUNKER. That is correct.

Mr. BARKLEY. I believe the Senator's amendment is to reduce the tax from $200 to $50.

Mr. BUNKER. That is correct.

Mr. BARKLEY. The tax would apply in a State where the machines are legalized, as well as in a State where they are not legalized. They are tolerated in many States where there is no legal authority for their operation. Does the Senator know what the revenue would be if his amendment were adopted, reducing the tax from $200 to $50? What revenue would be obtained from a $50 tax?

Mr. BUNKER. I cannot answer that question.

Mr. BARKLEY. Assuming that we should receive any revenue at all from the $200 rate, the amount involved is about half a million dollars, I believe. That is on the assumption that the purpose of the higher rate would not be accomplished, and that the machines would not be put out of business. I am wondering whether we would not raise as much money, from a revenue standpoint, by the $50 rate as we would raise by the $200 rate. My information is that in neither event would more than about half a million dollars be involved.

Mr. BUNKER. In the State of Nevada the $200 rate, added to the $152 which we legally collect for a slot machine, would make a tax of $352, which would eliminate about 50 percent of the machines, and therefore would eliminate about 50 percent of the revenue which we receive from such machines. It would not eliminate the vice. It would centralize the vice in certain localities.

Mr. BARKLEY. It is the contention of the Senator that if the committee amendment had any effect, it would eliminate half the machines in a State where they are legalized, and would not eliminate any of them in States where they are not legalized.

Mr. BUNKER. That is true. It would not eliminate them in the States where they are not legal.

As I say, a slot machine is a mechanical device. If a $200 tax were imposed on the machine the operator could regulate the amount paid out so that the machine would take care of the tax, and the people, rather than the operator, would be paying the tax.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BUNKER. I yield.

Mr. CLARK of Missouri. I should like to ask the Senator from Nevada if the proposal advanced by the Senator from Kentucky is not the exact equivalent of putting a tariff-for-revenue tax on prostitution

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. BUNKER. I yield.

Mr. OVERTON. I rise for the purpose of making a suggestion to the Senator from Nevada. I think the purpose he has in mind could be accomplished by amending the committee amendment by a proviso to the effect that in States where such devices are licensed a tax of $50 a year shall be levied

Mr. BARKLEY. Mr. President, I have no authority to speak for the committee, but as one member of the committee I have some doubt about the constitutionality of such a provision, because the Constitution requires that taxes shall be uniform throughout the United States. If we should levy a tax of $200, or $50, or whatever the tax may be, in a revenue bill, and then say that in a State where a local tax is levied the amount of the local tax shall be deducted from the Federal tax, we should encounter a constitutional question involving the question of uniformity.

Mr. OVERTON. There are two classifications. One is the unlicensed and unauthorized machine, and the other is the licensed machine.

Mr. BARKLEY. Personally, so far as I am individually concerned, I should rather agree to the $50 rate than to try to write into the bill a provision which would give credit in a State for the amount of the State or local tax. The Supreme Court has held that sort of provision unconstitutional in another matter anyway, so I do not believe we should be justified in agreeing to it.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. BUNKER. I yield to my colleague.

Mr. McCARRAN. I should like to have the amendment stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Nevada [Mr. BUNKER] to the committee amendment will be stated.

The CHIEF CLERK. On page 105, line 7, in the committee amendment, it is

proposed to strike out "$200" and insert in lieu thereof "$50", so as to read:

(2) $50 per year, in the case of a device defined in clause (2) of subsection (b); and

Mr. BUNKER. Mr. President, it is not my purpose to prolong the debate. My purpose is to protect the people of Nevada. In doing so I should like to invite attention to the fact that in Nevada we have a slogan, to which we live up pretty well, to the effect that Nevada is the last frontier State.

Originally, Nevada was colonized by mining men of a liberal nature. We have tried in many ways to put gambling out of existence. If slot machines were not legal in our State, it probably would be because the local officials were getting their share of the revenue. I do not say that if slot machines exist in any other State the local officials are being paid, but I know that has been the case in some instances.

Nevada receives a revenue of about $450,000 from legalized slot machines. I. that revenue were cut in two a very serious hardship would result to a small State.

We have found that the best way to control gambling is to legalize it and tax it. The city receives so much, the county receives so much, and the State receives so much.

If we are after taxes, the gamblers of Nevada are as liberal and as willing to pay their share of taxes as is anyone else. We can afford to pay $200 and still operate. If we can do it, so also can the operators of machines which are not legalized. We are willing to pay $152 plus $50; and if we can pay it everybody else can pay it.

I would not want anyone to think that the gamblers in Nevada are immoral people, as may be suggested. Many of my friends are gamblers. One of them in particular is a former banker.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. BUNKER. I yield.

Mr. TOBEY. Are the two terms synonymous? Are gamblers and bankers the same thing? [Laughter.]

Mr. BUNKER. No. One of the men to whom I refer is a banker. Another is a former real-estate man. Another is a mining engineer. Many others are businessmen. In Nevada we consider gambling legal. If anyone wants to come to our State and drop a dollar or two in the slot machines we think that it is no worse than going to the Kentucky Derby and betting $5 on a horse. Many of those who play the slot machines also bet on horse races and on football and baseball games.

I maintain that the committee amendment would not accomplish the purpose of putting illegal slot machines out of business. It is the duty of the States to control slot machines. If they are not legal in any State it is up to the State government to control them and put them out of business. The proposed tax would work a serious hardship on my friends in Nevada, and I hope that my amendment will prevail.

Mr. GEORGE. Mr. President, I should like to have the amendment stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Nevada to the committee amendment will be stated.

The LEGISLATIVE CLERK. On page 105, in line 7, in the committee amendment, it is proposed to strike out "$200" and insert in lieu thereof "$50."

Mr. GEORGE. Is there also an amendment in line 9?

The PRESIDING OFFICER. The Chair is informed there is not.

Mr. GEORGE. In order to be consistent, the "$200" there should be stricken out and "$50" inserted.

Mr. BUNKER. Mr. President, will the Senator yield to me?

Mr. GEORGE. I yield.

Mr. BUNKER. If it is agreeable, I will add that to my amendment.

The PRESIDING OFFICER. The Senator has a right to modify his own amendment accordingly.

Mr. GEORGE. I merely wished to inquire about the matter.

Mr. CLARK of Missouri. Mr. President, I do not wish to seem to detract in any way from the very eloquent tribute paid the gamblers of Nevada by my distinguished friend, the junior Senator from that State. I am certain that in the adoption of this amendment no member of the Finance Committee had in mind any particular reference to the gamblers of Nevada. The amendment came about—and I am very happy to claim the authorship of it—by reason of the fact that upon the recommendation of the Treasury Department the House Ways and Means Committee went into a new field of taxation, that is to say, the taxation of slot machines, and proposed a levy of a flat tax of $25 a year on all classes of slot machines, including the little pinball machines into the slot of which a man puts a nickel without any hope of recompense, without any premium, but merely to try his skill on such a machine, to see how many balls he can put past the various pins. A tax was also imposed on the various machines with which a man tries to play a baseball game, a football game, or some other kind of game, without any gambling element connected with it. But at the same rate the Ways and Means Committee included the so-called one-armed bandits, which are notoriously a racket. I refer to the machines with the lemons, plums, oranges, and what-not, which are notoriously gambling machines. Such machines were put in the same category in the tax bill.

When the bill came before the Finance Committee of the Senate it did not seem to some of us to be fair for the Federal Government to tax at anything like the same rate machines purely for the purpose of amusement and diversion, including all sorts of slot machines, into which a man drops his nickel simply for the pleasure of seeing what he can do. I have not mentioned by any means all of them. There are such machines at Glen Echo, just outside of Washington. There are little toy electric ranges, on which a man may try his skill as a shot, for a nickel. He knows he will not get back any prize; he is willing to pay a nickel for the pleasure of trying his skill as a shot.

But in the same category were also included the "one-armed bandits," which have been a racket in every State of the Union except the very few States in which they have been legalized—in my opinion, to the disgrace of those States.

Mr. President, it seemed to me and to a majority of the members of the Finance Committee that it was a disgrace to put all slot machines in the same class. Therefore we reduced the tax on the innocent slot machines, the ones which do not involve any gambling interest, from $25 to $10.

Then, Mr. President, I am proud to say that on my motion the tax on the "one-armed bandits" was increased from $25 to $200. That was not my original proposal. My original amendment was to increase the tax on gambling machines—in my opinion, the most vicious racket in the United States—to $1,000 a machine. My purpose in offering that amendment was to put such gambling machines out of business. I have no hesitation whatever in saying that. I think that the amendment which I offered was a proper amendment.

Mr. BAILEY. Mr. President, will the Senator yield to me?

Mr. CLARK of Missouri. I yield.

Mr. BAILEY. I am very much interested in what the distinguished Senator has to say. I fully agree with him as to his description of such machines, and I would agree generally with anyone in denouncing gambling. However, I wish to ask a question. The Senator states that the sole purpose of his amendment——

Mr. CLARK of Missouri. My original amendment provided a tax of $1,000 a year on each such machine.

Mr. BAILEY. Yes.

Mr. CLARK of Missouri. The Senator from Nevada has convinced me that in his State the operation of such machines is not a racket.

Mr. BAILEY. Perhaps so. The purpose of the amendment is to bring about the prohibition of gambling through the "one-armed bandits," or to bring an end to robbery through the "one-armed bandits."

If that is good policy we should proceed to the whole program of prohibition and police regulation by way of taxation. We should use the taxing power to prohibit the manufacture and sale of liquors, or to prohibit the operation of pari-mutuel machines at the race tracks, on the ground that race-track gambling is not to be approved.

Agreeing that gambling is bad, agreeing that it is considered immoral and generally injurious, the question which is presented to me is this: How far should the Congress undertake to assume the police power of the States by way of the effect of a revenue act? How far should we use the power which is given us to raise revenue for the support of the Government, to pay the public debt, and to provide for the common defense and the general welfare? Those are the objectives, stated in the Constitution, of the taxing power. How far shall we extend the use of the taxing power into the vast region of the police power? That strikes

me as a very serious question for all of us. It may be easy to vote for a tax of $200 or $1,000; but how shall we vote when the pressure is brought to bear and a bill is introduced to put a tax of $200 upon the sale of a quart of whisky? If we can do one, we can do the other. If we go into that field we will go into the other. I am just showing——

Mr. CLARK of Missouri. Mr. President——

Mr. BAILEY. I will yield in a moment.

Mr. CLARK of Missouri. I have the floor myself.

Mr. BAILEY. I beg the Senator's pardon.

Mr. CLARK of Missouri. I am glad to have the Senator speak at any time, either in my time or in his own time, but, if he is going to make a prolonged speech, I would much rather have him make it in his own time, because I have a few observations I desire to make before I take my seat.

Mr. BAILEY. I apologize to the Senator.

Mr. CLARK of Missouri. I am always glad to hear the Senator and glad to have him speak in my time.

Mr. BAILEY. I went on to speak because I thought the Senator had taken his seat.

Mr. CLARK of Missouri. I took my seat because I thought the Senator from North Carolina was more or less strung out, and I did have a few remarks I wanted to make myself.

Mr. BAILEY. I very gladly accept the situation, and recognize that this distinguished expert on parliamentary practice still had the floor notwithstanding he was sitting down.

Mr. CLARK of Missouri. Then I will resume my seat and let the Senator continue.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Nevada [Mr. BUNKER] to the committee amendment.

Mr. McCARRAN. Mr. President, the power to tax is the power to destroy. That is an old adage; it is so old that it has become commonplace. The power to tax is the power to destroy. My good friend the able Senator from Missouri very appropriately says that he would destroy. In other words, he proposes to destroy by the taxing power that which a sovereign State sees fit to regulate under its police power. The able Senator from Missouri, the descendant of a great family that always recognized State rights, is forgetting that splendid doctrine, the right of the great sovereign State of Missouri to control affairs within its borders; its right, for instance, to control gambling within its borders.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Missouri?

Mr. McCARRAN. I yield.

Mr. CLARK of Missouri. Does the Senator think that the Federal Government, if it saw fit, would have the right to put an excise tax on divorces?

Mr. McCARRAN. On what?

Mr. CLARK of Missouri. On divorces?

Mr. McCARRAN. If the State of Missouri wants to do that——

Mr. CLARK of Missouri. No; I am talking about the Federal Government. I was thinking about transferring this particular tax from slot machines to divorces.

Mr. McCARRAN. Most certainly not, because when you are dealing with that you are dealing with something that pertains to the fundamental law of the sovereign State. Undoubtedly the able Senator from Missouri was pointing that question to me because I happen in part to represent a State where it is reputed divorces are rather liberal; but that was written into the Constitution of Nevada with the acquiescence of the Congress of the United States when the State became a sovereign in the sisterhood of States. It was not written in after the State became a State; it was written into the constitution, it was written into the law which the Congress of the United States adopted when my State was admitted to the Union.

If you did not like it then, you should have repudiated it, but you liked it then——

Mr. CLARK of Missouri. I hope the Senator will not shake his gory locks at me——

Mr. McCARRAN. You thought it was all right because you wanted three more votes to save a Nation that was then very much in need of saving.

I did not understand the statement the able Senator from Missouri last made.

Mr. CLARK of Missouri. I said I hoped the Senator would not shake his gory locks at me because I was not here then.

Mr. McCARRAN. Of course the Senator from Missouri was not here because he was not born then; he is still young in experience, and I hope he will remain young in all things. However, he made a very insulting remark about my State just a moment ago when he referred to prostitution. We do not permit prostitution in the Battle Born State; we regulate it; but some other States permit it and do not even regulate it.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. McCARRAN. Yes; I yield.

Mr. CLARK of Missouri. I certainly had no reference to the State of Nevada in my reference to prostitution.

Mr. McCARRAN. The Senator's remark made to my colleague was insulting, and I resent it for one, because I was born in that State; and the Senator cannot make an insulting remark against that State on the floor of the Senate and not have me resent it.

Mr. CLARK of Missouri. If the Senator will permit me—will the Senator yield?

Mr. McCARRAN. Yes; I yield.

Mr. CLARK of Missouri. I certainly had no reference at all to the State of Nevada, or any other State, in my reference to prostitution. The Senator from Kentucky rose and said he felt there ought to be a fair revenue tax on slot machines.

Mr. McCARRAN. And what was the Senator's remark about prostitution?

Mr. CLARK of Missouri. I said that was very closely equivalent to a suggestion for a fair revenue tax on prostitution. I did not single out the State of Nevada; I think it is a rule of universal application.

Mr. McCARRAN. I am very glad to have the Senator retract his remarks.

Mr. CLARK of Missouri. I do not retract any remark I made. The Senator from Nevada is undertaking to put an entirely erroneous construction on what I said, and nobody knows it better than the Senator from Nevada.

Mr. McCARRAN. No; I am not putting any misconstruction on the Senator's remarks at all. I am simply resenting an insulting remark he made against a sovereign State; and I shall continue to resent it on the floor of the Senate so long as the Senator from Missouri continues to apply it.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nevada yield further to the Senator from Missouri?

Mr. McCARRAN. I yield for a question.

Mr. CLARK of Missouri. Let me say that I had no idea whatever of applying that remark to the State of Nevada, or any other State, but, if the Senator wants to take it to his heart, he is perfectly at liberty to do so.

Mr. McCARRAN. I will take anything to my heart that applies to my State. The remark does not apply to my State except as the Senator intended it to apply.

Mr. CLARK of Missouri. Mr. President, will the Senator permit me——

Mr. McCARRAN. I yield.

Mr. CLARK of Missouri. I have already said that what I said had no particular application to any particular State.

Mr. McCARRAN. Very well.

Mr. CLARK of Missouri. I was talking about the general principle.

Mr. McCARRAN. Very well.

Mr. CLARK of Missouri. If the Senator wishes to wear the shoe, he is entirely at liberty to do so.

Mr. McCARRAN. The Senator from Nevada does not wear the shoe any more than does the Senator from Missouri.

Mr. CLARK of Missouri. I am sure of that.

Mr. McCARRAN. I hope the Senator from Missouri does not wear that shoe.

Mr. CLARK of Missouri. And I hope the Senator from Nevada does not. [Laughter.]

Mr. McCARRAN. Mr. President, now regarding the matter of taxing something out of existence, it seems to me that if the policy of the able Senator from Missouri is as he stated it to be—namely, that in the Committee on Finance he proposed the amendment providing a tax of $200 in order to put slot machines out of business, it might be well to have an increased tax on many other things so that they might all be put out of business. Would not that be well? Will the Senator agree with me that we might regulate or destroy many things by such a method of taxation?

Mr. CLARK of Missouri. Mr. President, if the Senator is asking me the question——

Mr. McCARRAN. Yes.

Mr. CLARK of Missouri. Let me say to him that, of course, it has always been acknowledged on every hand by everyone who ever had the slightest conception of the theory of taxation that the power to tax involves the power to destroy; there is no question about that; it has always been true. As I said awhile ago, when I temporarily had the floor before the Senator from North Carolina took it away from me——

Mr. McCARRAN. I do not want to get into that controversy.

Mr. CLARK of Missouri. I understand that. I stated that this is a new principle of taxation; that, so far as I am aware, these things have never been taxable. Now, we find in a House bill a classification taxing ordinary amusements. Slot machines are in the same category as these "one-armed bandits," and it seems to me that there ought to be some differentiation made. I think that amusement machines are a fair subject of revenue by the Government, but I do not think that these gambling machines are a fair avenue of revenue for the Government any more than I think a tax on prostitution would be.

Mr. McCARREN. Does the Senator think that amusement machines render less revenue to the owner of the machine than a machine for coins?

Mr. CLARK of Missouri. No, I do not think either one of them represent probably much more revenue than a roulette wheel or something of that sort. I do not think it is fair, I do not think it is moral, I do not think it is proper for the Government of the United States to use the principle of deriving revenue from these "one-armed bandits" and gambling machines, machines that rob children, machines on which it is impossible to get anything like an even break.

Mr. McCARRAN. The Senator seems to distinguish between amusement machines and machines for coins.

Mr. CLARK of Missouri. I certainly do distinguish between amusement machines and gambling devices.

Mr. McCARRAN. Very well. An amusement machine is the thing that attracts the child. It attracts the unwary. There is no return whatever from such a machine. There is not even one chance in a million of a return, because there is no return. Why not put them all out of business if it is desired to put one out of business?

Mr. CLARK of Missouri. Mr. President, I shall be glad to answer in my own time, if the Senator will permit me. That has not been the experience throughout the country. It is the prospect of return that lures children who have been sent to the grocery store with money to buy the family groceries. Almost universally in the lowest-income brackets the poorest people send children to the grocery store to buy groceries, and they are attracted by the prospect of return from these—two lemons or two oranges, or two prunes, or whatever they may be.

Mr. McCARRAN. How about two horses?

Mr. CLARK of Missouri. So far as I am concerned, I am perfectly willing to legislate on that subject, too.

Mr. McCARRAN. But the Senator does not do so by this amendment.

Mr. CLARK of Missouri. This amendment has to do with a House provision, I will say to the Senator from Nevada. The House provision proposes to raise the same rate of revenue from "one-arm bandits" as from the little, innocent pinball machines.

Mr. ADAMS. Mr. President, will the Senator from Nevada yield?

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Colorado?

Mr. McCARRAN. For a question; yes.

Mr. ADAMS. I desire to ask a question as to a distinction which is in my mind. The Senator opened his remarks by saying that the power to tax is the power to destroy. That, of course, has been said a thousand or ten thousand times.

Mr. McCARRAN. More or less.

Mr. ADAMS. I am wondering, however, if that is applicable to an excise tax. We are dealing now with excise taxes, which are taxes levied upon the doing of something. The question is whether or not the power to tax the doing of something involves the right to prevent it. That is, I am wondering if we have not reached the point as to which the courts have also said that under the grant of the power to regulate which happens in the granting of powers to cities—you cannot destroy or prohibit; and I am wondering if the Senator is sure of his ground in saying that under the power to levy excise taxes you can destroy?

Mr. McCARRAN. I am absolutely sure of it. You can destroy by any form of tax you may levy. There is no question about that.

Mr. ADAMS. And if, on the record of the legislative body, it should appear that the purpose of the levy was to destroy, what then?

Mr. McCARRAN. It would not make any difference about the purpose, if it was done and the result followed.

Mr. ADAMS. I merely wanted to indicate a doubt in my mind as to that.

Mr. McCARRAN. The question is the result, not the method used to bring about the result.

Mr. ADAMS. I have serious question as to the legal right of the Congress to destroy something under the guise of an excise tax.

Mr. McCARRAN. The Senator may question the right of Congress, but Congress does not question its own right when it votes to do a thing. It does it. The court passes on the right of Congress.

Mr. ADAMS. The courts used to do it.

Mr. McCARRAN. That is another avenue of government.

Mr. ADAMS. That was a former practice.

Mr. McCARRAN. It was a former practice, and we had some reliance on it in the past, and I should like to have reliance on it for the future.

Mr. SMITH and Mr. BARKLEY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Nevada yield; and if so, to whom?

Mr. McCARRAN. I yield first to the Senator from South Carolina.

Mr. SMITH. Mr. President, I think the Senator from North Carolina has raised the most important question that can occur in connection with this bill. The power reposed in the Federal Government is that of raising revenue. I do not concede that it has the power to tax out of existence anything within a sovereign State. We dare not go beyond the matter of obtaining revenue. If the object or the result is to destroy, we have gone beyond the power delegated to us.

Mr. McCARRAN. Let me say to the Senator from South Carolina that I am taking the remarks of the author of the amendment as an impetus for my statement. He said he offered the amendment to put these machines out of business.

Mr. CLARK of Missouri. Mr. President, will the Senator yield at that point?

Mr. McCARRAN. Yes; although I have already yielded to the Senator from South Carolina.

Mr. CLARK of Missouri. The Senator from Nevada has the floor, and I am asking him to yield.

I am frank to say that my purpose in offering in the Finance Committee the amendment imposing a tax of $1,000 on slot machines was to make the rate absolutely prohibitive, and put these "one-armed bandits" out of business. That amendment was not adopted by the Finance Committee. The amount was cut down to $200 a machine; and I am advised by the junior Senator from Nevada [Mr. BUNKER] that that will not put the slot machines in Nevada out of business, but will impose a burden on them.

Let me ask the junior Senator from Nevada if I have correctly repeated what I was told by him.

Mr. BUNKER. Mr. President, I did not hear the question of the Senator.

Mr. CLARK of Missouri. I was advised by the junior Senator from Nevada yesterday that the $200 rate would not put the slot machines in the State of Nevada out of business, but would rather concentrate them, and would put many individuals out of business. Is that correct?

Mr. BUNKER. If my colleague will yield in order that I may answer the Senator's question——

The PRESIDING OFFICER. Does the senior Senator from Nevada yield to his colleague?

Mr. McCARRAN. Yes; I yield.

Mr. BUNKER. I will say that it would put about 50 percent of them out of business, and would concentrate them, but would not overcome the practice of playing slot machines.

Mr. CLARK of Missouri. Then, according to the Senator from Nevada, it does not carry out my original purpose in offering the amendment imposing the $1,000 tax, of putting them out of business; but it would put them out of business in Missouri. It would put them out of business in Ohio. It would put them out of business in the great majority of the States where slot machines have been outlawed by law as being a very vicious racket. Therefore, Mr. President, I reassert that the criticisms of the Senator from South Carolina are not well taken.

Mr. McCARRAN. Mr. President, let us clear the atmosphere for a moment. I think I have the floor.

The Senator from Kentucky [Mr. BARKLEY] asked me to yield a moment ago. I now yield to him.

Mr. BARKLEY. Mr. President, I wanted to call attention to the fact that when the bill came from the House it placed a straight $25 tax on all these various machines. They have been defined in subsection (b) in the middle of page 105; and, according to those definitions, the Senate committee attempted to classify the tax; but it is difficult to understand from the definition that there is really very little difference between the two categories of these machines.

The definition, which we have not changed in the bill, is as follows, if the Senator will allow me to read it:

As used in this part, the term "coin-cperated amusement and gaming devices" means (1) so-called pin-ball and other similar amusement machines, operated by means of the insertion of a coin, token, or similar object, and (2) so-called slot machines which operate by means of insertion of a coin, token, or similar object and which, by application of the element of chance, may deliver, or entitle the person playing or operating the machine to receive, cash, premiums, merchandise, or tokens.

I am not very familiar with the use of these two different sorts of amusement or gaming devices, but I understand that even in the first category, when a coin is inserted, the person inserting it is supposed to get something. Is that true?

Mr. McCARRAN. I do not know what the first category is.

Mr. BARKLEY. The first category is so-called pinball, and other similar amusement machines, operated by means of the insertion of a coin, token, or similar object. In other words, it is necessary to put a coin in both of them in order to operate them.

Mr. McCARRAN. That is correct.

Mr. CLARK of Missouri. If the Senator will take the trouble to read the definition——

Mr. BARKLEY. I have just read it.

Mr. CLARK of Missouri. I suggest that the Senator read it again. He read it, but apparently he did not understand it.

Mr. BARKLEY. I will yield to the Senator from Missouri, the expert on slot machines.

Mr. CLARK of Missouri. The Senator from Nevada has the floor.

The PRESIDING OFFICER. Does the Senator from Nevada yield to the Senator from Missouri?

Mr. McCARRAN. If the Senator from Missouri is an expert on slot machines, I yield for his explanation.

Mr. CLARK of Missouri. The definition is perfectly plain. In lines 5 and 6 is this provision:

(1) $10 per year in the case of a device defined in clause (1) of subsection (b);

Subsection (b) reads in part:

Definition: As used in this part, the term "coin-operated amusement and gaming devices" means (1) so-called pin-ball and other similar amusement machines, operated by means of the insertion of a coin, token, or similar object.

Referring now to line 17:

(2) so-called slot machines which operate by means of insertion of a coin, token, or similar object and which, by application of the element of chance, may deliver, or entitle the person playing or operating the machine to receive cash, premiums, merchandise, or tokens.

Mr. President, clause 2 of subparagraph (b) certainly takes out from the operation of clause (1) any machine which returns any sort of a premium, and that was the intention of the amendment, and it was the intention of the committee in adopting it.

Mr. BARKLEY. Mr. President, let me ask the Senator a question.

Mr. CLARK of Missouri. I shall be glad to answer, if the Senator from Nevada will yield.

Mr. McCARRAN. I yield.

Mr. BARKLEY. It refers to "a coin-operated amusement or gaming device," and under clause No. 1 it is still necessary to put in a coin in order to operate the machine.

Mr. CLARK of Missouri. There is no question about that.

Mr. BARKLEY. What does one get for the coin?

Mr. CLARK of Missouri. He does not get anything except the pleasure of playing the game.

Mr. BARKLEY. He has the pleasure of putting the coin in without the chance of getting anything back?

Mr. CLARK of Missouri. Yes.

Mr. BARKLEY. Under clause No. 2 there is a chance to get something back. That is the difference?

Mr. CLARK of Missouri. That is the difference between any sort of an ordinary amusement, for instance, riding on a chute-the-chute and playing the roulette wheel. The Senator has stated the difference just as well as it could be stated.

Mr. BARKLEY. In the case of the roulette wheel, I do not think there is a chance of getting anything back.

Mr. CLARK of Missouri. Nor do I, but very few people play the roulette wheel without the hope of getting something back. The Senator from Kentucky has precisely stated the difference between amusement and gambling, as well as it could possibly be stated by a corps of experts after months of testimony.

Mr. McCARRAN. Mr. President, I think the colloquy between my able colleagues has cleared up the whole situation. The fact of the matter is that no one is ever sure of getting anything back from a gambling machine. There are some honest machines which tell frankly that one will not get anything back, except the chance of seeing a couple of balls roll around, or a couple of horses race, or something of the kind. There are others which give one the allurement that he may get something back; and he sometimes does. That is true of mechanical gambling all the time. There is only one honest game in the world, and that is poker; and I do not play that. The Senator from Missouri is an expert in that, I understand. At least, I hope he is. [Laughter.]

Mr. CLARK of Missouri. If the Senator will yield, I am so poor a poker player that I doubt that I have played the game as lately as has the Senator from Nevada. I love the game, but I am very unsuccessful at it, and I retired many years ago.

Mr. McCARRAN. We are both unsuccessful. I quit it some time ago.

Let us go back to the fundamental principle involved here, which to my mind is more important, based on the statement of the able Senator from Missouri, than the colloquy which has taken place, and which, in my judgment, was amplified by the statement of the able Senator from North Carolina; that is, that if we go off on a road to destroy something by taxation, if we go off on one road of destruction in that way, it will be but a short time before we will go off on many other and wider roads, and eventually the method of destruction will be taxation altogether. To my mind that is not a proper course to pursue in its initial stages.

Mr. CLARK of Missouri. Mr. President, will the Senator from Nevada yield?

Mr. McCARRAN. I yield.

Mr. CLARK of Missouri. If the Senator is under any misapprehension that this is any initial departure, what does he have to say about the absolutely prohibitive tax which has been imposed for many years on narcotics by the United States Government, narcotics which are forbidden by law, but on which a very heavy supertax has been imposed? What does the Senator have to say about the tax on oleomargarine, for instance, which was deliberately introduced for the purpose of making the production of oleomargarine very burdensome? What does he say about the many other such taxes? There is no departure. The Senator may argue as much as he pleases, and very profoundly, about the wisdom of the particular amendment, but he certainly should not say it is a departure from the previous tax policy of the Government.

Mr. McCARRAN. In my judgment, regulation is one thing and destruction is another. Regulation reaches the point of saturation after a time, and destruction commences where regulation leaves off. That may be true as to some of the things mentioned by the able Senator from Missouri. But, regardless of that, it seems to me that the Senator from Missouri has offered the greatest argument in favor of the amendment of my colleague; in other words, he has said that his aim and object was to destroy. It might be that some of us were entirely in favor of destroying certain things, but we say that it is for the sovereign States, as for instance the sovereign State of Missouri, to put out of business certain things which it does not want to exist; it is for the sovereign State of Nevada to put out of existence certain things which it does not want to exist. But if the community constituting the Commonwealth sees fit to regulate those things, it should have the right to regulate, and I shall stand here as long as I have breath in favor of the rights of the sovereign States. I stated at the beginning that I was a little surprised at the attitude of the able Senator from Missouri, because those who have preceded him, bearing his renowned and splendid name, have always advocated State rights, as I have advocated them, and as I hope we may more vehemently advocate them in the future.

Several Senators addressed the Chair,

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BARKLEY. Mr. President, will the Senator from Missouri yield to me to ask a question of the Senator from Nevada?

Mr. CLARK of Missouri. I yield.

Mr. BARKLEY. I should like to get the Senator's reaction to a thought which has been running through my mind. If this is a tax intended to destroy the operation of these machines, and if we may assume that all the other 47 States, aside from Nevada, have made their operation illegal, does the amendment, originated for that purpose, assume that the other 47 States either have not sufficient penalties against the operation of the machines, or are not enforcing the laws which they have enacted?

In that connection—and it is associated with the idea suggested by the Senator from North Carolina—is it within the bounds of reasonable propriety in a tax bill of this sort for us to attempt to supplement the laws of the States which outlaw these things by putting a prohibitive tax on them, either on the theory that their laws are not sufficient or that the enforcement is lax?

Mr. McCARRAN. It seems to me that the question the Senator propounds, if I grasp it, answers itself—that the Federal Government should not attempt to enforce the local laws of the respective States.

Mr. BARKLEY. It has been running through my mind—and I say this as a member of the committee which adopted the amendment—that to adopt such an amendment merely as a penalty presupposes that the States have been lax in their enforcement or that their laws are not sufficiently rigid.

Mr. McCARRAN. The Senator might go further and say that Congress, representing the whole sisterhood of States, does not approve of the laws of a particular State, which to my mind would be erroneous to begin with.

Mr. BARKLEY. I did not want to detain the Senator longer, but it occurred to me that, assuming that this is purely a revenue matter is one thing, assuming that it is a punitive provision is another thing. If it is to be regarded as punitive simply through a high rate which will destroy, it seems to me we have no justification for assuming that attitude unless we have knowledge that the States have fallen down in the performance of their duty.

Mr. McCARRAN. That is correct.

Mr. BARKLEY. Either in the enactment of the laws or in their enforcement.

Mr. McCARRAN. I think the Senator from Kentucky analyzes the situation correctly.

Mr. CLARK of Missouri. Mr. President, inasmuch as the Senator from North Carolina saw fit to inject half his speech into the bowels of my remarks, I am perfectly willing for him to continue his speech, if it can be understood that I have not been recognized a second time. In other words, the Senator from North Carolina interrupted me in the middle of my speech and made half his speech, and is now claiming the floor for recognition. I should be glad to have the Senator from North Carolina conclude his speech if it can be understood that I can be recognized at the conclusion of the Senator's speech.

The PRESIDING OFFICER. That is a matter over which the Chair has no control.

Mr. CLARK of Missouri. I merely wanted to give notice that in yielding at this time I am not undertaking to make my second speech of the day.

The PRESIDING OFFICER. The Chair doubts very much whether any Senator would raise such a point of order against the Senator from Missouri.

Mr. BAILEY. I thank the Senator for his gracious courtesy, and deeply regret that the force of my remarks reached the wrong part of his anatomy. I had intended them for his brains, and not for his bowels. [Laughter.]

Mr. President, I am not concerned about the immediate question; I am concerned about the use to which we put the taxing power which is vested in us. But I wish to make a distinction. We can impose penalties on the shipment and transportation of articles in interstate commerce, and we have done so, but they are penalties, and are not taxes. We tried that out under the farm control bill. The first bill undertook to impose taxes. The more recent bill imposed penalties, and very decidedly did so. The narcotics act, to which reference has been made, is a criminal act, and draws its power from the fact that narcotics are imports from foreign countries, and from the further fact that we enacted criminal laws forbidding their administration except under very unusual circumstances and under the directions of a doctor.

The oleomargarine tax was in the nature of a penalty upon the shipments of oleomargarine in competition with butter in interstate commerce.

But when we move out of the region of penalties under our plenary powers under the interstate commerce clause, and into taxation under our special powers as set out in the list of the powers of the Congress in the first article of the Constitution——

Mr. SMITH. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. SMITH. I ask the Senator if the special tax on oleomargarine does not apply to the States where it is produced and sold, without any question of transportation whatever?

Mr. BAILEY. It probably does.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. CLARK of Missouri. Of course, the oleomargarine tax is not a use tax. The proposal in the House bill, and the proposals in the Senate bill are for a use tax. The Senator will agree to that, will he not?

Mr. BAILEY. Yes.

Mr. CLARK of Missouri. Let me ask the Senator another question. Where does the Senator say that the power to tax ends? Does it end at $50 or $60 or $70? There was a tax of $25 in the House bill. The Senator says we have no constitutional power to levy a $200 tax. Does the Senator say that a tax of $60 would be good, or a tax of $70 or $150 or $160 or $170 or $179.50? Where does the Senator stop?

Mr. BAILEY. Mr. President, the power ends when the object of the taxing act ceases to be revenue and becomes prohibition, when it ceases to be exercised in support of the Government and becomes the means of exercising the police power.

Mr. CLARK of Missouri. How does the Senator determine that point? The junior Senator from Nevada [Mr. BUNKER] says that $200 is not prohibitive in Nevada.

Mr. BAILEY. Mr. President, I will not debate that question. I do not know about it. But I know what the Senator said, and I was very careful not to rise until my distinguished friend reached the point where he was saying that it was prohibitive, and its intention was to be prohibitive. I took great pains not to rise until that point was reached.

Mr. CLARK of Missouri. That was my intention, but I will say that my intention was not carried out in the provision reported to the Senate by the Finance Committee.

Mr. BAILEY. Now to proceed with the argument, this is why I am concerned: If we do not use the taxing power strictly for the purposes for which it was vested in us, the raising of revenue to support the Government, we will open a thousand doors through which every enemy of the Republic will march without challenge.

I shall not go through the long list, but I will mention one, and I do not think anyone who hears me today will ever forget it. If Congress uses the taxing power for other purposes than revenue, I will establish communism in the United States whenever the people care to have it, without a change in the Constitution, without a decision by the Supreme Court, and only by the action of the Congress of the United States.

How would I do that? It would be very simple. When the revenue act should come over from the House I would introduce an amendment providing that all of any man's income in excess of the average income should be taken and placed in the Treasury, and that it should be distributed in the form of pensions or by the W. P. A., or by way of benefits or what not, and I would have then a community of income in the United States. All incomes would be equal, and the ownership of property would be of no significance whatsoever. That is just where we get when we depart from the very wise limitations imposed upon us in the matter of taxation.

Mr. President, I have thought that there were those in the United States who were disregarding these limitations deliberately with a view to accomplishing the end which I have described, and that there were millions of others who were innocently following them.

Now, what is wrong with that? If you want to open the doors in this country to the averaging of incomes and the establishing of a community of income—and that would mean community of property—then strike down the barriers which heretofore have arrested that

process, have your elections, give way to your agitation in this country, and invite the have-nots to raid the haves, and I will give you your communism.

Mr. President, I am not a friend of the "reds." They are more numerous than I could wish, and they are in higher and holier places than I could wish, but I am not a friend of them. When the "red" tells me what he is driving at I am not afraid. When the infernal bacteria of communism are brought forth in the Senate—innocently, of course—and when we undertake to inoculate this body and our tax bill with the germs which inevitably would produce the communistic disease, then I do fear. We open the door; we destroy the great barrier between us and the Communists; and we assert the right of the Congress to strike down the Republic and create a soviet.

It may seem that I am speaking the language of exaggeration. I begin with a very small matter, but that very small matter, the abuse of the taxing power, is the little rift in the lute which by and by makes all the music mute. If we set this thing going today, tomorrow some other man will wish to correct some other evil, and the cause will be very worthy. We shall say, "Why not?" The next day some other man will say, "The taxing power is a great power, and there are many poor people in our land. Why not use the taxing power to equalize?" It will be said, "Here are men who are rich. We do not like so many men in this country to be rich when so many are very poor. Let us use the taxing power."

We shall not be raising revenue. We shall be equalizing income and proposing a glorious equality in America. We shall say, "We do not intend that one man shall have more power than another. We do not intend that one man shall have a better chance than another. We do not intend that one man shall have more money than another, because money is power, and this is the land of opportunity, of equality of opportunity, and equality under the law."

We would not be raising the red flag of communism. We would be raising the white flag of equality. We would be raising the black flag of destruction of the Constitution. Under those two flags the Communist would be invited to come in at will with his red flag.

Mr. President, we have much to go through with in the days ahead of us—much more, I imagine, than most of us dream. I do not think that the days of great hardship are distant. We shall face very great taxes—taxes of $13,000,000,000 annually. We shall face direct taxes, indirect taxes, capital levies, manufacturer's sales taxes, and retail sales taxes. They will be followed by priorities, quotas, cards, and allowances. They will be followed by price fixing. All those things will be followed by a total effort, a total sacrifice, and, unless we are very fortunate, total war. After that there will be the aftermath of a country that once was rich and happy—I hope victorious, but, at any rate, in deep distress and overwhelmed by poverty. Agriculture will be disrupted, labor misled and disrupted, industry prostrated and disrupted, with all the concomitants not only of unrest but of upheaval and revolution.

That is a bad picture, but it is well within the prospects. Where is our hope in view of the prospects? My hope is in the Constitution and the Bill of Rights.

Mr. SMITH. They are obsolete.

Mr. BAILEY. If they are obsolete, so is hope.

Mr. SMITH. I know that.

Mr. BAILEY. The Bill of Rights is not obsolete. The millions who never read it on the printed page have it written upon their hearts. Trample upon their rights and you will find that the Bill of Rights is written in blood. It cannot be erased.

As to the Constitution, the Supreme Court has transferred the keeping of the Constitution to the Congress. I say it respectfully. I do not say it by way of complaint. The Supreme Court has practically said that we are the judges of our constitutional powers, and that the Court will not interfere. It has great respect for us, and great trust in us. We might as well have the Constitution in the keeping of a good Congress as in that of the present Supreme Court.

Mr. SMITH. The Senator is correct. I do not object.

Mr. BAILEY. My concern is in the light of what is today; in the light of the events swiftly coming down upon us—priorities, price fixing, regimentation, quotas, and totalitarian efforts, to be followed by victory plus impoverishment, at best; by disruption, depression, and a long struggle to recover, at best.

There are good Christians in our land who in those circumstances will fall upon their knees and pray to the God of nations. Well they may. I would not deter them. But we must do more than that. We must preserve the covenant of the Constitution, the covenant between the people and the Government which they created, the covenant which the people established to protect themselves against the Government, which they intended should serve them and not destroy them.

I have often taken the oath to support, maintain, and defend the Constitution. I took it when I first voted, and I meant it. I took it twice yonder at the desk, and quite solemnly. But it seems to me that the one thing we have left now that is our own, that is within our keeping, that can and will save us, that can and will preserve this great Republic, that can preserve to us and our posterity the blessings of liberty, is the Constitution, reposed at last by the highest court in our care and keeping. May God help us.

Mr. CLARK of Missouri. Mr. President, I hope I may be pardoned by the Senate if at this late hour I return to the proposition before the Senate, which is the amendment of the junior Senator from Nevada [Mr. BUNKER], and attempt as best I can to resume the thread of my remarks as I was proceeding some hour and a half ago when I was interrupted by the first half of the noble oration of the Senator from North Carolina. Of course, I realize that it is always a very opprobrious task to return to the business before the Senate; but, so far as I can do so, I desire to do that.

Mr. President, let me say first with reference to the noble speech of the Senator from North Carolina, for whom I have great admiration and to whom I always listen with great pleasure and agreement, that I would be the last to disagree with him in his condemnation of communism. I agree with him 1,000 percent in his condemnation of communism. Let me say, though, Mr. President, that I was not one of those in this body who voted for legislation which made possible the present alliance of the United States with Communist Russia which has been authorized by the Lease-Lend Act. I was one of those who voted against any possible alliance with Communist Russia because I realized, in spite of repeated denials in the Foreign Relations Committee, that that law was broad enough to authorize the substantial alliance with "Bloody Joe" Stalin and the rest of the Communists in the world.

Mr. McCARRAN. Mr. President, I wonder if the Senator will yield to me at that point in order that I may propound a question.

Mr. CLARK of Missouri. I am glad to yield to the Senator from Nevada at any time.

Mr. McCARRAN. Does the Senator from Missouri distinguish between a beautiful speech and a vote which would put us into alliance with one of the most bloody tyrants the world has ever known?

Mr. CLARK of Missouri. Mr. President, that is exactly what I was trying to express; that to my mind, as was repeatedly charged in the Foreign Relations Committee, the lease-lend bill was broad enough to authorize an alliance with Bloody Joe Stalin and the Communist murderers; and that alliance, which was bitterly denied at that time in the Foreign Relations Committee, and was bitterly denied later on the floor, has subsequently been made. Yes; I draw the distinction which the Senator has mentioned.

But, Mr. President, I desire to return very briefly to the discussion of this particular amendment. As I was explaining in the previous portion of my remarks, this matter is presented to the Senate not as an original proposition for a prohibitive tax or for any other sort of tax, but as a proposal from the House of Representatives reading as follows:

> Every person who maintains for use or permits the use of, on any place or premises occupied by him, a coin-operated amusement or gaming device shall pay a special tax of $25 per year in respect of such device, and shall pay an additional special tax of $25 per year for each additional such device so maintained or the use of which is so permitted.

Mr. President, there was not any dispute in the House committee or in the House or in the Finance Committee of the Senate as to what that definition included. It included everything, every sort of a device into the slot of which a man puts a nickel, except vending devices. It included every sort of device with which a boy or a man or a woman plays a pinball game to see how high a score he can run up, without any hope whatever of recompense of any sort except to see what luck he can have in

being skillful. It also includes the vicious racketeering devices known as the "one-armed bandits," these things with the lemons and the prunes, and the sort of devices which hold out the hope of getting a return in the way of money.

Mr. President, it seems to me absolutely immoral to classify these various devices in the same category. In the one case, a boy or a girl or a man or a woman puts his nickel in the slot for the sole purpose of trying his own personal skill, without any hope of recompense. Such a device has no particular attraction to anyone who is not able to put a nickel in the slot. On the other hand, it is known all over the United States, except in possibly two or three States, that gambling slot machines are something that it is impossible to beat. They have a peculiar attraction for children. A few years ago from an investigation conducted in Kansas City, Mo., it was found that children sent to market by the poorest classes of citizens would spend their money in the slot machines instead of bringing home the groceries they were supposed to bring home.

A few days ago in the city of St. Louis, where I live, and which, as I believe, has as honest a police department as any other city in the country, in one particular case on 3 successive days the police made raids on a drug store located in one of the leading hotels in the city, arrested the clerk on duty, took away the slot machine, and the next day went back and found another clerk on duty and another slot machine operating.

I have before me a newspaper account from an Akron paper recounting a grand-jury investigation in Franklin County of conditions in Columbus, Ohio, in which it is said that it has been absolutely impossible for the local authorities to break up this vicious racket.

Mr. President, it seems to me it would be absolutely immoral to levy a revenue tax on such an absolutely immoral proposition as this gambling slot-machine racket. I do not think the Government of the United States would be justified under any conditions in levying a revenue tax on an admittedly immoral racket.

The senior Senator from Nevada [Mr. McCARRAN] a while ago said that I was reflecting on the State of Nevada when I said that to levy a revenue tax on these one-armed bandits was equivalent to levying a revenue tax on prostitution. He said I was insulting the State of Nevada. I deny any application of that remark to any one State. I say it would be absolutely equivalent to levying a revenue tax on prostitution, or on the opium racket, or on any other racket, and I do not apply the statement to any one State. I apply it to every State, and I say it would be absolutely immoral for the Federal Government of the United States to levy such a revenue tax.

Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Austin	Barbour
Aiken	Bailey	Barkley
Andrews	Bankhead	Bilbo
Brewster	Guffey	Overton
Bridges	Hatch	Pepper
Brooks	Hayden	Radcliffe
Bulow	Herring	Reed
Bunker	Hill	Russell
Burton	Holman	Schwartz
Butler	Hughes	Smathers
Byrd	Johnson, Colo.	Smith
Capper	Kilgore	Spencer
Caraway	La Follette	Taft
Clark, Idaho	Langer	Thomas, Idaho
Clark, Mo.	Lee	Thomas, Utah
Connally	Lucas	Tobey
Danaher	McCarran	Tunnell
Davis	McFarland	Tydings
Downey	McNary	Vandenberg
Eastland	Maloney	Van Nuys
Ellender	Murray	Walsh
George	Nye	Wiley
Gerry	O'Daniel	
Green	O'Mahoney	

The VICE PRESIDENT. Seventy Senators have answered to their names. A quorum is present. The question is on the amendment of the junior Senator from Nevada [Mr. BUNKER] to the committee amendment.

Mr. BAILEY. Mr. President, I wish to say just a few words in response to the suggestion that since I voted for the lease-lend bill I am estopped to defend the Constitution.

Mr. CLARK of Missouri. Mr. President——

Mr. BAILEY. I yield.

Mr. CLARK of Missouri. The Senator need not shake his gory locks at me; I did not say that; but I did say the Senator was estopped to denounce the Communists because he voted to authorize the alliance with the Communists which has taken place.

Mr. BAILEY. I will take the Senator's words that I am estopped to denounce what he says is our alliance with the communistic government of Russia. I wish to make myself clear about that. I am willing for the Russians, according to the Declaration of Independence, to have such a government as they wish to have; I am willing for the Germans, following the injunction in our Declaration of Independence, to have any sort of government they wish to have, and I am determined to do my part to see to it that, notwithstanding the character of government that exists in other lands, the character of this Government as a Republic shall be preserved. I do not see anything in the nature of an estoppel, I do not see anything that tends remotely to impair the force of my argument in that I freely confess my sympathies now are with Russia in her struggle against the Nazis. I hope she holds out; I hope she holds out until the rains come; I hope she holds out until the mud becomes so deep that the Germans will not be able to move; I hope she holds out until the thermometer goes down to 50 degrees below zero.

I regard ourselves in the matter as involved not with the threat of Russia at the moment or the threat of communism coming from Russia at the moment, but as threatened by the revolution of nihilism put forward and led by Hitler and the Nazi Party, and I consider it to the welfare of humanity, to the welfare of every other nation and to the welfare of the United States, at any cost, that Hitler and his unspeakable regime shall be crushed and destroyed. If, in the province of God, Hitler has made the blunder of attacking the Russians, if, by the grace of God, the Russians shall be enabled to turn upon him and destroy him, and if, by the help of this country, we may enable the Russians to destroy him, I am entirely willing. That does not commit me to communism but it does commit me to the destruction of the man and the party and the people who have deliberately set out to rule this world and to destroy our civilization.

Mr. McCARRAN. Will the Senator yield at that point for a question?

Mr. BAILEY. Yes.

Mr. McCARRAN. In the same train of thought, would the Senator kindly state what he thinks of that government which for 25 years has set out to destroy this form of government and has sent its emissaries into this country for the purpose of destroying this form of government?

Mr. BAILEY. I think the Senator is exactly right. I think the Third Internationale, the Rusian regime, has undertaken to spread communism throughout the world. I make no defense of that; but I am saying now that what my country has to do is to meet the major threat, to meet the supreme danger, and if, by such feeble aid as we may send to the Russian soldier and to the Russian Government, we may bring about an end of Hitler and his Nazis, we may well pay the price of being charged with aiding our communistic enemies. We can deal with them when the time comes; but what this country has now to do and what the whole world has now to do is to arrest the progress of Adolf Hitler and all the destructive forces which he has summoned to his aid.

Mr. McCARRAN. Mr. President——

Mr. BAILEY. I will yield in a moment.

My question is, What shall my country do to arrest the progress of the superior menace? I am no friend of the devil; but if I could turn Satan loose upon Hitler I would do it; and yet you impute that to me as espousing hell. Oh, no; I am dealing with the situation as it is, and according to its necessities.

I cannot say how events will fall; but if, in this situation, events shall so fall out that we, by aid to any nation, may destroy Hitler, it is our duty to ourselves to do so; and I said no less in advocating the lease-lend bill.

Mr. LEE. Mr. President, will the Senator yield at that point?

Mr. BAILEY. Certainly.

Mr. LEE. The Senator said he would turn Satan loose on Hitler if he could. He would even furnish him a little brimstone, would he not, if he was sure Satan would use it on Hitler?

Mr. BAILEY. Well, if I could borrow some from the Senator from Oklahoma, I would do it. [Laughter.]

Mr. CLARK of Missouri. The Senator could do it under the lease-lend bill.

Mr. BAILEY. If I could get some brimstone from any source to arrest that threat I would do so, and I would not consider myself as having compromised my country.

We can help the Chinese fight the Japs without becoming Chinese. We do not endorse their country. We do not endorse their doings. We can help the Brit-

ish as they fight Hitler. We do not thereby approve the British form of government or the British system. All we do is to act as prudent men who desire to preserve the peace of our homes and the prosperity of our land, and to aid where aid will arrest the most dangerous and the most threatening enemies.

If I had time I could go into that threat. Russia is not now trying to capture the seas. Russia is not now threatening the existence of the British Empire and the British fleet. Russia may have some emissaries over here now, but they are not half so dangerous as the victims of modern reform.

The thing that comes home to me is just this: We should like to avoid the ordeal of war. We should like to preserve the freedom of the seas. We should like to see peace once more in the world. Desiring those three objectives, I rejoice with a great joy that the Russians for 10 long weeks have arrested the German progress; and I hope and pray to God that they will be able not only to arrest that progress for 10 weeks more, but to bring about the disintegration of Hitler and all his works in the long winter that lies ahead.

I make my confession: I read the newspapers every day, and as I read them I am disappointed when I see the Russians losing, and I am encouraged when I see the Germans retreating. If that be treason, if that be crime, if that be communism, make the most of it. I see no difficulty; and I shall continue on this floor to protest in behalf of the Republic and the Constitution, notwithstanding efforts to tar me with the red stick simply because, making a choice between Hitler and Stalin, I wish Stalin well—so well that I hope he destroys the German Army, and brings an end to the unspeakable and damnable machine that threatens all that is good and all that is beautiful and all that is hopeful in the civilization which we have been building now for a thousand years.

So, Mr. President, that is my apology. I am not ashamed; I am not compromised; but if anyone chooses to think I am, so be it.

Mr. McCARRAN. Mr. President, I am impressed with the last remarks of the able Senator from North Carolina, and I wish to impress him with a further statement. I wish he might have said, "I am for America first."

Mr. HATCH. Mr. President——

Mr. McCARRAN. If the Senator from North Carolina will now rise and make that statement, I shall be very happy.

Mr. BAILEY. Mr. President, will the Senator yield to me for a moment?

Mr. McCARRAN. Yes; I yield.

Mr. BAILEY. That is why I hope the Russians destroy the Germans. I am for America first.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. McCARRAN. I am not yielding to the Senator from New Mexico right now.

Mr. President, after all is said and done, it remains a question of whether we shall encourage within this country those who for 23 years have avowedly come here for the purpose of destroying this country, or whether we shall stand for this country against that movement.

I made the remark which probably provoked the last very able statement of the Senator from North Carolina. I drew a distinction between his able remarks and his vote. His vote was for the lend-lease bill; and it is now declared by the leader of this Government that we will lend and lease and give all aid to the nation that has sent its emissaries into this country during the past 23 years for the destruction of this Government.

Are we going to go forward with that policy? If we go forward with that policy, then, of course, we may listen to beautiful speeches which will sound well in North Carolina, which will sound well anywhere, but which will not bring about results. If we are going to protect America, let us protect America by defending America here at home. Let us remain entirely aloof from foreign alliances. Let us keep away from Russia; let us keep away from Hitler; let us keep away from everything which would have torn down in the last 20 years the splendid achievements of the founders of this Government.

Mr. President, a majority voted for the lease-lend bill, but I do not believe, I never will believe, that those who voted for the lease-lend bill would have voted for it if they had known that it was to bring about a communistic form of government in this country. I wonder if there is anyone on the floor of the Senate who will deny that statement? If there is, I want him to rise now and deny what I have just stated. If there is anyone on the floor of the Senate who will say that when he voted for the lend-lease bill he voted to bring about a communistic form of government in this country, let him say so now.

Mr. CLARK of Missouri. Mr. President——

The PRESIDING OFFICER (Mr. SMATHERS in the chair). Does the Senator from Nevada yield to the Senator from Missouri?

Mr. McCARRAN. I yield.

Mr. CLARK of Missouri. I should like to recall to the Senator's memory the fact which I stated a moment ago, that not only was the charge made that the lease-lend bill would authorize an alliance with Soviet Russia in the Committee on Foreign Relations and on this floor, but it was vehemently denied by the sponsors of the measure, both in the Committee on Foreign Relations and on the floor of the Senate.

Mr. McCARRAN. I know that. I know it was denied by the able leader of the majority. I know it was denied by the able Senator who now has charge of the bill pending before the Senate. I know that the Senator from Georgia denied all those things. But we are confronted with a reality and not a theory. In other words, the leader, the Executive, is now saying that we are going to sponsor Russia—communistic Russia, if you please. I wonder if someone here will say he voted for that. If there is anyone on the floor of the Senate who voted for that policy, I wonder if he would now declare that he did so. There is not a chance of that.

Yet communism was then in the United States. It had been implanted here. It was implanted here when we recognized Soviet Russia. If I hear a denial of that, let me recite the fact that the President at that time stated that he had been promised that there would be no communistic propaganda put out or planted in this country. Is there anyone here who will deny that statement? I hear no voice. Yet today we are enhancing communism in this country, enhancing it because we know it is here, because the Dies committee, coming from a coordinate branch of the Government, has declared that it is here. It is here, right with us, and we are going now to say that we will give a sponsorship to it by aiding, by lending, by giving.

Mr. President, I am naturally entranced, I am naturally won, by the able argument of the Senator from North Carolina, who does not do me the honor to remain here. Nevertheless, we are all won by his argument, but we are not won by his votes. His argument is beautiful, but his vote does not seem to me to go along with the policy which he espouses.

There are those of us who, until God takes us out of this realm, will go down the line for the Constitution of the United States. That is all the Senator from North Carolina seems to espouse. He has plenty of company in that respect. We will all go with him along that line. But if we espouse the principles of the Constitution of the United States, we will not lend support to those who would destroy this Government, and who are now here attempting to destroy it.

I despise Mr. Hitler and all he stands for, and equally I despise Mr. Stalin and all he stands for. I want those two dogs to come together and destroy each other. It would be well for democracy. But I would not lend a word to either one of them, because neither of them is a friend of this country. If Stalin succeeds, then God help democracy, and God help Christianity, because if ever Stalin was a friend of Christianity, neither the able Senator from North Carolina nor any other Senator who is a friend of Christianity can find evidence of it.

So we come back to the amendment offered by my colleague, which is a very democratic and rather subordinate proposition. In attempting to defend the amendment offered by my colleague against my good friend the Senator from Missouri, I took exception to the remarks of the Senator from Missouri. I did so because I felt that he went just a little further than he should have gone and I think so now. I think his argument would have been much more cogent had it not been based on the principle of destroying something, because it goes back to the old original proposition that the power to tax is the power to destroy, and the Senator from Missouri stated freely that he offered the amendment to destroy.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. CLARK of Missouri. I did not say I offered this amendment to destroy; I said I offered an amendment to tax these machines $1,000 each, to destroy them. I also said I had very fine evidence, to wit, that of the Senator's junior colleague, that it would not destroy them in the Senator's State. I am

satisfied it would not destroy them in my State, and therefore I am in favor of destroying them.

Mr. McCARRAN. Let us look at the fundamental principle involved. If it is possible to destroy a thing by this amendment, why is it not possible to destroy something else by a similar amendment? The Senator will agree with me in that, of course.

Mr. CLARK of Missouri. I agree that the power to tax always has and always will involve the power to destroy; yes. There is no question about that. Everyone has always understood that ever since taxes first began to be levied.

Mr. McCARRAN. Very well.

Mr. HUGHES. Mr. President, will the Senator from Nevada yield?

Mr. McCARRAN. I yield.

Mr. HUGHES. I have been listening to what has been said by the Senators who have objected to the provision in the bill to which attention is now being directed. I am at some loss to understand how we are to arrive at a conclusion that this tax will destroy the particular thing on which it is levied. It seems to me that is a matter of evidence. It may or it may not. If we fix a lump-sum tax, until we have tried it out, unless we have the evidence of how much the particular business affected makes, how can we say it is going to destroy it? Therefore, how does the Senator arrive at the conclusion that a $200 tax, which he is talking about, would destroy the property taxed?

Mr. McCARRAN. Mr. President, I will say that I am not a member of the committee——

Mr. HUGHES. I am not a member either.

Mr. McCARRAN. But the thought strikes me that it would have been very wise to have held hearings bearing on the subject, and it is my understanding that no hearings at all were held. Extensive hearings were held in the House committee, and the House fixed a certain tax. So it seems to me it would have been proper for the Senate committee to have held hearings on the subject.

Mr. HUGHES. Does the Senator mean the House concluded that $200—and we are speaking of that particular item—would not destroy the business in question?

Mr. McCARRAN. No; I do not agree to that.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. CLARK of Missouri. I agree that no hearings were held in the Senate committee on the matter, but extensive hearings were held, as the Senator said, before the House Ways and Means Committee, which hearings, of course, were available to the Senate committee.

Mr. McCARRAN. The House committee, after hearings, as I understand, fixed the tax rate at $25.

Mr. CLARK of Missouri. On all sorts of machines, yes. The House committee, in other words, on the same evidence arrived at one conclusion, and the Senate committee arrived at another conclusion.

Mr. McCARRAN. Will the Senator from Missouri admit that the House hearings were very much more exhaustive of the subject?

Mr. CLARK of Missouri. I will admit that the Senate committee never held any hearings on this specific item, but the hearings held before the House committee, of course, were available to the Senate committee. I cannot speak as to the other members of the Senate committee, but I know I read all the House committee hearings before the Senate committee started its hearings, and I attended all the Senate committee meetings.

Mr. McCARRAN. Of course, the Senator is a student, and he read the hearings, and after reading them he knew that the House committee concluded, after holding very exhaustive hearings, that they could fix only $25 as a proper tax on this particular line of business. That is correct, is it not?

Mr. CLARK of Missouri. I know that that is the tax which the House did fix.

Mr. McCARRAN. Yes.

Mr. CLARK of Missouri. I cannot tell about the conclusions reached by the members of the House committee. I will say very freely that that is the rate the House fixed, which it seemed to me was essentially unfair, and it seemed to the Senate committee it was essentially unfair.

Mr. McCARRAN. It was not based on the hearings, because, had it been based on the hearings, the House would have fixed a different tax rate.

Mr. CLARK of Missouri. I would not say that. The House committee apparently arrived at a different conclusion than the Senate committee arrived at. I read the House hearings, and I arrived at a different conclusion from that arrived at by members of the House committee who reported a $25 tax.

Mr. McCARRAN. No; the House arrived at a different conclusion from that arrived at by the Senator from Missouri.

Mr. CLARK of Missouri. That is true. So did the Senate committee arrive at a different conclusion from that arrived at by the House committee and by the House. That is what makes legislation.

Mr. HUGHES. Mr. President, let me say that I have not read the hearings, but I am concerned with the problem, that in considering a bill which is intended to raise revenue, which we presume it is entirely, with no purpose of destroying property, and in trying to avoid destruction of property which we are taxing, how am I to satisfy myself, for instance, and how is the Senator from Nevada to satisfy himself, or how is any other Senator to satisfy himself that a particular tax, $200 we will say, would or would not have the effect of destroying the property which is taxed? We should avoid destroying property. Therefore, it seems to me, we should support the amendment which the Senator is espousing.

Mr. McCARRAN. I will answer the Senator's question. The House committee held exhaustive hearings. The House of Representatives is responsible for revenue bills. Such bills are initiated in the House. The House of Representatives fixed a tax of $25. The Senate Committee on Finance held no hearings whatever, but arbitrarily the committee fixed a tax of $200. I say the Senator may be guided by the hearings held by the House committee. That is my answer to his question.

Mr. HUGHES. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. BUNKER] to the committee amendment on page 105, line 7.

Mr. LA FOLLETTE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Downey	Nye
Aiken	Eastland	O'Daniel
Andrews	Ellender	O'Mahoney
Austin	George	Overton
Bailey	Gerry	Peace
Bankhead	Green	Radcliffe
Barbour	Guffey	Rosier
Barkley	Hatch	Russell
Bilbo	Hayden	Schwartz
Brewster	Herring	Smathers
Bridges	Hill	Smith
Brooks	Holman	Spencer
Bulow	Hughes	Taft
Bunker	Johnson, Colo.	Thomas, Idaho
Burton	Kilgore	Thomas, Utah
Butler	La Follette	Tobey
Byrd	Langer	Tunnell
Capper	Lee	Tydings
Caraway	Lucas	Vandenberg
Clark, Idaho	McCarran	Van Nuys
Clark, Mo.	McFarland	Walsh
Connally	McNary	Wiley
Danaher	Maloney	
Davis	Murray	

The PRESIDING OFFICER. Seventy Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment offered by the Senator from Nevada [Mr. BUNKER] to the committee amendment.

Mr. BUNKER. Mr. President, I have no desire to have a roll call on this amendment. I should like to say that my friends in Nevada, who were interested in this matter, have no connection whatever with Mr. Stalin or with Mr. Hitler. They are really fine fellows, and if the Senators knew them they would like them.

Mr. President, I happened to have been a member of the Nevada State Legislature 5 years ago, and I was chairman of the ways and means committee, so I know how difficult it is to raise a few dollars in a small State. Since the Government needs money, we are willing to raise the tax to $50.

Mr. President, it may be a vicious racket to operate "one-arm bandits" in States in which they are not legal; but in Nevada it is not a racket, it is a legalized operation of business.

I am not a reformist, although I studied for the ministry; and I know that my friend the Senator from Missouri [Mr. CLARK], while we differ on this matter, is not a reformist. We tried to do away with drinking by national legislation. We could not do it. I do not believe we can do away with gambling by taxation. I do not believe it is the desire of the Senator from Missouri to take away any revenue derived from legalized gambling in the State of Nevada. So I am anxious to vote on the question. I may say that my amendment should be adopted, first, because the $200 tax will not accomplish its purpose; it will not do away with slot machines in America. The second point is that if they do exist,

it is up to the local law-enforcement agencies to deal with them. Third, it would work a very serious hardship on my State.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, offered by the Senator from Nevada [Mr. BUNKER] to the committee amendment on page 105, in lines 7 and 9.

Mr. CLARK of Missouri. I ask for a division, Mr. President.

The Senate proceeded to divide.

Mr. CLARK of Missouri. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. DAVIS (when his name was called). I have a general pair with the Senator from Kentucky [Mr. CHANDLER]. Not knowing how he would vote, I withhold my vote.

Mr. McNARY (when his name was called). Referring again to my pair with the Senator from Tennessee [Mr. MCKELLAR], not knowing how he would vote if he were present, I withhold my vote.

The roll call was concluded.

Mr. HOLMAN (after having voted in the affirmative). I have been reminded that I have a general pair with the junior Senator from Tennessee [Mr. STEWART]. Not knowing how he would vote, I withdraw my vote.

Mr. RADCLIFFE. My colleague [Mr. TYDINGS] is unavoidably absent. Were he present, his vote would be "nay."

Mr. HILL. I announce that the Senator from Washington [Mr. BONE], the Senator from Iowa [Mr. GILLETTE], the Senator from Virginia [Mr. GLASS], the Senator from North Carolina [Mr. REYNOLDS], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Kentucky [Mr. CHANDLER] is absent on a defense-inspection tour.

The Senator from New York [Mr. MEAD], the Senator from Missouri [Mr. TRUMAN], and the Senator from Washington [Mr. WALLGREN] are engaged in holding hearings on behalf of the Committee to Investigate the National Defense Program.

The Senator from Oklahoma [Mr. LEE] and the Senator from Connecticut [Mr. MALONEY] are detained on departmental business.

The Senator from Michigan [Mr. BROWN], the Senator from South Dakota [Mr. BULOW], the Senator from New Mexico [Mr. CHAVEZ], the Senators from Tennessee [Mr. MCKELLAR and Mr. STEWART], the Senator from Utah [Mr. MURDOCK], the Senator from Florida [Mr. PEPPER], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

Mr. AUSTIN. I announce the following general pairs:

The Senator from Indiana [Mr. WILLIS] with the Senator from New Mexico [Mr. CHAVEZ];

The Senator from Minnesota [Mr. SHIPSTEAD] with the Senator from Virginia [Mr. GLASS];

The Senator from Minnesota [Mr. BALL] with the Senator from Missouri [Mr. TRUMAN];

The Senator from South Dakota [Mr. GURNEY] with the Senator from Florida [Mr. PEPPER];

The Senator from Kansas [Mr. REED] with the Senator from Washington [Mr. WALLGREN]; and

The Senator from Massachusetts [Mr. LODGE] with the Senator from North Carolina [Mr. REYNOLDS].

The result was announced—yeas 40, nays 22, as follows:

YEAS—40

Adams	Downey	Peace
Aiken	Ellender	Rosier
Andrews	Gerry	Russell
Austin	Guffey	Schwartz
Bailey	Hatch	Smathers
Bankhead	Hayden	Smith
Barkley	Hill	Spencer
Brooks	Kilgore	Taft
Bunker	Lucas	Thomas, Idaho
Burton	McCarran	Thomas, Utah
Butler	McFarland	Tunnell
Caraway	Murray	Walsh
Clark, Idaho	O'Mahoney	
Danaher	Overton	

NAYS—22

Barbour	Eastland	O'Daniel
Bilbo	George	Radcliffe
Brewster	Green	Tobey
Bridges	Herring	Vandenberg
Byrd	Hughes	Van Nuys
Capper	Johnson, Colo.	Wiley
Clark, Mo.	La Follette	
Connally	Nye	

NOT VOTING—34

Ball	Langer	Shipstead
Bone	Lee	Stewart
Brown	Lodge	Thomas, Okla.
Bulow	McKellar	Truman
Chandler	McNary	Tydings
Chavez	Maloney	Wagner
Davis	Mead	Wallgren
Gillette	Murdock	Wheeler
Glass	Norris	White
Gurney	Pepper	Willis
Holman	Reed	
Johnson, Calif.	Reynolds	

So Mr. BUNKER's modified amendment to the committee amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the committee amendment, as amended.

Mr. CLARK of Missouri. Mr. President, I wish to be recorded as against the committee amendment, as amended. I do not wish to take the trouble to ask for the yeas and nays, but I wish to be recorded as against the committee amendment, with a view to making a motion to reconsider later.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, as amended.

The amendment as amended was agreed to.

Mr. CLARK of Missouri. Mr President, I desire to enter a motion to reconsider the vote by which the committee amendment as amended was agreed to.

Mr. BARKLEY. I move to lay that motion on the table.

Mr. CLARK of Missouri. I suggest the absence of a quorum

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Austin	Barbour
Aiken	Bailey	Barkley
Andrews	Bankhead	Bilbo
Brewster	Green	Overton
Bridges	Guffey	Peace
Brooks	Hatch	Radcliffe
Bunker	Hayden	Rosier
Burton	Herring	Russell
Butler	Hill	Schwartz
Byrd	Holman	Smathers
Capper	Hughes	Smith
Caraway	Johnson, Colo.	Spencer
Clark, Idaho	Kilgore	Taft
Clark, Mo.	La Follette	Thomas, Idaho
Connally	Lucas	Thomas, Utah
Danaher	McCarran	Tobey
Davis	McFarland	Tunnell
Downey	McNary	Vandenberg
Eastland	Murray	Van Nuys
Ellender	Nye	Walsh
George	O'Daniel	Wiley
Gerry	O'Mahoney	

The PRESIDING OFFICER. Sixty-five Senators having answered to their names, a quorum is present.

Mr. CLARK of Missouri. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CLARK of Missouri. What is the business before the Senate?

The PRESIDING OFFICER. The question before the Senate is on agreeing to the motion made by the Senator from Kentucky that the motion to reconsider be tabled.

Mr. CLARK of Missouri. I did not make a motion to reconsider. I simply entered a motion to reconsider, which is not the equivalent of making a motion to reconsider. Therefore there is nothing before the Senate to be tabled.

Mr. BARKLEY. I understood that the Senator from Missouri made a motion to reconsider.

Mr. CLARK of Missouri. I entered a motion to reconsider. If the Senator from Kentucky desires to make a motion, that is his business. But he cannot move to table a motion which has not been made.

Mr. BARKLEY. I realize that, but I thought the Senator from Missouri made a motion to reconsider.

The PRESIDING OFFICER. The Parliamentarian informs the Chair that a motion entered and a motion made are the same thing.

Mr. CLARK of Missouri. Mr. President, that is entirely contrary to the practice of the Senate. I defy the Parliamentarian or the Chair or anyone else to find one precedent in the Senate by which giving notice of intention to move to reconsider after the lapse of 2 days is equivalent to making a motion to reconsider.

Mr. BARKLEY. It is one thing to serve notice on the Senate that, within the rules, at some future time a motion will be made to reconsider a vote. It is another thing to enter a motion which, as I understand it, is equivalent to making a motion.

Mr. CLARK of Missouri. Entering a motion is not in any sense equivalent to making a motion; but if it pleases the Senator from Kentucky, I will give notice that at some time in the future I will make such a motion.

Mr. BARKLEY. I thought the Senator from Missouri made the motion.

Mr. CLARK of Missouri. I did not make the motion. I entered the motion. I can recall a similar instance with which both the Senator from Kentucky and I

were concerned. In the last days of the Hoover administration the late Senator from Wisconsin, Mr. Blaine, gave notice of his intention to enter a motion to reconsider, but did not later make such a motion. I made the motion in the Senate.

Mr. BARKLEY. I do not care to take any technical advantage of the Senator from Missouri, if the Senator from Missouri did not mean to make the motion.

Mr. CLARK of Missouri. I did not make the motion, Mr. President.

Mr. BARKLEY. Whether the Senator did or did not, if it was not his intention to make the motion, I accept his word as to that, and therefore I withdraw my motion to lay on the table.

Mr. CLARK of Missouri. The motion was not in order in the first place.

Mr. BARKLEY. I am not conceding that. I assumed that the Senator from Missouri knew what he was trying to do.

Mr. CLARK of Missouri. I certainly did.

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LUCAS. In view of the motion made by the Senator from Missouri, will the Senator from Illinois now be in order in making a motion to table it?

Mr. BARKLEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BARKLEY. As I understand, there was no motion made, and no notice given of a motion to be made to reconsider the vote by which the amendment of the junior Senator from Nevada [Mr. BUNKER] was agreed to.

The PRESIDING OFFICER. That is correct.

Mr. BARKLEY. After the amendment to the amendment was agreed to, the Senate voted on the question of agreeing to the committee amendment as amended by the Bunker amendment.

The PRESIDING OFFICER. That is correct.

Mr. BARKLEY. And it was with respect to the motion to agree to the amendment as amended that the Senator from Missouri gave notice of his intention to move to reconsider the vote by which the motion was carried. It is now in order for any Senator who voted with the majority, or any other Senator, because of there being no roll call, to move to reconsider the vote by which the committee amendment as amended was agreed to.

Mr. LUCAS. Mr. President, I so move.

Mr. CLARK of Missouri. Mr. President, I move that the consideration of that question be postponed until 2:30 tomorrow.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Missouri.

Mr. CLARK of Missouri. Pending that, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Davis	Nye
Aiken	Downey	O'Daniel
Andrews	Eastland	O'Mahoney
Austin	Ellender	Overton
Bailey	George	Peace
Bankhead	Gerry	Radcliffe
Barbour	Green	Rosier
Barkley	Guffey	Russell
Bilbo	Hatch	Schwartz
Brewster	Hayden	Smathers
Bridges	Herring	Smith
Brooks	Hill	Spencer
Bunker	Holman	Taft
Burton	Hughes	Thomas, Idaho
Butler	Johnson, Colo.	Thomas, Utah
Byrd	Kilgore	Tobey
Capper	La Follette	Tunnell
Caraway	Lucas	Vandenberg
Clark, Idaho	McCarran	Van Nuys
Clark, Mo.	McFarland	Walsh
Connally	McNary	Wiley
Danaher	Murray	

The PRESIDING OFFICER. Sixty-five Senators having answered to their names, a quorum is present.

Mr. BARKLEY. Mr. President, I move that the motion of the Senator from Missouri [Mr. CLARK] to postpone until an hour definite tomorrow be laid on the table.

Mr. CLARK of Missouri. I suggest the absence of a quorum.

Mr. BARKLEY. Mr. President, it has just been developed that a quorum is present.

Mr. CLARK of Missouri. Mr. President, making the motion, according to all the Senate precedents, is the transaction of business.

The PRESIDING OFFICER. The Chair is advised that the Senator from Missouri has a right to call for a quorum. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Davis	Nye
Aiken	Downey	O'Daniel
Andrews	Eastland	O'Mahoney
Austin	Ellender	Overton
Bailey	George	Peace
Bankhead	Gerry	Radcliffe
Barbour	Green	Rosier
Barkley	Guffey	Russell
Bilbo	Hatch	Schwartz
Brewster	Hayden	Smathers
Bridges	Herring	Smith
Brooks	Hill	Spencer
Bunker	Holman	Taft
Burton	Hughes	Thomas, Idaho
Butler	Johnson, Colo.	Thomas, Utah
Byrd	Kilgore	Tobey
Capper	La Follette	Tunnell
Caraway	Lucas	Vandenberg
Clark, Idaho	McCarran	Van Nuys
Clark, Mo.	McFarland	Walsh
Connally	McNary	Wiley
Danaher	Murray	

The PRESIDING OFFICER. Sixty-five Senators have answered to their names. A quorum is present. The question is on the motion of the Senator from Kentucky [Mr. BARKLEY] to lay on the table the motion of the Senator from Missouri [Mr. CLARK].

The motion to lay on the table was agreed to.

Mr. CLARK of Missouri. Mr. President, I suggest the absence of a quorum.

Mr. GEORGE. Mr. President, will not the Senator from Missouri withhold that motion?

Mr. CLARK of Missouri. I am glad to withhold the motion. I may say that it is my intention, after anything the Senator from Georgia has in mind, to make a motion to postpone the motion of the Senator from Illinois [Mr. LUCAS] until 4 o'clock tomorrow, which, I understand, under the rules of the Senate I have a perfect right to do, and then possibly to make a later motion; but I shall be glad to withhold the motion if the Senator from Georgia has some business which he desires to transact.

Mr. GEORGE. Mr. President, I very much desire to get through with the remaining amendment in the committee bill, beginning on page 120, line 1, and going to line 18, on page 123. The Senator from Connecticut [Mr. DANAHER] desires to offer an amendment to that amendment.

The PRESIDING OFFICER. The amendment offered by the Senator from Connecticut will be stated.

Mr. GEORGE. Mr. President, a parliamentary inquiry. Is there already a motion before the Senate?

The PRESIDING OFFICER. The Chair is advised that the motion of the Senator from Illinois [Mr. LUCAS] to reconsider the vote on the committee amendment, as amended, on page 105, is before the Senate.

Mr. GEORGE. I ask unanimous consent that that motion be temporarily laid aside so that we may proceed with at least two matters this afternoon.

Mr. LUCAS. I have no objection to the request of the Senator from Georgia.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DANAHER. Mr. President, may the amendment I have sent to the desk be stated?

The PRESIDING OFFICER. The amendment offered by the Senator from Connecticut will be stated.

The LEGISLATIVE CLERK. The last committee amendment passed over is on page 120, title VII, credit against Federal unemployment taxes, etc. Mr. DANAHER proposes an amendment to the title on page 123, after line 18, to add a new section, to read:

> The act approved July 1, 1941 (Public Law 146, 77th Cong.) entitled "An act making appropriations for the Department of Labor, the Federal Security Agency," etc., under title II, under the heading "Social Security Board," is amended by repealing so much thereof as reads "and elsewhere in connection with the operation of employment office facilities and services essential to expediting the national-defense program."

Mr. GEORGE. Mr. President, before the Senator from Connecticut proceeds, I hope it will be agreeable to him to yield to the junior Senator from Colorado [Mr. JOHNSON], who wishes to enter something in the RECORD.

Mr. DANAHER. Of course; I shall be happy to yield to the Senator from Colorado.

Mr. JOHNSON of Colorado. Mr. President, I thank the Senator from Georgia and the Senator from Connecticut.

It must be apparent to everyone who has given the subject much thought that, so far as taxation is concerned, the mining industry must be treated on a different basis than other industries. In an effort to establish the principle of permitting a credit based upon the normal profit per unit of mine production, it was suggested by me in committee that the drafting experts should be instructed

to prepare an amendment to the bill which would prevent the excess-profits tax from being unfairly applied to the normal profits of mines.

It was suggested that the draft should be based upon the following principles:

First. Where the normal profit per unit of production is determinable on the basis of past experience, the excess-profits credit should include such normal profit per unit on the production of the taxable year.

Second. In the case of new corporations or mines not operating on a commercially profitable basis during the base period, a normal profit should be determined as if the mine had been operated in a normal manner during the base-period years.

Third. The foregoing provisions should be limited solely to mining profits. No increased allowance should be made with respect to profits from other than the mining operations. The normal profit from mining operations should be added only to such credit for base-period earnings or invested capital as is properly allocable to operations or investments other than mining.

Such an amendment was offered by me in the committee and was referred to the Treasury Department. The Treasury Department said the matter was very technical, and would require considerable study; that they thought perhaps it could be brought up later, at a time when technical matters pertaining to the administration of the taxation problem would be before the Congress; and so action was postponed by the Finance Committee on the amendment I offered.

I ask unanimous consent to insert in the RECORD at this point a letter from Mr. John L. Sullivan, Assistant Secretary of the Treasury, with respect to this matter.

The PRESIDING OFFICER. Without objection, it is so ordered.

The letter is as follows:

TREASURY DEPARTMENT,
Washington, September 2, 1941.

Hon. EDWIN C. JOHNSON,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: In accordance with the action adopted by the Senate Finance Committee, I have requested that a study be made in this Department of the amendment that you submitted to H. R. 5417 wih reference to a credit based on the normal profit per unit of mining production. If, as a result of the study, any amendment of this character is deemed advisable, a provision will be drafted in time for insertion in the next revenue bill.

Sincerely,

JOHN L. SULLIVAN,
Assistant Secretary of the Treasury.

Mr. JOHNSON of Colorado. My amendment proposes to amend section 713 by adding a new subsection reading as follows:

"(h) Corporations engaged in mining—

"(1) A corporation engaged in the mining of natural deposits shall be entitled under this section (with respect to its mining operations) to an excess-profits credit equal to the normal profit per unit of production for its entire production during the taxable year, in addition to such other excess-profits credit as may be allowable under this subchapter which is properly allocable to its operations other than mining.

"(A) In the event that the taxpayer was actually in existence at the beginning of its base period and was, during all or a part of such base period, engaged, on a commercially profitable basis, in mining operations similar, except as to the volume of production, to those carried on during the taxable year, then the taxpayer's normal profit per unit of production during the base period (excluding the year or years in which there was a deficit in excess-profits net income) shall constitute the taxpayer's normal profit per unit of production for the purposes of this subsection. In computing such normal profit per unit, the adjustments provided by section 711 (b), so far as applicable, shall be made.

"(B) If the taxpayer was not in existence at the beginning of its base period, or if it was not, during all or a part of such base period, engaged, on a commercially profitable basis, in mining operations similar, except as to volume of production, to those carried on during the taxable year, then the normal profit per unit of production shall consist of the base period profit per unit of production which the taxpayer would have realized if it had been so engaged during such base period. Such normal profit per unit shall be computed by assuming that the taxpayer had sold in each year of the base period the number of units which it could have produced and sold, with due regard to the average prices and costs of operation prevailing in each base period year, except that the number of units assumed in such computation for any base period year shall not exceed the number of units sold in the taxable year.

"(2) The term 'base period' means, for the purposes of this subsection, the base period as elsewhere defined in this subchapter, but if the base period of a taxpayer is not elsewhere so defined, in such case the term 'base period' means the calendar years 1936 to 1939, inclusive.

"(3) This subsection shall not apply if the excess-profits credit computed under section 713, without the application of this section, or under section 714, exceeds the amount of the credit computed under this subsection."

The reasons back of this amendment are, briefly stated, as follows:

First. Mining companies as a rule did not have sufficient base-period income to serve as a sufficient credit for excess-profits taxes.

Second. The prices of metals have been stabilized at a figure very little, if any, above the average prices over a period of 40 years. The industry is cooperating willingly in keeping prices of metals down during the emergency. There is no profiteering in the mining industry in the West.

Third. The defense authorities are urging increased production of metals in order to meet requirements for weapons, plant expansions, and civilian demands.

The result of this combination is that if the mining companies increase production by taking out more units during the emergency than over the base period, they will receive but little above the base period price per unit, and yet the profits, because of increased production, will be considerably greater. The mining industry must use up its capital in its production of units of metals taken out under these conditions, and the capital can never be replaced. It differs from the ordinary industrial enterprise in this respect. At the end of the emergency the mine operator, because of his willingness to comply with the request of the Government for increased production, may see his mine exhausted.

Accordingly, I have urged an amendment to H. R. 5417 which would permit a credit based upon the normal profit per unit of mine production. That is, increased profits would not be subject to excess-profits taxes unless there were an increased price per unit of production. The following example will demonstrate what I am asking for:

If the normal production of a mine was 10,000 tons of ore for a normal profit of $2 per ton the mine would have a total profit of $20,000. If because of the need for metals for defense purposes production were stepped up to 15,000 tons at the same rate of profit—namely $2 per ton—the mining company would have a profit of $30,000. Under the proposed amendment, it would be recognized that this represents only a normal profit on the units produced and that $30,000 would not be subject to excess-profits tax. If, on the other hand, the profit realized on the 15,000 tons were to be $3 per ton or $45,000, the increased profit of $1 per ton, or $15,000, would be taxed as excess profits.

The Treasury Department has promised that this very just demand upon the part of the mining industry will receive study, and that, if deemed advisable, the amendment will be drafted in time for insertion in the next revenue bill. I wish it understood that I shall urge this amendment both as a matter of justice to an industry which is essential to our national defense and as a means of increasing the production which is so sorely needed during this emergency.

Mr. DANAHER. Mr. President, on the night of June 19, this year, House bill 4926 was before the Senate. It was a bill making appropriations for the Department of Labor, the Federal Security Agency, and related independent agencies, for the fiscal year ending June 30, 1942. The measure was approved by the President on July 1, 1941.

When that bill came to the Senate from the House of Representatives, the law then on the books pertaining to the control of the unemployment compensation service and the unemployment service in the several States followed a declaration by the Congress in the 1940 law which read, insofar as it is pertinent to the present discussion:

Provided, That in case any State employment service is found unable to render adequate service in connection with the fulfillment of this program this appropriation shall be available subject to the approval of such Administrator—

That is, the Federal Security Administrator—

for the maintenance of special employment facilities and services.

There was no hearing on the point to which I am about to advert, it was not before the House of Representatives, it was not brought before the Committee on Appropriations of the Senate, it was not brought before the subcommittee handling the bill, but as the RECORD will show—and I now will read from page

5307—an amendment was offered. Let me read the amendment by which the proviso which I have just previously read from then existing law was eliminated, and in lieu thereof there was substituted the following:

Provided further, That such portion of this appropriation as may be necessary shall be available to the Social Security Board for all necessary expenses incurred by the Board, including personal service in the District of Columbia—

Mr. President, notice these words—

and elsewhere, in connection with the operation of employment-office facilities and services essential to expediting the national-defense program.

Mr. President, there was no explanation whatever to the Senate, there was none to the Congress at any time, nor was there any notice to the various State employment services operating throughout the various States. They had no notice whatever that any such pending proposal was to be submitted. Quite the contrary; those who had made inquiry as to whether there was any possibility of such a thing eventuating in the Congress, through some means or other were dissuaded from pursuing their inquiries. The net result was that, without any notice whatever to the Congress, this legislation was attached to an appropriation bill, and fundamentally the entire program of administration of the State employment services was altered by the insertion of the two words "and elsewhere."

The Federal Security Administration, acting under the two words "and elsewhere," has already gone into at least one State, I believe has already contemplated going or negotiated about going into the State of the chairman of the Committee on Finance, the Senator from Georgia [Mr. GEORGE], and there are other States to which the Federal Security Administrator has come, by virtue of the words "and elsewhere," seeking to obtain and claiming to have jurisdiction over the administration of unemployment service within those States

In view of the fact that there are payroll deductions in the several States for the maintenance of the services, and in view of the fact that the maintenance of the services within the States has always been a matter of State control, the unfair interposition of those two words "and elsewhere" has wrought a fundamental change in the law without any notice whatever to the Congress.

Because of the nature of that particular result, I have offered the pending amendment, which would as Senators will notice, strike out, that is by way of repeal, the words "and elsewhere" in connection with the operation of the employment facilities and services essential to expediting the national-defense program.

It in no way inveighs against the operation of the Federal Security Administrator in Washington, it will not in any way affect the service he has heretofore rendered. All it will do will be to wipe out the claim to jurisdiction in the several States under the words "and elsewhere."

I have discussed the matter briefly with the Senator from Georgia, as last night I suggested might be a feasible way to approach the problem, and I believe that what I have had to say will be a sufficient record notice to those interested to realize what has been and is being done by way of the language to which I object.

Mr. GEORGE. Mr. President, as chairman of the Committee on Finance, so far as I may do so I have no objection to the acceptance of the amendment to go to conference. It may not be entirely germane to the tax bill, but it is germane in a degree to the last amendment offered to the bill. I hope, therefore, that the Senate will accept the amendment, and let it go to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Connecticut to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. ANDREWS. Mr. President, in explanation of the amendment just agreed to, which I aided in drafting, and which becomes title VII, providing for credit against Federal unemployment taxes, I ask that those portions of pages 56 and 57 of the majority report filed by the Senate Committee on Finance be printed at this point in the RECORD to show the reasons for including title VII in the bill.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

TITLE VII—CREDIT AGAINST FEDERAL UNEMPLOYMENT TAXES

SEC. 701. Credit against Federal unemployment taxes.

This section, added by your committee to the House bill, allows further time within which a taxpayer may pay contributions into an unemployment fund under a State law and obtain credit therefor against the Federal unemployment tax for 1936, 1937, 1938, 1939, or 1940.

In each of the past 3 years a similar provision of law has been enacted. However, since this tax has been in effect for more than 5 years, a period in which taxpayers have had ample opportunity to familiarize themselves with the time limitation provided in the permanent law and to take advantage of prior relief legislation, your committee states that this relief legislation should be the last of its kind to be enacted.

Under subsection (a), paragraph (1), credit is allowable against the tax for 1936, 1937, or 1938, imposed by title IX of the Social Security Act, for contributions paid before the sixtieth day after the date of enactment of this act, if credit is claimed before the expiration of 6 months after such date of enactment. If the contributions are paid on or after December 7, 1940 (the sixtieth day after the date of enactment of the Second Revenue Act of 1940, containing similar relief provisions in section 701 thereof), the credit on account of such contributions is limited to 90 percent of the amount which would have been allowable if they had been paid before the due date of the Federal return. Paragraphs (2) and (3) provide in certain special cases for the allowance of credit, which is not subject to the foregoing limitations. These paragraphs continue without curtailment the relief heretofore granted in these cases by section 902 (a) (2) and (3) of the Social Security Act amendments of 1939 and section 701 (a) (2) and (3) of the Second Revenue Act of 1940.

Subsection (b) provides similar relief in the case of the tax for 1939 or 1940 imposed by the Federal Unemployment Tax Act (subchapter C, chapter 9, Internal Revenue Code).

Subsection (c) provides for refunds, credits, and abatements, without interest, based on the credit allowable under subsections (a) and (b). It also provides that on and after the date of enactment of this act no refund, credit, or abatement shall be allowed which is based on any credit allowable under certain prior relief legislation; that is, section 810 of the Revenue Act of 1938, section 902 (a) of the Social Security Act amendments of 1939, and section 701 of the Second Revenue Act of 1940. This section does not affect any credit for contributions paid which is allowable solely by reason of the provisions of section 902 of the Social Security Act or section 1601 of the Federal Unemployment Tax Act.

Mr. BARKLEY. Mr. President, I inquire what is the business pending before the Senate?

Mr. ADAMS. Mr. President——

Mr. GEORGE. If I may say so, we have come to the last committee amendment to the bill, and it is the only committee amendment to be offered, so far as I am now advised, although there are some technical amendments which the Treasury and the staff will desire to offer before the consideration of the bill is finally concluded. The sole remaining amendment is the one on page 32, relating to the taxing of community-property income. I ask that that amendment be laid before the Senate so that it may be pending.

Mr. ADAMS. Let me make a statement to the Senator from Georgia as to my situation. As a matter of duty I shall be compelled to leave town tonight to attend the funeral of the late Representative TAYLOR, of Colorado. Would it be possible for me to submit an amendment at this time, so that I may present it?

Mr. GEORGE. It is quite agreeable. I merely ask that the amendment to which I have referred be laid before the Senate, not for the purpose of discussion. If the Senator will allow the amendment to be stated merely by title, then he may proceed.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 32, after line 3, it is proposed to insert the following:

SEC. 119. Community income.

The Internal Revenue Code is amended by inserting after section 28 the following new section:

"SEC. 29. Community income.

"For the purpose of determining the income-tax liability of any individual:

"(a) Income earned by each spouse (whether or not treated as community property under the State law) shall be considered as the income of the earner thereof.

"(b) Income derived from property of the marital community (except such property as constitutes either income derived from the separate property of either spouse or property acquired therewith) shall be considered as the income of the spouse who has the management and control thereof under the law of the jurisdiction in which the marital community exists.

"(c) In case the spouses elect to file separate returns, the spouse required under this section to treat such income as his individual income shall alone be entitled to the deductions and credits allowed under this chapter which are properly allocable to such income."

Mr. McCARRAN subsequently said: Mr. President, I ask that there be in-

serted in the RECORD immediately following the remarks of the Senator from Georgia [Mr. GEORGE], so it may be before the Senate, a letter addressed by me to Representative Fred M. Vinson, chairman of the subcommittee of the Committee on Ways and Means of the House of Representatives, of date September 15, 1937, bearing on the subject of the amendment which is to be considered tomorrow. I ask that the letter be inserted in the RECORD in full.

The PRESIDING OFFICER (Mr. SMATHERS in the chair). Without objection, it is so ordered.

The letter is as follows:

UNITED STATES SENATE,
COMMITTEE ON APPROPRIATIONS,
Washington, D. C., September 15, 1937.

Hon. FRED M. VINSON,
Chairman of Subcommittee,
Ways and Means Committee,
House of Representatives,
Washington, D. C.

MY DEAR CHAIRMAN VINSON: On some occasions in the past the press has carried expressions indicating that there are those in your committee and elsewhere who might be of the opinion that the citizens of community-property States were chargeable with a so-called loophole through which taxes in these States might be escaped. I understand that your subcommittee may investigate the matter of income taxes in community-property States, and I desire to submit to you some of my views on the subject, resisting as I do any change of policy.

First, may I say that Nevada is one of the community-property States, the others being Louisiana, Arizona, California, Texas, Idaho, New Mexico, and Washington.

Under the community-property law either spouse in a marital status has a vested property right in all of the community property, including the income therefrom, likewise in the salary or wages of either husband or wife.

The question involved in community property in the United States is both historic and statutory in its origin. The historical side of this question is most interesting and students of the subject who have given us the benefit of their study and writings have thrown much light and clarification on the matter.

A cursory reading of the history would lead one to believe that the community-property law was of Spanish origin, but a more persistent study leads one to the conclusion that the law, as we know it in the western world, is of Germanic origin and is the result of the evolution of early Germanic customs and forms into laws regulating family relations. These customs and laws, according to our best authorities, were carried into Spain by tribal and Visigothic movements in the early Christian centuries and were implanted in the Spanish peninsula on the occasion of the conquest of that part of Europe.

We find the early community-property law emphaticaly set out in the Code of Euric as the same was made, through conquest of territory, the law of early Spain; and we find this early code followed by the Spanish law or code called Fuero Juzgo. The law itself took on various forms during the Spanish succession, but at no time did it lose its original nature nor its original method of operation. For instance, we find the law set out in 1506 in a Spanish codification entitled "Cortes of Toro." Another code promulgated by Philip the Second in 1567 and another put forth by Charles the Second of Spain in 1680, each in turn carried the emphatic expression "law of community property," as we now term it, which laws and codes in general terms made clear distinction between the property of the husband, the property of the wife, and property acquired or accumulated by the community coverture.

Briefly stated, the law of Spain, as we find it passing down through its history, became the law of the Spanish territory in the western world. The code called the Cortes of Toro published in 1506, and the code Nueva Recopilacion of 1567, and the code of 1680 published by Charles the Second of Spain and styled Recopilacion de Indies, all made emphatic pronouncements that in the territories under the Spanish flag th laws of Castile must be observed. It was in this way that the civil law of Spain became a part of the law of Spanish America; and hence the law governing conjugal property, or, as we term it, community property, became the law of Mexico and remained so with varying local changes until the independence of Mexico was achieved in 1821.

The spirit of the community-property law, as it was recognized in Mexico, is fairly stated in a publication having a date as late as 1888, in which the Mexican commentator expresses himself thus [translation]:

"There being common to both consorts the hardships and sufferings which life brings with it and together equally dividing the sacrifices and efforts necessary to overcome them, it is just and natural that there be likewise common the profits which may come to the consorts, basing itself solely on this, without regard to the greater or less wealth which either of the consorts may bring to the marriage."

I will not attempt to burden you with the distinction that will be found in organic and statutory laws of the respective States of the Union, as, for instance, the law of Louisiana may differ from the law of California, each being community-property States, the former having both French and Spanish flavor; and in turn the law of Washington may differ from that of other States, but in essentials they take their spirit from the same source. My purpose in dealing primarily with the history of the law of community property is to emphasize to you and to your committee that the States in which community-property law exists acquired that law from the original sovereignty controlling the territory out of which these States were respectively formed, or from the civil law, as distinguished from the common law. For example, I respectfully draw your attention to the history of the law of the State of Texas, in which we find the rule of community property prevailing, because when Texas became independent from Mexico and came into the United States, that State retained her laws of community property while at the same time she adopted the common law in almost every other respect.

The Treaty of Guadalupe Hidalgo, closing the Mexican War, brought to the United States the territory now embraced within the States of New Mexico, Arizona, California, Idaho, and Nevada, in all of which territory and the States carved out of the same, the law of community property, as it had prevailed under the rule of Mexico, and as the same had been transmitted to Mexico by the parent country, Spain, was retained. In nearly every one of these States, when they became States, the common law was adopted, but notwithstanding the adoption of the common law, the wife's status in respect to matrimonial property was excluded and her rights in such property as they existed under the Spanish and Mexican domination, were recognized, retained, and protected. In this respect I would draw your attention to the decisions of the Supreme Court in the case of *Botiller* v. *Dominquez*, 130 U. S. 238; *La Tourette* v. *La Tourette*, 15 Arizona 200; and *Blum* v. *Wardell*, 270 Federal 309.

It might be at the hazard of your patience were I to go into the detail of the law applicable to the several States in which the community-property law exists. Suffice it to say that in Louisiana, by reason of its history, the territory first being under French dominance, later under Spanish, and still later under French dominance, we find the Code Napoleon, so styled, combined with the Spanish Codes and again modified by statutory provision when the State became a part of the Union. Nevertheless, we find the community-property law existent.

In Texas and California, the territory being originally a part of the territory of Mexico, we find the community system of Spain and Mexico carried to a great extent into the organic law and provisions for its operation made by statutory enactment. In the States of New Mexico, Arizona, and Nevada the community-property law exists almost in its purity, as it existed under the Mexican sovereignty.

A decision rendered by the Supreme Court of the State of California entitled "In re Moffitt's Estate" has been almost unanimously repudiated not only by the very court that rendered it but by other courts and commentators as well (the California courts were in complete disruption due to the catastrophe of fire and earthquake). There the court made the following startling announcement:

"That the interest of the wife in the community property during the lifetime of her husband is only an expectancy and that on his death she takes it as an heir."

This decision was repudiated by the courts of California in a later case of *Stewart* v. *Stewart* (249 Pac. 197). The act of the Legislature of California might also be construed as repudiation.

The Supreme Court of Nevada—the State I represent—refused to follow the Moffitt case when it rendered the decision in the matter of the Estate of Warren Williams, which decision is now the ruling case in that jurisdiction, and to which I hereafter refer.

The States of Florida, Missouri, Arkansas, Iowa, and Mississippi, in which either the Spanish community-property law or the French community-property law originally prevailed, have adopted the common law. Louisiana, however, retains to this day the spirit of the Spanish law modified by the Code Napoleon.

Nevada, like other Western States, retained the spirit of the Spanish law as the same prevailed when the territory was ceded to the United States, and we find in the Constitution of Nevada the provision:

"All property, both real and personal, of the wife, owned or claimed by her before marriage, and that acquired afterward by gift, devise, or descent, shall be her separate property; and laws shall be passed more clearly defining the rights of the wife in relation, as well to her separate property, as to that held in common with her husband. Laws shall also be passed providing for the registration of the wife's separate property."

The statutes of Nevada carry out the full spirit and intent of the organic law and the full spirit and intent of the law of community property, as the same existed in the territory embraced within the confines of the State when that territory was a part of the Mexican possessions.

As a member of the court of last resort of the State of Nevada, it was my privilege to make a special study of this subject and to write the opinion and decision of that court in the matter of the *Estate of Warren W. Williams, Deceased* (40 Nev. 241), and in the opinion the court dwelt at length with the subject of community property, its nature and existence. This opinion took into consideration the history of the law of community property and the constitutional and statutory provisions of the State, and there we took occasion to express:

"From all our statutory enactments bearing upon the subject of the relation of husband and wife, and especially from those

having to do with the acquisition, retention, and disposition of community property, we are unable to arrive at a conclusion that the constitution framers and the legislature, in establishing the community system and in promulgating the laws defining the rights of husband and wife as to property thus held, intended other than that the wife should have an interest in the property acquired by the joint efforts of the community, which interest, while it should remain in a sense indistinguishable during the existence of the community, was nevertheless a property interest of which she was, at all times, possessed."

And again we said:

"It may, we think, be asserted, supported by the great weight of authority, that the interest of the wife in the community property and her title thereto, is no less than that held by the husband, and is such a title in the wife as not to be regarded as a mere expectancy."

The Attorney General in response to the inquiry of the Department concluded as to all community property States, including Arizona, Louisiana, Washington, Idaho, New Mexico, and Nevada, that "The husband and wife domiciled therein, in rendering separate income-tax returns, may each report as gross income, one-half of the income which, under the laws of the respective States, becomes simultaneously with its receipt, community property." (Opinion of Attorney General, 32, p. 435.)

The Supreme Court of the United States has announced the rule that where the State decisions have interpreted State laws governing property or controlling relations that are essentially of a domestic and State nature, such decisions will be followed if possible (*Warburton* v. *White*, 176 U. S. 484).

It is scarcely necessary for me to draw your attention to the ruling of the Internal Revenue Department which is, as I understand it, in substance that the rule of separate returns by husband and wife as to community-property earnings, is to be applied as the law is construed by the courts of last resort of the respective community-property States.

In the case of *Poe* v. *Seabury* (282 U. S. 101), Mr. Justice Roberts speaking for the Supreme Court as to the right of the husband and wife to make separate returns under the community-property law of Washington said: "* * * it must suffice to say that it is clear the wife has in Washington a vested property right in the community property, equal with that of her husband, and in the income of the community including salaries or wages of either husband or wife, or both."

I trust that I will not have taxed your patience in this rather lengthy communication, but that by expressing myself as I have here, I may emphasize the fact that any attempt on the part of Congress to interfere with the present rule permitting husband and wife to make separate tax returns each reflecting one-half of the community income, will be resisted by everything within my power, and I know that in this I will be joined by the other community-property States.

If the community-property States of the Union see fit to extend to married women more definite and certain rights in the earnings and accumulations of the community effort, certainly it is not the part of justice and fair play that these States, while extending these rights to their citizens, shall be punished therefor, or compelled to abandon their laws, the policy of which is even older than the States themselves, nor that the Federal Government shall construe the law other than as the same has been construed by the courts of last resort of those respective States and by the Supreme Court of the United States.

In conclusion:

The law of community property came to the States as a part of the law of the land before they were States.

The law of community property was written into the organic law of the States, approved by Congress when the States were admitted into the Union.

The legislatures of the States enacted laws carrying out the spirit of the law as it had existed and as their constitutions pronounced.

The courts of the States have applied and construed the law of community property in keeping with the spirit of its fundamental principle.

The Supreme Court of the United States has recognized the fundamentals and laws of the States and has repronounced the doctrine as it was in the beginning.

Under the community-property law the husband and wife respectively have and hold each a vested right in and to one-half of the property acquired by community effort and the accretions thereof, including wages and salaries—this is a legal fact, not a fiction.

Under the community-property law and in community-property States the husband and the wife may each file returns reflecting as taxable income one-half of the whole income of the community established by their marital status.

Any attempt on the part of Congress to change this condition as crystallized into the laws of the respective States would be a discrimination and otherwise unconstitutional.

Thanking you for your courtesy in this matter, I am,

Sincerely yours,

PAT MCCARRAN.

NOTE.—The Supreme Court of the United States in the case of *Hoeper* v. *The Tax Commission* (284 U. S. 206), held in no uncertain terms that a tax based on an enforced joint return is illegal, arbitrary, and capricious. In this decision it will be noted that the Court, although dealing with the statute of the State of Wisconsin, did not hesitate to quote the case of *Knowlton* v. *Moore* (187 U. S. 41), which in turn dealt directly with a Federal statute.

Mr. ADAMS. Mr. President, a problem has arisen in connection with the interpretation of the revenue code as to deductions. It had been commonly understood that all the expenses of the taxpayer in connection with his business affairs were deductible. The language of the statute is that there may be deducted—

all the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business.

I can illustrate the question which has arisen by the case of a woman in my State who by reason of inheritance had come into possession of a certain amount of stocks and bonds. She was buying defense bonds and other Government bonds. She lacked the business ability to manage her financial affairs, and employed a secretary to look after these purchases for her, to keep her income-tax data, and to make the return. The Supreme Court of the United States has interpreted the clause which I read as denying the right of deduction in such cases. They have said that the only deduction which can be made is when the taxpayer is actually engaged in some business. That if the taxpayer is merely looking after his own business affairs he may not deduct expenses necessarily incurred in looking after his own business affairs. In other words, if the taxpayer is running a fruit stand or a grocery store and employs someone to keep his books, he may deduct that expense. On the other hand, if he is buying stocks and Government bonds for his own use the expenses of his secretary and accountant may not be deducted.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. ADAMS. I yield.

Mr. GEORGE. I presume the Senator is offering an amendment, or intends to offer an amendment.

Mr. ADAMS. I have the amendment on the desk and I wish to offer it.

Mr. GEORGE. The Senator wishes to offer an amendment to correct or at least to change the effect of the ruling in the Higgins and other similar cases?

Mr. ADAMS. Yes.

Mr. GEORGE. I do not think there is any doubt that the Treasury is agreed that some relief should be given in the situation described by the Senator from Colorado. The Finance Committee did not take up that matter and many other similar matters which might well have been corrected, because it is intended to bring into the House at a reasonably early date an administrative bill containing many administrative amendments and technical amendments to the various provisions of the revenue laws, at which time it is intended to cover exactly the situation which the Senator from Colorado has in mind.

Mr. ADAMS. Mr. President, would the Senator be willing for the Senate to agree to this amendment so that it may be further considered in conference?

Mr. GEORGE. I would be very happy to do so. I have not seen the amendment. But I wish to explain to the Senator that the House Committee on Ways and Means did not consider all what might be called technical amendments or administrative amendments, and very naturally the conferees on the part of the House will not be disposed to consider, or to consider favorably, amendments which Senators on the committee desired to offer for themselves or on behalf of many of their colleagues, and were dissuaded from doing so because of the certainty that the other bill to which I have referred would come before the Senate and give them an opportunity to present such amendments.

Mr. ADAMS. The Senator will recognize that, while in one sense this amendment is technical, it is in another sense of substantial importance to many taxpayers.

Mr. GEORGE. I have not had a chance to read the amendment. I understand what the Senator has in mind, and the Senator, as I understand, is compelled to leave the city on account of the death of Representative TAYLOR.

Mr. ADAMS. I am compelled to leave the city tonight for Colorado.

Mr. CONNALLY. Mr. President, the Sergeant at Arms has just advised me that the date has been changed, and Senators and Representatives will leave tomorrow night for Colorado.

Mr. GEORGE. If that is so, I wish the Senator from Colorado would permit his amendment to lie over, if that is agreeable to him.

Mr. ADAMS. Yes; and the amendment will be printed, so it will be available tomorrow.

Mr. GEORGE. I will discuss the matter with the Senator tomorrow.

Mr. CONNALLY. The Senator from Texas would like to say to the Senator from Colorado that the Senator from Texas brought this identical matter up in the Committee on Finance. It was agreed by the Treasury Department that the situation ought to be corrected, it was agreed to by the committee that it ought to be corrected, and it was in general agreement that the correction should be made. I have not read the Senator's amendment, but, as I understand, it is presented because of the ruling made by the Supreme Court in the Higgins case and two other cases which I cited to the committee. As the Senator from Georgia stated, it was unanimously agreed by everybody that this correction would be made when we took up the administrative bill. I am not against the amendment proposed by the Senator from Colorado. I insisted on it being included in the bill, but the committee voted me down.

Mr. ADAMS. Mr. President, the Senator agrees that if there is something which needs correcting, and something that should be done for the benefit of the taxpayers, we should do it.

Mr. CONNALLY. I was about to say how much more effective the Senator from Colorado probably will be with the whole Senate than the Senator from Texas was with the Finance Committee.

Mr. ADAMS. I wish that could be true.

Mr. CONNALLY. The Senator from Texas has had very poor success with the Finance Committee.

Mr. ADAMS. The Senator from Texas had some other matters which occupied him a good deal, I think.

Mr. BARKLEY. Mr. President, I desire to move to lay on the table the motion of the Senator from Illinois [Mr. LUCAS] to reconsider the vote by which the committee amendment on page 105, as amended by the amendment offered by the Senator from Nevada [Mr. BUNKER], was adopted.

Mr. CLARK of Missouri. Mr. President, I suggest the absence of a quorum.

Mr. BARKLEY. I do not suggest that that motion be acted upon, but that the motion be pending tomorrow. That motion is made.

The PRESIDING OFFICER (Mr. BUNKER in the chair). The question is on agreeing to the——

Mr. BARKLEY. No, no; I am not asking that the motion be agreed to now. I make the motion so that it will be the pending motion when we meet tomorrow.

The PRESIDING OFFICER. Without objection, action on the motion will be postponed until tomorrow.

CONFIRMATION OF POSTMASTER NOMINATIONS

Mr. BARKLEY. Mr. President, I ask unanimous consent that as in executive session, the nominations on the Executive Calendar be now considered.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will state the nominations on the calendar.

The legislative clerk proceeded to read the nominations of sundry postmasters.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

DEATH OF REPRESENTATIVE TAYLOR, OF COLORADO

The PRESIDING OFFICER laid before the Senate the following resolution (H. Res. 301) from the House of Representatives, which was read:

IN THE HOUSE OF REPRESENTATIVES,
September 4, 1941.

Resolved, That the House has heard with profound sorrow of the death of Hon. EDWARD T. TAYLOR, a Representative from the State of Colorado.

Resolved, That a committee of 25 Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provision of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. ADAMS. Mr. President, I send to the desk a resolution, which I ask to have read, and for which I ask present consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 160) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. EDWARD T. TAYLOR, late a Representative from the State of Colorado.

Resolved, That a committee of five Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Under the second resolving clause, the Presiding Officer appointed the Senators from Colorado [Mr. ADAMS and Mr. JOHNSON], the Senator from New Mexico [Mr. CHAVEZ] the Senator from Nevada [Mr. BUNKER], and the Senator from Utah [Mr. MURDOCK] the committee on the part of the Senate to join the committee on the part of the House to attend the funeral of the deceased Representative.

Mr. ADAMS. Mr. President, as a further mark of respect to the memory of the deceased Representative, I move that the Senate take a recess until 11 o'clock a. m. tomorrow.

The motion was unanimously agreed to; and (at 5 o'clock and 32 minutes p. m.) the Senate took a recess until tomorrow, Friday, September 5, 1941, at 11 o'clock a. m.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 4 (legislative day of September 2), 1941:

POSTMASTERS

INDIANA

Albert L. Dobbs, Greencastle.
Effie M. Pugh, Upland.

OHIO

Helen E. Doubrava, Twinsburg.

WEST VIRGINIA

Harold E. Starcher, Ripley.

HOUSE OF REPRESENTATIVES

THURSDAY, SEPTEMBER 4, 1941

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, Mr. WOODRUM of Virginia.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Heavenly Father, hide the gloom of the present through the gladness of Thy promise. "I will go with Thee all the way." A most distinguished servant of our country and a brother beloved has left us. He has woven by the light of many long and laborious years the fadeless garment of a most honorable service and has entered the Sabbath of rest. We praise Thee that Thou hast a palm for peace in sorrow, a wreath for the withered hand, and a mansion for music in the darkness. Weeping may endure for a night, but joy cometh in the morning. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Monday, September 1, 1941, was read and approved.

EXTENSION OF REMARKS

Mr. JACOBSEN. Mr. Speaker, I have two unanimous-consent requests to submit: First, that the gentleman from West Virginia [Mr. RANDOLPH] may extend his own remarks in the RECORD and include therein a certain editorial, and, second, that I may extend my own remarks in the RECORD and include therein an article from World's Work of January 1932, commenting on Artemus L. Gates, who has just recently been appointed and confirmed as Assistant Secretary of the Navy for Aeronautics.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Michigan [Mr. HOFFMAN] may extend his own remarks in the RECORD and include therein an editorial from the Chicago Tribune.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I also ask unanimous consent that the gentleman from New York [Mr. FISH] may be permitted to extend his own remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter from a constituent.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I also ask unanimous consent to extend my own remarks in the RECORD and to include as part of those remarks an article by Arthur Krock in the New York Times.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MASON. Mr. Speaker, I have several unanimous-consent requests to submit: First, that my colleague the gentleman from Illinois [Mr. DIRKSEN] may have permission to extend his own remarks in the RECORD; second, that my colleague the gentleman from Illinois [Mr. DAY] may extend his own remarks in the RECORD; third, that the gentleman from Pennsylvania [Mr. VAN ZANDT] may be permitted to extend his own remarks in the RECORD on two subjects.

The SPEAKER pro tempore. Without objection, the requests will be granted.

There was no objection.

(Mr. VREELAND and Mr. LAMBERTSON were given permission to extend their own remarks in the RECORD.)

Mr. COCHRAN. Mr. Speaker, I have three unanimous-consent requests to submit: First, that the gentleman from Texas [Mr. MANSFIELD] may extend his own remarks in the RECORD; second, that the gentleman from Michigan [Mr. DINGELL] may extend his remarks in the RECORD and include therein a radio address; and, third, that the gentleman from Massachusetts [Mr. MCCORMACK] may extend his remarks in the RECORD and include therein a speech delivered by the Honorable Paul McNutt.

The SPEAKER pro tempore. Without objection, the request will be granted.

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio speech I made over a National Broadcasting hook-up on August 27, last.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I also ask unanimous consent to extend my own remarks in the RECORD on Generoso Pope, and to include therein two editorials, one from some fascistic paper attacking him for the patriotic stand he has taken in his paper, and the other from the New York Times of August 14 praising him.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

THE LATE EDWARD T. TAYLOR

Mr. COCHRAN. Mr. Speaker, it is a sad duty for me to announce to the House the death of our distinguished colleague, the Honorable EDWARD T. TAYLOR, of Colorado, my close personal friend for nearly 30 years.

Few men have a record of public service parallel with that of the gentleman from Colorado. For more than 56 years he has served his State and Nation in various public capacities. Of this period, his service in the Congress covered nearly 34 years, made up of 17 consecutive terms. He is the only Member ever to serve such a continuous period in Congress after passing his fiftieth birthday.

The gentleman from Colorado was a truly rugged American, typifying the experience and the character of the great West which sent him to these Halls. All of his mature life was spent in problems of the American public, State and Nation, to improve and protect our ways of democratic life.

His forward look was undimmed by the passage of the years. At the ripe age of 83 he had a youthful spirit and the broad outlook that would do credit to many a younger man. He believed firmly in a strong national defense and in the solidarity of our institutions. In these trying days we can ill afford to lose men of his caliber and his philosophy. He was truly one of the bulwarks of the Republic—a tower of strength and fortitude, who gave courage to all with whom he came in contact.

As you will recall, the House recently celebrated his eighty-third birthday with appropriate ceremonies. I wish every Member would read his remarks on that occasion. They are refreshing and inspiring. He recently compiled and there has been printed a history of the Committee on Appropriations, of which he was a member for 21 years, and over which he has presided as chairman for more than 4 years. To have been associated with him as a Member of this House is an honor which I am sure all of us who knew him will appreciate, and I know we will carry his memory with us in the years to come. Truly, he was an inspiration and a guide to many of us who have the ambition to follow in his footsteps in rendering service to his country and his party.

Prior to his entrance in the House he had served as county superintendent of schools in his home county, district attorney of northwestern Colorado, and State senator. He was the author of the basic water-right laws relating to the use of water for irrigation in the West, and his work in this field is still regarded as the basic principle upon which water rights are determined. Many other laws which bear his name were his thoughts, and time showed the wisdom of his efforts. He was the father of legislation that helped to develop the West. He has held virtually every post of the House of Representatives which was within the power of his party to bestow upon him.

Only a few days ago he decided that it was his duty to return to his district and visit his constituents. As you know now, this additional duty, which his conscience forced upon him, was too much, and he passed away in Denver last night before he had crossed the Continental Divide and reached his home in Glenwood Springs. His death came suddenly and in the active service of his people, as he would have wanted it to come.

We will all miss him, but we all know that he has passed on to that rich reward which he so justly deserved.

In the death of Mr. TAYLOR, not only his congressional district and State have lost an outstanding representative but the Nation as a whole is deprived of the counsel and wisdom of a most brilliant statesman.

Mr. LUDLOW assumed the chair as Speaker pro tempore.

Mr. COCHRAN. Mr. Speaker, I yield to the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM of Virginia. Mr. Speaker, our hearts were greatly saddened this morning when he received the news of the sudden passing of Mr. TAYLOR on his way back to his beloved home in Colorado, in the great West, which has so many times honored him and which in so many varied capacities he has served with credit and distinction.

Elected to this body 17 consecutive times, for aggregate terms of 34 years, he never had opposition within his own party. He was for 21 years a Member, 4 of which he served as chairman of the great Appropriations Committee, of which I have the honor to be a member, having served with him on that committee for the past 12 years. Mr. TAYLOR, in my judgment, was one of the most remarkable and one of the most colorful characters that has served in the House of Representatives during the 20 years I have been a Member.

He had a broad interest in everything that affected his country. Particularly, however, was he interested in the great problems of the West, which he understood, perhaps, as few men understood them, and for which he labored so splendidly and so effectively. During the critical times through which we have been passing in recent years, I know by close association that world events as they might affect our own country lay very heavily upon his heart. He felt very keenly and very vitally that America should with speed and dispatch arm for her own protection. Therefore during these past very hectic months, when our committee, and particularly the subcommittee of which he was chairman, the Deficiency Subcommittee, was called upon to have long and protracted hearings on defense matters, in spite of advancing years and in spite of some infirmity of health, Mr. TAYLOR was a regular attendant, active physically and alert mentally, as his participation in the hearings will disclose. Keenly interested in everything that was happening, we will miss him in this House, and he will be particularly missed in the Appropriations Committee. He assumed the chairmanship of that committee at the ripe age of 79, but he brought to the task a physical vigor and an understanding and a broad comprehensive knowledge and a legislative experience which have meant a great deal to the committee and which have

meant very much, indeed, to those of us who were privileged to serve close to him. We shall miss his wise counsel and his seasoned judgment; but in passing away he has left a heritage to this House which should be an inspiration to those of us who follow.

During all of these years when he has labored under a physical handicap, I am sure it has been the experience of every Member who has been in contact with him that he has never heard EDWARD T. TAYLOR once complain or give outward evidence of the fact that he carried a very heavy load. What an inspiration and what a lesson to the rest of us:

Were a star quenched on high,
For ever would its light,
Still traveling downward through the sky,
Fall on our mortal sight.

So when a good man dies,
For years beyond his ken,
The light he leaves behind him
Falls across the paths of men.

Mr. COCHRAN. Mr. Speaker, I yield to the gentleman from Michigan [Mr. WOODRUFF].

Mr. WOODRUFF of Michigan. Mr. Speaker, I concur in the sentiments expressed by the gentleman from Missouri [Mr. COCHRAN] and the gentleman from Virginia [Mr. WOODRUM].

Mr. Speaker, when I first came to the House of Representatives I was one of its younger Members. That was a long time ago, Mr. Speaker, and the death of our honored colleague from Colorado and the grief I feel is unusually poignant with me, sir. In those days, nearly 30 years ago, ED. TAYLOR already had become one of the outstanding Members of this body. The thing for which I remember him, the thing which inspired in me a feeling of gratitude and affection, the thing which stands out in my mind, as it could not possibly stand out in the minds of the older Members of that time, is the fact that he took an unusual interest in the welfare and careers of the newer Members of the House, the younger Members of this body. Although belonging to another party, I was privileged to know Mr. TAYLOR in a way that only the younger Members of the House could know him. I was privileged to have his advice, his counsel, and his friendship, which has continued through the years. I shall treasure those memories always. Mr. Speaker.

Mr. COCHRAN. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. SNYDER].

Mr. SNYDER. Mr. Speaker, someone has well said that in life we come upon the stage and play our part and then we pass on. The part that some of us play is a short part and it does not take us long to play it, while the part that some others play is an important part, and they are privileged a longer space of time in which to play such important part. The latter was the privilege of our friend and colleague the gentleman from Colorado, the Honorable EDWARD T. TAYLOR, who passed away a few hours ago.

For 7 years I have been privileged to sit in the Appropriations Committee with this outstanding citizen, statesman, and leader. First a fellow member, then the ranking member, and later on, for 4 years he was chairman of the committee. As chairman of the Subcommittee on Army Appropriations for the last 7 years, I always went to the gentleman from Colorado [Mr. TAYLOR] for guidance and help and suggestions because I had supreme confidence in him. As a member of the Deficiency Subcommittee on Appropriations, in the last 18 months we have been sitting for hours and hours and days and days in hearings and conferences, and it was an inspiration to all of us to know that here was one of God's chosen heroes, more than 80 years of age, who was always in his chair working for the best interests of his country. I am sure we will all miss him and especially those of us who served in different capacities on the Appropriations Committee with him.

While he was always liberal, yet he always wanted to see that the dollars spent were spent in the proper channels.

I know the lesson he leaves with us will be a guide and inspiration for us to follow in the years to come.

Mr. WOODRUM of Virginia resumed the chair as Speaker pro tempore.

Mr. COCHRAN. Mr. Speaker, I yield to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Speaker, it was my privilege to become acquainted with our distinguished colleague, Hon. EDWARD T. TAYLOR, almost immediately after I came to Congress, over 23 years ago. We lived at the same hotel. His children and my children grew up together and attended school together. Later on I occupied offices adjoining his in the House Office Building. I often turned to him for advice and counsel, although he did belong to a different party.

Strange to say, and as a coincidence, Mr. and Mrs. Taylor's apartment adjoined ours in the same hotel for the last few years. We had a perfect understanding that if they needed our assistance at any time during the night they were to rap on the wall. We were called in one evening when Mr. TAYLOR was very ill and had to go to the hospital. So our relationships were very intimate, very close. I am deeply grieved over his passing.

In Athens, more than 2,000 years ago, history tells us that the men who worked molding and shaping and chiseling the marble blocks that went into the Parthenon, the most beautiful structure in the world, were so blinded by the dust from their own chisels that they never saw even in dim outline the beauty and perfection of the structure upon which they had labored. We are still building a great republic, a great structure of freedom. More than 10,000 toilers have contributed their part to the building of this beautiful structure we call our Republic. For more than 34 years Hon. EDWARD T. TAYLOR has been one of the laborers, molding and perfecting and shaping the blocks that have gone into this great citadel of freedom. He could not live to see the result of his work. Not a man on this floor, nor will generations hence, see the beauty and perfection of their work, for we hope and pray that this Republic will still keep growing greater and better and more beautiful.

I found some words that perhaps will be appropriate at this time as applied to our departed colleague:

How do men in public life attain to public influence?
By rank?
By wealth?
By office?
By talents?
By eloquence?
By ability?
By integrity of character?

Character is the invulnerable armor which will withstand every assault and march triumphant to the highest positions of honor and trust within the gift of a grateful people.

Character was a great attribute of our departed colleague. His life should be an inspiration to us all.

The grave cannot enclose and death cannot disintegrate that immortal substance we call character.

Mr. COCHRAN. Mr. Speaker, I yield to the gentleman from Indiana [Mr. LUDLOW].

Mr. LUDLOW. Mr. Speaker, like all of the rest of us I am shocked and stunned by the sudden death of the beloved chairman of our Committee on Appropriations. I am sure I reflect the general impression of all who knew him when I say that he was one of God's noblemen. He was the personification of sincerity and truth. He did not know the meaning of the word "dissimulation." He did not know the meaning of the word "fear." His character was as rugged as the mighty mountains of his chosen State. Sitting by his side day by day in the sessions of our committee and noting how anxious he always was to do right and how inflexible he was in his opposition to deceit and wrong, I have often thought how faithfully he exemplified the philosophy of the prophet Micah, who said:

What doth the Lord require of thee but to do justly and to love mercy and to walk humbly with thy God?

So many beautiful and deserving things have been said by other speakers about Mr. TAYLOR here today that I feel there is not much I can add, but I should like to read a few extracts from a letter which Mr. TAYLOR sent to me only a few days ago. Mr. TAYLOR's covering letter is dated August 27, and the letter which he wanted me to read came from an old comrade of his in the Colorado State Senate, who is and has been for many years one of the Republican leaders of the State of Colorado.

In that letter this gentleman, Mr. Ralph W. Smith, of Denver, said to Mr. TAYLOR, under date of August 25:

Your political career, beginning in 1884, is probably unequaled in American history. I want you to know that the best people in this State, the most intelligent, and the most patriotic, high and low, feel that you have always been one of the great statesmen, and you have advanced the interests of the people in this State very much more than anyone who has ever represented it in any official position.

Saturday evening I had the pleasure of reading the proceedings in the House of Representatives on the occasion of your eighty-third birthday, and on Sunday I read the History of the Committee on Appropriations, which was edited and prepared by you.

The tributes of esteem and confidence in you as testified by the speakers should ever live in your memory as not only representing their views and the views of the members of the Appropriations Committee but also those that have been in the House of Representatives, and also those whom you so well and assiduously represented, not only the people in your congressional district but in this State. I remember when I voted for you the first time you were a candidate for Congress in 1908. I wish I had known in advance that Mr. LUDLOW was to speak in reference to the 17 times that you were nominated for Congress without the slightest opposition in your own party and also elected 17 consecutive times practically without opposition. During that period the two offices of the United States Senators were held for many years by Republicans. The congressional delegation of this State outside of your own district was Republican for many years. Every elected official in the statehouse was Republican for many years, and 40 of the counties out of 64 were Republican for many years. I am sure that under such circumstances no statesman in the United States has been thus so honored as were you by the people of this State in appreciation of the wonderful services which you rendered them during all of that period. I have always recognized you and Elihu Root as the two great statesmen of the recent era.

I am enclosing a copy of this letter so that if you desire you can hand the same to Mr. LUDLOW, as I, a Republican friend of yours during the last 35 years, want him to know that the Republicans voted with patriotic confidence and respect and with as much pleasure as your Democratic friends and constituents would have in electing you in all of those elections he referred to.

And I think, friends of the House of Representatives, this is a very beautiful tribute coming from a man who was a political foe, yet at the same time a warm personal friend, but that was typical of Mr. TAYLOR; everybody who knew him respected him and loved him.

When Mr. TAYLOR left here last Friday his spirits were buoyant, and his hopes were high. He was looking forward with eager anticipation to the homecoming that awaited him among neighbors and friends in Colorado. He was ill when the last election occurred, and he had not been home for 3 years. He remarked that he was going to make the trip leisurely and in stages, so that the effects of the high altitude of the Great Divide would be neutralized by a gradual approach. It was while he was in Denver on the home journey to Glenwood Springs that the fatal attack came upon him, and he crossed the greatest of all divides before he reached the Great American Divide. Our recollection of the cheery, enthusiastic frame of mind in which he left us never to return is a reminder of the couplet written by the immortal Hoosier poet, James Whitcomb Riley, on a similar occasion:

I cannot say, and I will not say
That he is dead—he is just away.
With a cheery smile and a wave of the hand
He has wandered into an unknown land.

May we not dare to hope that when we reach the borders of the unknown land we will find this great and kind soul waiting there to greet us with the warmth of an affection that can never die?

Mr. COCHRAN. Mr. Speaker, I yield to the gentleman from Arizona [Mr. MURDOCK].

The SPEAKER pro tempore (Mr. WOODRUM of Virginia). The gentleman from Arizona [Mr. MURDOCK] is recognized.

Mr. MURDOCK. Mr. Speaker, the passing of our colleague the distinguished chairman of the Appropriations Committee, is a loss to the entire Nation. How great that loss is has been voiced by those who preceded me and must be further and more adequately voiced by those who have better knowledge and appreciation of his significance to this lawmaking body and better means of expression than have I.

Coming as I do from the intermountain country, from the State of Arizona, in that highland portion of the West which was the home of our beloved colleague, I feel I would be remiss if I did not avail myself of this opportunity to say how much he meant to us. I look upon the State of Colorado as the roof garden of America, with some of the highest peaks of the Rockies, the highest general plateau and elevations, where the precipitations of rain and snow annually fall and from which flow the rivers that water the lowlands, especially in my portion of the Southwest, and make the golden desert—that was Chairman TAYLOR'S home. Very often our material wealth has its source in the highlands, and frequently, as in this case, our leadership and statesmanship come from them.

Of all the multitude of activities in his legislative career of more than half a century, it was his interest in and development of the new water law which now prevails in the West wherein he wrought his greatest benefit to the intermountain region. I refer to the new law of prior appropriation or beneficial use which is rather new to us Anglo-Americans. I myself was born east of the Rocky Mountains. When I went as an adopted son to Arizona, I found how the pioneers in the opening of the arid and semiarid regions had gradually discarded certain legal principles they had learned in law schools and practiced at home in the East—principles of water law such as riparian rights—and had adopted new principles suited to that arid region: The law of prior appropriation and beneficial use. I saw that in my part of the country such great jurists as Judge Kibbey, Judge Sloan, Judge Kent, men as young lawyers graduated from eastern law schools, possessed the good common sense to sanction and encourage in the practice and usage of the pioneers novel and appropriate water-law principles before they were written into constitutions and statutes. This is the kind of pioneering legal work which ED. TAYLOR has been doing in Colorado and for the whole West for more than 50 years.

I at one time had the narrow idea that this new water law had been developed chiefly in my particular part of the Southwest, for the Territory of Arizona certainly did play its part. Later at the University of California, at Berkeley, I learned that the lawyers throughout this country called this new law the Colorado law; and later I found that Chairman ED. TAYLOR, who died today in his eighty-fourth year, had begun writing water law for the arid West before I was born.

Very frequently I bring my former students visiting Washington to the rooms of the Committee on Appropriations, just across the corridor from this Chamber, and invariably I get consent to take my visitors into the chairman's office. There I point out to them the painting of Chairman ED. TAYLOR, one of three on his office walls, and I am in fairness anxious to correct any overemphasis I may have placed in my former teachings in Arizona as to the part that Arizona played in the development of this new beneficial law. Thus I say to my students: "There is the man who more than any other one man is responsible for the development of the water law which prevails throughout the Intermountain States."

Time will not permit me to go into this fully. Andrew Fletcher once said: "I care not who writes the Nation's laws if I may write its songs." This may be a fair statement when it comes to significant control and direction given to the spiritual or intellectual growth of a people, but when it comes to the material growth and prosperity of a people in an arid or semiarid region, one might well say: "I care not who writes all the other laws of this people so long as I may write their water laws."

Our friend and colleague was probably familiar with Holy Writ. He no doubt had read the words of Isaiah wherein it is said: "The wilderness and the solitary place shall be glad for them; and the desert shall rejoice and blossom as the rose." In any event, the work of Congressman ED. TAYLOR long before he came to this body, when he was an attorney in northwestern Colorado, helped greatly to shape the new and beneficial law that has made the desert blossom and the prophecy of Isaiah to come true in our West.

Mr. COCHRAN. Mr. Speaker, I yield to the gentleman from New York [Mr. DICKSTEIN].

Mr. DICKSTEIN. Mr. Speaker, there is very little I can add to the fine tribute that has been paid to our departed colleague, ED TAYLOR, as a citizen, as a statesman, and as a Member of this great body.

I have served in the House for 10 terms. I became acquainted with our departed colleague when I first came here and I was impressed from the beginning by ED TAYLOR as being an outstanding American, a man of fine traditions, a kindly person and one who could be put in the category of a great humanitarian. During the many years I have appeared on the floor with legislation dealing with humane problems, I have always had his support and his cooperation, and his kind words, as often expressed to me, "Carry on." The State of Colorado has lost a great citizen and we have lost a much beloved colleague.

Mr. COCHRAN. Mr. Speaker, I present a resolution (H. Res. 301) and ask for its adoption.

The Clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. EDWARD T. TAYLOR, a Representative from the State of Colorado.

Resolved, That a committee of 25 Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provision of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to, and the Chair appointed the following Members to serve on the funeral committee: Messrs. SABATH, DOUGHTON, TREADWAY, LEA, WOODRUFF of Michigan, CANNON of Missouri, TABER, WOODRUM of Virginia, JOHNSON of Oklahoma, TARVER, WIGGLESWORTH, LAMBERTSON, LUDLOW, RICH, DITTER, DIRKSEN, JOHNSON of West Virginia, LEWIS, POWERS, SCRUGHAM, SNYDER, O'NEAL, LEAVY, CHENOWETH, and HILL of Colorado.

The SPEAKER pro tempore. The Clerk will report the remainder of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to.

Accordingly, at 12 o'clock and 40 minutes p. m., the House adjourned until Monday, September 8, 1941, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

882. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 20, 1941, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of Canaveral Harbor, Fla., authorized by the River and Harbor Act approved August 26, 1937 (H. Doc. No. 367); to the Committee on Rivers and Harbors and ordered to be printed, with two illustrations.

883. A letter from the Acting Secretary of War, transmitting a draft of bill which will place under the jurisdiction of the Chief of Engineers of the Army all construction and maintenance work of the Army, including construction work now under the jurisdiction of the Quartermaster General; to the Committee on Military Affairs.

884. A letter from the Archivist of the United States, transmitting report of the Archivist of the United States on a list of papers relative to the Treasury Department; to the Committee on the Disposition of Executive Papers.

885. A letter from the past adjutant general of the Grand Army of the Republic, transmitting the annual report of proceedings of the Seventy-fourth National Encampment of the Grand Army of the Republic held at Springfield, Ill., September 8–13, 1940 (H. Doc. No. 35) to the Committee on Military Affairs and ordered to be printed, with illustrations.

886. A communication from the President of the United States, transmitting a proposed provision making available $1,500,000 to the Secretary of Agriculture from funds appropriated by the Interior Department Appropriation Act, 1942, under the heading "Water conservation and utility projects" (H. Doc. No. 368); to the Committee on Appropriations and ordered to be printed.

887. A letter from the Chairman of the Reconstruction Finance Corporation, transmitting a report of activities and expenditures of the Reconstruction Finance Corporation for the month of June 1941 (H. Doc. No. 369); to the Committee on Banking and Currency and ordered to be printed.

888. A letter from the Acting Secretary of Agriculture, transmitting a draft of a proposed bill for the relief of Joseph Simon and R. D. Lewis; to the Committee on Claims.

889. A letter from the Acting Secretary of the Interior, transmitting copies of legislation passed by the Municipal Council of St. Croix; to the Committee on Insular Affairs.

890. A letter from the Acting Secretary of the Interior, transmitting copies of legislation passed by the Municipal Council of St. Thomas and St. John; to the Committee on Insular Affairs.

891. A letter from the Engineer Commissioner of the District of Columbia, transmitting the Twenty-eighth Annual Report of the Public Utilities Commission of the District of Columbia; to the Committee on the District of Columbia.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. KING:

H. R. 5626. A bill providing for the issuance of a Sailor's Medal; to the Committee on Naval Affairs.

By Mr. BURDICK:

H. J. Res. 232. Joint resolution authorizing the erection of a statue of Leif Erickson in the District of Columbia; to the Committee on the Library.

By Mr. PADDOCK:

H. Res. 302. Resolution requesting certain information of the Secretary of the Navy relating to the desirability of an additional naval academy; to the Committee on Naval Affairs

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PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FLANNERY:

H. R. 5627. A bill for the relief of Mrs. Ray Roth; to the Committee on Immigration and Naturalization.

By Mr. SPARKMAN:

H. R. 5628. A bill for the relief of Louis and Estelle Thomas; to the Committee on Claims.

By Mr. VREELAND:

H. R. 5629 (by request). A bill for the relief of Peter J. Sweeney; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1801. By Mr. KING: Petition of sundry residents of the island of Oahu, T. H., protesting against the enactment of House bill 3852 and Senate bill 983, to authorize the District of Columbia Board of Barber Examiners to establish opening and closing hours, and a day on which barber shops shall remain closed after an investigation as to the preference of a majority of the licensed barbers; to the Committee on the District of Columbia.

1802. Also, petition of sundry residents of the island of Oahu, T. H., protesting against the enactment of House bill 3852 and Senate bill 983, to authorize the District of Columbia Board of Barber Examiners to establish opening and closing hours, and a day on which barber shops shall remain closed after an investigation as to the preference of a majority of the licensed barbers; to the Committee on the District of Columbia.

1803. By the SPEAKER: Petition of the National Association of Railroad and Utilities Commissioners, Washington, D. C., petitioning consideration of their resolution with reference to reductions in telephone rates on telephone messages originating in training centers; to the Committee on Military Affairs.

1804. Also, petition of the International Longshoremen's and Warehousemen's Union, San Pedro, Calif., petitioning consideration of their resolution with reference to price-fixing legislation; to the Committee on Banking and Currency.

1805. Also, petition of the Lakewood General Welfare Center, Lakewood, N. J., petitioning consideration of their resolution with reference to the Federal Social Security Act; to the Committee on Ways and Means.

1806. Also, petition of the Iowa-Nebraska States Industrial Union Council, Des Moines, Iowa, petitioning consideration of their resolution with reference to an appointment to the National Labor Relations Board; to the Committee on Labor.

SENATE

FRIDAY, SEPTEMBER 5, 1941

(Legislative day of Tuesday, September 2, 1941)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The Reverend Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

Almighty God and Heavenly Father, who hast created man for companionship with Thee, calling us Thy children, that we might walk without fear with Thee: Help us, we beseech Thee, to know Thee as the true home of our spirits, and, through daily fellowship with Thee, to come so to trust and love Thee as our Father that our lives may grow in power and fruitfulness, and every duty to which Thou dost lead us may seem sublime.

By the might of Thy Spirit, O Lord, lift up our souls to Thy presence, and, though we be tied and bound by the limitations of our mortal flesh, inspire us with such devotion to Thy service, we beseech Thee, that we may fulfill our heavenly calling in the doing of earthly things in a heavenly manner. We ask it in the Name of Him who didst glorify the commonplace until it glowed with His radiance, Thy Son, Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Thursday, September 4, 1941, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Bilbo	Butler
Aiken	Brewster	Byrd
Andrews	Bridges	Capper
Austin	Brooks	Caraway
Bailey	Brown	Clark, Idaho
Bankhead	Bulow	Clark, Mo.
Barbour	Bunker	Connally
Barkley	Burton	Danaher

Davis	La Follette	Russell
Downey	Langer	Schwartz
Eastland	Lee	Smathers
Ellender	Lodge	Smith
George	Lucas	Spencer
Gerry	McCarran	Taft
Gillette	McFarland	Thomas, Idaho
Green	McNary	Thomas, Utah
Guffey	Maloney	Tobey
Hatch	Murray	Truman
Hayden	Nye	Tunnell
Herring	O'Daniel	Tydings
Hill	O'Mahoney	Vandenberg
Holman	Overton	Van Nuys
Hughes	Peace	Wallgren
Johnson, Colo.	Radcliffe	Walsh
Kilgore	Rosier	Wiley

Mr. HILL. I announce that the Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. GLASS], the Senator from North Carolina [Mr. REYNOLDS], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Kentucky [Mr. CHANDLER] is absent on a defense-inspection tour.

The Senator from New Mexico [Mr. CHAVEZ], the Senators from Tennessee [Mr. MCKELLAR and Mr. STEWART], the Senator from Utah [Mr. MURDOCK], the Senator from Florida [Mr. PEPPER], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

The Senator from New York [Mr. MEAD] is engaged in holding hearings on behalf of the Committee to Investigate the National Defense Program.

Mr. AUSTIN. The Senator from Minnesota [Mr. BALL], the Senator from South Dakota [Mr. GURNEY], the Senator from Kansas [Mr. REED], and the Senator from Minnesota [Mr. SHIPSTEAD] are necessarily absent.

The Senator from Indiana [Mr. WILLIS] is absent because of an injury.

The VICE PRESIDENT. Seventy-five Senators have answered to their names. A quorum is present.

PETITIONS

Petitions were presented and referred as indicated:

By Mr. CAPPER:

Petitions, numerously signed, of sundry citizens of Eureka, Randall, and Topeka, all in the State of Kansas, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

REPORT OF A COMMITTEE

The following report of the Committee on Agriculture and Forestry was submitted:

By Mr. BULOW:

S. Res. 159. Resolution authorizing an investigation concerning the improvement and development of navigation, irrigation, and control of floods on the Missouri River and its tributaries (submitted by Mr. BULOW on the fourth instant), without amendment, and, under the rule, referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HATCH:

S. 1896. A bill to require the filing of annual statements by persons making income-tax returns, and by certain other organizations, showing the amounts of political contributions and expenditures made by them; to the Committee on Privileges and Elections.

By Mr. McCARRAN:

S. 1897. A bill providing for the abolition of the office of coroner and for the organization of the office of medical examiner for the District of Columbia; to the Committee on the District of Columbia.

INVESTIGATION RELATIVE TO WAR PROPAGANDA BY MOTION-PICTURE AND RADIO INDUSTRIES—AMENDMENT

Mr. NYE (for himself and Mr. CLARK of Missouri) submitted an amendment intended to be proposed by them to the resolution (S. Res. 152) authorizing an investigation of propaganda disseminated by the motion-picture and radio industries tending to influence participation of the United States in the present European war, which was referred to the Committee on Interstate Commerce and ordered to be printed.

STRATEGIC AND CRITICAL MATERIALS

Mr. THOMAS of Utah submitted the following resolution (S. Res. 161), which was referred to the Committee on Military Affairs:

Whereas it is the policy of the National Government to increase the stocks of strategic and critical materials with a view to preventing the dependence of the United States upon foreign nations for supplies of such materials in times of national emergency: Therefore be it

Resolved, That it is the sense of the Senate that the Secretary of State, the Secretary of the Treasury, and the Secretary of Commerce should make every effort to utilize to the fullest practicable extent any powers that they now possess for the purpose of acquiring, by purchase, exchange, or otherwise, stocks of materials determined to be strategic and critical materials in accordance with the act of June 7, 1939, and that the Secretary of the Treasury should determine the extent to which any such materials may be acquired in payment of the existing indebtedness of foreign governments to the Government of the United States, and the extent to which legislation may be required for the purpose of facilitating any such acquisition and the reduction of such indebtedness by means of such acquisitions.

ADDRESS BY SENATOR CAPPER ON FINANCING OUR DEFENSE PROGRAM

[Mr. DAVIS asked and obtained leave to have printed in the RECORD a radio address on the subject of Financing Our Defense Program, delivered by Senator CAPPER on August 16, 1941, which appears in the Appendix.]

ADDRESS BY SENATOR HERRING ON THE CRADLE OF LIBERTY AND ARSENAL OF DEMOCRACY

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an address delivered by Senator HERRING before the League of Iowa Municipalities at Waterloo, Iowa, on August 20, 1941, which appears in the Appendix.]

UNITED STATES ENTRY INTO THE WAR—ADDRESS BY L. B. ALEXANDER

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an address by L. B. Alexander, president of the Kentucky State Bar Association, delivered in Los Angeles, printed in the Los Angeles Daily Journal of August 18, 1941, which appears in the Appendix.]

TRIBUTE TO THE LATE REPRESENTATIVE EDWARD T. TAYLOR

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD a tribute to the late Representative EDWARD T. TAYLOR, of Colorado written by Horace C. Carlisle, which appears in the Appendix.]

REVENUE ACT OF 1941

The Senate resumed the consideration of the bill (H. R. 5417) to provide revenue, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Kentucky [Mr. BARKLEY] to lay on the table the motion of the Senator from Illinois [Mr. LUCAS] to reconsider the vote whereby the Senate agreed to the committee amendment, as amended, on page 105, lines 1 to 10, inclusive, relating to the tax on coin-operated amusement and gaming devices. The motion is not debatable.

The motion to lay on the table was agreed to.

Mr. DOWNEY obtained the floor.

Mr. TAFT. Mr. President, will the Senator from California yield to me to offer an amendment?

Mr. DOWNEY. I yield.

Mr. TAFT. Mr. President, I ask unanimous consent to offer an amendment about which I think there will be no controversy. I have discussed it with the chairman of the Committee on Finance, and shall explain it very briefly. I ask unanimous consent to have it acted on now because of the fact that I have to leave the city within a short time. Otherwise, I will not have opportunity to present the amendment.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Senator may offer the amendment.

Mr. TAFT. The amendment which I send to the desk is designed to correct a mistake in the inheritance-tax law. The inheritance-tax law as it is now framed provides that no estate shall be taxed twice within 5 years. For instance, if a man dies and leaves his estate to his wife, and then she dies within 5 years, there are not two taxes imposed, only one is imposed. But due to a mistake in the last revenue act, that provision did not apply to an estate under $100,000.

This matter could be left to be handled in the administrative bill, but, of course, people affected by the provision are dying all the time, so that naturally it is not advisable to wait longer. Any other amendment will apply to the year 1941, but, of course, a mistake of this kind should be corrected just as soon as possible.

The amendment was drafted by the Treasury Department, and that Department is agreeable to it, and says that by all means the amendment should be made. I have conferred with the chairman of the Committee on Finance, and I think the amendment is in proper form, having been actually prepared by

the Treasury Department, to be taken to conference. I offer the amendment.

The VICE PRESIDENT. The clerk will state the amendment for the information of the Senate.

The LEGISLATIVE CLERK. On page 54, after line 8, it is proposed to insert the following new section:

SEC. 402. Deduction on account of property previously taxed.

(a) Amendments to Internal Revenue Code. The Internal Revenue Code is amended as follows:

(1) Second sentence of section 812 (c), Internal Revenue Code, following "estate tax imposed under this," strike out "subchapter, the Revenue Act of 1926 (44 Stat. 69)" and insert in lieu thereof "chapter."

(2) Second sentence of section 861 (a) (2), Internal Revenue Code, following "estate tax imposed under this," strike out "subchapter, the Revenue Act of 1926 (44 Stat. 69)" and insert in lieu thereof "chapter."

(b) Amendments to Revenue Act of 1926. The Revenue Act of 1926 is amended as follows:

(1) Second sentence of section 303 (a) (2) Revenue Act of 1926, as amended, following "estate tax imposed under," strike out "this" and insert in lieu thereof "the Revenue Act of 1932."

(2) Second sentence of section 303 (b (2), Revenue Act of 1926, as amended, following "estate tax imposed under," strike out "this" and insert in lieu thereof "the Revenue Act of 1932."

(c) Effective dates.

(1) The sections of the Internal Revenue Code amended by subsection (a) shall have effect as if such sections, as so amended, had been enacted in the Internal Revenue Code on February 10, 1939.

(2) The amendments made by subsection (b) shall be effective with respect to the estates of decedents dying after the enactment of the Revenue Act of 1932.

On page 54, line 9, it is proposed to strike out "402" and insert "403."

The VICE PRESIDENT. Is there objection to the present consideration of the amendment?

Mr. GEORGE. There is no objection to the present consideration of the amendment, no other amendment now being pending. The Senator from Ohio has accurately and correctly stated the facts, and there is no objection to the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Ohio.

The amendment was agreed to.

Mr. DOWNEY. Mr. President, I dislike to intrude upon the Senate in its consideration of this important revenue bill by a discussion of any proposal, however important, which may to some Senators seem extraneous to the issue now being considered by the Senate. Nevertheless, it is my imperative obligation to do that.

Mr. President, I suppose all of us in the United States are very, very unhappy at one phase of this crisis that engulfs the world, and that is the lack of national unity in our foreign relations. It is an unfortunate fact that our people are falling into at least two or three rather determined and bitter factions in considering what should be the program of the United States regarding its foreign policy. I can only utter my humble prayer that changing circumstances may soon bring all of us in this critical period back of some common foreign policy. I can do no more than utter that prayer, but I do have the happy opportunity to present to the Senate of the United States a domestic issue upon which almost every American citizen is in agreement, and that is that it is the imperative duty of the Federal Government to provide for its retired and aged citizens a more decent and humane pension than is now being paid them.

I have felt, Mr. President, that for many years the common folk of America who produce our wealth, who constitute the vast majority of our citizenry, have been critical of the lagging efforts of our governmental representatives to bring about a more adequate pension system. I have addressed church groups, labor groups, farm groups, and various other groups, and found there an almost unanimous sympathy for the tragic and sorry plight of the man who has reached his later days without savings, no longer needed by industry and by society. I have believed that there was an overwhelming support back of the so-called pension groups; and I am happy, along with other pension advocates, now to have in my possession the results of the Gallup poll taken within the past month, showing a unanimity of opinion upon this profoundly important subject, which should stimulate the Congress and the President of the United States to prompt and vigorous action upon it.

Mr. President, I ask you to consider that the Gallup poll shows that the American people stand 91 percent for a Federal pension system; shows that they stand almost unanimously for a pension payment more than double the average now being paid in the United States; shows that they stand almost unanimously for dropping the age limit from 65 to 60 years.

Mr. President, as we look over the field of American life, when we have the opportunity to leave this unhappy Capital City of Washington, when we go out into the highways and byways of America, among our people, and see a desperate, tragic multitude on one side of the fence, ill-fed, ill-housed, and ill-clothed, and, on the other side of the fence, great factories working at part capacity, and great decaying farm surpluses, there is no wonder that from the hinterlands of this country comes the demand that even in this war crisis we must for a while concentrate upon the salvation of our own people. In the course of our investigation, the Special Committee To Investigate Old Age Pensions, of which I have the honor to be chairman, discovered many, many important facts. Some of our more conservative editors and other conservatives do not believe that at this time we have the material wealth which enables us to give anything more to the tragic souls who are now trying to live on $5, $10, $15, and $20 a month. But the records of the Department of Agriculture indicate that in this emergency year most of our farm products will show increased surpluses. By that I mean that, in spite of the war emergency for many—yes; for most of our farm products there will be more surpluses on hand January 1 of next year than there were on hand January 1 of this year.

There is no lack of milk, meat, vegetables, and grain and all the other staples of life to take care of our unfortunate people. There is no necessity for a wealthy nation which desires the leadership of the world to allow tens of millions of its own people to exist below a subsistence level.

Mr. President, this year in California we will produce 100,000 tons of prunes more than we can dispose of. They will be stored or wasted, or given away abroad, or destroyed, or distributed through governmental subsidy, while all over this country tens of millions of our people lack sufficient food to nourish their bodies. I have cited this surplus crop of prunes. Similar examples might be given for many, many crops almost everywhere in our farm States. Our citizens know that any argument that we cannot bring greater subsistence to our unfortunate classes is absurd. They know we have an abundance of farm and factory commodities for all of us.

In the basic figures used in our committee's investigation we took the estimate of the census that on January 1, 1945, there would be in our country 15,000,000 people above 60 years of age, of whom we believe 10,000,000 or two-thirds, would take the pension which is recommended in the report of the committee. Actuarial experts and representatives of the Social Security Board came before us tremendously alarmed because in 1980, when we will have a population of 160,000,000, approximately 30,000,000 of our people will be past 60 years of age. "Oh, yes," says the Social Security Board, "it is easy enough to provide now for the 10,000,000 who need help, but what are you going to do in 1980 to take care of the 30,000,000 people past 60 years of age we will then have?"

Let me say that if it were not for the governmental controls and subsidies during this very year, we would be producing more farm products than 160,000,000 people, and 30,000,000 people past 60 years of age, could possibly use. If the Congress of the United States within the next 40 years cannot work out some way to distribute the products of the farmers to a hungry population, heaven help the American Nation.

An investigation into the facts shows that there are now on the farms of the United States 12,000,000 or 13,000,000 workers. We could produce an abundant diet for all of our people with 10,000,000 farm workers. As a matter of fact, about 9,000,000 workers could supply all the farm crops we are now producing. The point I am trying to make is that right now we are wasting enough of our resources to more than provide a bountiful living for all the population we will have 40 years from now.

Yes; social-security experts should be perturbed. They should not be concerned, however, about the ability of our workers and farmers and technicians to produce a sufficiency for all. They should be concerned that our Government does not undertake the task of distributing to our people that which we

so bountifully produce and which so many people sadly lack.

Mr. President, we now have in the group between 60 and 65 years of age many millions of people so insecure and destitute that they are a reproach to the Congress of the United States and to a government which aspires to world leadership. Consider, for example, the State in which the old-age pension system is most inadequate. In that State——

Mr. HATCH. Mr. President, will the Senator yield to me?

Mr. DOWNEY. I yield.

Mr. HATCH. I am quite interested in what the Senator from California is saying. I know that no person in the United States has given more study and thought to the question of security for aged people than he has, but I am wondering about his particular amendment. I understand he proposes to offer an amendment to the pending bill. Is that correct?

Mr. DOWNEY. Yes; that is correct.

Mr. HATCH. My thought simply is this: Regardless of what the Senator and his own committee believe, and the study they have made, would it not be better for the Finance Committee to take up the amendment in the form of an independent bill and study it? What does the Senator think about that suggestion?

Mr. DOWNEY. Let me say to the Senator from New Mexico that for 3 years I have been hoping, importuning, and praying that the Finance Committee of the United States Senate would hold one single meeting on pensions, but so far I have been disappointed.

Mr. HATCH. I am not a member of the Finance Committee. I know the question involved is very important in the minds of many of our people, but I personally would not care to vote on the amendment at this time without the committee which is charged with the responsibility for framing legislation along these lines having considered it.

Mr. BANKHEAD rose.

Mr. DOWNEY. Mr. President, I will presently yield to the Senator from Alabama, but first I wish to complete my reply to the Senator from New Mexico. I hope the Senator from New Mexico will not now make his decision final, and before he does I should like to give him the history of the consideration of pension proposals in the Senate of the United States.

Mr. President, for 2 solid years I had a pension proposal pending before the Finance Committee, and there were several other pension proposals pending.

Mr. HATCH. Mr. President, will the Senator yield again for a moment?

Mr. DOWNEY. Yes.

Mr. HATCH. I observe that the chairman of the Finance Committee [Mr. GEORGE] is present, as well as the majority leader, the Senator from Kentucky [Mr. BARKLEY], and I think they can assure the Senator from California that he might have a hearing, if he would ask them.

Mr. GEORGE. Mr. President, will the Senator yield to me?

Mr. DOWNEY. I yield to the Senator from Georgia.

Mr. GEORGE. I am sure that such a hearing can be ordered by the Finance Committee, and give the Senator from California, who has been most diligent in this matter, full opportunity to develop the facts, and also to develop legislation. There is a little difficulty about it, because any real pension program, such as the Senator contemplates, necessarily involves revenue, will necessarily affect the revenue, and so it is somewhat difficult to originate in this body a comprehensive and satisfactory pension program or bill, unless it is tacked on to some revenue measure which comes from the other House. But I can assure the Senator that I will be very glad indeed to arrange for public hearings if he desires public hearings. At least I am sure the committee will be glad to give him hearings, and will permit the development of all the facts and the shaping up of such legislation as may be found desirable. The opportunity will from time to time present itself to attach the proposal to some bill which deals with the revenue, which, of course, must originate in the House.

Mr. President, we are laboring under the disability of not being able to consider originally a comprehensive system such as the Senator proposes, because it would inevitably involve revenue, and the House, even if we should pass such a bill, would probably not give it consideration, because it would insist upon the constitutional right of the House, and, of course, it becomes its constitutional duty to do that. But I am sure the Finance Committee will grant the Senator full hearings, full opportunity to be heard, full opportunity to frame legislation within our power to enact, or for the purpose of having it attached to some suitable bill whenever it comes from the other House, though it might be a purely minor revenue measure of some kind or character.

Mr. President, I myself feel, as I have expressed myself heretofore, that the Senator's proposal should receive separate treatment and separate consideration. It is entitled to it, and if it should come to us in an orderly way from the House as a separate measure, we would have better opportunity to give it the consideration we should be able to give to it. But I stand ready, so far as my influence with the committee goes, to assure the Senator from California that immediately, or as soon as readily may be, we will undertake to provide hearings, and give full opportunity to the Senator to present his proposal.

Mr. DOWNEY. Mr. President, may I ask the distinguished Senator from Georgia if he anticipates that it will be possible to have such hearings sometime between now and the 1st of January, and to complete them before that time?

Mr. GEORGE. Oh, yes, indeed. I do not know how long it would take to complete the hearings, but it would be possible to do so before that time.

Mr. DOWNEY. It would not take us over a week to present what data we would desire to develop, and then I suppose the Treasury Department and the Social Security Board, as well as other experts and other groups, would be heard. But, so far as we are concerned, it would take a very short time for us to present our data to the Finance Committee.

Mr. GEORGE. I can assure the Senator that opportunity can be given between this time and November, or between this time and December, to be on the safe side.

Mr. BARKLEY rose.

Mr. DOWNEY. Mr. President, I will now yield to the Senator from Alabama, who rose previously.

Mr. BANKHEAD. Mr. President, at this point in the discussion I wish to say that I have an amendment which I intend to offer at the appropriate time, which I have submitted to the Senator from California and the Senator from Georgia. Because of its appropriateness to this discussion I ask unanimous consent that the clerk read my proposed amendment at this time, and then I should like to make a very brief statement concerning it.

The VICE PRESIDENT. Without objection, the clerk will read the amendment as requested.

The legislative clerk read as follows:

The Ways and Means Committee of the House is requested to reexamine the financial structure of the social-security laws and report by bill or otherwise, if found desirable by said committee, as follows:

1. Whether the old-age insurance and the old-age-assistance plans should be consolidated and unified, and, if so, how and under what terms and conditions the two plans should be combined.

2. Whether a Federal old-age pension should be provided for each citizen of the United States and, if so, in what amount and at what age.

3. A plan to finance such a pension.

4. That said committee is requested to make its report by bill or otherwise to the House of Representatives as early as it reasonably can do so.

Mr. BANKHEAD. Mr. President, in the first place, I wish to commend the Senator from California for the tremendous amount of work which he has devoted to this subject as chairman of a special committee created by the Senate to investigate the matter. I am not a member of that committee, but I have had the opportunity to read the report. It is a most interesting report.

We are in this situation: A large number of Members of the Senate would like to have an opportunity to vote in the regular way, which would be acceptable to the other branch of Congress, on an old-age pension bill. I introduced one such bill in January. We know the attitude of the House on the subject of riders, especially on questions of tremendous importance such as this subject. I should be glad to have the hearings proceed in the manner suggested by the Senator. Such a course would help to develop the record. I am extremely anxious to have the proposed legislation in such shape that it will be in line with the usual practice and procedure of the two Houses.

We know that because of the taxation feature of this program the bill cannot originate in the Senate. We know that it must originate in the House; and it is quite certain that a matter of this importance, involving possibly billions of

dollars, will not be seriously considered by the House until the subject has had the attention and consideration of its taxing committee, the Committee on Ways and Means.

My amendment would not commit the Senate or the House to anything. It would be only a request to the committee charged under the Constitution with originating legislation of this sort. If the House should accept it we should then have started action on an old-age-pension bill which would come to us in case the committee should present to the House a bill which the House would approve.

Unless something of that sort is done, those of us who favor the passage of an old-age pension plan at an early date will be forced, when the next tax bill comes before us, to hold it up, regardless of the time required for consideration of the subject. We all want to avoid such procedure. I am sure the Senator from California wants to take the quickest action which can be taken in both Houses, without prejudice because of the manner in which the subject may be presented to the other House. So I hope the leader and the Senator from California will agree to the course of action which I have suggested. If the House conferees do not wish to accept it, they can reject it. My amendment would make the request in a respectful way to show the sentiment of the majority of this body. It would show that it is desired by a majority of this body that legislation be initiated by the only House which is authorized to initiate programs of this sort except as riders to tax bills.

Mr. BARKLEY. Mr. President, will the Senator from California yield to me so that I may ask the Senator from Alabama a question?

Mr. DOWNEY. I yield.

Mr. BARKLEY. I should like to ask the Senator from Alabama a question pertaining purely to the matter of procedure and strategy. If his proposal were adopted as an amendment to the pending bill and should go to conference, and the House conferees, in view of the fact that the House committee is requested to do something which is solely within its jurisdiction, should not want to have such an amendment incorporated in a tax bill and should therefore not agree to it, and it should go out in conference, the impression might be created that throwing it out in conference would indicate that neither the Ways and Means Committee nor the House is in sympathy with even taking up the subject and investigating it.

Would not the same purpose be accomplished by the Senator offering a separate Senate resolution? I do not believe there would be any objection to it. It would go to the House simply as a Senate resolution. The House would not have to act upon it, but it would be before the House for its consideration as an expression of the desire of the Senate.

Mr. BANKHEAD. My answer to that is that, in the first place, I do not think the action of the conferees on a subject which had not been before the House would be expressive of the will of either the House or the Ways and Means Committee. It would simply express the attitude of the conferees.

Mr. BARKLEY. I am thinking about the reaction over the country.

Mr. BANKHEAD. If we put the amendment in the bill, we shall certainly have some form of action. If we adopt an independent resolution and it goes to the committee, we shall be just where we now are.

Mr. BARKLEY. We would have an expression of the Senate of the United States, which cannot originate the legislation, directed toward the body which can originate it, and the only body which can originate it. I ask the Senator to consider the suggestion.

Mr. BANKHEAD. If the conferees should decide that they do not want to put it in, I do not think it would affect the vote for or against the measure. I do not think there would be any serious effect hereafter. If it is not retained in the bill, that will end the matter; but if it is not retained, the Senate will be in a better position to present the matter in the form of a rider if the House is given an opportunity to request its committee to act and declines to do so. Then, if we, on our own initiative, see fit to proceed with the hearings and attach a rider to the next tax bill, the House will not have the excuse it usually used in matters of this sort—that the House committee has not considered it and the House has not considered it, and it is not presented in the regular and orderly way. I cannot see any harm in putting the request in the bill and letting it go to the conferees.

Mr. BARKLEY. I am merely asking the Senator's opinion about it.

Mr. BANKHEAD. I do not think there would be any harm in that course.

Mr. BARKLEY. While I am on my feet through the courtesy of the Senator from California, let me make this statement, supplemental to the statement made by the Senator from Georgia [Mr. GEORGE]:

I agree with what I think is the unanimous view that the Senate cannot originate a revenue measure, even though its main objective is something else. We cannot originate it, although we can amend a tax bill which comes over from the House.

I am very much interested in the subject of old-age pensions. I have declared my interest time and time again, and I have committed myself, in speeches and otherwise, to the enactment of legislation looking toward the Federal Government taking over the responsibility for old-age pensions as its duty, regardless of what the States may do. I believe in greater uniformity in the benefits conferred under the social-security law than is now possible, simply because whatever amount the Federal Government contributes depends upon what the State legislature does within its own jurisdiction.

I have often made the statement—and I believe it to be true—that, by and large, under equal conditions, it costs just as much for an old man or an old woman, or both of them together, to live in Kentucky as it costs in Ohio or New York. Yet there is a wide discrepancy in the benefits conferred under the law initiated by the Federal Government and passed by Congress. I believe there ought to be greater uniformity throughout the country on the subject of old-age pensions, regardless of what any State may do to supplement what the Federal Government undertakes to do.

I am thoroughly in sympathy with the objective, and I wish to congratulate the Senator from California on the diligence, persistence, and earnestness with which he has devoted himself to this subject. It had been my hope and expectation that before now Congress would have been requested to take action on this subject; but, as we all know, international affairs have come along and sidetracked many worthy things which otherwise we should have been privileged to consider. This is a very important subject, and one which, it seems to me, ought to be gone into in detail by the appropriate committee.

I share the view of the Senator from Georgia [Mr. GEORGE], chairman of the committee, of which I happen to be a member, that the matter is of sufficient importance to deserve the careful, earnest, and painstaking consideration of the committees of the two Houses, on its own merits and not simply as a sideshow to some other piece of legislation, unless it shall finally be determined that from a parliamentary standpoint the only way to obtain consideration is to make it a sideshow to some other bill which is under consideration. To that end I join in assuring the Senator from California that at the very earliest possible date the Committee on Finance—and I think it should be done by the full committee and not by a subcommittee because it is of sufficient importance to engage the attention of all the members of the committee—will have hearings on the subject. When the hearings shall be held, I do not think can be determined today because the Senators knows that the members of the committee have been busy for 6 or 7 weeks on the tax bill, and I think it is the feeling of the members of the committee that they should not be compelled to go ahead into another exhaustive hearing as soon as the pending tax bill is out of the way.

Except for that, I should be willing, as one member, to say that we would take up this subject at once and go on into hearings, but I am satisfied that the situation is as I have stated it, and I will do all I can to bring about action on the part of the Senate to give to the Senator from California and those who advocate this proposal and to those who oppose it, if they wish to do so, a hearing between now and January 1, and possibly between now and December 1.

There is a possibility to which I think I should call attention, which might have a bearing on the time when the hearing may be held. We do not know what legislation will be before us in the immediate future. We know we shall have a lend-lease appropriation bill that first will have to go through the House and then will come here. Just when that measure will be before us I do not know.

There is under consideration in the House a price-maintenance bill. Just when that measure will reach us I do not know. But unless something else comes up in the immediate future, due to the international situation, those two bills may be the only important matters of legislation that we shall have before us for the next month or 6 weeks. If that be true, I think it will be difficult to keep in Washington and in attendance in the Senate during that time a quorum of the Senate, and it might be difficult to keep a quorum of the Finance Committee in Washington during that time.

So I think the best guess, if we are permitted to guess on the subject, would be that sometime during November or December we can reach this subject. I understand that it does not make any particular difference to the Senator from California whether it is reached during November or December; he would like to have hearings held before January, and, if possible, before December; and I think we can assure him that that will be done. I am glad to join the Senator from Georgia in assuring the Senator from California that, so far as we have any influence with the committee, we will assure him the hearing he desires.

Mr. LANGER. Mr. President, will the Senator yield to me?

Mr. DOWNEY. I yield to the Senator from North Dakota.

Mr. LANGER. First of all, I wish to compliment the Senator from California [Mr. DOWNEY] upon bringing up this matter at this time. I wish to call the attention of the Senate to the fact that some 3 years ago petitions with roughly 1,000,000 names were filed in the United States Senate and in the House of Representatives asking for consideration of old-age pensions. I have been in the Senate for approximately 8 months. For many weeks during that time we were doing practically nothing. There was not a time during that period when the old-age pension matter could not have been considered.

I desire to compliment the Senator from California for the fine job he did in bringing up this matter today, and I hope it will be considered as a rider on the pending tax bill. I think it would be considered by the House, because it is a matter of public knowledge that 168 Members of Congress have signed a resolution in favor of old-age pensions, and I understand that some 75 or 80 more have said they are anxious to consider the subject.

Out in my State, Mr. President, there are hundreds and hundreds of old people, and thousands of young folks who are supporting them, who are anxious to have this matter finally disposed of, and I do hope we can do something with it today.

Mr. DOWNEY. Mr. President, I thank the Senator.

What has been said by the various Senators who have spoken very much appeals to me, and I am very sympathetic to the proposal being made. I should not want to commit myself to any final decision until I have had an opportunity to confer with some of the other members of the Special Committee to Investigate Old Age Pensions, which I shall do some time during the day, and then report to the Senate later. At this time, however, I will say that I appreciate the full value of what has been said by our majority leader and by the chairman of the Finance Committee.

So far as the amendment proposed by the Senator from Alabama [Mr. BANKHEAD] is concerned, I believe it is a valuable one. It seems to me that it might assist in expediting this matter in the House of Representatives; and, so far as I am concerned, I should be very happy to see it accepted by the Senator in charge of the bill, and by the majority leader.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. DOWNEY. Yes; I yield.

Mr. CLARK of Missouri. Everyone appreciates the sincerity and assiduity of the efforts of the Senator from California; but I desire again to call the Senator's attention, in connection with the amendment of the Senator from Alabama, to what the majority leader said on that point, which I think is undoubtedly well taken.

I believe that anyone who has been familiar with the practice in the House of Representatives knows that if we should undertake to put into a revenue bill or some other act of Congress a request to a committee of the House of Representatives to perform some function that belongs exclusively to it, the House would very certainly resent such action, and would throw the request out in conference, and would simply refuse to consider it, which, as the Senator from Kentucky said, would act possibly in popular estimation as a declaration by the House of Representatives against the whole principle.

So far as I am concerned, I made a motion in the Finance Committee that the public hearings on this bill be reopened, and that an opportunity be given to have a hearing on the bill of the Senator from California as an amendment to this tax bill. However, the Finance Committee decided—and, upon reflection, I think properly—that the urgency of the revenue situation as to the particular pending tax bill was such as to preclude the extension of the hearings. But it seems to me that if the bill of the Senator from California is pressed as an amendment to the pending revenue bill at this time, many Senators will find themselves in the same position in which I found myself when a vote was taken in the committee on the old-age pension matter as an amendment to the pending revenue bill, when the proposal was offered on behalf of the Senator from California. I had not read the bill. No other member of the committee had read the bill. I think it had just been reported to the Senate that day by the Senator from California, and I did not feel qualified to cast a vote on a bill I had not read. Therefore I refused to vote either "yes" or "no," and voted "present"; and I am certain that if the bill should be pressed as an amendment to the pending revenue measure, many Members of the Senate would feel the same way.

There is no question in my mind, and I doubt if there is a question in the minds of more than a very few Senators, that the bill of the Senator from California should be considered, and should be considered at the earliest practicable date. Both political parties in their national platforms are pledged to that effect. The bill should be considered, and both the Senate and the House of Representatives should be given an opportunity to vote on it. However, it seems to me that if, in accordance with the suggestion of the Senator from Georgia and the Senator from Kentucky, the Finance Committee should proceed to the consideration of the bill and should report it in any sort of perfected shape, of course it could not be taken up by the Senate, because it would be a revenue measure; but it would then be in shape to be taken up by the Senate in connection with the first revenue bill that came over here. Every Senator would be on notice that the subject had been considered by the Finance Committee, and the measure could be offered as a rider to the first revenue bill that came over here.

It seems to me that the Senator from California would make more progress by proceeding in that way than by requesting in a statute that the House of Representatives have one of its own committees perform a function that the House would certainly say is exclusively within its own jurisdiction.

Mr. DOWNEY. Mr. President, I am very appreciative of the advice and counsel of the Senator from Missouri, as always; and later I shall seek recognition in order that I may further discuss this matter on the floor of the Senate. I would, however, Mr. President, at this time appreciate 10 or 15 minutes additional attention from the Senate, as I desire very briefly and simply to state what are the recommendations of our special committee for the relief of the pension situation.

Let me say that I think there is a totally erroneous idea of the difficulty and burden of working out the pension proposal that we are making. I believe that a very short consideration of it would convince even the most conservative and careful mind that the proposal made by our Pension Committee is a sound one which would not disrupt or harm anyone but would be of immense benefit to everybody.

Mr. President, it is our recommendation, in line with the wishes of almost all the American people, that the pension age be dropped from 65 to 60. All the social-security reports show that there are now classed in that dreadful age, that land of no mercy, millions of our people who cannot get jobs, millions of people in failing health, millions of people without savings or resources, millions of people who are without children capable of supporting them. In that group, Mr. President—and this is a horrible thing to say; the Senate will not like to listen to it but it is true—there are thousands of suicides every year, and tens of thousands of people are dying prematurely because of cold or starvation or lack of medical or dental attention.

Those are simple facts that are corroborated by every authority.

The American people know there is a terrible break in the life of the average man at 60. Under modern technological conditions the chance of a man's holding a job after he is 60 is so small that, according to our own census, the great majority of people past 60 are not gainfully employed, and half of those who are employed, Mr. President, make less than $25 a month. I do not think I need labor that point any longer. Practically everyone in the United States wants to reduce the pension age from 65 to 60. The recommendations of our committee that Congress recognize the reality of the situation and the wishes of the American people are in accordance with the testimony of every social-security expert.

Likewise, Mr. President, we are recommending that there be an elimination of the matching system between the Federal Government and the States, and that the Federal Government make a flat contribution of $30 for every citizen past 60 who is eligible for the pension. The present system, while it may have been inaugurated with the best of intentions, so works out that into the wealthy States go four or five times as much money per capita as into the poorer States. That fact is well known to us all, and I am not going to belabor it. The proposal of a flat $30 pension payment, without State matching, by the Federal Government to every State for each citizen entitled to the benefit would simply, easily, and quickly cure that great injustice.

How unjust to the State of Mississippi is the present plan. We all know that Mississippi is one of the greatest States in the Union in the production of cotton; we know it performs a tremendous function of value to us. Those who are familiar with our history since the Civil War know the unfortunate conditions existing in the farming areas in the Southern States and that their wealth and resources are not equal to those of the industrial States of the North. We know that that situation, so far as pensions are concerned, must be equalized. Our committee recommends that that be done.

Mr. President, almost all the members of the committee thought that an allowance of $30 a monthh was too low; many of them were shocked that we came down to that low figure. I know the voters in California will resent the recommendation I have voted for, because their minds are definitely set on $50 or $60 a month for our people past 60. But, Mr. President, the committee was actuated by a practical political viewpoint. Many Senators are convinced that the allotment should not exceed $30 in their own States, and would not support a proposal of any greater amount.

The Gallup poll shows practically a unanimous vote in the United States for an average pension of $42 a month. The figure in the South was the lowest, being $32, going up to $50 a month in the New England States and in the Middle Atlantic States. The committee took what is practically the lowest figure represented by the Gallup poll, with the idea that in New England and on the Pacific coast and in the Middle Western States or wherever else it might be thought wise, each State could add whatever it desired to the basic allotment of $30 a month; and it is my intention, Mr. President, whenever the Congress of the United States passes this measure to initiate in the State of California a proposal for an additional allotment of $20 a month or $30 a month to bring up the allowance in that State. But, Mr. President, I wish to emphasize that our committee in recommending $30 took the lowest amount desired by the American people according to the Gallup poll.

Mr. President, there is only one respect in which the recommendations of the committee are not corroborated by the findings of the Gallup poll. I shall state that one respect, and I believe that the distinguished Presiding Officer [the Vice President in the chair] will be interested in it. We have declared for a payment to all citizens past 60 retired from gainful employment without a "means test." Our distinguished Presiding Officer during the last campaign declared for that very principle of what we term a social dividend. The Gallup poll, however, shows that the American people desire pensions paid on a basis of need; that is, only to those individuals who do not have an income equal to the amount favored as a basic pension in the region which was being polled.

Mr. President, the reason we were actuated in departing from the finding of the Gallup poll in that respect was this: Our investigation led us to believe that among retired workers, among people who are not gainfully employed, only 10 percent had any savings at all. Consequently if we set up a system under which $30 a month would be paid to everyone who was not employed and who did not have an income of that amount, it would mean that we would have to subject 90 percent of our people to a "means test" in order to comb out the other 10 percent who might have a sufficient income upon which to live. We did not believe it was worth it. We believed that the effort to determine by a "means test" those who were entitled to the pension would cost almost as much as to pay the pension in the first place.

Moreover, Mr. President, I, for one, declare that we should in this dynamic changing era inaugurate a system of social dividends which should be payable to everyone who has retired from employment at some reasonable age, such as 60.

Mr. President, at this time I will not labor that point longer, except to say that if, when this matter actually comes before the Finance Committee and before the Congress for passage, a majority of our Senators should believe that the payments should be restricted only to those actually in need, to those lacking income equal to the pension payments, it would be very simple indeed to enforce that test through an income tax.

For instance, if we in New England and we in California should initiate a pension of $50 a month—that is what the State and the Federal Government might give together—the combined pension would amount to $600 a year. We have already voted to compel anyone with an income of $750 a year to return an income-tax report. Consequently, as a part of the income-tax law we could provide that any single person with an income of over $750 should return all or any portion of the pension he had received, and, in the case of a married man reporting an income of $1,500, all or any portion of the pension that we might desire. That would be a quick, practical, easy way of applying a means test that would not be harsh and humiliating to our American citizens.

Now, Mr. President, I desire to speak for just 5 minutes upon the question which I know concerns most of the Senators here: How about the financial burden?

In the first place, any editorial critics who state that this plan is heading the American people toward bankruptcy are completely uninformed about our proposal, because we believe in a pay-as-you-go plan. We are not intending to run up a Federal debt of one or two or three hundred billion dollars to pay pensions. This Nation may very well go into bankruptcy. Under the ominous cloud of an ever-mounting public debt our public credit and solvency may wither and pass away; but that will not be because of the acceptance by Congress of any pension proposal our committee has made. Indeed, we are recommending that no money be paid out in pensions unless it is raised by taxes.

Mr. President, you may be worried about that; but consider this fact for a moment: We enacted a pay-roll tax to finance the old-age insurance system. That tax is now 1 percent upon both employer and employee. In 1943 it will increase to a total of 4 percent and in 1949 to a total of 6 percent. A 6-percent pay-roll tax applied over all of society would at the present time bring in approximately $4,000,000,000. At a national-income level of $100,000,000,000 we would have the equivalent of about $70,000,000,000 of pay rolls, and other income that would be affected by this 6-percent tax. Consequently, whenever the present rates of pay-roll taxes become fully effective and are made to apply over all of society, there will be ample revenue coming in to provide the payments we are suggesting; for what, Mr. President, would be the cost of our proposal?

We have taken January 1, 1945, as our date of calculation. The Census Bureau estimates that on that date we shall have in the United States 15,000,000 people above 60 years of age. We estimate that of that number of 15,000,000, at least 3,000,000 will continue working, and they will not be entitled to this pension, nor will their spouses. We estimate that of the 3,000,000 men who will continue working, 1,000,000 will have wives above 60 years of age. Consequently, in estimating the number of persons who will claim pensions, we must deduct the 4,000,000 from the 15,000,000. In addition to that, the pension will be payable only to citizens. We have in the United States 800,000 aliens past 60 years of age. The pension will not be paid to anyone in any public institution supported

by public funds. There will undoubtedly be other material reductions which, in my opinion, will reduce the number of beneficiaries on January 1, 1945, substantially below 10,000,000 persons; but, to be safe, we have taken 10,000,000 as the basic figure.

At $30 a month the pensioner would be receiving $360 a year. With 10,000,000 people the total payments would be $3,600,000,000; and, Mr. President, with a national income of $100,000,000,000, and a 6-percent pay-roll tax universally applied, there would be more than ample money coming in to finance the plan.

It is anticipated that in the next 2 or 3 years, if this emergency continues, by virtue of war spending the national income will mount far beyond $100,000,000,000. We have taken the $100,000,000,000 figure, however. Some of our more thoughtful and conservative Senators will say, "But what assurance can you give us that at the end of this emergency the national income may not crash through $100,000,000,000 down to a considerably lower figure?" That would be a very careful and prudent observation. Let me point out, in relation to that matter, that if this plan were inaugurated it would save about $600,000,000 that will be spent next year in old-age assistance, one-half of which will come from the States, and one-half of which will come from the Federal Government. It will save a very substantial expenditure for W. P. A. workers between 60 and 65 and a very large amount for general relief for persons between 60 and 65. Economists tell me that it will materially increase the tax returns of the Federal Government. Consequently, if we should unfortunately break through the $100,000,000,000 level of income on a downward spiral after this war is over, we should have sufficient cushion by which to save ourselves. Indeed, I doubt if in any event the Federal Government and the States could be called upon for more than the amount they are now spending and which they would be saved under the plan we are proposing.

Mr. President, I shall now conclude my remarks for the present, but may later report to the Senate regarding the colloquy which took place here concerning future consideration of this matter.

I ask that the report of the Committee to Investigate Old-Age Pension Systems be included in the RECORD as an extension of my remarks.

The VICE PRESIDENT. Is there objection?

There being no objection, the report (No. 666) was ordered to be printed in the RECORD, as follows:

FOREWORD

The Special Committee to Investigate the Old-Age Pension System was appointed by the President of the United States Senate, pursuant to Senate Resolution 129 of the first session of the Seventy-seventh Congress (adopted June 20, 1941). The Members of the Senate appointed to the committee were Mr. DOWNEY, of California (chairman); Mr. CONNALLY, of Texas; Mr. GREENE, of Rhode Island; Mr. PEPPER, of Florida; Mr. LA FOLLETTE, of Wisconsin; Mr. THOMAS, of Idaho; and Mr. BROOKS, of Illinois.

The committee was instructed by its parent resolution—

"* * * (1) to make a full and complete study of the old-age assistance and the old-age survivors' insurance provisions of the Social Security Act, as amended, and (2) to make a full and complete study and investigation of ways and means for bringing about the early realization of a minimum pension for all who have reached the age of retirement and are not gainfully employed."

It was also instructed to report to the Senate the results of its investigations, together with its recommendations for any necessary legislation.

The committee submits herewith, as a result of its investigations, a majority report approved by Messrs. DOWNEY, PEPPER, LA FOLLETTE, and THOMAS of Idaho, together with a minority report prepared by Mr. GREEN. Mr. CONNALLY abstained from voting on the report. Mr. BROOKS was not present and did not vote, being unavoidably detained on important public business outside Washington. A bill embodying the recommendations of the majority of the committee for changes in the Social Security Act is attached at the end of the report as appendix A.

The program approved by the majority of the committee would accomplish the following results:

1. It would reduce the age at which pensions would be granted from 65 to 60.

2. It would eliminate the humiliating and unpopular means test and grant a minimum pension to all workers retired from gainful employment.

3. It would abolish the present Federal-State matching system which has had such disastrous results for the less prosperous States.

4. It would extend and liberalize the contributory features of the present insurance act by making the coverage of the system almost universal and by raising the minimum payment thereunder to $30. It would further liberalize payments under the act to wives and widows with dependent children.

The chairman desires to express the gratitude of the committee to all those persons who have assisted it in its investigations and especially to Dr. Marjorie Shearon, of the United States Public Health Service, whose assistance in assembling and presenting data was most valuable.

The committee wishes to express here its sincere appreciation for the cooperation extended to it by the members of the research staff of the Social Security Board, who supplied most of the factual material on the operation of the Social Security Act, which laid the basis for the recommendations in this report. Because of its worth, the committee is including the most important parts of this material in its report as appendix B.

The committee intends to continue its meetings and will extend to all interested parties an invitation to testify before it regarding the proposed program which it has outlined in this report. It believes also that great problems involving the general economic security of our people remain untouched by its investigations and is consequently requesting authorization for a broadened scope of inquiry. It nevertheless is of the opinion that sufficient material has been gathered at this time to justify a report embodying recommendations for substantial changes in our old-age-pension system.

Respectfully submitted.

SHERIDAN DOWNEY, *Chairman.*

AUGUST 28, 1941.

REPORT ON THE INVESTIGATION OF THE OLD-AGE PENSION SYSTEM

BACKGROUND OF THE PROBLEM OF OLD-AGE DEPENDENCY

By the resolution creating it, this committee was directed to investigate the best means for bringing about the early realization of a minimum pension for all who have reached the age of retirement and are not gainfully employed.

Social conditions, imperatively demanding a liberalized general pension, are so well known as to require little comment, but certain relevant facts must be recited.

Increasing size of aged population

It is well known that our declining birth rate and lengthening span of life have increased the number of elderly persons in proportion to the total population, and that the difficulties facing this group are multiplying at an equivalent rate. The proportion of those above 65 is now two and a half times as large as it was in 1850 and will probably be five times as large in 1980. It is reassuring, however, to note that the burden of supporting all dependent persons is 20 percent lighter today than 100 years ago[1] because the increase in our senior group has been offset by a decrease in the number of children. Since the growth of technological efficiency measures our ability to care for those who are dependent, it is important to note that between 1920 and 1934 man-hour output in direct manufacturing was multiplied by almost 100 percent,[2] and continuously increases.

Rural-urban shift of population

As a basic cause of the present insecurity of our retired workers, consider now the movement of our people from the rural to the urban areas of the country. In 1790 only 3 percent of our population lived in cities of 8,000 or more; by 1930 the ratio had risen to 49 percent.[3] It was estimated that approximately 77 percent of our citizens aged 65 or over were in the nonfarm group in 1940, while only 23 percent remained on the land of their fathers.[4] No danger of social starvation can be implied from this rural-urban shift, since the ability of the farm group to produce food for the city dweller has increased even more rapidly than farmers have been moving to urban centers. However, this migration of the population has been a fundamental factor in creating the old-age problem, because the condition of an industrial worker whose services are no longer wanted by society is far more critical than that of an aging member of a primitive farm family.

Displacement of older workers in industry

The third and perhaps most immediate cause of the difficulties facing our aged citizens is the tendency of modern industry to discard its workers at an increasingly younger age. Many employers now refuse to hire men who are no longer in their twenties or thirties, and rare indeed is the displaced employee of over 45 who can find another position without great difficulty. During the last decade unemployed persons of advancing years have found little if any opportunity to reestablish themselves in industry because they cannot compete with the more than adequate reservoir of unemployed younger workers.

The results of this trend are clarified by the figures of the latest census, which show that during the last decade our entire labor force declined only from 54 to 52 percent of the total population above 14 years of age, while the proportion of those in the labor force above 65 to the total number in that age group declined spectacularly from 33 to 23 percent.[5] Such figures tragically illustrate to what extent a decade of prolonged unemployment has accentuated the long-run

[1] From estimates by Prof. Raymond Pearl, of Johns Hopkins University, inserted in CONGRESSIONAL RECORD, April 8, 1940, p. 6217.

[2] Rautenstrauch, Walter, A Scientist Looks at Industry, Friday, May 9, 1941.

[3] Fifteenth Census of the United States: 1930, Population, vol. I, p. 9.

[4] Sixteenth Census of the United States: 1940 (unpublished).

[5] U. S. Department of Commerce, Bureau of the Census, press release, February 8, 1941, p. 7.

tendency of industry to discard its workers at an ever-younger age.

Present status of the aged

Of our total population 65 or over, only 23 percent are working or seeking work, compared with 62 percent in the age group of 25 to 44 years.[6] This means that nearly two out of every three men and women who are at work in the prime of their lives are forced out of the labor market before they reach the age of 65 by causes other than death.

The mere number of persons over 65 who are classified as "employed" is not, however, an adequate index of economic dependence in that age group, for many of them fail to earn enough to maintain even a minimum standard of living; 98 percent of the farm "labor force" over 65 (as defined by the census) is actually classified as "employed." Yet everyone knows that many farmers remain on their land after they have ceased to earn enough to support themselves and when they must receive aid from family, friends, or public agencies. The number of persons listed as employed by the census also includes large groups of feeble and ailing workers who must supplement their meager earnings from outside sources. Carefully prepared estimates were presented to the committee showing that of about 1,900,000 "employed" persons age 65 and over, not more than 1,000,000 could be considered genuinely independent by reason of earnings from employment greater than $25 per month.[7]

This committee is convinced that the condition of persons between 60 and 65 is strikingly similar to that of the group over 65. We are consequently of the opinion that any realistic attempt to deal with the problem of old-age dependency must include all citizens above 60 who are not gainfully employed.

In spite of the fact that there is a slightly higher percentage of employed workers between 60 and 65 than at the older level, the number of those physically or mentally unfit or unable to find employment is so distressingly high at that age that their need for an adequate pension should be obvious to all. The figures presented by Dr. Shearon indicate that only approximately 12 percent of those over 65 can be considered independent by reason of earnings from employment, while about 19 percent of all persons over 60 are in that position.

The picture painted by Dr. Altmeyer was somewhat more optimistic, but the committee is convinced that a deplorable situation exists in the group above 60 years of age. If the opinion of Dr. Altmeyer is vindicated, it would happily mean that retirements of workers between 60 and 65 would be fewer than the committee estimates in its financial statement showing the cost of general pensions for all workers past 60 who have retired from gainful employment.

And here, perhaps, the committee should express its opinion that moderate pensions will not result in the retirement of any substantial number of workers capable of earning more than the pension allotment. Under the present insurance system only about 22 percent of those eligible have retired and are receiving benefits. Of course, the average primary benefit is very low (approximately $23) and if the pension payments were lifted above that amount the tendency to retire would be slightly increased. Men, we believe, will generally prefer to remain at work as long as possible rather than to retire and reduce their incomes.

OPERATIONS OF OLD-AGE PROVISIONS OF SOCIAL SECURITY ACT

The Social Security Act establishes two independent pension systems—Federal old-age insurance and Federal-State old-age assistance.

The Federal old-age insurance system

The Federal old-age insurance system pays benefits to workers in covered occupations who have qualified by contributions to the insurance fund. The system does not cover the self-employed, farm workers, public employees, and other miscellaneous minor occupations. It is estimated by the Social Security Board that, at any one time, only one-half of our gainfully employed population are covered by the existing law. It appears, therefore, that the so-called contributory system is of no value to tens of millions of our people, in spite of the fact that approximately 90 percent of the benefits payable over the next 30 years will come from other sources than from the beneficiaries themselves. Specific data enlarging upon this anomaly will later be developed.

The present law provides for a 6-percent tax on the first $250 of monthly earnings of workers in covered occupations. This tax is not yet fully effective and will not reach its maximum of 6 percent until 1949. The present levy of 2 percent is imposed equally—1 percent being assessed against the employer and 1 percent against the employee. On January 1, 1943, the rate will increase to 4 percent; on January 1, 1946, to 5 percent; and on January 1, 1949 to 6 percent. It is obvious that the income which is derived from the employers' tax is ultimately collected from our general consuming public. Thus, it must be understood that in the immediate present one-half the funds being collected are from social rather than from individual contributions. Whenever the Government begins to contribute to the fund by general appropriations social contributions will be increased proportionately and the individual payments reduced correspondingly.

The pay rolls of covered occupations, now subject to the 2-percent tax, will average about $40,000,000,000 in 1941, and are rapidly expanding under the stimulus of war production. How powerful that stimulus is may best be revealed through the fact that covered wages and salaries for this year will be almost $7,000,000,000 higher than for last. The 2-percent pay-roll tax, levied against the pay-roll base of $40,000,000,000, will this year yield approximately $800,000,000, while disbursements from the insurance fund in 1941 will approximate only about $100,000,000. Because of this yearly excess of revenue over disbursements, the reserve fund of the insurance system is steadily increasing. On July 1, 1941, it amounted to $2.4 billions and is expected to rise to $3.1 billions by July 1, 1942.

The old-age insurance system, in addition to providing retirement annuities for its contributors, their wives and widows past 65, guarantees benefits to widows under 65 who have children under 18. The committee wholeheartedly approves of the benefit payments to such widows and children and will hereafter recommend their liberalization.

Federal-State old-age assistance

The second pension plan established by the Social Security Act provides assistance to needy individuals past 65, after submitting them to a means test to prove their poverty and the fact they have no children who can undertake their support. There are frequent investigations of the affairs of such pensioners to assure Government representatives that no person is receiving anything beyond a bare subsistence, but even that condition is not generally achieved by those unfortunate enough to be in receipt of public charity. Pensions to the needy past 65 are now being distributed in all States. Under the Social Security Act, the Federal Government offers to match any State up to $20 of its monthly pension payment, but so far only California has taken full advantage of the proposal.

Contrasting facts of the pension systems

1. In 1941 approximately 2,000,000 needy persons will receive old-age pensions, while the insurance beneficiaries past 65, including wives and widows, will number only 300,000.

2. In 1941 slightly less than $600,000,000 will be distributed in old-age assistance payments, about one-half of which will come from the Federal Government, while about $100,000,000 will be disbursed in old-age insurance to beneficiaries past 65.

3. Considering that under the Social Security Act we have projected two entirely different kinds of pension plans, it is a notable coincident that both systems are paying almost identical average benefits. In April 1941 the average payment in old-age assistance was $20.63, while the average monthly benefit under old-age insurance in 1940 (to all persons over 65) was $20.48. It should be noted that the average monthly primary benefit (that paid to the retired contributor himself) is approximately $23+. This average is reduced somewhat when the payments to wives and widows are included, since they receive 50 and 75 percent, respectively, of the primary benefit of the husband.

4. Another coincident and dismal fact is that in 1940 the assistance and insurance systems distributed poverty to the recipients of their grants in almost the same proportion. Approximately 30 percent of each group received less than $15 monthly. It is interesting to note also that almost 25 percent of all the contributors in the insurance system in 1939 reported earnings less than $200 and, though the scanty earnings of all of them were taxed, large numbers were disqualified because their wages were too low to permit them to qualify. Thus, multitudes of other contributors will pay taxes but never become eligible because of insufficient employment.

5. Although wives and widows under old-age assistance are granted equality with men, in the insurance system where workers are taxed for what they will receive, their spouses and widows are allowed only reduced amounts. Thus we have the strange picture of Uncle Sam with one hand offering $20 per month as charity to both sexes, and with the other hand less than that sum as an average payment to the women under the contributory plan. Recall also that the Federal Government is encouraging the States to increase pension allowances to wives, widows, and spinsters up to $40, while insurance benefits to women will remain for an indefinite period at less than a $20 monthly average. Can there be any rational explanation of this paradoxical situation?

6. The distribution of payments between different regions is equally irrational in both systems. The two programs are pumping four times as much pension income into the wealthy States as into those less prosperous. Federal aid for State assistance programs is awarded on a matching basis, so that States which can only afford to pay small pensions receive a proportionately small grant from the Federal Government. Arkansas, for example, with a per capita income of $212, received in December 1940 an average grant of only $3.69 per pensioner; while California, with a per capita income of $837, received $18.94. Mississippi, with a per capita income of $207, received an average grant of $4.30 in December 1940; and New York, with a per capita income of $859, received $12.45.

The 10 States paying the highest pensions and containing almost a quarter of the country's population received an average per capita Federal grant four times as large as that received by the 13 States paying the lowest pensions, containing another approximate quarter of the Nation's population.

[6] Ibid.

[7] See testimony of Dr. Marjorie Shearon, hearings before the Special Committee to Investigate the Old-Age Pension System, 1941.

The following tables graphically illustrate the greater flow of Federal money into the States paying the highest pensions:

Old-age assistance: Federal advances to 23 selected States—Jan. 1–Dec. 31, 1940

State	Federal advances	Population
California	$33,155,470	6,907,387
Colorado	7,843,308	1,123,296
Massachusetts	15,094,220	4,316,721
Alaska	246,908	72,524
Arizona	1,415,459	499,261
Connecticut	2,893,116	1,709,242
Nevada	380,449	110,247
District of Columbia	527,616	663,091
New York	17,414,167	13,479,142
Wyoming	499,860	250,742
Total	79,470,573	29,131,653
Hawaii	126,867	423,330
Louisiana	2,555,390	2,363,880
Florida	2,555,708	1,897,414
Delaware	179,169	266,505
North Carolina	2,212,672	3,571,623
Tennessee	2,573,454	2,915,841
Virginia	1,104,109	2,677,773
Alabama	1,204,579	2,832,961
Kentucky	2,741,116	2,845,627
Mississippi	1,147,014	2,183,796
Georgia	1,630,131	3,123,723
South Carolina	906,654	1,899,804
Arkansas	847,678	1,949,387
Total	19,784,541	28,951,664

The entire story is completed by the fact that the residents of the 10 high-pension States generally had much greater per capita income than the people of the 13 low-pension States. The specific figures are as follows:

Per capita income (1937) of selected States[1]

	Per capita income
California	$837
Colorado	568
Massachusetts	668
Alaska	---
Arizona	577
Connecticut	767
Nevada	911
District of Columbia	---
New York	859
Wyoming	616
Hawaii	---
Louisiana	367
Florida	483
Delaware	923
North Carolina	285
Tennessee	298
Virginia	358
Alabama	233
Kentucky	295
Mississippi	207
Georgia	288
South Carolina	231
Arkansas	212

[1] U. S. Department of Commerce, State Income Payments, 1929–37, p. 6.

We come now to a further coincidence in the actual operation of the assistance and insurance systems. We have already reviewed the exact figures showing that the Federal Government is paying four times as much in matching the old-age assistance grants of the wealthy States as it pays to those States which are less fortunate. Almost exactly the same percentage prevails in disbursements of old-age insurance to the wealthy States compared with the poorer regions. Many of the southern Senators who have been deeply concerned because their States were receiving less than the average Federal grant in old-age assistance have been consoled by the statement of social-security experts that old-age assistance would constantly decrease in importance compared with old-age insurance, and that looking ahead a few years the latter system would disburse the major amount of social-security funds. And it is possible that these southern Senators and the Congress as a whole have never understood from the testimony of the social-security experts that the two systems would yield almost identically inequitable results to the less prosperous farm States.

Yet such is the case, and a few specific examples will tend to make clear how little farm States will benefit from the present contributory system. Per capita benefit payments flowing into North Dakota are only one-eighth as much as those received by the people of New Hampshire. Mississippi for each resident receives only one-fifth as much as does New York. Georgia's per capita benefit is less than one-third of that enjoyed by New Jersey while Kentucky, Texas, Nebraska, North Carolina, Virginia, Arkansas, South Dakota, New Mexico, Tennessee, Oklahoma, and several other States fall not only far behind the prosperous industrial States in their per capita benefits but are likewise far below the national average per capita benefit. Herewith is a list of the 10 most fortunate States under old-age insurance compared with the 10 States in which the per capita benefits are the lowest:

AVERAGE PER CAPITA BENEFIT PAID OUT DECEMBER 1940

10 highest-paying States:	
New Hampshire	$0.079
Rhode Island	.071
Massachusetts	.069
Connecticut	.066
New Jersey	.065
New York	.060
Vermont	.060
Pennsylvania	.058
Ohio	.056
Maine	.053
10 lowest-paying States:	
Georgia	.021
North Carolina	.021
Texas	.020
South Carolina	.019
Oklahoma	.017
New Mexico	.015
South Dakota	.015
Arkansas	.014
Mississippi	.012
North Dakota	.010

It will be seen from the foregoing table that the average per capita benefits paid under old-age insurance for the lowest 10 States in the United States in the month of December 1940 was 1.6 cents. The average per capita benefits for the highest 10 States during the same period was 6.4 cents. The proportion of the average per capita payments under old-age insurance for December 1940 for the lowest 10 States to the average for the highest 10 States thus was 25 percent. As we noted before, the proportion of the average per capita Federal payments under old-age assistance in 1940 for the lowest 13 States to the average for the highest 10 States was 25.1 percent. The ratio of average per capita Federal payments between the lowest paying group of States and the highest paying group is seen to be, therefore, almost exactly 25 percent in each case.

Considering that it was never so designed, it is amazing that each plan operates exactly in the same degree to the prejudice and pauperization of our farm States.

The Social Security Board would justify the greater per capita benefits flowing into wealthy industrial States because of the higher percentage of industrial workers residing in these States. It is true that the fortunate States do have four or five industrial workers for every nonfarm laborer in the agricultural States. As the Social Security Board would also point out, the contributors from the manufacturing areas are paying into the insurance fund four or even five times as much per capita as is being paid into that same fund from the farm States. However, the fact remains that the Federal Government is making a substantial gift to wealthy States as compared with the pittance allowed to those less favored, and these gifts are being largely financed out of the general taxpayer's pocket.

For, as we have seen, one-half the fund to finance benefit payments is raised through the employers' tax which is ultimately paid by our consumers. Residents of farm States buy freely of goods manufactured elsewhere, and in so doing pay their proportionate share of the employers' tax. Thus the so-called contributory plan is unjust to farm States because one-half its primary support comes from a Nation-wide consumers' tax. The present set-up could be justified only if all benefits came from workers' contributions and even then the act, while it would be logical, would be sadly deficient, as it would have little value save in the industrial regions.

The experts of the Social Security Board anticipate the possibility that Federal appropriation may some day be required to assist in the support of the insurance system. Whenever that occurs the iniquity of the present plan will be magnified, because then only a minor part of the benefits flowing disproportionately into the well-to-do States will come from workers' contributions.

It should furthermore be noted that contributors who fail to qualify because of insufficient employment or low wages will receive no benefits. It is apparent that money thus forfeited by the dispossessed of the act will flow into the insurance fund and from there it will be distributed to workers everywhere.

In Mississippi in 1939, 47 percent of its workers in the insurance system reported wages less than $200 annually; Connecticut reported only 15 percent; Arkansas had 44 percent; and Rhode Island, a mere 17 percent. There can be no doubt that forfeited money will come principally from the rural regions and from areas of intermittent unemployment, while it will be diverted chiefly to industrial workers and to regions where employment is more stable.

The present act is undeniably unjust because it will distribute income, the major portion of which will be raised on a noncontributory basis, by a contributory formula, which will materially favor prosperous regions at the expense of less fortunate areas. The iniquity of thus applying contributory principles to the disbursement of public funds has other defects which will be noted in the criticisms of the act which follow.

CRITICISMS OF THE PRESENT SYSTEMS OF OLD-AGE ASSISTANCE AND OLD-AGE INSURANCE

I

Inadequacy of present payments

The committee finds that the amounts which are provided for the care of our older citizens under both the old-age insurance and assistance systems are obviously inadequate to provide them with even a minimum of subsistence.

The most reliable estimates available show that an urban couple require from $50 to $65 per month, depending on the part of the country in which they are residing, to provide for their minimum costs of living, while single persons would require perhaps $30 to $35. For farm couples or single persons the amount required is only about 10 percent less than that for city dwellers.

In the face of these estimates of the absolute minimum cost of living, both the old-age insurance and assistance systems pay average amounts of only $20 per month to individuals and 85 to 90 percent of the recipients in both systems receive less than the $30 per month which this committee believes is the irreducible minimum that should be provided for the subsistence of our retired workers. We recommend that hereafter emphasis be laid on the minimum benefit rather than the average, for while academic statisticians can perform mathematical miracles with averages, they have not yet perfected a formula by which aver-

ages can be used for food, shelter, or clothing by those on the under side of the median line.

Inadequacy of present coverage

This committee finds that our present provisions for old-age insurance and assistance have tragically failed to reach more than a small fraction of our retired workers. Of the 14,000,000 people now above age 60, nearly 12,000,000 remain outside the scope of the present program, in spite of the fact, which has earlier been demonstrated, that the overwhelming majority are without either employment or substantial savings. These, the senior citizens of this Nation, are entitled to know why they are today deprived of the right to economic security. Here are the reasons:

1. For fully 5,000,000 of them the answer is that they are in the "twilight zone" from age 60 to 65—too old for a job in youth-hungry modern industry, yet too young for a pension under our present laws. This committee asserts that the first duty of the Government of the United States is to recognize economic realities by extending the protection of an old-age pension to this woefully insecure group of citizens.

2. For millions of others, the answer must be that the present insurance system is so designed as by its nature to exclude the great majority of citizens. In the first place, it leaves out of its coverage such great groups as farmers and the self-employed. For this reason it can never include at one time more than half our people.

In the second place, the insurance system is not designed to come into full operation for several years. In the meanwhile, only 2 percent of all citizens over 60 (or 3 percent of those over 65) are receiving any benefits at all from the system. Whatever the merit of such a scheme at some time in the future, its present value and its worth for several years to come are manifestly nil. The committee is of the opinion that the inclusion of all occupations now excluded from the coverage of the system will make it of great practical value in future decades. But by no means whatsoever can the insurance system be amended or changed to provide for the present plight of our older citizens and it is their present plight which is the primary consideration of this Government. Statistical data for the distribution of the Nation's wealth, 50 years or a century from now, however great the genius of the actuaries assembling it, cannot, in the immediate present, feed, shelter, or clothe our retired workers. That problem must be solved by congressional action, not by actuarial calculations. It should be solved now.

3. The final answer to the question of why the vast mass of our retired workers are excluded from the economic security which a governmental grant would bring to them centers about the restrictions with which we surround such a grant. We now offer to the 80 percent of our citizens past 65, who are without employment and can hope for no aid from the insurance system, the "right" to submit to humiliating inquisitions by multitudes of official investigators. These investigators need only discover that applicants for assistance have some pitifully small savings or property of their own or have some relatives who can support them to deny them the average amount of $20 per month (as little as $7 in some States) which we now provide under our old-age assistance laws. It matters not that the retired worker's property may be only a mortgaged home or that his children may already be burdened with overpowering financial obligations. Unless the applicant can successfully pass these tests and take the pauper's oath, he can hope for nothing from his Government and only expressions of sympathy from its representatives.

Thus millions of our older people must remain a heavy burden on their children, and millions more struggle through their remaining years without any help at all because their sons and daughters, regardless of what official investigators decree, cannot afford to support them. This committee does not believe that the people of this Nation desire to perpetuate a system which denies governmental aid to millions of retired workers merely because they may have insignificant amounts of savings or mortgaged homes as symbols of a dream of economic security they were destined never to achieve.

Nor does this committee believe that the people of this Nation desire to submit those of our older citizens who receive help to the final indignity and humiliation of the pauper's oath. We must abolish once and for all this antiquated "confession" by the individual of his "guilt" for the unfortunate situation in which he finds himself. We must replace it with a forthright "confession" by society of its "guilt" in creating the conditions which make impossible for 85 percent of our people the achievement of economic security in old age. We must establish society's responsibility for guaranteeing security to its retired workers as a matter of right. It is for this reason that the committee recommends the payment by the Federal Government of a monthly sum which it believes will guarantee at least a minimum of subsistence to every citizen past the age of 60 who has retired from gainful employment.

II

Injustices of the present system

The operation of our two systems of old-age insurance and assistance has resulted in creating serious injustices as between individual recipients within the insurance system, as between recipients of payments in the two different systems, and as between different States under both systems.

1. The essentially noncontributory nature of the insurance system results in the unjust weighting of benefit payments against the poorly paid worker: Benefit payments under the present old-age and survivors insurance scheme are made payable, in general, in proportion to the previous earnings of the retired worker. The justification for this discrimination as between poorly paid and better paid workers rested on the so-called contributory nature of the system. The committee finds, however, that because of the way in which the system was set up benefit payments during the next 25 to 50 years will come almost wholly from sources other than the contributions of the recipient.

Data prepared by the Social Security Board showed that on all claims to insurance benefits which will mature before 1955 and which will thus be payable over the next 25 to 50 years, the contributions by the recipients themselves, including interest compounded at 3 percent annually, will equal only 8 percent of the total benefits which they will draw out of the system. Even on all claims which will mature before 1980, and on which payments will extend into the twenty-first century (A. D.), the beneficiaries will have directly contributed only 25 percent (including accrued compound interest) toward the cost of their retirement annuities.

The committee does not criticize the Government for paying nearly all the cost of the pensions in the early years of the system. It does assert that since for the next three decades 92 percent of the funds for the payments are coming from sources other than the contributions of the recipients, there can be no justification for weighting the payments against the poorly paid worker.

A case example, prepared by the Social Security Board, will help to clarify this injustice. In the case of two workers, one earning $25 per month and the other $250 per month, both of whom die in 1954, leaving an identical number of survivors, the family of the more highly paid worker will receive monthly benefits at a maximum rate of $85 per month, which will, over a period of years, total more than $20,000, while the benefits in the maximum amount of $20 a month which will go to the family of the poorly paid one will amount to only about $5,000. In both cases the workers will have contributed less than 6 percent of their total benefits, yet society plans on awarding $20,000 to the prosperous family and $5,000 to the poor one.

The committee does not believe that this injustice, which will exist for many years to come, necessitates abolition of the insurance system. It asserts emphatically, however, that the evil can and must be corrected by the establishment of a minimum amount of benefits payable under the system. It is believed that this minimum benefit should be fixed at the same level as the general pension which is included in the committee's recommendations.

2. The existence of two parallel yet different systems by which we attempt to care for our retired workers has created a series of absurd and anomalous situations which tend to undermine the value of both systems: In the first place, for the country as a whole, the average insurance benefit ($20.48) is slightly lower than the average assistance payment ($20.63). In 22 of our States with half of the country's population, a retired worker can receive more, on the average, by accepting public charity than he can obtain from the insurance benefits toward which he has been contributing a percentage of his income during his working years. The inadequacy of insurance payments is thus only too clearly dramatized and the realization of this absurdity in the mind of the worker tends inevitably—and rightly—to shake his faith in the insurance scheme.

Of course, in all those States where assistance payments are higher than insurance benefits the retired worker may supplement his benefit by applying for assistance up to the full allowance. This, however, only makes the situation even more absurd and raises the question, Why maintain any insurance system which pays benefits to 80 or 90 percent of its recipients so small that they must be supplemented by charity grants of assistance?

Furthermore, in those States where old-age assistance payments are smaller than insurance benefits, no opportunity to thus supplement his meager benefits is open to a retired worker, although he may see fellow workers in more fortunate States receiving substantially higher amounts as a matter of charity than he is allowed as a return for contributions made by him during his working years.

The defenders of the present ludicrous system, however, point out hopefully that the primary insurance benefit will increase by 1 percent every year so that at some time in the future insurance benefits will outstrip assistance payments. But since the average primary benefit (that of the retired worker himself) is now only $23 per month, at the end of 20 years it can have increased by only about $5. And at the same time another factor will have come into operation to offset the rise in the primary benefit. That factor will be the increasing participation of women in the insurance system.

It should here be recalled, as pointed out earlier in the report, that our old-age assistance laws logically grant to women generally the same amount of payments as to men. In the case of our insurance system, however, a wife is allowed benefits equal to only 50 percent of her husband's, while a widow is given only 75 percent. The obvious absurdity of giving a widow only three-fourths of the full allowance for an individual is in striking contrast to the just and equitable policy under old-age assistance of granting her the same amount as her husband.

The effect of the smaller benefits for women will become increasingly apparent as the

number of female beneficiaries becomes greater. Since benefits are not payable to the wife or widow of a retired worker until she herself reaches age 65, and since only about one-third of all men 65 and over have wives above that age, relatively few women would be expected to receive benefits during the early years of the system.

At present only about 32 percent of all beneficiaries over age 65 are women. On the other hand, since our population is about equally divided between the two sexes and since women survive longer beyond age 65 than do men, eventually women will constitute about the same proportion of the beneficiaries as men. The increased ratio of female recipients who are allowed only a partial grant will thus operate to offset the rise in average primary benefits under old-age insurance, while no such factor will come into play to lower old-age assistance payments. It thus appears to the committee that the passage of time will not remedy the absurd situation in which we find ourselves paying less, on the average, in insurance benefits than we give to our retired citizens as a matter of charity.

8. Both of the present systems of old-age assistance and insurance unfortunately operate to drain wealth from our least prosperous States to our most fortunate ones: This criticism of the present system is so obvious that the mere statement of the facts in a foregoing part of this report needs little, if any, amplification here.

It will be recalled that the assistance program redounds to the advantage of wealthy States because the Federal Government will not grant to a State more funds than the State itself can afford to appropriate for old-age assistance. Thus Arkansas receives an average Federal grant of $3.95 per recipient, while California is awarded $18.95. In fact, the 10 most fortunate States, all prosperous, receive exactly four times as much in per capita Federal grants for old-age assistance as do the 10 least fortunate States, all less prosperous and most located in the South. Yet the funds for both grants come equally from the general revenues of the United States Government.

In the case of the insurance system, the exclusion of all farmers and farm workers from the payment of benefits results in the pouring of benefit money into industrial States to the detriment of agricultural ones. The 10 most fortunate States, just as under the assistance scheme, receive four times as much in per capita insurance payments as do the 10 least fortunate States, all predominantly agricultural and almost all located in the southern part of the country. Were the system a contributory one, such partiality might be defended. But, as brought out earlier, 92 percent of all funds used to pay insurance claims materializing before 1955 and thus extending over the next 25 to 50 years, will come from sources other than the contributions of the beneficiaries themselves. Since the public generally is paying these benefits, there can be no justification whatsoever for pouring into our industrial States four times as much benefit money as into our farm States.

There is before Congress at present a bill (S. 1759), the so-called Connally amendment to the Social Security Act, which would increase Federal grants to less prosperous States for old-age assistance by varying the size of the grant in inverse ratio to the per capita income of the State. While this committee approves strongly of any attempt to raise old-age assistance payments in our less prosperous States, it does not believe that the particular method contemplated in this bill is as desirable as other alternatives.

In the first place, by raising assistance payments substantially in the South, it would at the same time increase the average payment throughout the United States to more than $30 monthly. Since the average insurance benefit is now only $20 per month, the effect of such a proposal would be to throw further askew the present relationship between the insurance and assistance plans and cause to appear even more ridiculous the amounts now payable under the former plan.

Because such a method does not contemplate a parallel reform in the insurance system and would consequently increase the injustice of the dual system, the committee prefers to recommend as a more comprehensive remedy for the sectional discrimination inherent in both our present systems the establishment of a general pension of $30 a month, financed entirely by the Federal Government. Such a pension would automatically adjust the weighting of our assistance payments against less prosperous States by making payments uniform throughout the United States. It would also correct the discrimination by the present insurance system against the agricultural areas of the country by giving to farmers a pension in lieu of insurance benefits until such time as they may qualify for contributory payments. The committee believes that only by such a comprehensive reform as the establishment of a general pension can the discrimination of our present systems against the less prosperous areas of our country be eliminated.

PROPOSAL FOR A GENERAL PENSION

The committee is of the opinion that the immediate passage of a law providing a general pension of $30 a month for persons without employment past 60 is imperative to the present well-being of our older citizens. The committee, however, wishes to emphasize that such a measure is designed solely for the immediate future, because the expanding and accelerating insurance system recommended by the committee would soon preempt the pension field. Thus, the number of recipients of pensions will steadily dwindle each year until at the end of the coming decade almost all payments will be made as benefits under the insurance system and only a limited number as general pensions.

The members of the committee desire herewith to summarize the reasons which they believe necessitate the payment of a general pension during the next decade to such of our older citizens as will not be able to qualify under the revised plan for insurance benefits.

(1) One-half of the revenues raised for the old-age insurance fund (from which the money for pension payments is to come) will be raised by a 3-percent pay-roll tax on employers. It is an accepted fact that this tax will be paid by the consuming public and is thus a tax on society as a whole. It will consequently be paid by all recipients of a general pension, both before and after retiring from employment. No justification can be found for forbidding the pension to any particular group, since all shared equally in contributing the taxes from which one-half of the pension revenues are to be raised.

(2) An old-age pension must be made general for all who retire from employment, because to provide otherwise would be to discriminate among all older citizens in favor of the beneficiaries of the insurance system.

As brought out earlier, the beneficiaries of all insurance claims maturing before 1955 (the effective time limit on the proposed pension) will have contributed only 8 percent of the amounts which they will receive as benefits, while 92 percent of such payments must come from society as a whole. In effect, insurance benefits during the next 15 years will be almost wholly noncontributory social pensions. To single out any one group as the fortunate beneficiaries of such a grant is grossly unfair while others, equally worthy and generally less fortunate, must submit to humiliating investigations and paupers' oaths before receiving an identical kind of noncontributory pension. If one, then both kinds of noncontributory pensions must be paid as a matter of right to all citizens over 60.

(3) The committee believes that there is another reason justifying the grant to the Nation's workers of a general pension paid as a matter of right, without degrading conditions. American citizens now approaching and past 60 by their thrift and toil materially helped to build our farms, factories, and cities—assisted in constructing our fertile productive enterprises by virtue of which there is now ample wealth to provide comfort for all. The fortunate of us are beneficiaries of their toil, but the fate of many millions of them is unhappy and tragic indeed. Nine out of ten men are industrious and try to save some of their earnings, but scarcely more than 1 in 10 succeeds, and the failure of our people to save cannot fairly be ascribed to anything but the economic conditions that have existed in our Nation over the past generation.

The great majority of our workers have found no opportunity to accumulate a competency because of earnings so small that anything beyond the support of a wife and children has been impossible. A minor segment of our workers with an earning capacity beyond a bare subsistence have from time to time, with sacrifice and thrift, accumulated savings or insurance rights and then, in cyclical periods of unemployment, or because of sickness, injury, death, or other disaster, have seen the accumulation of years swept away almost in a day.

Millions of our best citizens, thrifty and industrious, had their hard-won competencies ruthlessly stripped from them in the panic of 1929 and the depression of the thirties. Millions of our farmers, upon whose services our very existence depends, have provided bountifully for the rest of us, and now, in failing age, face poverty and insecurity through no fault or failure of their own.

In granting liberalized pensions to our retired workers and farmers, their wives and widows, should we taint our grant by demanding paupers' oaths, by means tests, by maintaining dismal standards of the poor farm? Or should we grant these payments as a matter of social right, to be received and enjoyed with dignity and independence, free of harassment and inquisition? We believe that a nation dedicated to humane, Christian principles should have but one answer to that question.

(4) While the committee believes that general pensions are necessitated by a sound social policy and by natural justice, we wish further to emphasize that the most practical and realistic rules of statecraft would lead to the same conclusion. This statement is based upon the undeniable fact that only about 15 percent of our citizens upon reaching 60 have accumulated savings sufficient to provide incomes for independent support. Many authorities place the number of savers at about 10 percent. Among the 15 percent possessed of competencies will be a substantial proportion who will still be employed after 60. Considering that our brain workers—including our public officials, editors, corporate executives, financiers, writers, and professional and business leaders—who generally continue to work until late in life are also the ones most often possessed of considerable savings, we can safely assume that of our approximate 15 percent of persons past 60 with savings, not more than 10 percent would be retired. Since the proposed pension would be payable only to retired persons, it is with this 10 percent that we are concerned. Of this percentage, the great majority would be possessed of very modest incomes ranging from twenty-five up to a few hundred dollars monthly. Only in the top 1 or 2 percent will we find individuals of substantial or high incomes. It is entirely possible that a substantial portion of our wealthy retired citizens would never claim a pension, and it is obvious that those who did would restore a major portion of it to the Federal and State Governments in income

taxes, and that not less than 20 percent of the balance would be subject to consumptive taxes when spent.

The argument is often heard that it would be unwise to give a general pension to Rockefeller, Ford, or some other multimillionaire, And from this it is argued that we should subject the 85 or 90 percent of our people who have no savings to a means test to prevent the rich man from claiming the pension. It it is desirable to prevent a comparatively few of our citizens from enjoying a social dividend, the income tax is an apt, cheap, and simple medium to recapture all or any portion of the pension at whatever income level is considered advisable.

Public opinion on old-age pensions

In the midst of the present national emergency, faced with the expenditure of billions of dollars for national defense, the people of America have expressed their almost unanimous conviction that the Government of the United States should provide more adequate pensions for our retired workers In a recent scientific poll taken by the American Institute of Public Opinion, 91 percent of all voters sampled answered an unequivocal "yes" to the direct question: Are you in favor of Government old-age pensions? The committee believes that such unanimity of opinion, particularly in the face of the present emergency, demands that the Congress respond promptly to this undeniably popular mandate for the establishment of a national old-age pension system.

Reflecting the present state of public opinion, the poll revealed that the people of the country as a whole favor a pension of $42 per month for a single person and $73 for a married couple, as the minimium amounts which our retired workers require for a decent living. It should be noted that the opinions of the amounts required vary somewhat in different regions of the country. In the South $32 per month is considered a fair figure, while in New England and the Mid-Atlantic States a monthly sum of $50 is believed essential.

The committee desires to state here that in fixing its proposed general pension at $30 per month it was guided at least in part by these estimates of the people themselves as to what they consider absolutely necessary as a minimum of subsistence. It proposes to establish a pension acceptable to that area of the country in which the cost of living is least—the South—in the expectation that States in other parts of the country, where costs of living are higher, may, if they desire, add proportionately greater amounts to the basic Federal pension.

In another respect the poll showed that public opinion is now far in advance of existing legislation. About two-thirds of the American people already recognize that, whatever the Social Security Act may say about a retirement age of 65, the chances of a worker's obtaining employment in modern industry after age 60 are now slim indeed. Public opinion is thus prepared to support this committee's recommendation that a general pension for our retired workers be made payable at the age of 60.

It should further be noted that 76 percent of all persons polled specifically declared their willingness to pay a 3-percent tax on their earnings to insure an adequate pension after retirement from employment. Dr. Gallup, director of the institute, has interpreted the data developed by his poll as meaning that "a large majority say they would be willing to lay aside a substantial percentage of their income over the coming years to make pensions, in effect, universal."

The committee desires to point out that the plan for a general pension for all persons without employment above the age of 60 is clearly in keeping with the desires of the American people as expressed in this sampling of public opinion. The plan has been designed to provide pension payments for all in amounts which the people as a whole believe fair. It has likewise been designed to extend to the entire population the 3-percent tax on earnings from which the pension payments are to be financed. And, of course, the other 3-percent tax on pay rolls levied on the employer is passed on to the consuming public and is thus a further means of placing the responsibility for financing the payments on the entire body of citizens which is to receive them. By making both the pension payments and the tax responsibility for those payments universal, the committee believes it has designed a fair system which will meet fully the desires of the American people.

Finally, the committee desire to point out that the results of this poll completely vitiate all charges that sentiment for old-age pensions is centered only in the older groups of our people. Of all the age groups sampled by the poll, it was the oldest citizens who set the lowest figures desirable for pension payments. Voters from ages 21 to 44 actually favored pensions for single persons in amounts $6 to $8 per month higher than did those above the age of 60. In the face of these facts, it can hardly be denied that the pressing desire of the American people for an adequate pension system springs as much from the generous nature and, perhaps, enlightened self-interest of our younger people as it does from the immediate needs of our older citizens.

RECOMMENDATIONS OF THE COMMITTEE

This committee believes that fundamental changes in the Social Security Act of 1935, as amended in 1939, are an immediate necessity for the welfare of the older citizens of this Nation. In accordance with that belief, it submits the following recommendations:

A. Title II of the Social Security Act and the Federal Insurance Contributions Act (formerly title VIII of the Social Security Act)

1. (a) We recommend that the present system of old-age and survivors insurance as provided under title II of the Social Security Act and the Federal Insurance Contributions Act be retained and extended to provide for as universal coverage as possible. We recommend that all groups within the extended coverage shall begin to pay taxes as of January 1, 1943.

(b) We recommend an immediate, detailed investigation into the best method of extending the coverage of the insurance system to all self-employed groups, farmers, and farm workers, employees of the Federal Government, of States, counties, and municipalities, and all other employed individuals who are not now covered by the system. In the rare cases of those individuals who escaped tax responsibility through failure to engage in gainful employment during their lives it is recommended that equalization of the tax burden be effected in their cases through the instrumentality of the income tax.

2. We recommend that the benefits provided under the insurance system be made payable upon retirement from employment at the age of 60 rather than at the age of 65, as at present provided.

3. We recommend that a minimum benefit of $30 per month be established for all beneficiaries, including those now in receipt of payments, regardless of the size of their previous earnings.

4. We recommend that the combined employer-employee taxes on pay rolls in the then covered employments be raised to 4 percent on January 1, 1943, and that the taxes further be raised to 6 percent on January 1, 1944, instead of on January 1, 1949, as contemplated in the present act.

5. We recommend the repeal of the present provision of the law requiring as a condition of eligibility for benefits that an individual be paid not less than $50 in wages in any quarter of coverage.

6. We recommend that wives' and widows' insurance benefits be increased from one-half and three-quarters, respectively, of the husbands' primary insurance benefit to an amount equal to such primary benefit.

B. Title I of the Social Security Act

1. We recommend the abolition of the present Federal-State old-age assistance system based on the means test as provided in title I of the act, and recommend that title I be amended to provide for the payment by the Federal Government through the instrumentality of the several States of a general pension of $20 per month after July 1, 1942, and $30 per month after January 1, 1944, to every American citizen who has retired from gainful employment at or after the age of 60, unless he is in receipt of payments from the Federal Government under the old-age insurance system or under the provisions of the Railroad Retirement Act of 1940.

2. We recommend that such pensions be supported by general appropriations financed as far as possible by the utilization of those funds collected through the 6-percent employer-employee pay-roll tax provided by the Federal Insurance Contributions Act to the extent that they shall not be required for current payments under the insurance benefit provisions of title II of the act. In this connection we emphasize again our earlier recommendation that all employed persons be brought under the coverage of the insurance system at as early a date as is found to be feasible. Until such time as all, or nearly all, citizens will receive their benefits under the insurance system, it is the opinion of the committee that diversion of workers' contributions to the payment of a general pension should be balanced by an equally general tax program. This generally can be achieved directly (for workers) and indirectly (for wives and widows) by coverage of all gainfully employed persons under the insurance system.

C. Further recommendations

This committee recommends that it continue to study the pension problem and that its authority be broadened to include the larger subject of all social-economic insecurity, including the condition of dependent widows and children, of the permanently and totally disabled, et cetera.

FINANCIAL RECOMMENDATIONS OF THE COMMITTEE

The census estimates that in 1945 our population above 60 years will reach about 15,000,000. Of this number, the committee believes that approximately 3,000,000 will remain gainfully employed and that about 1,000,000 of them will have spouses above 60. Thus, persons who might be qualified to claim benefits under either title I or title II will be reduced to 11,000,000.

There are in the United States 800,000 aliens past 60 and a substantial number of our aged in institutions supported by public funds, none of whom would be eligible for general pensions.

In the opinion of the committee, it is therefore probable that not more than 10,000,000 would be qualified as beneficiaries under both the proposed general pension plan and the old-age insurance system.

The committee recognizes that many qualified individuals might never claim general pensions and some of its members are of the opinion that the number of these, who for one reason or another would not apply, might reach 5 percent of those eligible, but this factor has been ignored in the committee's calculations.

If 10,000,000 of our people were in receipt of the general pension of $30 or the minimum insurance benefit of a similar sum the cost would be $3.6 billions. It must be noted there would be other items of cost to be added. These would not, in the immediate future, be of a great magnitude. Under the

proposal of this committee while the minimum is lifted to $30 monthly, payments above that sum, earned by a contributor's payments, would remain unaffected. It is probable that for a long, long time there will be less than a million beneficiaries of the insurance system who will be entitled to more than the minimum of $30. If the excess of payments above the minimum sum averaged as much as $7.50, the aggregate for a million recipients would equal $7.5 millions monthly or $90,000,000 annually. And there is little chance that this amount would be attained in the next decade.

In addition to the sums that would be payable to persons over 60, the proposed law would retain and liberalize benefit payments to widows under 60 with children under 18. Ultimately this phase of the act would require substantial income to support it but no great sum for the next few years. The proposal of the committee while not directly affecting the benefits of widows under 60, indirectly does so, to a very substantial, and the committee believes, in a very equitable way.

An example will readily make this plain. Under the present law a widow, with one or more children under 18, can in no event receive an allowance more than double her husband's primary benefit. Thus a widow with three children whose husband's benefit would have been the minimum of $10, could not receive more than $20, a sum totally insufficient for her support and generally far below that to which most general relief laws would entitle her. Now, if the minimum primary benefit were increased to $30 monthly, her allowance would automatically rise to $60, a much more substantial sum, but one that would hardly permit her and her three children to be corrupted by luxurious living. The example we have given is the extreme but all widows under 60 whose husbands' primary benefits would have been less than $30 monthly would find their condition improved.

The committee has not yet been able to assemble data from which sound estimates could be made of the future cost of thus increasing indirectly the benefits of widows under 60. But this much is certain, that within a decade or two the universal coverage of the insurance system, as herein proposed, would provide for almost all of the otherwise dependent widows and children of the Nation. States, cities, and counties would thereby be relieved of this heavy and unhappy relief problem. They likewise would be released from many hundreds of millions of expense for general relief and old-age assistance for those past 60 and if experience proved that the item for the succor of widows under 60 as here proposed was too burdensome for the pay-roll tax to support, the States, cities, and counties could justly be called on for appropriations.

In any event, it is the opinion of the committee that for the first 2 or 3 years after the $30 rate became effective the cost would not exceed $4,000,000,000 annually. And it is believed that a 6-percent tax on employers and employees, with corresponding levies against all other groups, so as to make the plan practically universal, would produce, at a national income level of $100,000,000,000, about the needed $4,000,000,000.

Estimates submitted by the Social Security Board indicate that with a national income of $100,000,000,000 a 6-percent tax on presently covered pay rolls would yield $2,600,000,000; that if this 6-percent tax were extended to the pay rolls of all public employees—Federal, State, city, and county—an additional $500,000,000 would be raised; that a 3-percent tax on net incomes up to $3,000 of self-employed persons (excluding farmers) would produce approximately $300,000,000.

The committee, from preliminary investigation, is certain that $600,000,000 could be raised from taxes on farm pay rolls, farmers' net incomes, and farm crops without any serious burden on agriculture. The committee has not, however, had time to fully investigate a fair and appropriate levy against rural groups, and has therefore recommended that the determination of a specific method of taxation go over until next year. But the committee is certain that the Congress can rely upon agriculture to produce at least $600,000,000 for the financial support of the proposed plan.

Other classes of society could properly be subject to a pension tax. The most profitable would probably be individuals under 60 with net unearned incomes who were not reached by other pay-roll levies. The committee has not been able to yet secure data on the amount this kind of a tax would produce, but believes it would be substantial. It has recommended that the determination of the best method of subjecting this group to a pension levy be determined at a later date when it is anticipated some sort of an income tax will be found to be the strategic method to be applied.

Likewise the committee has made no investigation and no finding of what, if any, levies should be made against domestics and minor groups not heretofore covered. It has recommended that the best methods and advisability of taxing such groups be considered later.

Summarizing the foregoing data, we develop the following figures. At an income level of $100,000,000,000 a 6-percent pay-roll tax would produce from—

	Billions
Present coverage	$2.6
Public employees	.5
A 3-percent tax on the self-employed would yield approximately	.3
Farm groups should yield	.6
Total	4.0

The committee recommends that the age limit be reduced to 60 and that liberalized benefits begin on July 1, 1942, at the rate of $20 monthly, remaining at that figure for 18 months or until January 1, 1944. It will be remembered that under the existing law contributions will be increased to 4 percent on January 1, 1943, and we have recommended that this rate be raised to 6 percent 1 year later. Until the full rate of 6 percent were in force the system might not be entirely self-supporting, but the deficit would not be great and should be covered by a Federal appropriation. The sum now being spent by the Government on old-age assistance and relief of those past 60 would probably be sufficient to meet any deficit in the contributions.

The committee in its fiscal calculations has assumed a national-income level of $100,000,000,000 because of estimates presented to it by Robert Nathan, formerly head of the National Income Division of the Department of Commerce and now economist with the Office of Production Management. The committee requested estimates on future national income from the Social Security Board, whose representative suggested to the committee that Mr. Nathan be consulted for an answer to the question on national income. The communication received by the committee from Mr. Nathan contained the following statements:

"It now appears that the national income in 1941 will approximate in terms of 1940 prices about eighty-six and eighty-seven billion dollars.

"The level for 1942 will certainly not exceed $95,000,000,000, although had no bottlenecks been encountered the 1942 total might have been well above $100,000,000,000.

"* * * our national income in 1943 should exceed $100,000,000,000, with a total of about $103,000,000,000 being reasonable. It is my belief that by 1944 either there will be further expansion in critical areas or else we shall so have adjusted ourselves as to make for the fullest utilization of existing limited resources and permit a national income of $110,000,000,000."

It will be noted from an examination of the foregoing letter that the committee, in calculating the yield of the 6-percent pay-roll tax from a national income of $100,000,000,000, is dropping substantially below the estimates given by Mr. Nathan for the years 1943 and 1944, and that likewise Mr. Nathan in his letter clearly recognizes the possibility of an income substantially beyond the ones he is predicting by reason of inflationary tendencies.

Doubtless some of our Senators may hesitate to accept an estimated yield from the pay-roll tax based on a national income level of $100,000,000,000, anticipating that a collapse of pay rolls may come at the end of our present emergency spending. To those who may very properly be distressed by this possibility, let us emphasize that the fiscal program we have outlined would relieve our Federal and State Governments from present large expenditures, certainly exceeding a billion a year. Old-age assistance appropriations of the National and State Governments combined will soon exceed $600,000,000. Work Projects Administration disbursements for the age group between 60 and 65 are substantial; large sums are spent by local governments for the relief of this same group, and better coverage of widows and orphans as herein proposed would soon eliminate almost all relief expenditures of every kind except Work Projects Administration and farm aid. Consequently, if pessimistic prophecies are vindicated and the end of our war spending precipitates a period of unemployment and a decreased yield from pay-roll taxes, our Federal and State Governments could assume a substantial portion of the proposed outlay without exceeding the sums they are now disbursing for present relief and from which they would be relieved if the proposed law would be enacted.

It should, of course, be noted here as a fact relevant to this discussion that of the $500,000,000 expected to accrue to the insurance fund from a 6-percent tax on the earnings of public employees, one-half would be payable by the Federal, State, city, and county governments, and this item of $250,000,000 would, of course, have to be calculated by our governmental agencies.

It should also be emphasized that if employment and national income are demoralized by the curtailment of military expenditures, it would be vitally necessary that our consumer purchasing power should be supported by every wise possible means. Therefore the maintenance of at least a minimum of buying power among the age group past 60 would be helpful in checking any trend toward collapsing production after this emergency is over.

Its chairman has reported to this committee that he has been advised by reputable economists that, in their opinion, the distribution of $4,000,000,000 annually under the plan herein proposed would result in increased Federal revenues to the extent of at least $400,000,000 annually and that the income of other governmental agencies would also be beneficially affected by more adequate pension outlays. This committee has not attempted any exploration of the questions involved in these statements but does recommend to the Finance Committee its careful consideration of this aspect of the problem.

APPENDIX A

PROPOSED DRAFT OF A BILL EMBODYING THE COMMITTEE'S RECOMMENDATIONS

A bill to amend the Social Security Act to provide for general pensions, and for other purposes

Be it enacted, etc., That title I of the Social Security Act, as amended, is amended to read as follows:

"Title I—Grants to States for general pensions

"Appropriation

"SECTION 1. (a) For the purpose of providing general pensions to citizens of the United States who are 60 years of age or over, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1943, the sum of $--------; and there is hereby authorized to be appropriated for each fiscal year thereafter a sum sufficient to carry out the purposes of this title. The sums made available under this section shall be used for making payments to States which have submitted, and had approved by the Social Security Board established by title VII (hereinafter referred to as the Board), State plans to administer such payments.

"(b) Any money appropriated pursuant to the authorization contained in this section shall, insofar as practicable, be borrowed from the Federal Old-Age and Survivors Insurance Trust Fund. Special obligations shall be issued to such trust fund, in accordance with the provisions of section 201 (c), in an amount equal to the amount so borrowed.

"State Plans for Administration

"SEC. 2. (a) A State plan for the administration of general pensions must (1) either provide for the establishment or designation of a single State agency to administer the plan, or provide for the establishment or designation of a single State agency to supervise the administration of the plan; (2) provide for granting to any individual, whose claim for pension is denied, an opportunity for a fair hearing before such State agency; (3) provide such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Board shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Board to be necessary for the proper and efficient operation of the plan; (4) provide that the State agency will make such reports, in such form and containing such information, as the Board may from time to time require, and comply with such provisions as the Board may from time to time find necessary to assure the correctness and verification of such reports; (5) provide safeguards which restrict the use or disclosure of information concerning applicants and pensioners to purposes directly connected with the administration of such pension; (6) beginning with the period commencing July 1, 1942, provide for the payment of general pensions of not less than $20 per month, and with the period commencing January 1, 1944, provide for the payment of general pensions of not less than $30 per month, to each United States citizen who has made application for such pension and who, at the time of such payment, is a resident of such State, is 60 years of age or older, and is not an inmate of a public institution; (7) provide that any such citizen who for any month receives a Federal Old-Age and Survivors Insurance benefit payment under title II of the Social Security Act or an annuity under the Railroad Retirement Act of 1935 or 1937 shall not be entitled to receive such pension for such month; and (8) provide that if any such citizen or his or her spouse, if such citizen is dependent upon and supported by said spouse during any month engages in any occupation, trade, business, profession, or other activity from which a profit, wage, compensation, or other remuneration is realized or expected (other than the performance of services in a private home for room and board and other than the collection of interest, rents, or other revenues from his or her own investments), such citizen shall not be entitled to receive such pension for such month.

"(b) The Board shall approve any plan which fulfills the conditions specified in subsection (a).

"Payment to States

"SEC. 3. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for the administration of general pensions, for each quarter, beginning with the quarter commencing July 1, 1942, (1) an amount, which shall be used exclusively to pay general pensions, equal to the product of $20 multiplied by the total number of pensions paid during such quarter, and (2) an amount equal to one-half of the total of the sums expended during such quarter, as found necessary by the Board for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for general pensions, or both, and for no other purpose: *Provided*, That for each quarter beginning with the quarter commencing January 1, 1944, the amount provided for in clause (1) shall be increased to an amount equal to the product of $30 multiplied by the total number of pensions paid during such quarter.

"(b) The method of computing and paying such amounts shall be as follows:

"(1) The Board shall, prior to the beginning of each quarter, estimate the amount to be paid to the State for such quarter under the provisions of subsection (a), such estimate to be based on (A) a report filed by the State containing its estimate of the total sum to be expended in such quarter in accordance with the provisions of such subsection, (B) records showing the number of United States citizens in the State who are 60 years of age or older, and (C) such other investigation as the Board may find necessary.

"(2) The Board shall then certify to the Secretary of the Treasury the amount so estimated by the Board, reduced or increased, as the case may be, by any sum by which it finds that its estimate for any prior quarter was greater or less than the amount which should have been paid to the State under subsection (a) for such quarter, or by any sum by which it finds that its estimate for any quarter prior to July 1, 1942, was greater or less than the amount which should have been paid to the State for such quarter under the provisions of law in effect prior to such date, except to the extent that such sum has been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the Board for such prior quarter.

"(3) The Secretary of the Treasury shall thereupon, through the Division of Disbursement of the Treasury Department and prior to audit or settlement by the General Accounting Office, pay to the State, at the time or times fixed by the Board, the amount so certified.

"Operation of State Plans

"SEC. 4. In the case of any State plan for the administration of general pensions which has been approved by the Board, if the Board, after reasonable notice and opportunity for hearing to the State agency administering or supervising the administration of such plan, finds—

"(1) that the plan has been so changed as to include any requirement not provided for in section 2 (a), or

"(2) that in the administration of the plan there is a failure to comply substantially with any provision required by section 2 (a) to be included in the plan;

the Board shall notify such State agency that further payments will not be made to the State until the Board is satisfied that such additional requirement is no longer so imposed, and that there is no longer any such failure to comply. Until it is so satisfied it shall make no further certification to the Secretary of the Treasury with respect to such State."

SEC. 2. (a) Subsections (a), (b) (1), (d) (1), and (f) (1) of section 202 of such act are amended by striking out "sixty-five" and inserting in lieu thereof "sixty."

(b) Section 202 (b) (1) of such act is amended by striking out "one-half of" wherever it appears therein.

(c) Section 202 (b) (2) of such act is amended by striking out the words "one-half of a primary insurance benefit of her husband" and inserting in lieu thereof "a primary insurance benefit of her husband."

(d) Section 202 (d) (1) is amended by striking out "three-fourths of" wherever it appears therein.

(e) Section 202 (d) (2) of such act is amended by striking out the words "three-fourths of a primary insurance benefit of her deceased husband" and inserting in lieu thereof "a primary insurance benefit of her deceased husband."

(f) Section 202 (f) (2) of such act is amended by adding after the words "one-half of a primary insurance benefit of such deceased individual" the words "or $30, whichever is greater."

SEC. 3. (a) Subsection (a) of section 203 of such act is amended by striking out "$20" wherever it appears therein and inserting in lieu thereof "$60."

(b) Subsection (b) of such section is hereby repealed.

SEC. 4. The last sentence of section 209 (e) (2) is amended to read as follows: "Where the primary insurance benefit thus computed is less than $30, such benefit shall be $30."

SEC. 5. Subsection (g) of section 209 of such act is amended by striking out "sixty-five" and inserting in lieu thereof "sixty."

SEC. 6. (a) Subsections (i) and (k) of section 209 of such act are amended by striking out "sixty" wherever it appears therein and inserting in lieu thereof "fifty-five."

(b) The amendments made by this section shall not be applicable to a wife or child who became entitled to an insurance benefit prior to the effective date of this section.

SEC. 7. The last sentence of section 209 (g) of such act is amended to read as follows: "In any case where an individual has received in a calendar year $200 or more in wages, each quarter of such year shall be deemed a quarter of coverage, excepting any quarter in such year in which such individual dies or becomes entitled to a primary insurance benefit and any quarter succeeding such quarter in which he died or became so entitled."

SEC. 8. Section 1400 of the Internal Revenue Code is amended to read as follows:

"SEC. 1400. Rate of tax.

"In addition to other taxes, there shall be levied, collected, and paid upon the income of every individual a tax equal to the following percentages of the wages (as defined in sec. 1426 (a)) received by him after December 31, 1936, with respect to employment (as defined in sec. 1426 (b)) after such date:

"(1) With respect to wages received during the calendar years 1939, 1940, 1941, and 1942, the rate shall be 1 percent.

"(2) With respect to wages received during the calendar year 1943, the rate shall be 2 percent.

"(3) With respect to wages received after December 31, 1943, the rate shall be 3 percent."

SEC. 9. Section 1410 of the Internal Revenue Code is amended to read as follows:

"SEC. 1410. Rate of tax.

"(a) In addition to other taxes, every employer shall pay an excise tax, with respect to having individuals in his employ, equal to the following percentages of the wages (as defined in section 1426 (a)) paid by him after December 31, 1936, with respect to employment (as defined in section 1426 (b)) after such date:

"(1) With respect to wages paid during the calendar years 1939, 1940, 1941, and 1942, the rate shall be 1 percent.

"(2) With respect to wages paid during the calendar year 1943, the rate shall be 2 percent.

"(3) With respect to wages paid after December 31, 1943, the rate shall be 3 percent."

SEC. 10. The amendments made by sections 2, 3, 4, 5, 6, and 7 shall be applicable with respect to the individuals receiving old-age and survivors insurance benefit payments on July 1, 1942, but shall not be construed to increase any such benefit payments which became due prior to such date.

SEC. 11. Sections 1, 2, 3, 4, 5, 6, and 7 shall take effect on July 1, 1942, and sections 8 and 9 shall take effect on January 1, 1942.

APPENDIX B

Exhibits prepared by the Social Security Board at the request of the chairman of the committee showing data relative to the operation of the old-age insurance and old-age assistance provisions of the Social Security Act.

EXHIBIT 1

Old-age assistance: Average payments[1] per recipient, ranked by States from highest to lowest, April 1941

All	$20.63
1. California	37.82
2. Washington	32.29
3. Massachusetts	29.04
4. Alaska	28.65
5. Arizona	28.06
6. Connecticut	27.50
7. Colorado	26.80
8. Nevada	26.60
9. Utah	26.53
10. District of Columbia	25.64
11. New York	24.51
12. Wyoming	24.01
13. Ohio	23.21
14. Illinois	22.78
15. Wisconsin	22.74
16. Idaho	22.64
17. Pennsylvania	22.14
18. New Hampshire	21.69
19. Oregon	21.40
20. Minnesota	21.29
21. New Jersey	21.29
22. Maine	20.84
23. Iowa	20.52
24. Rhode Island	20.18
25. Kansas	20.04
26. Montana	20.01
27. South Dakota	19.19
28. Indiana	18.37
29. Oklahoma	17.94
30. Missouri	17.88
31. Maryland	17.86
32. New Mexico	17.45
33. North Dakota	17.14
34. Nebraska	16.99
35. Michigan	16.98
36. Vermont	16.74
37. West Virginia	14.46
38. Texas	14.35
39. Louisiana	13.53
40. Florida	12.91

[1] Average payment per recipient in some States may be slightly overstated because it is known that 1 grant is made to cover the needs of 2 eligible aged persons, usually the spouse of a grantee, and the spouse is not counted as a recipient.

Old-age assistance: Average payments per recipient, ranked by States from highest to lowest, April 1941—Continued

41. Hawaii	$12.74
42. Delaware	11.46
43. North Carolina	10.16
44. Tennessee	10.13
45. Virginia	9.96
46. Alabama	9.12
47. Kentucky	8.94
48. Mississippi	8.68
49. Georgia	8.31
50. Arkansas	7.73
51. South Carolina	7.49

EXHIBIT 2

Average amount, by State, of monthly old-age insurance benefits awarded in 1940 to persons over 65 (primary, wife's, widow's, and parent's benefits combined)

	Average benefit
All	$20.48
Region I:	
Connecticut	20.88
Maine	18.81
Massachusetts	21.16
New Hampshire	17.76
Rhode Island	20.20
Vermont	19.44
Region II: New York	21.31
Region III:	
Delaware	18.78
New Jersey	21.96
Pennsylvania	20.62
Region IV:	
District of Columbia	21.22
Maryland	19.89
North Carolina	17.23
Virginia	18.63
West Virginia	19.77
Region V:	
Kentucky	18.60
Michigan	20.79
Ohio	20.88
Region VI:	
Illinois	21.37
Indiana	19.87
Wisconsin	20.78
Region VII:	
Alabama	18.05
Florida	19.66
Georgia	17.73
Mississippi	17.18
South Carolina	17.32
Tennessee	18.11
Region VIII:	
Iowa	18.77
Minnesota	21.44
Nebraska	19.53
North Dakota	19.49
South Dakota	20.00
Region IX:	
Arkansas	17.10
Kansas	18.97
Missouri	20.05
Oklahoma	19.44
Region X:	
Louisiana	18.65
New Mexico	19.77
Texas	19.19
Region XI:	
Arizona	20.66
Colorado	21.03
Idaho	22.16
Montana	21.01
Utah	20.83
Wyoming	20.41
Region XII:	
California	21.38
Nevada	23.17
Oregon	20.22
Washington	20.77
Territories:	
Alaska	21.86
Hawaii	19.02
Foreign	17.32

EXHIBIT 3

Average monthly payment per recipient of old-age assistance and average monthly old-age and survivors' insurance benefits, by States

State ranked on average payment per recipient of old-age assistance	Average payment per recipient of old-age assistance December 1940	Average benefit old-age and survivors insurance, 1940
California	$37.87	$21.38
Colorado	31.66	21.03
Massachusetts	29.00	21.16
Alaska	28.22	21.86
Arizona	28.01	20.66
Connecticut	27.96	20.88
Nevada	26.55	23.17
District of Columbia	25.47	21.22
New York	24.91	21.31
Wyoming	23.91	20.41
Ohio	22.99	20.88
Washington	22.70	20.77
Utah	22.58	20.83
Wisconsin	22.53	20.78
Idaho	22.38	22.16
Illinois	22.05	21.37
Pennsylvania	21.95	20.62
Oregon	21.40	20.22
New Hampshire	21.28	17.76
Minnesota	21.16	21.44
New Jersey	21.01	21.96
Maine	20.82	18.81
Iowa	20.72	18.77
Kansas	20.03	18.97
Rhode Island	19.96	20.20
Nebraska	19.30	19.53
South Dakota	19.30	20.01
Montana	19.05	21.07
Indiana	18.11	19.84
Oklahoma	17.85	19.49
Maryland	17.76	19.80
New Mexico	17.16	19.77
North Dakota	16.78	19.49
Michigan	16.75	20.79
Vermont	16.51	19.44
Missouri	14.95	20.05
West Virginia	13.99	19.77
Texas	13.77	19.19
Hawaii	12.96	19.02
Louisiana	12.61	18.65
Florida	12.50	19.66
Delaware	11.42	18.78
North Carolina	10.12	17.23
Tennessee	10.11	18.11
Virginia	9.95	18.63
Alabama	9.28	18.05
Kentucky	8.91	18.60
Mississippi	8.60	17.18
Georgia	8.20	17.73
South Carolina	7.91	17.32
Arkansas	7.87	17.10

EXHIBIT 4. *Old-age assistance: Percentage distribution of recipients, by amount of money payment, by State, November 1940*

State	Number of recipients	Percent receiving—									
		Less than $5	$5–$9.99	$10–$14.99	$15–$19.99	$20–$24.99	$25–$29.99	$30–$34.99	$35–$39.99	$40–$44.99	$45 or more
Total	2,059,017	0.6	12.5	18.5	19.8	18.0	12.7	10.0	1.6	6.2	0.1
Alabama	20,094	9.7	58.1	21.5	4.2	1.1	.3	4.9	(1)	.1	.1
Arizona [2]	8,512		1.6	.7	3.0	10.5	19.8	64.4			
Arkansas [3]	25,484		75.8	20.6	3.0	.5	.1				
California	149,738	(1)	.1	.6	1.0	1.9	3.6	6.6	7.7	78.5	
Colorado [4]	41,679	.4	1.0	1.7	4.0	11.0	23.6	58.3			
Connecticut	17,353	(1)	1.2	2.0	8.5	14.3	22.6	42.7	8.7		
Delaware	2,568		34.3	41.1	16.5	5.4	2.7				
District of Columbia	3,452		.4	6.8	9.9	17.6	28.5	36.8			
Florida	37,467		27.5	46.2	17.6	6.3	1.7	.7			

[1] Less than 0.05 percent.
[2] Includes 112 recipients residing in public institution for the aged and receiving $5 payments.
[3] Data are for February 1941.
[4] Includes 3,572 recipients 60 and under 65 years of age.

EXHIBIT 4. *Old-age assistance: Percentage distribution of recipients, by amount of money payment, by State, November 1940*—Continued

State	Number of recipients	Percent receiving—									
		Less than $5	$5–$9.99	$10–$14.99	$15–$19.99	$20–$24.99	$25–$29.99	$30–$34.99	$35–$39.99	$40–$44.99	$45 or more
Georgia	37,839	8.2	67.3	18.1	4.3	1.4	0.4	0.3			
Idaho	9,061	.2	2.6	7.0	19.6	31.2	17.0	18.0	2.3	2.1	
Illinois	141,216		1.7	11.2	26.3	24.9	20.6	12.3	1.8	1.2	
Indiana	67,449	.3	3.9	23.4	33.6	25.8	8.8	4.2			
Iowa	56,140		3.1	7.4	19.7	53.4	16.0	.4			
Kansas	27,915	.1	5.5	22.1	27.8	20.9	12.2	7.6	2.1	1.4	.3
Kentucky	53,691		64.8	32.1	3.1	(1)					
Louisiana	33,827	.8	32.5	38.9	16.2	7.3	2.4	1.4	.3	.1	.1
Maine	13,335	.1	1.6	12.4	30.9	23.8	16.0	15.2			
Maryland	18,329	.5	8.7	25.8	23.1	27.4	6.8	7.7			
Massachusetts	86,905	.1	.4	2.0	4.4	15.3	19.7	48.9	6.6	2.1	2.5
Michigan	77,005	.7	5.4	35.2	34.0	17.2	7.5	2.0			
Minnesota	63,196	.3	1.8	7.7	27.6	33.3	19.9	9.4			
Mississippi	24,680	1.9	64.5	27.2	5.7	.1	.5	(1)		.1	
Missouri	106,746	.3	12.1	40.0	31.6	10.3	5.5	.2			
Montana	12,186	.1	2.0	19.3	39.2	25.9	9.6	3.0	.2	.7	
Nebraska	28,761		2.7	19.5	36.7	24.7	10.8	5.6			
Nevada	2,312	(1)	.4	1.8	15.7	6.0	6.8	69.3			
New Hampshire	6,375	.2	3.0	15.2	24.4	25.3	18.0	8.9	1.3	3.7	
New Jersey	31,359	.1	1.3	11.5	26.3	33.0	21.5	4.7	.6	1.0	
New Mexico	4,866	.4	22.2	28.0	20.8	13.1	7.6	3.9	2.2	1.5	.3
New York [2]	120,609	.1	1.5	12.0	19.1	22.9	20.7	12.9	7.8	2.7	.3
North Carolina	37,050		51.9	33.5	8.9	2.7	2.1	.9			
North Dakota	8,908	.3	7.2	30.5	31.3	18.0	8.2	4.2	.1	.2	
Ohio	131,829	.1	.8	3.1	24.4	33.5	26.8	11.3			
Oklahoma	74,649	.5	3.5	31.7	30.4	17.7	16.0	.2			
Oregon	19,404	(1)	1.0	12.3	24.0	27.4	17.9	17.4			
Pennsylvania	99,914	1.0	3.3	7.4	23.9	26.3	22.2	15.9			
Rhode Island	6,957	(1)	2.3	19.1	23.3	27.3	20.3	7.7			
South Carolina	17,892	12.4	63.4	17.8	4.7	1.7					
South Dakota	15,021	.1	2.4	16.3	32.9	33.5	12.8	2.0			
Tennessee	40,459	1.6	49.0	38.4	8.1	2.0	.9				
Texas	120,189	.7	17.0	44.3	26.7	9.2	2.1				
Utah	13,582	.3	1.5	6.6	17.1	23.4	46.4	2.5	1.8	.3	.1
Vermont	5,271		6.9	26.5	32.2	20.2	8.6	5.6			
Virginia	19,488		50.6	33.2	10.8	5.4					
Washington	39,977	(1)	.4	8.0	18.6	34.9	19.3	18.8			
West Virginia	18,756	.1	16.0	44.4	24.3	8.6	3.5	3.1			
Wisconsin	53,019	.1	1.6	9.8	22.7	23.5	16.9	21.7	1.3	2.4	
Wyoming	3,440	(1)	.5	2.8	16.6	31.9	28.1	17.2	1.3	1.6	
Territories:											
Alaska	1,545			1.6	13.5	22.6	7.1	17.4	20.5	12.3	5.0
Hawaii	1,819	.3	14.1	58.0	17.6	5.0	2.1	2.9			

[1] Less than 0.25 percent.
[2] Data are for October 1940.

EXHIBIT 5. *Distribution of old-age insurance benefits awarded in 1940 by interval of amount payable monthly under individual subsections of sec. 202*

Amount payable monthly	Primary benefits payable to aged wage earner [1]	Wife's benefits payable as supplement to primary benefits on behalf of aged wife of wage earner [1]	Widow's benefits payable to aged widow of deceased wage earner [2]	Total of individual primary wife's and widow's benefits
	Percent	*Percent*	*Percent*	*Percent*
$10.00 [3]	6	19	5	8
$10.01–$14.99	10	64	8	21
$15.00–$19.99	12	14	36	13
$20.00–$24.99	39	3	29	31
$25.00–$29.99	20		15	16
$30.00–$34.99	7		7	6
$35.00–$39.99	3			3
$40.00 and over	3			2
Total	100	100	100	100

[1] Percentage distribution estimated on basis of distributions of benefits awarded in 1940 where no children were entitled to benefits when primary beneficiary became entitled. Percentage distribution of wife's benefits estimated on basis of distribution of wife's benefits awarded in 1940 having same date of entitlement as that of primary benefits. The number of cases excluded in the distributions upon which these estimates are based is comparatively small.
[2] Percentage distribution estimated.
[3] Including wife's benefits of less than $10.

NOTE.—In view of the small number of cases involved, no distribution has been obtained for parent's benefits. The term "aged" indicates age 65 or over

EXHIBIT 6. *Old-age assistance: Average payment per recipient in 23 selected States, December 1940* [1]

State, ranked according to average payment per recipient	Average payment per recipient [2]
Total—10 highest States	$31.04
California	37.87
Colorado	31.66
Massachusetts	29.00
Alaska	28.22
Arizona	28.01
Connecticut	27.96
Nevada	26.55
District of Columbia	25.47
New York	24.91
Wyoming	23.91
Total—13 lowest States	$9.81
Hawaii	12.96
Louisiana	12.61
Florida	12.50
Delaware	11.42
North Carolina	10.12
Tennessee	10.11
Virginia	9.95
Alabama	9.28
Kentucky	8.91
Mississippi	8.60
Georgia	8.20
South Carolina	7.91
Arkansas	7.87

[1] Omitted, 31 States with average payment between $23.90 and $11.41.
[2] Represents obligations incurred for month from Federal, State, and local funds for money payments and assistance in kind; excludes cost of administration and of medical care, hospitalization, and burial. Allowances for medical care and hospitalization included in money payments are not excluded.

EXHIBIT 7. *Old-age assistance: Federal advances to 23 selected States, Jan. 1–Dec. 31, 1940*

State	Federal advances [1]	Population [2]
Total	$79,470,573	29,131,653
California	33,155,470	6,907,387
Colorado	7,843,308	1,123,296
Massachusetts	15,094,220	4,316,721
Alaska	246,908	72,524
Arizona	1,415,459	499,261
Connecticut	2,893,116	1,709,242
Nevada	380,449	110,247
District of Columbia	527,616	663,091
New York	17,414,167	13,479,142
Wyoming	499,860	250,742
Total	19,784,541	28,951,664
Hawaii	126,867	423,330
Louisiana	2,555,390	2,363,880
Florida	2,555,708	1,897,414
Delaware	179,169	266,505
North Carolina	2,212,672	3,571,623
Tennessee	2,573,454	2,915,841
Virginia	1,104,109	2,677,773
Alabama	1,204,579	2,832,961
Kentucky	2,741,116	2,845,627
Mississippi	1,147,014	2,183,793
Georgia	1,630,131	3,123,723
South Carolina	906,654	1,899,804
Arkansas	847,578	1,949,387

[1] Federal advances are in anticipation of State expenditures. The amount of Federal advances for a calendar year may vary from the amount of State expenditures.
[2] Total population estimated as of Apr. 1, 1940, from the 5-percent sample, by the U. S. Bureau of the Census.

EXHIBIT 8

Comparison of workers' contributions with benefits received, January 1, 1937–June 30, 1941, and estimate, January 1, 1937–January 1, 1945

Question:

(a) Please state the total amount of contributions that have been paid in by workers alone from January 1, 1937, to June 30, 1941, on those claims and rights which become vested as of the latter date and upon which the Government is not entitled to further payments.

(b) For purposes of comparison with the above data, please give an estimate of the total benefits that will be paid out by the Government in satisfaction of all rights that became vested prior to June 30, 1941.

Answer:

(a) Roughly, $15,000,000.

(b) Roughly, $775,000,000.

Question: Please give estimates similar to above with the exception that in each case January 1, 1945, be substituted for June 30, 1941.

Answer:

(a) Roughly, $130,000,000.

(b) Roughly, $4,900,000,000.

The text included in the answer to the question in exhibit 9 should be read as applying here as well. These two questions, while worded slightly differently from the question in exhibit 9, have been interpreted to be identical with that question except for the earlier closing dates. It has also been assumed that all three questions apply only to claimants under the 1939 amendments; hence taxes have been counted from January 1, 1937, as to claims from January 1, 1940. Therefore, in insurance terms, the answers have been arrived at by a summation, commencing with the above dates, of the amounts incurred as "losses" compared with the amounts collected as "premiums" solely from those who suffered such "losses."

EXHIBIT 9

Comparison of workers' contributions with benefits received, January 1, 1937–January 1, 1955

Question:

(a) Please give an estimate of the total amount of contributions that will have been paid in by workers alone from January 1, 1937, to January 1, 1955, on those claims and rights which will have become vested as of the latter date, and upon which the Government will not be entitled to further payments.

(b) For purposes of comparison with the above data, please give an estimate of the total benefits that will be paid out by the Government in satisfaction of all rights that will have become vested prior to January 1, 1955.

Answer:

(a) Roughly, $1,400,000,000 (6.8 percent of total.)

(b) Roughly, $20,300,000,000.

As indicated, these answers must be understood to be very rough, since the determination thereof involved various technical assumptions and complicated projections. Aside from the technical assumptions, an assumed definition of the term "will have become vested" was necessary. The Social Security Act itself makes no mention or differentiation in respect to the degree or priority of "vesting" among different types of insured individuals or beneficiaries. For the purpose of the answer to this question it is assumed that the term "will have become vested" means that payments being made to actual claimants on January 1, 1955, would continue to be made until the normal termination thereof as to those individuals.

EXHIBIT 10

Break-down of data given in exhibit 9

Question: Please give a break-down of the data requested in exhibit 9 for the following groups—

(a) Contributors who die before reaching the age of 65 without dependents then eligible.

(b) Single contributors who attain the age of 65.

(c) Married contributors who attain the age of 65.

(d) Married contributors who die before reaching the age of 65, leaving widows, and eligible children or parents.

Answer: In order to make the necessary calculations, approximate as they are, it was necessary to revise slightly the four categories mentioned in the question. These revisions are indicated by the changed wording given in the items below. It should also be noted that literally this question uses the term "contributors" without qualification, whereas exhibit 9 clearly deals with insured workers. It has been assumed that exhibit 10 is intended to involve a break-down of the same insured workers of exhibit 9 and hence the word "contributors" has been so interpreted.

The same comments that have been made in exhibit 9 apply equally to the answer to this question. In fact, the added technical assumptions necessitated for this break-down make the answer an even cruder one than for exhibit 9.

Categories of insured workers to whom or with respect to whom benefits are paid	Employee taxes	Benefits paid and vested
(a) Insured workers who die before 65 without any surviving widow, child under 18, or dependent parent	$200,000,000	$100,000,000
(b) Insured female workers and insured unmarried male workers who attain the age of 65	300,000,000	4,300,000,000
(c) Insured married male workers who attain the age of 65	500,000,000	10,500,000,000
(d) Insured workers who die before 65 with presently or futurely eligible survivors	400,000,000	5,400,000,000

EXHIBIT 11

Supplement to exhibit 9

Original question:

(a) Please give an estimate of the total amount of contributions that will have been paid in by workers alone from January 1, 1937, to January 1, 1955, on these claims and rights which will have become vested as of the latter date, and upon which the Government will not be entitled to further payments.

(b) For purposes of comparison with the above data, please give an estimate of the total benefits that will be paid out by the Government in satisfaction of all rights that will have become vested prior to January 1, 1955.

Supplementary Requests

The first supplementary request was that the figures be revised (i) to include the contributions from the employers of the individuals in respect of whom claim was made over this period; and (ii) to recognize the element of compound interest on both sources of contributions. For this latter purpose a 3 percent compound interest rate was suggested.

The second supplementary request was to furnish the illustrative figures for periods further into the future (i) from January 1, 1937, to January 1, 1967; and (ii) from January 1, 1937, to January 1, 1980.

Answer to Question and Supplements

In order to take cognizance of a rate of interest in the comparison, it is essential to establish a point in time to which interest shall be figured. This could be done as of the initial date, January 1, 1937, in which case the comparison would be completely one of discount or "present values," or the comparison could be made as of any arbitrary point in time involving both the discount as to benefits not yet paid out and the accumulation of taxes and benefits theretofore paid. It has seemed most appropriate, however, to fix the date as of the closing time of the period of observation. This results in the comparison being partially an accumulation; that is, of contributions and benefits paid up to the end of the period of observation, and partially a discounting, of the "vested" benefits payable after that date.

Tables I and II attached supply the illustrative figures for the three stop dates established by the question and its supplements. Table I gives illustrative figures based on the assumptions adopted by the Committee on Economic Security in 1935. Table II gives illustrative figures based on assumptions (see vol 3, Hearings, House Ways and Means Committee, 76th Cong., pp. 2473–2476) which develop a higher benefit outgo. These two sets of illustrative figures indicate that the present basis of contributions cannot be definitely taken as either self-supporting or insufficient. The many uncertainties as to the future, primarily the future level of recorded wages and the future effective age of retirement, require that a range of illustrative figures be given rather than a single set of estimates.

Table III is included in order that the committee may orient the answers to the questions given in tables I and II with the complete picture of the financing operations. It must be borne in mind that at any point in time the contributions of then current employees and their employers plus the interest yield on such amounts as may be in the trust fund are free to be used in the payment of benefits. This is implicit in the method of financing the program adopted by Congress in the social-security amendments of 1939. A system operating in perpetuity may borrow current contributions to pay current benefits without the mechanism of a full reserve.

TABLE I.—*Illustrative figures on benefits (paid and "vested") and contributions (employee and employer combined) in respect to those individuals for whom claims have materialized during the periods indicated, based on assumptions adopted by Committee on Economic Security, with 3-percent interest*

[Contribution and benefit figures in billions of dollars]

Period in which claim is made	Stop dates of observation		
	Contributions	Benefits	Ratio
	Dec. 31, 1954		
			Percent
Jan. 1, 1940–Dec. 31, 1954	3	20	16
Jan. 1, 1955–Dec. 31, 1966			
Jan. 1, 1967–Dec. 31, 1979			
Total	3	20	16
	Dec. 31, 1966		
			Percent
Jan. 1, 1940–Dec. 31, 1954	5	29	16
Jan. 1, 1955–Dec. 31, 1966	14	26	54
Jan. 1, 1967–Dec. 31, 1979			
Total	19	55	35
	Dec. 31, 1979		
			Percent
Jan. 1, 1940–Dec. 31, 1954	7	42	16
Jan. 1, 1955–Dec. 31, 1966	21	38	54
Jan. 1, 1967–Dec. 31, 1979	34	40	[1]85
Total	62	120	52

[1] This ratio is for the full 13-year period; for later individual years the ratio of course exceeds 85 percent; under the assumptions used in this illustration, 100 percent is reached in the year 1982.

TABLE II.—*Illustrative figures on benefits (paid and "vested") and contributions (employee and employer combined) in respect to those individuals for whom claims have materialized during the periods indicated, based on assumptions developing higher costs than table I, with 3-percent interest*

[Contribution and benefit figures in billions of dollars]

Period in which claim is made	Stop dates of observation		
	Contributions	Benefits	Ratio
	Dec. 31, 1954		
			Percent
Jan. 1, 1940–Dec. 31, 1954	3	20	16
Jan. 1, 1955–Dec. 31, 1966	----------	----------	----------
Jan. 1, 1967–Dec. 31, 1979	----------	----------	----------
Total	3	20	16
	Dec. 31, 1966		
			Percent
Jan. 1, 1940–Dec. 31, 1954	5	29	16
Jan. 1, 1955–Dec. 31, 1966	17	35	49
Jan. 1, 1967–Dec. 31, 1979	----------	----------	----------
Total	23	64	35
	Dec. 31, 1979		
			Percent
Jan. 1, 1940–Dec. 31, 1954	7	42	16
Jan. 1, 1955–Dec. 31, 1966	25	51	49
Jan. 1, 1967–Dec. 31, 1979	50	70	[1] 71
Total	82	163	50

[1] This ratio is for the full 13-year period; for later individual years the ratio of course exceeds 71 percent; under the assumptions used in this illustration. 100 percent is reached in the year 1992.

TABLE III.—*Balance sheet of accumulated (3-percent interest) income and outgo (including expenses and "vested" benefits) as of Jan. 1, 1941*

[To bring the answers to this question into focus with whole program]

	Lower cost illustration	Higher cost illustration
1. Benefits paid and "vested" by Jan. 1, 1980	$84,000,000,000	$118,000,000,000
2. Interest thereon at 3 percent to Jan. 1, 1980	36,000,000,000	45,000,000,000
3. Total benefits with interest on Jan. 1, 1980	120,000,000,000	163,000,000,000
4. Taxes paid by claimants only	15,000,000,000	20,000,000,000
5. Taxes paid by their employers	15,000,000,000	20,000,000,000
6. Interest on (4) and (5) at 3 percent to Jan. 1, 1980	32,000,000,000	42,000,000,000
7. Total income due to claimants' contributions	62,000,000,000	82,000,000,000
8. Benefits with interest (3), exceed claimants' contributions and interest (7) by	58,000,000,000	81,000,000,000
9. Taxes paid by employees not yet claimants by 1980	16,000,000,000	21,000,000,000
10. Taxes paid by the employers of (9)	26,000,000,000	21,000,000,000
11. Interest on (9) and (10) after deducting all administrative expenses	39,000,000,000	36,000,000,000

TABLE III—Continued

[To bring the answers to this question into focus with whole program]

	Lower cost illustration	Higher cost illustration
12. Total income by 1980 a/c still active contributors	$91,000,000,000	$78,000,000,000
13. Amount in old-age and survivors insurance trust fund Jan. 1, 1980, (12) minus (8) equals	33,000,000,000	−3,000,000,000

EXHIBIT 12

Old-age insurance: Illustration showing the relation between contributions paid in and benefits received

Assume the case of two men who entered the system on January 1, 1937, and who remain therein until December 31, 1954. Assume that one of these men had had, over this period, an average monthly wage of $250, and that the other had had an average monthly wage of $25. Assume that each man died December 31, 1954, and that each left a widow under 48 years of age at the time of his death. Assume that each of these men also left three children, aged 1, 3, and 5 years; that all of the children survive to maturity, and that each widow lives to 75 years of age. Please calculate the amount of money which would have been paid in by each of these men and the amount which would have been paid out to each man's widow and children.

	Contributor earning $250 per month	Contributor earning $25 per month
Amount received by widow	$20,906	$5,154.00
Amount contributed	1,125	112.50
Excess of benefits over contributions	19,781	5,041.50
Proportion of contributions to benefits received (percent)	5.38	2.18

(Adapted by chairman from material supplied by the Bureau of Research and Statistics of the Social Security Board.)

EXHIBIT 13

Old-age insurance: Illustration showing the relation between contributions paid in and benefits received

Assume 2 single men who entered the system on January 1, 1937, and who remain therein until December 31, 1954, when they reach the age of 65 years. Assume that one of these men had had, over this period, an average monthly wage of $250 and that the other had had an average monthly wage of $25. Please calculate the amount of money which would have been paid in by each of these men and the amount which would be paid out to each in benefits if they lived out their normal life expectancy after 65.

	Contributor earning $250 per month	Contributor earning $25 per month
Amount received by single men	$6,950.20	$1,737.80
Amount contributed	1,125.00	112.50
Excess of benefits over contributions	5,825.20	1,625.30
Proportion of contributions to benefits received (percent)	16.19	6.47

(Adapted by chairman from material supplied by the Bureau of Research and Statistics of the Social Security Board.)

EXHIBIT 14

Old-age insurance: Illustration showing relation between contributions paid in and benefits received

Assume the cases of two married men who entered the system on January 1, 1937, and who remain therein until December 31, 1954. Assume that one of these men had had, over this period, an average monthly wage of $250 and that the other had had an average monthly wage of $25. Assume that each man retires on December 31, 1954, at the age of 65 years and that their wives were at that time likewise 65 years of age. Assume further that the two men live out their normal life expectancies after 65 (11.77 years), and that their wives live out their normal life expectancies after 65 (12.81 years). Please calculate the amount of money which would have been paid in by each of these men and the amount which would be paid out to each man and to his wife before and after his death.

	Contributor earning $250 per month	Contributor earning $25 per month
Amount received by man and wife	$10,725.20	$2,695.80
Amount contributed	1,125.00	112.50
Excess benefits over contributions	9,600.20	2,583.30
Proportion of contributions to benefits received (percent)	10.49	4.17

(Adapted by chairman from material supplied by the Bureau of Research and Statistics of the Social Security Board.)

EXHIBIT 15

Old-age insurance illustration showing relation between contributions paid in and benefits received

Assume the case of two men who entered the system on January 1, 1937, and who remain therein until their death on December 31, 1945, when each was 43 years of age. Assume that one of these men had had, over this period, an average monthly wage of $250 and that the other had had an average monthly wage of $25. Assume that each left no children but left a widow 40 years of age at the time of his death. Assume that each widow survived until the age of 65 years and thereafter lived out her normal life expectancy (12.81 years). Please calculate the amount of money which would have been paid in by each of these men and the amount which would be paid out to each man's widow.

	Contributor earning $250 per month	Contributor earning $25 per month
Amount received by widow	$5,288.00	$1,603.00
Amount contributed	360.00	36.00
Excess benefits over contributions	4,928.00	1,567.00
Proportion of contributions to benefits received (percent)	6.81	2.24

(Adapted by chairman from material supplied by the Bureau of Research and Statistics of the Social Security Board.)

EXHIBIT 16

Old-age insurance illustration showing monthly benefits paid to a single and to a married man and his wife, on the basis of $250 and $25 average monthly wage

Assume a single man and a married man who have been in the system for 18 years earning average monthly wages of $250. Assume that each man retired on December 31, 1954, at the age of 65 years and that the married man's wife was then likewise 65 years of age. Assume further that the two men live out their normal life expectancies after 65

(11.77 years), and that the wife of the married man lives out her normal life expectancy after 65 (12.81 years).

Please calculate the primary monthly benefit which will be paid to the single man: The monthly benefit which will be paid to the married man and to his wife while he is alive, and the monthly benefit which will be paid to the widow of the married man after his death. Please calculate the monthly benefits which will be paid, as above, if we assume a $25 average monthly wage basis instead of $250.

	Monthly benefits		
	Paid to single man	Paid to married man and wife	Paid to widow
Paid on basis of $250 monthly wage	$47.20	$70.80	$35.40
Paid on basis of $25 monthly wage	11.80	17.70	10.00

NOTE.—Adapted by chairman from material supplied by the Bureau of Research and Statistics of the Social Security Board.

EXHIBIT 17. *Distribution of workers earning under $200 per annum under the old-age and survivors insurance program, by States, 1939*

State	Percentage of total workers earning under $200 per annum
Mississippi	47
Arkansas	44
Florida	42
North Dakota	40
Idaho	38
New Mexico	38
Texas	37
South Dakota	37
Georgia	36
Louisiana	36
Kansas	35
Utah	35
Nebraska	35
Oklahoma	35
South Carolina	34
Alabama	33
Vermont	32
Kentucky	31
Iowa	31
Tennessee	31
Arizona	31
Colorado	31
Maine	30
Virginia	30
North Carolina	30
Montana	30
Wyoming	29
Minnesota	27
Oregon	27
Delaware	26
Nevada	26
Washington	26
Missouri	25
California	25
Maryland	24
New Hampshire	23
Indiana	23
Wisconsin	22
District of Columbia	22
West Virginia	22
Michigan	20
Ohio	19
Illinois	19
New Jersey	18
Pennsylvania	18
Massachusetts	17
New York	17
Rhode Island	17
Connecticut	15

NOTE.—There are no data available to show the percentage of contributors by States whose quarterly wage is less than $50.

EXHIBIT 18. *Old-age and survivors insurance—Comparison of average monthly per capita employee contributions paid in over the period 1937–40, with per capita benefits paid out in December 1940, by States, ranked by size of average contribution*

State	Average monthly per capita employee contributions (1)	Rank (2)	Per capita benefits paid out (3)	Rank (4)	Difference in rank (2)—(4)
United States	$0.371	------	$0.042	------	------
Connecticut	.614	1	.066	4	−3
New York	.592	2	.060	6	−4
New Jersey	.546	3	.065	5	−2
Alaska	.540	4	.013	49	−45
Illinois	.540	5	.053	10	−5
Rhode Island	.526	6	.071	2	+4
Michigan	.524	7	.043	17	−10
Massachusetts	.517	8	.069	3	+5
District of Columbia	.503	9	.037	22	−13
Delaware	.486	10	.051	13	−3
Ohio	.483	11	.056	9	+2
California	.469	12	.050	14	−2
Pennsylvania	.469	13	.058	8	+5
Nevada	.445	14	.038	21	−7
Washington	.394	15	.053	11	+4
Maryland	.393	16	.042	20	−4
New Hampshire	.375	17	.079	1	+16
Indiana	.375	18	.043	16	+2
Oregon	.362	19	.047	15	+4
Wisconsin	.353	20	.043	18	+2
West Virginia	.319	21	.042	19	+2
Missouri	.317	22	.037	24	−2
Vermont	.311	23	.060	7	+16
Maine	.309	24	.053	12	+12
Wyoming	.282	25	.031	28	−3
Colorado	.278	26	.037	23	+3
Minnesota	.272	27	.032	27	0
Montana	.272	28	.031	29	−1
Arizona	.258	29	.025	34	−5
Utah	.257	30	.035	25	+5
Hawaii	.251	31	.029	30	+1
Texas	.225	32	.020	43	−11
Virginia	.223	33	.0	33	26
Florida	.220	34	.032	26	+8
Idaho	.207	35	.023	36	−1
Iowa	.205	36	.027	32	+4
Louisiana	.200	37	.022	39	−2
North Carolina	.187	38	.021	41	−3
Kansas	.186	39	.025	35	+4
Oklahoma	.185	40	.017	45	−5
Nebraska	.183	41	.022	40	+1
Tennessee	.183	42	.023	38	+4
Georgia	.172	43	.021	42	+1
Kentucky	.166	44	.028	31	+13
South Carolina	.156	45	.019	44	+1
Alabama	.155	46	.023	37	+9
New Mexico	.152	47	.015	47	0
South Dakota	.122	48	.015	46	+2
North Dakota	.105	49	.010	51	−2
Arkansas	.089	50	.014	48	+2
Mississippi	.076	51	.012	50	+1

CONFIRMATION OF NOMINATION OF FRANCIS BIDDLE

During the delivery of Mr. DOWNEY's speech,

Mr. CONNALLY. Mr. President, will the Senator from California yield to me for a moment to permit me to call up a nomination?

Mr. DOWNEY. Certainly; I am very happy to yield.

Mr. CONNALLY. Mr. President, I ask unanimous consent, as in executive session, to call up the nomination of Mr. Francis Biddle as Attorney General.

Mr. McNARY. Mr. President, I am sure the nomination is on the Executive Calendar. I am advised that it is the unanimous report of the committee, and that Mr. Biddle desires to leave the city. I join in the request made by the able Senator from Texas.

The VICE PRESIDENT. Is there objection? The Chair hears none. As in executive session, the nomination will be read.

The legislative clerk read the nomination of Francis Biddle, of Pennsylvania, to be Attorney General of the United States.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to this nomination?

Mr. CONNALLY. Mr. President, I thank the Senator from Oregon very much for his courteous cooperation.

The Committee on the Judiciary, after complete and full and final hearings, voted unanimously for the confirmation of the nomination of Mr. Biddle. I understand that he has some engagements that call him out of the city. For that reason I should like to have the nomination acted upon now, so that he may take the oath and leave on his trip.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. CONNALLY. I ask unanimous consent that the President be immediately notified.

The VICE PRESIDENT. Without objection, the President will be immediately notified of the confirmation of the nomination.

After the conclusion of Mr. DOWNEY's speech,

REVENUE ACT OF 1941

The Senate resumed the consideration of the bill (H. R. 5417) to provide revenue, and for other purposes.

The VICE PRESIDENT. The question is on agreeing to the last committee amendment passed over, the amendment on page 32.

Mr. HATCH. Is that the community-property amendment?

The VICE PRESIDENT. It is.

Mr. HATCH. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Downey	Murray
Aiken	Eastland	Nye
Andrews	Ellender	O'Daniel
Austin	George	O'Mahoney
Bailey	Gerry	Overton
Bankhead	Gillette	Peace
Barbour	Green	Radcliffe
Barkley	Guffey	Rosier
Bilbo	Hatch	Russell
Brewster	Hayden	Schwartz
Bridges	Herring	Smathers
Brooks	Hill	Smith
Brown	Holman	Spencer
Bulow	Hughes	Taft
Bunker	Johnson, Colo.	Thomas, Idaho
Burton	Kilgore	Thomas, Utah
Butler	La Follette	Tobey
Byrd	Langer	Truman
Capper	Lee	Tunnell
Caraway	Lodge	Tydings
Clark, Idaho	Lucas	Vandenberg
Clark, Mo.	McCarran	Van Nuys
Connally	McFarland	Wallgren
Danaher	McNary	Walsh
Davis	Maloney	Wiley

The VICE PRESIDENT. Seventy-five Senators having answered to their names, a quorum is present. The clerk will state the last committee amendment passed over.

The LEGISLATIVE CLERK. It is proposed to insert on page 32, section 119, as follows:

SEC. 119. Community income.

The Internal Revenue Code is amended by inserting after section 28 the following new section:

"SEC. 29. Community income.

"For the purpose of determining the income-tax liability of any individual:

"(a) Income earned by each spouse (whether or not treated as community property under the State law) shall be considered as the income of the earner thereof.

"(b) Income derived from property of the marital community (except such property as constitutes either income derived from the separate property of either spouse or property acquired therewith) shall be considered as the income of the spouse who has the management and control thereof under the law of the jurisdiction in which the marital community exists.

"(c) In case the spouses elect to file separate returns, the spouse required under this section to treat such income as his individual income shall alone be entitled to the deductions and credits allowed under this chapter which are properly allocable to such income."

Mr. GEORGE. Mr. President, the senior Senator from Alabama [Mr. BANKHEAD] offered an amendment to the pending tax bill with reference to the pension amendment which the Senator from California announced might be offered to the bill by him later. I have given some consideration to the suggestion contained in the amendment of the senior Senator from Alabama, and I am clear in my own mind that the better course would be not to offer the amendment asking the Ways and Means Committee to give consideration to the pending question, but to proceed with a hearing for the purpose of developing the facts and formulating legislation which could be offered as an amendment to any appropriate revenue bill coming over from the House hereafter. So I express the hope that the Senator from Alabama might find it consistent not to urge the amendment which he suggested. I am sure that we appreciate his purpose and interest, but I think perhaps the other course would accomplish better results.

Mr. BANKHEAD. Mr. President, I have very great confidence in the judgment and the sincerity of the chairman of the Committee on Finance, the eminent Senator from Georgia [Mr. GEORGE]. The thought has been expressed here that the proposed action might have a tendency to create prejudice at the other end of the Capitol against the proposal, and I do not wish to do anything which might jeopardize the best interests of the proposal. In view of the judgment expressed by the Senator from Georgia that the amendment should not be included in the pending bill, I shall acquiesce and follow his suggestion and not press for action on the amendment. However, I wish to say that I think what has been done here today under the leadership of the junior Senator from California will serve a most useful purpose. It has been demonstrated that there is keen and active and aggressive interest in action, at least, on an old-age-pension bill. I think it has been clearly manifested, so that Members of the House will understand, that unless some action is taken in that originating body we will feel free here to act in an appropriate way at the proper time by a rider to some other tax bill. So I feel that, on the whole, we have made good progress today, and I shall not offer the amendment.

Mr. CONNALLY. Mr. President, I wish to say to the Senator from Alabama [Mr. BANKHEAD] and to the Senator from Georgia [Mr. GEORGE] that I also have pending a measure relating to the Social Security Act, particularly the old-age-pension matter, which I had expected to offer to the pending bill in case the Senate considered other amendments along that line, but I shall not offer it because of the assurances made by the Senator from Georgia that at some later time a complete hearing may be had and that the whole question may be considered. I will say that the measure which I had intended to introduce, and which I intended to offer as an amendment to the pending bill, has the unanimous approval of the Social Security Board. It deals with what is known as the variable grant, and relates to the percentage of contribution made by the Federal Government to the various States for the purpose of paying old-age pensions. It would materially help the weaker States which are not now making adequate appropriations. However, I do not wish to press the matter on the Senate now, and I shall refrain from offering the amendment and let it lie over, as suggested by the Senator from Georgia.

PERSONAL EXPLANATION

Mr. AIKEN. Mr. President, I rise to a question of personal privilege. In the nationally syndicated column The Washington Merry-Go-Round, written by Drew Pearson and Robert Allen, and which appeared on August 30 in many newspapers throughout the country, it was stated that certain Senators and Representatives were being used by Nazi agents for the purpose of selling and distributing anti-British books and propaganda material.

It was charged that the Flanders-Hall Publishing Co., Scotch Plains, N. J., had issued publicity listing several Senators and Representatives as boosting a book entitled "The 100 Families That Rule the Empire." This column alleged that testimonials from several Senators and Representatives, including myself, were used to promote the sale of this book.

When I returned to Washington last Tuesday I called Mr. Robert Allen about this matter, and he has since sent me a photostat of the circular referred to. On one side of it appear alleged testimonials of the several Senators and Representatives, and on the other side it reads:

A sensation from coast to coast * * * a "bombshell" in official Washington * * * front page in the Herald Tribune * * * lengthy columns in the Sun, the Post, and many others. * * *

The implication was that these newspapers, including the New York Herald Tribune, are also endorsing this book, which I doubt very much is the case.

The so-called testimonial which I am supposed to have contributed to this circular reads as follows:

I guess those boys tie in pretty closely with the colonies.

Mr. President, I want to say here and now that I never heard of the Flanders-Hall Publishing Co. until this week. I have never read the book referred to. I have no idea what its contents may be, and I certainly have never given any testimonial to be used for promoting the sale of this book or any other book falling within the category of propaganda.

I am advised by my secretary that such a book was brought to my office and was deposited in the wastebasket, where it belonged, along with the day's usual supply of propaganda material which comes from all sources.

Mr. President, I do not attempt to speak for the other Members of the Senate and House who allegedly gave these testimonials. It would appear to me that practically all, if not all of them, have been placed in a false position, or what they said was put forth in a misleading manner. But I wish to say that, so far as I am concerned, I never have and never expect to give the use of my name for promoting any propaganda material of this nature.

REVENUE ACT OF 1941

The Senate resumed the consideration of the bill (H. R. 5417) to provide revenue, and for other purposes.

Mr. CONNALLY. Mr. President, a parliamentary inquiry. What is the pending amendment?

The VICE PRESIDENT. The committee amendment on page 32, the so-called community-property amendment.

Mr. CONNALLY. I suppose some proponent of the amendment would like to discuss it first. If not, I am prepared to discuss it.

Mr. GEORGE. Mr. President, I discussed the amendment in the opening statement which I made on the bill, and I do not care to go into it at this time, because I realize that Senators from the so-called community-property States will desire to debate this issue. I reserve what additional statement I may care to make, so far as I am concerned, until a later period in the debate.

Mr. President, there is a possibility that we might profitably have disposed of other matters at this time. I am not advised of any other pending committee amendment except the one in question. The bill has not been thrown open to general amendment yet, except in one instance. So I suppose we might as well proceed with the consideration of this matter at this time.

Mr. CONNALLY. Mr. President, the Finance Committee spent 3 weeks in

considering the bill, 2 weeks of which were devoted to hearings, and I apologize to the Senate for taking up any of its time in discussing this particular amendment, but this is the only place, here on the floor of the Senate, where we are able to get a hearing. The Senate Finance Committee—and I say it with all due respect and affection for my associates—were willing to hear those who came before it on the question of bottled drinks, and admissions to theaters, and jewelry, and the percentage of tax which should be paid on slot machines, but the committee did not have any time which it could accord to the citizens of eight sovereign States when it came to a proposal to repeal by indirection the property laws of those States. We could not get any hearing on that matter.

The Senator from Texas happens to be the only member of the Finance Committee who comes from a community-property State. So, like the boy who stood on the burning deck, I was the only one who could not flee.

Mr. HATCH. We did not flee.

Mr. CONNALLY. I am talking about the other members of the Finance Committee. The Senator from New Mexico is not a member of the Finance Committee. So, Mr. President, I was alone able to beg and plead with the committee to postpone the matter and let it go over until the administrative bill shall be taken up this fall, but those supporting the proposal were so zealous, and they had such a passion for getting money out of our pockets, that they would not postpone the matter at all. But when it came to the joint return, which would have affected New York State, that rich State; or Illinois, with Chicago; or Michigan and automobile fortunes—"Why no; we cannot tolerate that. We will not tolerate that for a moment." The Finance Committee just dismissed that proposal and said, "Oh, well, that matter can wait for some future bill. Putting everybody in the same boat, and having a joint return for a woman's millions in New York, along with her husband's millions—we will not tolerate that, we will not think about considering that question at this time."

As soon as they had disposed of that matter very quickly and efficaciously they called up for the attention of the guillotine—and the guillotine has returned to modern life, at least in Paris—the nine community-property States.

My excuse for discussing this matter in the Senate is that this is the only place where we can obtain a hearing. The Senator from Pennsylvania [Mr. DAVIS] knows that, because he is a member of the Finance Committee.

Mr. DAVIS. So is the Senator from Texas.

Mr. CONNALLY. I am and, as I say, the Senator from Pennsylvania knows that this is the only place where we have had a hearing.

While I am looking at the Senator from Pennsylvania, I wish to tell him that if he wishes to tax the property of the women and poor folks of my State in the name of somebody else, it will not be long before the millionaires of Pittsburgh will be including the income of their wives in their own returns, and paying a single tax on it. We have some votes. That is not a threat, but simply a little side remark which may or may not be considered in the future.

Mr. President, I have been a member of the Finance Committee for 12 years. During that time I have been through a fight on this question every time a tax bill has been before us. We used to work under the Republicans. The Republicans never imposed such a tax. They never endeavored to do so, except as a sort of gesture. We argued the question with them, and reasoned it out with them. They saw the reason of it, and abandoned the effort.

But under the Democratic administration the present Secretary of the Treasury, Mr. Morgenthau, from New York, has reversed the public policy with regard to this matter, and is out gunning for Texas, Louisiana, New Mexico, Arizona, California, Nevada, Washington, Idaho, and Oklahoma. Most of those States voted the Democratic ticket in the last election. The theory of the Secretary of the Treasury seems to be that if possible we should drive them back into the Republican Party at the next election.

The Secretary of the Treasury undertakes to reverse the policy of my State, which it has had in its constitution and its statutes for more than a hundred years. While the present Secretary of the Treasury was still in the great womb of the unborn my State had this doctrine and this policy. The men who fought the Battle of San Jacinto, before they wiped the blood from their swords, put this doctrine into the Constitution of the Republic of Texas. They said, "In this republic of ours we recognize a marital partnership. The earnings of that marital partnership shall belong half to the husband and half to the wife."

That principle went into the constitution of my State. When Texas came into the Union it came with that clause in its constitution. If the Union did not want us why did it not turn us down? We did not surrender our rights. We did not agree to wipe out our constitution. We did not agree to repeal our statutes for the privilege of giving up our sovereignty as a republic among the states of the world. We thought that our constitution and our laws would be respected. They have been respected in this particular at least until the present Secretary of the Treasury advocated the reversal of the policy.

They are now having a conference in a little room, and before we can act on this matter we must obtain the consent of some little fellow in the Treasury Department. That is why I am speaking today.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. GEORGE. I think the Senator is speaking entirely out of order in making such a statement.

Mr. CONNALLY. What statement?

Mr. GEORGE. The statement which the Senator has just made, that a conference is now being held in a little room, and that we must obtain the consent of some little fellow in the Treasury Department before we can act on this matter.

Mr. CONNALLY. Is not a conference in progress?

Mr. GEORGE. Yes; but in good faith, because of the Senators from community-property States, who are looking to a possible avoidance of the issue at this time so as not to prolong the debate on a bill which ought to be passed.

Mr. CONNALLY. Very well. I accept the Senator's statement.

Mr. GEORGE. I do not want the Senator to accept it in that way.

Mr. CONNALLY. I do not know a thing about the conference. I suppose the Senator does, because he says it is going on. I have no disposition to criticize the Senator. I am glad it is going on, because I am hopeful that it may result in some good.

Mr. GEORGE. I do not think the Senator's statement is fair when by clear inference and implication he suggests that the committee and the Senate are awaiting a decision by someone on the outside.

Mr. CONNALLY. Very well. I will withdraw the statement.

Mr. GEORGE. I hope the Senator will.

Mr. CONNALLY. I know we are waiting.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. HATCH. The statement was made by the Senator from Georgia that perhaps this controversy may be eliminated in order that the debate may not be prolonged. That reminds me that it has been suggested to those of us who come from the community-property States that we have no right to prolong the debate, and that we should not talk, lest we be accused of filibustering on a very important measure of this kind when each day the debate is prolonged millions of dollars in excise taxes are lost. Of course the Government does not collect the taxes so long as the debate is prolonged. We do not want to be charged with filibustering, if that is the imputation just made.

Mr. GEORGE. No, Mr. President. If Senators want this matter to go straight through to a final issue the chairman of the Finance Committee is ready to carry it through. I have made no charge that there is any filibuster. In perfect good faith I had a conference this morning with three Senators from community-property States in the hope that we might let this particular matter go over until a subsequent tax bill comes before the Senate.

There has been no suggestion of filibuster. On the contrary, the frank statement has been made by me and by Senators from the community-property States that they have the right to discuss the issue and are expected to do so. Some of us desire to bring the debate to a conclusion at the earliest possible time, consistent with fair discussion. There has been no suggestion of filibuster, or any intention on the part of anybody to filibuster.

Mr. HATCH. There has been no suggestion on the floor, but it has been made. It has been made to me.

Mr. GEORGE. Mr. President, I ask the Senator to wait a moment. It has not been made on this floor.

Mr. HATCH. No; it has not.

Mr. GEORGE. I have not made it, and I have not intimated it.

Mr. OVERTON. I wish to say, in justice to the chairman of the Finance Committee, that I was in the conference this morning, and he very frankly stated to us that he knew the deep interest the citizens of the several community-property States have in this amendment, and that he expected any or all Senators who have the honor of representing such States to present to the Senate a discussion of the amendment, and he did not feel that in doing so we would be undertaking any filibuster.

Mr. HATCH. I am very glad to have that statement. I was not at the conference.

Mr. OVERTON. I was, and I desire to say that the chairman of the Finance Committee was very nice about it. He did not express any desire that we should withhold any argument we might have to make, and which he realized we would have to present upon the floor. I think he rather expects us to present our views upon the floor, and he did not suggest to us that we should curtail our speeches.

It is true, as the Senator from Georgia has stated, that he would like to see as prompt a disposition of the bill as possible, but he realizes that this amendment is one which vitally concerns the eight community-property States, and that each Senator from each of the eight community-property States is vitally interested in this amendment, is strongly opposed to it, and should have the opportunity of presenting his views upon the floor.

I desire to say that the chairman of the committee treated us very nicely in the conference we had. Let me say further that I realize what the Senator from New Mexico said awhile ago, that there is a rumor of an intention to filibuster. I think I can speak for the Senators from Texas, the Senators from New Mexico, the junior Senator from Louisiana, my colleague, and the Senators from California, Washington, Nevada, Idaho, and Arizona, in saying that there is no intention on the part of any of these Senators to filibuster, but in the event this amendment should be adopted they do not propose to go back to their States and have their constituents say to them, "Well, the Senate forced this income-tax amendment on our people. What have you to say about it? What fight did you put up?" "Well, I did not say anything."

I do not intend to be placed in that attitude, and I am sure the Senator from New Mexico does not. I have certain views to express about the question. Louisiana is, I think, the oldest community-property State in the Union. We had that system in colonial days. We came into the sisterhood of States with that system of property ownership, and, of course, I desire to say something about it at the proper time.

I thank the Senator for yielding.

Mr. HATCH. I merely desire to say that I did bring out in the open the question of filibustering, because it had been charged—not on the floor—that we were going to filibuster on a bill which involved a great national emergency. I think we shall discuss the bill. So far as I am concerned, I think I can say in 15 minutes all I have to say on the bill. Other Senators may have different views, but when the Congress is asked to legislate for the State of New Mexico and to change property rights of the citizens of my State I do not propose to be here while that goes on without saying some word. If I do not get through in 10 minutes, and if I desire to take 20 minutes, or an hour, or 2 hours, I shall do so. I thank the Senator.

Mr. CONNALLY. Mr. President, I desire to say to the Senator from Georgia particularly, and to other Senators, that in my rather sharp remarks about the Treasury I meant no stricture whatever on the Senator from Georgia. I very greatly appreciate his attitude and his conferences. I am very happy that he is the chairman of the Finance Committee. I feel honored in being able to serve under him, and I have always undertaken to show him every consideration, as he has always accorded every consideration to me.

So far as I am concerned, if the Senator from Georgia desires to postpone consideration of this matter to some future time, of course, that will be entirely agreeable to the Senator from Texas, and I am sure it will be agreeable to all Senators who are similarly affected. I probably showed a little heat, but I was not talking about the Senator from Georgia. I was talking about the time the Treasury Department always gets before the committee—and it is proper that it should get time—to explain its views on everything before us, whereas we were not accorded any opportunity of a hearing on this particular proposal.

Mr. HAYDEN. If I may interrupt, the Senator is well aware that there are able lawyers and others in the community-property States who would insist upon appearing before the Committee on Finance in order that the problem might be thoroughly understood. They are entitled to a hearing; and I am satisfied that if the committee heard the case completely, the result would be as it has been in previous years—the amendment would not be reported from the committee.

Mr. CONNALLY. I thank the Senator.

Mr. HATCH. Mr. President, will the Senator yield at that point?

Mr. CONNALLY. I yield.

Mr. HATCH. I desire to say that I am so confident of the accuracy of what the Senator from Arizona has just said that I feel sure that if the Finance Committee understood the community-property law as it exists in my State and in his State, the committee never would report this amendment. I feel that way about the chairman of the committee. I have such high regard for his legal ability and his integrity that I think that if he thoroughly understood the law as it is in New Mexico, he himself would be here opposing this amendment. I certainly think that if the committee is going to attempt to do something to us—something which this bill would do—the members of the committee should afford us the opportunity of having lawyers and other persons from our States appear before it so that we might at least have our views presented to the committee.

Mr. HAYDEN. There are just two points to be considered, which appeal to me. One is that the doctrine of community property was adopted long before Congress was enabled by constitutional amendment to enact an income-tax law. In the part of the United States which originally belonged to Spain, and then to Mexico—that is, California, Nevada, Texas, Arizona, and New Mexico—and in Louisiana, which came by way of France, under the Code Napoleon that precedent was established.

Mr. HATCH. If I may interrupt the Senator, the practice began in the twelfth century.

Mr. HAYDEN. But the constitutions of those States and all the laws enacted in those States were enacted long before Congress had power to pass an income-tax law; so that this is no newly devised scheme to evade the law.

Mr. McCARRAN. Mr. President, will the Senator yield there?

Mr. HAYDEN. Yes.

Mr. McCARRAN. Let me say, in addition to what the Senator has just said, that the community-property laws, which originally were fundamental in the constitutions of the States carved out of the territory referred to, were approved in the first instance, and the enabling acts passed by the Congress of the United States contained this special provision with respect to each of the constitutions of the respective States referred to. In other words, there were in these organic laws provisions regarding community property, and Congress acquiesced in those provisions.

Mr. HAYDEN. The other point is that the Supreme Court of the United States in numerous decisions has held that the taxpayer who owns the property should pay the tax. There is no question about who owns community property; it belongs one-half to the husband and one-half to the wife. That very issue has been passed upon by our Supreme Court; and my judgment is that if this tax is enacted, and if it is taken to the Supreme Court, the net effect will be that it will have to be refunded with interest at 6 percent. It will not stick if the Supreme Court of the United States is in any manner bound by its numerous precedents.

Mr. HATCH. Mr. President, will the Senator yield there?

Mr. HAYDEN. I yield.

Mr. HATCH. The Senator refers to the ownership of income. This bill does not.

Mr. HAYDEN. I understand that, but the Supreme Court has decided that he who owns the property shall pay the tax.

Mr. HATCH. No; but the bill starts a brand-new theory. Ownership is not involved. It does not make any difference who owns the income; this bill says that in the community-property States the one who earns the income shall pay the tax.

Mr. HAYDEN. That does not conform to the decisions of the Supreme Court in numerous instances.

Mr. HATCH. Who earns the Senator's income? I will withdraw that question for fear it might embarrass the Senator.

Mr. HAYDEN. I hope the Senator will.

Mr. HATCH. I say it is a brand-new theory of taxation. I do not think any committee ever before devised a scheme which eliminated the question of ownership altogether and provided that whoever earns the income must pay the tax. I thank the Senator from Texas.

Mr. CONNALLY. Mr. President, I shall be glad to yield if the Senator desires to proceed further.

On the point that is suggested by the Senator from Arizona and the Senator from New Mexico, this bill undertakes to say that, no matter if the wife does own half the community income and the husband owns the other half, he shall pay a tax on all of it.

Mr. HATCH. No, no; the bill does not say that. It says the person who earns the income must pay the tax.

Mr. CONNALLY. That is the theory of the Senator, that the husband is to be taxed not only for his interest in the income but also for his wife's interest in the income. The Supreme Court of the United States has passed on this question; it passed on it in a case from Wisconsin, which is not a community-property State.

Mr. HATCH. May I interrupt the Senator again?

Mr. CONNALLY. I am glad to yield.

Mr. HATCH. There is another rule which is laid down which is a little different. It is this:

(b) Income derived from property of the marital community (except such property as constitutes either income derived from the separate property of either spouse or property acquired therewith) shall be considered as the income of the spouse who has the management and control thereof under the law of the jurisdiction in which the marital community exists.

So that is another test which is laid down. It is not a question of ownership but a question of who has the management and control.

Mr. CONNALLY. I thank the Senator. I was going to suggest that the Supreme Court of the United States in a number of cases has held that the Senator from New Mexico cannot be taxed for the income of somebody else, nor can the income tax of the Senator from New Mexico be measured by comparing it or adopting as a standard somebody else's income.

Mr. HATCH. If the Senator will yield further, I merely wish to illustrate what complications the Internal Revenue Bureau will have with this sort of language in a tax bill. There are certain instances under the laws of New Mexico when the wife becomes the head of the community and has the management and control thereof. In those cases, then, the wife will pay on the entire return. Who is going to determine who earns the income? Who is going to determine who is the manager and person in control of the community property? Is some agent from Washington going out into my State and look at me and say, "I do not think you earned that income"—and I doubt it myself many times—"I think your wife earned it." These thoughts keep coming to my mind, and I can hardly refrain from expressing them.

Mr. CONNALLY. I am always delighted to meet a mind so fertile as that of the Senator from New Mexico, who can advance new suggestions and new ideas which would never occur to some of us who lead more prosaic lives.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. McFARLAND. Inasmuch as the question of who earns the income is being discussed I should like to know who would make the return in case of a man living on a farm who goes out in the morning and works in the field while the wife works at home, takes care of the children and the chickens and takes the butter and eggs off to town and sells them. Who is going to make the return then? They are both working on the farm; they are in partnership according to the laws of Texas, Arizona, and other States. Who will make the return under this proposed law?

Mr. CONNALLY. I will say to the Senator from Arizona I hope we will never have to determine that question, but if this amendment should be adopted, I believe that some clerk in a department in Washington would decide who is the manager of the chicken farm or ranch in Arizona.

Mr. McFARLAND. How is it going to be possible to separate the returns from chickens and those from cows and make a separate return for each? The wife takes care of the chickens and the husband takes care of the cows. Is the income to be combined or how is it going to be done?

Mr. CONNALLY. I can only speak of the purpose of this amendment. The purpose of this amendment is to throw both incomes into one income so that a higher rate of tax will be obtained. To be frank, that is what is being sought.

Mr. HATCH. Mr. President, will the Senator yield further?

Mr. CONNALLY. I yield.

Mr. HATCH. I should like to ask the Senator a question. He has already mentioned the fact that the committee has very jealously guarded the income from the separate estate of the married woman in the States of New York, Pennsylvania, and other States. The committee says that is her separate property, so she may file a separate return. That situation has been taken care of very nicely, but in the Senator's State and in my State the wife's part of the community property is just as much her separate estate as is the income of the married woman in New York from her separate property. Is not that correct?

Mr. CONNALLY. Yes.

Mr. HATCH. So we have in the other States a special favor. Much is said about our receiving special favors, but the married women in those States may make their own separate returns as to their separate property. In my State, however, they cannot do that, because the honorable Committee on Finance of the Senate of the United States says there must be a different rule in the community-property States than in other States of the Union.

Mr. OVERTON and Mr. McCARRAN addressed the Chair.

Mr. CONNALLY. I wish to say a word further, and I shall be glad to yield. Let me say to the Senator from New Mexico that the Treasury has complained to the committee—I do not know how strong the complaints were—that in other States men of great fortune have voluntarily transferred to their wives half their property; the wives have then made separate returns, and the husbands have made separate returns. The Treasury have complained at that and wanted something done in this bill to penalize them for doing that, but, of course, in those cases where the income has been divided in that fashion the situation cannot be corrected retroactively now, as I see it. But that is what has happened in many States. A rich man says, "I will give my wife half my property and thereby get a reduction in my income tax." That can happen in the case of a separate estate, but it cannot happen under this amendment in any State which is a community-property State, because, regardless of what happens to the income after it is received, if it is community income, under this bill it has got to pay under a single return.

Furthermore, let me point out that a prosperous man in New Mexico—and there are many of them in New Mexico——

Mr. HATCH. Not so many.

Mr. CONNALLY. Might make a million dollars, and half of that million dollars would belong to his wife.

Mr. HATCH. And it is absolutely her property. It becomes a vested interest in her.

Mr. CONNALLY. That is correct. Here is what the Supreme Court says: It agrees with the Senator from New Mexico, as I am sure it often does.

The Supreme Court of the United States, in *Hopkins, Collector, v. Bacon* (282 U. S.), held that the wife's income in the community amounted to "a present"—not a future, not a contingent, but a present—"vested interest equal and equivalent to that of her husband."

So the moment it is earned, under the Supreme Court decision, it vests directly in the wife. But let me carry the illustration further.

This man in New Mexico makes a million dollars in community—he and his wife. Immediately upon the acquisition of that million dollars, half of it belongs to his wife. The other half belongs to him. They move to the State of New York and take their money with them. The moment they cross the boundary of New York and acquire residence she can return her income from her half in a separate return; he can return his income in a separate return; but if they remain in New Mexico they have to make one return and pay on an income from a million dollars.

That is what this amendment proposes to do. That is what it will do. That is what it does do. That is what, by the grace of God, I hope it will not do.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. OVERTON. In that connection, talking about the absurd conclusions to which this Senate amendment leads, let me give an illustration or two.

Under the law of the community-property States the income of each spouse falls into the community.

Mr. CONNALLY. That is correct.

Mr. OVERTON. Under subsection (a) of the pending amendment the Federal Government says, "No; in spite of what the law of your State says, we are not going to treat the income as community income. It is going to be separate income; and if the wife is earning $3,000 it does not, for Federal income taxation, go into the common pot, although it is in reality community income. We are going to disregard the State law, and the wife must make a separate return and pay a tax on it."

Now, I desire to go a step further. Then we go to subsection (b) of the amendment. The wife has earned $3,000. The Federal Government has collected a tax from her on that amount as her separate income. She invests the $3,000 in revenue-producing property. Under the law of the community-property States the capital invested by the wife, earned by her during her marriage, is community property, and the revenue from it falls into the community. The Federal Government does not say, "We will collect a tax from you on the returns of this earned money that you invested in property," but it says, "We are going to treat this investment, made by you out of your own earnings, as community property. The husband is the head and master. We will add the income from your investments to his separate income, and he will have to pay a tax upon the total."

One moment the Federal Government, under this amendment, absolutely disregards and ignores the State law of ownership; and the next moment it picks it up and says, "We are going to recognize the State law"; and why? Because it adds more and more to the amount that has to be paid by the taxpayer.

Not only that, if the Senator will pardon me for going a little bit further, let me show how unjust and unreasonable the Senate committee amendment is.

Mr. CONNALLY. I am very glad to hear the Senator.

Mr. OVERTON. I say this with all due respect to the Senate Finance Committee, for whose members we all entertain the highest regard, and, I may add, with all due respect to the Treasury Department.

Mr. CONNALLY. All due respect. [Laughter.]

Mr. OVERTON. Yes; with all due respect.

The husband is making, say, $5,000 a year. He invests that money in property bought in his own name. In the common-law States it becomes his property; but in the community-property States, when he buys the property, even in his own name, it falls into the community. One-half belongs to the wife and the other half to the husband.

The wife dies. The husband has a million dollars' worth of property that he has accumulated out of his earnings during marriage. In the common-law States, if the wife dies, the husband's ownership is not interfered with. But, under the Federal inheritance-tax law Uncle Sam says to the husband, "One-half of that property standing in your name was bought during the marriage, and one-half belongs to your wife. Her estate must pay an inheritance tax upon that property acquired by you; we are going to collect a Federal inheritance tax." The State will, also, collect a State inheritance tax upon it.

Now let us go further. If the wife wills to the husband her half interest in the property which was acquired in his name—which would be his in a non-community-property law State—if the wife wills it to her husband then before the husband can take possession of it, under the Federal inheritance-tax law he will have to pay an inheritance tax upon $500,000, which would be one-half of the million dollars' worth of property that had been bought in his name and out of his own earnings during the existence of the marital partnership.

Do you not see to what absurdities this amendment carries the whole principle of community-property rights?

When the Federal Government undertakes to ignore the local State laws of title and ownership, and applies varying rules of taxation, income and inheritance, it does what leads to confused thinking and hopeless confusion.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. CONNALLY. I will yield in a moment. Let me suggest to the Senator from Louisiana that in the non-community-property States, when a man gives his wife property he gets an exemption of $40,000 before any possibility of a gift tax attaches; but in the community-property States, if that $40,000 is a part of the community, full tax must be paid on it under this amendment.

I now yield to the Senator from Nevada.

Mr. McCARRAN. Mr. President, I wanted to draw to the attention of the able Senator from Louisiana and the able Senator from Texas a further thought, and that is that in a community-property State the husband cannot divest himself by will or bequest or devise of one-half of the property acquired during coverture. He can dispose by testamentary disposition of only the one-half which the law says belongs to him. The other half, however much he may attempt to dispose of the property by testamentary disposition, nevertheless remains the property of the wife, to be disposed of by her as she may see fit.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield to the Senator from Arizona.

Mr. McFARLAND. The particular provision I had in mind a few moments ago, when I referred to raising chickens and pigs and cattle on the farm, was subsection (a) of section 29 under "community income," which states that—

> Income earned by each spouse (whether or not treated as community property under the State law) shall be considered as the income of the earner thereof.

Under our laws and under the laws of Texas, the income belongs half to the wife and half to the husband but, regardless of our law, this amendment would say that it shall be treated as the property of whichever one earned it, regardless of our laws. Then the amendment goes on to say that—

> Income derived from property of the marital community (except such property as constitutes either income derived from the separate property of either spouse or property acquired therewith) shall be considered as the income of the spouse who has the management and control thereof under the law of the jurisdiction in which the marital community exists.

It is my contention that these provisions were put in the bill to get around our community-property laws, but they have not been made broad enough, because they do not cover the situation of the wife who takes care of chickens and sells the chickens and gets a little money, and the man who takes care of pigs. Who is to make the return?

Mr. CONNALLY. Let me say to the Senator that of course the intent of the amendment is that in that case they will tax all of that income on the theory that the husband is the manager and in control and charge. That is the purpose.

Mr. McFARLAND But subdivision (a) says that whichever one earns it pays.

Mr. CONNALLY. I understand.

Mr. McFARLAND The wife certainly earns the income when she takes care of the chickens and sells them.

Mr. CONNALLY. However, the theory of the amendment is that the husband, being in most States the legal head of the family, will pay the tax not only on his half of the community property, but on his wife's half. That is the purpose of the amendment.

Mr. McFARLAND I understand the purpose of the amendment is to compel a joint return.

Mr. CONNALLY. That is correct.

Mr. McFARLAND But I say the provision is not well written, that it is not complete, and cannot be made complete to meet the situation where the laws of a state provide that the property belongs half to the husband and half to the wife. We in Arizona in a way followed Texas. We were the last State to be admitted to the Union. We regard the husband and wife as partners. I get along just a little better by treating my wife as a partner. Some, perhaps the Secretary of the Treasury, may want to go back to the old common-law rule, under which the husband and wife are one, and the husband is the one. But I find that I get along a little better by treating my wife as a partner. Those of us from the community-property States recognize that principle, and all we ask is that our State laws be not interfered with, that our laws be respected, just as the laws in the noncommunity-property States have been respected. That is my contention, and I say an attempt has been made here to get around our law, but it has not been made complete.

Mr. CONNALLY. I thank the Senator from Arizona. He has made a very enlightening statement, which will be helpful.

The Senator from Louisiana [Mr. OVERTON] in his well-chosen remarks a little while ago, adverted to the origin of the doctrine of community-property theories. Louisiana, of course, belonged to France, but it also at one time belonged to Spain. Can the Senator inform us as to whether or not in the instant case of Louisiana that doctrine was adopted from the Spanish law, or from the French law? Both being Latin, I suppose the law may have been the same. I do not know.

Mr. OVERTON. The community-property law originated in Spain quite a number of centuries ago. My recollection was that it was in the seventh century, but the Senator from New Mexico said it was the twelfth century. At any rate, centuries ago the policy of the community-property system was adopted in Spain. The French adopted the community-property system of the Spaniards. At one time the State of Louisiana was under French domination, then under Spanish domination for a while, then back under French domination. It adopted the community-property system; what we know as the community of acquetes and gains, and what is commonly known as the marital partnership, from the French law, under the Code of Napoleon, which in turn got its inspiration from the Spanish law. So that long before the State of Louisiana was admitted into the Union we had the marital partnership, back in the old colonial days. Long before the United States effected the Louisiana Purchase we had the marital partnership. Long before the embattled farmers fired the shot heard round the world, long before the Declaration of Independence was written, we had the marital partnership. It is embedded in our tenure of property—real, personal, and mixed. In my opinion, the State of Louisiana would not surrender that method of acquisition, and ownership, and tenure of property under any circumstances. It has worked most satisfactorily.

Mr. HATCH. Mr. President, will the Senator permit a remark?

Mr. OVERTON. I yield.

Mr. HATCH. It is the most progressive system and the fairest system that has been devised.

Mr. OVERTON. It is the most progressive system and the fairest system, and I will state why I think so. It is because it recognizes the wife as a copartner of the husband. It recognizes the wife as a helpmeet to the husband.

Mr. HATCH. I wish to make this distinction. I agree wholeheartedly with the Senator, of course, that it is a fair system. It comes from the Spanish law. The common law puts the married woman in what class?

Mr. OVERTON. Originally married women were recognized only as chattels; but they have gradually progressed.

Mr. HATCH. As to property rights, the wife was placed in the same class with incompetents, minors, and I think it said insane persons. Is that correct?

Mr. OVERTON. That is correct.

Mr. HATCH. That is the common law. That is the difference. In our States we say that the wife is the full partner, and we have removed the disabilities which apply to married women under the common law.

Mr. CONNALLY. Let me suggest to the Senator this question, Was it not true that under the common law a wife who possessed property and chattels and estates prior to her marriage, upon marriage had to turn over that property and the husband became not only the possessor of her person, but of her property? And did not the law further provide that he had a right to whip her whenever he desired, provided he did not use a switch larger than his thumb? That is the old common law.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. HATCH. Because we have been progressive, because we did recognize the rights of the wife to be equal with those of the husband, now it is proposed that we pay a penalty for that fairness. Is not that correct?

Mr. OVERTON. That is what is proposed.

Mr. HUGHES. Mr. President, will the Senator yield to me to ask the Senator from New Mexico a question?

Mr. CONNALLY. I yield.

Mr. HUGHES. I have a document before me which makes this statement as to New Mexico:

> In New Mexico when the husband dies he may leave his one-half of the community property to whomever he pleases, but on the other hand, unless a wife outlives her husband, it is a general rule that she cannot leave a dollar of her half to anyone, not even to her own children.

Is that correct?

Mr. HATCH. I wish to say to the Senator from Delaware that he has pointed out one of the defects in the system in New Mexico, which does give the husband a little more right than it gives the wife. But we are so far ahead of Delaware that I do not think the Senator should point out that slight defect. [Laughter.]

Mr. OVERTON. Let me make this observation: So far as Louisiana is concerned, the wife has a vested interest in one-half of the property acquired during marriage, whether it is acquired in her name or in her husband's name, and upon her death her one-half interest goes to her heirs at law, or to her legatees under her last will and testament, and her husband can do nothing about it.

Mr. HUGHES. Let me say to the Senator from New Mexico that he is a little unjust to Delaware. [Laughter.]

Mr. HATCH. I withdraw the remark I made.

Mr. HUGHES. Woman has been emancipated in Delaware to a very great extent. A woman can hold property, she can engage in business, she can also make a will, which the Senator's State does not permit.

Mr. HATCH. She can make a will in my State. In Delaware she could file her separate return as to her separate property under the amendment pending, but under the amendment she could not do so in New Mexico.

Mr. HUGHES. But a husband cannot bequeath his property without his wife joining him.

Mr. HATCH. He cannot in New Mexico, either.

Mr. HUGHES. In some of the community-property States he can.

Mr. HATCH. I doubt that. I doubt that there is any State in the Union where the husband can convey the community property without the consent of the wife. That is what the Senator from Delaware said could be done.

Mr. HUGHES. In the same document from which I have read it is stated, referring to California:

> Although California passed a law in 1917 requiring the signature of the wife to a sale of community real estate, the courts hold that the 1917 enactment does not prevent a husband from now conveying without his wife's consent such real estate as was acquired before 1917, or after 1917, if paid for with community money previously earned.

So, California has a different rule from that of the other of the community-property-law States.

Mr. HATCH. Mr. President, I know nothing about the California laws.

Mr. OVERTON. Mr. President, I may make the observation that under the California statute, however, a husband cannot dispose of the property in fraud of the wife's rights, and he cannot in any way jeopardize the interests of the wife in and to her moiety of the community property. So, that if in California a husband disposes of the property, one-half of the avails of the sale belongs to the wife and one-half to the husband.

Mr. HUGHES. When we speak of progress, and all that kind of thing, I may say that in the State of Delaware the husband cannot deed over his property, individual or otherwise, unless the wife joins in the deed.

Mr. OVERTON. Whether it is a separate property or not?

Mr. HUGHES. It does not make any difference. Nor can the husband put a mortgage on the property unless the wife joins with him in doing so.

Mr. HATCH. Mr. President, will the Senator from Texas yield to me?

Mr. CONNALLY. I yield.

Mr. HATCH. I desire to propound an inquiry to the Senator from Delaware, for he is a very able lawyer, and I know he understands the law of partnership. He has attempted to criticize the California law because the husband can convey property of the community. He sees that as a some sort of a vicious practice. But I will ask him this question: Cannot one partner convey the property of the partnership, and can he not bind the partnership?

Mr. HUGHES. Yes. Because of the fact that one partner could do that thing is the reason why we in Delaware came very near abandoning the partnership arrangement, and took to incorporating businesses, and so forth.

Mr. HATCH. The Senator from South Carolina [Mr. SMITH] has just observed under his breath that the conclusion of the whole matter, so far as this com-

mittee amendment is concerned, is "Do not have a wife." [Laughter.] I am very serious about that. The committee imposes a penalty upon the marital relationship. The committee imposes a penalty which does not apply to the other kind of partnership.

Mr. SMITH. That is correct.

Mr. DOWNEY. Mr. President, will the Senator from Texas yield to me?

Mr. CONNALLY. I yield.

Mr. DOWNEY. I desire to make a brief statement directed largely to the chairman of the Finance Committee [Mr. GEORGE] concerning the increased tax on wine, which is one of the most important commodities produced in our State. The Senate Finance Committee very markedly increased the rate on wine over that fixed by the House Ways and Means Committee, in fact the Finance Committee increased the rate so much that it resulted in an average increase of 100 percentage rate on wine. I personally believe the committee increased it to such an extent that it will be a serious burden upon our grape growers, who are just beginning to see daylight ahead, and to such an extent that it might defeat the very purpose of the tax bill that is the raising of additional revenue.

Mr. President, I am not now going to raise any issue upon this particular question upon the floor of the Senate. I merely appeal to the distinguished chairman of the Finance Committee carefully to consider the rights and equities of our grape growers upon this particular issue. The matter will come up in conference. We believe that the rate fixed in the House was a reasonable and fair one. We hope it will be accepted by our conferees. Our 30,000 grape growers would cheerfully pay that, or any other reasonable amount, but I should like to point out to the distinguished chairman that the increased rate on wine went far beyond the increase upon any other commodity. Indeed there is no other commodity in which the increase was anywhere near equal to the increase on wines. As I have said to the chairman of the committee, I do not desire to burden him at this time with any further argument. I am merely appealing to him that the whole question again be carefully considered when the issue is considered by conferees of the House and the Senate.

Mr. GEORGE. Mr. President, the question will be in conference as between the tax rates fixed by the Senate and the tax rates fixed by the House bill, and I can assure the Senator from California that the matter will be given consideration, and it will be very carefully considered, I have no doubt. The House conferees very likely will insist very strongly on the House rates, and the whole question can be examined in conference in the light of all the facts brought before the conferees.

Mr. DOWNEY. I thank the Senator from Georgia very much. Now I thank the distinguished Senator from Texas, who has allowed me for a brief time to intrude upon his argument. I wish to state that I enthusiastically approve the very able argument that he has been making upon the community-property tax.

Mr. CONNALLY. I thank the Senator.

Mr. DOWNEY. I join with him in appealing to the Senate carefully to consider this question which has been raised here. The rights of the people of California, I believe, are identical with the rights of the people of Texas, and I hope the Senate will support the position taken by the Senator from Texas.

Mr. CONNALLY. I thank the Senator from California for his very generous remarks. I may add at this point that California and Texas historically have some very intimate relationships. California was still slumbering in the bosom of Mexico when, as the result of the admission of Texas into the Union, the Mexican War was provoked in 1846 to 1848, and one of the results of that successful war won by the United States was the treaty of Guadalupe Hidalgo, which resulted in bringing California under the jurisdiction of the Federal Government, and later in 1850, as I recall, it was incorporated into the Union as a State.

Mr. President, I rejoice to strike hands across the space which lies between us, with the Senator from California, a representative of the great State which Texas had some small part in bringing into the Union. I am glad that he reciprocates those sentiments of ours, and that we have adopted and retained all these years the very beneficent and progressive recognition of the rights of wives and womanhood. We believe that a woman who is worthy to bear our sons is worthy to have half the revenue produced by our hands. I am glad to share with California that progressive, forward-looking, and, I almost said altruistic, doctrine giving to the women half of the earnings of the marital partnership.

Mr. DOWNEY. Mr. President, will the Senator again yield to me?

Mr. CONNALLY. I yield.

Mr. DOWNEY. I wish to express my appreciation of the courteous remarks made by the distinguished Senator from Texas. I realize well that the genesis of our State is closely connected with the historical development of the great State of Texas. We are proud and happy that we have developed as one of the Commonwealths of the United States as the result of the movement initiated by the great State of Texas. I might also say that hundreds of thousands of our most sturdy sons are descendants of one-time residents of Texas who left that beautiful empire to go to the even more marvelous State of California.

Mr. CONNALLY. I thank the Senator. If I have any criticism to make of his remarks, it is that he referred to thousands of our sons. He meant, of course, to include the daughters.

Mr. DOWNEY. That is correct.

Mr. CONNALLY. We have not only sent many sturdy sons, but we have sent to the stages of Hollywood many attractive women from our State who have lifted the standards of the stage away beyond former levels.

Mr. GEORGE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. KILGORE in the chair). Does the Senator from Texas yield to the Senator from Georgia?

Mr. CONNALLY. I yield.

Mr. GEORGE. I myself have not been able to meet with the Finance Committee, and, of course, would not disturb the Senator from Texas, who was addressing the Senate. However, a majority of the committee has considered this matter, and has considered postponing this particular amendment——

Mr. CONNALLY. The Senator means taking it out of the bill. We could not very well postpone it.

Mr. GEORGE. Yes. I mean eliminating it from the bill.

I take it that, as the Senator from Texas said in the beginning of his address, Senators who oppose the amendment would offer no objection to its elimination, with the understanding that in the administrative or any other tax bill which may come before us a hearing will be had on this question, and the committee will again consider whether it will report favorably to the Senate the so-called community-property income tax.

The committe has decided that in the interest of expeditious action upon the bill, and without any criticism of Senators from community-property States, but in full recognition of the fact that Senators from those States have the right to present their case to the Senate and to the country, the committee is willing to eliminate this particular recommendation from the pending bill and will expect, after hearings, again to consider whether it shall be brought to the Senate in some subsequent bill.

That is all I have to say. I hope the Senator realizes, as I am sure he does, that the Finance Committee has no disposition not to grant hearings. This matter has been the subject of frequent and long discussion before the Ways and Means Committee and the Finance Committee. I think at one time a similar bill passed the House and was defeated in the Senate. I know that during my period of service such a bill was once reported to the Senate but was defeated in the Senate. In view of those circumstances we thought that the committee had fair knowledge of the facts and could present the matter to the Senate for discussion.

There is no disposition whatever to lodge the slightest criticism against Senators from community-property States; and I feel certain that if, after hearing, the committee again reports this amendment on a subsequent bill the matter will then be debated in the Senate. If that should happen, the Senate would have some opportunity to express itself on the merits of the proposal.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. BARKLEY. Inasmuch as the Senator from Georgia did not leave the Chamber, as he has already explained, he asked me to get together as many members of the Finance Committee as could be reached on short notice. A

majority of the membership of the committee, without regard to party, assembled and considered this matter.

I think it is due the committee to say that in reaching the conclusion that, under all the circumstances, this matter should be eliminated from the bill and the consideration of it postponed until the next tax bill comes before us the committee members did not wish to be understood as changing their views on the fundamental question involved in the amendment.

Mr. CONNALLY. Mr. President, I hope the Senator will not be ungracious.

Mr. BARKLEY. I am not trying to be; but I think it is due the members of the Finance Committee to say that they have taken this attitude from a desire to be fair to the Senators and the people of the States involved. I do not think there was any desire on the part of the Finance Committee to do otherwise, even when it considered the matter the other day. The Senator from Texas, who now occupies the floor, made a more able argument before the committee against the amendment than could all the lawyers in Texas who might be brought here to discuss it. No one in Texas could make an abler argument against it than the Senator made before the committee.

Mr. CONNALLY. I thank the Senator. The elimination of the amendment would not benefit the Senator from Texas. I am a single man.

Mr. BARKLEY. I understand that. I would not, even by inference, attribute to the Senator from Texas any personal motive in his attitude.

It is true that the House of Representatives passed such a bill in 1921. The Senate committee reported a similar measure in 1934, and it was defeated in the Senate. So the subject has been before the Congress for a long time. However, the membership of committees changes, and it is difficult to expect new members of a committee in either House to go back and dig up dusty hearings held years ago on a subject that is now before the committee or before the Senate, and read them.

In order to be fair, and not to have even the appearance of unfairness to the community-property States, even the majority of the members who voted for the amendment in the committee felt that it was fair to eliminate it from this bill with the understanding, as the Senator from Georgia has said, that either in connection with the administrative bill—which we think is on its way—or some other revenue bill, which must originate in the House, the Senate committee reserves the right to go into the matter in full hearings and then reach its determination at that time as to what should be done.

Mr. CONNALLY. I thank the Senator from Georgia and the Senator from Kentucky for their statements. However, I wish to say that they qualify the matter by saying that Senators on the Finance Committee have not changed their minds. Let me say that we have not changed our minds and do not expect to change our minds. Senator say that the amendment may be eliminated with the understanding that a certain thing will be done. I am not agreeing to any understanding. That is up to the majority of the Finance Committee. The majority of the Finance Committee can consider this matter whenever it wishes to do so. I do not wish to be put in the position of voluntarily agreeing to be assassinated. [Laughter.] I want it to be involuntary.

Mr. BARKLEY. I appreciate that. I think the Senator from Texas will agree that, in view of the vote on this matter in the committee on two or three different occasions in connection with this bill, the members who are now willing to eliminate the amendment ought not to be put in the attitude of having abandoned their position.

Mr. CONNALLY. No. That is "good stuff." The newspapers will note it. That is the Japanese doctrine of saving face. It is all right. I am trying to save mine. What I meant was that whenever a majority of the Finance Committee wishes to do so it can take the matter up. We cannot complain. I shall not complain, because that is the right of the committee. On the other hand, I wish to make it clear that we reserve the right, when and if the matter comes up in another form, to resist it and oppose it by all proper means. I think the Senator will accord me that privilege.

Mr. BARKLEY. Of course. Let me say to the Senator from Texas that no member of the Finance Committee who voted to eliminate the amendment expected the Senator from Texas or other Senators from community-property States to change their attitude on the subject.

Mr. CONNALLY. With that statement, I am perfectly agreeable to the elimination of the amendment from the bill so that we may pass the bill and go home.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 32, beginning in line 4.

The amendment was rejected.

Mr. McCARRAN subsequently said: I ask unanimous consent to have inserted in the RECORD, immediately following the statement of the chairman of the Committee on Finance with respect to the then-pending amendment on community-property income, a statement of the law on the subject.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

CONSTITUTIONAL AND LEGAL ASPECTS

1. The committee amendment on page 32 (sec. 119 of the bill) will be clearly held unconstitutional under the fourteenth amendment to the Constitution for the following reasons:

A. The laws of the State courts are final as to property rights, and these alone shall determine the ownership of property, rights attaching thereto, etc. (*Blair* v. *Commissioner* (300 U. S. 5); *Spindle* v. *Shreve* (111 U. S. 542); *Uterhart* v. *United States* (240 U. S. 598); *Poe* v. *Seaborn* (282 U. S. 101); *Freuler* v. *Helvering* (291 U. S. 35).)

(a) In *Blair* v. *Commissioner* the Supreme Court cites with approval the foregoing cases, and in referring to the question of ownership of property, beneficial interest therein, etc., states that: "The decision of the State court upon these questions is final."

B. The sixteenth amendment confers on the Federal Government the right to tax income without regard to geographic population.

(a) That income taxable has been consistently held to be a tangible increment, or the beneficial interest therein, ownership of the "thing," or ownership of the beneficial interest being the determining factor on who shall pay the tax.

C. The Supreme Court has held in a long line of cases that the wife's vested interest in and to one-half of the community increment to the marital relation in community-property States is property in the constitutional sense, and that she cannot be divested of that property without compensation by reason of the fourteenth amendment. (*Warburton* v. *White* (176 U. S. 484); *Arnett* v. *Read* (220 U. S. 311); *Buchser* v. *Buchser* (231 U. S. 157).)

(a) Moreover, in the so-called income-tax cases dealing with community property, decided in 1930, the Supreme Court clearly establishes that ownership of the income is the basis of assessment under the sixteenth amendment, and that such ownership is determined by local State laws. (*Poe* v. *Seaborn* (282 U. S. 101); *Goodell* v. *Koch* (282 U. S. 118); *Hopkins* v. *Bacon* (282 U. S. 122); *Bender* v. *Pfaff* (282 U. S. 127).)

1. In all these cases the decision is rested on the ground that only one-half of the community income belongs to the husband, the other half being his wife's, and therefore the husband cannot be taxed on the income of the wife.

2. In that connection, consider the case of *Hoeper* v. *Tax Commission of Wisconsin* (284 U. S. 206). That case involved a Wisconsin statute providing that the husband or head of the family should add the income of his wife and each child under 18 years to that of his own before computing his income tax to the State of Wisconsin.

3. In holding this statute unconstitutional (1931) the Supreme Court, speaking through Mr. Justice Roberts, said:

"Since, then, in law and in fact, the wife's income is in the fullest degree her separate property and in no sense that of her husband, the question presented is whether the State has power by an income-tax law to measure his tax, not by his own income but, in part, by that of another."

"We have no doubt that, because of the fundamental conceptions which underlie our system, any attempt by a State to measure the tax on one person's property or income by reference to the property or income of another is contrary to due process of law as guaranteed by the fourteenth amendment. That which is not in fact the taxpayer's income cannot be made such by calling it income."

4. And, in *Heiner* v. *Donnan* (285 U. S. 312), dealing with a gift tax, the Supreme Court states that a course of action prohibited to the States by the fourteenth amendment is prohibited to the Federal Government by the fifth amendment.

The Hoeper case is emphatic and is in line with other cases cited that there is a constitutional barrier to the enactment of a Federal law which would join together and tax as a unit incomes which, under State law, are owned by the husband and by the wife.

D. But it is said by the committee, and expressed in the bill, that because the husband in community States controls or manages the community property, he is practically the owner thereof, and therefore subject to tax as the owner.

1. There is no doubt of ownership—one-half being in the wife ab initio.

2. Therefore, the committee is not content to declare management and control by the husband equivalent to ownership, but even more—it is asserted that for Federal income-tax purposes management and control by the husband shall be superior to ownership by the wife.

3. Yet, in *Warburton* v. *White*, the Supreme Court held that the management and control

in community States given by statute to the husband, is not a property right vested in the husband and can be taken from him without compensation notwithstanding the fourteenth amendment.

4. Thus the committee is seeking to base an income tax upon something which the Supreme Court has held is not property—and at the same time the committee proposes to disregard something which the Supreme Court has said is property, namely, the vested right of the wife in and to one-half of the community property.

E. In legal contemplation the vested right of the wife in and to one-half of the community property is as inviolate as the separate property of the wife in the so-called common-law non-community-property States.

(a) In non-community-property States the separate property of the wife is not now, and will not be taxed to the husband even though he have exclusive management and control over that property.

(b) Contrasted to this fact it is now contended by the committee, however, that because the husband in community States exercises control or management over the wife's one-half of the community property he should therefore be taxed on her property.

(c) It therefore develops that the committee wants to tax the husband in community States on income which belongs to his wife, by treating that income as if it were his—notwithstanding the fact that (1) he cannot dispose of it in fraud of his wife's property rights, even though he wants to; (2) he cannot spend it to improve his separate property if he wants to; (3) he cannot use it to pay his separate debts if he wants to; (4) he has no right or power to have it descend to his heirs; (5) if he is a bad manager or careless, he may lose the administration of it by court order; (6) he will automatically lose the administration of it upon divorce or death of his wife; (7) when he loses the administration of it he must deliver all such property to his wife's heirs; (8) and, in many community States, if it is willed to him by the wife, he takes it not as owner but by inheritance, and is therefore compelled to pay both a State inheritance tax and a Federal estate tax for the privilege of receiving it.

1. Where the husband may do none of these things in community States, he may do all of them in common-law States with respect to income acquired during the marital relation because he is by State law in those States the owner in fact of such property.

F. The effect of community property law in eight States adhering to the community system is to create an involuntary partnership. This partnership comes into being by operation of law upon the taking of the marital vows.

(a) In some 21 States, husband and wife are permitted to incorporate, or form a voluntary partnership, under which the wife as copartner is entitled to one-half of the earnings thereof and on which the husband, as other copartner, may not be taxed for income purposes.

(b) The proposed section 119 of the pending bill would therefore require the husband to pay an income tax on the earnings of his copartner, notwithstanding that such partnership is involuntary on his part; whereas in noncommunity States, even though husband and wife form a voluntary partnership with intent to defraud the Federal Government of income tax, the husband is not required to pay an income tax on the earnings of his copartner.

(c) Thus, it is seen that contrary to the expression of the committee that this provision will equalize taxes in all States of the Union, section 119 is but another attempt to discriminate against the community property States and if enacted, will place a burden on these 8 States that is not, and will not be also placed on the other 40 common-law States, so-called.

Mr. LA FOLLETTE subsequently said: Mr. President, with all this material going into the RECORD in opposition to the amendment, I ask unanimous consent to have inserted in the RECORD the portion of the majority committee report on the subject of community-property income, together with the tables. I think the existing situation with reference to community-property taxation constitutes one of the greatest injustices in the whole tax structure. It has existed for 27 years, and should be fought out and eliminated now. I had intended to speak at some length in favor of the committee's position on the taxation of community-property income; but I am refraining from doing so. I do not desire to violate the habit of the Senate of not debating matters after they are settled. However, I do desire to make at least a feeble gasp of expression of sentiment in favor of the position of the majority of the committee. So I ask unanimous consent that that portion of the majority report of the committee dealing with community property, including the tables, may be inserted in the RECORD following the discussion of that subject this afternoon.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

4. Community income: Ever since the advent of the income tax, the disparity in the taxation of income in the community-property States as compared with that in the non-community-property States has caused considerable concern. This situation has become more accentuated as the graduated surtax rates have been increased from time to time. Married persons in the community-property States under existing law are able to effect substantial tax savings as compared with married persons in the other States. Remedies for this inequitable situation have been frequently recommended to the Congress by the Treasury Department and by various other tax experts. With the substantial increases in the surtax rates contained in the bill, these inequities become more apparent and their termination more desirable.

Consequently, your committee bill provides a method whereby taxpayers in community-property States are placed on a parity with all other taxpayers and will pay the same amount of tax as do individuals similarly situated in the non-community-property States.

The following tables shows the Federal income-tax benefits which accrue to the earner of income in a community-property State as compared with the earner of income in a non-community-property State:

Tax on specified earned net incomes

Earned net incomes	Tax under Finance Committee bill	Tax if equally divided between husband and wife	Tax savings in community-property States
$3,500	$186	$186	
$4,000	249	234	$15
$5,000	375	330	45
$6,000	521	441	80
$7,000	687	567	120
$8,000	873	693	180
$9,000	1,079	819	260
$10,000	1,305	965	340
$12,000	1,817	1,297	520
$15,000	2,739	1,855	884
$18,000	3,819	2,493	1,326
$20,000	4,614	2,985	1,629
$25,000	6,864	4,355	2,509
$30,000	9,339	5,988	3,351
$50,000	20,439	14,448	5,991
$60,000	26,509	19,443	7,066
$80,000	39,294	30,153	9,141
$100,000	52,704	41,763	10,941
$150,000	87,189	72,973	14,216
$250,000	157,659	140,913	16,746
$500,000	345,084	316,383	28,701

Tax on specified earned net incomes—Con.

Earned net incomes	Tax under Finance Committee bill	Tax if equally divided between husband and wife	Tax savings in community-property States
$750,000	537,569	501,823	35,746
$1,000,000	732,544	691,308	41,246
$2,000,000	1,522,539	1,466,278	56,261
$5,000,000	2,922,524	3,846,248	76,276

It will be noted that an individual with a net income of $10,000 saves $340 Federal tax solely by reason of being a resident of a community-property State. An individual with an income of $5,000 saves $45. An individual with an income of $30,000 saves $3,351, and an individual with an income of $500,000 saves $28,701.

There are only a few persons in the community-property States who derive any Federal tax benefit out of the community-property system. This is shown by the following tables:

Returns filed in community-property States in 1938

	Total number of returns	Community-property returns	Percent of total
Arizona	20,447	713	3.49
California	523,698	22,859	4.36
Idaho	13,223	411	3.11
Louisiana	59,019	3,776	6.40
Nevada	8,969	339	3.78
New Mexico	13,600	606	4.44
Texas	205,254	13,375	6.52
Washington [1]	106,472	3,336	3.13
Total	950,770	45,417	4.78

[1] Includes Alaska.

Net income shown on returns filed in community-property States, 1938

State	Total net income, all returns	Net income, community-property returns	Percent of total
Arizona	$56,359,000	$6,832,000	12.12
California	1,569,974,000	274,429,000	17.48
Idaho	34,180,000	3,489,000	10.21
Louisiana	191,541,000	43,137,000	22.52
Nevada	27,969,000	3,712,000	13.26
New Mexico	39,211,000	5,472,000	10.50
Texas	683,096,000	162,973,000	23.86
Washington [1]	275,061,000	30,775,000	11.19
Total	2,877,411,000	530,819,000	18.45

[1] Includes Alaska.

Source: Statistics of Income 1938.

Comparison of number of community-property returns filed in 1938 by net-income classes to total number of returns filed in the 8 community-property States

Net-income class	Total number of returns filed	Community-property returns	Percent community-property returns to total returns
Under $5,000	858,882		0
$5,000 to $10,000	69,789	30,534	43.75
$10,000 to $15,000	10,907	7,384	67.70
$15,000 to $25,000	6,461	4,381	67.81
$25,000 to $50,000	3,487	2,331	66.85
$50,000 to $100,000	969	636	65.63
Over $100,000	275	151	54.91
Total	950,770	45,417	4.78

Source: Statistics of Income, 1938.

Not only does this tax saving benefit only a few individuals in the community-property States, but, as shown by the following table, less than 1 percent of the total returns filed in the country represent community-property returns.

Individual returns with net income (excluding fiduciary returns), 1938, by sex and family relationship; number of returns, net income, and percentages

Family relationship	Returns		Net income	
	Number	Percent of total	Amount (thousands of dollars)	Percent of total
Joint returns of husbands, wives, and dependent children, and returns of either husband or wife when no other return is filed	2,866,026	46.60	10,001,384	53.60
Separate returns of husbands and wives:				
Men	152,654	2.48	1,593,939	8.54
Women	153,143	2.49	693,027	3.71
Heads of families:				
Single men and married men not living with wives	395,073	6.42	1,040,372	5.58
Single women and married women not living with husbands	210,143	3.42	472,994	2.53
Not heads of families:				
Single men and married men not living with wives	1,418,385	23.06	2,611,197	13.99
Single women and married women not living with husbands	909,956	14.79	1,717,196	9.20
Community-property returns	45,417	.74	530,819	2.85
Total, individual returns with net income	6,150,776	100.00	18,660,929	100.00

Source: Statistics of Income, 1938.

Mr. ADAMS. Let me ask the Senator from Georgia if it is agreeable to him for me to submit at this time the amendment I proposed to offer yesterday.

Mr. GEORGE. Mr. President, it is agreeable to me to have the amendment considered at this time, I will say to the Senator from Colorado.

I should like to renew the statement I made, that the Senator's amendment is an administrative matter and, the committee having decided not to incorporate such matters in the bill, it is very doubtful whether the House or the House conferees would be disposed to consider an administrative measure or amendment about which there might not be any real dispute or controversy.

Mr. ADAMS. I will say to the Senator that of course I have such abounding confidence in the ability and persuasiveness of the chairman of the Finance Committee and the chairman of the conference committee that I feel quite sure that a meritorious amendment will be retained. But of course whatever hazard there is in that has to be taken.

Mr. GEORGE. I do not desire to be put in the attitude of rejecting or opposing all administrative amendments, if I consent as chairman of the committee to consider any of them; but the Senator has a right to offer the amendment, and I frankly say that the amendment is meritorious. I am advised and believe that the Treasury Department itself would desire to correct the particular condition covered by the amendment which arises by reason of Supreme Court decisions. But I had hoped that it might be passed over until we come to the consideration of an appropriate bill.

If the Senator desires to offer it, of course it may be offered at this time.

Mr. ADAMS. I submit the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. At the proper place in the bill it is proposed to insert the following:

SEC. —. Deductions from gross income.

Section 23 (a) (1) of the Internal Revenue Code is amended by inserting after the words "taxable year" the words "in caring for and conducting the business of the taxpayer."

Mr. ADAMS. Mr. President, a very brief word in explanation. As the law stands it provides for the deduction, in ascertaining net revenue, of—and I quote:

All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business.

The Supreme Court, in at least two cases—one, the case of *United States* v. *Pyne* (61 Sup. Ct. 894), which is a very recent case; and in a prior case, *Higgins* v. *Commissioner* (312 U. S. 212)—held that such deductions were limited to expenses incurred in a somewhat narrow definition of doing business. They excluded from deduction any expenses incurred by an executor, for instance, in conserving the business of the estate, in the payment of attorneys' fees, and in protecting the estate. They excluded the expenses paid by a man whose property consisted of bonds and stocks and real estate. He may have employed people to look after his investments, to collect his dividends and coupons, to make out his income-tax returns; but the Court held that that was not the carrying on of a business.

Under the law as it stands a man of whom we heard yesterday, in a Western State, who was the proprietor of an establishment with a large supply of slot machines, could employ operators and collectors and could deduct the expenses of their employment, while, on the other hand, a widow whose funds consisted of bonds and securities, who was buying defense bonds, and who had to employ a bookkeeper, could not deduct the expenses incident to having her business looked after, because it was her personal business.

What I have sought to do by this amendment is to correct what I think is an obvious error, and to propose what the Senator from Georgia says is a meritorious suggestion, so that there may be deducted the bona fide, legitimate, and necessary expenses incurred by anyone in conserving his own business affairs, even though he be not engaged in a particular line of business. That is to say, if he has stocks, if he has bonds, and if he requires the employment of a clerk in an office he certainly is as much entitled to a deduction for such expenses as is the other man who is trafficking in stocks. So the amendment simply would add the right to deduct expenses necessary to the conserving of the individual business affairs of the taxpayer.

Mr. GEORGE. Mr. President, as I have already stated, I think the amendment is a proper amendment and is meritorious, and I am perfectly willing to accept it.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Colorado [Mr. ADAMS].

The amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, I offer an amendment on page 109, in line 11. I propose to strike out the entire line, which reads as follows:

"(1) Motor vehicles—$5.

This provision was in the bill as it came from the House and was retained by the Finance Committee. It imposes a flat $5 tax on the user of every automobile.

In my opinion, this bill is already loaded down with regressive taxes which violate the sound principle of ability to pay; but this is the most regressive and most unjustified single item in the bill.

In the United States there are 32,000,000 motor vehicles. The annual revenue yield from this tax, assuming complete collection, will be $160,000,000.

As I have said, I regard this as one of the most regressive taxes ever proposed to be imposed upon a long-suffering people, because this proposal, Mr. President, has absolutely no relation to the ability of the taxpayer to carry the burden; it has absolutely no relation to the value of the article that is to be taxed nor the degree of use. A jalopy 5, 6, or 7 years old, worth $15 and driven only 500 miles a year, will pay exactly the same $5 tax as a long-nosed, specially constructed, Le Baron-bodied Cadillac. Mr. President, if Senators can defend that, let them take it home and discuss it with the taxpayers of their States. I venture there will be much to explain when the people of the country finally understand the job that has been done in this and other provisions of the bill.

Approximately $135,000,000 of the $160,000,000 revenue under this tax will come from the 27,000,000 passenger motor vehicles, and about $25,000,000 from the 5,000,000 motor trucks.

Let the farmer of Vermont or any other State get behind a double or triple hooked-up truck job while driving his jalopy to market; let him realize that the Congress of the United States has "soaked" him $5 for the privilege of running his Ford, or whatever other kind of car he uses to travel back and forth to the community where he does business; let him realize the truck pays only the same $5 tax; and then try to justify that when you get home, if you can.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. TOBEY. I will tell the Senator what the farmer will say. He will say, "There ain't no justice."

Mr. LA FOLLETTE. He is going to say that over and over again as to almost every one of the taxes imposed by this bill; and especially will that be true when he finds out that most of the money taken out of his pocket will be used to help bloody Joe Stalin.

Mr. President, how does this tax on automobiles in the pending bill compare with State registration fees? The Federal Works Agency of the Public Works Administration has published the following statistics for the calendar year 1939:

The State governments for that year collected a total—mark this figure—of

$353,000,000 from registration fees, of which $236,000,000 came from registration fees on passenger vehicles and $117,000,000 from the registration fees on trucks. In effect, therefore, the proposed tax increases the registration fees on cars of all makes and models combined by an average of 57.2 percent, and on trucks by 21.3 percent. Of course, it should be noted that an average percentage increase of 57.2 percent on all cars does not indicate the real burden on the smaller and cheaper motor vehicles, for most of the States use a graduated scale for motor-vehicle registration. My own State imposes very high fees for automotive registration, but, at least, it recognizes the principle that the smaller car should not be required to pay as great a tax as the larger car. By the same token we have applied the same principle of taxation to the utilization of our highways for motortruck transportation. A similar policy prevails in most of the States; but the Federal Government now proposes a flat fee, a flat tax, which has no relationship to the size of the car or the value thereof, or to the size of the truck or the tonnage thereof. Actually, the increase on certain smaller vehicles paying the lowest registration fee and on certain special classifications provided in some States, such as farm vehicles, is more than a 100-percent increase. That applies to the States which recognize that the farmer has been in a desperate situation and have reduced the registration fee or relieved him of the necessity of paying a license fee on the truck used in hauling his products to market. This bill, of course, makes no such exception.

A detailed tabulation of the Public Roads Administration shows that the States of Arizona, California, Colorado, Georgia, Idaho, Kansas, Massachusetts, Montana, Nebraska, Nevada, North Dakota, Oregon, South Carolina, Utah, Washington, and Wyoming, will, in effect, have large percentage increases, due to this tax, because the registration fees in those States are comparatively low.

I believe, Mr. President, without any invidious comparison intended, that the proposed tax is comparable to a poll tax. It is probably more regressive than any other major tax in our entire tax structure, Federal, State, or local, because approximately 55 percent of all the automobiles are owned by persons earning less than $30 a week.

I base that statement on the published data of the American Automobile Association, and, insofar as I have been able to ascertain, there is no reason to question their approximate accuracy. Even under a sales tax, a general Federal sales tax, this group, that is, the group earning $30 a week or less, would pay only 37 percent of the total burden. That statement is based on one of the T. N. E. C. monographs on taxation No. 3, entitled "Who Pays the Taxes?" So, what we are really proposing to do, Mr. President, by this tax is to take from a group in the United States that earns $30 a week or less 55 percent of the $160,000,000 which is to be raised by this tax or 18 percent more than would be taken if a general sales tax were imposed to yield the same amount of revenue.

Let me not be misunderstood. I am not in favor of a sales tax. I have fought a sales tax in season and out, ever since I have been a Member of this body, and I intend to continue to do so as long as I am a Member of it but I am simply pointing out that the incidence of this tax will hit hardest those who are in the lower-income groups, and more so than a sales tax.

Now let me return for a moment to the yearbook of the Automobile Manufacturers' Association in relation to this tax and its impact upon the farmers of the country.

According to the yearbook of the Automobile Manufacturers' Association, 41.2 percent of all motor vehicles are registered in farms and villages under 2,500 in population. According to surveys made by this trade association, 65 percent of the mileage traveled by these automobile owners on the farms and in small villages is done for business purposes—a much larger percentage than is the case with the average urban driver. Generally, too, as we all know, because of the economic conditions which have prevailed upon the farms of the country ever since the last mad adventure in Europe, the farmer has the oldest and cheapest motor vehicle, on which many of the States allow special and lower registration fees, but which, under the proposal in this bill, would be taxed at the same rate as the supermotor-vehicle freight van.

Mr. President, it is an erroneous conception to impose this tax on the theory that the utilization of motor vehicles in the United States in the year 1941 is for the purpose of pleasure or luxurious transportation. The contrary is true. I assert without fear of successful contradiction that the motor vehicle has become a highly essential vehicle of transportation.

Take the case of the city of Washington, for example: What do you think would happen to the functioning of the Federal Government if the use of private automobiles for the purpose of transporting Government workers back and forth from their offices to their homes were completely stopped? The Government would be paralyzed. It would be scrambled even more than the defense program is scrambling it.

Apply that situation to any urban community in the United States. Take the case of the city of Cleveland, for example, which has a development along the lake shore. It is a long city. It has had excellent public transportation; but I venture the assertion that if the people who work in the offices and factories and stores and other economic enterprises in the city of Cleveland, Ohio, were debarred from the use of their automobiles, the entire economy of the city would be seriously impaired, because public transportation could not possibly expand to take care of the actual going to and from work of the people who work in that community; and that is true in every community in the United States.

So, Mr. President, this tax cannot be justified on the ground that it is designed to tax luxuries.

Furthermore, I ask Senators to pause and consider what is likely to happen if we acknowledge the principle that the Federal Government may impose a use tax. If we may put a $5 tax on the use of automobiles in the United States under Federal law, we may put a $25 tax on it. If we may put a $5 tax on a motor vehicle, we may put a $5 tax on a farmer's tractor; we may put a $5 tax on a housewife's sewing machine.

Mr. President, I do not wish to take any further time. I think it has been amply demonstrated in all the hearings before both the House Ways and Means Committee and the Senate Finance Committee that the users of automobiles, motor vehicles, and trucks, are probably the highest-taxed group in the United States, if we take into account all the taxes they are required to pay. But if it were desired to obtain more revenue from the same general source, then an increase in the excise tax on new automobiles would certainly be a much more justifiable tax than is this, although I wish it to be understood that I am not advocating such an increase.

Everyone knows that there is to be a drastic curtailment of the production of automobiles and other motor vehicles in this country. It is generally accepted that the curtailment will be somewhere around 50 percent; and if the slide-rule artists get busy here some Saturday night we may wake up to find out that it is to be 75 percent. But, in any case, it is perfectly obvious that the supply of new automobiles will be inadequate to meet the demand. This inevitably will result in an increase in price unless some way is found, which has not yet been enacted, to prevent it. Undoubtedly there will be enough consumers to meet this increased price, so that, whatever the output, it will be taken off the market, even with an increased excise tax. Therefore, with an increased excise tax, the Federal Government at least would be getting some benefit from the increased price which the consumer inevitably will have to pay for his automobile in any case.

Mr. President, I desire to sum up:

First of all, this is a regressive tax. It has absolutely nothing to do with ability to pay.

Secondly, this tax is not justified, because it falls upon a type of vehicle which is absolutely essential to the functioning of our economy.

Thirdly, it is not justified, because this particular group of taxpayers, namely, the users of motor vehicles in the United States, are already tremendously burdened.

The motor-vehicle users of the United States now pay out $353,000,000 a year in registration fees. This $5 use tax, will cost them $160,000,000 additional.

Mr. President, there is one other point I desire to make. Much has been said about the unfortunate diversion by the States of gas taxes which were primarily intended for the purpose of building and maintaining highways. There has been criticism that the Federal Government is now in the business of diverting part of the gas tax, originally applied for the purpose of making road appropriations, to general Treasury expenditure purposes. I call attention to the fact that here is another $160,000,000 which is to be taken out of the long-suffering users of motor vehicles in the United States and diverted for general purposes.

Finally, I wish to quote briefly from Mr. Sullivan, the Assistant Secretary of

the Treasury, on the cost of collecting this tax:

The proposed tax must be collected from 32,000,000 taxpayers located throughout every State and county in the country. This would require an additional personnel in the Bureau of Internal Revenue of at least 3,800 new employees.

I hasten to add they are all under civil service, because I do not desire to hurt the amendment.

The administrative cost is estimated to be $9,600,000, or approximately $6 per $100 of tax collected, which is more than five times the average cost of collecting other excise taxes.

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. GEORGE. Mr. President, in the first place, the amendment does not apply to any automobiles owned by the Government or the States or the municipalities. No publicly owned automobile would be affected.

In the second place, reliable statistics indicate that about 18.8 percent of the passenger cars are owned by persons whose incomes are under $1,000; 51.8 percent, cumulative, are owned by those whose incomes are under $2,000; 74.3 percent are owned by those with incomes are under $3,000; 91.4 percent are owned by those whose incomes are under $5,000, and so on.

The House inserted this provision in the tax bill. The Senate Finance Committee approved it without amendment, and the House evidently inserted the provision because of a conflict between other taxes which were suggested. In other words, the House had the choice, and I say very frankly the Senate now has the choice of increasing the tax on gasoline if if does not want this tax, because the elimination of this tax will reduce the amount to be raised by the bill to less than $3,500,000,000; and I, as chairman of the Committee on Finance, would not want to do that, and I am satisfied that the committee as a committee would not desire to see that result.

The automobile users in my State went into this question with some care—I do not know whether a like inquiry has been made in other States—and they found on careful consideration that the owner of an average passenger car would pay more than $5 a year through a simple increase of one-half cent per gallon on gasoline. They therefore said, "We will support this tax." In my judgment, they reached a very sane conclusion, because, say what we please about it, the person who is able to own an automobile is able to pay some tax, and this tax is on the average less than would be required through an increase of half a cent per gallon on gasoline.

The House Committee on Ways and Means and the Finance Committee were of the opinion that it was not desirable to increase the Federal gasoline tax by a cent or by half a cent. One-half a cent increase on gasoline would produce about $128,000,000—nearly as much as the tax under discussion. The House also thought it was not wise or advisable to increase the manufacturer's sales tax on automobiles beyond 7 percent. Finally, it was recommended that it be increased to 15 percent, but the House fixed the tax on the manufacturer's selling price at only 7 percent, which is double the present rate. So the committee, having found a tax which may be objectionable when looked at alone, in considering the problem of attempting to raise an amount of money which will safeguard the integrity of the Treasury of the United States, is called upon to pass merely upon the tax from the standpoint of every criticism which can be aimed against it.

Of course, this would be a hard tax on some people, it is true, but so would it be hard to impose a tax of 15 percent on the manufacturer's selling price of every automobile in this country. Fifteen percent on a $1,000 car would be $150. The House thought it better to put a tax of $70 on a $1,000 car. The House thought it wise not to tax gasoline any further, not to increase the tax even by one-half cent, because very much is involved in the gasoline tax. State securities and bonds have been issued upon the amortized value of the gas tax by certain States. The gas tax alone in my State produces some $24,000,000 a year. It is essential to the State not to restrict further by additional taxes the use of things from which the State itself derives revenue.

Every man who is able to own a car is able to pay a tax, and the House fixed this tax at $5. It is true it is applicable to any kind of a car, but the bill contemplates that it must be a motor vehicle used on the highways of the country and expressly excepts from its operation publicly owned cars.

There is the problem. I can stand here and offer amendments proposing other taxes in the various categories and Senators can have the privilege of choosing between them. If they do not want this one, I will offer others until we see whether we are willing to meet the acid test of making good the enormous appropriations we have made in the name of national defense, proclaiming that we were glad to make such appropriations.

Mr. President, if the yeas and nays were not ordered on the amendment, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been ordered.

Mr. GEORGE. Very well.

Mr. DANAHER. Mr. President, in the first place, I should like to associate myself of record with what I deem to be the excellent argument of the Senator from Wisconsin [Mr. LAFOLLETTE] applicable to the pending question. I am in agreement with him implicitly. But there is a further question, if I may take the time of the Senate for a few moments to point out what we are asked to do. Imposing a use tax is invading a field which as a matter of policy is taking us back to a program which was rejected in this country when Jefferson became President. The name of Jefferson may not have the significance in these days that it once had, when many of those who went to the polls every 4 years thought they were still voting for him, but the fact remains that between 1794 and the time of Jefferson's accession to the Presidency we had this kind of a tax, but it did not apply then to farm vehicles, it applied only to carriages. When Jefferson became President the use tax on carriages was repealed. There was no similar tax until 1815, when in an effort to meet the burden of the cost of the War of 1812, use taxes were again imposed, only to be repealed in 1817.

Mr. President, here is where the vice arises, now, as then, for with the constant and ever increasing encroachment of the Federal Government into the field of taxation open to the States, in a search for revenue, a tax was placed not only on the use of carriages but on silver service, and taxes were placed on other items of personal property of individuals within the States; in other words, it was claimed that there was a use of various objects of refinement and culture and civilization to which a tax would adhere, and that the Federal Government had the right to pursue within the State and to the individual the source of that tax, and to take from the people a tax based on use and proportionate, it was said, to their ability to pay on the items which they were able to own, and hence to use.

Mr. President, the Senator from Wisconsin has very ably observed that if we can put a tax of $5 on the use of an automobile this year, we can make it $20 next year; we can make it $50 or $100 thereafter. You can put such a tax on the use of every single object of furniture, if you please, or every type of equipment, within the home, or elsewhere.

The question involved here is not simply a matter of getting $160,000,000. The question is one of policy, whether the Congress is to pursue objects of personal property within the States, items of personal property, which are already on the rate lists of the States and subject to tax there.

Mr. President, just so soon as we embark upon that course as a matter of policy, for the first time in 124 years, just so surely will we gradually decrease the sources of the revenue open to the States. In turn this will cause a greater dependence by the States upon the Central Government, and cause the States for their part to look to the Central Government to maintain their services, the more surely because the Federal Government will be said to possess this broader tax base, this broader taxing power as a source for the maintenance of State services.

Mr. President, if this principle shall be applied it will result in gradually extending the tax to the use of personal objects other than automobiles. In principle, as Federal taxing power increases, the tendency will be to reduce the States to the status of mere counties, if you choose, in the Central Government, which will become all-powerful by virtue of its possession of the power to apply this principle. Indeed, it can be carried to the length of destroying the use of the object taxed.

Mr. President, this tax is not merely a tax unequal in application, it is not merely a tax which, it can be argued, violates the first article of the Constitution. It is not merely a tax which applies unevenly to the poor as distinguished from the rich and the respective ability to pay. There is a deeper question of principle involved here. It is that to which I refer, and it is whether Congress is now going to stand for the adoption of a policy which will invade the State lines, and attach a tax upon the use of personal

property within the State. That is the question which is involved here, with all the consequences attendant upon that result.

I respectfully suggest that if it had to be an excise tax on gasoline, or any other item properly subject to such an excise tax, it would be far better than to seek merely a source of revenue, as is said of this particular item. What I say applies alike to a tax on the use of an amusement machine. It applies alike to a tax on the use of the motorboat.

Mr. President, do you not see that the moment we approve an attempt to attach a tax upon the use of articles of personal property there is no limit whatever to the lengths to which the Federal Government can go to tax the last object of personal property of individuals within the States?

I respectfully commend to the attention of the Senate the seriousness of the question of policy and principle thus involved. I believe that the argument and the offer of amendment made by the Senator from Wisconsin is just and sound, and I am glad to associate myself with what he has said. For the reasons advanced by him, as well as those I have mentioned and upon which I will not further elaborate, I believe the amendment should be adopted and that use taxes should be stricken from the bill.

Mr. LA FOLLETTE. Mr. President, I wish to say one word in conclusion. The Senator from Georgia [Mr. GEORGE] has stated that the question involved, if the amendment shall prevail, is the problem of finding some other tax. So far as I am concerned, there is not any tax in the bill, or one that has been proposed, that is worse in principle or application than the one now under consideration.

Furthermore, I should like to point out that the Senate, by more than a 2-to-1 vote, on yesterday refused to raise the rate on estates, which would have produced $202,000,000, considerably more than the provision now in question will produce.

I also wish to point out that, over my protest, a majority of the Finance Committee agreed to abandon the fight on taxation of community-property income. When that item was eliminated practically by unanimous consent—I think I was the only one who voted against it on the viva voce vote, or, if not the only one, at least there were only a few who voted against it—about $50,000,000 in revenue was cut out of the bill, and no one rose to say that we had to consider what kind of taxation should be imposed in order to take its place.

Mr. President, I think my record will show that through all the years I have been a Member of this body, and a member of the Finance Committee, I have fought as hard as anyone to obtain increased revenue for the Government, but there is a point beyond which the Senate and the House and the Treasury Department should not go in imposing taxes which violate all sound principles of taxation and all principles of equity and of justice. We certainly have not reached that point.

We have turned down the Treasury's recommendations on excess profits. We have turned down the Treasury's recommendation on the taxation of estates. We have turned down the Treasury's recommendations with respect to depletion allowances for taxation purposes. We have now turned down the Treasury's recommendation for taxation on community property. The House of Representatives turned down the Treasury's recommendation on joint returns.

If we are going to turn down all the proposals which are based on sound principles of taxation, which are based on the principle of ability to pay, if we are going to close our eyes to the justice of the matter, of course, ultimately we will be driven to the imposition of such taxes as these. But let me say to my colleagues in the Senate, in all sincerity and with no design to reflect upon anyone, that when the people of this country find out what kind of a tax bill the Congress has imposed upon them, Members of Congress are going to hear from them, and the sooner the better, so far as the maintenance of the Republic is concerned.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Wisconsin [Mr. LA FOLLETTE] on page 105, to strike out line 11. On this question the yeas and nays have been ordered. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. DAVIS (when his name was called). I have a general pair with the junior Senator from Kentucky [Mr. CHANDLER]. I do not know how he would vote. I transfer my pair to the senior Senator from Ohio [Mr. TAFT], who I am advised would vote as I shall vote. Therefore I am at liberty to vote. I vote "yea."

Mr. McNARY (when his name was called). I have a pair with the senior Senator from Tennessee [Mr. MCKELLAR]. I transfer that pair to the junior Senator from South Dakota [Mr. GURNEY], and will vote. I vote "yea."

The roll call was concluded.

Mr. HOLMAN. I have a general pair with the junior Senator from Tennessee [Mr. STEWART]. I understand that if he were present and voting he would vote "nay." If I were at liberty to vote I should vote "yea."

Mr. THOMAS of Utah (after having voted in the negative). I have a pair with the senior Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the senior Senator from Oklahoma [Mr. THOMAS] and allow my vote to stand.

Mr. HILL. I announce that the Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. GLASS], the Senator from North Carolina [Mr. REYNOLDS], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Kentucky [Mr. CHANDLER] is absent on a defense-inspection tour.

The Senator from Mississippi [Mr. BILBO], the Senators from Missouri [Mr. CLARK and Mr. TRUMAN], the Senator from Georgia [Mr. RUSSELL], and the Senator from New Jersey [Mr. SMATHERS] are detained on business in various Government departments.

The Senator from New Mexico [Mr. CHAVEZ], the Senators from Tennessee [Mr. MCKELLAR and Mr. STEWART], the Senator from New York [Mr. MEAD], the Senator from Utah [Mr. MURDOCK], the Senator from Florida [Mr. PEPPER], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

Mr. AUSTIN. I announce the following general pairs:

The Senator from Minnesota [Mr. SHIPSTEAD] with the Senator from Virginia [Mr. GLASS];

The Senator from Minnesota [Mr. BALL] with the Senator from Missouri [Mr. TRUMAN];

The Senator from Indiana [Mr. WILLIS] with the Senator from New Mexico [Mr. CHAVEZ]; and

The Senator from Kansas [Mr. REED] with the Senator from New Jersey [Mr. SMATHERS].

The result was announced—yeas 32, nays, 35, as follows:

YEAS—32

Aiken	Downey	Nye
Brewster	Eastland	O'Daniel
Brooks	Gillette	O'Mahoney
Bulow	Kilgore	Peace
Bunker	La Follette	Rosier
Burton	Langer	Schwartz
Butler	Lodge	Thomas, Idaho
Capper	McCarran	Tobey
Clark, Idaho	McNary	Wallgren
Danaher	Maloney	Wiley
Davis	Murray	

NAYS—35

Adams	George	McFarland
Andrews	Gerry	Overton
Austin	Green	Radcliffe
Bailey	Guffey	Smith
Bankhead	Hatch	Spencer
Barbour	Hayden	Thomas, Utah
Barkley	Herring	Tunnell
Brown	Hill	Tydings
Byrd	Hughes	Vandenberg
Caraway	Johnson, Colo.	Van Nuys
Connally	Lee	Walsh
Ellender	Lucas	

NOT VOTING—29

Ball	Johnson, Calif.	Smathers
Bilbo	McKellar	Stewart
Bone	Mead	Taft
Bridges	Murdock	Thomas, Okla.
Chandler	Norris	Truman
Chavez	Pepper	Wagner
Clark, Mo.	Reed	Wheeler
Glass	Reynolds	White
Gurney	Russell	Willis
Holman	Shipstead	

So Mr. LA FOLLETTE's amendment was rejected.

Mr. BUTLER. Mr. President, on behalf of the Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. EASTLAND], and myself, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Nebraska will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following:

TITLE VIII

FATS, OILS, AND GREASES

SECTION 1. Paragraph 1 of the Tariff Act of 1930 is amended by inserting at the end thereof the following: "Fatty acids and salts derived from one or more of the oils named in paragraph 53 or 54, from inedible animal oils, fats, and greases, not specially provided for, from fish and marine animal oils, not specially provided for; all the foregoing, 6 cents per pound."

SEC. 2. Paragraph 52 of such act is amended to read as follows:

"PAR. 52. Oils, animal and fish: Sod, 5 cents per gallon; herring and menhaden, 3 cents per gallon; whale and seal, 6 cents per gallon; sperm, crude, 10 cents per gallon; sperm, refined or otherwise processed, 14 cents per

gallon; spermaceti wax, 6 cents per pound; shark oil and shark-liver oil, including oil produced from sharks known as dogfish, 10 percent ad valorem; edible animal oils, fats, and greases, 3 cents per pound; wool grease containing more than 2 percent of free fatty acids, one-half cent per pound; containing 2 percent or less of free fatty acids and not suitable for medicinal use, 1 cent per pound; suitable for medicinal use, including adeps lanae, hydrous or anhydrous, 3 cents per pound; all other animal and fish oils, fats, and greases not specially provided for, 3 cents per pound."

SEC. 3. Paragraph 53 (relating to duty on seed oils) of such act is amended by striking out "rapeseed, 6 cents per gallon" and inserting in lieu thereof "rapeseed, 1½ cents per pound; kapok seed, 1½ cents per pound; perilla seed, 1½ cents per pound; sunflower seed, 1½ cents per pound; corn oil, 6 cents per pound."

SEC. 4. Paragraph 54 of such act is amended to read as follows:

"PAR 54. Coconut oil, 2 cents per pound; cottonseed oil, 6 cents per pound; babassu oil, 6 cents per pound; peanut oil, 6 cents per pound; palm oil, 6 cents per pound; palm-kernel oil, 3 cents per pound; inedible sesame oil, 1½ cents per pound; all other sesame oil, 6 cents per pound; soybean oil, 6 cents per pound."

SEC. 5. Paragraph 57 (relating to mixtures of oils) of such act is amended by striking out "25 percent ad valorem, but not less than the rate applicable to the component material subject to the highest rate of duty" and inserting in lieu thereof "6 cents per pound."

SEC. 6. Paragraph 762 of such act (relating to duty on oil-bearing seeds and nuts) is amended by striking out "sunflower seed, 2 cents per pound" and inserting in lieu thereof "sunflower seed, 1.725 cents per pound"; by striking out "soybeans, 2 cents per pound" and inserting in lieu thereof "soybeans, 1.098 cents per pound"; and by striking out "cottonseed, one-third of 1 cent per pound" and inserting in lieu thereof "cottonseed, 1.155 cents per pound; babassu nuts, 3.891 cents per pound; copra, 3.891 cents per pound; hempseed, 1.668 cents per pound; kapok seed, 1.326 cents per pound; palm nuts, 2.865 cents per pound; palm-nut kernels, 2.865 cents per pound; rapeseed, 2.295 cents per pound; perilla seed, 2.409 cents per pound; sesame seed, 2.865 cents per pound."

SEC. 7. Paragraph 1732 of such act (relating to free importation of inedible oils) is amended by striking out "palm-kernel, rapeseed, sunflower, and sesame."

SEC. 8. Paragraph 1727 of such act is amended to read as follows:

"PAR. 1727. Tung nuts; rubber seed; seeds and nuts, not specially provided for, when the oils derived therefrom are free of duty."

SEC. 9. Paragraph 703 of such act is amended by striking out "lard compounds and lard substitutes, 5 cents per pound" and inserting in lieu thereof the following: "lard compounds and lard substitutes, 6 cents per pound."

SEC. 10. Paragraph 701 of such act is amended by striking out "tallow, one-half of 1 cent per pound" and inserting in lieu thereof "tallow, 3 cents per pound."

SEC. 11. (a) Paragraph 730 of such act is amended by inserting at the end thereof the following new sentence: "Fish scrap, fish meal, marine animal scrap, marine animal meal, three-tenths of 1 cent per pound."

(b) Paragraph 1730 of such act is amended by striking out "fish meal."

SEC. 12. Section 2491 (d) of the Internal Revenue Code (relating to import tax on oil-bearing seeds) shall not apply to any article imported or withdrawn from bond for consumption or use after the date of the enactment of this act.

SEC. 13. (a) Section 2470 (a) (1) of the Internal Revenue Code (relating to processing tax on oils) is amended by inserting at the end thereof the following new sentence: "The rate provided in this paragraph shall be 6 cents per pound if the article is produced in or from materials the growth or production of the Philippine Islands or any other possession of the United States."

(b) The amendment made by subsection (a) shall apply only to articles brought into the United States from such possessions after the date of enactment of this act.

TITLE IX

JUTE AND JUTE PRODUCTS

SEC. 21. Paragraph 1001 of the Tariff Act of 1930 is amended by inserting "(a)" before "Flax" and by inserting at the end thereof the following new subparagraph:

"(b) Jute, jute butts, waste bagging of jute, waste sugar sack cloth of jute, and jute waste not specially provided for, all the foregoing, 4 cents per pound."

SEC. 22. Paragraph 1617 of such act is amended to read as follows:

"PAR. 1617. Waste bagging, not of jute, and waste sugar sack cloth, not of jute."

SEC. 23. Paragraph 1684 of such act is amended by striking out "jute, jute butts."

SEC. 24. Schedule 10 of such act is amended by inserting at the end thereof the following new paragraph:

"PAR. 1024. All the articles enumerated or described in this schedule (except in paragraph 1001 (b)) shall be subject to an additional duty of 5 cents per pound on the jute contained therein."

TITLE X

STARCHES

SEC. 31. (a) Paragraph 83 of such act is amended by inserting after "Starch:" the following: "Sago, crude, and sago flour, 2½ cents per pound; tapioca, tapioca flour, and cassava, 2½ cents per pound."

(b) Paragraphs 1753 and 1781 (relating to free importation of sago, tapioca, and cassava) of such act are repealed.

SEC. 32. Paragraph 84 of such act is amended by inserting at the end thereof the following new sentence: "Dextrines made from sago or tapioca, 3½ cents per pound."

TITLE XI

GENERAL PROVISIONS

SEC. 41. The amendments made by this act shall be effective notwithstanding the terms of any foreign trade agreement heretofore or hereafter entered into under section 350 of the Tariff Act of 1930.

SEC. 42. The amendments to the Tariff Act of 1930 made by this act shall apply to articles which, after the day following the date of enactment of this act, are imported into the United States or withdrawn from bond for consumption or use.

Mr. BUTLER. Mr. President, by reason of the action of the Finance Committee, as announced by the chairman of the committee, there was removed from the bill this afternoon one item which it is estimated would produce approximately $50,000,000 or $60,000,000 of revenue. The amendment which I have offered would restore approximately that amount to the bill.

The amendment submitted by me for myself, the Senator from Alabama [Mr. BANKHEAD], and the Senator from Mississippi [Mr. EASTLAND] is an attempt to provide or increase protection of certain branches of American agriculture against competitive imports from tropical countries, to stimulate production of dependable supplies of certain foods and raw materials within our own boundaries, and to raise revenue to meet the increased costs of our defense program. By the terms of this amendment duties are levied against four main groups of commodities, namely, oils and fats, jute and jute products, tropical starches, and fish and marine-animal scrap and meal. In addition, the amendment attempts to systematize the rather complicated and patchwork set of protective devices against foreign fats and oils by bringing existing duties and excises together into a somewhat more orderly arrangement.

The fats-and-oils section of this amendment may seem complicated, although the net result of the changes proposed is to bring about a simplification. Legislation embodying these provisions has been under consideration in the House since April, and the rates have been rather carefully worked out and checked by tariff experts. Briefly, this title would bring the combined duty, plus excise, plus processing tax, on most competitive fats and oils to a uniform level of 6 cents a pound. Levies on imported oil seeds would be scaled in proportion. To bring about this uniform arrangement it is necessary to raise some duties and lower others, although the general level of duties is, of course, raised.

It is expected that the duties prescribed in this amendment would result in exclusion of substantial quantities of competitive oils and oilseeds, though not necessarily all competitive oil imports would be kept out. If a foreign oil were distinctly superior for any purpose to any domestic oil which could be produced, it could be imported over the 6-cent duty, which is hardly enough to cover the difference between the cost of production and the standard of living in this country and those in the tropical foreign countries in which such oils are produced. Such oils as might come in would thus help to defray the increased costs of our defense program.

The result of exclusion of these oils would be to improve the domestic market and domestic prices for butter, lard, cottonseed, soybean, peanut, and other oils. It is expected that better prices for domestic oils would stimulate production of some of them on idle acres in the United States, thus relieving the pressure of surpluses of such crops as wheat and corn.

The duties on jute are expected to result in displacement of jute by cotton in many uses and in the collection of considerable revenue for the National Treasury on the jute and jute manufactures for which cotton or other domestic fibers are not suitable substitutes and which therefore continue to come in.

The duties on tropical starches are expected to result in increased utilization of domestic raw materials, such as corn and sweetpotatoes, for starch, instead of the tropical products at present imported. Duties on fish and marine-animal scrap and meal would also be levied by this amendment, since these products are competitive with our domestic tankage and other domestic feeds.

Mr. President, I am sure that many Senators, as well as others interested in the progress of the defense program and in the national economic welfare, must have come to realize during the last few months the perilous position in which we have placed the national welfare by continuing to depend on foreign sources for so many of the raw materials and foods vital to our national welfare. We have discovered in the past few months just how vulnerable is our national economy as foreign sources of supply are cut off and as shortages begin to appear in one commodity after another. In many

cases ample supplies of some commodity may be piled up on the docks at some distant foreign port, but the ships simply are not available to carry the goods here, and there is no probability that the ships will be available, either soon or for several years to come, if the wars continue. In determining which products shall be brought here in the few ships available, the Maritime Commission must naturally put first things first, and shipping which might be used to bring starch, for example, or tropical oilseeds or jute, must be diverted to the carriage of those commodities of which such a severe shortage has already occurred that industry is rationed, and of which it appears there may not be enough even for direct defense needs, to say nothing of indirect defense needs and civilian consumption. Rubber, tin, copper, and many other commodities might be cited as products of which we are sorely in need and for which we simply cannot get the shipping to supply ourselves. In fact, Members of this body know that the Commission has been severely criticized—and I believe justly so—for permitting ships to continue to carry even restricted quantities of agricultural raw materials which we, ourselves, could produce; but as time goes on and as the shipping shortage grows more and more acute, while our needs for foreign metals and the like expand, there will be no possibility of bringing in even restricted quantities of agricultural raw materials which we can possibly do without or which we, ourselves, can produce.

It is therefore essential that we begin to prepare for the future. We shall have to expand production of domestic oils and fats, fibers, and starches. We have no alternative. But the production of agricultural commodities cannot be expanded overnight. Before lard production can be increased pigs must be raised. It takes time to introduce crops like peanuts and soybeans into new areas. In some cases new processing plants may have to be built, or old ones reorganized or provided with new machinery.

For the same reason it is impossible to cut down productive capacity suddenly, particularly in the case of agricultural commodities. Once the farmer has increased his swine numbers, or has expanded his acreage of some oil or starch crop it is equally difficult for him suddenly to restrict again if the threat of competitive imports returns at the conclusion of the war. The necessity for protection against these imports is perhaps temporarily less, but we cannot expect the farmer to grow the larger crops to meet our needs unless we give him some kind of assurance that after the war is over the greater quantities will still find a market. That is what this amendment proposes to do. Many Senators remember what happened after the last war, when farmers who had plowed up new acreage to meet war demands were suddenly confronted with the fact that their war markets had disappeared and that they had no place to dispose of their surpluses. Prices dropped disastrously, bringing a flood of bankruptcies in their train; and the agricultural problem, as we have lived with it ever since, was first created on a large scale. We do not want that to happen again.

This amendment is not a sectional bill. It is not designed to help only the farmer in Nebraska or in the Middle West. It is intended to improve the prices and markets of crops in every section of the country, and to help farmers, who have had to curtail production, to find alternative crops in every part of the Nation.

I shall not burden this debate with a great many figures. I have prepared statistical tables covering, I believe, every important phase of this question, which I ask to have inserted in the RECORD at this point.

The PRESIDING OFFICER (Mr. MCFARLAND in the chair). Without objection, it is so ordered.

The tables referred to are as follows:

Fat, oils, and oil-bearing materials: United States tariff rates and excise taxes adjusted in accordance with this amendment

[In cents per pound unless otherwise indicated]

Material	Tariff paragraph	Rate of duty	Excise tax	Total, duty and tax under amendment
Hempseed oil	53	1½	4½	6.
Rapeseed oil, inedible: For use in rubber substitutes and lubricating oil	1732	Free	Free	Free.
Other, inedible	1732	do	4½	6.
Other	53	6 cents per gallon	4½	6.
Kapok oil	53	20 percent ad valorem	4½	6.
Perilla oil	1732	Free	4½	4½.
Sunflower oil	53	20 percent ad valorem	4½	6.
Do	1732	Free	4½	6.
Corn oil	53	20 percent ad valorem	Free	6.
Coconut oil:				
Product of Philippines; or other United States possession	54	Free (quota)	3	6.
Other	54	2	5	7.
Cottonseed oil	54	3	Free	6.
Babassu oil	1,732	Free, T. A.	do	6.
Peanut oil	54	4	do	6.
Palm oil:				
For tinplate or terne plate	1,732	Free, T. A.	do	Free.
Other	1,732	do	3	9.
Palm-kernel oil	54	½	3	6.
Do	1,732	Free, T. A.	3	6.
Sesame oil	54	3	Free	6.
Do	1,732	Free	4½	6.
Soybean oil	54	3½, but not less than 45 percent ad valorem.	Free	6, but not less than 45 percent ad valorem.
Combinations and mixtures	57	25 percent but not less than rate applicable to the component material subject to the highest rate of duty.	Various [1]	6 but not less than 45 percent ad valorem.
Fatty acids	1	25 percent ad valorem	Various [1]	6.
Do	1,558	20 percent ad valorem	do	6.
Sunflower seed	762	1,725	Free	1,725.
Soybeans	762	1,098	do	1,098.
Cottonseed	762	1,155	do	1,155.
Babassu nuts	1727	3,891	Free, T. A.	3,891.
Copra	1727	3,891	Free	3,891.
Hempseed	1727	1,668	do	1,668.
Kapok seed	1727	1,326	do	1,326.
Palm nuts	1727	(2)	Free, T. A.	(2).
Palm nut kernels	1727	2,865	do	2,865.
Rapeseed	1727	2,295	Free	2,295.
Perilla seed	1727	2,409	do	2,409.
Sesame seed	1727	2,865	do	2,865.
Lard compounds	703	6	Various [1]	Various. [2]

[1] These adjusted rates are based:

(a) On a total tax of 4½ cents per pound applying to perilla oil, 7 cents per pound to non-Philippine coconut oil, and 6 cents per pound to each of the other oils shown in the table, except rapeseed oil used in the manufacture of rubber substitutes and lubricating oil, and palm oil used in the manufacture of tin and terne plate, the tariff and excise tax status of the exceptions remaining as now provided by law;

(b) On the substitution of tariff duties for excise taxes now imposed on the processing of palm and palm-kernel oils; and

(c) On calculations for rates on oil-bearing materials on the bases of their

a. Oil content;
b. The proposed tax on the corresponding oil;
c. Oil-cake content;
d. The present tax (0.3 cent per pound) on oil cake; and
e. The elimination of all excise taxes on the oil bearing materials listed in the table.

[2] Rate would depend on component oils.

[3] Rates not calculable on the basis of crushing experience in the United States inasmuch as no palm nuts have been imported for this purpose.

"T. A." indicates that the tariff or excise treatment shown is provided for in trade agreements.

Fats, oils, and oil-bearing materials: United States tariff rates and excise taxes adjusted in accordance with this amendment

Fats or oils, or combinations or manufactures thereof, and oil-bearing materials	Duty [1]	Total tax on imports into the United States (per pound)
Animal fats and oils:		
Tallow	½ cent per pound	6 cents.
Inedible animal oils, fats, greases, n. s. p. f.	3 cents per pound	Do.
Fatty acids or salts of above	do	Do.
Butter	14 cents per pound	14 cents.
Lard	6 cents per pound	6 cents.
Oleo oil and oleo stearin	1 cent per pound	3 cents.
Wool grease:		
Containing over 2 percent free fatty acids	½ cent per pound, T. A	Do.
Containing 2 percent or less free fatty acids	1 cent per pound, T. A	Do.
For medicinal use	2 cents per pound, T. A	Do.
Edible animal oils, fats, or greases, n. s. p. f.	3 cents per pound	Do.
Marine animal and fish oils:		
Sod oil	3 cents per gallon, T. A	Do.
Herring and menhaden oils	3 cents per gallon	6 cents.
Whale (other than sperm) and seal oils	do	Do.
Shark oil and shark-liver oil, including oil produced from sharks known as dogfish, n. s. p. f.	10 percent ad valorem, T. A	3 cents.
Fish and marine animal oils, n. s. p. f.	3 cents per pound	6 cents.
Fatty acids or salts of above	do	Do.
Cod-liver and cod-oil	Free	None.
Sperm oil:		
Crude	2½ cents per gallon, T. A	2½ percent.
Refined	7 cents per gallon, T. A	1 cent.

[1] Source: Oil, Paint, and Drug Reporter.

"T. A." indicates that the tariff or excise treatment shown is provided for in trade agreements.

Imports of specified fats, oils, and oil-bearing materials (in terms of crude oil), United States, 1937–40

[In thousands of pounds]

Item	1937	1938	1939	1940 [1]
Animal fats and oils:				
Butter	11,111	1,624	1,107	1,385
Grease, wool	4,694	1,786	4,178	2,877
Lard	247	2	1	(2)
Oleo oil	2			
Stearine, animal, edible	3,745	400	(2)	(2)
Tallow, edible	10,652	75		(2)
Tallow, inedible	3,851	1,229	1,496	[3] 1,464
Fish-liver oil	66,641	62,175	66,242	19,461
Fish oil	1,243	526	960	718
Marine mammal oil	54,864	22,072	20,289	22,258
Total, animal	157,050	89,891	94,273	48,163
Vegetable oils:				
Babassu oil	330	(2)	650	891
Cashew-shell oil	1,742	1,585	1,947	4,772
Coconut oil	337,376	363,941	336,706	370,683
Corn oil	32,926	22,242	13,965	426
Cottonseed oil [4]	207,049	83,331	31,617	12,936
Linseed oil	402	123	49	11
Oiticica oil	3,631	5,301	18,867	15,537
Olive oil, edible	48,343	71,086	62,966	50,080
Olive-oil foots	22,101	22,356	28,180	24,480
Olive oil, inedible	4,870	5,444	11,304	5,136
Palm-kernel oil	139,356	2,569	2,236	
Palm oil	411,112	271,325	288,603	225,037
Peanut oil	[5] 53,255	[5] 15,553	3,779	3,119
Perilla oil	43,591	31,821	51,284	11,347
Rape oil	5,854	5,960	9,321	12,919
Sesame oil	39,020	7,040	3,520	63
Soybean oil	22,259	[5] 2,856	4,126	4,849
Sunflower oil	479	77	194	(2)
Teaseed oil	27,402	11,855	5,384	4,315
Tung oil	174,885	107,456	78,718	97,049
Vegetable tallow	8,098	274	2,564	283
Other [6]	800	3	1	50
Total, vegetable	1,584,971	1,032,198	955,971	843,963
Total, all fats and oils	1,742,021	1,122,089	1,050,244	892,146
Raw materials (oil-equivalent):				
Babassu nuts and kernels (63 percent)	34,519	32,021	71,717	61,912
Castor beans (42 percent)	61,660	47,910	68,297	99,871
Copra (63 percent)	338,782	323,201	270,934	337,682
Flaxseed (33 percent)	518,027	283,919	296,200	218,534
Palm nuts and kernels (45 percent)	39,731	10,953	3,713	13,171
Perilla seed (37 percent)	74	1	2,406	(2)
Sesame seed (45 percent)	4,979	3,067	4,525	6,569
Total, raw materials	997,772	701,072	717,792	787,739
Grand total	2,739,793	1,823,161	1,763,036	1,679,885

[1] Preliminary.
[2] Less than 500 pounds.
[3] Includes 96,000 pounds of oils, fats, and greases, n. e. s.
[4] Crude plus refined converted to crude basis, dividing by 0.93.
[5] Excludes free for export.
[6] Includes castor oil, hempseed oil, and kapok oil.

Compiled from Foreign Commerce and Navigation of the United States and Monthly Summary of Foreign Commerce of the United States.

Mr. BUTLER. I can summarize this whole proposition by saying that my amendment, if adopted, will improve markets and prices of all the domestic oils and fats, of cotton and other fibers, of sweetpotatoes and corn, and of high-protein feeds; that it will encourage production of alternative crops to take the place of those which relied on foreign markets that have now been lost, and that it will give this Nation a dependable supply of raw materials and foods which are now scarce because of our past reliance on undependable foreign suppliers.

Mr. President, in closing my remarks, I wish to say that, as a permanent policy, our Nation must sooner or later—and the sooner the better—adopt a policy of production rather than one of restriction, and we must protect the American market for the American producer. At the conclusion of any remarks which other Senators may care to make, I intend to ask for the yeas and nays on the amendment.

Mr. BANKHEAD. Mr. President, I wish to address myself briefly to the amendment which has just been presented by the junior Senator from Nebraska [Mr. BUTLER]. I was invited by him and the junior Senator from Mississippi [Mr. EASTLAND] to participate with them in offering this amendment. The amendment is similar to a bill that was prepared by Representative FULMER, chairman of the House Committee on Agriculture, and now pending in that body.

I regard this as one of the most important measures in the interest of American agriculture that have been presented at the present session of the Congress. I have no illusion, Mr. President, about the final action on this amendment; I recognize the difficulties, looking at it from the standpoint of usual legislative procedure, regardless of the merits of the amendment; but, in my judgment, if this amendment could become a part of the law, it would afford additional markets at a better price to American farmers than any other form of tariff protection which could be extended to them.

I am sure that all of us realize the tremendous quantity of edible fats and oils used by American consumers. At the same time, our fats and oils must meet the competition of foreign cheap labor as a result of the importation of oils and fats to the staggering amount of more than 1,000,000 pounds a year. I got

the figures this morning from the Department. Three items alone amount to more than a billion pounds of imported oils and fats in competition with the American farmers in their production of food necessities.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. BANKHEAD. I yield.

Mr. LUCAS. What portion, if I may inquire, of the fats and oils comes from South American countries?

Mr. BANKHEAD. I think the Senator from Nebraska has the figures on that subject. I do not have them before me. Can the Senator from Nebraska furnish that information?

Mr. BUTLER. Will the Senator from Illinois kindly repeat the question?

Mr. LUCAS. I asked the Senator from Alabama what portion of the fats and oils covered by the amendment comes from the countries of South America?

Mr. BUTLER. I have a short statement relative to the effect of the amendment on inter-American trade which I should like to put in the RECORD, if the Senator from Alabama will permit me.

Mr. BANKHEAD. It is agreeable to me, of course.

Mr. BUTLER. A particular effort has been made in drawing up this amendment to avoid placing bars on inter-American trade beyond what were absolutely necessary to provide protection for the American producer. I believe that Senators know I am in sympathy with all efforts toward protecting American farmers against competitive imports from Latin America of such products as meats, sugar, hides, wool, and grains. In this particular amendment, however, I have made a special effort to soothe those who might oppose it on grounds of hemispheric solidarity or the good-neighbor policy. Thus, I have deliberately refrained from including provisions giving protection to some products which ought to be protected, and I hope some day will be protected. For example, flaxseed and linseed oil do not receive any additional protection by this amendment. There is no duty provided for on the new drying oils from Brazil, such as oiticica and castor. Latin American countries are not important suppliers of any of the oils mentioned, with a few minor exceptions, nor of jute, nor of tropical starches, nor of fish meal.

The principal foreign suppliers for these products are:

Oils: The Philippine Islands and the Dutch East Indies.

Jute: British India.

Starches: Dutch East Indies.

Fish meal: Japan.

The amendment as presented is an exact copy of one which was presented in the House. It has been carefully studied and, as I have said, purposely avoided covering articles which come from South American countries, because we did not want to do anything that would upset the policy of hemispheric solidarity.

Mr. BANKHEAD. Mr. President, I am glad, indeed, the Senator has made that contribution, because I am sure that all of us are interested in our relations, particularly at this time, with the South American countries. There are sometimes, of course, prices which must be paid which we cannot afford to pay if such prices are necessary to continue friendly relations.

Mr. ADAMS. Mr. President, will the Senator yield to an inquiry?

Mr. BANKHEAD. I do.

Mr. ADAMS. My inquiry is as to the rates. I notice a provision with reference to the tariff rate on jute. Is that an increase on the present rate?

Mr. BANKHEAD. There is now, as I understand, no tariff rate on jute. The junior Senator from Georgia and the senior Senator from Alabama have on several occasions during the last 2 or 3 years endeavored to get a tariff rate fixed on jute, but we have been unsuccessful.

Mr. ADAMS. The rates contained in the amendment are increases?

Mr. BANKHEAD. They are all increases and intended for the purpose of protecting the American farmers in the matter of the commodities set out in the amendment.

Take copra. From August 1, 1940, to August 1, 1941, we imported 555,991,000 pounds of copra.

Of coconut oil, during the same period, we imported 371,916,000 pounds.

Of palm oil we imported 253,151,000 pounds. Those three items together—and there are many other oils not included in this list—amount to 1,191,058,000 pounds.

Mr. President, if the lard producers of this country, the peanut-oil producers, the soybean producers, the cottonseed-oil producers, had the advantage of a market in this country for that additional amount of farm production, of course at a better price than they are now enabled to get for their production because of these excessive imports of the products of cheap labor; if, I say, we could establish American farmers upon the basis of the elimination of that competition, I know of no legislation that would be more beneficial to American agriculture and more profitable to American farmers. It is a great field that could be supplied at a reasonable profit by our farmers in all sections of America if they could only be relieved of the burden of these tremendous imports of the products of cheap labor in other countries.

There are other items in this amendment, such as a tariff on sago and tapioca, which come here from the Netherlands. If a tariff could be placed upon the imports of these communities, we are assured that a great sweetpotato starch industry would be developed in this country.

Mr. GILLETTE. Mr. President, will the Senator yield for an inquiry?

Mr. BANKHEAD. Yes.

Mr. GILLETTE. I have just been glancing through the amendment. It deals entirely, does it not, with customs duties, amending the Tariff Act in regard to customs duties rather than excise taxes? There is no attempt to change any excise taxes?

Mr. BANKHEAD. No; the amendment is merely intended to put an import tax on these various products.

Mr. GILLETTE. It changes the present Tariff Act by changes in the customs duties?

Mr. BANKHEAD. That is correct. It increases the rates, primarily, and adds some rates where there are now none at all.

Take the subject of jute, which we have discussed here many times, which is produced in India by the cheapest labor in all the world in competition with American cotton. As the result of the generosity of Members of Congress from all sections of the country, our farmers have been obliged to call upon the Government to finance their surplus production of cotton, which has been costly to our Government and troublesome to our cotton farmers. Great quantities have accumulated; and, notwithstanding that, we are forced to compete with the cheap-labor producers of jute in India, whereas if it were excluded, or a satisfactory tariff were placed upon it, it would permit an additional consumption of cotton equivalent to at least 2,000,000 bales a year, and in a very short time we would entirely eliminate the surplus pile of cotton now accumulated at the expense of the taxpayers of the country. But still, although most agricultural commodities are protected by a tariff—wheat, corn, barley, oats, butter, eggs, beef, chickens, and nearly everything else—we have been unable to get any sort of protection for cotton against cheap jute; so jute is included in this amendment.

I shall not take more time in the discussion of this subject; but, as I said, it is one that is close to my heart, one that appeals to my judgment, and it ought to become the fixed policy of this country. We ought to protect our American farmers in the sale and consumption of American-produced agricultural commodities.

That is all I have to say. I should like very much to see this amendment go to conference and receive further consideration and discussion.

I ask unanimous consent to have printed in the RECORD at the end of my remarks a detailed statement of imports of oils and oilseeds during the past 4 years, separately.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement is as follows:

Imports		1937–38	1938–39
Oils and oilseeds:			
Oilseeds	1,000 lb.	566,651	467,470
Flaxseed	1,000 bu.	17,861	18,744
Rapeseed	1,000 lb.	7,368	9,860
Sesame seed		4,072	9,424
Oils		12,302	14,275
Coconut oil		344,738	379,643
Olive oil, edible		58,665	65,664
Olive oil, inedible		17,015	38,447
Palm oil		373,222	272,248
Peanut oil		21,303	15,978
Perilla oil		41,025	30,312
Rapeseed (colza) oil		939	991
Soybean oil		12,137	2,526
Tung oil		129,351	96,460

Imports of principal agricultural products into the United States

	1938–39	1939–40	1940–41
	1,000 lbs.	*1,000 lbs.*	*1,000 lbs.*
Copra	467,470	559,683	555,991
Flaxseed (bushels)	18,744	13,212	11,198
Rapeseed	9,860	6,742	4,359
Sesame seed	9,424	15,485	9,220
Coconut oil	379,643	319,544	371,916
Palm oil	272,248	246,178	253,151

Source: Table 660 (Agricultural Statistics, 1940).

Mr. WILEY. Mr. President, I shall vote in favor of the particular amendment which is now under discussion.

Months ago, speaking in the Senate, I suggested that the Congress could best serve the Nation by passing a realistic tax measure which would at least take care of a part of the overhead of government. I also suggested in those remarks that Congress should insist that our public managers in Washington cut down on nondefense items. Those remarks were made in the opening days of the present session. The third suggestion I made at that time was that Congress insist that the President require collateral security for the property and credits which he extends to other nations. The fourth suggestion I made was that the Senate should become realistic and insist that the Government get value received for the money being spent on the defense program.

Several weeks ago there appeared in the newspapers of the Nation a statement indicating that the President had received from the British some $500,000,000 in American securities, deposited as security or collateral for advances. The Congress and the people of the country are entitled to know what the true situation is in relation to the money spent under the Lease Lend Act. I hope that information will soon be definitely before Congress. I also hope the suggestions made by the Senator from Virginia [Mr. BYRD], by Mr. Baruch, and others will soon bear fruit, to the end that government will cut down on nondefense items, and that waste by government will be cut out of the picture.

Mr. President, there are some things about the pending tax bill which, of course, I do not entirely approve; but I believe it attempts to meet one of the tests which I suggested months ago; namely, that we adopt a realistic tax program. Therefore, in spite of what have been called the inequities of the bill, in spite of its violating some of the principles of taxation which were adhered to at the time of the formation of our Government—in spite of all these and other factors, recognizing that it is imperatively necessary that funds be obtained, I personally shall support the bill.

Mr. President, I supported the committee amendment reducing the exemptions on single persons from $800 to $750, and on married persons from $2,000 to $1,500 for the following reasons:

First. It will increase the number of income-taxpayers by 2,256,000, making 13,181,000 of our citizens subject to taxation. In England, single persons are entitled to an exemption of $325, and married persons to an exemption of $560. Canada allows an exemption of $750 for single persons and of $1,500 for married persons, and each married person has an additional $400 exemption for each child or dependent.

Second. This reduction will produce additional revenue to the Government of $304,000,000, but out of that amount only $49,000,000 will come from the new taxpayers, and out of the $49,000,000 only $10,000,000 will come from those who for the first time will file returns. This indicates that there is nothing inequitable about this provision so far as it relates to the new taxpayers.

Third. The new taxpayers, 2,256,000 in number, will pay on the average a little over $3 apiece. For the first time it will be brought home to them that they are paying a direct tax to their Government for the support and defense of their Government.

Fourth. This lower-income group is not squawking. The single man who makes $1,500 a year net is not squawking if he has to pay $63 of it to the Government in this period as a defense income tax, especially when his own brothers are out in the camp getting $21 a month, and the married man with no children who makes $2,000 a year is not squawking when he has to pay $39 tax to his Government. He knows that in the payment of that tax he is not only contributing toward the maintenance of his job and his property, but he is building a defense for those great American freedoms which everyone in America possesses equally.

Fifth. I am supporting the committee amendment because to return to the old exemptions would relieve me of an additional tax of $126, and would prevent the Government from collecting $304,000,000 which it sorely needs.

In relation to inheritance taxes, I voted in favor of reducing the estate exemptions from $40,000 to $25,000 and the insurance exemptions from $40,000 to $25,000 because I felt that the Government's great need for funds justified this reduction as an emergency measure.

Mr. President, I desire to compliment the Senator from Georgia [Mr. GEORGE], the new chairman of the Senate Finance Committee, on his effective and brilliant presentation of this measure. The Nation is fortunate in having the services of this great public servant.

On April 24, 1941, the Treasury Department presented its revenue plans before the Ways and Means Committee of the House. Hearings were held on the measure, and were concluded on May 28. The measure was reported to the House by the committee on July 24, 1941, exactly 3 months after the Treasury Department first presented its plans to the committee.

At the time the Treasury Department made its initial recommendations Treasury Department officials estimated that it would need three and one-half billion dollars to finance two-thirds of the Government's defense operating costs for the fiscal year of 1942.

In the 3-month interval that the committee deliberated on this measure defense expenditures had risen sharply. By July 24, 1941, when the bill was reported to the House, it was estimated that the original proposal of the Treasury Department would meet only about 60 percent of the expenditures.

Then, as we know, the House whittled $300,000,000 from the total by its elimination of joint income-tax returns. No effort was made to recoup this amount; and the bill as it came to the Senate Finance Committee proposed to raise only about $3,200,000,000.

The Treasury tax experts appeared before the Senate Finance Committee on August 8 and testified that the bill was inadequate "even before it is passed." At that time the appropriations and authorizations over the Budget had increased about $14,000,000,000 since the measure was first considered by the House.

The Treasury Department early in August recommended a bill which would raise about three and a half billion dollars, and it proposed taxes for $4,000,000,000, though we know that if we are to finance two-thirds of the expenditures of the defense program, as was originally intended, it would require a tax program which would raise about $5,400,000,000.

By August 14, 1941, the Treasury Department was studying higher social-security taxes, as they might possibly serve to halt the inflationary spiral.

Today we consider at long last the pattern of tax legislation which has evolved from the various conflicting tax policies of the Federal Reserve System, the Office of Price Administration and Civilian Supply, the Congressional Joint Committee on Internal Revenue, the Treasury Department, the Chief Executive, and various congressional leaders.

Today we consider a measure which provides for an unprecedented $3,672,400,000 revenue—approximately $456,000,000 more than was voted by the House.

There are several conclusions which are inescapable as we study this legislation in its hectic history of some 4 months.

To begin with, we know that the cost of the defense program, as it is being planned at the present time, will exceed $50,000,000,000. The bill which the House passed on August 5 was more than $2,000,000 short. The present tax bill is inadequate. It missed its mark in the original Treasury recommendations; it missed its mark as it passed the House, and it will miss its mark as it passes the Senate, which means that more tax legislation will have to be considered.

This is a bill which was inadequate the day it was conceived, and it has been consistently out of date ever since. It is inadequate in meeting the rising defense costs, and it would be out of date in making inroads on our back wall of debt.

The broadening of the tax base was a belated afterthought. It was a tardy recommendation, because it was not made to the House Ways and Means Committee in time for them to make an intelligent broadening of the tax base correlated with the rest of the tax program.

The same thing is true of the recommendation to use taxes as a price check and the recommendation to broaden social-security taxes as a potential curb on inflation.

All along, it seems to me that every proposal for this tax measure has come as an eleventh-hour addition to an existing tax structure which is also out of date and whose antiquated foundations have long since needed a thorough overhauling.

This legislation of necessity has been hurried; and while some call it slipshod, jerry built, the worst tax legislation in our history, it does a pretty good job in that it gets results, but not enough results.

All this means just one thing. We are discussing today a tax bill which will have to be supplemented with more tax legislation. We know today that next year—yes; it may be this year—another tax bill just as big as this one or bigger will have to be drafted. On the other hand, we know that there have already been too many eleventh-hour attempts hurriedly to revamp this legislation.

We know that delay at this point costs the Treasury hundreds of millions of dollars in revenue. The Nation needs this revenue not merely because of defense expenditures but because of the reckless and profligate squandering of the past 8 years.

We know today that we need a substantial increase in the tax burden if we are realistic enough to face the facts, and if we are to maintain the credit of the Nation, and if we are to maintain our defense program.

The emergency defense appropriations add up to something like $43,000,000,000, and another $7,000,000,000 is contemplated. These expenditures may be greatly increased in the near future, and they will have to be added to the normal expenditures of an extravagant Government.

The past few years have been an orgy of extravagance, and the administration wastrels have spent as much as it cost the Federal Government in the first 131 years of our country's existence.

We have had a series of staggering annual deficits, and our national credit has been strained because these deficits have piled up a tremendous national debt. Today we are loaded down with a burden of taxation, largely in hidden taxes. This burden is actually 50-percent greater than under the World War Revenue Act.

The finances of the United States were in a critical condition long before this emergency began. It is well for us to speak of economy when we are considering a tax measure. There is little point in condemning high taxes as long as we permit extravagant spending. We cannot condemn a man for not trying to pay his bills, but we can condemn him for the extravagance which caused him to run up bigger bills than he could pay.

I keenly regret that the spending committees of Congress work at cross-purposes with the taxing committees of Congress. It is unbelievable that the spending and revenue-raising departments of Government are not correlated.

I am wholeheartedly in accord with the proposal of the junior Senator from Virginia [Mr. BYRD], calling for an investigation of nonessential Federal expenditures, together with recommendations for the reduction and elimination of some of these extravagances. I also agree with the purposes of his resolution calling on the Budget Director to submit curtailed budgets which might be possible for the current fiscal year, and supplying to Congress complete information as to items identified as defense and items identified as nondefense.

In the midst of all the involved discussion on this contemplated tax measure we must not forget the simple, homely truth that a dollar eliminated from the expenses of government is a dollar which we do not have to collect by taxation.

Mr. President, I feel that in view of the present critical situation there is almost no alternative to supporting the general objectives of tax legislation which attempts to bring revenues and expenditures closer together, though this measure may be a hopelessly inadequate stopgap, built on the shifting sands of day-to-day expendiency.

I think it is undeniable that if we had written an adequate tax bill this year, based on a thorough overhauling of our present revenue set-up rather than merely being superimposed on it, we could have avoided a great deal of fiscal trouble next year.

The record on this tax bill is clear. There has been consistent confusion and disagreement on the tax objectives of the administration, and these disputes have consistently overshadowed the major issues of the tax measure.

It cannot be denied that this bill falls short of an intelligent long-range program of fiscal planning. It cannot be denied that this bill does not evidence any close teamwork between the Executive, the Treasury Department, and congressional leaders.

Mr. President, I want to go on record as being emphatically opposed to a promiscuous program of hidden taxes which blackjack the poor man. The poor man has to spend more of his income, and concealed taxes consequently hit him hardest. That is one of the reasons why I have favored, as far as is possible, the elimination of concealed taxes and the consideration of an intelligent broadening of the tax base—not merely a last-minute effort to broaden the base.

I believe, incidentally, that an intelligent program of broadening the tax base, coupled with an elimination of hidden taxes, might actually, in normal times, involve a smaller tax payment for the "little fellow" than the present confiscatory sleight of hand involved in hidden taxes.

An intelligent broadening of the tax base would also achieve the desirable result of instilling a more widespread consciousness of the responsibilities for payment which government expenditures inevitably bring.

I feel that the tax programs of this administration have consistently interfered with normal recovery. I feel that the tax programs of this administration have been too much intrigued by the painless possibilities of extracting money by hidden taxes.

I feel that this administration has been afraid to let the bulk of the voters become conscious of the cost of the administration's programs. Consequently, there have been too many hidden taxes.

I also feel that the administration's program of taxation has been indifferent to the effect of taxation on small enterprises. To a certain extent the administration's program has penalized business enterprise and business expansion by taxing speculative and expanding business more than other investments.

In normal times taxation should be an economic lever to stimulate business expansion and the encouragement of reemployment, rather than a penalty to be imposed on business activity. In other words, taxation can be used to encourage venture capital.

We could tax improvements on land at a lower rate than the land itself is taxed, and in normal times we could devise a tax on idle capacity and idle funds.

There are no tax panaceas, but it should be possible for us to write a whole new tax philosophy which might serve as an economic stimulant.

In general, there is a great deal to be said for the so-called progressive taxes which have some relationship to ability to pay, as opposed to regressive taxes which have no relationship to ability to pay.

These are all questions, however, which should be ironed out in a unified, coordinated revenue program with the tax committees of the Senate and the House meeting together with the Appropriations Committees of both Houses and with Treasury and Budget officials. That would mean simply that the Appropriations Committees would not be independent of the taxing committees. That would mean that we would have a unified revenue system.

The glaring weakness in our present tax structure is that we have befuddled our citizens into believing that they are not paying taxes.

Today the United States must equip itself so that it can meet any emergency. Let us be realistic. We cannot evade the fact that this means taxation. We cannot borrow forever.

The bill for defense preparation must be paid. This is no time for political shilly-shallying. This is a time for realistically meeting the issue.

Our first job is to get preparedness. That preparedness must not be obstructed by a lack of financial resources. The problem is bigger than simply raising the money. We must know what effect these taxes will have on production, the accumulation of capital, the utilization of savings, and so forth.

We cannot, however, long evade the responsibility for analyzing our whole tax problem. It may be necessary to make a restatement of that problem in terms such as we have never known before.

Special taxes, excise taxes, luxury taxes, or war taxes are, of course, matters to be considered by the experts and applied so that they will release commodities and types of labor and types of equipment for the program.

As far as excess-profits tax legislation is concerned, I believe in a plan of excess-profits taxation, though I believe that it should not unduly discourage production. No economist has as yet devised an absolutely just excess-profits tax, but some kind of an excess-profits tax is vital as a necessary curtailment on defense and war profiteering.

I think we can concede at the outset, without any emotional appeal, that everyone is opposed to profiteering as distinguished from a fair and reasonable return on capital.

In order to write an excess-profits tax, it is self-evident that we have to determine what constitute excess profits. We know that in any system of free enterprise based on individual initiative, economic activity requires a certain operating level of profits. If profits are slashed below that level, production is crippled, and the incentive for management is destroyed. When profits are cut over that level, however, we are eliminating what we call excess profits.

No one has any quarrel with the Government's demand for these excess profits; but there is a difficult problem involved in determining the operating level above which excess profits occur. There are, obviously, many complicated factors which make this level difficult to determine.

We know that inflation brings excess profits. We know that monopolies may create excess profits, and we know that a distortion in the normal demand, such as we are experiencing today, may create excess profits.

We know, further, that we can control inflation to some degree, at least, by price controls and by a combination of taxation and borrowing in our defense financing. We know that we can tighten our control on monopolies; and, as a matter of fact, we are already doing so.

Our problem, then, is to cope with the excess profits which result from a distorted demand factor. We know that the supply factors of those goods for which there is an abnormal demand cannot be readily increased overnight. Likewise, the demand factor cannot be greatly altered, though we may attempt substitutions, synthetics, conservation, and economy in the use of goods whose supply is inadequate to the demand.

Because we cannot exercise complete control of the demand factor, it is reasonable to expect possibilities for excess profits. It is likewise perfectly reasonable for the Government to attempt to recover a substantial share of these excess profits, created in a large measure by the activities of government itself.

In conclusion, it is apparent that the alternative to inflation, or a complete system of price control, which would involve drastic and almost impossible alterations, is a program of intelligent taxation coupled with intelligent economy in government.

I do not feel that this measure represents a complete and adequate approach to the tax problem; but I repeat that the grave necessity for financing our defense efforts leaves Congress with little alternative other than to support the general objectives of any bill which seeks to bring revenues and expenditures into a closer relationship.

Mr. GEORGE. Mr. President, much as I should like to see placed upon imports some of the restrictions covered by the amendment offered by the Senator from Nebraska, and heartily as I have approved some of the tariff rates suggested in the amendment, I must very frankly say to the Senate that it is useless to take this amendment to conference. Not only that, but I must also say that this amendment was not offered to the Finance Committee, that nobody at all was given any hearing on it, and there is hardly an industry that is not affected by it. I know that from my past experience and from a hurried glance at the amendment. I know very well that if we were to take the amendment to conference the House would refuse to consider it, because in the case of the last tax bill they served repeated notice on the conferees that they would not consider a tariff item in a tax bill. They positively took that position, and they had very good reason for it. Tariff bills originate in the House. Every Member of the House has his pockets full of tariff bills, coming to the Ways and Means Committee every time a regular tax bill or revenue measure comes up. They will say, "No; we are not going to accept such an amendment on this bill; we have not time to give consideration to it; we do not know whether the proposal is right or whether it is wrong, and therefore we cannot agree to it."

We have been in the habit of adopting two or three amendments, which were tariff measures, and we fought very hard to get some of them accepted by the conferees, but by formal action the conferees have heretofore said to us, "We will not accept another amendment to the tariff law."

I do not know how well this amendment has been considered. I know there are a great many things in it, which I long ago advocated in this body. I tried to have a tariff put on jute, waste bagging, and so forth, when we were considering the 1929–30 tariff measure, and I know that I was completely overwhelmed. Every farmer in the West was against it, every producer of oats and wheat and potatoes said, "We must have this kind of cloth to make our sacks." There must be something to it, or Senators would not have voted as they did. All New England was against it because jute products are manufactured in New England. I could pick out half a dozen items in the amendment which would seriously affect industry of various kinds, whether justly or unjustly, I could not tell at the moment.

Then there is another most important consideration. With the countries which produce every one of these materials, we have reciprocal tariff agreements, which may affect this amendment. If the Senate wants to vote it into the bill, it will be all right with me, but I know what will happen to it. I should be bound, if the Senate adopted it, as long as there was any reasonable chance to get the House conferees to take it, but I do not know how many of the tariff treaties between this country and the other producing countries from which these materials and products come would be violated.

I am calling attention to these things, not because I personally oppose many of the rates suggested, for to the extent that I have any knowledge of what is dealt with in the amendment I would have the very greatest sympathy with it, and if it should come over from the House as an independent tariff measure, I should vote for it, and should be glad to vote for it. But I suppose there are, by and large, at least 10,000 amendments which various Senators wish to offer to the tariff law, and if this amendment were accepted there would be no more reason for opposing them than for opposing this amendment. I am not sure but that the entire Ways and Means Committee of the House has acted on this matter, independently of the conferees, because they have repeatedly insisted that they would not again consider pure tariff measures in a revenue act.

Not because I oppose the amendment, not because it may not be wholly meritorious—and to the extent that I am familiar with it at all I believe it to be meritorious—I am obliged to call the attention of the Senate to the situation, and to suggest that, in my judgment, it would be far better for the House to be finally compelled by the friends of the amendment to approve it there as a separate bill, and send it to us. Of course, if that were done, it would open up the whole tariff question, but perhaps the tariff should be reopened; I do not know, except that at this time, because of the international situation, we have not very much foreign trade anyway and, therefore, there might not be a very keen interest in tariffs generally.

Mr. BUTLER. Mr. President, it is not my intention to make any reply to the remarks made by the distinguished Senator from Georgia, except to remind him, and perhaps others in the Senate, that this has been a time of breaking precedents, and perhaps the conference committee, or our good friends in the other House, may be willing to break a precedent this time and give this very estimable amendment favorable consideration, for it certainly is to the best interests of our country as a whole, and I should like very much to see them have the opportunity of giving it consideration.

I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. The yeas and nays have been requested. Is the demand sufficiently seconded? In the opinion of the Chair, it is sufficiently seconded.

Mr. CONNALLY. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CONNALLY. How many Senators raised their hands?

The PRESIDING OFFICER. The Chair counted 14 hands raised. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HAYDEN (when his name was called). On this vote I have a pair with the junior Senator from Minnesota [Mr. BALL]. I therefore withhold my vote.

Mr. HOLMAN (when his name was called). I have a general pair with the junior Senator from Tennessee [Mr. STEWART]. I am not advised how he would vote, if present. I transfer my pair to the senior Senator from Ohio [Mr. TAFT], whom I am informed would vote "yea," and I shall vote. I vote "yea."

Mr. McNARY (when his name was called). Again referring to my pair and transfer, I shall vote. I vote "yea."

The roll call was concluded.

Mr. HILL. I announce that the Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. GLASS], the Senator from North Carolina [Mr. REYNOLDS], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Kentucky [Mr. CHANDLER] is absent on a defense-inspection tour.

The Senator from Texas [Mr. CONNALLY] and the Senator from Indiana [Mr. VAN NUYS] are detained in a conference at the White House.

The Senator from Mississippi [Mr. BILBO], the Senator from South Dakota [Mr. BULOW], the Senator from South Carolina [Mr. PEACE], the Senator from Nevada [Mr. MCCARRAN], the Senator from Georgia [Mr. RUSSELL], and the Senator from New Jersey [Mr. SMATHERS] are detained on business in various Government departments.

The Senator from New Mexico [Mr. CHAVEZ], the Senators from Tennessee [Mr. MCKELLAR and Mr. STEWART], the Senator from Utah [Mr. MURDOCK], the Senator from Florida [Mr. PEPPER], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

Mr. AUSTIN. The Senator from Pennsylvania [Mr. DAVIS] has a general pair with the Senator from Kentucky [Mr. CHANDLER]. He is detained on official business.

The Senator from Minnesota [Mr. SHIPSTEAD] has a pair with the Senator from Virginia [Mr. GLASS].

The Senator from Indiana [Mr. WILLIS] has a pair with the Senator from New Mexico [Mr. CHAVEZ].

The Senator from Kansas [Mr. REED] has a general pair with the Senator from New Jersey [Mr. SMATHERS].

The result was announced—yeas 31, nays 33, as follows:

YEAS—31

Aiken	Clark, Idaho	Nye
Andrews	Downey	O'Daniel
Austin	Eastland	Overton
Bankhead	Ellender	Smith
Brewster	Hill	Spencer
Bridges	Holman	Thomas, Idaho
Brooks	Johnson, Colo.	Tobey
Bunker	La Follette	Wallgren
Burton	Langer	Wiley
Butler	McFarland	
Caraway	McNary	

NAYS—33

Adams	Green	Murray
Bailey	Guffey	O'Mahoney
Barbour	Hatch	Radcliffe
Barkley	Herring	Rosier
Brown	Hughes	Schwartz
Byrd	Kilgore	Thomas, Utah
Clark, Mo.	Lee	Truman
Danaher	Lodge	Tunnell
George	Lucas	Tydings
Gerry	Maloney	Vandenberg
Gillette	Mead	Walsh

NOT VOTING—32

Ball	Hayden	Shipstead
Bilbo	Johnson, Calif.	Smathers
Bone	McCarran	Stewart
Bulow	McKellar	Taft
Capper	Murdock	Thomas, Okla.
Chandler	Norris	Van Nuys
Chavez	Peace	Wagner
Connally	Pepper	Wheeler
Davis	Reed	White
Glass	Reynolds	Willis
Gurney	Russell	

So Mr. BUTLER's amendment (for himself, Mr. BANKHEAD, and Mr. EASTLAND) was rejected.

Mr. BUTLER. Mr. President, I ask to have printed in the RECORD at this point a statement by myself on the subject of the bill under consideration.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Mr. President, the tax bill before us for consideration represents, I know, the hard and unremitting labor of many Members of this body and of the House of Representatives, particularly those who are members of the Senate Finance and the House Ways and Means Committees. The framing of a tax bill, or should I say the framing of a bill which raises rather than lowers taxes, is not the most popular task on earth. In fact, I suppose, from the public standpoint, those who write the taxes are hardly more popular than those who collect them, and we all know where the latter stand in the public estimation, all the way back to Biblical days, when "publicans"—the ancient term for tax collectors—were classed with sinners. Yet though the preparation of a tax bill is a hard job, it is a necessary job, and those who have given so unstintingly of their time and energy in the formulation of this bill surely deserve our gratitude, whether we like their work or not.

It is a necessary job because the bills we are running up must be paid. The old saying, "He who dances must pay the piper," has at last come home to us. Due to some of the past free spending and "dancing" which we have had, it becomes necessary for us to consider a bill, harsh in many respects, in order to face a great problem of national defense. It is futile to think that we can continue to appropriate billions for defense, billions for lease-lend aid, billions for loans in the name of hemispheric solidarity, billions for New Deal propaganda, billions for this, that, and the other, and then expect somehow to avoid tax increases. The Finance Committee merely takes up where the Appropriations Committee leaves off; once we have spent Government money, or appropriated it to be spent, there is nothing to do but to turn around and levy the taxes to pay our bills.

Much better would it have been had this body followed a program nearer to that of my own State of Nebraska and paid its bills as it contracted them. Then we would not have been faced with the necessity of financing a mammoth defense and aid program on top of a $50,000,000,000 deficit. However, this was and is not the case, and due to the present financial emergency, I am forced to support this bill even though it carries with it certain inequalities. It is upon this matter that I wish to comment briefly.

In the first place, I wish to say that I believe that this is only the beginning of a hard-boiled taxing program which every citizen of this country will feel before it is through. I do not want my people in Nebraska or the people in any other State to believe that this bill will take care of the expenditures that have been voted and are to be voted. The administration has committed itself to a finish fight, we hope and pray without military engagement, to destroy Hitlerism. It will cost more than this bill can ever raise. Thus more taxes will come as long as such a policy is continued.

The farmers whom I represent will naturally be hit harder by the taxes imposed under this bill than any other class. Their income is still very meager. They still are in a depression, compared with what they should be earning, and the boom in industrial areas seems likely to increase the disparity between agricultural and industrial incomes. When certain pending trade agreements are put over, their incomes—real incomes, I mean, not Government doles—will be still smaller. This bill, however, imposes taxes on automobiles, theater admissions, gas and electrical appliances, and a long list of other goods bought by farmers, and the taxes levied by this bill therefore fall disproportionately heavy on farmers and others whose ability to pay is small. This is, to my mind, the greatest inequity in this bill.

However, the bill carries one clause which is to be complimented and should be supported by every Member of Congress. Section VI provides for a committee to study the possibilities for reduced nondefense expenditures. And there are many such expenditures that can be reduced. I would venture to estimate that an amount equal to two-thirds of the revenue to be raised by the tax increases in this bill could be saved if the administration would really undertake an economy drive throughout all the departments and agencies. I am confident that the results of the committee's investigation will prove my statement.

I am in agreement with the committee in striking from the bill the proposal to increase the gasoline tax. Gasoline is already one of the most heavily taxed commodities there is, by both State and Federal Governments. It is a prime essential on the farm for the operation of farm machinery used in production of the Nation's food supply. In addition, it should be remembered that the gasoline user and automobile or truck operator is to pay greatly increased taxes by other provisions of this bill. Nearly $300,000,000 of the increased revenues are to be taken from the pocket of the automobile or truck owner or buyer.

I heartily approve of the exclusion of the mandatory joint income-tax provision. This proposal would have penalized married couples with separate incomes, and would be, in effect, a tax on marriage, while, at the same time, it would strike at the rights of women and undo at one stroke much of the progress toward equality that has been made by women in the last half century.

One tax in this bill which is difficult to justify is that on electric and neon signs. The committee has seen fit, wisely, I believe, to eliminate the objectionable tax on outdoor-advertising billboards. It is hard to understand why the electric and neon signs are still to be taxed when the corresponding tax on billboards has been removed.

One provision which has provoked much controversy and criticism from many quarters is the broadening of the income-tax base. I am sure we all regret the necessity for this move. It is not pleasant to ask those of small income to pay taxes; but Senators must remember that this is not the first tax on those less able to pay. For years we have had taxes on gasoline, beer and liquor, tobacco, and many other products, which fall heavily on those whose capacity to pay is small. The income tax simply taxes such people directly as well as indirectly. It will cause each individual to realize more fully his responsibility for our national welfare and to shoulder his share of the burden. I know every patriotic American is willing to bear his share of the load. In addition, we must beware of taxing private capital and the profit motive out of existence or to the point where it will cease to operate for the creation of national wealth. It used to be that the rich could pay the cost of Government, but now we have taxed them almost to the limit, and we have come to the point where everyone must contribute directly.

One possible source of revenue was completely ignored by the committee. I refer to the revenue to be raised from increased customs duties on imports of competitive commodities. Increasing tariff rates would not only give us added revenue at a time when we sorely need it but by providing needed protection to American agriculture, industry, and labor would increase the taxpaying ability of those groups and thus increase the yield from the existing taxes. At the present time we have the anomalous situation of Congress raising taxes while the State Department, through its trade-agreements program, is cutting down taxes on imports. Of course,

revenues from customs have increased slightly in recent months, because of the great increase in quantity of dutiable imports, but they are nothing like as great as they could be under a program of judicious taxation of imports, or as they would be if the State Department were restrained from cutting down these duties. This subject deserves further study, and I hope to give some time to it myself during the next few months and present my conclusions and suggestions to this body for consideration.

The present bill is not perfect in all respects. It is always a problem, in asking our citizens to take on added burdens, to apportion those burdens as equitably as possible, with due regard to the taxes already paid by various groups and to their relative capacities to pay. It is probably impossible to be fair in every respect, and, as I have pointed out, personally I would change some of the provisions of this bill materially, if I had the sole right of decision on it. No doubt every Senator in this Hall would likewise make some changes. Nevertheless, I think we must recognize that the committee has done a generally good piece of work and that, on the whole, the bill is about as fair and equitable as can reasonably be expected under the circumstances.

In conclusion, I wish to state that I hope the administrators of the money received under this bill will consider every expenditure most wisely and cautiously, for great sacrifices will have to be made to pay these taxes, and we owe it to our people to see that the load is not made heavier than is absolutely necessary.

Mr. BAILEY. Mr. President, I now wish to offer an amendment proposed by myself, which is printed, the effect of which is to transfer the tax of 10 percent on retail sales of jewelry to the manufacturer. I ask that the amendment may be read for the information of the Senate.

The PRESIDING OFFICER (Mr. McFARLAND in the chair). The amendment will be read.

The CHIEF CLERK. On page 93, after line 2, it is proposed to insert the following new paragraph:

"(11) Jewelry: All articles commonly or commercially known as jewelry, whether real or imitation; pearls, precious and semiprecious stones, and imitations thereof; articles made of, or ornamented, mounted, or fitted with, precious metals or imitations thereof; watches and clocks and cases and movements therefor; gold, gold-plated, silver, silver-plated, or sterling flatware or hollow ware; opera glasses; lorgnettes; marine glasses; field glasses, and binoculars: 10 percent. The tax imposed by this paragraph shall not apply to any article used for religious purposes, to surgical instruments, to frames or mountings for spectacles or eyeglasses, or to a fountain pen if the only part of the pen which consists of precious metals is the point."

On page 93, strike out lines 14 to 25, inclusive; and page 94, strike out lines 1 to 4, inclusive.

Mr. BROWN. Mr. President, will the Senator yield?

Mr. BAILEY. I yield.

Mr. BROWN. As I understand, the Senator from North Carolina proposes a 10-percent tax on the manufacturer's price in lieu of a 10-percent tax on the retailer's sales price on jewelry. That matter has been the subject of considerable discussion. I am wondering whether the Senator would accept a modification of his amendment by which he would raise the tax from 10 to 15 percent, for the reason that a 10-percent tax on the retail price would yield considerably more than a 10-percent tax on the manufacturer's price, and in order to adjust the matter as nearly as it can be done—and I base my statement upon my recollection of the testimony which we heard in the Finance Committee—if we provide a 50-percent increase in the rate we would obtain approximately the same amount of revenue. I make that suggestion to the Senator from North Carolina.

Mr. BAILEY. Mr. President, the suggestion made by the junior Senator from Michigan is agreeable to me, and I ask leave to modify my amendment on page 1, line 9, by changing 10 percent to 15 percent.

The PRESIDING OFFICER. The Senator has the right to modify his amendment.

Mr. BAILEY. My object is not to reduce the revenue but to reduce so far as we can the nuisance and the vexation and expense of the retail sales tax. Probably the most obnoxious, difficult, and irritating of all taxes are taxes on retail sales, and I think as a principle we would be wise to follow the policy of avoiding the imposition of such taxes, and moving in the direction of manufacturers' excise taxes, so far as we possibly can.

In this bill there are three categories of retail-sales taxation—furs, cosmetics, and jewelry. I should like to strike them all out, because they are taxes on retail sales. I do not have to draw the picture for Senators of the clerk in the store and the merchant having to levy a tax on every customer. I have seen that in my own State, and I know what it means. Such taxes are properly called nuisance taxes.

Mr. President, I shall not engage in an elaborate discussion. I hesitated to include furs and cosmetics because I was afraid that if I should undertake to do so I might defeat the entire purpose. I believe this amendment will be favorably received by the Senate, the conferees, and the Congress. I know it will be favorably received by the country.

I am informed that there are about 50,000 merchants in our land selling jewelry. Each Senator can paint the picture for himself. Under the terms of the bill the establishments of 50,000 merchants would have to be inspected and their books would have to be looked into. All their customers would have to pay taxes as they went about their purchases, small and large. So I ask for favorable consideration by the Senate of my amendment.

Mr. SMITH. Mr. President, my attention has just been called to this matter. I know nothing about the jewelry business but, according to the terms of the bill now before us, everyone who sells any of the articles denominated as jewelry must pay the tax. That includes all the 5- and 10-cent stores and any merchants who may have any of such articles for sale. Think of the army of collectors who would be required. If the manufacturer of the jewelry were taxed, his books could be inspected. The number of such manufacturers is not large.

It seems to me that, from the standpoint of economy in collecting the tax, as well as from the standpoint of the revenue to be obtained, the tax on the manufacturers is preferable. Many merchants sell jewelry on credit; and, until they collect, the Government would be out its revenue, whereas the manufacturer sells for cash, and the tax could be immediately collected.

I suspect that there was some favoritism when the Treasury Department asked the Finance Committee to impose this tax on the retailer rather than on the manufacturer. The manufacturer represents big business, and has much influence. I suspect that that fact, rather than the element of economy, entered into the opposition of the Treasury Department to levying the tax on the manufacturer. Every element of economy, expedition, and return to the Government indicates that the tax should be on the manufacturer rather than on the retailer. If the tax were on the retailer it would be necessary to go over the country and hunt down every 5- and 10-cent store and every little shop which has any device which could be called jewelry. Think of the bootlegging that would go on. Many millions of dollars worth of jewelry would be secreted and the needle in the haystack never could be found.

I think this is the most economical, common-sense, and fair way to obtain the revenue if we are to impose a tax on jewelry. Whenever I go into a jewelry store I feel like holding up my hands and saying, "God have mercy!" [Laughter.] I do not know whether I am getting the real article or an imitation. From the standpoint of economy and efficiency the manufacturer is the one who should pay the tax, because he obtains his return immediately. His books are easily inspected, and the work is done. Otherwise, we shall have to go afield to a million places and attempt to collect the tax piecemeal.

Mr. HERRING. Mr. President, I wish to ask the Senator from North Carolina if he will accept an amendment to his amendment, on page 2, line 4, in the section relating to fountain pens, by adding the words "or other essential parts not used for ornamental purposes."

Mr. BAILEY. Mr. President, I understand that the particular item in question relates to fountain pens. The Senator's point is that under the terms of my amendment the gold band around the cap of the fountain pen might be considered as something in the nature of jewelry.

Mr. HERRING. That is correct.

Mr. BAILEY. But if, according to the Senator's suggestion, it is interpreted as being an essential part of the pen, it is not jewelry.

Mr. HERRING. That is correct.

Mr. BAILEY. I will accept the Senator's suggestion, and ask leave to modify my amendment in conformity with the language just stated.

The PRESIDING OFFICER. The Senator has the right to modify his own amendment.

Mr. LUCAS. Mr. President, I rise for the purpose of supporting the amendment offered by the Senator from North Carolina. I wish to take only a moment of the time of the Senate to place in the RECORD certain figures which seem to me to be rather conclusive in favor of his

amendment. I have no reason to doubt that the figures are correct.

The number of returns annually which would be necessary for the retailers to submit if the bill were passed in its original form would be 3,600,000. If the amendment offered by the Senator from North Carolina should prevail only 15,084 returns would have to be made by the manufacturers, the producers, and the importers of jewelry.

The average cost of collection, at $1.50 per return, would be something like $5,400,000 if the returns were made by retailers, whereas if the returns were made by the manufacturers the cost would be something like $22,626.

It is estimated that the loss by reason of inability to collect, to which the Senator from South Carolina [Mr. SMITH] has referred, would be in the neighborhood of $7,500,000 if the tax were paid by the retailers, while nothing would be lost if the tax were paid by the manufacturers.

It is further estimated, based upon the volume of business of 1941, that under the bill in its original form the retailers would sell approximately $500,000,000 of jewelry and with the rate at 10 percent a gross tax of $50,000,000 would be received. It is also estimated that the manufacturers, producers, and importers would receive for the volume of goods based on the 1941 base the sum of $280,000,000. Under the amendment before us a 15-percent tax would raise a gross amount of $52,000,000 or $2,000,000 more than in the original bill. No one will challenge the fact that the cost of collecting the tax is much less under this amendment. This legislation is in the interest of efficiency, the elimination of chaos, and I believe the return of more money.

Mr. GEORGE. Mr. President, I should be glad to accept the amendment if I could. I think I should explain to the Senate why I cannot accept it.

Originally I favored a manufacturers' sales tax on the three items on which it is proposed to impose a retail tax, namely, furs, jewelry, and cosmetics. I hoped that we might be able to work out the problem on that basis. However, I am advised by the Treasury Department that the manufacturers' tax on jewelry would have to be placed at 23.3 percent to produce the same revenue as that produced by a 10-percent retail tax.

Mr. SMITH. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. SMITH. What is the reason, if the retailer sells jewelry which the wholesaler sells to him? Why should the tax be higher?

Mr. GEORGE. The manufacturer sells the jewelry very much more cheaply than does the retailer. That is the main trouble. There is a tremendous mark-up in jewelry. If a manufacturer adds 5 cents or $5 to a particular article we can be perfectly sure that it will be marked up in some instances as much as 100 percent when the consumer buys it. The retailer figures his percentage on the total cost of his stock.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. TYDINGS. What would happen to the jewlery already manufactured and in the possession of the retailer? Would that escape the tax?

Mr. GEORGE. It would escape the tax unless we impose a floor-stocks tax.

The Treasury Department has pointed out another serious difficulty, and I am referring to it because I am in sympathy with getting rid of the retail tax. I think I should state why the committee as a whole was not able to do what it really wanted to do with respect to these three retail taxes.

Of course, many jewelers buy stones and rings and simply insert the stones into the settings and have the completed articles. Under a prior tax they were held by the Treasury to be manufacturers or producers, and it is difficult for the Treasury to ascertain who are the manufacturers thereof, because in practically every jewelry shop in the country there is some production of jewelry.

The Treasury advises us that whole suitcases filled with the works or parts of works of watches have been brought into the country, and watchcases have then been bought, and watches and parts of watches have been fitted into the cases by the local jewelers. It is difficult to police these transactions and to get the proper tax.

Mr. SMITH. Mr. President, according to that argument, every time a man puts a tire on an automobile he is manufacturing an automobile.

Mr. GEORGE. No.

Mr. SMITH. I should like to know why not.

Mr. GEORGE. He might be repairing it.

Mr. SMITH. Yes; but when a stone is put in a ring, the ring is made to receive the stone.

Mr. GEORGE. Exactly; and the stone is worth very much more than the ring, and, of course, both of them together are sold for more. Moreover, there are a great number of second-hand stones in the country. These are competing with stones actually manufactured or imported into the country.

Mr. SMITH. Exactly; and when I put a tire on my automobile, the automobile is worth more than it was before I put on the tire.

Mr. GEORGE. Mr. President, I am calling attention to the facts which were presented to the committee, and which persuaded me to vote contrary to the way I desired to vote. The Senate may vote as it pleases.

Mr. BROWN and Mr. BARKLEY addressed the chair.

The PRESIDING OFFICER. Does the Senator from Georgia yield, and, if so, to whom?

Mr. GEORGE. I yield first to the Senator from Michigan, and then I will yield to the Senator from Kentucky.

Mr. BROWN. Mr. President, let me say first that there was submitted to the committee an amendment which it seems to me would cover the ruling or regulation of the Treasury construing one who attaches a diamond to a ring to be a manufacturer.

It appeared to me that that ruling was far beyond what the necessities of the case required; but the retail jewelers submitted this suggestion to the committee, and I am wondering if the Senator from North Carolina would consider a further modification of his amendment to eliminate the objection to which the Senator from Georgia has referred.

The language propcsed to be added at the end of the amendment reads as follows:

> For the purpose of this section, a retail jeweler who assembles two or more completely finished component parts of jewelry upon which the tax has been paid shall not be considered to be a manufacturer or producer.

I think, as does the Senator from Georgia, that unless something of that kind is included, a large number of retailers might be construed by the Treasury Department, in view of the Department's former ruling, to be manufacturers; and certainly in no ordinary sense of the word is such an assembler of goods a manufacturer.

If the Senator will accept that amendment, I think the major objection which influenced the Finance Committee to vote the other way on the matter will be eliminated.

Mr. BAILEY. Mr. President, I have not the slightest objection to the amendment.

Mr. GEORGE. Let me call the Senator's attention to the fact that the Treasury insists that it would take a tax of 23.3 percent to produce the same revenue, while the loss of revenue under the amendment would be about $23,000,000.

Mr. WALLGREN. Mr. President, will the Senator from North Carolina yield?

Mr. BAILEY. I have not the floor, but I wish to respond to the Senator's question.

Mr. GEORGE. I yield to the Senator from Washington.

Mr. WALLGREN. Under the amendment offered by the Senator from North Carolina, a tax on precious stones and manufactured articles already is provided. Any stone that is manufactured must first be cut; and when it is cut it becomes a manufactured stone, and thereby subject to a tax. On the other hand, a manufacturer of a ring setting would pay a tax on the setting under this amendment. Because a diamond setter sets a diamond into a ring setting, should he be asked again to pay a tax on the finished article, when a tax already has been paid on the mounting and a tax already has been paid on the stone?

Mr. BROWN. That would be covered by the language I read to the Senator from North Carolina.

Mr. GEORGE. There is no manufacturer's tax on jewelry.

Mr. WALLGREN. But the committee amendment provides a tax on precious stones and manufactured articles.

Mr. GEORGE. Not a manufacturer's tax; a retail tax. It is proposed now to make it a manufacturer's tax. But second-hand stones and stones already manufactured will escape the tax.

Mr. BAILEY. The object of my amendment was to impose a manufacturer's tax.

Mr. GEORGE. Yes; I so understand. I confess sympathy with the amendment,

as I see it, but I thought I should state the fact that over $20,000,000 in revenue will be lost unless we impose the rate at 23.3 percent, according to the Treasury estimates.

Mr. BARKLEY. If the Senator will yield, in response to the statement of the Senator from Washington, I desire to say that there is no tax on the manufacturer of precious stones.

Mr. WALLGREN. But such a tax is proposed in the committee amendment.

Mr. BARKLEY. But it is a tax on the retailer, not on the manufacturer; so in no case would the manufacturer pay a tax on a precious stone as such before a local retailer put the stone in a mounting and thereby produced a completed article. So the Senator's suggestion that the tax would already have been paid on the precious stone is not accurate because the amendment provides no tax on precious stones as such from the manufacturer's standpoint.

While I am speaking, if the Senator from Georgia will permit me, let me say that that was shown to the Senate Committee on Finance, and that is why the House Committee on Ways and Means made this a retail tax instead of a manufacturer's tax.

Mr. BROWN. Mr. President, will the Senator yield at that point?

Mr. GEORGE. I yield.

Mr. BROWN. The amendment offered by the Senator from North Carolina would put into the bill language which would levy an importer's tax on goods sold by the manufacturer. I read from page 88:

> There shall be imposed on the following articles, sold by the manufacturer, producer, or importer, a tax—

By putting in the amendment offered by the Senator from North Carolina there would be imposed a tax of 15 percent on the diamond brought into this country by an importer.

The Senator's amendment is lifted out of the retail sales tax section and put into the manufacturer's tax section.

Mr. BARKLEY. Yes; I understand that.

Mr. BROWN. And the tax would be imposed there.

Mr. BARKLEY. I was undertaking to explain why the House committee, the House, and the Senate committee also made an exception of this tax and made it a retail tax instead of a manufacturer's sales tax, on the ground, as the Senator from Georgia has stated, that it is very easy for the retail jeweler who desires to do so—I would not make this statement applicable to all or even to a majority of retail jewelers, but, unfortunately, there are some jewelers in some sections of the country, as we know, who would resort to the device—to purchase the mounting separately and purchase the stone separately, and I have been informed by men who know that in certain sections a local jeweler might go around the corner to someone who would put the stone and the mounting together—he is not a manufacturer; he does not pay any tax—and bring the article back to the retailer, who is not a manufacturer because he has not put it together, who sells it. By that sort of a device they can escape identification to the extent that nobody pays the tax.

Mr. BROWN. I will say to the Senator the tax on both those articles would, under the language on page 88 in the bill, be subject to a tax. It reads:

> There shall be imposed on the following articles, sold by the manufacturer, producer, or importer, a tax—

And the tax is set forth.

Mr. BARKLEY. Of course, that would not apply to second-hand stones which are sold in large quantities either after they get into this country or after they have been produced by somebody.

Mr. BROWN. I say that the tax would be paid once on the article, and that is all that is asked.

Mr. BARKLEY. Of course the main difficulty arises out of the effort to identify and thereby tax the manufactured product as an article of jewelry. A man may buy a watch case and may buy the mainspring and may buy all the parts separately, then put them together as a watch, and sell the watch to the retailer. If he is not required to pay the tax, or if he can escape the tax, as a manufacturer, on the ground that he is not a manufacturer, then, he escapes the tax and nobody pays the tax at all. There will be undoubtedly a great deal of money lost in revenue in that way.

Mr. BROWN. I do not think he could escape the tax unless he violated the law; and I think we can stop that.

Mr. GREEN. Mr. President, will the Senator yield?

Mr. BROWN. I yield.

Mr. GREEN. I understand the amendment suggested by the Senator from Michigan assumes that the sum total of the tax paid on the component parts is to be equal to the tax paid on the finished article. But is that so?

Mr. BROWN. I think the Senator makes a good point. Yes, it is true that the article would be worth probably a little more after it has been assembled.

Mr. GREEN. Would it not be worth a great deal more?

Mr. BROWN. I do not know any way we can get at that except by a retailer's tax. The Senator's amendment is 50 percent higher as a manufacturer's tax than was the retail-sales tax proposed by the bill, and that, it was hoped, would take care of the matter. I inquire if the Senator from North Carolina will accept the language I have suggested?

Mr. BAILEY. I have been looking for an opportunity to do so. Will the Senator yield to me?

Mr. BROWN. Yes.

Mr. BARKLEY. Mr. President, will the Senator permit me to read a paragraph from the testimony so that he may comment on it in connection with this amendment?

Mr. BAILEY. If the Senator will allow me to sit down while he reads, I shall be glad to have him read from the testimony.

Mr. BARKLEY. Certainly. This testimony was given before the committee by a jeweler by the name of Niemeyer. In response to a question propounded by the Senator from Wisconsin [Mr. LA FOLLETTE]:

> Senator LA FOLLETTE. Mr. Niemeyer, why has it proven so difficult to collect this tax in this particular industry?
>
> Mr. NIEMEYER. Because the retailer becomes a manufacturer, and the importing situation is very difficult. For example, diamonds are very difficult for any man to identify as taxable goods. An importer's diamond was taxable and a man who did not import a diamond, who got it second-hand, if you please, his diamond was not taxable. You would have a diamond that might be worth $500 in one case, that was taxable, that had a 10-percent tax on it, and a diamond competing with it that was not taxable. It was very difficult for the Internal Revenue Department to put their fingers on the tax obligation and on the value.

That is the substance of the representation made by the Treasury and by this man who is familiar with the jewelry business as the reason why it was difficult to trace the taxable and the nontaxable article or one that had been taxed and one that had not been taxed.

Mr. BAILEY. Mr. President, I should like to make a brief statement and come to a conclusion of this matter. I am accepting the amendment suggested by the junior Senator from Michigan and desire to have it incorporated in my amendment. I ask leave of the Senate to incorporate the language he has suggested in my amendment.

The PRESIDING OFFICER. Without objection, the amendment will be modified as suggested.

Mr. BAILEY. I wish to say a word about this argument. I want to know who levies the taxes in the United States of America. Is it done by the Treasury Department or is it done by the Congress? I have heard enough about "what the Treasury wants." I grow weary with the talk here about "what the Treasury wants." I know what the Treasury wants. It wants all the money in the United States. We are the representatives of the people; we are elected by the people; we are responsible to the people; and I do not intend to let the head of the Treasury Department or the clerks in the Treasury Department assume the prerogatives vested in me, because they cannot assume the responsibility. If they would go to North Carolina and subject themselves to a vote in North Carolina, I would feel better about it.

They are very good people, very respectable people; the Government is a coordinate government, and I am perfectly willing to work with the executive department; but I am not willing to have the executive department of the United States levy taxes. Taxes are levied by the Congress. Revenue bills originate in the House wholly because that is the popular branch of the Congress, according to the Constitution, and the Members of the House are frequently elected, which is for the purpose of emphasizing their responsibility.

If the Treasury Department officials should talk to me for a thousand years they could not convince me that it would not be less expensive to the Treasury to collect the manufacturer's tax than it would be to inspect all the jewelry stores in the United States. I was once a Treasury official; I had to collect "nuisance taxes," as a collector of customs in North Carolina, in the days of Woodrow Wilson,

and I know what it was. The Treasury is saying, "Why, somebody will beat around this tax." Well, somebody is going to "beat around" every tax we levy. The easiest tax on earth to "beat around" is the sales tax, but the Treasury is not saying anything about that.

I am advocating this tax because it delivers the people from a pestiferous nuisance; I am advocating this tax because it will be easy for the Federal Government to collect it and less irritating to the people; I am advocating it on the ground that it will be more economical to collect it. It is said it would be necessary to make the rate 23 percent wholesale to equal 10-percent tax retail. Well, that is a guess. I heard my friend, the senior Senator from South Carolina [Mr. SMITH], say that whenever he went into a jewelry store he felt like lifting his hands in prayer for help. I wish to say to him he ought to be careful with whom he goes into a jewelry store. To take a very pretty lady into such a store is one thing, but to go in by one's self is all right. I will say that in behalf of my friend from South Carolina.

Mr. President, that is all I have to say about it. The chairman of the committee has said that he is perfectly willing for the Senate to pass on the merits of this matter, and I am sure I am. I have the responsibility upon me, as one of the representatives elected by the people. I have the proper respect, I hope, for the clerks, the agents, the deputies, and whoever they may be in the Treasury Department; but I hope that the Members of the Senate will exercise their judgment, because they were elected to do so and they are going to be held accountable. In the day when they give their accounting they will not be able to find anybody in the Treasury Department with a microscope. So I ask for a vote.

The PRESIDING OFFICER. The question is on the amendment of the Senator from North Carolina [Mr. BAILEY], as modified.

The amendment, as modified, was agreed to.

Mr. GUFFEY obtained the floor.

Mr. BARKLEY. Mr. President——

Mr. GUFFEY. I was going to offer an amendment but I yield to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, after consulting with the Senator from Georgia [Mr. GEORGE], in charge of the bill, I wish to advise the Senate that we hope to sit until we have disposed of the tax bill today. There are a few more amendments, more or less technical in nature. I do not know how long we shall take; but I ask the Senate to sit here until we can finish the bill, so that we may adjourn over at least until Monday, if not until Tuesday. Otherwise, we shall have to have a session tomorrow.

Mr. GUFFEY. Mr. President, I send to the desk an amendment which I ask to have stated.

The PRESIDING OFFICER (Mr. HILL in the chair). The amendment offered by the Senator from Pennsylvania will be stated.

The CHIEF CLERK. On page 70, after line 11, it is proposed to insert the following:

(f) Exemption of school entertainments. Section 1701 of the Internal Revenue Code, relating to exemption from admission tax, is amended by inserting at the end thereof the following new subsection:

(d) School entertainments. Any admission to entertainments conducted by public or parochial elementary or high schools.

Mr. GEORGE. Mr. President, there is already some confusion which I think ought to be cleared up in the exemptions from the admissions tax. I shall be pleased to accept this amendment, so that in conference we may be able completely to iron out the whole situation, if that is agreeable.

Mr. GUFFEY. That is agreeable to me.

Mr. BROWN. Mr. President, before action is taken, if the Senator from Georgia will yield to me, let me say that as the situation now is, with the acceptance of the amendment offered by the Senator from Pennsylvania, about the only matter upon which the conferees could not act would be the exemption of entertainments by religious institutions from the imposition of this tax. In other words, section 1701 as it now is would be entirely eliminated, and we would have an exemption of entertainments by parochial and public schools, agricultural fairs, and certain other kinds of entertainments; but the Senator from Georgia and the other Senate conferees would not have any opportunity to act with respect to a matter in which a good many of us have an interest, and that is the exemption on entertainments by religious institutions.

As the Senator recalls, I moved in the Finance Committee to retain the exemption relative to entertainments for purely religious purposes, and it seemed to me that the only way in which the matter could be left in conference would be to eliminate entirely section (d) on page 69 of the bill. By so doing, the entire subject matter would be open for action by the conferees.

Mr. GEORGE. Mr. President, I should not be averse to that. I think the matter should be considered as a whole.

Mr. BROWN. Then, Mr. President, I move——

Mr. GEORGE. Has the other amendment been adopted?

The PRESIDING OFFICER. The amendment offered by the Senator from Pennsylvania [Mr. GUFFEY] has not yet been adopted.

Mr. GEORGE. Let us act on that.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from Pennsylvania is agreed to.

The Senator from Michigan now offers an amendment which will be stated.

Mr. BROWN. I move that subsection (d), relating to termination of exemptions of entertainments by charitable or religious institutions, and so forth, lines 14 to 18 of page 69 of the bill, be stricken out.

Mr. GEORGE. I have no objection to that.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from Michigan is agreed to.

Mr. BROWN. I hope that when the conferees consider this subject matter they will give due consideration to retaining the exemption as to admissions to purely religious entertainments.

Mr. HAYDEN. Mr. President, late yesterday afternoon the Senate adopted an amendment offered by the Senator from Connecticut [Mr. DANAHER], which was accepted by the committee, which had the effect of repealing a provision in an appropriation bill which I reported to the Senate, and, as the language now stands, clearly leaves a very difficult situation, in that it makes $62,000,000 available for any purpose. I have talked to the Senator from Connecticut and agreed with him and the committee; and I desire to offer an amendment adding certain words at the end of the Danaher amendment, which is at the end of the bill.

The PRESIDING OFFICER. Without objection, the vote whereby the amendment of the Senator from Connecticut [Mr. DANAHER] was agreed to will be reconsidered. The clerk will state the amendment offered by the Senator from Arizona to the Danaher amendment.

The CHIEF CLERK. At the end of the amendment offered by Mr. DANAHER, it is proposed to insert the following words:

Inserting in said act the words "for the purposes described in the last paragraph of the part of this act relating to the Social Security Board."

Mr. HAYDEN. Mr. President, the language to which I refer now reads:

That in case any State employment service is found unable to render adequate service in connection with the fulfillment of this program, this appropriation shall be available, subject to the approval of such Administrator, for maintenance of special employment facilities and services.

The PRESIDING OFFICER. Without objection, the amendment of the Senator from Arizona to the amendment of the Senator from Connecticut is agreed to; and the amendment of the Senator from Connecticut, as modified by the amendment of the Senator from Arizona, is agreed to.

Mr. HAYDEN. Mr. President, I ask leave to insert in the RECORD a memorandum in regard to this matter, so that when it goes to conference it may be thoroughly understood.

The PRESIDING OFFICER. Without objection, it is so ordered.

The memorandum is as follows:

MEMORANDUM FROM THE SOCIAL SECURITY BOARD REGARDING DANAHER AMENDMENT TO PENDING TAX BILL

The actual effect of the Danaher amendment is far from clear since there would still remain in the appropriation bill the following language:

"*Provided further*, That such portion of this appropriation as may be necessary shall be available to the Social Security Board for all necessary expenses incurred by the Board, including personal services in the District of Columbia."

This is very broad language to be used in connection with an appropriation of $62,500,000.

It is highly desirable that the Danaher amendment be eliminated. However, if it is not eliminated, it certainly ought to be clarified.

It is very essential that the original proviso in the appropriation bill be retained in order that the national-defense program shall not be impaired due to the failure of the public employment office system to function properly. The Social Security Board makes grants to the States covering approximately 95 percent of the cost of administering their unemployment-compensation laws, which cost includes expenditures for the maintenance of a public employment office system. The Board has the power to withhold these grants if there is not proper and efficient administration but if it were not for the language contained in its appropriation bill would have no power to operate directly a public employment office system. This creates a very anomalous and serious situation, particularly because of the absolute necessity for the continuing to operate a public employment office system in every single State as a part of a Nation-wide employment service.

Because of a conflict between the Arizona law and the Federal Social Security Act it has been necessary for the Social Security Board to assume the direct operation of public employment offices in that State. The fact that the Social Security Board kept in mind the State interest in the matter is evidenced by the attached letter which the chairman of the Employment Security Commission of Arizona wrote to the executive director of the Social Security Board. Therefore, there is every reason to believe that the Social Security Board in taking any action necessary to expedite the national-defense program would bear in mind the State's interest.

It should be noted Senator DANAHER was mistaken in his statement that the proviso to which he objects was substituted in lieu of the following proviso which was found in the 1941 appropriation bill:

"*Provided*, That in case any State employment service is found unable to render adequate service in connection with the fulfillment of this program, this appropriation shall be available, subject to the approval of such Administrator, for maintenance of special employment facilities and services."

The foregoing language is also contained verbatim in the 1942 appropriation bill. However, inasmuch as the current rate of expenditure of the Board is in excess of $1,500,000, requiring a reduction in its present operations, the authority granted under that section is of no practical use.

JUNE 12, 1941.

Hon. PAT MCCARRAN,
United States Senate,
Washington, D. C.

DEAR SENATOR MCCARRAN: I appreciate very much your willingness to consider the proviso which I discussed with you this morning. I talked with Mr. Smith, as suggested by you, and he asked me to prepare a brief memorandum for him, which I have done. I am enclosing copy of this memorandum for your information.

Sincerely yours,
A. J. ALTMEYER, *Chairman.*

[Enclosure.]

The members of the Office of Production Management, the Federal Security Administrator, the Secretary of Labor, and the Social Security Board concur in the recommendation that there be included in that section of H. R. 4926 making grants to States for unemployment compensation administration, a proviso to the effect that such portion of this appropriation as may be necessary shall be made available to the Social Security Board for the operation of such employment office facilities and services as are essential to expediting the national-defense program.

Inasmuch as the Federal Government already makes grants which cover practically 100 percent of the cost of administration of unemployment compensation through public employment offices, there would be little if any increase in total cost to the Federal Government, but the Federal Government would have the authority to pay salaries of employees and other expenses of operation directly instead of through grants to the States in any cases where that was deemed necessary. This authority is considered necessary in order to make certain that the 1,500 employment offices shall function effectively and expeditiously as a Nation-wide employment service to meet the increasing labor shortages which are affecting the national-defense program.

Somewhat similar language is already contained in that portion of the bill making an appropriation of $1,500,000 to the Social Security Board for the selecting, testing, and placement of defense workers. However, inasmuch as the current rate of expenditure of the Board is in excess of $1,500,000, requiring a reduction in its present operations, the authority granted under that section is of no practical use.

The President has approved of this recommendation as essential to the national-defense program.

EMPLOYMENT SECURITY COMMISSION OF ARIZONA,
Phoenix, Ariz., July 30, 1941.

Mr. OSCAR M. POWELL,
Executive Director, Social Security Board, Washington, D. C.

DEAR MR. POWELL: On behalf of the Employment Security Commission of Arizona, I wish to express to you our genuine appreciation for the cooperative spirit which has prevailed throughout our recent negotiations to find a way in which to continue the operations of this agency, despite the apparently insurmountable obstacles presented by the provisions of recent State legislation.

Your sincere desire to do everything within your power to aid our State in finding a way out of its dilemma has been reflected, without exception, in the actions and representations of the entire staff of the Social Security Board, which has so conscientiously and competently worked out the details of the arrangement under which this commission has been enabled to continue the payment of benefits to the unemployed of Arizona.

It has been the pleasure of the commission members to work directly with Messrs. Lawson, Dillingham, Mangum, Hunter, Arneson, and Collins, and we have nothing but the highest commendation for the manner in which they have carried out and placed into efficient operation an extremely delicate assignment.

You will, I am sure, be pleased to know that Governor Osborn has expressed himself as gratified by the courteous and friendly attitude of those charged with the administration of the Social Security Board, United States Employment Service, and the competence they have already exhibited in the operation of that agency.

With cordial good wishes, I remain,
Sincerely,
DEAN S. SISK, *Chairman.*

Mr. GEORGE. Mr. President, I have a number of amendments to offer, which will not take very long, if I may proceed with them.

Mr. O'MAHONEY. Mr. President, will the Senator yield to me for a moment?

Mr. GEORGE. I yield to the Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, an examination of the motor-vehicle use tax which has just been adopted shows that it places upon the Post Office Department a great deal of extra work. On a previous occasion, when in the adoption of the Social Security Act, or an amendment thereto, similar work was placed upon the Post Office Department, a provision was adopted whereby the Post Office Department could be reimbursed for the necessary expenditures involved by such increased work. I have discussed with the chairman of the Finance Committee an amendment which I shall propose to make this bill uniform with the other.

I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. Does the Senator from Georgia yield for that purpose?

Mr. GEORGE. I yield for that purpose. There is no objection to the amendment.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Wyoming.

The CHIEF CLERK. It is proposed to insert, at the proper place in the bill, the following:

The Secretary of the Treasury is hereby authorized and directed to advance from time to time to the Postmaster General such sums as the Postmaster General may show shall be required for the expenses of the Post Office Department in performing, in the District of Columbia and elsewhere, all services required by this section.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. GEORGE. Mr. President, yesterday when the Senate was considering the admissions tax I think a number of members of the Finance Committee believed that by disagreeing to the Finance Committee amendments they were restoring the action taken in the Finance Committee before the 15-percent rate was agreed upon. The early Finance Committee action was to impose the tax on all admissions but to exempt children when the amount charged was less than 10 cents. As the bill now stands, all admissions of less than 10 cents are exempt.

On page 68, lines 5 to 8, I ask to reconsider the language contained in those lines; and I move to insert in lieu thereof the following language:

A tax of 1 cent for each 10 cents or fraction thereof, the amount paid for admission to any place, including admission by season ticket or subscription.

Second, I move to insert on page 69, line 1, after the period, the following:

No tax shall be imposed on the amount paid for the admission of a child under 12 years of age if the amount paid is less than 10 cents.

And, third, I move to agree to the committee amendment on page 69, lines 1 to 4, inclusive. That will restore the admissions tax as the House had it with the following exception made by the Finance Committee: A tax would be imposed on the first 10 cents, but in the case of children under 12 years of age, there would be no tax where the amount paid was less than 10 cents.

The PRESIDING OFFICER. Without objection, the amendments offered by the Senator from Georgia are agreed to.

Mr. MCFARLAND. Mr. President, I wish to offer an amendment.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 94, it is proposed to strike out lines 21 to 25, in-

clusive, and on page 95, to strike out lines 1 to 4, inclusive, and to insert in lieu thereof the following:

"(b) Beauty parlors, etc.: For the purposes of subsection (a) the sale of any article described in subsection (a) to any person operating a barber shop, beauty parlor, or similar establishment shall be considered a sale at retail; resale by such person shall be subject to tax as a sale at retail, but there shall be credited against the tax payable by such person with respect to such resale the amount of tax paid on the sale to such person.

Mr. GEORGE. Mr. President, the amendment has been considered, and it is not objectionable. It has the effect of considering a sale of cosmetics to local barber shops, so to speak, or beauty parlors, as a retail sale. This is to prevent the annoyance of beauty parlors or barber shops having to keep records to account for this tax.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GEORGE. Mr. President, I have a number of purely administrative, technical amendments.

The PRESIDING OFFICER. The clerk will state the first amendment.

The CHIEF CLERK. On page 62, line 16, it is proposed to strike out "and brandy" and before the period in line 20, insert: "," and to strike out "(except brandy),"

Mr. GEORGE. That is a technical amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GEORGE. I offer another amendment.

The PRESIDING OFFICER. The clerk will state the amendment.

Mr. GEORGE. The amendment which the clerk will now read is intended to put the tax on brandy floor stocks at $1.25. This is the difference between the rate of $2.75 under existing law and the $4 rate under the bill.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 63, line 16, after "$1", it is proposed to insert "(except that in the case of brandy, the rate shall be $1.25)."

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GEORGE. Mr. President, I offer another amendment, which speaks for itself. It is intended to make certain that the general news ticker service is classed as part of the general press.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 80, lines 6, 7, and 8, it is proposed to strike out "news ticker services furnishing a general news service similar to that contained in the public press."

The PRESIDING OFFICER. In order that the amendment may be considered it will be necessary to reconsider the vote by which the committee amendment on page 80 was agreed to. Without objection, the vote by which the amendment on page 80, line 3, was agreed to is reconsidered, and the question is on agreeing to the amendment offered by the Senator from Georgia to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The CHIEF CLERK. On page 81, lines 11 and 12, after the word "press", it is proposed to insert ", or a news ticker service furnishing a general news service similar to that of the public press,".

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GEORGE. Mr. President, I offer another amendment, which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 101, after line 7, it is proposed to insert:

(d) Credits, and tax free sales of automobile radios: Section 3403 (e), section 3442, section 3443 (a) (1), and section 3444 (a) (1) and (2) of the Internal Revenue Code (relating to tax in case of sale of tires to manufacturers of automobiles, etc., and credit on sale) are amended by striking out "tires or inner tubes" wherever appearing therein and inserting "tires, inner tubes, or automobile radios"; and by striking out "tire or inner tube" wherever appearing therein and inserting "tire, inner tube, or automobile radio."

Mr. GEORGE. Mr. President, under the manufacturers' excise tax title of the Code, when a taxable article is sold for use in the manufacture or production of another taxable article, the first sale is either tax-exempt or a credit or refund is allowed the manufacturer of the second article. The only exception to this is in the case of sales of tires and inner tubes. When they are sold by the manufacturer of tires or tubes to a manufacturer of automobiles the first sale is taxable and on the sale of the automobile, a credit or refund is made on account of the tire or tube to the automobile manufacturer at the rate of tax applicable to automobiles. This is done for the reason that the tire and tube rate (approximately 17½ percent) is higher than the automobile rate. If the sale by the tire manufacturer to the automobile manufacturer were tax-free, the automobile manufacturer would be in effect selling a tire or tube on an automobile which would be taxed at a less rate than the sale of the tire or tube would be taxed if taxed separately.

The proposed amendment makes the same provisions as are applicable in the case of tires and tubes applicable to automobile radios when sold to automobile manufacturers for use in the manufacture of automobiles. The reasons prompting this change are the same as those in case of tires and tubes. Radios are taxed at 15 percent; automobiles at 7 percent. If the sale from radio manufacturer to car manufacturer were tax-free, then when the automobile was sold with the radio in it the rate of tax borne by the radio would be only 7 percent. This amendment proposes to collect that 8-percent difference in tax.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GEORGE. I submit another amendment, and before it is stated from the desk, I should like to make a statement.

This amendment is designed first to prevent the distribution of taxable stock dividends out of pre-1941 accumulated earnings and profits from constituting new capital solely because of subsequent operating losses or because of subsequently accumulated but undistributed earnings and profits, and, second, to prevent money or property paid in from constituting new capital if such money or property merely takes the place of pre-1941 accumulated earnings and profits previously distributed after the beginning of the first taxable year which begins after December 31, 1940.

It will be remembered that a liberalizing provision has been made in the bill allowing a credit to those corporations operating on the invested capital basis of $1.25 for each dollar of new capital invested. This is an amendment which is made necessary in order to safeguard and protect the Treasury.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. On page 47, line 13, it is proposed to strike out the quotation marks, and, after line 13, to insert:

(F) Reduction on account of distributions out of pre-1941 accumulated earnings and profits: The new capital for any day of the taxable year, computed without the application of subparagraph (E), shall be reduced by the amount which, after the beginning of the first taxable year which begins after December 31, 1940, has been distributed out of earnings and profits accumulated prior to the beginning of such first taxable year.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GEORGE. Mr. President, I offer another amendment, which merely strikes out lines 3 to 5, on page 93, which is made proper by the adoption a few moments ago of another amendment.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. It is proposed to strike out lines 3 to 5 on page 93, as follows:

(b) Exemption if article taxable as jewelry: No tax shall be imposed under this section on any article taxable under section 2400 (relating to jewelry tax).

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GEORGE. Mr. President, I next offer a series of amendments, which I will explain, and I ask that the reading of the amendments be dispensed with.

The effective date of the excise taxes has been changed from so many days after the effective date of the act to a definite date.

The PRESIDING OFFICER. Without objection, the reading of the amendments is dispensed with, and, without objection, the amendments will be printed in the RECORD as considered and as agreed to.

The amendments referred to are as follows:

Page 83, lines 2 and 3, in lieu of the matter proposed to be inserted by the committee amendment, insert "October 1, 1941."

Page 83, lines 11, 12, and 13, strike out "the first day of the first month which begins more than 10 days after the date of the enactment of this act" and insert "October 1, 1941."

Page 83, line 18, strike out "the effective date of this part" and insert "October 1, 1941."

Page 84, line 3, strike out "the effective date of" and strike out lines 4, 5, and 6 and insert "October 1, 1941, and the provisions of such subsection before its amendment by section 548 shall be applicable with respect to the period before October 1, 1941."

Page 84, lines 11 and 12, strike out "the expiration of 5 days after the effective date of this part" and insert "October 5, 1941."

Page 84, line 16, strike out "such effective dates" and insert "October 6, 1941."

Page 84, line 18, strike out "such effective date" and insert "October 6, 1941."

Page 93, lines 7 and 8, strike out "the effective date of part V of title V of the Revenue Act of 1941" and insert "October 1, 1941."

Page 97, lines 5 and 6, in lieu of the matter proposed to be inserted by the committee amendment insert "October 1, 1941."

Page 99, lines 11 and 12, strike out "the effective date of part V of title V of the Revenue Act of 1941" and insert "October 1, 1941."

Page 99, line 16, strike out "the effective date of this part" and insert "October 1, 1941."

Page 101, lines 17, 18, and 19, strike out "the effective date of part V of title V of the Revenue Act of 1941" and insert "October 1, 1941."

Page 106, lines 6 and 7, strike out "the effective date of part V of title V of the Revenue Act of 1941" and insert "October 1, 1941."

Page 106, lines 24 and 25, strike out "the effective date of part V of title V of the Revenue Act of 1941" and insert "October 1, 1941."

Page 113, lines 16, 17, and 18, strike out "the first day of the first month which begins more than 10 days after the date of the enactment of this act" and insert "October 1, 1941."

Mr. GEORGE. Mr. President, I desire to offer one amendment which is not a committee amendment. I wish to be entirely fair with the Senate about it. I wish the Senate to know what I am offering. It will be recalled that in the 1940 Excess-Profits Tax Act we provided for the amortization of new plants and facilities. Among the provisions was one requiring, first, a certificate of necessity, and then a nonreimbursement certificate. That was provided in section 124 (i) of the present Internal Revenue Code; and I am offering this amendment for the purpose of simplifying a condition which has become tremendously confused. Many certificates of necessity have been issued, but those who have gone ahead and made additions to their plants have not been able to secure the second certificate. The Army, Navy, and other interested agencies of Government have been trying to agree on some amendment which would simplify the situation and remove the confusion, but they have not been able to reach an agreement. I wish to offer this amendment so as to leave the matter open for consideration in conference.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. LA FOLLETTE. I wish to plead with the Senator not to offer that amendment. We had the matter up in the committee, as the Senator will remember. As the Senator states, it is in disagreement. It involves a very important question, and we acted in committee to postpone the consideration of this matter until there could be opportunity for hearings, and a chance for the committee and the Senate and the House to understand just what is involved. I plead with the Senator not to press the amendment at this time because it deals with a very important subject. It involves the question of the amortization of hundreds of millions of dollars worth of plants which have been constructed, and I believe that it would be very unfortunate if this action should be taken before there has been an opportunity at least for the committee to go into the question, and to understand exactly what is being done.

Mr. GEORGE. Mr. President, my whole purpose was to have the matter open in conference so that if an agreement were reached——

Mr. LA FOLLETTE. Mr. President, with all due respect to the conference committee—and I have great respect for both the House conferees and the Senate conferees—this amendment involves a matter of public policy which, it seems to me, should not be legislated upon in conference. I plead with the Senator from Georgia not to press that amendment, and to let the matter take its due course when it shall have been properly considered by the Congress, because literally hundreds of millions of dollars have been poured out of the Treasury in the construction of plants, and the whole subject matter is very important from the standpoint of public policy. We threshed the matter out, as the Senator remembers, last year, and now the various agencies administering the law are unable to agree, and that very disagreement, it seems to me, is an indication that there should be full congressional consideration. With all due respect to the members of the conference committee, I suggest that it is a matter of legislation which ought not to be handled in conference exclusively.

Mr. GEORGE. Mr. President, in deference to the Senator's request—he is, of course, one of the useful members of the Finance Committee of the Senate—I will not press the amendment, but he must realize that there is a necessity for clearing up this situation.

Mr. LA FOLLETTE. I agree with the Senator from Georgia.

Mr. GEORGE. Innumerable persons have been asked to invest in new enterprises. They have been given immediately a certificate of necessity, and have gone ahead, but thereafter have been wholly unable to get the second certificate of nonreimbursement, because it is actually impossible for the authorities to issue such a certificate intelligently, and entirely truthfully, in my judgment.

Mr. LA FOLLETTE. I agree with the Senator that the situation should be cleared up, and I shall not put any stone in the way of clearing it up, but because of the importance of the matter I believe it ought to go through the regular legislative channels.

Mr. GEORGE. I will not press the amendment, Mr. President.

The PRESIDING OFFICER (Mr. HILL in the chair). The amendment referred to by the Senator from Georgia is withdrawn.

Mr. GEORGE. Yes; that amendment is withdrawn.

Mr. LEE. Mr. President, I move that the Senate reconsider the vote by which the amendment to protect farm commodities, offered by the Senator from Nebraska [Mr. BUTLER] on behalf of himself and the Senator from Alabama [Mr. BANKHEAD] and the Senator from Mississippi [Mr. EASTLAND] was rejected, and on that motion I ask for the yeas and nays.

The PRESIDING OFFICER. The Senator from Oklahoma [Mr. LEE] moves that the Senate reconsider the vote by which the amendment offered by the Senator from Nebraska [Mr. BUTLER] for himself, the Senator from Alabama [Mr. BANKHEAD], and the Senator from Mississippi [Mr. EASTLAND], was rejected.

Mr. BARKLEY. Mr. President, I have no intention of moving that the motion be tabled, because I am perfectly willing to have the Senate pass on the motion to reconsider, but I hope that it will not be adopted for the reason stated by the Senator from Georgia [Mr. GEORGE] when the amendment was before the Senate awhile ago. After full discussion, the Senate voted upon the amendment, and while the vote was close, the amendment was defeated.

I think it is obvious to every Senator that this amendment really ought not to be put into a tax bill. The House has served notice on us that they will not agree to tariff amendments, and I think we might take it for granted in advance that this amendment would have to go out because the House of Representatives, and its Ways and Means Committee, and uniformly its conferees, have held and taken the position, with some justification, that the House is the tax-originating body of the Congress under the Constitution, and that a tariff bill particularly is within the exclusive province of the House of Representatives to originate.

An amendment such as this, offered on the floor, without the consideration of the committee, gives no one an opportunity to be heard. We postponed today an important amendment adopted by the committee, very largely because it was claimed that no hearing was given to those interested in that amendment. I think that, on the whole, was a wise action on the part of the Finance Committee and the Senate.

Mr. President, no one knows the effect the amendment in question would have if it were adopted, upon our defense program, upon the industries which depend upon the things in question to turn out materials for our defense program. Senators have gone on record on the question already, and, in view of the fact that even if it were put in the bill on the floor unanimously it could not remain in

the bill because of the historic attitude of the House on the subject of putting tariff legislation on a tax bill, I hope the motion of the Senator from Oklahoma will be rejected.

I express that hope for another reason. If we are to open up the bill on the floor, without hearings, and without any investigation, to an amendment proposed at the last minute because it happened to deal with a tariff on something in which someone is particularly interested, we certainly ought to have given an opportunity for anybody else who had a tariff amendment to offer, to offer it and to have it considered by the committee which deals with that subject.

Mr. President, I realize that the Senator from Oklahoma voted against the amendment. He has the right to make the motion, and I am not complaining about that at all. It is entirely proper for any Senator who voted on the prevailing side to move a reconsideration of the vote. However, in view of the certainty that it cannot be retained in the bill finally, and in view of the fact that a vote has already been had upon it, I believe that the Senate should not reconsider the vote.

Mr. LEE. Mr. President, I think 2 years ago the Senator from Texas [Mr. CONNALLY] was the author of such an amendment. We have debated the proposal today. I do not propose to continue the debate. I know what is involved in the amendment, and have fought for it all along.

I ask for the yeas and nays on my motion.

The yeas and nays were ordered.

Mr. RUSSELL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. RUSSELL. As I understand, the question is on the reconsideration of the amendment of the Senator from Nebraska.

The PRESIDING OFFICER. The question is on the motion of the Senator from Oklahoma [Mr. LEE] to reconsider the vote by which the amendment offered by the Senator from Nebraska [Mr. BUTLER] on behalf of himself, the Senator from Alabama [Mr. BANKHEAD] and the Senator from Mississippi [Mr. EASTLAND] was rejected. Those who favor reconsideration of the question shou'd vote "yea." Those who oppose reconsideration should vote "nay."

Mr. LUCAS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Byrd	Hayden
Andrews	Capper	Herring
Austin	Caraway	Hill
Bailey	Clark, Mo.	Holman
Bankhead	Connally	Hughes
Barbour	Danaher	Johnson, Colo.
Barkley	Downey	Kilgore
Bilbo	Eastland	La Follette
Brewster	Ellender	Langer
Brooks	George	Lee
Brown	Gerry	Lodge
Bulow	Gillette	Lucas
Bunker	Green	McCarran
Burton	Guffey	McFarland
Butler	Hatch	McNary
Maloney	Rosier	Tydings
Mead	Russell	Vandenberg
Nye	Schwartz	Van Nuys
O'Daniel	Smith	Wallgren
O'Mahoney	Thomas, Utah	Walsh
Overton	Tobey	Wiley
Peace	Truman	
Radcliffe	Tunnell	

The PRESIDING OFFICER. Sixty-seven Senators have answered to their names. A quorum is present.

Mr. RUSSELL. Mr. President, I shall not detain the Senate by any discussion of the amendment. Unfortunately, I was called out of the Chamber a few moments before the vote was taken when the question was first presented and did not have an opportunity to vote.

However, I was impressed by the statement of the majority leader that, without regard to the merits of the amendment, the Senate should vote it down because of the fact that the House would not accept it. I do not think that that is a cogent argument against this amendment or any other amendment. It may be that the House arrogates to itself the right to fix tariff schedules; but certainly the Senate, as a coordinate branch of the Government, has the right, when a tax bill comes to the Senate from the House, to offer, to support, and to send back to the House for consideration any amendment it sees fit relating to taxation, whether it be by way of tariff or otherwise. The fact that some Member of the coordinate branch of the Congress may have served notice that he will not accept any tariff amendment from the Senate is no reason for voting against this proposal.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. BARKLEY. I was merely reiterating one of the very strong arguments made by the Senator's colleague [Mr. GEORGE] when the amendment was before the Senate on its merits.

Mr. RUSSELL. When the Senator from Kentucky refers to my colleague he quotes a very much better authority than he usually does. Nevertheless, I cannot agree with him.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oklahoma [Mr. LEE] to reconsider the vote by which the amendment offered by the Senator from Nebraska [Mr. BUTLER] for himself, the Senator from Alabama [Mr. BANKHEAD], and the Senator from Mississippi [Mr. EASTLAND] was rejected. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. HAYDEN (when his name was called). Making the same announcement as before with respect to my pair, I withhold my vote.

Mr. HOLMAN (when his name was called). Making the same explanation of my pair and its transfer which I made on the original vote, I will vote. I vote "yea."

Mr. McNARY (when his name was called). I have a pair with the senior Senator from Tennessee [Mr. MCKELLAR]. If he were present he would vote "nay." If I were at liberty to vote I should vote "yea."

Mr. NYE (when his name was called). On this question I have a pair with the senior Senator from New Jersey [Mr. SMATHERS]. If I were at liberty to vote I should vote "yea." I understand that if the Senator from New Jersey were present he would vote "nay."

Mr. THOMAS of Utah (when his name was called). I have a general pair with the Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the Senator from Iowa [Mr. HERRING] and will vote. I vote "nay."

The roll call was concluded.

Mr. HILL. I announce that the Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. GLASS], the Senator from North Carolina [Mr. REYNOLDS], and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Kentucky [Mr. CHANDLER] is absent on a defense-inspection tour.

The Senator from Idaho [Mr. CLARK], the Senator from Iowa [Mr. HERRING], the Senator from New Jersey [Mr. SMATHERS], and the Senator from Arkansas [Mr. SPENCER] are detained on business in various Government departments.

The Senator from New Mexico [Mr. CHAVEZ], the Senators from Tennessee [Mr. MCKELLAR and Mr. STEWART], the Senator from Utah [Mr. MURDOCK], the Senator from Florida [Mr. PEPPER], the Senator from Oklahoma [Mr. THOMAS], the Senator from Washington [Mr. WALLGREN], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

Mr. AUSTIN. The Senator from Pennsylvania [Mr. DAVIS] is absent on official business. He has a general pair with the Senator from Kentucky [Mr. CHANDLER].

My colleague the Senator from Vermont [Mr. AIKEN] is paired on this question with the Senator from New York [Mr. WAGNER]. If present my colleague would vote "yea." He is absent attending a funeral.

The Senator from Indiana [Mr. WILLIS] has a general pair with the Senator from New Mexico [Mr. CHAVEZ].

The Senator from Kansas [Mr. REED] has a general pair with the Senator from North Carolina [Mr. REYNOLDS].

The result was announced—yeas 30, nays 33, as follows:

YEAS—30

Andrews	Caraway	Lee
Austin	Connally	McCarran
Bankhead	Downey	McFarland
Bilbo	Eastland	O'Daniel
Brewster	Ellender	Overton
Brooks	Hill	Peace
Bunker	Holman	Rosier
Burton	Johnson, Colo.	Russell
Butler	Kilgore	Smith
Capper	Langer	Wiley

NAYS—33

Adams	Gillette	O'Mahoney
Bailey	Green	Radcliffe
Barbour	Guffey	Schwartz
Barkley	Hatch	Thomas, Utah
Brown	Hughes	Tobey
Bulow	La Follette	Truman
Byrd	Lodge	Tunnell
Clark, Mo.	Lucas	Tydings
Danaher	Maloney	Vandenberg
George	Mead	Van Nuys
Gerry	Murray	Walsh

NOT VOTING—33

Aiken	Herring	Smathers
Ball	Johnson, Calif.	Spencer
Bone	McKellar	Stewart
Bridges	McNary	Taft
Chandler	Murdock	Thomas, Idaho
Chavez	Norris	Thomas, Okla.
Clark, Idaho	Nye	Wagner
Davis	Pepper	Wallgren
Glass	Reed	Wheeler
Gurney	Reynolds	White
Hayden	Shipstead	Willis

So Mr. LEE's motion to reconsider was rejected.

Mr. TYDINGS. Mr. President, I send to the desk the amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Maryland will be stated.

The CHIEF CLERK. At the proper place, it is proposed to insert:

Section 533 is amended by adding the following:

(e) Section 2800 of the Internal Revenue Code is amended by adding at the end thereof a new subsection lettered (j) reading as follows:

"(j) The Commissioner shall, upon the filing of a claim therefor, make refund of the distilled spirits tax, imposed by section (a) (1) hereof, at the rate of $1 per proof gallon, to any person who subsequent to the effective date hereof has used distilled spirits, produced in a domestic registered distillery or industrial alcohol plant, in the manufacture or production of an article intended for use for nonbeverage purposes, upon proof by him to the satisfaction of the Commissioner that such distilled spirits (1) were produced in a domestic registered distillery or industrial alcohol plant; (2) were fully tax-paid; (3) were used by him in the manufacture or production of an article intended by him for use for nonbeverage purposes and such article was sold by him for such purposes; and (4) that he has not shifted to others to any extent the burden of that portion of the tax included in such claim for refund. Such claim shall be filed with the Commissioner within 90 days from the date the applicant sells the product for nonbeverage purposes.

"The Commissioner, with the approval of the Secretary, is authorized to make such rules and regulations as may be necessary to carry out the provisions of this subsection."

Mr. TYDINGS. Mr. President, a brief explanation of the amendment is that it is intended to put the increase in tax on products using industrial alcohol which are food products or medicinal products. That is all there is to the amendment.

The Finance Committee, I believe, was inclined to adopt the amendment when it was considered there, but the Treasury Department pointed out that it would be a difficult amendment to administer.

Under the amendment as drawn the tax would be paid, and then the taxpayer would be permitted to file an application for refund if he were able to demonstrate that the alcohol was used either in a food or in a medicinal product.

I have taken up the amendment with the chairman of the committee, have worked it out with the tax experts, and I feel that the amendment has merit, aside from their approval.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

Mr. TYDINGS. I will yield in a moment. Let me point out first that if a man were to buy $1,254 worth of alcohol the present tax on it would be $21,000. I hold in my hand an invoice showing that such a tax has already been paid.

What I am pointing out is that part of the alcohol used for food products or medicinal products should not be subjected to additional tax, but let the present tax, which Heaven knows, is high enough, stand.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maryland.

The amendment was agreed to.

Mr. BROOKS. Mr. President, I was unavoidably absent when the amendment with reference to local telephone service was agreed to. I ask unanimous consent that the vote by which the amendment was agreed to be reconsidered.

The PRESIDING OFFICER. The Senator from Illinois asks unanimous consent that the vote by which the amendment with reference to local telephone calls was agreed to be reconsidered. Without objection, the vote is reconsidered.

Mr. BROOKS. Mr. President, I desire to point out briefly that in the State of Illinois alone there are between 900 and 1,000 local independent telephone offices, and I have been beseiged by representatives of a great number of them who ask that we reject the Finance Committee amendment and leave the 5-percent tax imposed by the House. The House imposed a tax of 5 percent on all local calls. The Senate increased it to 10 percent.

These men tell me they are having great difficulty and for a number of years have had great difficulty in holding their subscribers. Their companies are not commercial, in the sense the larger companies are, and they ask that the tax of 5 percent be allowed to stand and that the increase of 5 percent on purely local telephone service be rejected.

I respectfully submit that that should be done by the Senate.

Mr. LODGE. Mr. President, I desire to make a brief statement of my position on the bill as a whole. In common with many Members of the Senate, I cannot give enthusiastic support to the pending measure as a fair, equitable, and just tax act.

The senior Senator from my own State sums up its major defects with these words:

Its revenue yields are insufficient.

It affords no protection against inevitable inflation.

It does not prevent excess profits from direct Government contracts.

The burden of this bill should not be imposed until substantial economies which can admittedly be effected are compelled.

With all this I heartily concur.

In addition, I object decidedly to the encroachment of the Federal Government on the tax resources of the State field, such as the automobile and the gasoline taxes.

I object to the continuous indirect and direct excises and levies on those people who are least able to pay.

I had hoped that governmental policies and taxation could be so conducted that a simple formula might have been designed on a just basis. With this bill, with our tremendous debt, with priorities in materials, and a bureaucratic control of normal business, I fear for the result in the future.

Despite its weaknesses and its faults, I shall vote for its passage solely on the practical basis that the Nation needs the revenue.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

Mr. GEORGE. Mr. President, I hope the proposal of the Senator from Illinois will not be accepted by the Senate. The Senate increased the tax on local telephone bills from 5 to 10 percent. The House placed the tax at 5 percent. Therefore, the whole question is in conference, and if there has been any lack of consideration given to it there will be an opportunity in conference to correct it. The Finance Committee increased the House rates and rearranged the section dealing with telephone and telegraph rates, and in line with the policy adopted by the Finance Committee this particular tax was increased. It does not raise a great deal of revenue, but involved in it, as I am advised, is around $5,000,000. Since there will be an opportunity in conference to correct any actual inequity in the matter, I hope the proposal of the Senator from Illinois will not be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. WALSH. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Massachusetts will be stated.

The CHIEF CLERK. On page 123, after line 18, or other appropriate place, it is proposed to insert the following new section:

Amendment to act suspending profit-limiting provisions of Vinson Act.

Section 401 of the Second Revenue Act of 1940 is amended by adding at the end thereof the following new section: "For the purposes of this section a contract or subcontract shall be deemed to be completed on the date on which final delivery and acceptance of the vessel or other article specified therein is made."

Mr. WALSH. Mr. President, the chairman of the Finance Committee and I have conferred in reference to this amendment, and I believe no objection will be offered to it.

Briefly stated, the amendment relates to the act of last year suspending the profit-limiting provisions of the Vinson Act.

There are three alternative positions that can be taken in reference to determining when a contract for a vessel is completed.

The first position that can be taken is when the vessel is turned over to naval officials, uncompleted, for inspection and test.

The second is when the completed vessel is thereafter delivered to the Navy and formally accepted by the Navy. That is what this amendment does. It

fixes completion as the time when the vessel is delivered to the Navy and formally accepted by the Navy.

The third method, which is not involved in this amendment, is when final payment is made.

This amendment seeks to define the word "completed" in the manner named.

Mr. GEORGE. Mr. President, I hardly believe this amendment to be necessary; but I have agreed with the Senator from Massachusetts that a contract certainly cannot be considered as completed as long as some part of the work which the contract requires remains to be done. I think the amendment might well be accepted, so that that question will be settled.

The PRESIDING OFFICER. Without objection, the amendment offered by the Senator from Massachusetts is agreed to.

Mr. GEORGE. Mr. President, I wish to have inserted in the RECORD a brief statement with reference to the majority report made upon this bill by the Finance Committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement is as follows:

STATEMENT BY SENATOR GEORGE

Certain figures in the last two paragraphs on page 41 of the Report of the Committee on Finance on the revenue bill of 1941 are erroneous.

It is desired to substitute for these two paragraphs the following:

"If the accumulated earnings and profits of corporation Y as of January 1, 1942, are reduced to zero due to the stock dividend distribution of $5,000 made on January 2, 1941, and an operating deficit of $5,000 during the taxable year 1941, the new capital includible in equity invested capital as of January 1, 1942, would remain at $5,000 under the application of subparagraph (E), as shown by the following computation:

"New capital as of January 1, 1942, before application of subparagraph (E), $20,000, shall not be more than the excess of $45,000 (total capital on January 1, 1942, before adding 25 percent under section 718 (a) (6)) over $45,000 (total capital on January 1, 1941) less $5,000 (amount by which the accumulated earnings and profits as of January 1, 1941, exceed the accumulated earnings and profits (computed without regard to distributions) as of January 1, 1942), or the new capital cannot exceed $45,000 minus $40,000 ($45,000 minus $5,000), or $5,000."

Mr. GEORGE. Mr. President, I further ask unanimous consent—I think I might as well do it at this time—that in the engrossment of the bill the Secretary of the Senate be authorized to make such changes in section, subsection, and paragraph numbers and letters and cross-references thereto as may be necessary for the proper numbering and lettering of such provisions, and to make such changes in the table of contents of the bill as may be necessary to make it conform to the section headings of the bill.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BAILEY. Mr. President, I send to the desk an amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from North Carolina will be stated.

The CHIEF CLERK. It is proposed to insert, at the appropriate place in the bill, the following:

SEC. 705. Amendment to section 812, Internal Revenue Code.

(a) Subsection (d) of section 812 of the Internal Revenue Code, relating to the deduction for charitable, etc., bequests, is amended by adding the following new sentence:

"The amount deductible under this subsection shall include any amount falling into a devise or bequest to or for any of the designated objects and uses, as the result of a renunciation or disclaimer of a devise, bequest, or legacy by another beneficiary under the will or a codicil thereto."

(b) The amendment made by subsection (a) of this section shall be applicable, irrespective of whether the decedent died before or after the date of enactment of this act.

Mr. BAILEY. Mr. President, the amendment is technical in character. Its purpose is clarification. I think it squares with the law as it is. I have submitted it to the chairman of the Finance Committee of the Senate, and have said to him that I would not press for it unless it were agreeable to him. I wish it to go in the bill for the purposes of conference. If it needs any changes, the changes can be made there; but the effect of the amendment is this:

The Senator from Georgia will recall our recent conversation about a question which was presented to me. The question is whether there is any possibility of an interpretation of section 812 (d) of the Internal Revenue Code to the effect that the deduction for charitable bequests excludes property passing under a residuary bequest to charity where a specific bequest of the same property has been renounced. For example, a will may provide for a specific bequest to a designated beneficiary, the residue to go to charity. The designated beneficiary renounces the bequest, it thereupon falls into the residuary bequest to charity, and, as a result, the amount actually going to charity under the will is increased.

I have examined the present law myself and am convinced that section 812 (d) is applicable to the entire amount passing to charity. At the same time, it may be well to have the statute clarified and to provide specifically for this situation. Accordingly, I have offered an appropriate clarifying amendment, interpreting the present law. I urge the chairman of the Committee on Finance to accept it.

I shall be glad to hear from the chairman of the committee in regard to this matter.

Mr. GEORGE. I will repeat to the Senator from North Carolina that I see no necessity for the amendment. It seems clear that the situation he has described is adequately covered by the present law and that the entire amount of the funds ultimately going to charity under the will falls within the deduction under section 812 (d). Since I have not had an opportunity to examine the matter fully, however, I think we should accept the amendment so that we can study the problem further. If we become satisfied that the amendment is not necessary, the amendment can be rejected in conference. However, if further study indicates that there is a possible ambiguity in the statute, I shall urge the acceptance of the amendment in order to eliminate all possibility of a contrary position. Whether the decedent died before or after the adoption of the amendment, there should be no doubt as to the complete deduction under the present law. The donor to the charity is in fact the giver of the legacy to the charity.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from North Carolina [Mr. BAILEY].

The amendment was agreed to.

Mr. BAILEY. Mr. President, I offer another amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from North Carolina will be stated.

The CHIEF CLERK. At the appropriate place in the bill it is proposed to insert the following:

SEC. —. Nonrecognition of gain in certain debt settlements.

Section 111 (c) of the Internal Revenue Code is amended by adding at the end thereof the following:

"In the case of any agreement between debtor and creditor under which property (other than money) is transferred or surrendered by the debtor to the creditor in satisfaction of the debtor's obligation, no gain shall be recognized to the creditor under this chapter or any prior revenue act. Wherever the preceding sentence is applicable to prevent the recognition of gain, the basis of such property in the hands of the creditor shall be the same as the basis in the creditor's hands of the obligation so satisfied."

Mr. BAILEY. Mr. President, this amendment also is technical. I have submitted it to the chairman of the Committee on Finance, and have stated to him that I would not press if he thought it were improper. What I wish is to get it to conference in order that it may be considered there. The purpose of it is to permit the payment of a debt in property—to be sure, not property more than the debt, but property reasonably adjusted to the debt. If I am a debtor, and somebody pays me in property, I really make no gain.

That is the effect of the amendment. I shall be glad if the chairman of the Finance Committee will comment on the matter.

Mr. LA FOLLETTE. Mr. President, I do not desire to interpose against the statement of the chairman of the committee, but I should like to make a general statement at this stage of the proceedings.

There are hundreds, if not thousands, of technical amendments to the tax structure, many of which have considerable merit. When the bill was under consideration in the Ways and Means Committee, that committee took the position that they would not consider, no matter what their merit might be, any administrative amendments which did not bear directly upon the substantive changes contemplated by the bill under consideration.

When the measure came to the Senate, the Committee on Finance, having been advised of the position taken by the

Ways and Means Committee, and realizing full well that the conferees on the part of the House would be very reluctant to consider any administrative changes which they had not had under consideration, adopted a resolution to the effect that the Finance Committee would follow the same rule.

Whether that was right or wrong, that is the position the Finance Committee took. I had many matters brought to my attention which I thought had great merit, but I did not bring them before the Finance Committee because I presumed that the policy of the committee would be to adhere to that position. For instance, the matter suggested by the able Senator from Colorado, upon which I think there is unanimous agreement that action should be taken, was brought by me to the attention of the committee. The staff of the Joint Committee on Internal Revenue Taxation, and, so far as I know, every member of the Committee on Finance, believed that that was a sound proposition, and that something should be done about it, but we deferred that, along with hundreds of other technical amendments, until such time as the technical amendment bill could be taken up for consideration.

I should be the last to object to the Senate considering any proposition it desired to consider, but I wish to clear my own skirts, because, as I have said, many propositions were brought to my attention which I thought had great merit, and had I known that the committee was going to adopt the rule to which I have referred only in order to violate it when the bill reached the floor, I should have insisted that there be consideration of the matters which I felt had merit.

I wish to say that, while I am not inveighing against the amendment offered by the very able Senator from North Carolina, so far as its merit is concerned, if at this late stage of the proceedings we are to enter upon the business of revising the administrative matters which need attention in the revenue structure, we might just as well forget passage of the bill this week or next week, or this month or next month, because there will be many hundreds of amendments which are as meritorious as any which have thus far been considered in violation of the policy adopted by the committee.

Mr. BAILEY. Mr. President, I should like to have a statement from the chairman of the Committee on Finance, especially in view of the protest, very respectful, to which I do not object. But I did not think we were placed in such a position that we could not offer amendments of the type of that I have offered, and I did not offer this amendment until I had shown it to the chairman of the Committee on Finance.

Mr. GEORGE. Mr. President, the committee did at an early date in the hearings decide that it would not take up purely administrative or technical amendments which did not relate directly to some change which had been made in relation to the bill.

In some instances an administrative amendment such as the one offered a little while ago by the Senator from North Carolina seemed to me to be an amendment of substance, and not purely administrative. The amendment now offered has some of the same characteristics. I have tried to be consistent in not offering administrative amendments. I did not have any success in dissuading the able Senator from Colorado, because he offered his amendment anyway, and it was finally accepted. I did try to dissuade him as well as I could. I believe that under the circumstances it would be better for the Senator from North Carolina not to press his amendment.

Mr. BAILEY. Mr. President, agreeable to the statement with which I began, I shall readily withdraw the amendment, in accordance with the suggestion of the chairman of the Committee on Finance.

Mr. ADAMS. Mr. President, there are many of us who have not had the privilege of attending the sessions of the Committee on Finance, not being members, though very much interested in sound fiscal legislation. I do not feel that we are trespassing upon the proprieties if an amendment is offered which is conceived to be a meritorious amendment, even though it should be of a type which the committee itself thought they would not offer. I think that the amendment I offered was entirely wise. More than that, I think it is almost necessary. I do not believe that amendments from the floor on the part of those who have not had the opportunity of participating in the committee deliberations should be blacklisted because of some rule which the committee made for its own regulation.

Mr. LA FOLLETTE. Mr. President, I am certain there was nothing in anything I said which would justify the remarks just made by the Senator from Colorado. I wish to say that the action of the Senate in accepting the administrative amendments certainly places members of the Finance Committee, in view of the action taken by the committee, in a very anomalous position, because the committee once having decided that it would not consider this type of amendment, it became necessary for many members of the Committee on Finance to inform persons who came forward with perfectly legitimate, sound amendments, that the committee had decided that they would not give them any consideration in view of the action of the House, and in view of the fact that there was to be another bill which would deal exclusively with administrative changes.

I simply desired to state, for the information of the Senate, why it was that the Committee on Finance did not consider such amendments, no matter how meritorious they may have been, in order that those whom, as an individual, I had informed that the committee would not give any consideration to these amendments, might understand that the Senate had reversed the committee. The Senate always has the right to do that, because, of course, a committee is only the creature of the body which creates it, in this case the Senate itself.

Mr. GEORGE. Mr. President, I think that, generally speaking, it will be found on scrutiny of the bill that we have adhered to this general policy. I can fully appreciate the desire of many Members of the Senate to offer amendments. Several have been suggested to me which I should like to offer, but I am withholding them. They are administrative in character, and since we are promised another bill very shortly in which such amendments to the law may be made, I think it well not to open the gate any wider.

There is one other amendment which I have to offer, in view of the action taken by the Senate in imposing a manufacturer's sales tax upon jewelry. It becomes proper to impose a floor-stock tax upon jewelry.

The PRESIDING OFFICER. The clerk will state the amendment.

The CHIEF CLERK. It is proposed to insert at the proper place the following:

Upon articles subject to tax under this paragraph which, on October 1, 1941, are held for sale by any person there shall be levied, assessed, collected, and paid a floor-stocks tax at the rate of 15 percent of the price for which such articles are sold, in the ordinary course of trade, by manufacturers or producers thereof, as determined by the Commissioner.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment, the question is on the engrossment of the amendments and the third reading of the bill.

Mr. LA FOLLETTE. Mr. President, I do not wish to offer any further amendment, but I find myself in such a position that I cannot support this bill, and, therefore, although I would naturally be afforded a position on the conference committee, being of such rank in the minority representation on the Finance Committee, I beg to be relieved of such duty, since I cannot support the bill, nor can I support the amendments adopted by the majority of the committee and the amendments adopted by the Senate. In justification for this extraordinary position which I take, I ask unanimous consent that the individual minority views which I filed on the bill be printed in the RECORD at this point in body type as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The individual minority views of Mr. LA FOLLETTE (pt. 3, Rept. 673) are as follows:

PART I. INTRODUCTION

The pending revenue bill as reported to the Senate is a vicious assault on the rank-and-file taxpayer. It is inadequate, inequitable, and, in my opinion, indefensible. It conforms to no standards of justice or fairness. It "soaks" the poor while confirming, protecting, and entrenching the corporate wealth and power engendered by the defense program. It levies the major share of the costs of "all-out" defense on those who have the least property to protect and those who have the least ability to pay.

The bill is a hodge-podge of inconsistencies, with no underlying principle of taxation whatsoever, except that like many previous tax bills, it "plucks the goose that squawks the least." Unfor-

tunately, the small individual taxpayer who will dig deep into his pockets to pay these bills has not made himself heard.

TAX YIELD INADEQUATE

Although the committee tax bill is the largest in our history, it is no answer to the present urgent fiscal situation. The $3,600,000,000 are hopelessly inadequate in the face of a fifty- or sixty-billion-dollar defense program, a $49,000,000,000 national debt, and a probable deficit this fiscal year, over and above this tax bill, of more than $10,000,000,000.

The proposed patchwork on the present faulty tax structure and the hiking of present rates are not a solution to the Government fiscal problems. It is not commonly appreciated that defense spending has created an extraordinary situation which must be met by extraordinary taxation not only as to degree of taxation but also as to kind of taxation. No doubt taxes must be heavier; but, more than that, they must be revised so as to be more equitable and to conform to the present situation.

EXCESS PROFITS

The Government is pumping billions of defense dollars into our industrial structure. Huge profits are accruing to industry. Generally speaking, the initial and primary beneficiaries are the corporations. It is not punitive taxation—it is just good common-sense fiscal policy supported by expert economic, as well as layman, logic—that a lion's share of all excess and defense profits be siphoned back into the Government Treasury. To the extent that such profits are diverted from the general income stream, the dangers of inflation are accordingly reduced.

The excess-profits tax should be a major item in our tax structure. Such a tax in the fiscal year 1920 yielded about 45 percent of total Federal revenues. In the fiscal year 1942 the excess-profits tax will provide less than 7 percent of total Federal revenue. Even with the full-year effect of the changes proposed now, less than 15 percent of total revenues will be derived from the excess-profits tax. Of course, substantial increases have been made and further increases are proposed in the corporate normal tax and surtax rates, but the entire corporate share of taxes is still far below the World War proportion. Furthermore, in periods of abnormal profits the corporate-tax burden is not as equitably distributed by normal income taxes and surtaxes as by an excess-profits tax.

LOWERED INCOME-TAX EXEMPTIONS UNJUSTIFIED

There is no justification whatsoever in dipping further into the poor man's income—whether by hidden excise taxes or lowered income-tax exemptions—if and until adequate excess-profits levies are made by the Government.

During the Senate debate on the Second Revenue Act of 1940, on September 13, I commented as follows:

Taxation levied without regard to ability to pay and falling heaviest on those with least ability to pay has been increasing constantly. Such was the case when we considered the first tax bill during the present session of Congress. That bill further increased the inequity of our tax structure. It dumped a heavier burden on the backs of the plain people of the country in the form of increased taxes levied without regard to ability to pay. Prior to the enactment of the first revenue bill of the present session of Congress, almost $400,000,000 was collected annually from the manufacturers' excise taxes, which are, in the last analysis, passed on largely to the consuming public. The bill which we passed in June increased these nuisance taxes by more than $140,000,000.

The bill as passed in June increased corporate taxes only 17 percent, as compared with a 35-percent increase in the yield of excise taxes and a 37-percent increase in the yield of individual income taxes.

I have been an advocate of broadening the base of the income tax, in the hope that increased revenue derived from taxation levied in accordance with ability to pay would enable us to shift some of the crushing burden of indirect nuisance taxes, which are levied without regard to the ability of the taxpayer to pay, on to the sound principle of graduated taxes.

But, Mr. President, as I stated during the debate on the revenue bill passed in June, I saw absolutely no justification for a broadening of the income-tax base at the same time excise taxes and direct taxes were increased by such enormous percentages.

On June 19, 1940, I said in debate on the floor of the Senate:

As the chief advocate in this body in past years for broadening the income-tax base, I must now state that I consider it is a gross inequity to the low-income taxpayers to ask them to increase their taxes, and at the same time fail to ask the corporations, which are going to be vastly enriched by the necessity for national rearmament, to carry their fair share of the load, according to their ability.

Now, 15 months later, the situation is even worse.

Marriner S. Eccles, Chairman of the Board of Governors of the Federal Reserve System, writing in Fortune magazine for August 1941, states the entire thought well in these words:

During the emergency the excess-profits tax should, in my opinion, be the keystone of a well-balanced tax program. Increased taxes, however, should not be imposed on the great numbers of small business concerns and on millions of individual taxpayers until they have been given every reasonable assurance that the funds they are being asked to provide will not go to swell the profits of wealthy individuals and corporations.

GENEROUS TREATMENT FOR ESTATES AND GIFTS

The singularly harsh treatment accorded the low-income taxpayer under the committee bill is entirely reversed when dealing with the wealthy taxpayer bequeathing huge estates and gifts. Exceptionally generous exemptions of $40,000 are allowed—53 times as great as the exemption for a single man under the income-tax recommendation—and only moderate rates are applied. Although the Treasury Department proposed to lower these exemptions to $25,000, neither the House Ways and Means Committee nor the Senate Finance Committee would concur.

ROBERT M. LA FOLLETTE, SR., IN 1917

In August 1917, 24 years ago, when the Senate of the United States was debating the first real World War revenue bill, my father made an energetic and dramatic fight for a fair and adequate tax program. Recently, when rereading the minority report he submitted to the Senate, I was highly impressed by the following excerpts from his remarks. In my opinion, they are noteworthy of attention in conection with the present bill. They are as true now as they were true then.

He was championing a new tax theory—the Federal income tax was only 4 years old—when he said:

Complicated as is the subject of public finance, there are certain principles and certain truths underlying the science that are self-evident. Among these is the principle that the burden of taxation should be apportioned among the taxpayers in accordance with their ability to pay. Another is that income or profits constitute if not the best, at least one of the best standards by which to measure ability to pay * * *. We must look to the income tax and the war-profits tax to maintain the credit of the Nation and make it possible for our people to bear the awful burdens of this war.

In answer to those who would impose but moderate rates on excess profits—and there are some who take the same position on this bill—my father used these words:

To advocate low rates at present on war profits, with a view to leaving a margin for a later day, is to leave out of sight the fact that this prolific source of revenue will automatically disappear with the end of the war and that the opportunity to tax each year's profits passes with the year. Failure to draw on this source to the fullest possible extent while the war lasts will therefore result in throwing a much larger burden of taxation upon the people and the normal industries of the country at a time when the easily made war profits will no longer be available, and when business of the country will be staggering under the burden of readjustment.

To those apprehensive of the effects of a stiff excess-profits tax he directed these words:

Neither the war-profits tax nor the income tax is a levy on capital. Both of these taxes are levied upon extraordinary and unusual profits. Even if they absorbed the greater part of the profits of individuals such taxes would not in any way affect the income of the same individual the next year. The capital remains. The tax does not impair the earning power of that capital.

With respect to excise and nuisance taxes, he wrote:

It is monstrously unfair to tax the everyday necessaries of the average man and woman to pay the expenses of this war, in addition to commanding their services, and the lives of many of them, and of their children, so long as the above-mentioned swollen and abnormal profits are not taken—profits which the war has created and which will disappear as soon as the war ends. Every dollar of the above profits can be taken and still the enormous peacetime profits of these and other great corporations will not be touched. * * * Will anyone contend that the necessaries of the poor shall be taxed so long as these enormous war profits remain as a source of revenue?

He added these prophetic words about excise taxes:

Once we admit that excise taxes of this sort are to be levied at all at this time, we will find them mounting with every increasing tax levy. * * * These taxes will endure after the period of the war. * * * Later, it will be these consumption taxes upon the necessaries of life that will be drawn upon to meet the needs of the Government. It is both unjust and unwise.

PART II. THE TAX STRUCTURE: PAST, PRESENT, AND PROPOSED

PRESENT TAX STRUCTURE COMPARED WITH 1917–20

In many respects the present fiscal situation is directly parallel with the World War tax problems two decades ago. The war then and the defense program now have entailed unprecedented governmental expenditures which in turn require unprecedented general taxation. Production and profits have soared. Just as in World War No. 1, the Government is struggling to bolster the Treasury revenues by imposing new taxes.

Of course, we have grown—about 30,000,000 in population. Our production has doubled and our national income has almost doubled. But the tax picture is much the same, with perhaps this single exception: Our national debt stood at one and one-quarter billion dollars in 1917. It is 40 times as great now. This backlog of debt in the present picture more than counterbalances the exigencies of actual war in the past picture.

Most everyone will agree that the Government fiscal policies and tax program in the last World War were shockingly inadequate. The war-tax policies—or lack of policies—permitted the accumulation of unconscionable profits for individuals and corporations. The war-tax policies failed to arrest inflation. Whatever other shortcomings existed, it is clear that the Government erred on the side of insufficient taxation of war profits.

Despite the gross inadequacy of the tax structure in the World War, how does it compare with the present tax structure?

Table 1, below, is an abbreviated statement of internal-revenue receipts for the 1920 and 1942 fiscal years, based on estimates of the Treasury Department. The table shows that the over-all tax load has increased about 70 percent—supported, of course, as previously mentioned, by a larger population, a larger production, and a larger national income.

The most significant facts to note from the table are that excise taxes have almost tripled and individual taxes have more than doubled while corporation taxes are yielding only slightly more revenue than in 1920. It is significant to note, too, that the bulk of present corporate taxes is being derived from the income tax instead of the excess-profits tax as in 1920.

All indications are that the next few years will be banner profit years for most corporations. Yet, in the fiscal year 1942, corporations will bear only about 36.3 percent of the Federal tax load, as against 56.7 percent borne in 1920.

TABLE 1.—*Internal-revenue receipts by major categories—Estimated receipts in present fiscal year under present law compared with 1920 tax receipts*

[Millions of dollars]

	1920 [1]	1942 [2]
Total	5,736	9,724
Corporation taxes	3,252	3,535
Income [3]	653	2,627
Excess profits	2,506	679
Other [4]	93	229
Individual taxes	1,232	2,529
Income [3]	1,128	2,078
Estate and gift	104	451
Excise and pay-roll taxes	1,252	3,660
Tobacco and liquor	435	1,563
Manufacturers' excises	268	676
Other miscellaneous taxes	549	429
Social security, etc.		992

TABLE 1.—*Internal-revenue receipts by major categories—Estimated receipts in present fiscal year under present law compared with 1920 tax receipts*—Continued

[1] Fiscal year reports of the Government for 1918–24 do not show separately the various categories of income-tax collections. Hence, the calendar year income basis as reported in the Treasury Department's Statistics of Income is used here.

[2] Treasury Department estimates as revised June 1, 1941.

[3] Include a relatively small amount collected from back taxes.

[4] Includes the capital-stock tax and the declared-value excess-profits tax.

RECENT TRENDS IN FEDERAL TAXATION

Despite all the vaunted statements in recent years in behalf of taxation based on the principle of ability to pay, it is a hard, cold fact that the Federal tax structure has steadily become and more regressive and more and more burdensome to the common man. Tables 2 and 3 are clear-cut proof of the trend in the last 15 years.

As shown by table 2, excise taxes have steadily grown. In the fiscal year 1940 the total collected in this manner was almost fivefold that collected from the same source in 1927. Despite the fact that the aggregate tax burden had increased almost 85 percent in 1940 over 1927, corporations in 1940 fiscal year paid a less dollar amount in taxes in 1940 than in 1927.

As shown by table 3, corporation taxes comprised about 46 percent of total revenues in 1927; 40 percent in 1932; 26 percent in 1937; and only 24 percent in 1940. On the other hand, excise and pay-roll taxes constituted about 19 percent of total Federal revenues in 1927; 29 percent in 1932; 44 percent in 1937; and 51 percent in 1940. Even with the exclusion of social-security taxes, the percentages of the latter 2 years are high—38 and 35 percent, respectively.

TABLE 2.—*Internal revenue receipts by major categories—Receipts in fiscal year 1927, 1932, 1937, and 1940*

[Millions of dollars]

	1927	1932	1937	1940
Total	2,866	1,558	4,653	5,303
Corporation taxes	1,317	630	1,219	1,276
Income [1]	1,308	630	1,057	1,117
Other [2]	9		162	159
Individual taxes	1,011	474	1,397	1,346
Income [1]	911	427	1,092	986
Estate and gift	100	47	305	360
Excise and pay-roll taxes	538	454	2,037	2,681
Tobacco and liquor	397	407	1,146	1,232
Manufacturers' excises	67		451	447
Other miscellaneous taxes	74	47	175	170
Social security, etc.			265	832

[1] Includes a relatively small amount collected from back taxes.

[2] Includes the capital-stock tax and the declared-value excess-profits tax.

TABLE 3.—*Percentage distribution of internal-revenue receipts by major categories, fiscal years 1927, 1932, 1937, and 1940*

	1927	1932	1937	1940
Total	Percent 100.0	Percent 100.0	Percent 100.0	Percent 100.0
Corporation taxes	46.0	40.4	26.2	24.1
Individual taxes	35.3	30.5	30.0	25.4
Excise and pay-roll taxes	18.7	29.1	43.8	50.5
Excluding social security			38.1	34.9

The preceding tables illustrate well the comparative trends as between corporation taxes and excise taxes. It is somewhat difficult, however, from those tables to discern the comparative trends between individual and corporate taxes because both have become a relatively smaller part of total Federal revenues while excise taxes have skyrocketed.

An interesting comparison on a different basis can be made from a table adapted from the 1940 Annual Report of the Treasury Department, in which Federal tax liabilities are estimated under certain assumed conditions. For one set of estimates, column 1, it is assumed that the tax structure of May 1932 is in effect in the calendar year 1941—that is, at that level of income; column 2 is under the assumption the tax structure of July 1932 is in effect; column 3, the tax structure of December 1940.

As can be observed from the following table and the percentages calculated therefrom, Federal taxes on individuals have increased substantially more than on corporations. The Revenue Act of 1932 was especially bad in this respect.

TABLE 4.—*Estimated Federal tax liabilities [1] for calendar year 1941, based on the tax structures of (1) May 1932, (2) immediately following the passage of the Revenue Act of 1932, and (3) December 1940 (tax base assumed to be independent of tax structure)*

[In millions of dollars]

Tax group	Under laws— (1) Of May 1932 immediately preceding the passage of the Revenue Act of 1932	(2) Of July 1932 immediately following passage of Revenue Act of 1932	(3) Of Dec. 31, 1940
Individual income, estates, and gifts	594	1,308	2,220
Corporate income and profits	1,277	1,594	3,723

[1] Source: 1940 Annual Report, Treasury Department, p. 3.

TABLE 5.—*Percentage increases—tax structure after Revenue Act of 1932 compared with structure immediately preceding and tax structure of December 1940 compared with each*

	Percentage increase (2) over (1)	Percentage increase (3) over (1)
Individual income, estates, and gifts	Percent +120	Percent +275
Corporate income and profits	+25	+192

YIELDS OF THE PRESENT TAX STRUCTURE COMPARED WITH YIELDS UNDER THE PROPOSED COMMITTEE BILL

To complete this series of comparisons made on the basis of the relative burden on the various kinds of taxpayers a comparison should be made of the present tax structure and the structure as it will be under the committee bill. Tables 6 and 7 make that comparison on a basis comparable with previous tables.

It should be noted that both sets of estimates on table 6 are based on fiscal year 1942 level of income and that both are hypothetical years in that they represent full-year effects. In such respect they differ from estimated actual receipts (as shown on table 1). For example, about $679,000,000 will be collected in excess-profits taxes in the fiscal year 1942. However, the full-year tax liability on 1942 levels of income would be $1,026,000,000. Similarly, under the proposed bill, the hypothetical full-year effect is estimated to be $2,156,000,000 from excess-profits taxes, but, according to the Treasury, only about 45 percent of the additional amount under this bill would be collected in the next fiscal year.

An examination of tables 6 and 7 shows that an inordinate increase is proposed in individual income taxes contrasted with corporation taxes; in fact, the corporate share of total Federal taxes is actually reduced from 40.4 percent of the total to 39.6 percent. The share to be borne by individual taxes is increased from 25.7 to 28.5 percent. Excluding the social-security tax (which as yet has not been increased), the share borne by excise taxes is increased from 24.7 to 25.0 percent.

TABLE 6.—*Internal-revenue receipts by major categories—estimated receipts under present law compared with estimated receipts under Finance Committee bill (hypothetical full-year yields at levels of income estimated for fiscal year 1942)*

[Millions of dollars]

	Present law [1]	Under new bill [2]
Total	10,793	14,486
Corporation taxes	4,359	5,738
Income [3]	3,099	3,363
Excess profits	1,026	2,156
Other [4]	234	219
Individual taxes	2,774	4,129
Income [3]	2,323	3,520
Estate and gift	451	609
Excise and pay-roll taxes	3,660	4,619
Tobacco and liquor	1,563	1,701
Manufacturers' excises	676	966
Other miscellaneous taxes	429	960
Social security, etc.	992	992

[1] Differs from estimates of receipts in 1942 fiscal year insofar as the full effects of the 2 revenue acts on 1940 are not reflected in the fiscal year estimates of corporation and excess-profits taxes, etc. Compare with 1942 fiscal-year estimates under present law in table 1.

[2] Assuming that all provisions of the law were fully reflected in receipts for an entire year.

[3] Includes a relatively small amount collected from back taxes.

[4] Includes the capital-stock tax and the declared-value excess-profits tax.

TABLE 7.—*Percentage distribution of estimated internal revenue receipts by major categories—Fiscal years 1920, 1942, and hypothetical full-year yields at 1942 levels of income under present law and under new bill*

	1920 [1]	1942 [1]	Hypothetical years	
			Present law	New bill
	Percent	*Percent*	*Percent*	*Percent*
Total	100.0	100.0	100.0	100.0
Corporation taxes	56.7	36.3	40.4	39.6
Individual taxes	21.5	26.0	25.7	28.5
Excise and pay-roll taxes	21.8	37.6	33.9	31.9
Excluding social security		27.4	24.7	25.0

[1] See footnote on table 1.

All of these statistics merely go to prove two facts which are almost self-evident without a recital of detailed statistics:

1. The present tax structure is inequitable.

2. The committee bill will make it worse.

PART III. DEFECTS IN THE COMMITTEE BILL IN THE TAXATION OF EXCESS PROFITS

In my opinion, the most serious defect of the committee bill is the failure to tax excess profits adequately or fairly. Despite persistent and cogent recommendations of the Treasury Department that the entire method of taxing excess profits be overhauled, the committee bill makes no fundamental corrections in the present law, nor even recognizes the shortcomings evidenced during the first year of operation.

Corporations prosperous during the base period are still not required to pay taxes commensurate with their ability to pay and commensurate with a fair and reasonable rate of return. Other corporations which have profited very substantially, and directly, from Government spending are not contributing their fair share.

PREVIOUS EFFORTS TO SECURE AN ADEQUATE TAX

Last year, during the consideration of both the first and second Revenue Acts of 1940, I made a strenuous effort to gain congressional approval of an excess-profits tax based solely on invested capital. Although the Senate approved my plan, 41 to 31, in June 1940, it was eliminated in conference with the declaration that an excess-profits tax would be enacted later. A miserable compromise tax plan was adopted a few months later. In September when the bill was under consideration by the Senate, I submitted a minority report explaining my opposition to the compromise excess-profits tax.

The objections I raised then are applicable now, with greater force. I quote at length from the report because I believe the arguments are unanswerable—in fact, already vindicated in many respects after 1 year's operation under the present law:

The Finance Committee has reported a highly objectionable tax bill to the Senate. * * * It violates every principle of sound tax theory.

THE BILL IS BASED ON A CONFUSED AND UNSOUND THEORY OF EXCESS PROFITS

The President, in his message to Congress on July 1, 1940, urged that Congress enact an excess-profits tax to help pay for the defense program because, "It is our duty to see that the burden is equitably distributed according to ability to pay so that a few do not gain from the sacrifices of the many." Yet this bill is not based on any principle of ability to pay. Apparently it intends to tax merely the extra profits due to the defense expenditures—"defense profits" rather than "excess profits."

The so-called earnings method of the bill is supposed to measure defense profits directly. Earnings in the taxable year are compared with earnings in the base period and the increase, if any, is called excess. Two basic assumptions are involved which are not true in a large percentage of cases: First, that the earnings during the base period are normal. Second, that the increase is excess or due to defense expenditures. Actually, with respect to the former, a base period that is normal for corporations as a whole is almost invariably abnormal in varying degrees for corporations individually. With respect to the latter, there is no reasonable assurance that the increase is excess, or due to defense expenditures.

Witness after witness testified before the Ways and Means and Finance Committees that their earnings were abnormal during the base period or that increased earnings had nothing whatsoever to do with the defense program. Obviously, the bill exempts large amounts of defense profits and taxes large amounts of nondefense profits without any recognition of the sound principle of ability to pay.

Furthermore, there is no satisfactory way of distinguishing between defense profits and other profits. No chemical test can be applied to make a precise separation. Dollars lose their identity when flowing through the economic system. Products which have an important use in the defense program may have a simultaneous important use in normal industrial activity. Paint for a battleship is the same as paint for industrial machinery. Shoes for the Army are the same as shoes for the farmer. Even with complex accounting systems no satisfactory separation of profits can be made. Surely no rule-of-thumb method of comparing profits in the taxable year with profits during some previous years affords an adequate separation.

The most serious defect in the bill from the standpoint of tax theory is the attempt to combine two opposing theories of taxation in one bill. The net effect is to include the shortcomings of both without the advantages of either. The loopholes in the bill are doubled. The revenue yield is reduced well below what might be obtained under either method separately. The situation becomes a "heads you win, tails I lose" proposition for the Treasury. In addition, highly inequitable situations are created among competitive corporations which are forced by circumstances to use different methods of tax computation.

(2) THE BILL AFFORDS UNWARRANTED PREFERENTIAL TREATMENT TO CERTAIN CORPORATIONS

The large prosperous corporations with consistent substantial profits are those most able to pay an excess-profits tax. Under this bill, they will pay little or no tax. No matter if they are earning 20, 50, 100, or 1,000

percent on their invested capital, they may continue, under the average-earnings method of this bill, to earn those profits without additional tax. A tremendous advantage is accorded the established prosperous corporation against a competitor who suffered a depressed condition during the base period or the newly organized corporation which has not become established.

(3) THE BILL ENCOURAGES MONOPOLY AND DISCRIMINATES AGAINST COMPETITORS OF PROSPEROUS ESTABLISHED CORPORATIONS

If there was ever a tax measure which promised to perpetuate monopolistic corporations in their moncpolies, it is this one. Three corporations, A, B, and C, are competitors. Corporation A is a quasi monopolist earning profits of 25 percent on invested capital during the base period. Corporation B, struggling against terrific odds, earned 9 percent. Corporation C is newly organized. In 1940, corporation A continued to earn 25 percent; B earned 15 percent; C, 9 percent. This would be typical experience because it is a well-known fact that a certain development period with low profits is typical of the new corporation.

Under the average-earnings method of this tax bill, corporation A would pay no excess-profits tax whatsoever. Corporation B would pay a substantial tax though its earnings were much less. Corporation C would also have to pay an excess-profits tax, unless it were small enough so that the $10,000 flat exemption gave it relief.

This tax would be an insurmountable barrier to fair competition among the corporations. No more powerful club than this could be placed in the hand of corporation A. No other concern could successfully challenge its quasi-monopolistic position. If during any future year corporation B or C did achieve the same level of profits as corporation A, they would pay most of it in additional taxes while corporation A went untaxed. The most likely result would be bankruptcy for B and C; a complete monopoly for A.

This inequity inherent in the committee amendment may be further illustrated by the following example, which shows the excess-profits tax that would be payable under the committee amendment by each of two corporations having the same invested capital and excess-profits net income during the taxable year. One of these corporations—corporation A—is, however, an established company with stabilized earnings and the other, corporation B, is a growing enterprise competing with corporation A.

	Corporation A	Corporation B
Current year:		
Excess-profits net income	$1,000,000	$1,000,000
Invested capital	$5,000,000	$5,000,000
Rate of return—percent	20	20
Base period:		
Excess-profits net income (average)	$1,000,000	$200,000
Invested capital (average)	$5,000,000	$5,000,000
Rate of return (average) percent	20	4
Taxable excess profits:		
Average earnings method	0	$790,000
Invested capital method	$590,000	$500,000
Tax:		
Average earnings method	0	$349,000
Invested capital method	$249,000	$249,000
Tax liability [1]	0	$249,000

[1] Excludes the 3.1 percent increase in normal corporation income tax.

It is a serious charge that this bill should condone and encourage monopoly, but perhaps even more serious is the severe penalty that is placed on the new or growing corporation. Such a corporation probably received little profit during the initial years and is now entering into a period when the work of earlier unprofitable years is beginning to bear fruit. The bill allows no future prosperous years for the new or growing corporation; it envisages an economy with the present inequities "frozen" into the future. The precedent herein set will make it all the more difficult at some later date to tax these "privileged" corporations adequately. The hue and cry then will be raised, just as it has been raised to a certain extent now, that the stockholders who have recently purchased stock at high prices because of anticipated high earnings have a vested interest which should not be disturbed. The idea is fallacious, but to allow it to go unchallenged here in this tax bill would give it a cloak of validity which would be hard later to remove.

Entirely disregarded in H. R. 10413 is one of the cardinal principles of taxation: That the burden should be fairly distributed. The preponderance of testimony during the hearings clearly demonstrates that many taxpayers are more concerned about the equity of the tax than the amount of the tax. Aside from those corporations with high earnings which will be able to take advantage of the average earnings tax method, corporations in general are willing to bear almost any reasonable load provided their competitor is treated similarly. The average earnings method and the hodgepodge of a dual method of computing tax liability precludes equal treatment for all.

It has been said in answer to the above contentions that it is not the function of a tax bill to remove existing competitive disadvantages or advantages. This answer is specious. One can agree that it is not the purpose of a tax bill to equalize competitive conditions. But it is undeniable that tax bills should not distort existing competitive conditions and place unwarranted tax handicaps upon one class of corporations as opposed to another, thereby creating an indefensible competitive advantage in favor of the latter. The objection to the committee amendment is not that it does not equalize existing competitive conditions. Rather the objection is that the committee amendment in and of itself creates new and far-reaching competitive advantages. The invested-capital method, on the other hand, does not create or give rise to either new competitive advantages or new competitive disadvantages. It simply imposes an excess-profits tax which falls alike on corporations regardless of their competitive position and thereby does not disturb existing competitive conditions.

(4) THE RATES OF THE TAX IN THE BILL ARE NOT GRADUATED FAIRLY

The rates in the bill are graduated according to the amount of so-called excess profits. This means that a large corporation may make only a very small percentage of excess profits on its capital and still pay the highest rate of tax. Thus, a corporation with $100,000,000 of invested capital and $1,000,000 of taxable excess profits will pay the same tax as a corporation which has the same amount of taxable profits on an invested capital of only $1,000,000. In other words, the brackets are now graduated without reference at all to the earnings or size of a corporation, and a corporation which had excess profits amounting to a 100-percent return on invested capital would pay no more tax than a corporation having excess profits amounting to 10 percent on invested capital, providing the absolute amounts of excess profits were the same.

Profits cannot be divided sharply into those that are excessive and those that are not. Excessiveness is a matter of degree, and the tax rate should be graduated according to the degrees of excessiveness, not simply according to the amount of excess profits. A proper rate structure for an excess-profits tax would graduate the rate according to the ratio of profit to invested capital. Under the rate structure as it now stands, many corporations with extremely excessive profits will pay much more moderate taxes than other corporations with only moderate excess profits.

ESTIMATED ADDITIONAL REVENUE

The Treasury Department estimates that an additional $1,394,700,000 in corporation taxes will flow into the Treasury in full-year effect of the committee bill. Proponents of the measure point to an alleged increase in the excess-profits tax yield of $1,130,600,000. The figure is somewhat misleading. The yield is achieved only after reversing the tax-deduction procedure, and at an expense of $501,100,000 in the yield of the normal corporate income tax.

Thus, in order to obtain the same or slightly more than present tax revenues from the normal net income of corporations, the committee found it necessary to impose new surtax rates of 6 and 7 percent. The net additional yield in this bill from excess profits, over and above the surtax yield, is only $629,600,000.

With an excess-profits tax based solely on invested capital, and without any increase in the rates in the pending bill, the Treasury estimates that $1,880,000,000 additional yield could be derived from excess profits—about $650,000,000 more than the committee bill. Thus, with a full-year effect a total of $2,900,000,000 would be derived from excess profits—a figure not unreasonable in view of the $2,500,000,000 collected from excess profits in 1920.

PRESENT AND PROSPECTIVE LEVELS OF CORPORATION PROFITS

The direct and indirect effects of Government defense spending are not yet fully reflected in the level of corporation profits, but already the profits are at record high levels. The National City Bank of New York reports the profits of 360 leading corporations in the first half of 1941 to be 20.9 percent above a year ago—after allowing for prospective taxes. Last year's first half was 58.6 percent above the previous year, again after taxes, depreciation, interest and other charges, and reserves.

Tables 8 and 9 show the data in detail by major industrial groups.

TABLE 8.—*Profits of leading corporations for the half year*

Net profits are as reported, after depreciation, interest, taxes, and other charges and reserves, but before dividends—net worth includes book value of outstanding preferred and common stock and surplus account at beginning of each year

[In thousands of dollars]

No.	Industrial groups	Net profits, half year		Percent change	Net worth Jan. 1		Annual rate of return (percent)	
		1940	1941		1940	1941	1940	1941
7	Baking	7,970	7,608	−4.5	236,681	237,381	6.7	6.4
14	Food products, miscellaneous	34,974	39,194	+12.1	534,953	541,084	13.1	14.5
7	Beverages	8,132	9,088	+11.8	129,922	136,421	12.5	13.3
17	Textiles and apparel	7,862	10,654	+35.5	176,025	169,854	8.9	12.5

TABLE 8.—*Profits of leading corporations for the half year*—Continued

[In thousands of dollars]

No.	Industrial groups	Net profits, half year		Percent change	Net worth Jan. 1		Annual rate of return (percent)	
		1940	1941		1940	1941	1940	1941
7	Wood products	1,326	4,515	+240.5	89,300	61,231	4.5	14.7
14	Paper products	6,883	7,892	+14.7	159,185	164,248	8.6	9.6
28	Chemicals, drugs, etc	92,082	94,021	+2.1	1,300,054	1,331,123	14.2	14.1
11	Petroleum products	141,070	135,227	−4.1	2,666,501	2,671,664	10.6	10.1
13	Stone, clay, and glass	12,220	14,807	+21.2	221,718	223,378	11.0	13.3
26	Iron and steel	61,915	126,111	+103.7	2,447,002	2,491,210	5.1	10.1
12	Building equipment	7,536	11,519	+52.9	224,738	219,780	6.7	10.5
14	Electrical equipment	42,863	47,662	+11.2	637,133	652,618	13.5	14.6
10	Hardware, tools, etc	4,664	6,373	+36.6	82,764	85,572	11.3	14.9
27	Machinery	16,377	21,204	+29.5	158,471	175,062	20.7	24.2
4	Office equipment	8,232	11,557	+40.4	133,264	136,668	12.4	16.9
10	Railway equipment	9,498	13,051	+37.4	173,403	182,930	11.0	14.3
9	Automobile	116,701	125,860	+7.8	1,149,449	1,190,566	20.3	21.1
19	Auto equipment	10,781	14,293	+32.6	111,478	120,197	19.3	23.8
36	Metal products, miscellaneous	20,354	29,603	+45.4	220,815	246,232	18.4	24.0
19	Miscellaneous manufacturing	9,947	18,119	+82.2	316,893	326,785	6.3	11.1
304	Total manufacturing	621,387	748,358	+20.4	11,139,809	11,364,056	11.2	13.2
10	Coal mining	[1] 830	[1] 2,698	+225.1	201,314	206,617	.8	2.6
9	Metal mining	[1] 8,787	[1] 9,649	+9.8	164,037	167,564	10.7	11.5
9	Mining, quarrying—miscellaneous	[1] 9,276	[1] 9,536	+2.8	124,419	121,393	14.9	15.7
16	Trade (wholesale and retail)	3,459	5,982	+72.9	209,447	211,858	3.3	5.6
12	Service and construction	8,389	8,317	−.9	226,955	229,531	7.4	7.2
360	Total	652,128	784,540	+20.3	12,065,981	12,301,019	10.8	12.8

[1] Before certain charges.
D—Deficit.

Source: Bulletin of National City Bank of New York, August 1941.

TABLE 9.—*Comparisons of profits of leading corporations for the first half year 1939, 1940, and 1941—percentage change in net profits after depreciation, interest, taxes, and other charges and reserves, but before dividends*

	Increase 1940 over 1939	Increase 1941 over 1940
Baking	−8.5	−4.5
Food products, miscellaneous	5.1	12.8
Beverages	21.5	11.8
Textiles and apparel	51.3	35.5
Wood products	1,129.2	240.5
Paper products	137.8	14.7
Chemicals, drugs, etc	38.8	2.1
Petroleum products	209.1	−4.1
Stone, clay, and glass	35.9	21.2
Iron and steel	451.1	103.7
Building equipment	180.2	52.9
Electrical equipment	66.7	11.2
Hardware, tools, etc	78.9	36.6
Machinery	238.8	29.5
Office equipment	28.7	40.4
Railway equipment	492.0	37.4
Automobile	17.6	7.8
Auto equipment	62.7	32.6
Metal products, miscellaneous	107.8	45.4
Miscellaneous manufacturing	−14.5	82.2
Total, manufacturing	60.8	20.4
Coal mining	(1)	225.1
Metal mining	41.7	9.8
Mining, quarrying, miscellaneous	24.0	2.8
Trade (wholesale and retail)	10.9	72.9
Service and construction	5.2	−.9
Total, all groups	58.6	20.3
(Total, all groups, increase in first half of 1941 over 1939: 92.6 percent.)		

[1] Data not comparable.

Source: Bulletins of the National City Bank of New York, August 1940 and August 1941.

It is interesting to note, in this connection, that most corporations are laying aside very generous reserves in anticipation of vastly increased taxes. The Wall Street Journal, for example, recently reported:

Tax mystery: United Aircraft recently reported tax reserves of over 78 percent of its current profits.

The top any corporation has to pay is 72 percent, including income, excess profits, and surtaxes. This suggests United, like many another big industrial company, is using ultraconservative bookkeeping to avoid phony profits, must report more liberally to the Government and to its stockholders.

Detailed compilations of corporation profits, for individual corporations, as taken from published financial reports, 1940 compared with 1939, and the first half of 1941 compared with the first half of 1940, have been published in the Economic Outlook for February and July 1941. The compilations are reproduced below in tables 10 and 11.

TABLE 10.—*Corporation profits in 1940 compared with 1939* [1]

Company	1940	1939	Percent increase
Allegheny-Ludlum Steel	$3,700,000	$2,093,518	77.0
American Can	17,440,906	18,284,963	−4.6
American Metal	3,689,957	2,994,740	23.0
American Tobacco	28,311,782	26,427,934	7.0
American Woolen	3,154,464	2,311,887	36.4
Aviation Corporation (year ending Nov. 30)	88,350	−2,238,409	
Babcock & Wilcox	3,588,199	1,168,782	206.0
Bath Iron Works	2,052,180	660,703	211.0
Bell Aircraft	284,745	9,203	3,000.0
Bethlehem Steel	48,679,524	24,638,384	97.5
Bridgeport Brass	1,258,776	459,058	174.0
Caterpillar Tractor	7,839,117	6,004,590	30.6
Chrysler Motors	37,802,279	36,879,829	2.4
Commercial Solvents Corporation	2,387,321	1,600,389	49.2
Consolidated Coal	402,290	−863,915	
Container Corporation	2,227,682	1,448,900	54.0
Continental Can	8,953,632	8,635,787	3.7
Crucible Steel	6,230,180	2,803,596	122.0
Douglas Aircraft (year ending Nov. 30, 1940)	10,831,971	2,884,197	275.0
Du Pont, E. I	86,945,173	93,218,664	−6.7
Electric Auto Lite	6,001,718	5,653,839	6.1
General Cable	2,455,362	733,166	235.0
General Electric	56,241,000	41,235,644	36.5
General Foods	15,244,077	15,118,063	.8
General Motors	195,500,000	183,290,222	6.7
General Steel Casting	$1,106,196	$5,661	19,560.0
Goodrich Tire & Rubber	6,104,993	6,628,746	−7.9
Goodyear Tire & Rubber	10,309,788	9,838,797	4.8
Harbison-Walker Refractories	2,513,936	1,868,999	35.0

Most of the profits herein listed are net profits and hence the figures are not directly comparable with figures used elsewhere in this minority report when speaking of net income before taxes.

TABLE 10.—*Corporation profits in 1940 compared with 1939*—Continued

Company	1940	1939	Percent increase
Inland Steel	$14,450,385	$10,931,010	32.2
International Harvester (year ending Oct. 31, 1940)	23,161,110	7,952,810	191.0
Jones & Laughlin Steel	10,277,029	3,188,944	222.0
Lehigh Coal & Navigation	1,101,553	18,674	5,700.0
Libbey-Owens-Ford Glass	9,992,766	8,062,753	24.0
Mack Truck	1,805,821	682,967	166.0
Mesta Machine	3,063,032	2,715,427	13.5
Monarch Machine	1,183,102	529,577	123.0
National Distillers Products Corporation	6,711,962	7,007,124	−4.4
National Gypsum	1,565,196	1,454,237	7.9
National Lead	6,102,702	5,780,500	5.6
New Jersey Zinc	8,236,815	5,299,055	55.5
New York Air Brake	1,046,656	797,858	40.0
New York Ship Building (first 11 months 1940)	2,178,748	928,240	135.0
North American Rayon Corporation	1,781,425	2,010,252	−11.4
Otis Steel	717,007	214,965	234.0
Pittsburgh Coal Co	1,255,893	−1,068,787	
Pittsburgh Steel Co. T	1,555,794	564,870	175.0
Pure Oil	8,718,057	8,290,418	5.2
Radio Corporation of America	9,113,156	8,062,810	12.9
Rayonier, Inc. (9 months to Jan. 31)	3,031,953	1,425,193	112.5
Remington Rand (9 months ending Dec. 31, 1940)	2,026,372	1,104,418	83.4
Republic Steel	21,113,507	10,671,343	98.0
Rustless Iron and Steel	1,275,993	1,090,876	16.9
Savage Arms Corporation	1,028,141	349,307	195.0
Shell Union Oil	15,600,000	11,805,713	32.1
Taylor Craft Aviation Corporation	57,069		
Union Bag & Paper Co	2,129,946	965,532	120.0
United States Rubber	11,425,241	10,218,849	12.0
United States Steel	102,181,321	41,119,934	148.0
Vultee Aircraft (year ending Nov. 30, 1940)	374,457	25,488	1,370.0
Walworth Co	1,123,156	205,900	445.0
Warner & Swasey	3,371,283	1,864,553	81.0
Western Union	3,621,581	1,380,114	163.0
Westinghouse Air Brake	5,591,606	2,765,629	102.0
Westinghouse Electric	18,983,428	13,854,365	37.0
Wheeling Steel	5,663,930	5,560,783	1.8
Yellow Truck & Coach Co	5,813,976	3,276,474	77.5
Youngstown Sheet & Tube	10,815,468	5,004,484	116.0

TABLE 11.—*Corporation profits in the first half of 1941 compared with the first half of 1940*

Corporation	Profits		Percent change
	First 6 months 1941	First 6 months 1940	
Air Reduction Co	$4,066,135	$3,106,096	30.8
Allegheny Ludlum Steel	4,169,347	1,893,291	120
Allis Chalmers	2,389,577	2,609,758	−9.2
American Brake Shoe & Foundry	1,479,341	1,226,637	20.5
American Radiator Co	3,271,009	1,535,905	113
American Rolling Mill Co	6,667,976	2,084,599	220
American Slating Co	282,227	100,197	182
American Steel Foundries	2,067,719	1,666,525	24.1
Anaconda Wire & Cable	1,410,519	497,259	184
Atlas Powder	938,110	744,518	26.1
Babcock & Wilcox	1,850,063	1,474,905	25.4
Baldwin Locomotive (12 months—June)	2,486,344	1,734,344	43.3
Bausch & Lomb Optical Co	1,174,528	767,285	53
Bendix Aviation (12 months—June)	11,687,229	6,613,180	77
Blaw-Knox Steel	1,220,496	602,717	102
Bohn Aluminum & Brass	817,087	592,181	38
Bridgeport Brass	867,494	506,167	71.4
Budd Wheel	915,972	394,445	132
Caterpillar Tractor	4,298,540	3,509,514	22.5
Consolidated Coal	317,872	136,257	134
Container Corporation	663,649	509,100	35
Continental Oil	2,642,082	1,007,852	163
Coos Bay Lumber	341,259	95,042	259
Copperweld Steel Co	919,952	521,314	77

TABLE 11.—*Corporation profits in the first half of 1941 compared with the first half of 1940*—Continued

Corporation	Profits		Percent change
	First 6 months 1941	First 6 months 1940	
Crosley Corporation	$798,634	$96,661	725
Crucible Steel	2,924,430	1,617,293	81
Detroit Steel	431,636	209,939	106
E. I. du Pont	43,761,797	46,853,695	−7.1
Eaton Manufacturing Co	1,979,764	1,908,348	3.8
Fruehauf Trailer	1,137,977	519,583	119
General Electric	26,003,665	25,981,752	0.09
General Steel Castings	1,690,900	72,958	2,210
General Tire & Rubber	1,004,443	280,563	259
General Motors Corporation	118,177,905	113,575,460	4
Goodrich Co	6,646,033	1,362,691	388
Hazel-Atlas Glass	1,396,788	1,270,963	10
International Business Machines	4,728,336	4,293,482	10.1
Johns-Manville Corporation	1,457,213	1,110,319	31.2
Jones & Laughlin Steel	8,098,227	3,276,256	147
Lehigh Coal & Navigation (year ending June 30)	1,848,300	138,812	1,230
Lehigh Valley Coal Corporation	605,434	251,440	141
Libbey-Owens-Ford	5,377,247	5,176,748	3.9
Magma Copper Co	800,142	717,587	11.6
Mathiesen Alkali Works	997,345	827,540	20.6
Minneapolis-Honeywell Regulator	1,104,278	603,921	83
Nash-Kelvinator (9 months to June)	3,734,246	1,307,878	186
National Lead	3,289,000	3,119,810	5.4
New York Air Brake	1,121,446	832,818	34.6
North American Aviation	3,900,745	2,367,638	64.7
Otis Steel	1,088,255	−362,143	
Owens-Illinois Glass	7,640,538	8,589,202	−11
Pepsi-Cola	3,300,000	2,525,000	30.6
Phillips Petroleum	8,236,680	6,378,198	29.2
Remington Rand, Inc. (June quarter)	1,383,603	565,240	145
Reo Motors	147,994	−785,988	
Republic Steel	13,618,716	6,449,453	111
Reynolds Metal	1,886,853	1,312,447	43.8
Rustless Iron & Steel	1,164,460	430,537	171
Sharon Steel	813,241	388,903	109
Sloss-Sheffield Steel & Iron Co	863,464	572,543	51
Sunshine Mining	1,186,431	1,285,934	−7.8
Studebaker	1,313,877	957,309	37.3
Texas Pacific Coal	469,505	292,840	60
Union Carbide & Carbon	21,342,134	19,972,176	6.9
United Aircraft Products	346,329	172,948	100
United States Pipe & Foundry	1,816,700	783,018	132
United States Steel	61,374,746	36,315,003	69
Virginia Iron, Coal & Coke	27,788	−10,528	
Walworth Co	909,820	203,415	350
Westinghouse	11,508,400	9,837,012	17.6
Westinghouse Air Brake	4,011,380	3,204,000	25.2
West Virginia Coal & Coke	179,053	−87,466	
Wheeling Steel	4,689,196	1,664,078	182
White Motor Co	791,355	743,529	6.5
Youngstown Sheet & Tube	8,992,994	2,423,212	276

GOVERNMENT CONTRACTS AND CORPORATION PROFITS

Presently available data are not sufficient to make any thorough study of profits earned on Government contracts. Although the data below in table 12 are far from conclusive, it shows that some corporations obtaining large Government defense contracts have also earned phenominal increases in profits.

TABLE 12.—*Relationship between Government contracts and corporation profits*

[NOTE.—From June 1940 to June 1941 the War and Navy Departments allocated $9,839,000,000 of supply contracts of which 73.9 percent in dollar value was awarded to 56 companies. Published financial data, which may differ somewhat from data submitted for income-tax purposes, are available for 14 of these corporations. The table below sets forth the dollar value of contracts received and the percentage increase in profits in 1940 over the average net income in the base period years 1936–39. Obviously, in most cases the contracts were merely awarded and not completed; hence, only part of the profits from Government contracts are reflected. Obviously, too, the profits reflect additional business from other than Government sources which may or may not be indirectly due to the defense program]

Corporation	Dollar value of defense contracts (in millions)	Percentage increase in profits in 1940 over 1936–39 average
New York Shipbuilding	507.3	2,448
General Motors	489.9	51
Curtiss-Wright	443.9	1,051
Newport News Shipbuilding	389.2	441
du Pont de Nemours	318.5	77
Glenn L. Martin	249.1	230
United Aircraft	224.5	452
United States Steel	209.9	163
Electric Boat	126.1	289
Sperry Corporation	108.0	238
American Car & Foundry	81.2	2,470
Chrysler Corporation	74.0	24
Lockheed Aircraft	46.5	328
Hercules Powder	29.9	92
Total	3,298.0	[1] 91.5

[1] Weighted.

PROFITS NOW AND PROFITS IN 1916

Another common allegation is the assertion that profits now do not compare with profits in the last war. Again, no conclusive evidence is available, but the following table of a few companies chosen at random is interesting in depicting shades of 1916.

TABLE 13.—*"Shades of 1916"—Comparison of net income of selected corporations in pre-World War and World War years with 1936–39 pre-defense and 1940 years*

[Millions of dollars]

Corporation	Pre-war 1911–13	1916	Pre-defense 1936–39	1940
American Woolen Co	1.75	5.86	−0.32	3.96
Continental Can	.79	2.14	2.96	12.24
Du Pont de Nemours	5.53	82.11	63.44	112.53
General Motors	4.56	28.79	221.67	335.75
Hercules Powder	1.02	16.66	5.29	10.14
International Paper & Power	1.11	4.62	5.12	23.18
Standard Oil of New Jersey			171.96	197.37
Standard Oil of Indiana	14.68	30.04		
United States Steel	63.59	271.53	50.24	185.83

Source: Current data from published financial reports. 1911–16 data from p. 62, Minority Report of Senator Robert M. La Follette, Sr., to H. R. 4280, 65th Cong., Revenue Act of 1917.

KINDS OF EXCESS PROFITS NOT REACHED BY THE COMMITTEE BILL

Apart from the fact that the two-headed plan of computing excess profits makes the Treasury a loser every time, the present excess-profits tax does not reach two major types of excess profits: (1) The profits of those prosperous corporations which have earned substantial net income during the base period, and (2) the profits of those corporations which have earned phenomenal increases in profits due to the defense program, and yet are not liable for taxation thereon because of a high capitalization.

The injustices and abnormal competitive situations arising out of the former type were fully discussed in my minority report last year to the Second Revenue Act of 1940 (and quoted previously in this report). The situations arising out of the latter type have been discussed by the Treasury Department before both the House Ways and Means Committee and the Senate Finance Committee. The Assistant Secretary of the Treasury, Mr. Sullivan, told the House committee:

> Many corporations that are the principal beneficiaries of the defense effort and that hold large Government contracts are paying little or no excess-profits tax * * *. To meet this defect, we would suggest revising the 1940 proposal to provide * * * a tax at a low flat rate, possibly 10 percent, to that part of the current profits that is in excess of the base-period earnings * * *.

The House of Representatives adopted the proposal, but a majority of the Finance Committee saw fit to delete this special provision. The steel companies, railroads, and coal companies were thereby saved $67,700,000—which the committee added to the tax burden of the low-income taxpayer and corporations in general. In my opinion, not only should this special rule be applied but the rates should be higher than the 10 percent suggested by the Treasury.

The specific illustrative examples below, typical examples, show the facts concerning corporations which fall into these two categories. Coca-Cola, Chrysler, J. C. Penney, General Motors, and Liggett & Myers are illustrative of corporations earning substantial profits during the base period. United States Steel, American Woolen, American Car & Foundry, and International Paper & Power are illustrative of corporations with high invested capital.

TABLE 14.—*Illustrative typical examples of corporations earning substantial net incomes during the base period 1936–39 and tax year 1940: Comparison of excess-profits tax liability (present law) under invested capital and average earnings methods*

[NOTE.—Computations are based on published financial data which may differ somewhat from data for income-tax purposes]

EXAMPLE NO. 1. COCA-COLA

	Millions of dollars
Net income:	
1936	27.1
1937	32.0
1938	33.5

TABLE 14—Continued

Net income—Continued.	Millions of dollars
1939	39.1
Average, 1936–39	33.1
1940	43.9
1940 equity capital	89.0
Return on equity capital:	Percent
1936–39	37.0
1940	49.3
Approximate excess-profits tax, 1940:	Millions of dollars
Invested capital method	13.1
Average earnings method	1.0
Difference	12.1

EXAMPLE NO. 2. CHRYSLER

Net income:	Millions of dollars
1936	76.2
1937	63.0
1938	22.5
1939	47.9
Average, 1936–39	52.4
1940	64.8
1940 equity capital	188.8
Return on equity capital:	Percent
1936–39	27.8
1940	34.3
Approximate excess profits tax, 1940:	Millions of dollars
Invested capital method	17.0
Average earnings method	3.7
Difference	13.3

EXAMPLE NO. 3. J. C. PENNEY CO.

Net income:	Millions of dollars
1936	22.0
1937	19.7
1938	16.6
1939	20.0
Average, 1936–39	19.6
1940	21.8
1940 equity capital	85.6
Return on equity capital:	Percent
1936–39	22.9
1940	25.4
Approximate excess-profits tax, 1940:	Millions of dollars
Invested-capital method	4.8
Average-earnings method	.4
Difference	4.4

EXAMPLE NO. 4. GENERAL MOTORS

Net income:	Millions of dollars
1936	282.3
1937	245.8
1938	130.3
1939	228.3
Average, 1936–39	221.7
1940	335.7
1940 equity capital	1,156.9
Return on equity capital:	Percent
1936–39	19.2
1940	29.0
Approximate excess profits tax, 1940:	Millions of dollars
Invested-capital method	81.3
Average-earnings method	39.1
Difference	42.2

TABLE 14—Continued

EXAMPLE NO. 5. LIGGETT & MYERS

Net income:	Millions of dollars
1936	28.4
1937	25.1
1938	25.0
1939	24.7
Average 1936–39	25.7
1940	27.1
1940 equity capital	154.3
Return on equity capital:	Percent
1936–39	16.7
1940	17.6
Approximate excess-profits tax, 1940:	Millions of dollars
Invested-capital method	3.97
Average-earnings method	.02
Difference	3.95

TABLE 15.—*Illustrative typical examples of corporations earning substantially increased net incomes in 1940 over the base period 1936–39, but which are not liable for heavy excess-profits taxation. Comparisons of excess-profits tax liability (present law) under invested capital and average earnings methods*

[NOTE.—Computations are based on published financial data which may differ somewhat from data for income-tax purposes]

EXAMPLE NO. 1, UNITED STATES STEEL

Net income:	Millions of dollars
1936	62.3
1937	125.4
1938	−4.8
1939	54.1
Average, 1936–39	59.2
1940	155.8
Excess of earnings in 1940 over 1936–39 average	96.6
Excess-profits tax liability	0

EXAMPLE NO. 2. AMERICAN WOOLEN CO.

Net income:	Millions of dollars
1936	2.55
1937	−1.69
1938	−4.87
1939	2.74
Average, 1936–39	−.32
1940	3.96
Excess of earnings in 1940 over 1936–39 average	4.28
Excess-profits tax liability	0.00

EXAMPLE NO. 3. AMERICAN CAR & FOUNDRY

Net income:	Millions of dollars
1936	1.41
1937	.96
1938	−1.54
1939	.20
Average, 1936–39	.26
1940	6.58
Excess of earnings in 1940 over 1936–39 average	6.32
Excess-profits tax liability	0.00

EXAMPLE NO. 4. INTERNATIONAL PAPER & POWER CO.

Net income:	Millions of dollars
1936	5.69
1937	9.62

TABLE 14—Continued

Net income—Continued.	Millions of dollars
1938	.20
1939	4.96
Average, 1936–39	5.12
1940	23.18
Excess of earnings in 1940 over 1936–39 average	18.06
Excess-profits tax liability	2.13

PART IV. OTHER DEFECTS IN THE BILL

1. THE ESTATE- AND GIFT-TAX EXEMPTIONS AND RATES ARE TOO GENEROUS

The original Treasury recommendations proposed to reduce the estate- and gift-tax exemptions from $40,000 to $25,000 (with the insurance exclusion reduced similarly) and to apply tax rates on the net estate ranging from 4 to 70 percent, and on gifts, three-fourths of the estate-tax rate. It was estimated that the additional revenue yield would be $347,200,000.

The Ways and Means Committee rejected the proposal and merely increased the rates somewhat on net estates and gifts in excess of the present exemptions of $40,000. The Finance Committee made but minor changes. Hence, the bill as now recommended to the Senate will raise only an additional $157,600,000 from this source—less than one-half of the Treasury recommendation.

In my opinion, the original recommendations of the Treasury were amply justified. Except for the argument that small estates and gifts should be reserved to the States for taxation, no compelling argument has been raised to justify the exemptions of $40,000 during the present fiscal emergency. Even the State-tax-base argument loses much of its validity in the face of much more serious encroachments of the Federal Government in the taxation of gasoline and individual income. It must be exceedingly difficult for those who favor a $40,000 estate-tax exemption to explain why the single man or woman earning less than $15 a week should pay an income tax based on an exemption of less than one-fiftieth as much. Under the bill as recommended by a majority of the committee, an estate of $41,000 will bear a Federal tax of $30. The same amount will be paid in income tax by a single individual earning $21.65 a week.

It is significant to observe that Great Britain imposes a $1,600 tax on a $40,000 estate (conversion unit: £1 equals $4). Even a $2,500 estate in Great Britain is taxed $50.

2. THE COMMITTEE BILL IMPOSES AN UNJUST AND INEQUITABLE AUTOMOBILE USE TAX

This proposed tax is a flat levy which would be paid in equal amount by the owner of a Ford or a Cadillac, by the 20,000-miles-a-year driver and the 500-miles-a-year driver. In the words of Mr.

Sullivan during the Senate hearings on this bill:

> The proposed tax has no relationship to the extent of use or the value of the object taxed and, therefore, is unusually inequitable. It taxes a $5,000 town car exactly the same $5 as the fifth-hand car worth only $20. It will conflict directly with one of the most important State and local sources of revenue. In some States, the proposed tax will in effect increase the average cost of automobile registration by more than 100 percent. The proposed tax must be collected from 32,000,000 taxpayers located throughout every State and county in the country. This would require additional personnel in the Bureau of Internal Revenue of at least 3,800 new employees. The administrative cost is estimated to be $9,600,000 or approximately $6 per $100 of tax collected, which is more than five times the average cost of collecting other excise taxes.

The average motor-vehicle operator is already paying more than his share in gasoline and excise taxes and registration and other fees. Each motor vehicle in 1939, according to reliable estimates, paid an average tax of $50.82. The burden has grown since.

If it were deemed necessary to put an additional tax on automobiles, it would be more logical to increase the excise tax on new automobiles from the proposed 7 to 10 percent. With the curtailment in production necessary because of national defense, the consumer would be more than willing to pay the additional tax to secure a car; the supply and demand situation would be less acute; and the Government, instead of the manufacturer, would benefit from an increased price which is likely to be paid by the consumer in any case.

3. THE COMMITTEE BILL PLACES VARIOUS EXCISE TAXES ON A "PERMANENT" BASIS

Since the enactment of the Revenue Act of 1932, various taxes have been carried in our tax structure as "temporary taxes." They were renewed periodically by legislation extending the date of applicability. The committee bill makes these taxes "permanent." I, for one, have held the hope that these regressive taxes might be wiped off the statute books. The committee recommendation will make the future elimination of these taxes difficult, if not impossible.

4. THE COMMITTEE BILL FAILS TO CORRECT THE PRESENT OVERLY GENEROUS DEPLETION ALLOWANCES GRANTED FOR TAX PURPOSES TO CONCERNS ENGAGED IN THE EXTRACTION OF NATURAL RESOURCES

As pointed out by Secretary Morgenthau in the hearings before the Finance Committee, the present tax laws are too generous in dealing with depletion allowances. No one questions the fact that reasonable maintenance, depreciation, and obsolescence allowances must be made in arriving at net income. However, the degree of such allowances must be measured and governed by comparative sacrifices borne by other taxpayers.

5. THE COMMITTEE BILL FAILS TO TAX A CONSIDERABLE VOLUME OF STATE AND LOCAL SECURITIES WHICH ARE STILL EXEMPT FOR INCOME-TAX PURPOSES

The surtax in the committee bill, it is true, will reach a part of the interest derived from partially tax-exempt securities. About $31,600,000 in additional Federal revenue will be derived therefrom. However, a large bloc of securites will still remain untaxed. More than $19,000,000,000 of State and local securities are wholly tax exempt.

Exhaustive studies of this subject have been made by both the Congress and the Treasury Department. The Treasury Department under several different administrations has consistently advocated the removal of the tax exemptions. Economists are practically unanimous in agreeing that there is no rhyme or reason in allowing interest from Government bonds to go untaxed.

In my opinion, the Finance Committee should have given consideration to this subject in connection with this bill and, once and for all, eliminated the vestige of old tax theories on the subject.

6. THE LOWERED EXEMPTIONS ON THE PERSONAL INCOME TAX ARE UNJUSTIFIED

When Secretary Morgenthau appeared before the Senate Finance Committee on August 8, 1941, he said, speaking of lowered tax exemptions:

> We ought not to accept such sacrifices, even though willing sacrifices, from millions of people with low incomes on whom the burden of other types of taxes falls most heavily, unless we reach in other places ability to pay which is escaping its fair share of taxes. Among these are the following:
>
> The excess-profits tax exempts profits of even the most prosperous corporation, except to the extent that such profits are in excess of its average profits for the years 1936-39. Surely Congress will not wish to impose additional taxes on millions more of our low-income group unless it also imposes the excess-profits tax on exempt excess profits of such corporations.
>
> Families pay lower Federal income taxes when both husband and wife receive incomes than when the same total amount of income is received by only one of them. This is a discrimination of which many wealthy people have taken advantage by large gifts of income-producing property between husband and wife.
>
> For years the concerns engaged in extracting certain of our natural resources, notably oil, have been granted far greater allowances for depletion than can be justified on any reasonable basis of tax equity. If the income tax is to be extended to lower incomes, this privilege of tax escape should simultaneously be removed.
>
> A few months ago the Congress eliminated the tax-exemption privilege from new issues of Federal securities. The purchasers of new State and local securities still enjoy this exemption. The exemption was inequitable and expensive even in normal times. It cannot be borne longer in a time like this, and especially if we are to increase the direct tax burdens of persons with smaller incomes.
>
> In its suggestion to the Ways and Means Committee the Treasury recommended substantial increases in estate and gift taxes and lower exemptions. In part, this recommendation was followed; but, in my opinion, the estate and gift taxes should reach more estates and provide more revenue if we are going to tax smaller incomes.

Could anything more emphatic have been said about what should come first?

What did the committee do? They complied with none of the qualifying provisions, but proceeded to lowering the exemptions nevertheless.

As an advocate in past years for the lowering of income-tax exemptions, I have consistently maintained that such was a preferable choice as between that or consumption taxes. I still adhere to that view. But I am wholly unwilling to soak the poor man with both. That is precisely what this bill does.

The T. N. E. C. Monograph No. 3, entitled "Who Pays the Taxes," reveals some facts that many pressure groups are trying desperately to discredit. It reveals that, because of hidden and regressive taxes, consumers in the lowest income brackets are paying a larger share of their income in taxes than are substantially wealthier income groups.

I am unwilling to place a heavier burden on them through this bill.

The following tabulation shows concisely how income-tax rates and exemptions have been changed in past years:

Federal individual income-tax rates

Income year	Personal exemptions		Normal tax rate	Surtaxes		Maximum, normal, and surtax
	Single	Married		Begin at—	Range of rates	
			Pct.		Pct.	Pct.
1913-15	$3,000	$4,000	1	$20,000	1-6	7
1916	3,000	4,000	2	20,000	1-13	15
1917 [1]	1,000	2,000	2.4	5,000	1-63+	67+
1918	1,000	2,000	6-12	5,000	1-65	77
1919-20	1,000	2,000	4-8	5,000	1-65	73
1921	1,000	2,500	4-8	5,000	1-65	73
1922-23	1,000	2,500	4-8	6,000	1-50	58
1924	1,000	2,500	2-6	10,000	1-40	46
1925-28	1,500	3,500	1½-5	10,000	1-20	25
1929	1,500	3,500	½-4	10,000	1-20	24
1930-31	1,500	3,500	1½-5	10,000	1-20	25
1932-33	1,000	2,500	4-8	6,000	1-55	63
1934-35	1,000	2,500	4	4,000	4-59	63
1936-39	1,000	2,500	4	4,000	4-75	79
1940	800	2,000	4.4	4,000	4.4-75+	79+

[1] Certain individuals and partnerships were subject also to an excess-profits tax in 1917.

Source: Compiled from Statistics of Income and Revenue Acts. Because of numerous changes in the detailed provisions of the latter, the rates tabulated above are not strictly comparable.

PART V. CONCLUSIONS

The existing tax structure is inequitable. It violates the principle of ability to pay. The pending tax bill, if enacted into law, will impose even greater burdens upon the great masses of the people who have the least ability to pay. Taxes which mean a reduction of an already unconscionably low standard of living are proposed to be levied, while fat profits from defense spending get off with only a relatively minor share of the total burden.

Smaller corporations are threatened by an economic pincers movement more powerful than the giant monopolies have ever been able to muster, fostered by Government itself. We face a paradox of depression and underemployment in the midst of defense prosperity. The two jaws of the Government pincers movement are priorities and defense contracts. Priorities are depriving nondefense industries of raw materials necessary for their existence. Defense contracts have gone for the most part to big business. The result is that small business, which is denied materials for normal production, must shut down, while big business gets defense contracts to replace normal production.

The pending tax bill, instead of drastically increasing the yield from an effective excess-profits tax, shifts $500,000,000

from the normal corporation tax yield (by the reversal of credits) and adds it to the estimated yield from excess-profits taxes. At the same time corporations, large and small, are to have their taxes jacked up without regard to profits made from the defense spending.

For many years the Senate and the taxpayers have been promised a genuine revision of the tax structure and each year the promise is never fulfilled.

With an additional lend-lease appropriation for aid to other countries about to be submitted to Congress which will no doubt equal, if not exceed, the additional revenues to be raised by the pending bill, it is idle to lull ourselves into the false dream that the present bill is within gunshot of being adequate to meet the fiscal crisis which confronts the Treasury now and in the foreseeable future.

To pile a hodgepodge tax bill upon the existing hodgepodge tax structure impairs the functioning of our economy. One of the essentials necessary to free production for the defense effort is a sound tax structure. Passage of the pending bill, with all of its acknowledged injustices and hardships, might be accepted if the individual and corporate taxpayers could be assured this was all they would be asked to carry. Such is not the case. They have already been informed that another and bigger tax bill is to be enacted next year. This kind of blunderbuss tax procedure threatens the entire production effort for defense. It intensifies the resentment of all kinds of taxpayers. It will tend to increase disunity instead of foster unity.

It is my firm conviction that the pending bill, which makes an intolerable tax structure infinitely worse, should be rejected and thoroughgoing revision of the tax structure based on the sound principle of ability to pay should be immediately undertaken.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is on the passage of the bill.

Mr. LA FOLLETTE. I ask for the yeas and nays.

The yeas and nays were ordered, and the Chief Clerk proceeded to call the roll.

Mr. HOLMAN (when his name was called). I have a general pair with the junior Senator from Tennessee [Mr. STEWART]. I am advised that if he were present he would vote as I shall vote. Therefore I am at liberty to vote. I vote "yea."

Mr. McNARY (when his name was called). I am advised that if the Senator from Tennessee [Mr. MCKELLAR], with whom I am paired, were present he would vote as I am about to vote. I vote "yea."

The roll call was concluded.

Mr. HATCH. My colleague the junior Senator from New Mexico [Mr. CHAVEZ] is unavoidably detained. I am authorized to say that if present he would vote "yea."

Mr. BYRD. My colleague the senior Senator from Virginia [Mr. GLASS] is detained because of illness. I am instructed to say that were he present he would vote "yea."

Mr. McNARY. The junior Senator from South Dakota [Mr. GURNEY] is unavoidably absent. If he were present, he would vote "yea" on this question.

The Senator from Kansas [Mr. REED] is necessarily absent. If present, he would vote "yea."

The roll call was concluded.

Mr. HILL. I announce that the Senator from Washington [Mr. BONE] and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from South Dakota [Mr. BULOW] is detained in one of the Government departments.

The Senator from Kentucky [Mr. CHANDLER] is absent on a defense-inspection tour.

The Senators from Tennessee [Mr. MCKELLAR and Mr. STEWART], the Senator from Utah [Mr. MURDOCK], the Senator from Florida [Mr. PEPPER], the Senator from New Jersey [Mr. SMATHERS], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Montana [Mr. WHEELER] are necessarily absent.

I am advised that if present and voting, the Senator from Kentucky [Mr. CHANDLER], the Senators from Tennessee [Mr. MCKELLAR and Mr. STEWART], the Senator from Utah [Mr. MURDOCK], the Senator from Florida [Mr. PEPPER], the Senator from New Jersey [Mr. SMATHERS], the Senator from Oklahoma [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] would vote "yea."

Mr. AUSTIN. My colleague [Mr. AIKEN] is absent attending a funeral. If present, he would vote "yea" on this question.

The Senator from Pennsylvania [Mr. DAVIS] is absent on official business. If present, he would vote "yea."

The Senator from Ohio [Mr. TAFT] is necessarily absent. If present, he would vote "yea."

The Senator from Minnesota [Mr. SHIPSTEAD] has a general pair with the Senator from Virginia [Mr. GLASS].

The Senator from Indiana [Mr. WILLIS] is absent because of a personal injury.

The Senator from Minnesota [Mr. BALL] is necessarily absent.

The result was announced—yeas 67, nays 5, as follows:

YEAS—67

Adams	Clark, Mo.	Kilgore
Andrews	Connally	Lee
Austin	Danaher	Lodge
Bailey	Downey	Lucas
Bankhead	Eastland	McFarland
Barbour	Ellender	McNary
Barkley	George	Maloney
Bilbo	Gerry	Mead
Brewster	Gillette	Murray
Bridges	Green	O'Daniel
Brooks	Guffey	O'Mahoney
Brown	Hatch	Overton
Bunker	Hayden	Peace
Burton	Herring	Radcliffe
Butler	Hill	Reynolds
Byrd	Holman	Rosier
Capper	Hughes	Russell
Caraway	Johnson, Colo.	Schwartz
Smith	Truman	Wallgren
Spencer	Tunnell	Walsh
Thomas, Idaho	Tydings	Wiley
Thomas, Utah	Vandenberg	
Tobey	Van Nuys	

NAYS—5

Clark, Idaho	Langer	Nye
La Follette	McCarran	

NOT VOTING—24

Aiken	Gurney	Smathers
Ball	Johnson, Calif.	Stewart
Bone	McKellar	Taft
Bulow	Murdock	Thomas, Okla.
Chandler	Norris	Wagner
Chavez	Pepper	Wheeler
Davis	Reed	White
Glass	Shipstead	Willis

So the bill (H. R. 5417) was passed.

Mr. GEORGE. I move that the Senate insist upon its amendments, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. GEORGE, Mr. WALSH, Mr. BARKLEY, Mr. CAPPER, and Mr. DAVIS conferees on the part of the Senate.

Mr. GEORGE. Mr. President, I ask unanimous consent that the bill be printed with the Senate amendments numbered.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPORTIONMENT OF REPRESENTATIVES IN CONGRESS

Mr. BARKLEY. Mr. President, I ask unanimous consent that House bill 2665, Calendar No. 594, a bill to provide for apportioning Representatives in Congress among the several States by the equal-proportions method, be made the unfinished business.

In connection with that request, let me say that it is not intended that the bill shall be taken up for consideration of the Senate earlier than the 22d of this month. Whether it can be taken up on that day will be determined by the situation as it then exists, but it will not be taken up for consideration earlier than that date. As I understand, that is agreeable to the Senator from Arkansas [Mrs. CARAWAY] and to both Senators from Michigan.

Mr. VANDENBERG. It is agreeable, so far as I am concerned.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky?

There being no objection, the Senate proceeded to consider the bill (H. R. 2665) to provide for apportioning of Representatives in Congress among the several States by the equal-proportions method.

LEGISLATIVE PROGRAM

Mr. BARKLEY. Mr. President, I wish to make a statement for the information of the Senate. The passage of the tax bill, which has just been acted upon, disposes of the important pending business. There are some measures on the calendar, but I do not think that any of them is sufficiently urgent to require a call of the calendar within the next few days.

There is in the offing a new appropriation bill for carrying out the purposes of the Lend Lease Act. Of course, the House will have to consider that measure

first, and under the arrangement under which the House is operating the Committee on Appropriations may not take that bill up for consideration earlier than the 15th of September, assuming that by that time the Budget Director will have a recommendation for its consideration. I very seriously doubt whether that bill will be ready for the consideration of the Senate within the next 2 weeks.

In addition, there is the price-maintenance bill, concerning which the House Committee on Banking and Currency has begun hearings, but it has not completed them and will not resume them until the 15th of this month.

So for the next 2 weeks, so far as I can now see, there will be no important legislation before the Senate. Senators may act accordingly.

The Senator from Oregon [Mr. McNARY] calls my attention to the fact that there may be the possibility of a report from the conference committee on the revenue bill; but, even so, I do not know that there will be so much difficulty about adopting the conference report as to require Senators to return, although we cannot predict what the conference report will contain. Barring the possibility that the conference report on the revenue bill may be of such a nature as to require the presence of a quorum of the Senate, there will be no need for Senators to remain in the city during the next 2 weeks unless they so desire.

CONSTRUCTION OF CERTAIN PUBLIC WORKS IN THE DISTRICT OF COLUMBIA BY THE WAR DEPARTMENT

Mr. MALONEY. Mr. President, can the majority leader tell me when there is likely to be another call of the calendar?

Mr. BARKLEY. I think there will be a call immediately following the period of 2 weeks to which I have referred.

Mr. MALONEY. I wonder if the majority leader would object to my asking unanimous consent for the immediate consideration of House bill 5146, a bill to amend an act entitled "An act to authorize the Secretary of War to proceed with the construction of certain public works in connection with the War Department in the District of Columbia," approved June 15, 1938.

Mr. BARKLEY. I have no objection.

Mr. MALONEY. I should like to explain briefly that the bill passed the Senate on the call of the calendar. At the suggestion of the senior Senator from Ohio [Mr. TAFT] it was referred to the Committee on Public Buildings and Grounds. We have held hearings. The bill now comes back in the same form, with the exception of one minor amendment. I do not like to see the War Department delayed; and if the majority leader is willing I should like to ask unanimous consent for the immediate consideration of the bill.

Mr. BARKLEY. I have no objection to that procedure.

Mr. MALONEY. I am certain there will be no controversy over it, and that there will be no objection.

I ask unanimous consent that the Senate proceed to the consideration of House bill 5146, calendar 697.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Connecticut?

There being no objection, the Senate proceeded to consider the bill (H. R. 5146) to amend an act entitled "An act to authorize the Secretary of War to proceed with the construction of certain public works in connection with the War Department in the District of Columbia," approved June 15, 1938, which had been reported from the Committee on Military Affairs without amendment; and subsequently reported from the Committee on Public Buildings and Grounds with an amendment on page 2, line 5, after the words "and to" to strike out "purchase" and insert "acquire by purchase, condemnation, or otherwise"; in line 6, after the word "*Provided,*" to strike out "That the advice of the National Capital Park and Planning Commission as to the selection of the site be requested before construction herein authorized shall begin" and insert, "That the location and design of such building shall be subject to the approval of the National Capital Park and Planning Commission"; so as to make the bill read:

Be it enacted, etc., That the act entitled "An act to authorize the Secretary of War to proceed with the construction of certain public works in connection with the War Department in the District of Columbia", approved June 15, 1938, is hereby amended to read as follows: "That the Secretary of War is hereby authorized to construct in the District of Columbia a building with the utilities, accessories, and appurtenances thereto to replace the present Army Medical Library and Museum Building now located in the District of Columbia, and to acquire by purchase, condemnation, or otherwise a suitable site: *Provided,* That the location and design of such building shall be subject to the approval of the National Capital Park and Planning Commission: *Provided further,* That the total cost of the construction and acquisition of a suitable site hereby authorized shall not exceed the sum of $4,750,000."

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

WAIVER OF STOCKHOLDERS' LIABILITY BY FEDERAL DEPOSIT INSURANCE CORPORATION

Mr. NYE. Mr. President, the Senator from Kentucky has stated that there is nothing of urgent importance on the calendar. I could not argue that there is national importance attaching to Senate bill 1014, Calendar 695; but the issue involves an amendment to the Federal Reserve Act respecting a banking situation in my own State which is imperative to the stockholders of a bank. This measure was passed by the Senate at the last session. There has been delay in obtaining action by the Banking and Currency Committee at this session of Congress; but the bill has been reported without amendment, and I ask unanimous consent for its immediate consideration.

Mr. BARKLEY. I have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Dakota?

There being no objection, the bill (S. 1014) to amend section 12B of the Federal Reserve Act, as amended, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the first proviso of paragraph (7) of subsection (1) of section 12B of the Federal Reserve Act, as amended, is amended by inserting after the words "with respect to any bank which closes after the date this paragraph as amended takes effect" the words "or which was reorganized subsequent to March 9, 1933, and closed subsequent to January 1, 1938."

STRIKE OF CUBAN SUGAR PRODUCERS AGAINST UNITED STATES CONSUMERS

Mr. O'MAHONEY. Mr. President, much as I dislike to trespass upon the time of the Senate at this moment, knowing that Members of the Senate, having finished their arduous labors on the revenue bill, are anxious to bring this session to a close, nevertheless I feel that I should call the attention of the Senate and of the country to the fact that there appears to be a strike on the part of the Cuban producers of sugar against the consumers of sugar in the United States.

Upon my return to Washington two or three days ago after a visit to the West I was amazed to learn of the conditions which are developing. In view of the fact that on next Monday the Committee on Reciprocity Information will begin its hearings upon a proposal to reduce the tariff on Cuban sugar, I desire to take this opportunity to lay the facts before the Senate.

On about the 13th or 14th of August the Office of Price Administration and Civilian Supply placed a ceiling upon the price of sugar of $3.50 a hundred, as I recall.

Earlier in the year the Government of the United States, through the Export-Import Bank, had made a loan of some $10,000,000 or $11,000,000 to the producers of sugar in Cuba to enable them to produce some 400,000 tons of sugar, upon the consideration that such sugar should be kept off the market. That extra quantity of sugar has been produced. It is available in Cuba.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. ADAMS. Does the Senator intend to reach back and point out the fact that the Senator from Wyoming and other western Senators——

Mr. O'MAHONEY. Including the Senator from Colorado.

Mr. ADAMS. The Senator from Wyoming and other western Senators, including the Senator from Colorado, asked to have the restriction on the acreage and production of sugar in the United States raised, and we were told that the continental surgar producer should not be permitted to produce his normal amount of sugar because of the excess supplies of sugar available.

Then, after the time for planting had passed, the Senator from Wyoming and myself succeeded in having passed through the Senate a bill to divert to the continental producers of sugar the deficit from the Philippines in order that there might be additional sugar for the consumer and in order that prices might not go up. That bill has made no headway

in the House. In spite of the fact that the sugar administration has denied to the American farmer an opportunity to produce sugar as he wishes, we are now confronted by large quotas permitting the introduction of sugar from Cuba and elsewhere, and the financing of additional sugar production in Cuba. The American farmer would have been very glad to produce the sugar. His inability to produce has left his machinery rusting in his barns.

Mr. O'MAHONEY. Mr. President, the Senator from Colorado is quite correct.

Mr. BROWN. Mr. President, will the Senator yield to me?

Mr. O'MAHONEY. Yes; I yield to the Senator from Michigan.

Mr. BROWN. I should not want the Senator from Colorado to take entirely to himself and to Senators from the West all the credit for informing the Senate and the country of the serious situation in the country nor for passage of the bill by the Senate. There were Senators from the Midwest and Senators from the State of Louisiana who particularly aided in the passage of that legislation.

Mr. ADAMS. Mr. President, the Senator's statement is entirely correct, and I was speaking of the presentation that was made at the particular time. The Senator from Michigan is entirely correct, and he has my apology.

AMERICAN PRODUCERS COMPELLED TO REDUCE ACREAGE

Mr. O'MAHONEY. It is important to recall and to bear in mind what the Senator from Colorado has just said—namely, that at the beginning of this year the Sugar Division in the Department of Agriculture reduced by some 15 or 16 percent the acreage in domestic United States which could be planted to sugar beets, and at the very moment that reduction was being forced upon the farmers of this country the Export-Import Bank was loaning money to increase the production in Cuba. But that is not the point to which I now desire to call attention. I desire that no one shall be permitted to overlook the fact, if it is possible for me to prevent it, that the Cuban producers of sugar are now engaged upon a strike against the consumers of sugar in the United States in order to force a reduction of the tariff upon sugar.

Mr. ANDREWS. Their sugar is being withheld from the market?

Mr. O'MAHONEY. The sugar, I will say to the Senator from Florida, is being withheld from the market. It was about the 13th or 14th of August that Mr. Henderson, of the Office of Price Administration, fixed the ceiling of about $3.50. From that day down to this there has not been a single sale of sugar from Cuba in this country. The Cuban producers of sugar are withholding their sugar from the market because they want either a higher price than that which was fixed by the Office of Price Administration or they want a lowering of the tariff.

I was amazed, Mr. President, when upon my return to Washington I found in the Journal of Commerce, of New York, in the issue of August 27, an article entitled "Raw Sugar Sellers' Strike Continues," from which I quote this paragraph:

> In the 13 days which have elapsed since the ceiling price became effective, not a pound of sugar has been offered for sale. Refiners, going into the season of heaviest consumption, although their immediate stock position is taken care of, are growing uncomfortable in considering their prospects of maintaining manufacturing operations uninterruptedly in late September and October. For a time yesterday, however, like others in the market, they forgot their troubles while following the progress of the Brooklyn baseball team.

The publication of that story apparently had some repercussions, because the next day the same Journal of Commerce printed a story bearing the title "Sugar Contracts Gain Moderately," with the subhead "Promise"—I ask Senators to heed this word and this phrase—"Promise of cut in Cuban duty seen likely to prompt sales at 3.5 cents."

Who made the promise that the duty would be reduced? On Monday, September 8, the Committee on Reciprocity Information will assemble to listen to citizens of the United States give their reasons why there should not be any reduction of the tariff, but the editors of the New York Journal of Commerce apparently are of the opinion that a promise already has been made; the decision has been rendered in advance of the submission of the evidence.

In this article I find the following paragraph:

> Meanwhile many are wondering how the ceiling price problem will be solved if the sellers continue to refuse to accept the 3.50-cent price, which is 30 points under their last sales. Some observers think that following the Cuban trade treaty hearings on September 8 the Cuban tariff will be cut to 75 cents if in return Cuba agrees to ship the 400,000 tons of "financed" sugar to the United States at the 3.50-cent ceiling level. In addition, it is believed that freight rates from Cuba will be "frozen."

I shall not trespass upon the time of the Senate to read all these articles, but I ask unanimous consent that they may be printed in full at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibits A and B.)

Mr. O'MAHONEY. Mr. President, the most significant things, however, are the facts which have been called to my attention with respect to the attitude the producers of Cuban sugar have taken. Let it be remembered, first of all, that these producers of Cuban sugar are the beneficiaries of a loan from the Export-Import Bank. Let it be remembered, in the second place, that a substantial number of these producers are financed by large fiscal interests in the United States, and that the people of Cuba, the workers upon the plantations of Cuba, are not the beneficiaries either of the loan or of the reduction of the tariff.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Colorado.

Mr. ADAMS. Let me recall the Senator's attention to the fact that the Cuban producers also are the beneficiaries of preferential tariff treatment inasmuch as they pay a tariff rate lower than that paid by any offshore sugar producer not under the American flag.

Mr. O'MAHONEY. I thank the Senator for interjecting that comment upon the facts as they exist.

SHIPPING SHORTAGE

Mr. BROWN. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Michigan.

Mr. BROWN. I was called out of the Senate Chamber, but I was very anxious to hear what the Senator has to say. I wonder whether he has called attention to the fact that the greatest need in our aid-to-England-and-the-other-democracies policy is the need for ships?

Mr. O'MAHONEY. I was just about to come to that.

Mr. BROWN. I am glad the Senator will touch upon that point, because in the Cuban situation, the Philippine situation, the Puerto Rican situation, and the Hawaiian situation many tens of thousands of tons of shipping could be released for other purposes if we produced a much larger proportion of our sugar within the continental United States.

Mr. O'MAHONEY. Mr. President, the Senator from Michigan, as a member of the Finance Committee, was one of those who were most diligent and effective in procuring favorable action by the Senate upon the bill introduced by the Senator from Colorado [Mr. ADAMS] and myself to divert to domestic producers of sugar the deficit from the Philippine Islands which was developing because of a lack of shipping. We introduced that bill early in the year. The war in Europe began more than 2 years ago. Anybody who knows a thing in the world about the sugar situation and about conditions in wartime knew then that if there were a shortage of sugar, the price of sugar to the consumers of the United States would mount; and, representing the growers of sugar beets in the West, like the Senators from Louisiana and the Senators from Florida, like the Senators from Ohio and Michigan in the Middle West, we were seeking to increase the production of domestic sugar, whether from the cane crop or the beet crop, in order that there might be the largest possible amount of domestic production to protect the consumer.

Mr. OVERTON. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Louisiana.

Mr. OVERTON. Is it a fact that a number of vessels have been diverted from carrying materials essential for national defense in order that they might ply between the Philippine Islands and continental United States in the introduction of sugar from the Philippine Islands into the United States?

Mr. O'MAHONEY. I have heard reports to that effect, but since my return to Washington I have not had an opportunity to investigate whether that is the truth. I have heard the reports.

Mr. OVERTON. I recall reading, I think yesterday or day before yesterday,

an interesting editorial appearing in the Washington Post calling attention to the fact that strategic materials which were very badly needed for national defense, and which were very necessary in carrying out our national-defense program, had not been brought into the United States in the quantities in which they should have been brought in, because it was necessary to divert some of the ships, or so it was thought, in order that their cargoes might consist of sugar rather than of materials necessary for our national defense, and they were diverted to the Philippine Islands to be used for that purpose.

Mr. ADAMS. Mr. President, may I say a word?

Mr. O'MAHONEY. I yield to the Senator from Colorado.

Mr. ADAMS. The record of the Senate Finance Committee will show that the Philippine Commissioner wrote a letter in which he pointed out that ships had been contracted for to carry sugar to the United States to a certain amount; and the fact is that the sugar producers have insisted upon the shippers complying with their contracts, so that in accordance with their contracts they have availed themselves of ships to carry sugar which otherwise could have been used for the transportation of these critical and essential materials.

Mr. O'MAHONEY. Mr. President, I can understand how the growers of Philippine sugar should insist upon those contracts, because the Philippine sugar crop is one of the essential crops upon which the Philippine economy depends; but that is not the issue to which I am now alluding. I am talking about the strike of Cuban sugar producers against American consumers and the Office of Price Administration in order to force the State Department to reduce the tariff upon Cuban sugar by some 15 cents.

CUBAN SUGAR STRIKERS SEEK TO FORCE TARIFF REDUCTION

I want to make it clear that according to the information available to me from reliable sources, there are now something over $25,000,000 worth of orders for Cuban sugar, and not a pound is moving. The Cuban producers refuse to sell until they have received an assurance not only that the tariff shall be reduced 15 cents, but that, if it is reduced, the benefit shall go not to the consumer, not to the housewife, but to the Cuban producers of sugar.

If the tariff is to be reduced as a result of the negotiation of a new reciprocal trade agreement with Cuba, the beneficiaries will not be the people of the United States but will be the sugar planters of Cuba. The money will be taken out of the Treasury of the United States, not for the purpose of helping citizens of the United States but for the purpose of helping the producers of Cuban sugar, who already have the benefit of an $11,000,000 loan to advance their production.

Mr. BROWN. Mr. President, will the Senator yield at that point?

Mr. O'MAHONEY. I yield to the Senator from Michigan.

Mr. BROWN. Fundamentally, the protection of the price of sugar to the American consumer depends upon American production, because, if we do not produce in the United States sufficient sugar, nothing that can be done by Mr. Henderson or any other authority that can be set up in the United States can control the price of sugar if the Cubans refuse to sell it to us unless we pay their price. The Senator knows that that was the situation which caused 25-cent sugar at retail in the years immediately following the World War.

Mr. O'MAHONEY. Mr. President, of course. Anybody who has given the slightest attention to the sugar problem knows that this is the greatest sugar market in the world—130,000,000 people purchasing and consuming sugar, with the cane producers and the beet producers of the United States able to turn out only a portion of it—but every time an international crisis develops, and shipping becomes difficult to procure, the producers of Cuban sugar and the producers of sugar from other offshore areas take advantage of the situation to raise the prices. Our plea on behalf of American producers in Florida and Louisiana and throughout the beet area has been to permit American farmers, American citizens, who are to pay the taxes levied by the bill we have just passed, to raise as much sugar as they can.

Mr. ANDREWS. Mr. President——

Mr. O'MAHONEY. I yield to the Senator from Florida.

Mr. ANDREWS. Does the Senator know or can he give us any information as to who owns the sugar production in Cuba, whether it is the Cuban people or someone else?

Mr. O'MAHONEY. Mr. President, as I thought I stated a few moments ago, according to my information, the greater proportion of the sugar production in Cuba is owned and financed by American financial interests.

Mr. ELLENDER. Mr. President, the actual figures are, for last year, that 56 percent of the sugar produced in Cuba was owned and controlled by interests in the United States.

Mr. ANDREWS. The point I am making is that that situation is very largely controlled from New York.

Mr. O'MAHONEY. Exactly. The Senator is quite right. I have pointed out that one of the considerations upon which the Cuban sugar strikers are now proceeding is that if the tariff is reduced, they and they only shall get the benefit.

They have another consideration upon which they are insisting, which is that if the ceiling is raised, if the maximum price is raised from $3.50, for example, to $3.80 or to $3.75, the benefit of that increase shall go, not to American consumers, not to American refiners, but again to the Cuban producer. In other words, the owners of this 400,000-ton crop, produced under a loan by the Export-Import Bank, are insisting that if the Office of Price Administration shall see fit to raise the ceiling, they and they only shall obtain the benefit from that action.

DEMAND SHIPPING GUARANTY

Attention has been called to the fact that there is a shortage of shipping, that it was a recognition of the shortage of shipping and the increase of shipping rates which prompted the Senator from Colorado and myself to introduce our bill with respect to the prospective Philippine deficit. Proof of that shortage existing throughout the world is to be found in another one of the conditions—indeed in two conditions being laid down by these Cuban sugar strikers. The first is that the Maritime Commission shall agree to furnish the shipping to bring the sugar in before the 31st of December.

They want a guaranty not only that the tariff be reduced for their benefit, not only that they have the benefit of any increase in the ceiling, but also that the Maritime Commission of this Government guarantee them the shipping, and, more than that, that they shall guarantee them a shipping rate not to exceed 40 cents.

Mr. President, I am sorry to have trespassed upon the time of the Senate, but I had the feeling that because next Monday the Committee for Reciprocity Information is about to go through the form of judicial procedure, and listen to the pleas and the testimony of American citizens who believe that they may be injured, the facts should be revealed here in this forum.

I have no intention of appearing before the Committee for Reciprocity Information because I have lost faith in the value of such appearance. I have lost faith that the presentation of any evidence there will affect the decision which is to be rendered. So I prefer to make my statement here in this body, which, having considered the facts and the evidence, has on numerous occasions indicated its belief that the domestic production of sugar beets and sugarcane should be encouraged in order that the American consumer of sugar might not be exploited by those who produce sugar in offshore areas.

EXHIBIT A

[From the Journal of Commerce and Commercial (New York) of August 27, 1941]

RAW-SUGAR SELLERS' STRIKE CONTINUES—13 DAYS NOW SINCE GOVERNMENT SET 3.50 CENTS CEILING, 30 POINTS BELOW THE MARKET

The second day of trading above the ceiling price of 2.60 cents ex duty set by O. P. A. C. S. was uneventful in the domestic sugar contract in the New York Coffee and Sugar Exchange. Trading amounted to 212 lots, which was mostly outright liquidation or moving forward from September, first notice day for which was yesterday.

No notices of intention to deliver were posted. The reason is that raw-sugar holders are not anxious to part with stock at these prices, which are, roughly, 30 points under the level of last sales. The last sales were effected at 3.80 cents prior to the ceiling price established on August 14.

In the 13 days which have elapsed since the ceiling price became effective not a pound of sugar has been offered for sale. Refiners, going into the season of heaviest consumption, although their immediate stock position is taken care of, are growing uncomfortable in considering their prospects of maintaining manufacturing operations uninterruptedly in late September and October. For a time yesterday, however, like others in the market, they forgot their troubles while following the progress of the Brooklyns.

Tomorrow the refiners will meet with O. P. A. C. S. officials in Washington and discuss their problems resulting from ceiling price.

If sellers of raws continue their sit-down strike by refusing to offer at 3.50 cents, the only way for the Government to handle the situation, some observers feel, will be to raise the ceiling.

The liquidation in the No. 3 contract yesterday was orderly. All of it except 18 lots were in the form of switches from the September position. Eighty-six lots of September–March were effected at 6 points, 1 lot at 3 points, and 11 lots of September–May were done at 8 points.

World sugar, continuing to reflect a lull in the demand for actuals, was a shade easier on scattered liquidation and hedge selling and ended 1½ points lower. Sales were 209 lots. Cuban trade and commission houses were on both sides of the market, their orders reflecting their individual views as to whether the last price of 1.75 cents f. o. b. Cuba will be topped once Britain renews interest in purchases. Currently sellers are holding around 1.90 cents.

DOMESTIC CONTRACT NO. 3

	Open	High	Low	Closing— Aug. 26	Closing— Aug. 25	Sales
September	2.64	2.69	2.65	2.64	2.68	[1]109
November	[2]2.75	2.75	2.75	2.70	2.69	2
1942:						
January	[2]2.70	2.70	2.70	2.68	2.70	1
March	2.70	2.72	2.70	2.70	2.72	[1]89
May	2.72	------	------	2.72	2.75	[1]11
July	2.74	------	------	2.74	2.77	------
Total	------	------	------	------	------	212

WORLD CONTRACT NO. 4

September	1.85	------	------	1.84½	1.86	------
December	1.88½	1.89½	1.86½	1.88	1.89½	62
1942:						
January	------	------	------	1.88½	1.90½	------
March	1.89	1.91	1.87	1.88½	1.90	[1]79
May	1.90	1.92	1.89	1.90	1.91½	[1]43
July	1.90½	1.92½	1.89	1.90½	1.92	25
September	------	------	------	1.92	1.93½	------
Total	------	------	------	------	------	209

[1] Includes switches. [2] Bid.

Raw sugar

SPOT QUOTATIONS

	Cents
Raws,[1] 96°, c. i. f.	2.80
World's raws,[1] f. o. b.	1.90

[1] Price fixed by sugar committee of New York Coffee and Sugar Exchange.

Refined sugar

IMMEDIATE SHIPMENT

	Cents
American	5.35
Arbuckle	5.35
Sucrest	----
Refined Syrups	----
National	5.35
McCahan	5.35
C. & H.	5.35

EXHIBIT B

[From the Journal of Commerce and Commercial (New York) of August 28, 1941]

SUGAR CONTRACTS GAIN MODERATELY—PROMISE OF CUT IN CUBAN DUTY SEEN LIKELY TO PROMPT SALES AT 3.50 CENTS

Domestic sugar futures on a turn-over of only 20 lots, all of which represented liquidation of old commitments, ended 4 to 5 points higher yesterday. The rise reflected the limited number of offerings in the market.

World sugar on 303 lots advanced 5 to 6 points. Apparently, the buying was induced by what appeared to be unfounded reports that Britain was in the market for a block of sugar at 1.85 cents f. o. b. Best sources said that Britain is not in the market at the moment and has not indicated a price better than 1.75 cents, the last paid.

It appeared, however, that Spain wanted refined sugar at a price equivalent to 1.85 cents for raws. Spain, it is realized, is a potential customer when it has the capital necessary for purchases. In this instance, the reports are that Spain wants more than 35,000 tons.

In the domestic market interest is focused on the meeting of refiners with O. P. A. C. S. officials at Washington today at which will be discussed the refiners' problems resulting from the ceiling price.

Meanwhile, many are wondering how the ceiling-price problem will be solved if the sellers continue to refuse to accept the 3.50-cent price, which is 30 points under their last sales. Some observers think that, following the Cuban trade-treaty hearings on September 8, the Cuban tariff will be cut to 75 cents if in return Cuba agrees to ship the 400,000 tons of financed sugar to the United States at the 3.50-cent ceiling level. In addition, it is believed that freight rates from Cuba will be frozen.

Sales of the 400,000 tons at the ceiling price offer possibilities in several directions. It is believed it would save the face of O. P. A. C. S. in enforcing the price ceiling, it would eliminate the danger of the refiners being forced to close down for lack of raw sugar later in the year, and it would force the ceiling price on the rest of the industry.

Meanwhile it is believed that the Maritime Commission may be forced to act to insure more ships for the movement of sugar to east coast ports. The Gulf ports have taken in more than their proportionate share of raws, and in addition have available to them for melting the Louisiana cane crop.

One bit of news which was pointed to yesterday as encouraging sellers of raw sugar to hold out was the advance in the primary market of burlap above the O. P. A. C. S. ceiling. Sellers show no sign of weakening in their determination to get 3.80 cents.

A meeting will be held in Philadelphia in an effort to settle the 2-months-old strike, and prospects are reported to be good for a settlement. Currently, a good volume of refined is reported to be moving into Philadelphia from New York to supply the demand there. If the strike is settled, three more potential buyers will be in the market for raw sugar. But for the time being they will find the market empty of offerings.

DOMESTIC CONTRACT NO. 3

	Open	High	Low	Closing— Aug. 27	Closing— Aug. 26	Sales
September	2.65	------	2.68	2.66	2.64	5
November	2.65	------	------	2.70	2.70	------
1942:						
January	2.69	2.71	2.71	2.72	2.68	3
March	2.70	2.72	2.72	2.74	2.70	6
May	2.72	2.75	2.75	2.76	2.72	6
July	2.74	------	------	2.79	2.74	------
Total	------	------	------	------	------	20

WORLD CONTRACT NO. 4

September	1.82½	------	------	1.89½	1.84½	------
December	1.88	1.94½	1.88	1.93	1.88	[1]66
1942:						
January	------	------	------	1.93½	1.88½	------
March	1.89½	1.95	1.89½	1.93½	1.88½	[1]80
May	1.91	1.96	1.92	1.95½	1.90	[1]85
July	1.92	1.97	1.93	1.96½	1.90½	[1]73
September	------	------	------	1.98	1.92	------
Total	------	------	------	------	------	303

[1] Includes switches.

Raw sugar

SPOT QUOTATIONS

	Cents
Raws,[1] 96 deg., c. i. f.	2.80
World's raws,[1] f. o. b.	1.90

[1] Price fixed by sugar committee of New York Coffee and Sugar Exchange.

Refined sugar

IMMEDIATE SHIPMENT

	Cents
American	5.35
Arbuckle	5.35
Sucrest	----
Refined Syrup	----
National	5.35
McCahan	5.35
C. & H.	5.35

CONFIRMATION OF POSTMASTER NOMINATIONS

Mr. BARKLEY. Mr. President, there are on the Executive Calendar for consideration the nominations of only four postmasters. I ask unanimous consent that, as in executive session, the postmaster nominations on the calendar be confirmed en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the nominations are confirmed en bloc.

Mr. BARKLEY. I ask that the President be notified forthwith not only of these confirmations but of confirmations which have been ordered heretofore of which he has not been notified.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

PRESIDENT ACTS TO AID SMALL BUSINESS

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that there be printed in the RECORD the Executive order issued yesterday by the President of the United States establishing an Office of Contract Distribution in the O. P. M. I welcome the issuance of this Executive order and the appointment of Mr. Floyd B. Odlum to administer the new division as a very important step forward in the protection of the interests of small business. The country is being threatened with a new unemployment problem, a defense unemployment problem, by reason of the enforcement of the priority rule, and I feel that this order should be printed in the RECORD.

In connection with that I ask that there also be printed three letters which I have received from various sections of the country, which are typical of the response which is coming to me from all over the country with respect to Senate bill 1847, which the Senator from Connecticut [Mr. MALONEY] was good enough to introduce for me on the 14th day of August. I ask also that Senate bill 1847 be printed in the RECORD in full at this point.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

EXPLANATION OF DEFENSE CONTRACTS DIVISION

THE PRESIDENT'S STATEMENT

The President today, after conferring with Under Secretary of War Patterson, Under Secretary of the Navy Forrestal, William S. Knudsen, and Sidney Hillman, acting as the council of the O. P. M., and with Rear Admiral Emory S. Land, Chairman of the

United States Maritime Commission, issued an Executive order establishing a new division in the Office of Production Management.

This Division is to be known as the Division of Contract Distribution and is to be coordinate with the existing division—Procurement, Prorities, Labor, and Civilian Supply.

Floyd B. Odlum, of New York, has been appointed director of the new Division.

The conference was held, and the Executive order was issued in furtherance of a determined move on the part of the administration to help the smaller business units of the country obtain a fair share of the defense orders and to prevent, so far as possible, dislocation of industry and unemployment of workers in plants where production has been curtailed by priorities and material shortages.

The program devised was arrived at in consultation with representatives of the Army, Navy, Maritime Commission, and O. P. M., and has the full support of these agencies.

MAJOR STEPS FOR NEW BRANCH

The Labor Division and the Defense Contract Service of O. P. M. have already done a great deal in starting the machinery of subcontracting and in retraining and obtaining reemployment for discharged workers. The program is now to be greatly expanded throughout each part of the United States, as one of the most important functions of O. P. M. The present personnel, records, etc., of the Defense Contract Service of O. P. M. will be transferred to this new Division.

Through this Division, the Office of Production Management will be enabled more effectively to adjust the dislocations and alleviate unemployment resulting from priorities and material shortages, and bring about maximum use of the Nation's factories and industrial plants, especially the smaller ones throughout the Nation. This will be done through four major steps:

1. The breaking down of large orders of supplies into smaller units, and spreading the purchases among more firms and in all localities possible.

2. Providing assistance through the Labor Division of O. P. M. in retraining and obtaining reemployment for workers who are unemployed as a result of the shutting down of some plants or reduction of their output.

3. The effective distribution of defense contracts to the smaller business enterprises, as yet largely unused, through an expanded use of subcontracting, contract distribution, and the pooling of plant facilities.

4. By providing a staff of industrial and production engineers to formulate and execute specific plans for the conversion of nondefense industries and plants to defense production.

The Division will formulate and promote plans and programs for the purchase of supplies for the Army and Navy in smaller units, but among a greater number of firms and in as many different localities as possible.

It will also formulate and develop programs for the conversion of plants and industries from civilian to defense production—with the assistance of the Government wherever necessary.

It will formulate the organization and use of local industrial defense production associations and will promote and stimulate farming out of defense work and subcontracting wherever feasible.

The Division of Contract Distribution will provide an industrial engineering staff, whose responsibility it will be to obtain the maximum use of existing facilities and tools by assisting manufacturers and business enterprises in making the necessary changes in their tools and equipment for effective use in defense production.

The field offices of the Division of Contract Distribution will be adequately staffed to render needed assistance to businessmen. Procurement agencies of the Government will assign representatives to the main office and field offices, as required for purposes of liaison.

In the various cities will be established exhibits, or market places, where there will be displayed specific parts—bits and pieces—the components needed for defense production. These may be parts of a machine gun or an airplane or tank, or any one of a thousand other items which are needed.

These bits and pieces will be labeled as to the quantities needed and the machine tools and operations required for their production, so that any machine shop owner or manufacturer can determine whether his facilities are capable of producing such items.

Subcontracting arrangements can then be entered into on the basis of what an individual sees he is capable of doing, receiving then and there the expert industrial and engineering judgment of those whose assistance he may desire.

PROVISIONS FOR FINANCING

The Division of Contract Distribution will also provide through the regular commercial banking channels, the Reconstruction Finance Corporation, including the Defense Supplies Corporation and the Defense Plant Corporation, and the Federal Reserve banks and their branches, the necessary financing facilities for local industrial production associations, prime contractors and subcontractors, and will recommend whenever necessary such additional financial procedures and machinery as may be required to obtain the maximum utilization of existing plant and tool facilities for defense purposes.

The Director of the Division is to appoint two advisory committees—one to consist of representatives of small business organizations; the other to consist of industrial management and production engineers.

It is intended, on the one hand, to face the responsibility of alleviating the hardships which have resulted from the defense program and, on the other, to marshal our productive capacities to the objective that no plant or tool which can be used for defense shall be allowed to remain idle.

By virtue of the authority vested in me by the Constitution and the statutes of the United States, and in order to define further the functions and duties of the Office of Production Management with respect to the unlimited national emergency as declared by the President on May 27, 1941, and to provide for the more effective utilization of existing plant facilities for defense purposes; the conversion into defense production of civilian industries affected by priorities and raw material shortages; the alleviation of unemployment caused by the effects of such priorities and shortages; the local pooling of facilities and equipment; subcontracting; and the wider diffusion of defense contracts among the smaller business enterprises in every part of the Nation, it is hereby ordered as follows:

1. There shall be within the Office of Production Management a Division of Contract Distribution at the head of which shall be a Director appointed by the Office of Production Management with the approval of the President. The Director shall discharge and perform the following responsibilities and duties under the direction and supervision of the Director General acting in association with the Associate Director General:

(a) Formulate and promote specific programs for the purchase of supplies for the Army and Navy in smaller units but among a greater number of firms and in as many different localities as possible.

MODIFICATION OF PROCUREMENT

(b) Formulate and promote modifications in Federal procurement practices and procedures relating to negotiating contracts, bidding practice, performance and bid bonds and other practices and procedures, to the end that there shall be a wider distribution of defense contracts and purchases.

(c) Develop programs for the conversion of plants and industries from civilian to defense production, with the assistance of the Government if necessary.

(d) Stimulate the organization and use of local industrial defense production associations.

(e) Promote and stimulate subcontracting wherever feasible.

(f) In order to obtain maximum use of existing productive facilities and tools, advise manufacturers and business enterprises the specific ways in which their facilities and tools may be utilized in defense production; advise such manufacturers and businessmen with respect to the procedures and practices of the several Federal procurement agencies.

(g) Facilities through the regular commercial banking channels, the Reconstruction Finance Corporation and the Federal Reserve banks and their branches, the necessary financing facilities for prime contractors, subcontractors, and local industrial defense production associations, and recommend from time to time to the Director General and associate director general such additional financial procedures or machinery as shall be required to insure maximum utilization of existing plant and tool facilities for defense purposes.

(h) Provide engineering and technical assistance to such prime contractors, subcontractors, and local industrial defense production associations as may require such assistance in order to participate in defense production.

(i) Perform such other duties and responsibilities as the Office of Production Management may from time to time determine.

MOVE TOWARD COORDINATION

2. To insure unity of policy and coordinated consideration of all relevant factors involved in the formulation and execution of industry conversion programs, and contract distribution and subcontracting procedures, all such programs or procedures shall clear through the Division of Contract Distribution.

3. To aid the Director in carrying out the aforesaid responsibilities, there shall be assigned to the Division one or more officers of the Departments of War and the Navy, respectively, and one or more representatives of the Maritime Commission, whose duty shall be to assist as liaison in the speedy and successful carrying out of the aforesaid program.

4. There shall be in the Division of Contract Distribution two advisory committees consisting of representatives to be designated by the Director of the Division with the approval of the Office of Production Management. One shall be representative of small business organizations; and the other of industrial, management, and production engineers. The committee shall, from time to time, upon request by the Director, make findings and submit recommendations to the Director with respect to procurement practices and procedures, contract placements and distribution, industry conversion problems, formation of local production associations, subcontracting, and for such other matters as the Director may require advice and assistance.

5. Within the limits of such funds as may be made available to the Division of Contract Distribution, the Director may appoint industrial and production engineers, economists, statisticians, and such technical and other personnel as he shall deem necessary to carry out the duties assigned to the Division herein.

MAY SET UP BRANCH OFFICES

6. The Director may establish branch offices throughout the United States and its Territories to carry out his duties. There shall be assigned to such branches such officer personnel or other representatives of the Army, Navy, United States Maritime Commission, and other Federal procurement agencies as may be required by the Director for liaison purposes.

7. There shall be assigned to the main office and to each field office of the Division a rep-

resentative of the Labor Division of the Office of Production Management to cooperate with such offices in the Labor Division's efforts toward reemployment of employees of plants whose production has been curtailed by priorities and material shortages.

8. In the execution of the foregoing duties, the Director of the Division of Contract Distribution shall consult and collaborate with the War Department, the Navy Department, the United States Maritime Commission, and other Government procurement agencies which are hereby directed to cooperate with and establish close liaison with such Division to accomplish the purposes of this order.

9. The Defense Contract Service, established pursuant to Regulation No. 9, July 29, 1941, of the Office of Production Management, is hereby abolished. The duties and responsibilities of said Defense Contract Service are hereby assigned to the Division of Contract Distribution. All records, files, and equipment of the Defense Contract Service shall be transferred to the Division of Contract Distribution.

FRANKLIN D. ROOSEVELT.

THE TOLEDO SMALL
BUSINESS MEN'S ASSOCIATION,
August 21, 1941.

Senator O'MAHONEY,
United States Senate,
Washington, D. C.

DEAR MR. O'MAHONEY: We have noted with interest and approbation your comments and efforts on behalf of small business. Surely small business is an important part of the backbone of the Nation, and present developments and actions at Washington will surely weaken that backbone very quickly and very seriously.

We already have industries in the Toledo area that have had to curtail, cut down their hours, or lay off men. Yesterday I had three of our members talk with me about restrictions which have been placed upon them, what those restrictions meant to them and what they should and could do about it.

A few have been to Washington and come back telling of the difficulty and time spent in contacting the right people. Some feel they have worked out a solution there satisfactorily, but get home to find the party with whom they made arrangements has been transferred and somebody else takes his place who knows nothing about it, so they are back just where they started.

There are not many small businessmen who can afford to go to Washington and spend the money and time. An association like this (with our several hundred members) could not afford to do this over and over nor maintain a man there.

Having assumed leadership in connection with small business, we are writing you to see if you can offer any suggestions, help or plan, either for this association, or for its members individually. We are all loyal and willing to do our share in everything possible within the limits of our ability; on the other hand, we feel there are priorities and restrictions being promulgated which may not be absolutely necessary, and which might be tempered so the small businessman could survive and remain a potent unit for defense, peace, and prosperity.

You have started the movement—we would like to see you continue it, and would like your valuable suggestions and ideas as to how we can help, also how you and we can help our members, from being put out of business, and their employees from being without work.

We are at sea as to just how to take hold of this proposition, and hope you may be able to give us some direction, as our members surely need it and need it quickly.

Yours very truly,
THE TOLEDO SMALL
BUSINESS MEN'S ASSOCIATION,
O. E. M. KELLER, *President.*

GRAY RADIO CO.,
West Palm Beach, Fla., August 23, 1941.

Senator O'MAHONEY,
Washington, D. C.

DEAR SIR: We have tried everywhere we can think of to get consideration for defense work as a small manufacturer.

Unless we get a Government order, we are going to be out of business, and soon.

Our specialty is the manufacture of light two-way radio equipment for use in aircraft and small boats. We have been doing all right up until a few months ago. Now we can't get materials, even though we could sell enough equipment commercially to stay in business. Without priority certificates the big parts manufacturers simply ignore our orders.

We are really small, about 10 employees, but we have built hundreds of radio units and we could build thousands, for we have the nucleus of trained men and the "know how." But all the orders are going to the big radio concerns.

We have written O. P. M., the Army, Navy, Defense Contract Service, etc., all without getting even a chance to bid on contracts.

Unless the small manufacturer gets some consideration—and we represent at least 40 percent of this country's production capacity—the conclusion will be: "National emergency, hell; just a grab bag for the big outfits." And what effect will that have on national morale?

What do you suggest?

Your sincerely,
GRAY RADIO CO.,
F. E. GRAY, *President.*

POOLE SILVER CO.,
New York, N. Y., August 26, 1941.

Hon. JOSEPH C. O'MAHONEY,
United States Senator, Senate Office Building, Washington, D. C.

DEAR SENATOR O'MAHONEY: The writer has read in the newspaper that you have introduced legislation which you term an effort to prevent "bankruptcy for thousands of small manufacturers and unemployment of millions of workers." I further understand that you have offered amendments to the defense priorities law of last May 31.

I congratulate you on making these moves in behalf of some of us small manufacturers. Surely there should be some agency designated by the President that would enable the small manufacturer to at least get a hearing.

Unless we can obtain some metal in the very near future, it is a question of how much longer we can continue in business, in spite of the fact that we have been in business for over 50 years. There seems to be no place in Washington where the small manufacturer can get a hearing, and I sincerely hope that your efforts along these lines will prevail.

We manufacture silver-plated hollow ware and can plate on either a nickel-silver base (10 percent nickel) or a copper base. Due to Government restrictions, the rolling mills that have been supplying us with metal are unable to fill our orders. We could, perhaps, be of great assistance to the Government if we could get a small Government contract, or even a subcontract, but we are at a loss to know how to go about doing this.

I am willing to write letters to every United States Senator to support your proposed legislation, if you think this would help. If so, could you supply me with the correct numbers of your bills that have been introduced, and any other suggestions that you may have to offer will be deeply appreciated. Kindly address your reply to the writer at 366 Fifth Avenue, New York City.

With assurances of the writer's admiration of your record in public office, and hoping to hear from you, I remain,

Very truly yours,
H. I. PEABODY.

[S. 1847. A bill relating to the power to establish priorities pursuant to the act of June 28, 1940, as amended]

Be it enacted, etc., That section 2 of the act approved June 28, 1940 (Public, No. 671, 76th Cong.), as amended, is hereby further amended by adding at the end of subsection (a) thereof the following new paragraph:

"(3) Any person whose business operations are adversely affected by the assignment of a priority pursuant to this section with respect to any materials used in connection with such operations shall, upon application therefor under such regulations as the President may prescribe, be afforded an opportunity forthwith to present his views thereon at a hearing before an agency to be designated by the President. If, at such hearing, such person establishes to the satisfaction of the agency so designated that as a result of such priority his business operations will be seriously interfered with or substantially curtailed because of a shortage of any material necessary to such operations, that his inability to continue business operations will result in a serious unemployment problem for his employees, or that the interests of the consumers of the articles produced or manufactured by such person will be substantially impaired, the agency shall make an immediate report thereon to the President. Thereupon the President shall allocate to such person such amounts of the material with respect to which the shortage exists as in his judgment will be necessary to prevent substantial hardship to such person, his employees, or consumers."

ADJOURNMENT TO MONDAY

Mr. BARKLEY. If there is no further business, I move that the Senate adjourn until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 6 o'clock and 5 minutes p. m.) the Senate adjourned until Monday, September 8, 1941, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 5 (legislative day of September 2), 1941:

THE ATTORNEY GENERAL

Francis Biddle, to be the Attorney General of the United States.

POSTMASTERS

COLORADO

Mr. Pearl L. Robb, Central City.

PENNSYLVANIA

Herman I. Siegfried, Bath.
Ralph B. McQuistion, Harmony.
Frances M. Ruland, Russell.

SENATE

MONDAY, SEPTEMBER 8, 1941

The Reverend Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O Father of mercies and God of all comfort, who sustaineth us in all our sorrows, that we may be able to comfort them who mourn, by the grace wherewith we ourselves are comforted of Thee: Vouchsafe to us, we beseech Thee, such understanding hearts that those in sorrow may feel the warmth of our sympathy and be drawn closer to Thee and to us in the fellowship of Thy love.

Let the tenderness of Thy pity rest, O Lord, upon the sorrows of Thy servant,

the President of the United States, and all who mourn with him, that they may be comforted and sustained by Thy grace through this hour in which Thou hast called their loved one home, in the fullness of her years. May her noble character rest as a benediction upon her son, that her aspirations for him, so generously achieved within her days, may find continual realization in his high and holy office, and until in Thy good time Thou dost bring them to fullest fruition in Thy Heavenly Kingdom; through Jesus Christ our Lord. Amen.

THE JOURNAL

On motion of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Friday, September 5, 1941, was dispensed with, and the Journal was approved.

ORDER FOR ADJOURNMENT TO THURSDAY

Mr. HILL. I ask unanimous consent that when the Senate concludes its business today it adjourn until Thursday next.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT, as in executive session, laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

UNVOUCHERED EXPENDITURES BY COUNCIL OF NATIONAL DEFENSE

The VICE PRESIDENT laid before the Senate a communication from the President of the United States, which was referred to the Committee on Appropriations, as follows:

THE WHITE HOUSE,
Washington, September 4, 1941.

MY DEAR MR. PRESIDENT: Pursuant to section 2 of the act of August 29, 1916 (39 Stat. 649), I hereby report to the Congress that there was authorized by me, on November 28, 1940, unvouchered expenditure in the gross sum of $8,716.26 from the First Supplemental National Defense Appropriation Act, 1941, Public 667, Seventy-sixth Congress, approved June 26, 1940.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

The honorable the PRESIDENT OF THE SENATE.

PETITIONS

Petitions were presented and referred as indicated:

By Mr. CAPPER:

Petitions, numerously signed, of sundry citizens of Manhattan, Kans., praying for the enactment of House bill 1036, the Townsend old-age pension bill; to the Committee on Finance.

Petitions, numerously signed, of sundry citizens of Caldwell, Palco, and Zurich, all in the State of Kansas, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable committee reports of nominations were submitted:

By Mr. CONNALLY, from the Committee on Foreign Relations:

George R. Merrell, of Missouri, now a Foreign Service officer of class 3 and a secretary in the Diplomatic Service, to be also a consul general.

By Mr. HAYDEN, from the Committee on Post Offices and Post Roads:

Several postmasters.

BILL INTRODUCED

Mr. HAYDEN introduced a bill (S. 1898) for the relief of the heirs of Mrs. Nazaria García, of Winslow, Ariz., which was read twice by its title and referred to the Committee on Claims.

PAY ADJUSTMENTS OF MILITARY AND NAVAL ENLISTED PERSONNEL

Mr. HILL. Mr. President, I submit for appropriate reference a resolution authorizing and directing the Senate Committee on Military Affairs or any subcommittee thereof to make a full and complete study and investigation of the existing laws relating to the pay of all enlisted personnel of the military and naval services of the United States, including, of course, selectees, National Guardsmen, Reserves, and Regular Army, as well as Navy, Marine Corps, and Coast Guard. It directs the committee to make a study and report as soon as practicable.

The VICE PRESIDENT. The resolution submitted by the Senator from Alabama will be received and appropriately referred.

The resolution (S. Res. 162) was referred to the Committee on Military Affairs, as follows:

Resolved, That the Committee on Military Affairs of the Senate, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation of the existing laws relating to the pay of all enlisted personnel of the military and naval services of the United States, including persons inducted for training and service into the land or naval forces under the Selective Training and Service Act of 1940, as amended, members of Reserve components of the Army of the United States in or subject to active military service, and the United States Coast Guard, with a view to determining what adjustments and increases in the pay of such personnel are necessary or desirable in the interests of the national defense. The committee shall report to the Senate as soon as practicable the results of such study and investigation, together with its recommendations for necessary legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Seventy-seventh and succeeding Congresses, to employ such experts, and such clerical, stenographic, and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

PROGRAM OF SO-CALLED OIL SHORTAGE INVESTIGATING COMMITTEE

Mr. MALONEY. Mr. President, I wish to advise the Senate that the so-called Oil Shortage Investigating Committee, appointed under Senate Resolution 156, plans to submit a report to the Senate on Thursday, September 11. I shall on that day endeavor to obtain the floor to submit this report, and I hope that it will be possible to have the committee hearings printed at that time.

The committee held a hearing today and may continue tomorrow.

Mr. McNARY. Mr. President, I inquire what is the date specified on which the Senator will address the Senate?

Mr. MALONEY. On Thursday of this week.

Mr. McNARY. Will the hearings then have been completed?

Mr. MALONEY. We hope to conclude the hearings not later than tomorrow, at least for the time being.

Mr. McNARY. Is it the purpose of the able Senator to accompany his address by a resolution or some form of proposed legislation which the Senate may consider later?

Mr. MALONEY. It is not now the intention of the committee to do that. There is a possibility that we may have a recommendation to make later.

Mr. BRIDGES. Mr. President, will the Senator yield further?

Mr. MALONEY. I yield.

Mr. BRIDGES. The reason that no recommendation will be made is that the agitation over an oil shortage was largely a furore, was it not, and, therefore, there is no necessity for a resolution or any action by Congress?

Mr. MALONEY. We are hopeful that, for the time being, there will be no necessity for a resolution or for congressional action.

SUPREME COURT OF PENNSYLVANIA AND PHILADELPHIA MAYORALTY ELECTION

Mr. GUFFEY. Mr. President, I ask unanimous consent to place in the RECORD an editorial from the Philadelphia Record of Saturday, September 6, entitled "Supreme Court of Pennsylvania on Trial." It is of utmost significance in illustrating one of the manifold ways in which the courts may, at their discretion, exercise a political power never contemplated in their structure and utterly foreign to their function.

Through the simple device of delay in the hearing of a contested point, the Supreme Court of Pennsylvania—an all-Republican body—can thwart the exercise of the public will by preventing the more than 2,000,000 people of Philadelphia from electing a successor to the late Mayor Robert E. Lamberton.

The Republican machine in Philadelphia, in order to delay further a long-overdue accounting to the public, is striving desperately to prevent an election and retain in office an old guard Republican wheel horse who is now acting mayor.

The chief justice has indicated that a hearing on the legal questions involved may be delayed until September 29, in which event the nomination and election of a new mayor this year would be virtually an impossibility.

In this manner, regardless of the merits of the controversy itself, the court by its own dilatory conduct could win the Philadelphia machine's battle for it without lifting a hand.

It now remains to be seen whether the Pennsylvania Supreme Court will pass the test of judicial integrity which it now faces.

Recalling that the present chief justice was one of those listed in recent years as a recipient of special favors on the J. P. Morgan preferred list, the public will take a very special interest in his decision, involving, as it does, a conflict between the rights of the people and the small privileged group which has so long controlled the Supreme Court of Pennsylvania.

The VICE PRESIDENT. Without objection, the editorial presented by the Senator from Pennsylvania will be printed in the RECORD.

The editorial is as follows:

[From the Philadelphia Record of September 6, 1941]

SUPREME COURT OF PENNSYLVANIA ON TRIAL

Once again the Supreme Court of Pennsylvania refuses to disturb the comfort of its normal routine—or the justices' vacations—to serve the public in an emergency.

Legal action has been taken to determine whether, under the law, Philadelphia shall choose a new mayor this November. To speed a final decision, the supreme court was asked to take original jurisdiction—which means the case would skip the lower courts and go before the high tribunal at once.

Chief Justice William I. Schaffer says this cannot be done, that the question must first go before the elections court, which is our Common Pleas Court No. 7. But then the chief justice makes the amazing statement:

"That no matter how quickly the elections court renders a decision, the supreme court will not even hear the matter before its next regular session September 29."

Last day for filing by candidates is October 4. So, even if the supreme court completed its hearing of an appeal from the elections court on September 29—

Only 5 days would be left for the court to consider, for the court to hand down its opinion, and for candidates to file—

Unless the decision was to come too late to settle the issue this year.

Such delay by the courts is inexcusable.

The Philadelphia mayoralty is the most important office in the State, excepting only the offices of the Governor and chief justice. That office now is occupied by a man who was not elected to it and whose chief qualification for it has been long subservience to the Republican machine.

The Republican machine would prefer to keep its faithful stalwart, Bernard Samuel, in office not only this year but, if possible, until January 1, 1944.

Thus the court's delay will be cheered in that quarter.

No decision to the machine is much better than any decision and 100 percent better than a decision which would permit an election this November, in which the people almost certainly would elect a new mayor who was not a puppet of Pew.

Already the Republicans have filed a taxpayer's suit to prevent the spending of any city funds for electing a mayor this year.

No secret about it. The Republicans do not want to let the people vote.

That, in our opinion, makes twice as powerful the reasons why the Supreme Court should reconsider its attitude and give assurance to Philadelphia that it will disturb its routine and hear the case within a very few days after the elections court hands down its decision.

That would be cooperation. Cooperation with the third largest city of America, which finds itself without a qualified head in a time of both national and local emergency. Cooperation of the kind which a people have a right to expect from their highest tribunal.

Delay, on the other hand, will be obstruction, witting or unwitting. And it will play directly into the hands of Republican politicians—something which too many supreme court actions of the past have seemed to do.

The Supreme Court of Pennsylvania should realize that it is only the second highest tribunal in this Commonwealth. The highest tribunal is public opinion.

The supreme court itself is on trial. The charge is the arbitrary exercise of judicial power to obstruct the orderly expression of the people's will.

What say ye: Guilty or not guilty?

ARTICLE BY LT. COL. THOMAS R. PHILLIPS ON AIR POWER AND COAST DEFENSE

Mr. BROOKS. Mr. President, I submit an important article from Army Ordnance for September-October 1941, and request unanimous consent to include it in the CONGRESSIONAL RECORD following my remarks. This article was written by Lt. Col. Thomas R. Phillips, of the General Staff Corps, United States Army, now stationed at Headquarters, Puerto Rican Department. It presents conditions which, in my estimation, should receive the attention of the Members of this body. It is entitled "Air Power and Coast Defense," and propounds the inquiry, Has the bombardment airplane made the United States invasion-proof?

The VICE PRESIDENT. Without objection, the article will be printed in the RECORD.

The article is as follows:

Even if the United States has no harbor defenses it would be impregnable to invasion. And this still would be true if our Navy were inferior to that of an invading power. In spite of this, a great program of harbor-defense construction is proposed and is partially under way. One wonders if this program has been devised with full realization of the ability of air power to perform many functions of harbor-defense installations. The United States is about to build harbor defenses to make the country secure for 50 years to come. Is this really looking forward or are the harbor defenses being provided to cover the 50 years which have just passed?

The argument by which coast defenses are sold to the public is very much like the argument of the book salesman. It is not the books he is selling, but rather an education for the child. Harbor defenses are supported by the argument that they will prevent invasion of the United States. Actually, they never were intended to prevent invasion. If the need for harbor defenses depended upon their ability to protect the United States from invasion, it would be very simple to prove that no harbor defenses are necessary. Land-based air power has made the United States impregnable to a sea-borne invasion.

The attempted counterinvasion of Norway by the British supplied the factual proof of the well-established theory that sea-borne invasions are impossible against land-based air power. This particular operation took place under the most favorable circumstances possible for the British. The Norwegians welcomed their coming and desired their help; the British did not have to contend with any harbor defenses or enemy forces when they made their landings at Aandalsnes and Namsos—there was nothing to oppose them until they had marched a considerable distance into Norway where they met advanced detachments of the German Army. Nevertheless, the invasion failed.

Prime Minister Churchill gave as explanation for this failure "intense, continuous bombings of the bases at Namsos and Aandalsnes which prevented the landing in those small fishing ports of any large reenforcements and even of artillery for the infantry already landed. It therefore was necessary to withdraw the troops or to leave them to be destroyed by overwhelming forces. The decision to withdraw was undoubtedly sound. The withdrawal of these 12,000 men—less than a division—was accomplished with very great skill and, I must add, very good luck."

In other words, nothing but the "intense, continuous bombings" prevented the success of the British counterinvasion of Norway. There were no harbor-defense guns to fire against the British nor were any German troops at the harbors to give the slightest opposition to the landings. This was purely a victory of air power over a sea-borne invasion which had no aerial support.

On the German side, the means to repel the invasion were quite inadequate. Germany had occupied the airdromes at Oslo and Stavanger. Oslo is 326 miles from Namsos and 220 miles from Aandalsnes. Stavanger is 260 miles from Aandalsnes and 420 miles from Namsos. Thus the German air forces operating against the British invasion bases had to operate from considerable distances. Not only that but they were very limited in numbers—to the numbers that could be placed on four rather inadequate airdromes—and were engaged primarily in supporting the ground operations of the German troops who were driving through the Norwegian valleys in an effort to reach the British.

Another factor of great importance in favor of the British was the short distance that the expeditionary forces had to go to reach Norway and the fact that their ships could approach the Norwegian coast beyond range of German bombers closely enough so that the final run to the coast could be made in darkness and without fear of bombing. Bombing was possible only after the ships reached the harbors.

It might be thought rash to conclude from a single example that impregnability to a sea-borne invasion could be considered as proved. The British effort in Norway was a very special case, however, in which every factor, except readiness, perhaps, favored the invader. If the conditions under which an invasion would have to be attempted against the United States are visualized, it will be seen that the problem of invading this country would be infinitely more difficult than was the British problem of landing troops in Norway. Leaving aside naval interference, imagine a convoy of 40 or 50 troopships crossing the 3,000 miles of the Atlantic Ocean toward the United States. The departure of such an invading force could not be kept secret. Our defending bombers would start attacking it a thousand miles from the coast. The attacks would grow in intensity as the convoy approached. The invasion might not be stopped before it reached the coast, but it would be badly damaged.

Imagine, then, this convoy attempting to come into a harbor and remaining practically stationary for days in narrow waters with the entire bombing force available to the United States working on it. The picture is incredible. The invasion would be doomed. No military leader would ever think of making such an attempt. The presence or absence of harbor defenses along the American coast would be of no importance whatsoever against a sea-borne invasion as long as we possess ample land-based air power.

It may be argued that naval vessels have not been driven off the seas within bombing range in the North Sea and the Mediterranean, and that convoys are operating occasionally even in the English Channel. The reasons that this is possible will be considered in more detail later. It suffices for the present to note that these ships are subject to bombing raids for relatively short periods of time, that they first must be discovered, and that they are not tied up at docks nor subject to bombardment for long periods. None of these favorable factors applies to an effort to unload troop transports nor to the continuing supply and reenforcement of troops already landed. In Norway the British landed their first troops but could not reenforce them once the bases were discovered and watched and bombed constantly.

What leader would be willing to risk thousands of men packed like sardines in a transport under the bombing conditions that can be visualized? Churchill would not. And if these transports had to come across an ocean to be met with enormously more intense bombing, no leader would consider it. The whole business of invasion across the sea against ample land-based air power no longer is in the book of possibilities.

Almost no other event in the history of warfare equals this in importance. For the United States, particularly, the conclusion is transcendental. It makes it possible for this country to insure not only its own continental territory from invasion but, by the provision of a suitable air base and airways system, to insure the impregnability of all North and South America. If this country takes advantage of the defensive powers given to it by the bombardment airplane, its impregnability to military invasion is assured in the foreseeable future

The successful German invasion of Norway through its principal harbors—Oslo, Stavanger, Trondheim, Narvik—has been cited to prove that had Norway been supplied with adequate harbor defenses, or if those defenses had not been tricked into impotence, Norway could not have been invaded by the Germans. To quote one protagonist: "The salient fact was that the Germans went on in unopposed, tied up at the docks, put their men and supplies ashore, and proceeded to overrun the country." From this was deduced proof that had the Norwegian harbor defenses functioned effectively, the invasion could not have succeeded. Historically, however, most landings on hostile shores have been made away from harbors, and the troops have proceeded overland to capture from the rear the harbor defenses and the cities they protected. Norway did have harbor defenses, and good ones, at Trondheim and Oslo. It was easy to trick them, and once the Germans were within the harbors these defenses no longer had any value.

Much more important was the fact that Norway had no air force. Had a Norwegian air force been in existence, it would have been able to block the German invasion of Norwegian harbors just as effectively as the German Air Force later blocked the British invasion of Norwegian harbors And this would be true whether or not Norway had any harbor defenses. In the case of the ports distant from Germany—Tronheim and Narvik—an ample Norwegian air force would have made German operations in these ports impossible. They were too distant for hostile operations to be protected by German air power based in Denmark or Germany. Even Oslo is 200 miles from the Aalborg airport used by the Germans in Denmark, and a small air force should have been able to beat much larger German fighter forces that might have been used to protect the landing in Oslo. The Norwegian harbor defenses were made impotent by false messages or treachery. Within an hour their usefulness had vanished because German forces had passed them. The air forces might have been tricked for a short time, but since air bases usually are back from the coast, their impotence would have been of short duration.

Air power has still another advantage as a defensive force. This is its ability to assemble and concentrate its entire power for operations against a single point. Harbor defenses are immovable, and the individual forts can give no assistance to the forts 50 or 200 miles away. But all the bombing planes in the Nation can be concentrated so as to apply their power at the single threatened point, and this concentration can take place with almost incredible rapidity—in a day or two at the most.

Harbor defenses never were intended to prevent invasion, although they have an incidental mission of providing artillery support to the defense against landing attacks within range of their weapons. There are plenty of good reasons for constructing harbor defenses, but the prevention of invasion of our shores is the least of these and is only incidental to the others.

The ability of air power to prevent invasion is the question of air power versus sea power. The present war has shown apparently contradictory results in the struggle between air and sea forces. The contradictions have been apparent only. In general, they can be explained by the time available for bombing, the distance over which bombing operations must be conducted, the number of bombers available, and the weather.

Prime Minister Churchill stated one time that 200 or 300 bombs must be dropped to insure hitting a naval vessel. This could mean a single trip by 100 to 250 planes, or 10 trips by 10 to 15 planes, or 100 to 150 trips by a single plane. If it were 15 planes making 10 trips 500 miles from the base, 10 days would be required to let this air force drop enough bombs to insure a hit on the naval vessel. It can be seen that effective bombardment of naval vessels either requires a great enough number of planes to insure hits in one or two trips, or else that the target ships should be stationary in a harbor where they can be bombed on many successive days by a smaller number of planes, if these were all that were available.

Naval vessels are much harder to hit than merchant ships or transports. Warships are armored, are usually of very high speed, and capable of dodging, and have a tremendous number of antiaircraft guns to interfere with the bomber's aim. Thus, although 200 to 300 bombs may have to be dropped to attain a hit on a naval vessel, merchant ships which act as transports and are the carriers for invading forces probably would not require more than a quarter as many bombs to hit them.

Prime Minister Churchill explained the failure of the British fleet to operate in the Skagerrak on German communications to Norway as follows: "But immense enemy air strength, which can be brought to bear on our patrolling craft, makes this method far too costly to be adopted. Important forces would have to be employed in order to maintain a steady surface patrol and the losses which would have been inflicted on the patrol from the air would undoubtedly very soon constitute a naval disaster." In other words, the British patrolling vessels would have had to remain on duty in the Skagerrak subject to continuous bombing by immense air forces. The operation was impossible, and the British were correct in not making the effort.

Prime Minister Churchill's objections to operating in the Skagerrak were abundantly proved when the British Fleet operated under similar conditions in attempting to prevent the invasion of Crete. After the loss of four cruisers and seven destroyers, the fleet withdrew. Here the real factors in the question of air power versus sea power were demonstrated in one operation; namely, immense bombing forces and the fact that the ships would have to remain subject to bombing.

Malta also shows the impossibility of a fleet remaining within range of large bombing forces. It is only 60 miles from Italy and is untenable as a fleet base. The fact that the British still hold it is of minor importance. It is no longer a base; it is just a piece of land. On the other hand, Gibraltar, 750 miles from Italy, hardly has been bothered by bombing. The distance is too great for bombardment operations to be carried on with the necessary mass and continuity. Gibraltar is protected from massive and continuous bombing by distance.

Convoys operating in the North Sea, the English Channel, and the Mediterranean gain partial protection from the time element. By making use of darkness to pass the more dangerous areas, the convoys are within effective bombing range too short a time to be disastrously endangered, unless massive bombing forces are on hand to operate against them. There have been many ships lost and other ships injured, but the damage has not been great enough to prevent occasional passage. Scapa Flow, 300 miles from Norway, has been made untenable as a fleet base by the bombing threat. In this case Germany has a sufficient number of bombing planes based closely enough to make the danger of remaining at the base too great for the possible military advantages that would be obtained.

In the Mediterranean, Italian air operations originally appeared to give the lie to all these contentions. Failure of the Italian air force to be more successful in preventing British convoy and fleet operations close to Italian and Libyan coasts was one of the major mysteries of the war. The British even penetrated the Adriatic (at night), December 19–20, 1940, and bombarded the Albanian seaport of Valona without aerial interference by the Italians. It is now apparent that Italian air power was not operating in sufficient mass in these waters to perform its missions effectively. When it was reenforced by German squadrons the last British convoy to pass through suffered such extensive losses that no more convoys have been attempted. The war has showed one fact conclusively—air power dominates sea power in narrow seas and near the coasts.

Was not the insufficiency of Italian air power in the Mediterranean one of the inherent weaknesses of air power? And if air power is depended upon, are we not apt to find that it may be unavailable at the critical time? Harbor defenses are so comforting. The big ugly muzzled guns are always there, ready and waiting—a definite assurance of protection for one little spot for all time. Doubt as to the availability of air power can be dismissed, as far as the United States is concerned. We shall always have it in the future in ample quantity, and instead of a dozen or two dozen guns defending a harbor we shall have 2,000 or 4,000 bombers ready to be concentrated for the defense of any point, not of harbors alone but of all the beaches and all the coasts.

Harbor defenses in the past were constructed to perform the following functions: First, to permit movement of our naval forces in and out of harbors; second, to protect harbor facilities and ships in the harbor from naval gunfire and torpedoes; third, to prevent enemy ships from entering the harbor; fourth, to furnish incidental support to de-

fense against landing attacks within range of the defense guns.

What has air power done to these missions? If a hostile fleet cannot remain on guard outside a harbor to prevent the exit or ingress of our own fleet because of the threat of bombing, then no harbor defenses are necessary for that purpose alone. Except for hostile air power the British Fleet might have been maintained close to the Skagerrak or to the Kiel Canal or to Heligoland. This mission of harbor defenses is ended. Air power can perform this mission far more effectively than guns ever could, since guns never had the necessary range to provide ample maneuver room for a fleet leaving a harbor.

Protection of ships and harbor facilities from naval gunfire and torpedoes is still as necessary a function of harbor defense as ever. The European war has shown that ships can stay within bombing range at night long enough to make raids on shore installations. The French and British both raided Italian shore installations and escaped with minor damage. The British have raided the Dodecanese and the Libyan coast and have escaped without serious injury. The British bombarded the German-held airdromes at Stavanger from cruisers for several hours. Thus the experience of the European war seems to prove that air power is not yet sufficiently strong to prevent raids and naval bombardments. Harbor defenses must be provided for this purpose.

Whether or not air power can deny enemy ships access to harbors and adjacent waters depends upon the nature of the harbor. In such a harbor as Puget Sound, where hostile ships would have to steam 300 or more miles to get in and out, and where they never could be lost sight of in the narrow waters, air power should suffice to entrap the raiders. They might get in, but they never could get out. In the case of shallow harbors easy of access, the problem would be similar to that of a naval raid; some guns would be required to prevent a raid, but air power would be ample to prevent the continued use of the harbor.

The question of the ability of air power to prevent invasion already has been discussed. Harbor defenses never were built primarily with that end in view, and this question certainly needs no consideration in their construction in the future. This affirmation, however, applies only when the defensive air power is immeasurably superior to that which can be brought against it. The case of a German invasion of Great Britain across the narrow English Channel is different from an invasion across the ocean, since, in the former case, the invader's air force can operate from land bases. Against some of our foreign possessions an attacking naval force might be able to bring superior air power on carriers; hence all the old missions of harbor defense apply with full force to them.

In the July-August 1941 issue of Army Ordnance (vol. XXII, No. 127, p. 46), General Hagood gave a 13-point program for coast defense on which $200,000,000 would be spent. There was little to cavil at in this program except that it appears to have been based on the obsolete missions of harbor defenses. For example, General Hagood recommended new harbor defenses in the Houston-Beaumont area of Texas with special reference to the protection of the oil fields. Beaumont and Houston are inland ports with narrow channels leading to them. No naval force or transports could live for 24 hours in these channels under bombing attack.

This proposal obviously was intended to prevent a sea-borne invasion from capturing the oil fields, since they are not close enough to the coast to be bombarded. Air power not only has made such an operation impossible, but new American defenses closing the gaps into the Caribbean through the Greater and Lesser Antilles will make this sea, through which the Gulf ports of the United States must be approached, a trap which no hostile naval force or transports ever would dare to enter.

The West Indies, if fully exploited to close the Caribbean, furnish complete protection for the American Gulf coast. Not only are no new harbor defenses needed, but those now in existence have little further reason for being maintained. And not only do American defenses along the Antilles protect the Gulf coast, but they also secure the northern shores of Venezuela and Colombia, the Panama Canal, and the eastern coast of Central America and Mexico.

On the other hand, many new seacoast-gun installations for the protection of factories and bases from naval bombardment might very well have been recommended. Naval air-patrol stations will be constructed at many new points in continental United States and the Caribbean Sea; since these are for seaplanes and are close to the coast, they are subject to naval bombardment during raids and must have seacoast guns to keep enemy raiders beyond range.

Naval bombardments and raids are much more probable now and will be waged against many objectives that would not have been attacked in the past. International law formerly exercised some control against the bombardment of open towns, even though factories were engaged in producing war materials in them. Bombardments once were restricted, but air warfare now has broken down all scruples. Today, any factories or facilities of military value close to the shore are apt to be bombarded from the sea. These will have to be protected along with all new naval shore stations. Thus, many new harbor defenses are required but at different points than commonly visualized. On the other hand, a number of the old harbor defenses constructed for now nonexistent missions do not need modernizing. There is no need to destroy them since their maintenance on a caretaker's status and eventual occupancy in time of war by the National Guard does not represent a serious drain, and they still aid in preventing naval raids.

Can we depend upon the present ability of air power to provide for certain of the functions of coast defense, or will conditions change so rapidly that air power will not be able to fulfill them in the future? Possibly naval protection against aerial bombing is at its lowest point at the present time. Most naval vessels now in commission were built at a time when aerial bombing was not a serious threat. The result is that they are poorly protected and not very effectively armed against it. Naval protection may improve so greatly that bombing will not remain a serious threat, at least against battleships.

However, even if this takes place, the present relationship between air power and sea power will not be changed. Transports and small naval vessels will continue to be vulnerable, even though they may be better armed in the future. On the other hand, bombing accuracy may improve fast enough to overcome advances in protection. Here again, the present relationship may be modified slightly, but the fundamental factors are not likely to change. The only foreseeable change is that improvement in bombing accuracy and the availability of large numbers of bombing planes may make naval raids less likely, hence there will be a smaller requirement for coast-defense protection against them.

Air power has not superseded coast defenses, but it can perform some of their functions more effectively than guns ever did. On the other hand, the increase in naval air installations on the shore, together with acceptance of bombardment of nonmilitary installations as legitimate targets, makes more harbor defenses necessary for their protection. Any harbor defenses constructed or modernized should take into account the ability of the bombing plane to perform certain of the old missions.

The bomber has made the American coast impregnable to invasion. This is the most important military fact that can be deduced from the European war. If new harbor defenses are to be constructed, let them be built with our eyes on today and tomorrow and not on yesterday.

ADDRESS BY SENATOR GUFFEY AT OUTING OF DEMOCRATIC STATE COMMITTEE OF RHODE ISLAND

[Mr. TRUMAN asked and obtained leave to have printed in the RECORD the address delivered by Senator GUFFEY on the occasion of the outing of the Democratic State Committee of Rhode Island under the auspices of the Young Democrats of Rhode Island, on September 7, 1941, which appears in the Appendix.]

ADDRESS BY SENATOR TAFT ON NATIONAL UNITY

[Mr. THOMAS of Idaho asked and obtained leave to have printed in the RECORD a radio address on the subject of national unity, delivered by Senator TAFT on September 5, 1941, which appears in the Appendix.]

ARTICLE BY SENATOR BRIDGES ON ST. LAWRENCE WATERWAY

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an article by him entitled "St. Lawrence Waterway," which appears in the Appendix.]

PLIGHT OF SMALL INDUSTRIES—ARTICLE BY JOHN M. FISHER

[Mr. MALONEY asked and obtained leave to have printed in the RECORD an article entitled "Nondefense Plants Fear Wide Closing," written by John M. Fisher, and published in the Washington Times-Herald of September 7, 1941, which appears in the Appendix.]

POWER DEVELOPMENT AND UTILIZATION OF NATURAL RESOURCES—STATEMENT BY ACTING COMMISSIONER BASHORE

[Mr. CLARK of Idaho asked and obtained leave to have printed in the RECORD the statement made by Acting Commissioner H. W. Bashore, of the Bureau of Reclamation before the subcommittee of the Senate Committee on Public Lands and Surveys under Senate Resolution 53, which appears in the Appendix.]

COORDINATOR OF INTER-AMERICAN AFFAIRS—ARTICLE BY JOSEPH G. HARRISON

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an article entitled "Good Neighborliness Without Fanfare," written by Joseph G. Harrison, and published in the Christian Science Monitor of September 5, 1941, which appears in the Appendix.]

ARTICLE FROM UNITED STATES NEWS ON BYRD PLAN TO REDUCE NONDEFENSE SPENDING

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an article from the United States News of September 12, 1941, entitled "Byrd Plan to Reduce Nondefense Spending by Government Generally Favored by Press," which appears in the Appendix.]

ANNIVERSARY OF BIRTH OF JANE ADDAMS

[Mr. BROOKS asked and obtained leave to have printed in the RECORD an article from the Washington Post of August 31, 1941, entitled "Jane Addams' Anniversary Is on Saturday," which appears in the Appendix.]

IMPROVEMENT OF NAVIGATION, IRRIGATION, AND FLOOD CONTROL ON MISSOURI RIVER AND TRIBUTARIES

Mr. LUCAS. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report favorably Senate Resolution 159, and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The resolution will be read for the information of the Senate.

The Chief Clerk read the resolution (S. Res. 159), submitted by Mr. BULOW on September 4, 1941, and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Agriculture and Forestry, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation with respect to the improvement and development of navigation, irrigation, and control of floods on the Missouri River and its tributaries, for the promotion of the national defense, and for other purposes. The committee shall report to the Senate, at the earliest practicable date, the results of its investigation, together with its recommendations, if any, for necessary legislation.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-seventh and succeeding Congresses, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $5,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

INVESTIGATION RELATING TO THE PUBLIC LANDS—LIMIT OF EXPENDITURE

Mr. LUCAS. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report favorably, with amendments, Senate Resolution 147, and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The clerk will read the resolution for the information of the Senate.

The Chief Clerk read the resolution (S. Res. 147), submitted by Mr. MCCARRAN on July 21, 1941, as follows:

Resolved, That the limit of expenditures under Senate Resolution 241, Seventy-sixth Congress, third session, relating to the investigation of the purchase, withdrawal, and allocation of lands and the administration and use thereof by or on behalf of the Federal Government or any agency thereof; and with respect to the filming of motion or sound pictures on areas under the jurisdiction of the Department of the Interior, and any other matter with respect to the filming of motion or sound pictures on land belonging to the United States which the committee may deem it appropriate to investigate, agreed to on May 24, 1940, is hereby increased by $20,000. In addition to the authority heretofore conferred upon such committee, the committee is authorized to request the use of the services, information, facilities, and personnel of the departments and agencies in the executive branch of the Government.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution? The Chair hears none. The amendments reported by the Committee to Audit and Control the Contingent Expenses of the Senate will be stated.

The CHIEF CLERK. In line 11, page 1, it is proposed to strike out "$20,000" and insert in lieu thereof "$10,000."

The amendment was agreed to.

The CHIEF CLERK. At the conclusion of the resolution it is proposed to insert a new paragraph, as follows:

Notwithstanding the provisions of Senate Resolution 241 of the Seventy-sixth Congress, the provisions of this resolution shall expire at the close of the Seventy-seventh Congress.

Mr. MCNARY. Mr. President, my attention was distracted in a conversation with another Senator. What is the purport of the resolution?

The VICE PRESIDENT. The clerk will state the title of the resolution.

The CHIEF CLERK. A resolution (S. 147) increasing the authority and limit of expenditures in the investigation and use of public lands and the filming of motion or sound pictures thereon.

Mr. MCNARY. Who submitted the resolution?

The VICE PRESIDENT. The resolution was submitted by the Senator from Nevada [Mr. MCCARRAN].

Mr. MCCARRAN. Mr. President, I am the author of Senate Resolution 241 of the Seventy-sixth Congress, which was the original resolution on which hearings have been held, and we desire to go forward with further hearings.

Let me say to the Senator from Oregon that not only does the resolution touch the subject which the clerk read at the request of the Senator from Oregon but it also touches all administration of open public domain. We have been holding hearings and hope to go forward with additional hearings; and we ask for additional money with which to conduct them.

Mr. MCNARY. The purpose of the resolution, as I understand, is to extend the time for a report on the hearings and to defray the expenses thereof.

Mr. MCCARRAN. It is to get additional money to go forward with the hearings; but the amendment now proposes to limit the investigation to the end of this Congress.

Mr. MCNARY. Has the resolution been referred to the Committee to Audit and Control the Contingent Expenses of the Senate?

Mr. MCCARRAN. Oh, yes. The Senator from Illinois, who has just reported the resolution, is chairman of that committee.

The VICE PRESIDENT. The resolution was reported by the Senator from Illinois.

Mr. MCNARY. I did not understand that it came from that committee. What is the purpose of the limitation?

Mr. LUCAS. The original resolution, as I understand, known as Senate Resolution 241, Seventy-sixth Congress, third session, submitted by the able Senator from Nevada, was a continuing resolution from one Congress to another. The limitation which the Committee to Audit and Control the Contingent Expenses of the Senate places on the resolution is to the effect that at the close of the Seventy-seventh Congress the provisions of this resolution, notwithstanding the provisions of Resolution No. 241 to the contrary, shall expire. That is the limitation placed thereon; and the first amendment merely substitutes $10,000 for $20,000, the amount originally asked.

Mr. MCNARY. That is a perfectly clear explanation from the two Senators. I have no objection.

The VICE PRESIDENT. The question is on agreeing to the second amendment reported by the committee, which has been stated.

The amendment was agreed to.

The resolution, as amended, was agreed to.

ACOUSTICS, REDECORATION, AND LIGHTING OF SENATE CHAMBER

Mr. ANDREWS. Mr. President, out of order, I ask unanimous consent for the present consideration of Senate Resolution 150, Calendar No. 686. The resolution relates to the acoustics, redecoration, and better lighting of the Senate Chamber and the Senate Office Building. The resolution was referred to the Committee on Public Buildings and Grounds, and that committee has reported the resolution, with amendments, and recommended that it be agreed to as proposed to be amended.

The resolution instructs the Senate Committee on Public Buildings and Grounds to make a study of the lighting system of the Senate Chamber and the Senate Office Building, with a view to recommending a better system, and also to study and consider plans for redecorating and to provide better acoustics in the Senate Chamber. The resolution also contemplates a better system of lighting for the Senate Library and the Senator's reading room in the Library. Under the terms of the resolution the committee would be authorized to make a study of the whole matter and report back to the Senate its recommendations. The resolution carries no appropriation.

Mr. MCNARY. Is the committee to be a special committee?

Mr. ANDREWS. The resolution provides that a standing committee, the Committee on Public Buildings and Grounds, shall make the investigation.

Mr. MCNARY. I had gathered it was to be a special committee, and I was wondering why we should create a special committee when there is a standing committee which has jurisdiction of matters of this kind, which has functioned very efficiently.

Mr. ANDREWS. We observe over the Senate Chamber the steel trusses which were installed to hold up the ceiling and skylight which, because of their weakened structural condition, have constituted a constant and dangerous threat to Senators for many years. If Senators would take the trouble to inspect the area between the glass ceiling and the skylight, they would wonder, perhaps, that the ceiling has been held in place so long without a serious accident. There is not a piece of steel holding the roof of the

Senate. All the supports are iron, and some of them, through the heat of the sun, have been drawn out of place. I cannot understand why we should not have a permanent modern roof over the Senate, with steel bracings and framework, and a modern system of lighting for the Senate in keeping with that now in use elsewhere in similar structures. Members of the Senate all know that we depend upon the sun for light a part of the time, and on some days, when the clouds roll over the sun, we can hardly see until the lights in the skylights are turned on. A Senator is hardly able to recognize his own wife sitting in the gallery most of the time. [Laughter.]

I think the decorations of the Senate Chamber should be made more agreeable as to color and lighting. As I stated on a previous occasion, the color of the walls of the Senate and walls of the galleries are dreadful and even depressing. The dull color absorbs but does not reflect what little light we have at times. My colleagues have undoubtedly observed that the color of the walls of the Senate Chamber is the same as that of caskets. I think the coloring or decoration should be made more cheerful, that indirect lighting should be installed, and last, but not least, that the acoustics of the Chamber should be greatly improved.

The first thing I observed when I came to the Senate was that I could not tell what my colleagues were saying across the aisle on the other side of the Chamber.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. ANDREWS. I yield.

Mr. BRIDGES. I hope the Senator will give particular attention to the last item he has mentioned. I agree with him that the Senate Chamber might be more attractively decorated, and that the roof might be made more substantial; I should hope that the Senator might be able to see his wife in the gallery, and I would rather have some other color than the color of caskets on the walls, but, from the point of view of doing business in the Senate Chamber, it would be a great help if the acoustics were made better, and I hope the Senator will give particular attention to that feature.

Mr. ANDREWS. I felt a delicacy as a relatively new Senator in calling attention to these matters; but I did not see that anyone else was inclined to do so, so I decided I would take the matter up. I do not like the idea of having loudspeaker apparatus in the Senate Chamber, but it would be better to have it than not know what Senators were saying. I can hardly ever hear the Senator from New Hampshire when he speaks from his seat on his side of the aisle, although he speaks very distinctly.

If the speaker system were provided, a Senator could press a button on his desk, and speak in an ordinary tone of voice into the transmitter before him, and everyone in the Senate Chamber could hear him distinctly.

The various State capitals have made progress along this particular line. I was in Florida last spring when the State legislature was in session. There are more than 100 members of the house chamber. The system to which I referred was installed in that chamber. Each member voted by pressing a button on his desk. In that manner the voting is concluded in a few minutes. The voting record can be seen and the result is obvious to every member immediately. Forty-five minutes is required to call the roll when a vote is taken in our National House of Representatives. Why could there not be installed in the House a system by which the voting could be completed in 5 minutes?

The resolution proposes that a study be made of a plan to improve the physical conditions in the Senate Chamber. I should like to see the steel struts supporting temporarily the ceiling of the Senate Chamber removed and a permanent ceiling and roof placed over the Chamber. A skylight is not even necessary. Senators will notice that on the other side of the Chamber the glass ceiling is broken in some places. A portion of the ceiling there may fall down some day and perhaps injure or destroy one or more of the Republican Members of the Senate.

Mr. BRIDGES. Mr. President, we do not want to take any chance of that happening.

Mr. ANDREWS. Republican Members of the Senate are already scarce. We have in mind for study the various suggestions I have just made.

Mr. President, I ask for present consideration of the resolution.

The VICE PRESIDENT. Is there objection to the present consideration of Senate resolution 150?

There being no objection, the Senate proceeded to consider the resolution.

The VICE PRESIDENT. The clerk will state the committee amendments.

The CHIEF CLERK. On page 1, line 5, after the word "redecorating" and the semicolon, it is proposed to strike out "and (c)" and to insert "and providing"; and in line 6, after the word "Chamber" and the semicolon, to insert "and (c) better system of lighting for the Senate Library, Senators' reading rooms, and library stack rooms;"; so as to make the resolution read:

Resolved, That the Senate Committee on Public Buildings and Grounds be, and it is hereby, authorized and instructed to make a study of (a) better lighting system for the Senate Chamber and the Senate Office Building; (b) plans for redecorating; and providing better acoustics in the Senate Chamber; and (c) better system of lighting for the Senate Library, Senators' reading rooms and library stack rooms; and report to the Senate, within 3 months after the date of approval of this resolution the results of its study, together with its recommendations and suggested improvements and their approximate costs. The committee is authorized to to utilize the services and facilities of the Architect of the Capitol and any other source of information deemed necessary in carrying out its duties under this resolution.

The VICE PRESIDENT. The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

The resolution, as amended, was agreed to.

DEATH OF MRS. SARA DELANO ROOSEVELT

Mr. HILL. Mr. President, the country was distressed to learn of the death on yesterday morning of the mother of the President of the United States, Mrs. Sara Delano Roosevelt, a noble woman, a wonderful mother, and the very finest and highest type of American womanhood.

I submit a resolution which I ask to have read.

The VICE PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution (S. Res. 163), as follows:

Resolved, That the Senate has heard with profound sorrow of the death of the mother of the President of the United States, Mrs. Sara Delano Roosevelt, whose life exemplified in the highest degree the finest qualities of American womanhood.

Resolved, That the Senate extends to the President and to the members of his family its deepest sympathy in their hour of personal grief.

Resolved, That as a further expression of esteem and condolence the Senate do now adjourn.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was unanimously agreed to; and (at 12 o'clock and 25 minutes p. m.), in accordance with the third resolving clause, the Senate adjourned, the adjournment being, under the order previously entered, until Thursday, September 11, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 8, 1941:

POSTMASTERS

ALABAMA

Hettye M. Snell to be postmaster at Clio, Ala., in place of H. M. Snell. Incumbent's commission expired June 8, 1940.

Arthur T. Sanders to be postmaster at Oakman, Ala., in place of C. R. Cain, transferred.

ARKANSAS

Glenn Johnson to be postmaster at Flippin, Ark., in place of E. E. Noe. Incumbent's commission expired July 27, 1941.

CALIFORNIA

Bertie Poore to be postmaster at Armona, Calif., in place of Bertie Poore. Incumbent's commission expired February 6, 1941.

COLORADO

Nelle M. King to be postmaster at Fountain, Colo., in place of N. M. King. Incumbent's commission expired February 24, 1941.

FLORIDA

Mansell A. Orchard to be postmaster at Auburndale, Fla., in place of M. A. Orchard. Incumbent's commission expired February 11, 1941.

Walter Edward Clark to be postmaster at Fruitland Park, Fla., in place of W. E. Clark. Incumbent's commission expired April 22, 1941.

Martha J. Metz to be postmaster at North Miami, Fla., in place of M. J. Metz. Incumbent's commission expired July 30, 1941.

Mamie M. Baber to be postmaster at Ormond, Fla., in place of M. M. Baber. Incumbent's commission expired June 24, 1941.

GEORGIA

Ulysses S. Lancaster to be postmaster at Gray, Ga., in place of U. S. Lancaster. Incumbent's commission expired June 18, 1941.

John T. Miller to be postmaster at Maysville, Ga., in place of J. T. Miller. Incumbent's commission expired February 3, 1941.

Frank H. Moxley to be postmaster at Wadley, Ga., in place of F. H. Moxley. Incumbent's commission expired July 28, 1941.

HAWAII

Teruko F. Sugiyama to be postmaster at Kohala, Hawaii, in place of Hung Luke, resigned.

ILLINOIS

Thelma B. Zimmer to be postmaster at Armington, Ill., in place of T. B. Zimmer. Incumbent's commission expired May 28, 1941.

Quintin B. Bilderback to be postmaster at Augusta, Ill., in place of P. P. Bruner. Incumbent's commission expired June 1, 1940.

Fred H. Asay to be postmaster at Buckley, Ill., in place of F. F. Lietz, removed.

Meda D. Dowdall to be postmaster at Carrollton, Ill., in place of P. A. Daum, deceased.

Charles William Karcher to be postmaster at Dahlgren, Ill., in place of C. W. Karcher. Incumbent's commission expired February 6, 1941.

Helen R. Daniel to be postmaster at Danvers, Ill., in place of Maurice Rockwell. Incumbent's commission expired February 6, 1941.

Charles E. Hibbs to be postmaster at Grand Ridge, Ill., in place of C. E. Hibbs. Incumbent's commission expired June 19, 1941.

Muriel V. McNeil to be postmaster at Hazel Crest, Ill., in place of M. V. McNeil. Incumbent's commission expired June 18, 1941.

Paul H. Ryan to be postmaster at New Holland, Ill., in place of P. H. Ryan. Incumbent's commission expired May 7, 1941.

Robert H. Ryan to be postmaster at Rankin, Ill., in place of R. H. Ryan. Incumbent's commission expired February 6, 1941.

David E. Woolsoncroft to be postmaster at Roberts, Ill., in place of D. E. Woolsoncroft. Incumbent's commission expired June 19, 1941.

Walter W. Lesch to be postmaster at Washburn, Ill., in place of W. W. Lesch. Incumbent's commission expired June 19, 1941.

Hugh E. Davis to be postmaster at Waterman, Ill., in place of H. E. Davis. Incumbent's commission expired February 6, 1941.

John H. Stone to be postmaster at Watseka, Ill., in place of J. H. Stone. Incumbent's commission expired February 6, 1941.

INDIANA

Henry E. White to be postmaster at Franklin, Ind., in place of H. E. White. Incumbent's commission expired June 20, 1940.

IOWA

Bernadette M. Presho to be postmaster at Marquette, Iowa, in place of A. B. Berry, deceased.

Gladys Hadley to be postmaster at New Providence, Iowa, in place of Gladys Hadley. Incumbent's commission expired March 30, 1941.

Hazel Horning to be postmaster at Richland, Iowa, in place of C. E. Horning, deceased.

KENTUCKY

Leonard M. Proffit to be postmaster at Loyall, Ky., in place of E. E. Hopkins. Incumbent's commission expired March 10, 1941.

Thomas Albert Lewin Miller to be postmaster at Paducah, Ky., in place of Fred Acker, deceased.

LOUISIANA

George E. Johnson to be postmaster at Boyce, La., in place of G. E. Johnson. Incumbent's commission expired February 18, 1941.

Joseph W. Stegall to be postmaster at Delhi, La., in place of J. W. Steagall. Incumbent's commission expired March 16, 1941.

Joseph E. Blanchard to be postmaster at Raceland, La., in place of E. M. Daigle. Incumbent's commission expired February 18, 1941.

Miles Kern Hartsell to be postmaster at Rodessa, La., in place of M. K. Hartsell. Incumbent's commission expired July 30, 1941.

Dewey W. Payne to be postmaster at Springhill, La., in place of D. W. Payne. Incumbent's commission expired February 18, 1941.

Stephen O. Wilson to be postmaster at Vivian, La., in place of S. O. Wilson. Incumbent's commission expired April 27, 1941.

MAINE

Ethel B. Batson to be postmaster at West Jonesport, Maine. Office became Presidential July 1, 1940.

MARYLAND

Elizabeth H. Birch to be postmaster at Crownsville, Md., in place of M. H. Baldwin, deceased.

Michael J. Sullivan to be postmaster at Ellicott City, Md., in place of M. J. Sullivan. Incumbent's commission expired May 28, 1941.

MASSACHUSETTS

Homer L. Simmons to be postmaster at Chartley, Mass., in place of H. L. Simmons. Incumbent's commission expired July 27, 1941.

MICHIGAN

Neva J. DuVall to be postmaster at Coloma, Mich., in place of N. J. DuVall. Incumbent's commission expired June 18, 1941.

Floyd H. Shear to be postmaster at Homer, Mich., in place of H. H. Mickle, resigned.

Charles I. Cook to be postmaster at Levering, Mich., in place of E. F. Carpenter, deceased.

Henry E. Murphy to be postmaster at Pinckney, Mich., in place of H. E. Murphy. Incumbent's commission expired March 13, 1941.

Roy M. Gillies to be postmaster at West Branch, Mich., in place of R. M. Gillies. Incumbent's commission expired March 13, 1941.

MINNESOTA

Floyd H. Scheid to be postmaster at Easton, Minn., in place of F. H. Scheid. Incumbent's commission expired May 28, 1941.

James D. Brennan to be postmaster at Hinckley, Minn., in place of J. M. Brennan, deceased.

I. Selmer Rolland to be postmaster at Kensington, Minn., in place of I. S. Rolland. Incumbent's commission expired February 16, 1941.

Earl M. Wilson to be postmaster at Willow River, Minn., in place of E. M. Wilson. Incumbent's commission expired March 24, 1941.

MISSISSIPPI

Robert B. Cox to be postmaster at Batesville, Miss., in place of R. B. Cox. Incumbent's commission expired April 21, 1941.

Scott H. Speck to be postmaster at Blue Springs, Miss., in place of S. H. Speck. Incumbent's commission expired April 21, 1941.

Troy McGehee to be postmaster at Brookhaven, Miss., in place of Troy McGehee. Incumbent's commission expired August 4, 1941.

Frances H. Cooke to be postmaster at Coffeeville, Miss., in place of F. H. Cooke. Incumbent's commission expired April 21, 1941.

Catherine Fitzpatrick to be postmaster at Pass Christian, Miss., in place of Catherine Fitzpatrick. Incumbent's commission expired June 2, 1941.

William F. Henson to be postmaster at Ripley, Miss., in place of W. F. Henson. Incumbent's commission expired April 21, 1941.

G. Albert Decell to be postmaster at Wesson, Miss., in place of G. A. Decell. Incumbent's commission expired June 2, 1941.

MISSOURI

Egbert F. Arnold to be postmaster at Lewistown, Mo., in place of E. F. Arnold. Incumbent's commission expired June 29, 1941.

MONTANA

Amy P. Bartley to be postmaster at Fort Benton, Mont., in place of A. P. Bartley. Incumbent's commission expired June 24, 1941.

NEBRASKA

Arthur M. Hart to be postmaster at Burchard, Nebr., in place of A. M. Hart. Incumbent's commission expired March 13, 1941.

William Earl Goodhard to be postmaster at Elkhorn, Nebr., in place of W. E. Goodhard. Incumbent's commission expired July 28, 1941.

Virginia A. Tuey to be postmaster at Madrid, Nebr., in place of A. H. Nomer, removed.

Howard W. Botsford to be postmaster at Meadow Grove, Nebr., in place of H. W. Botsford. Incumbent's commission expired April 27, 1941.

NEW JERSEY

Paul N. Hindenach to be postmaster at Riegelsville, N. J., in place of P. N. Hindenach. Incumbent's commission expired April 22, 1941.

NEW YORK

Edith A. Wyman to be postmaster at Dover Plains, N. Y., in place of E. A. Wyman. Incumbent's commission expired February 4, 1941.

Edmund V. Shortt to be postmaster at Marlboro, N. Y., in place of E. V. Shortt. Incumbent's commission expired February 4, 1941.

Walter Stanhope to be postmaster at Thiells, N. Y., in place of Walter Stanhope. Incumbent's commission expired March 24, 1941.

Leona M. Carr to be postmaster at Union Springs, N. Y., in place of L. M. Carr. Incumbent's commission expired May 4, 1941.

William A. Quigley to be postmaster at Yorktown Heights, N. Y., in place of W. A. Quigley. Incumbent's commission expired February 9, 1941.

NORTH CAROLINA

Paul E. Rickman to be postmaster at Arden, N. C., in place of P. E. Rickman. Incumbent's commission expired July 28, 1941.

Mary J. Pepper to be postmaster at Danbury, N. C. Office became Presidential July 1, 1939.

NORTH DAKOTA

Josephine V. Senecal to be postmaster at Grenora, N. Dak., in place of J. V. Senecal. Incumbent's commission expired February 3, 1941.

Lee M. Rott to be postmaster at Hazelton, N. Dak., in place of E. L. Semling, resigned.

Ella E. Morin to be postmaster at Neche, N. Dak., in place of E. E. Morin. Incumbent's commission expired February 27, 1941.

OHIO

George H. Smith to be postmaster at Bryan, Ohio, in place of G. H. Smith. Incumbent's commission expired May 27, 1941.

Ivah Averill to be postmaster at Copley, Ohio, in place of Ivah Averill. Incumbent's commission expired April 21, 1941.

John Jones to be postmaster at Jefferson, Ohio, in place of L. D. Whitwood, removed.

OKLAHOMA

LeRoy Parrish to be postmaster at Comanche, Okla., in place of LeRoy Parrish. Incumbent's commission expired March 13, 1941.

Carrie M. Wynn to be postmaster at Fort Towson, Okla., in place of H. R. Wynn, deceased.

Earl Witten to be postmaster at Pauls Valley, Okla., in place of Earl Witten. Incumbent's commission expired August 26, 1939.

Riley T. Holbert to be postmaster at Sperry, Okla., in place of R. T. Holbert. Incumbent's commission expired April 22, 1941.

James A. Whelan to be postmaster at Yukon, Okla., in place of J. A. Whelan. Incumbent's commission expired February 9, 1941.

PENNSYLVANIA

Walter E. Russell to be postmaster at Christiana, Pa., in place of R. M. Brown. Incumbent's commission expired February 18, 1941.

Abraham H. Scholl to be postmaster at Harleysville, Pa., in place of A. H. Scholl. Incumbent's commission expired March 13, 1941.

Henry C. Cresswell to be postmaster at Petersburg, Pa., in place of M. S. Simpkins, resigned.

Athay E. Brenneman to be postmaster at Portersville, Pa., in place of A. E. Brenneman. Incumbent's commission expired May 7, 1941.

Rose W. McDevitt to be postmaster at St. Benedict, Pa., in place of R. W. McDevitt. Incumbent's commission expired February 18, 1941.

George S. McCurdy to be postmaster at Scottdale, Pa., in place of G. S. McCurdy. Incumbent's commission expired March 13, 1941.

Rosa E. Haney to be postmaster at Wheatland, Pa. Office became Presidential July 1, 1940.

SOUTH CAROLINA

James V. Askew, Jr., to be postmaster at Lockhart, S. C., in place of J. V. Askew, Jr. Incumbent's commission expired April 22, 1941.

Annie T. Elvington to be postmaster at Nichols, S. C., in place of A. T. Elvington. Incumbent's commission expired February 18, 1941.

Jacob M. Bedenbaugh to be postmaster at Prosperity, S. C., in place of J. M. Bedenbaugh. Incumbent's commission expired June 2, 1941.

SOUTH DAKOTA

Ole Peterson Ronning to be postmaster at Valley Springs, S. Dak., in place of O. P. Ronning. Incumbent's commission expired April 6, 1941.

TENNESSEE

Albert Jackson Dale to be postmaster at Celina, Tenn., in place of A. J. Dale. Incumbent's commission expired February 2, 1941.

Leland D. Jordan to be postmaster at Shelbyville, Tenn., in place of L. D. Jordan. Incumbent's commission expired August 27, 1939.

TEXAS

Jay H. Riley to be postmaster at Canton, Tex., in place of J. H. Riley. Incumbent's commission expired March 13, 1941.

Mabel E. Jones to be postmaster at Hedley, Tex., in place of M. E. Jones. Incumbent's commission expired February 6, 1941.

Willis R. Shelton to be postmaster at Monahans, Tex., in place of L. H. Nutt, deceased.

LaVerne G. Files to be postmaster at Monroe City, Tex., in place of T. L. Thames, resigned.

Athenlar R. Wade to be postmaster at San Augustine, Tex., in place of Athenlar Wade. Incumbent's commission expired April 27, 1941.

UTAH

Daisy H. Wilkin to be postmaster at Magna, Utah, in place of E. W. Baker. Incumbent's commission expired February 16, 1941.

VIRGINIA

James Archie Buchanan to be postmaster at Saltville, Va., in place of J. A. Buchanan. Incumbent's commission expired June 2, 1941.

WASHINGTON

Alvin R. Lehmann to be postmaster at Parkland, Wash., in place of A. R. Lehmann. Incumbent's commission expired April 27, 1941.

WEST VIRGINIA

J. Fred Wilson to be postmaster at Clay, W. Va., in place of J. F. Wilson. Incumbent's commission expired March 11, 1941.

Norrene F. Golightly to be postmaster at Davis, W. Va., in place of F. D. Golightly, retired.

WISCONSIN

Ella W. Weidner to be postmaster at Abrams, Wis., in place of E. W. Weidner. Incumbent's commission expired April 21, 1941.

Howard E. Bitney to be postmaster at Clayton, Wis., in place of H. E. Bitney. Incumbent's commission expired April 27, 1941.

Thomas A. Lowerre to be postmaster at Delafield, Wis., in place of T. A. Lowerre. Incumbent's commission expired May 28, 1941.

Erna Bond to be postmaster at Eagle River, Wis., in place of A. H. LaRenzie, removed.

Bertrand E. Sands to be postmaster at Eleva, Wis., in place of B. E. Sands. Incumbent's commission expired February 18, 1941.

Edmund P. Johnson to be postmaster at Rosholt, Wis., in place of E. P. Johnson. Incumbent's commission expired June 22, 1941.

UNITED STATES DISTRICT JUDGE

Hon. Archibald B. Lovett, of Georgia, to be United States district judge for the southern district of Georgia, vice Hon. William H. Barrett, deceased.

APPOINTMENTS IN THE REGULAR ARMY

Delos Carleton Emmons, lieutenant general (temporary), Army of the United States, to be commanding general, General Headquarters Air Force, an office now merged in that of Chief, Air Force Combat Command, with the rank of major general from March 1, 1939. This nomination is made for the purpose of protecting General Emmons' retirement rights under section 4c, National Defense Act, as amended, and is made without prejudice to his office and rank as lieutenant general, Army of the United States.

TO BE FIRST LIEUTENANT, MEDICAL CORPS, WITH RANK FROM DATE OF APPOINTMENT

First Lt. Robert Lowry Berry, Jr., Medical Corps Reserve.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO QUARTERMASTER CORPS

Maj. William Wallace Brier, Infantry (temporary lieutenant colonel, Army of the United States), with rank from November 1, 1939.

TO FINANCE DEPARTMENT

Capt. Paul Arthur Mayo, Infantry, with rank from June 11, 1941.

TO ORDNANCE DEPARTMENT

First Lt. Charles Herbert Wood, Infantry (temporary captain, Army of the United States), with rank from June 12, 1937.

First Lt. Oscar Gordon Kreiser, Infantry (temporary captain, Army of the United States), with rank from June 12, 1940.

First Lt. Edward Daniel Mohler, Cavalry (temporary captain, Army of the United States), with rank from June 12, 1939.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

(That officer whose name is preceded by the symbol (×) has been examined and found qualified for promotion. All others are subject to examination required by law.)

TO BE COLONELS WITH RANK FROM SEPTEMBER 1, 1941

Lt. Col. Julian Francis Barnes, Field Artillery (temporary colonel, Army of the United States).

Lt. Col. Harold Cornelius Vanderveer, Field Artillery (temporary colonel, Army of the United States).

Lt. Col. Kenna Granville Eastham, Cavalry (temporary colonel, Army of the United States).

Lieut. Col. Henry Terrell, Jr., Infantry (temporary brigadier general, Army of the United States).

Lt. Col. Clift Andrus, Field Artillery (temporary colonel, Army of the United States).

Lt. Col. Frank Cadle Mahin, Infantry (temporary colonel, Army of the United States).

×Lt. Col. Lawrence Sprague Churchill, Air Corps (temporary colonel, Air Corps; temporary colonel, Army of the United States).

Lt. Col. George Elmer Arneman, Field Artillery (temporary colonel, Army of the United States).

APPOINTMENTS AND PROMOTIONS IN THE NAVY

MARINE CORPS

The following-named first lieutenants to be captains in the Marine Corps from the 8th day of July 1940:

Charles W. Harrison	William W. Buchanan
Arthur A. Chidester	Frank L. Kilmartin
Robert A. McGill	Eschol M. Mallory

The following-named first lieutenants to be captains in the Marine Corps from the 1st day of March 1941:

Lawrence H. McCulley	Frederick R. Dowsett
Alexander A. Vandergrift, Jr.	George B. Bell

The following-named first lieutenants to be captains in the Marine Corps from the 1st day of July 1941:

Orin C. Bjornsrud
Robert W. Boyd

Robert T. Knox, a citizen of Idaho, to be a second lieutenant in the Marine Corps from the 2d day of September 1941.

HOUSE OF REPRESENTATIVES

MONDAY, SEPTEMBER 8, 1941

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, Mr. WOODRUM of Virginia.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Heavenly Father, be pleased to consider and hear us. We pray that our hearts may chant a silent and thankful refrain in grateful memory of mother love. We praise Thee that true motherhood is the nearest human symbol to the blessed Christ Himself. Here is the first face that waited for us, that never turned away, that brightened at our joys and clouded at our sorrows, that gave all and asked nothing; keeping watch over our helplessness, soothing our earliest and latest heartaches; at her side we found our first altar as she taught our lips to pray. Most blessed Lord, the endearing mother of our most distinguished son has left us, and the American heart is touched. As he waits in the deep shadows of his great loss, do Thou give him abiding peace and comfort. In the holy name of our Saviour, we pray. Amen.

The Journal of the proceedings of Thursday, September 4, 1941, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Baldridge, one of its clerks, announced that the Senate had adopted the following resolution (S. Res. 160):

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. EDWARD T. TAYLOR, late a Representative from the State of Colorado.

Resolved, That a committee of five Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased Representative the Senate do now take a recess until 11 o'clock a. m. tomorrow.

The message also announced that pursuant to the provisions of the above resolution the Presiding Officer named Mr. ADAMS, Mr. JOHNSON of Colorado, Mr. CHAVEZ, Mr. BUNKER, and Mr. MURDOCK as members of the committee on the part of the Senate.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1014. An act to amend section 12B of the Federal Reserve Act, as amended.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 5417. An act to provide revenue, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GEORGE, Mr. WALSH, Mr. BARKLEY, Mr. CAPPER, and Mr. DAVIS to be the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 5146. An act to amend an act entitled "An act to authorize the Secretary of War to proceed with the construction of certain public works in connection with the War Department in the District of Columbia," approved June 15, 1938.

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. BREWSTER members of the Joint Select Committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

Department of Agriculture.
Department of Commerce.
Department of the Navy.
Department of the Treasury.
Department of War.
Federal Security Agency, Food and Drug Administration.
Federal Security Agency, Social Security Board.
Federal Works Agency, United States Housing Authority.
Federal Works Agency, Work Projects Administration.
National Resources Planning Board.
United States Food Administration.

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I wish to submit several unanimous-consent requests on behalf of colleagues.

Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. WOODRUFF] be permitted to extend his own remarks in the RECORD and include therein a letter from a constituent, and, further, that he be permitted to extend his own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, I also ask unanimous consent that the gentleman from Ohio [Mr. JONES] be permitted to extend his own remarks in the RECORD and include therein a radio address delivered over station WHIO, Dayton, Ohio, on August 29, 1941.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of national unity and to include therein a short editorial on the same subject.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a copy of an address I delivered at Detroit, Mich., and further to extend my own remarks in the RECORD and include therein a broadcast made under the auspices of the Veterans of Foreign Wars.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PLOESER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief news article, together with an editorial from the St. Louis Post-Dispatch.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. MANSFIELD] be permitted to extend his own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address I delivered over a local station, WWDC, under the auspices of the Veterans of Foreign Wars, on the subject The Vital Importance of Our Civilian National Defense Program.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I have three unanimous-consent requests:

First, I ask unanimous consent that I be permitted to extend my own remarks in the RECORD and include therein a digest of certain laws, prepared by former Senator Hawes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COCHRAN. Second, Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. HOUSTON] be permitted to extend his own remarks in the RECORD and include therein an article by William Allen White.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COCHRAN. Third, Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. CLARK] be permitted to extend his own remarks in the RECORD and include therein an address delivered by Rear Admiral Clark H. Woodward.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

(Mr. RAMSAY, Mr. PATRICK, and Mr. CANNON of Missouri were given permission to extend their remarks in the RECORD.)

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that I be permitted to extend my remarks in the RECORD and include therein a letter by Dr. Nicholas Murray Butler written to Mr. John G. Jackson, president of the New York State Bar Association, on the subject of the pending Federal revenue bill, since these matters are all to be discussed in the House of Representatives a few days hence when the Senate bill is returned to the House. It occurs to me that the Members would find it worth while to read Dr. Butler's letter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PADDOCK. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. HOWELL] be permitted to extend his own remarks in the RECORD and to include therein an editorial from the Illinois State Journal.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

ADJOURNMENT

Mr. COCHRAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 5 minutes p. m.), pursuant to its order heretofore entered, the House adjourned until Thursday, September 11, 1941, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

892. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Labor for the fiscal year 1942 amounting to $40,600 (H. Doc. No. 370); to

the Committee on Appropriations and ordered to be printed.

893. A communication from the President of the United States, transmitting a report of the expenditure of $8,716.26 from the First Supplemental National Defense Appropriation Act, 1941, Public, 667, Seventy-sixth Congress, approved June 26, 1940; to the Committee on Expenditures in the Executive Departments.

894. A letter from the Acting Secretary of the Interior, transmitting the draft of a proposed bill to amend section 2334 of the Revised Statutes relating to the execution of mineral surveys on public lands by privately employed surveyors; to the Committee on Mines and Mining.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MAY:

H. R. 5630. A bill to make provision for the construction activities of the Army; to the Committee on Military Affairs.

By Mr. RANDOLPH:

H. R. 5631. A bill to amend an act entitled "An act to regulate the practice of the healing art to protect the public health in the District of Columbia," approved February 27, 1929; to the Committee on the District of Columbia.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANGELL:

H. R. 5632. A bill for the relief of Edith M. Powell; to the Committee on Claims.

By Mr. CRAVENS:

H. R. 5633. A bill for the relief of J. R. Arnold; to the Committee on Claims.

SENATE

THURSDAY, SEPTEMBER 11, 1941

The Reverend Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

O God, who hast so wonderfully made all things, and hast breathed into us the breath of life, making us spiritual beings capable of discerning right and wrong: Though we have chosen the evil and eschewed the good until our souls fain would forget their heaven-born destiny, by the divine alchemy of Thy grace transmute our dross into purest gold, that we may be filled anew with Thy life. Teach us to look with Thine eyes upon Thy creation, to know it is good because Thou hast created it, and to realize that it can be the vehicle of our sublimest glory or deepest shame. Help us to consecrate it to Thy use, rather than to bend it to our base desires, that in all things we may share in Thy creation, working with Thee toward heavenly ends through means both material and spiritual. We ask it in the name of Him, who didst teach that there is nothing so lowly but that it may be used in Thy service and made luminous with Thy presence, even Jesus Christ our Lord. Amen.

THE JOURNAL

On motion of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of Monday, September 8, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

PETITIONS

Petitions, etc., were laid before the Senate by the Vice President, or presented by a Senator, and referred as indicated:

By the VICE PRESIDENT:

Resolutions adopted by the North American Life Assurance Union, of Chicago, Ill.; General Welfare Centre No. 295, District No. 1, of Portland, Maine, and the Ocean County Association, Junior Order United American Mechanics, of Ocean County, N. J., favoring the enactment of legislation providing a pension of $30 per month for every citizen over 60 years of age; to the Committee on Finance.

By Mr. CAPPER:

Petitions, numerously signed, of sundry citizens of Fort Scott and Harper, in the State of Kansas, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

REPORTS OF A COMMITTEE

The following reports of the Committee on the District of Columbia were submitted:

By Mr. McCARRAN:

H. R. 5202. A bill to create an Industrial Accident Prevention Board, to foster, promote, and develop the safety of wage earners of the District of Columbia; to define its powers and duties, and for other purposes; with amendments (Rept. No. 675).

By Mr. BURTON:

S. 1008. A bill to amend an act entitled "An act to provide that all cabs for hire in the District of Columbia be compelled to carry insurance for the protection of passengers, and for other purposes," approved June 29, 1938; with amendments (Rept. No. 674).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

S. 1899. A bill for the relief of Lawrence Brizendine; to the Committee on Claims.

By Mr. DOWNEY:

S. 1900. A bill to amend section 5 of the Civil Service Retirement Act of May 29, 1930, as amended; to the Committee on Civil Service.

By Mr. BULOW:

S. 1901. A bill granting a pension to Josephine Todd Moore; to the Committee on Pensions.

S. 1902 (by request). A bill to liquidate the liability of the United States for the massacre of Sioux Indian men, women, and children at Wounded Knee on December 29, 1890; to the Committee on Indian Affairs.

INVESTIGATION OF INCIDENT INVOLVING THE U. S. S. "GREER"

Mr. NYE submitted the following resolution (S. Res. 164), which was referred to the Committee on Naval Affairs:

Whereas the President of the United States and the high authorities of the Navy have reported that the U. S. S. *Greer* was fired upon by torpedoes from an unidentified submarine while on the Atlantic between this country and Iceland, and, in turn, the *Greer* dropped depth charges in an attempt to sink the submarine; and

Whereas the President has issued orders that this submarine shall be hunted down by our naval forces and "eliminated"; and

Whereas numerous groups in America, many of them high public officials, have been calling on the Navy to shoot first on the Atlantic, all of which has resulted in grave uneasiness in the public mind affecting the conduct of our own Government; and

Whereas this or other similar incidents might well bring about a situation resulting in actual warfare, either declared or undeclared, against the Axis Powers with consequent great loss of life and staggering debt to the Nation; and

Whereas it is important to the morale and unity of the Nation that there should be no question in the public mind respecting the propriety of the conduct of the American Government and the Navy; and

Whereas the Congress is entitled to the fullest information concerning an incident so vitally endangering the peace of the Nation; and

Whereas actual facts of the incident can be wholly segregated from the subject of national policy: Therefore, be it

Resolved, That the Committee on Naval Affairs is hereby requested to ascertain all the facts attendant upon the conflict between the U. S. S. *Greer* and the unidentified submarine through direct questioning of the officers and crew of the *Greer* and an examination of its orders and its log; and be it further

Resolved, That the committee is requested to ascertain and report to the Senate the orders which have been issued by the naval authorities, under which the U. S. S. *Greer* and/or other United States naval vessels are operating between this Nation and Iceland.

LOG OF THE U. S. S. "GREER"

Mr. CLARK of Missouri. Mr. President, I send forward a very short resolution and ask unanimous consent that it may be read at the desk for the information of the Senate.

The VICE PRESIDENT. The clerk will read as requested.

The legislative clerk read the resolution (S. Res. 165), as follows:

Resolved, That the Secretary of the Navy is requested, if not incompatible with the public interest, to submit to the Senate a copy of the log of the U. S. S. *Greer* for the days September 2, 1941, to September 5, 1941, both inclusive.

Mr. CLARK of Missouri. Mr. President, I should like to state in very brief explanation of the resolution which I have just sent forward, and which I assume will be referred to the Committee on Naval Affairs in the due course, that I have no information and no intimation as to what the log of the U. S. destroyer *Greer* may show. I do know that certain statements have been made, given out from the Navy Department, and certain statements have been made by the

President of the United States as to what happened in North Atlantic waters in regard to that naval vessel. I know that some of these statements have been disputed.

I take it, to use a familiar principle of law, that the log of the *Greer* itself, the entries in the log, memoranda made concurrently with the happening of the event, would be admissible in any court of the world, at least, any court following the common law, as part of the res gestae. Such memoranda constitute part of the circumstance itself. Moreover, I know, to use another very familiar rule of law, that a memorandum made at the time, on the responsibility of a naval commander, is the very best evidence that can possibly be obtained as to what occurred in that connection.

Now, Mr. President, since the matter has been made public—I mean since reference to the incident has been made a matter of world-wide discussion—it seems to me that the American people are entitled to know all the truth, not half the truth, not half the facts, not part of the facts, but that the American people are entitled to know all the truth about that incident which took place in the North Atlantic.

I may say in further explanation, Mr. President, that the reason I included 5 days instead of 1 day in the resolution was that I called the Navy Department this morning and asked them for the exact date when this incident took place. They said it was generally given out that it was the 4th, but that the surrounding circumstances of the other days were a military secret. Therefore, I included 2 days before September 4, and 2 days after September 4.

Mr. President, I would be the last to desire to violate any military secret either of the Army or the Navy of the United States; I would be the last to ask for any information or for the publication of any information that might possibly be fairly considered to be a military secret; but, as I said a moment ago, it does seem to me that, the incident having been given out by the Navy Department itself in the first instance and repeated by the President, the American people are entitled to know all the facts, no matter what they may be. I repeat that I have no intimation or information whatever as to what the log of the U. S. S. *Greer* may show.

I offer the resolution, Mr. President, because a great many of us are not willing to accept statements of a propaganda bureau of the Navy Department. We all recall an incident just a little while ago when Secretary Knox, himself, publicly and solemnly assured the American people that no such incident had taken place as an American ship dropping depth bombs on a submarine in the North Atlantic, then told an entirely different story to the Naval Affairs Committee, and just a few weeks later, in an article, published in a magazine for hire he repudiated the original statement which he had publicly and solemnly made to the people of the United States.

I insist that the log of the *Greer* is the very best evidence on the subject, and the memoranda contemporaneously made with the happening of the incident every American would be willing to accept as the correct version of the affair, because every American knows that no naval officer, on his responsibility as a naval officer, subject to court martial, is going contemporaneously to write down a lie in the official log of his ship as to what happened. It seems to me that the American people are entitled to know the facts. I do not know what they are.

The VICE PRESIDENT. Without objection, the resolution will be received out of order and will be appropriately referred.

Mr. BARKLEY. Mr. President, may I ask whether that means that the resolution will go to the Committee on Naval Affairs?

The VICE PRESIDENT. The resolution will be referred to the Committee on Naval Affairs.

ESTABLISHMENT OF ADDITIONAL NAVAL ACADEMY ON LAKE MICHIGAN, ILL.

Mr. BROOKS submitted the following resolution (S. Res. 166), which was referred to the Committee on Naval Affairs:

Whereas the two-ocean Navy will require a large number of thoroughly trained officers; and

Whereas an additional naval academy may be necessary to provide for the education and training of these additional officers; and

Whereas it is vitally important to our national defense that a naval academy be situated in a location away from the seaboard and consequently less open to destruction in time of war; and

Whereas the unequaled and outstanding advantages which impelled Congress to locate the Great Lakes Naval Training Station in Lake County, Ill., are of equal force in choosing a location for an additional naval academy: Therefore be it

Resolved, That the Secretary of the Navy is requested to investigate the necessity for the establishment of an additional naval academy and the desirability of locating such academy on the shore of Lake Michigan in Lake County, Ill., and report his conclusions to the Senate.

ADDRESS BY SENATOR BARKLEY BEFORE IOWA STATE BANKERS ASSOCIATION

[Mr. HERRING asked and obtained leave to have printed in the RECORD the address on the subject What the United States Faces Today, delivered by Senator BARKLEY before the Iowa State Bankers Association at Des Moines, Iowa, on September 9, 1941, which appears in the Appendix.]

ADDRESS BY SECRETARY MORGENTHAU BEFORE ADVERTISING CLUB OF BOSTON

[Mr. BARKLEY (for Mr. GLASS) asked and obtained leave to have printed in the RECORD a radio address delivered by Hon. Henry Morgenthau, Secretary of the Treasury, before the Advertising Club of Boston on September 9, 1941.]

WHAT FARM POWER MEANS TO FOOD AND DEFENSE—ADDRESS BY HON. PAUL V. McNUTT

[Mr. SPENCER asked and obtained leave to have printed in the RECORD an address delivered by Hon. Paul V. McNutt, Federal Security Administrator, before a banquet meeting of the Rural Electrification Administration and Food for Defense Conference, at the Washington Hotel, Washington, D. C., on September 5, 1941, which appears in the Appendix.]

ADDRESSES ON CURB OF INSTALLMENT BUYING

[Mr. CAPPER asked and obtained leave to have printed in the RECORD the addresses delivered on the American Forum of the Air at the Hotel Willard, Washington, D. C., on August 31, on the subject How Far Should We Curb Installment Buying? which appears in the Appendix.]

ADDRESS BY LT. GEN. BEN LEAR TO SOLDIERS OF SECOND ARMY IN THE FIELD

[Mr. BARKLEY (for Mr. LUCAS) asked and obtained leave to have printed in the RECORD an address delivered by Lt. Gen. Ben Lear, commanding general of the Second Army, to the soldiers of the Second Army in the field, on August 28, 1941, which appears in the Appendix.]

FORMER SENATOR BURKE OF NEBRASKA

[Mr. NYE asked and obtained leave to have printed in the RECORD an article from the Omaha (Nebr.) World Herald of September 4, 1941, relative to Hon. Edward R. Burke, former Senator from Nebraska, which appears in the Appendix.]

SIX YEARS OF THE NATIONAL LABOR RELATIONS ACT—ARTICLE BY H. A. MILLIS

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an article by H. A. Millis, Chairman of the National Labor Relations Board, entitled "Six Years of the National Labor Relations Act," which appears in the Appendix.]

POST OFFICE CANCELATIONS

[Mr. DOWNEY asked and obtained leave to have printed in the RECORD an article by Leo F. Rahill, entitled "Post Office Cancelations," published in The Dispatch, Camp Roberts, Calif., August 15, 1941, which appears in the Appendix.]

TOWNSEND PENSION PLAN—ARTICLE BY GEORGE MURRAY

[Mr. DOWNEY asked and obtained leave to have printed in the RECORD an article entitled "Townsend Pension Plan," written by George Murray, and published in the Federation News of July 5, 1941, which appears in the Appendix.]

RACIAL DISCRIMINATION—LETTER FROM REV. A. WENDELL ROSS

[Mr. DOWNEY asked and obtained leave to have printed in the RECORD a letter from Rev. A. Wendell Ross, pastor of the Pleasant Hill Baptist Church, of Los Angeles, Calif., relative to national and State segregation laws, which appears in the Appendix.]

RESOLUTIONS OF REPRESENTATIVES OF IOWA A. A. A. FARMERS, COMMITTEEMEN, AND CORN GROWERS

[Mr. GILLETTE asked and obtained leave to have printed in the RECORD resolutions adopted by representatives of A. A. A. farmers, committeemen, and corn growers of Iowa, and embodied in a letter addressed by them to the Secretary of Agriculture and the Vice President of the United States, which appear in the Appendix.]

LEGISLATURE AND EXECUTIVE IN WARTIME—ARTICLE BY LINDSAY ROGERS

[Mr. AIKEN asked and obtained leave to have printed in the RECORD an article by Lindsay Rogers entitled "Legislature and Executive in Wartime."]

HITLER AND PROPAGANDA

[Mr. SMATHERS asked and obtained leave to have printed in the RECORD two editorials from the Washington Post, and an editorial

from the Atlantic City Press, which appears in the Appendix.]

STATEMENT BY RUSSELL E. SINGER ON PETROLEUM SITUATION

[Mr. ANDREWS asked and obtained leave to have printed in the RECORD a statement by Russell E. Singer, general manager of the American Automobile Association, before the subcommittee of the Senate Committee on Commerce investigating the petroleum situation, on Monday, September 8, 1941, which appears in the Appendix.]

IMPORTATION OF CUBAN TOMATOES AND OTHER VEGETABLES

[Mr. ANDREWS asked and obtained leave to have printed in the RECORD a letter from S. J. Sligh, of Orlando, Fla., dated September 9, 1941, together with an accompanying table, relative to importation of Cuban tomatoes and other vegetables, which appear in the Appendix.]

NONDISCRIMINATION IN NATIONAL-DEFENSE APPOINTMENTS

Mr. GUFFEY. Mr. President, it has been my personal and political policy to treat all citizens, regardless of race, creed, color, or national origin with the same consideration. I am very happy to note that when the President's attention was called to a possible violation of the policy, he immediately issued an Executive order prohibiting any practices of partiality, and has since followed it with a letter definitely insisting upon a fair racial and creed policy in employment in the Government service. I ask that the President's letter and Executive order be incorporated in the CONGRESSIONAL RECORD as part of my remarks, together with a memorandum from the President addressed to William S. Knudsen and Sidney Hillman, and an article from the New York Times of September 7, relative to the subject.

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

Under date of September 3 the President addressed the following letter to Mark Ethridge, chairman, Fair Employment Practice Committee, Office of Production Management:

"Please accept my thanks for your letter of August 29, to which I have given careful consideration. This will inform you that I have approved the committee's recommendation. I am, therefore, today forwarding to the heads of all departments and independent establishments a letter emphasizing the necessity of impartial administration of the Federal civil service, entirely without prejudice based on creed, race, or national origin. I enclose a copy.

"May I, in advising you of my approval, ask you to convey to the members of the committee an assurance of my heartfelt appreciation of their conscientious work, which I trust will contribute vitally to the solution of a grave problem."

The text of the letter which the President sent to the heads of all departments and independent establishments follows:

"To heads of all departments and independent establishments:

"It has come to my attention that there is in the Federal establishment a lack of uniformity and possibly some lack of sympathetic attitude toward the problems of minority groups, particularly those relating to the employment and assignment of Negroes in the Federal civil service.

"With a view to improving the situation, it is my desire that all departments and independent establishments in the Federal Government make a thorough examination of their personnel policies and practices to the end that they may be able to assure me that in the Federal service the doors of employment are open to all loyal and qualified workers regardless of creed, race, or national origin.

"It is imperative that we deal with this problem speedily and effectively. I shall look for immediate steps to be taken by all departments and independent establishments of the Government to facilitate and put into effect this policy of nondiscrimination in Federal employment."

EXECUTIVE ORDER No. 8802

REAFFIRMING POLICY OF FULL PARTICIPATION IN THE DEFENSE PROGRAM BY ALL PERSONS, REGARDLESS OF RACE, CREED, COLOR, OR NATIONAL ORIGIN, AND DIRECTING CERTAIN ACTION IN FURTHERANCE OF SAID POLICY

Whereas it is the policy of the United States to encourage full participation in the national-defense program by all citizens of the United States, regardless of race, creed, color, or national origin, in the firm belief that the democratic way of life within the Nation can be defended successfully only with the help and support of all groups within its borders; and

Whereas there is evidence that available and needed workers have been barred from employment in industries engaged in defense production solely because of considerations of race, creed, color, or national origin, to the detriment of workers' morale and of national unity: Now, therefore,

By virtue of the authority vested in me by the Constitution and the statutes, and as a prerequisite to the successful conduct of our national-defense production effort, I do hereby reaffirm the policy of the United States that there shall be no discrimination in the employment of workers in defense industries or Government because of race, creed, color, or national origin; and I do hereby declare that it is the duty of employers and of labor organizations, in furtherance of said policy and of this order, to provide for the full and equitable participation of all workers in defense industries, without discrimination because of race, creed, color, or national origin;

And it is hereby ordered as follows:

1. All departments and agencies of the Government of the United States concerned with vocational and training programs for defense production shall take special measures appropriate to assure that such programs are administered without discrimination because of race, creed, color, or national origin;

2. All contracting agencies of the Government of the United States shall include in all defense contracts hereafter negotiated by them a provision obligating the contractor not to discriminate against any worker because of race, creed, color, or national origin;

3. There is established in the Office of Production Management a Committee on Fair Employment Practice, which shall consist of a chairman and four other members to be appointed by the President. The chairman and members of the Committee shall serve as such without compensation, but shall be entitled to actual and necessary transportation, subsistence, and other expenses incidental to performance of their duties. The Committee shall receive and investigate complaints of discrimination in violation of the provisions of this order and shall take appropriate steps to redress grievances which it finds to be valid. The Committee shall also recommend to the several departments and agencies of the Government of the United States and to the President all measures which may be deemed by it necessary or proper to effectuate the provisions of this order.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *June 25, 1941.*

JUNE 12, 1941.

Memorandum for:

Hon. WILLIAM S. KNUDSEN.

Hon. SIDNEY HILLMAN.

Complaints have repeatedly been brought to my attention that available and much-needed workers are being barred from defense production solely because of race, religion, or national origin. It is said that at a time when labor stringencies are appearing in many areas fully qualified workers are being turned from the gates of industry on specifications entirely unrelated to efficiency and productivity; also, that discrimination against Negro workers has been Nation-wide, and other minority racial, national, and religious groups have felt its effects in many localities. This situation is a matter of grave national importance, and immediate steps must be taken to deal with it effectively.

I note with satisfaction that the Office of Production Management has recognized the seriousness of this situation, and that on April 11, 1941, it addressed a letter on the subject to all holders of defense contracts. As Chief Executive of the Nation, I place the full support of my office behind your statement to the effect that "all holders of defense contracts are urged to examine their employment and training policies at once to determine whether or not these policies make ample provision for the full utilization of available and competent Negro workers. Every available source of labor capable of producing defense materials must be tapped in the present emergency."

No nation combatting the increasing threat of totalitarianism can afford arbitrarily to exclude large segments of its population from its defense industries. Even more important is it for us to strengthen our unity and morale by refuting at home the very theories which we are fighting abroad.

Our Government cannot countenance continued discrimination against American citizens in defense production. Industry must take the initiative in opening the doors of employment to all loyal and qualified workers, regardless of race, national origin, religion, or color. American workers, both organized and unorganized, must be prepared to welcome the general and much-needed employment of fellow workers of all racial and nationality origins in defense industries.

In the present emergency it is imperative that we deal effectively and speedily with this problem. I shall expect the Office of Production Management to take immediate steps to facilitate the full utilization of our productive manpower.

FRANKLIN D. ROOSEVELT.

[From the New York Times of September 7, 1941]

PRESIDENT ORDERS RACE BARS LIFTED—HE AGAIN INSTRUCTS HEADS OF ALL AGENCIES TO END DISCRIMINATION IN EMPLOYMENT—PRAISES ETHRIDGE REPORT—O. P. M. FAIR PRACTICES COMMITTEE STRESSES PREJUDICE AGAINST NEGROES IN FEDERAL JOBS

HYDE PARK, N. Y., September 6—President Roosevelt has again instructed the heads of all Government departments and agencies to hire employees without regard to "creed, race, or religion" and, particularly, to give the Negroes an opportunity to get their fair share of Federal jobs, including those related to defense.

The Executive acted upon a report from Mark Ethridge, Chairman of the new Fair Employment Practices Committee of the Office of Production Management, which said that discrimination against Negroes was continuing in the Federal establishment.

The Ethridge committee was established by an executive order June 25 which asserted that needed workers were being barred from defense industries because of race and other

prejudices. Government agencies were instructed not to discriminate in any respect.

Mr. Roosevelt's new letter "to heads of all departments and independent establishments" read:

"It has come to my attention that there is in the Federal establishment a lack of uniformity and possibly some lack of sympathetic attitude toward the problems of minority groups, particularly those relating to the employment and assignment of Negroes in the Federal civil service.

"With a view to improving the situation, it is my desire that all departments and independent establishments in the Federal Government make a thorough examination of their personnel policies and practices to the end that they may be able to assure me that in the Federal service the doors of employment are open to all loyal and qualified workers regardless of creed, race, or national origin.

"It is imperative that we deal with this problem speedily and effectively. I shall look for immediate steps to be taken by all departments and independent establishments of the Government to facilitate and put into effect this policy of nondiscrimination in Federal employment."

In his letter to Mr. Ethridge the President said:

"Please accept my thanks for your letter of August 29, to which I have given careful consideration. This will inform you that I have approved the committee's recommendation. I am, therefore, today forwarding to the heads of all departments and independent establishments a letter emphasizing the necessity of impartial administration of the Federal civil service, entirely without prejudice based on creed, race, or national origin. I enclose a copy.

"May I, in advising you of my approval, ask you to convey to the members of the committee an assurance of my heartfelt appreciation of their conscientious work, which I trust will contribute vitally to the solution of a grave problem."

POSTMASTER NOMINATIONS REPORTED AND CONFIRMED

Mr. HAYDEN. From the Committee on Post Offices and Post Roads, I report favorably two nominations of postmasters in the State of Kentucky. I ask unanimous consent for their immediate consideration as in executive session, and that the President be notified.

The VICE PRESIDENT. The nominations will be read for the information of the Senate.

The Chief Clerk read the nomination of Thomas Albert Lewin Miller to be postmaster at Paducah, Ky., in place of Fred Acker, deceased.

The VICE PRESIDENT. Is there objection to the immediate consideration of the nomination as in executive session?

Mr. McNARY. Mr. President, are these nominations of postmasters?

Mr. HAYDEN. They are two nominations of postmasters in Kentucky; one in Paducah, where the postmaster died.

Mr. BARKLEY. There is a vacancy there. As the Senator from Arizona has stated, the postmaster died.

Mr. McNARY. Under the circumstances, I have no objection.

The VICE PRESIDENT. Is there objection to the consideration of the nomination as in executive session? The Chair hears none. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Leonard M. Proffit to be postmaster at Loyall, Ky., in place of E. E. Hopkins.

The VICE PRESIDENT. Is there objection to the consideration of the nomination as in executive session? The Chair hears none. Without objection, the nomination is confirmed.

Without objection, the President will be notified of the confirmation of both nominations.

PRINTING OF PROCEEDINGS OF NATIONAL ENCAMPMENTS OF VARIOUS VETERANS' ORGANIZATIONS

Mr. HAYDEN. Mr. President, from the Committee on Printing, I report favorably, without amendment, House Joint Resolution 196, and ask unanimous consent for its present consideration. The effect of the joint resolution is to authorize the printing of the annual report of the Military Order of the Purple Heart.

The VICE PRESIDENT. The clerk will state the title of the joint resolution for the information of the Senate.

The LEGISLATIVE CLERK. Joint resolution (H. J. Res. 196) authorizing the printing, with illustrations, of the proceedings of the national encampments of various veterans' organizations in the United States as separate House documents.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

Mr. MALONEY. Mr. President, let me ask the Senator from Arizona what are the other organizations which are included.

Mr. HAYDEN. The other organizations are the Grand Army of the Republic, the United Spanish War Veterans, the Veterans of Foreign Wars of the United States, the American Legion, and the Disabled American Veterans of the World War.

Mr. MALONEY. Would the Senator object to the inclusion of the other national veterans' organizations, such as the Jewish-American War Veterans, the Italian-American War Veterans, and the Irish-American War Veterans?

Mr. HAYDEN. I should have to object to that, because the committee has had no hearing upon the subject. This matter was heard in the House; and inasmuch as the Military Order of the Purple Heart is an order created by George Washington, it is in a little different status than the others. It is limited to men who were wounded.

Mr. MALONEY. I am in hearty accord with the joint resolution.

Mr. HAYDEN. I should not want to load down the joint resolution with all the other organizations without a hearing, because I do not know what the expense would be. I think we had better take them up on their merits.

Mr. MALONEY. May I ask the assurance of the distinguished chairman of the Committee on Printing that he will give consideration to the desires of the other organizations as soon as possible?

Mr. HAYDEN. I shall be very glad to do that; but I think we ought to take them up one at a time and on their merits.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution, which was ordered to a third reading, read the third time, and passed, as follows:

Resolved, etc., That Public Resolution No. 126 (46 Stat. 1481), approved March 2, 1931 (U. S. C., title 44, sec. 275B), authorizing the printing of the proceedings of the national encampments of certain veterans' organizations in the United States be, and is hereby, amended to read as follows:

"That hereafter the proceedings of the national encampments of the Grand Army of the Republic, the United Spanish War Veterans, the Veterans of Foreign Wars of the United States, the American Legion, the Military Order of the Purple Heart, and the Disabled American Veterans of the World War, respectively, shall be printed annually, with accompanying illustrations, as separate House documents of the session of the Congress to which they may be submitted."

LEGISLATIVE PROGRAM

Mr. BARKLEY. Mr. President, I desire to make a statement to the membership of the Senate.

The conferees on the revenue bill have met and are working and expect to have the conference report ready for the consideration of both Houses by next Tuesday. It is possible that it may be ready by Monday, but that is hardly likely, because the House is operating under a sort of recess agreement and the House conferees have not yet been legally appointed. They are acting informally; but they will be appointed on Monday, and we hope to have the conference report ready by that time, and certainly in time to be taken up in the two Houses on Tuesday. It must be acted on first in the House. Therefore I am making this statement merely in the hope that Senators who are here will remain here until the conference report is disposed of.

The Members of the House have been called back from their homes, and from the recess they have been taking, for the purpose of acting upon the conference report and being assured that a quorum will be in the city. I desire the same assurance in the Senate, that a quorum will be present. Therefore, I hope Senators may find it convenient to remain here, and that we may bring back such others as may be necessary to assure that a quorum will be present when the conference report on the revenue bill is considered and disposed of.

PRELIMINARY REPORT OF SPECIAL COMMITTEE TO INVESTIGATE SHORTAGE OF GASOLINE, FUEL OIL, ETC. (REPT. NO. 676)

Mr. MALONEY. Mr. President, on behalf of the special committee which you appointed on August 28, 1941, under Senate Resolution 156, to make a full and complete investigation with respect to the shortages of gasoline, fuel oil, and other petroleum products in the various States, and the methods that are being employed for the purpose of providing deliveries of such products, we now offer a brief report. This is not the committee's final report, but the members are of the opinion that the national interests

are best served by a preliminary report to the Senate at this time.

Prior to the appointment of this committee there was great fear on the part of the consuming public of the Atlantic seaboard area concerning a shortage of gasoline, home-burning fuel oil, industrial oil, and other petroleum products. The Petroleum Coordinator not only had urged oil conservation, but had imposed restrictions on its use, and, seemingly, from his organization came an indication of cold days ahead. There was fear that in the approaching winter months there would be an insufficient amount of fuel oil for home use, and probably an insufficient amount of oil for industrial purposes. A mild form of hysteria spread among small retailers, and anger and confusion and uncertainty were in evidence.

People questioned the accuracy of the observations of the Coordinator's Office, and, to a very great extent, the kind of harmony that is so important to the national-defense effort of the country was lacking. This unfortunate situation was widespread in the States along the Atlantic seaboard, was felt to a lesser degree in the northwestern part of the country, and to some degree elsewhere. It seemed to have either a depressing or an exciting effect upon a great part of our population.

The special Senate committee members, like most of the rest of the people of the country, were completely satisfied, from the beginning, that there was no shortage of petroleum products. The committee quickly concluded that the issue boiled down to the question of locating enough transportation facilities for the carrying of oil to what is known in the Coordinator's Office as region No. 1, and what might more easily be recognized as the Atlantic States area.

We have been holding hearings, as a special committee of the Senate, since August 28. There was an interruption of a few days as the result of the Labor Day holiday and week end, and the hearings were only concluded yesterday afternoon. They have not yet been printed.

The committee believes that in the handling of the petroleum problem unnecessary alarm was created. We are of the opinion that this was caused by an overenthusiasm on the part of those charged with the direction of the petroleum situation. The committee has no desire to assume credit for its small effort, nor to criticize those charged with the coordinating effort, but feels duty bound to make the observation that had an adequate analysis been made by those to whom the responsibility of coordination was delegated, the confusion of the past few months might have been avoided.

The committee furthermore has now concluded that there is no shortage of transportation facilities. This conclusion is based upon the studied opinion and serious promises of Mr. John J. Pelley, president of the Association of American Railroads, and Mr. Ralph Budd, Transportation Commissioner of the Advisory Commission to the Council of National Defense. These men reached their decision on the availability of tank-car facilities as a result of their own study, information obtained from the study of a fact-finding committee of the American Petroleum Institute, and through the cooperation of tank-car companies. Their testimony favorably impressed and satisfied the committee, although it should be reported that the Acting Petroleum Coordinator, and at least one or two others who testified, were reluctant to accept the accuracy of the statements of Mr. Budd and Mr. Pelley.

There is a probability that this special committee may later find it necessary to resume hearings. For the time being it will undertake a further committee study without hearings.

The committee members have not attempted to explore charges of unworthy purposes behind the announced oil "shortage." We have not felt that it was a part of our immediate responsibility to attempt to find out whether or not the "shortage" question arose as the result of a desire to construct a large pipe line, or other pipe lines, or whether behind the scene there was some connection with pending antitrust suits, or whether the price of petroleum products was involved. Members have heard these and other charges—and, while we do not dismiss them entirely, and while they might possibly be considered later, the committee has felt that its purpose was to ascertain whether or not there was a petroleum shortage; and if there was, how it might be corrected.

Our conclusions may best be summed up by stating that there is no shortage of petroleum products—nor a shortage, as of this date, of transportation facilities—but that the whole frightening picture, from the standpoint of the Coordinator's Office, seems to lie in the fact that the shortage, which has excited the activity of the Coordinator, is really a "shortage" in a large surplus which is desired. Paradoxical as it sounds, the shortage, as we see it, is a shortage of surplus and not a shortage of products or a lack of facilities to transport them.

It should be hastily stated, however, that this committee can look no more deeply into the future than the testimony which we received makes possible. We are, because of the world situation, living in compartments of days—and there is a national peril—and none can clearly foresee what the future may hold in store. Insofar as we have been able to determine from our hearings, our present facilities will be maintained. On the other hand, there should be an immediate increase in the use of tank cars, a constant increase in facilities through the continuing construction of tankers, much help through the improved use of pipe lines now in operation and under construction, the more extensive use of highway oil-carrying motortrucks, and the probable construction of barges; and at the same time an increased efficiency in the use of all forms of transportation in this industry.

The committee is unanimously of the opinion that charges made that the "shortage" situation was magnified by a desire to create a "war scare" are without foundation. The committee does not set aside the other charges, but, as heretofore stated, it does not seem a part of the immediate duty of this committee, or of extreme importance in connection with the issue which created the committee, that a study of those other matters be made at this time. If it develops that there should later be a need for such a study and it appears that it is within the authority and duty of this committee, there will be no reluctance on our part to pursue the matter further.

The situation as we found it in the hearings has led us to believe that it was perhaps created by a misapprehension of actual conditions, and that it can immediately be overcome by the Office of the Petroleum Coordinator. He now has the assurance of complete cooperation from the railroads and the tank-car companies. He has the pledge of the oil companies that they will utilize to the fullest extent possible the tank cars which are available. He has given the committee members assurance of an immediate and careful study of the price situation, which we feel has a fundamental bearing upon the situation. The Coordinator, in the opinion of the committee, should find it possible to overcome the present problem in a matter of days. If there is a shortage, it is quite apart from the admitted 10-day surplus always in existence, and it is not in excess of 175,000 barrels of oil a day. The Coordinator admits that if the railroad and tank-car officials are able to fulfill their conservative promise of transporting 200,000 additional barrels of oil a day no shortage will occur.

In some instances, during the course of the study of the committee, there was opportunity to observe mistakes in many places. It does not appear to us, however, that the public welfare or the national interest is improved by dwelling upon errors and mistakes which it now appears have been or quickly will be overcome. Our main purpose has been to establish the facts—quiet the fears of the American people—and to make certain that every proper effort is being made to maintain our petroleum needs, while at the same time giving every assistance reasonably and properly possible to the distressed nations beyond the seas, to whose assistance, short of war, we are committed.

Since the date of the creation of this committee, the activities of the Coordinator's office, through coincidence or otherwise, have been accelerated to an amazing degree. Among other happenings new committees have been formed, the railroad and oil and tank-car people have been brought together in meeting, substantial rate reductions have been established, railroad tank-car efficiency has been discovered, and at least one expert in the transportation field has been added to the Coordinator's staff. The Coordinator has voluntarily expressed the opinion that this special committee has made a substantial contribution to the problem of the existing oil situation.

It is felt that a part of the responsibility of this committee is to advise the American people that there should be a sane and sensible and constant conservation of all petroleum products. This is

true of other fuel products, and in no small degree true of many other products. The days ahead cannot be otherwise than seriously regarded. By our accepted policy we are, short of military or naval involvement, committed to aid certain nations under attack. The conservation of fuel, and particularly petroleum products, is wisely a part of our program. So we urge upon the American people a complete cooperation with the office of the Petroleum Coordinator, and we urge upon the Coordinator a complete cooperation with the people of the country. We do not believe that the situation has been really understood up to now, or at least up until very recently. We do think that the advances made in recent days are gratifying and that insofar as this important product and industry is concerned, we can quickly reach absolute understanding and complete national unity.

Mr. President, we shall not this afternoon, or in this report, dwell at length upon all of the transportation facilities which might become available. Some promise is found in the acquisition of tankers south of the Equator. Relief is anticipated by a reversal of the flow of oil in certain pipe lines. A careful study is being made of short cuts for railroad and automobile truck and tanker transportation. There seems to be a better understanding. The industry seems to better understand the aims of the Office of the Coordinator, and the Coordinator probably has an increased knowledge of the problem confronting the industry in all of its branches, and should have a better understanding of the position of the railroads and the tank-car companies.

There should be a saving of oil through the cooperation of public officials everywhere, and particularly through the defense agencies of the States and municipalities. Nation-wide attention has been focused upon the petroleum problem, and it appears that almost all of these who should be giving it attention are anxious to cooperate.

We have not deemed it a part of our duty to make a study of petroleum prices or the question of what hours gasoline stations should operate, nor have we delved into or dwelt upon the many other matters having a relationship to the need for building up as large a petroleum stock pile as is properly possible.

The Petroleum Coordinator seems to have given his assurance that there will be no shortage of oil for the heating of homes or in connection with the needs of industry. With proper conservation motorists should find it possible to acquire the gasoline and oil products which they need. We believe that present restrictions should be lifted and that the public, with a clearer understanding of conditions, would cooperate in carrying out an effective program of conservation. This observation is, of course, based upon the situation as of this day and date, and we do not attempt to see far enough ahead to make the prediction that at no time in the future will we be confronted with a petroleum problem. Ever so many factors enter into that possibility. They are almost as obvious to anyone concerned as they are to this committee.

During the course of the hearings we listened to everyone asking to be heard. We complied with every request insofar as material submitted for the record of our hearings was concerned. We are indebted to those who cooperated with us under the pressure of quickly called hearings. We have asked the Petroleum Coordinator and the Director of Civilian Allocations, and the railroad officials, and oil-company representatives, and the others who in any way have a responsibility in connection with the petroleum questions to keep our committee completely informed as to what progress is being made and to keep us up to date on the oil situation. We have assurances of that cooperation.

We particularly urge upon Members of Congress an examination of the hearings, which, it seems to us, are revealing and important in connection with any further studies of the petroleum situation.

We think that with careful handling—and a calm procedure—this problem, for the time being, has been met. Whatever pessimism has been attached to the situation did not extend far beyond the end of this year, and all of those officially connected with the matter have anticipated that by spring, barring completely unforeseen events, the worry would be over. Much information not possible to include in this report will be found in the hearings, which will be available by the time the Senate meets again. Questions unanswered here—to the extent that the committee can answer them—are in the printed record of committee hearings. Interesting in this connection are observations in relation to pipe lines, which, in connection with the national-defense needs, may be extremely important. Construction of these pipe lines on a large scale involves conflicting opinions in several instances; but most important, in the opinion of the committee, is the question of steel allocation for the largest of the proposed projects.

Mr. President, we should like to lay emphasis upon the fact that this is a hurriedly prepared and not a complete or final report. It is not to be assumed that the committee has concluded its work. Its purpose is to present the committee's conclusions as of this date, and to point out that there is no shortage excepting in the large surplus visualized by those who properly aspire to create and maintain a large surplus as protection against an uncertain future.

Our committee is in recess only insofar as hearings are concerned, and it is our intention to follow the oil situation closely; to make such study as is possible; to meet again if, as, and when the need appears; and to report to the Senate in more appropriate detail at a later date.

FRANCIS MALONEY,
Chairman.
GEORGE L. RADCLIFFE.
W. LEE O'DANIEL.
W. WARREN BARBOUR.
HAROLD H. BURTON.

The VICE PRESIDENT. The report will be printed.

A PROPAGANDA PROGRAM FOR THE UNITED STATES

Mr. WILEY. Mr. President, tonight we shall hear a message from the Chief Executive of the Nation. None of us knows what that message will be.

During the past few days it has been my privilege to attend, not as a member of the committee, but as a spectator, the hearings before the committee which is investigating the motion-picture industry. That investigation will result in at least one great benefit to the American people. It will make the American motion-picture public more discriminative in its evaluation of propaganda.

Undoubtedly thousands upon thousands of our people will, for the first time when they stop and read what is said here, be brought to a realization of the fact that they really are mental creatures, subject to the influence and impact of ideas. As a result the people themselves will be put on guard against half truths, and against that which contributes to hysteria, unbalance, and so forth.

Previous to the last World War both Germany and Great Britain spent considerable money for propaganda purposes. Propaganda which states the facts is an educational process. It is carried out through the press, through books, the radio, magazines, preachers, teachers, statesmen, and by word of mouth of every one of us. We are constantly indulging in disseminating ideas. We are constantly receiving the impact of somebody else's mind.

I should like to see a great propaganda or educational program started by all the various agencies I have mentioned, to educate our people up to the meaning of the word "republic," with emphasis on the word "republic." Perhaps if this were done we might get rid of much irrelevant discussion now being indulged in.

Our forefathers who were the instruments that created this Government under the Constitution did something unique. They provided that this Government should be divided into three parts—executive, judicial, and legislative. They took away from the Executive the power to declare war or to make war, and they conferred that power upon the legislative body of the Government. All down through history the power to make war was lodged in the Executive until our forefathers provided differently. They conferred upon the Executive the command of the Army and the Navy in peacetime and wartime, but the power to raise taxes to sustain the Army and Navy was left to the legislative branch of the Government. They gave to the Executive the plenary power to handle the foreign affairs of the Nation, subject only to the constitutional limitation that he should make no treaty without the approval of the Senate.

Previous to the formation of this Government, practically everywhere on earth arbitrary power rested in the Executive; but our forefathers developed

something new, a system of checks and balances in government. This system of checks and balances has operated admirably up to the present, and I believe it is operating now. In our appraisal of the acts of the various branches of government the pertinent question is whether the branch is operating within the scope of its constitutional power.

Parenthetically, Mr. President, I digress here to say that I believe it would be of great aid to all our people if they better understood the operation of the Government. I receive thousands of letters from persons in my State and from persons throughout the Nation condemning some act of one branch of the Government—sometimes the legislative branch, sometimes the executive branch—when there is no reason for their condemnation except that certain action does not agree with their concepts. But let us remember that we, the people, delegated to the Executive certain powers, and if he performs those powers within the scope of his authority, he is acting in a legal manner. The question is not whether he is acting as you or I might act if we were the Executive of the Nation, but the real question is whether he is acting within the scope of his power.

That question will be very important in the days that lie ahead. That is why I am suggesting that I wish we had under way a great propaganda program giving the people light on the subject of the Republic—not a democracy, but the Republic of the United States of America.

Putting the matter concretely, the power being in the Congress to declare war, the President has not the constitutional power to invade that sphere of Congress. He should particularly be careful not to commit an overt act which might result in an aggressive act on the part of some other nation. On the other hand, under his plenary power of dealing with and handling foreign affairs, he having, as the Supreme Court has said, particular and confidential information and facts not available to the average citizen, the President operates as the Executive of the Nation.

Everyone recognizes the fact that we are living in a changing world. That means a world in which conditions have changed, and are changing momentarily. It is the imponderables of the future which make it so impossible to decide what shall be done. Many of the old ideas are not applicable. In the field of defense our concepts of 1918 are outmoded. A few short years ago the world outlawed war by the Kellogg-Briand Pact. Today we know that we cannot outlaw war by mere international pacts.

Consequently, in approaching the problem of maintaining America safe, sound, and at peace the best brains we have in the land must be devoted to the accomplishment of that purpose. As someone has said, the time for thinkers is now—sane thinkers, level-headed thinkers, men and women who will not go on emotional jags, men and women who read their daily newspapers, men and women who, as they go down on their knees for guidance and direction, will rise strengthened and not in an unbalanced state of mind.

Consequently, in approaching the problem of maintaining America safe, sound, and at peace, you and I, Mr. President, cannot "pass the buck" to Washington. You and I have our part to play. I believe the fact that we are a republic, a government of checks and balances, will provide, if we operate sanely and calmly within the provisions of the Constitution, a safeguard for all American values. Therefore let each branch of our Government operate within its sphere, and not outside of it, and I think this Government will come safely through the storm.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. HAYDEN, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will proceed to state the nominations on the executive calendar.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of George R. Merrell, of Missouri, to be consul general of the United States of America.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

The VICE PRESIDENT. Without objection, the nominations of postmasters are confirmed en bloc, and, without objection, the President will be notified.

ADJOURNMENT

Mr. BARKLEY. As in legislative session, I move that the Senate adjourn until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 12 o'clock and 48 minutes p. m.) the Senate adjourned until Monday, September 15, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 11, 1941:

DIPLOMATIC SERVICE

Anthony J. Drexel Biddle, Jr., of Pennsylvania, now Ambassador Extraordinary and Plenipotentiary to Poland, serving concurrently as Ambassador Extraordinary and Plenipotentiary near the Government of Belgium; and as Envoy Extraordinary and Minister Plenipotentiary near the Governments of Norway, the Netherlands, and Yugoslavia, now established in London, to serve concurrently and without additional compensation also as Envoy Extraordinary and Minister Plenipotentiary of the United States of America near the Provisional Government of Czechoslovakia, also now established in London.

UNITED STATES DISTRICT JUDGE

Emerich B. Freed, of Ohio, to be judge of the United States District Court for the Northern District of Ohio, to fill a new position.

COMPTROLLER OF CUSTOMS

Arthur A. Quinn, of Sewaren, N. J., to be comptroller of customs in customs collection district No. 10, with headquarters at New York, N. Y. (Reappointment.)

CONFIRMATIONS

Executive nominations confirmed by the Senate Thursday, September 11, 1941:

DIPLOMATIC AND FOREIGN SERVICE

George R. Merrell to be a consul general of the United States of America.

POSTMASTERS

ILLINOIS

Andrew Mikel, Westville.

KENTUCKY

Leonard M. Proffit, Loyall.
Thomas Albert Lewin Miller, Paducah.

MISSOURI

Mary C. Cook, Lathrop.
Basil V. Jones, Pleasant Hill.

HOUSE OF REPRESENTATIVES

THURSDAY, SEPTEMBER 11, 1941

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. WOODRUM of Virginia.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty and most merciful God, maker of heaven and earth, we beseech Thee to hear us as we pray our Saviour's prayer: *Our Father who art in heaven, hallowed be Thy name; Thy kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us; and lead us not into temptation, but deliver us from evil, for Thine is the kingdom and the power and the glory forever.* Amen.

The Journal of the proceedings of Monday, September 8, 1941, was read and approved.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article from the Pittsburgh Press of June 1, commending the services of our colleague the gentleman from Pennsylvania, Hon. J. BUELL SNYDER.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that the gentleman

from South Carolina [Mr. FULMER] may be permitted to extend his own remarks in the RECORD and to include therein a statement from the National Committee for Agriculture.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

(Mr. COCHRAN asked and was given permission to extend his own remarks in the RECORD and include a speech.)

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DIRKSEN] may be permitted to extend his own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. GEARHART. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Kansas [Mr. LAMBERTSON] may be permitted to revise and extend his own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix on the repatriation case of Dr. Witold Putkowski.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial paying a tribute to the postman.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a recent letter to Judge Deyo, of Binghamton, N. Y.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement by Mr. A. F. Whitney, president of the Brotherhood of Railroad Trainmen.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial which appeared in the Daily News of New York City of yesterday.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article appearing in the magazine America under date of August 2, and I further ask unanimous consent to extend my remarks by including an article from the same magazine under date of August 9.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a short article from the Readers' Digest.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a brief article from the New York Post of Monday, September 8, 1941, concerning Generoso Pope.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CASEY of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article in the Consumers' Union, Inc., commenting on the failure of passage of the Casey bill to investigate the rising prices of commodities.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD commenting on the necessity of transcontinental or superhighways.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SNYDER. Mr. Speaker, I also ask unanimous consent to extend my remarks in the RECORD and to include an article that appeared in the Army and Navy Journal.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therewith an article by President James D. Hoskins, of the University of Tennessee, in relation to the proposed construction of Douglas Dam on the French Broad River, by the Tennessee Valley Authority, as published in the Knoxville Journal of September 8, 1941.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

ORDER OF BUSINESS

Mr. MARTIN J. KENNEDY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I have read in the press of last night and this morning that the House is going to be called back on September 15 under some special order instead of the original date of September 22. I am wondering whether or not the Chair is in position to make a statement on that newspaper article.

The SPEAKER pro tempore. Under the resolution adopted by the House, the House reassembles on the 15th. The Chair may state further that the Chair had a message from the Speaker, which was turned over to the press at the Speaker's suggestion, in which the Speaker expressed the hope that the Members would reassemble in Washington as early next week as possible.

ADJOURNMENT

Mr. COCHRAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

Accordingly, at 12 o'clock and 6 minutes p. m., the House adjourned to meet, in accordance with its previous order, on Monday, September 15, 1941, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

895. Under clause 2 of rule XXIV, a letter from the Chairman of the New York World's Fair Commission, transmitting the report of the United States New York World's Fair Commission, was taken from the Speaker's table and referred to the Committee on Foreign Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MARTIN J. KENNEDY:

H. R. 5634. A bill to create the Order of Washington; to the Committee on the Judiciary.

H. R. 5635. A bill to amend the Selective Training and Service Act of 1940 so as to provide for the deferment, in time of peace, of certain college and university students; to the Committee on Military Affairs.

By Mr. FULMER:

H. R. 5636. A bill to expedite the settlement of claims and accounts incident to certain agricultural adjustment programs, and for other purposes; to the Committee on Agriculture.

By Mr. GEYER of California:

H. R. 5637. A bill to provide equipment allowance for special-delivery messengers in the Postal Service; to the Committee on the Post Office and Post Roads.

By Mr. CANNON of Florida:

H. J. Res. 233. Joint resolution to establish the Office of Petroleum Coordinator, and for other purposes; to the Committee on Interstate and Foreign Commerce.

SENATE

MONDAY, SEPTEMBER 15, 1941

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Thou who hast been the dwelling-place of Thy people throughout all generations: We beseech Thee to dwell in us more deeply and intimately, that we may build for Thee a home within our

hearts where holiest longings and purest aspirations shall attest Thy secret presence. Strengthen us with the silence of true worship amid the noise of many things, the turmoil of the hour. Give us the courage needful for our day, that, like Thy sons of old, we may lift our voice in prophecy against the forces of cruelty and ruthless might, that the people of America may be unified in heart and mind and will to the fulfillment of Thy purpose for our country—

Give us to see and understand
The heart of man and to forgive,
Give us the faith to touch Thy hand,
Teach us, O Living Lord, to live.

We ask it in Thy dear Son's name and for His sake. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, September 11, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

NOTICE OF HEARING ON NOMINATION OF EMERICH B. FREED

Mr. KILGORE. Mr. President, the Senate Committee on the Judiciary has received the nomination of Emerich B. Freed, of Ohio, to be United States district judge for the northern district of Ohio.

As required by rule 1 of the committee, I announce on behalf of the Senator from Ohio [Mr. BURTON], the chairman of the subcommittee, who is necessarily absent, that on Wednesday, September 24, at 10 a. m., a public hearing will be held upon this nomination in the Senate Judiciary Committee room, at which all interested persons will be heard.

NOTICE OF HEARING ON NOMINATION OF ARCHIBALD B. LOVETT

Mr. McFARLAND. Mr. President, the Senate Committee on the Judiciary has received the nomination of Hon. Archibald B. Lovett, of Georgia, to be United States district judge for the southern district of Georgia.

As required by rule 1 of the committee, I announce that on Wednesday, September 24, at 10:30 a. m., a public hearing will be held upon this nomination in the Senate Judiciary Committee room, at which all interested persons will be heard.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

ROY F. LASSLY AND G. F. ALLEN

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation for the relief of Roy F. Lassly, former Acting Chief Disbursing Clerk, Department of the Interior, and G. F. Allen, Chief Disbursing Officer, Division of Disbursement, Treasury Department (with accompanying papers); to the Committee on Claims.

ABOLISHMENT OF GUILFORD COURTHOUSE NATIONAL MILITARY PARK COMMISSION

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to abolish the Guilford Courthouse National Military Park Commission, and for other purposes (with an accompanying paper); to the Committee on Public Lands and Surveys.

WORLD CONDITIONS AS AFFECTING THE PHILIPPINE ISLANDS

A communication from the President of the United States, transmitting a letter from Macario E. Caesar, of Cabalian, Leyte, P. I., relating to present world conditions as affecting the Philippine Islands (with an accompanying paper); to the Committee on Territories and Insular Affairs.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President, or presented by a Senator, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Chamber of Deputies of Peru, reaffirming its faith in the traditional principles of democracy and condemning any attempt to change the constitutional organization of the republics of the American Continent; to the Committee on Foreign Relations.

A telegram and a letter in the nature of petitions from Max Behrman, of Hillsdale, N. J., and Otto Wilhelm, of Los Angeles, Calif., praying that the United States keep out of foreign war; to the Committee on Foreign Relations.

A letter in the nature of a petition from Emma Weaver, of Burnside, Pa., praying that fourth-class postmasters be included in the so-called longevity bill with a fixed salary; to the table.

By Mr. CAPPER:

Petitions, numerously signed, of sundry citizens of Salina and Jetmore, in the State of Kansas, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

RESOLUTION OF TEXAS SENATE ON DEATH OF PRESIDENT'S MOTHER

Mr. CONNALLY. I present for appropriate disposition and ask to have printed in the RECORD a resolution adopted by the Senate of the State of Texas with respect to the death of the mother of the President.

The resolution was ordered to lie on the table and to be printed in the RECORD, under the rule, as follows:

Senate Resolution 10

Whereas on the 7th day of September 1941 Sara Delano Roosevelt, the gracious mother of the President of the United States, departed from the paths of mortality to the great highway of eternity; and

Whereas Sara Delano Roosevelt was one of the most outstanding women of this century, embodying all the fine and ennobling qualities of American womanhood to a superlative degree; and

Whereas her contribution to the life of her generation is one of the richest possessions of our time, both in the majesty of her character and the radiance of her culture, thus indebting forever the people of America to this marvelous mother of one of the world's most outstanding men, the President of the United States; and

Whereas as the mother of Franklin Delano Roosevelt she gave to her country and to mankind one of the greatest humanitarian executives who ever presided over the destiny of this great Republic: Now, therefore, be it

Resolved by the Senate of Texas, That we express to President Franklin D. Roosevelt our deepest sorrow in the loss of his wonderful mother and extend to him the personal sympathy of each member of this senate in the hour of his grief: And be it further

Resolved, That this resolution be printed in the senate journal and that a copy of the same be furnished the President of the United States.

RESOLUTION OF WAUKESHA TYPOGRAPHICAL UNION NO. 545

Mr. WILEY. Mr. President, I present for appropriate reference and printing in the RECORD a resolution sent to me by the Waukesha (Wis.) Typographical Union No. 545.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Whereas the Wisconsin State Federation of Labor at its La Crosse convention adopted the following resolution:

"Whereas President Roosevelt has indicated by numerous acts and statements that the Hitler regime and its allies are a menace to this country's national existence and that this country's defense depends upon bringing about a military defeat of Hitler through aiding Great Britain, the Soviet Union, and China: Therefore be it

"*Resolved*, That this convention of the Wisconsin State Federation of Labor, meeting in La Crosse, Wis., and the 1941 convention of the American Federation of Labor, meeting at Seattle, Wash., declares its support of a policy of the fullest immediate aid to the above-mentioned countries in their all-out battle": Now, therefore, be it

Resolved, That Waukesha Typographical Union No. 545 go on record completely supporting the above resolution and accept the policy of that resolution as its own policy, especially in view of the fact that the International Typographical Union at the Vancouver convention adopted a resolution similarly urging all-out support of the countries fighting Hitler fascism; and be it further

Resolved, That this local assure the Waukesha Trades and Labor Council of our support of its committee appointed in May to aid British labor, at the same time urging that committee to become vigorously active in mobilizing Waukesha support for the aims for which it was formed; and be it further

Resolved, That the secretary be instructed to send copies of this resolution to the President, Representative SAUTHOFF, Senators WILEY and LA FOLLETTE, the Waukesha Trades and Labor Council, and the press.

PRINTING OF ADDITIONAL COPIES OF FINANCE COMMITTEE HEARINGS ON THE TAX BILL

Mr. HAYDEN, from the Committee on Printing, reported a concurrent resolution (S. Con. Res. 16), which was considered by unanimous consent and agreed to, as follows:

Resolved by the Senate (the House of Representatives concurring), That, in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Committee on Finance of the Senate be, and is hereby, authorized and empowered to have printed for its use 2,000 additional copies of the hearings held before said committee during the current session on the bill (H. R. 5417) entitled "Revenue Act of 1941."

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

S. 1903. A bill to authorize the Administrator of Veterans' Affairs to reconvey to the city of Roseburg, Oreg., a tract of land heretofore conveyed to the United States by such city for the use of the Veterans' Administration facility located in such city; to the Committee on Finance.

By Mr. MURRAY:

S. 1904. A bill conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in any and all claims which the Confederated Salish and Kootenai Reservation in Montana, or any tribe or band thereof, may have against the United States, and for other purposes; to the Committee on Indian Affairs.

By Mr. WILEY:

S. 1905. A bill to require payment of interest to member banks on the amount of reserves required to be maintained with Federal Reserve banks; to the Committee on Banking and Currency.

S. 1906. A bill for the relief of the estate of O. K. Himley; and

S. 1907. A bill for the relief of John F. L. O'Leary; to the Committee on Claims.

UNEMPLOYMENT FUND OF WISCONSIN—REFUNDS

Mr. WILEY. Mr. President, I introduce for reference to the appropriate committee a bill to provide for the making of refunds to the political subdivisions of the State of Wisconsin of the amount of the balance paid by them into the unemployment fund of the State. I will not trespass upon the time of the Senate by making an explanation at this time, but I request that there be inserted in the RECORD at this point a brief explanation of this measure, which I am also sending to the desk.

The VICE PRESIDENT. The bill introduced by the Senator from Wisconsin will be received and referred to the Committee on Finance, and, without objection, the statement presented by the Senator will be printed in the RECORD.

The bill (S. 1908) to provide for the making of refunds to the political subdivisions of the State of Wisconsin of the amount of the balance paid by them into the unemployment fund of the State was read twice by its title and referred to the Committee on Finance.

The statement presented by Mr. WILEY is as follows:

For several years, as I understand, Wisconsin was the only State which made the unemployment-compensation provisions of the Social Security Act applicable to the municipalities. The 1939 Wisconsin Legislature enacted a law making Wisconsin uniform with other States in this respect. As a consequence, after the elapse of a year following the effective date of this enactment, many Wisconsin cities, villages, counties, and other units of government had balances remaining to their credit. These balances automatically reverted to the so-called "balancing fund." Consequently, these funds were lost to the Wisconsin municipalities, since the Industrial Commission of Wisconsin under the existing provisions of the Social Security Act is prohibited from refunding these balances to the governmental units concerned.

It seems only equitable that since the governmental units in other States have not contributed any sums to this balancing fund, refunds should be permitted in the case of the Wisconsin governmental units, at least to the extent that these municipalities accumulated a balance in the unemployment-compensation reserve which was not expended in benefits to municipal employees.

This bill would merely authorize and direct the Secretary of the Treasury to pay out of the unemployment trust fund to the Industrial Commission of Wisconsin an amount equal to the excess of the contributions paid into the unemployment fund of the State of Wisconsin by its political subdivisions over the unemployment compensation and refunds paid out on account of such contributions.

SENATOR FROM NORTH DAKOTA—INCREASE IN EXPENSES OF COMMITTEE ON PRIVILEGES AND ELECTIONS

Mr. HATCH submitted the following resolution (S. Res. 167), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the limit of expenditures under Senate Resolution 81, Seventy-seventh Congress, first session, agreed to on March 10, 1941, relating to the proceeding now pending before the Committee on Privileges and Elections to determine whether William Langer is entitled to retain his seat in the Senate, is hereby increased by $5,000.

MESSAGE FROM THE PRESIDENT—SECOND REPORT ON OPERATIONS UNDER LEND-LEASE ACT (S. DOC. NO. 112)

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, which was read, and, with the accompanying report, referred to the Committee on Foreign Relations and ordered to be printed:

The PRESIDENT OF THE SENATE.
The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

I am submitting this report pursuant to section 5 (b) of the Lend-Lease Act of March 11, 1941, which provides that the President report to the Congress every 90 days on the operations under that act.

The Lend-Lease Act was passed by the Congress just 183 days ago. One hundred and sixty-seven days ago the Congress appropriated $7,000,000,000 to carry out our national policy of giving every possible material assistance to the countries resisting aggression.

The effective expenditure of this large sum in furtherance of our announced policy has presented tasks of large proportions. We have surveyed the needs of the countries we are aiding. We have correlated this program of aid with the procurement programs of our own Army and Navy. We have arranged with our industries for the production of the great quantities of material involved.

The War Department, the Navy Department, the Treasury Department, the Agriculture Department, and the Maritime Commission are the agencies principally charged with the actual procurement of the supplies. They are now far along with their task.

Over six and one-quarter of the $7,000,000,000 appropriated have now been allocated, upon the recommendation of these agencies, for specific materials and services. Their procurement machinery has been constantly at work, locating producers and placing contracts. Over three and one-half billion dollars of legal commitments have already been made. Contracts will soon be placed for the entire $7,000,000,000 appropriation.

Contracts have been placed and work has started on nearly a billion dollars of bombardment aircraft. New ways have been started and work is in progress for about one-half a billion dollars of new merchant shipping. New facilities to speed the production of guns, ammunition, and other defense articles have been started under contracts totaling about $262,000,000. Over $430,000,000 has been allocated, and over $250,000,000 has been obligated, for the purchase of milk, eggs, and other agricultural products.

Daily the aid being rendered is growing. Through the month of August the total dollar value of defense articles transferred and defense services rendered, plus expenditures for other lend-lease purposes, amounted to $486,721,838.

Food and steel and machinery and guns and planes have been supplied in increasing quantities. Agricultural commodities worth $110,606,550 have been transferred to the countries we are aiding. We have transferred to the United Kingdom more than 44,000,000 pounds of cheese, more than 54,000,000 pounds of eggs, more than 89,000,000 pounds of cured pork, more than 110,000,000 pounds of dried beans, and more than 114,000,000 pounds of lard. We have transferred to them more than 3,000,000 barrels of gasoline and oil. We have sent them many tanks. Merchant and naval ships and other transportation equipment are being transferred in growing amounts.

A substantial number of cargo ships and tankers have been chartered to the use of those countries whose defense is vital to our own. Our yards are repairing allied merchant ships. We are equipping allied ships to protect them from mines; and we are arming them, as much as possible, against aircraft, submarines, and raiders.

We have also, by repairing and outfitting their warships, helped the British and allied navies keep clear the vital sea lanes upon which depends continued resistance to Axis piracy. The repair of the battleship *Malaya* and the aircraft carrier *Illustrious* are outstanding examples of this naval assistance.

Over the whole range of technical and material assistance required by modern warfare we are, under the lend-lease program, rendering effective help. Important defense information is being supplied to Britain and the other nations fighting the Axis Powers. Our technicians are instructing the Allies in the assembly, operation, and maintenance of the tools coming from our factories. Across the United States and across Africa our plane ferry service is linking the arsenals of America with democracy's outposts in the Middle East. On our airfields thousands of British pilots are being, and will continue to be, trained, and already we are preparing a similar program to help the Chinese.

We have supplied equipment for the Yunnan-Burma Railroad and for the Burma Road in order to speed the flow of arms and materials to the heroic Chinese people. In addition to materials of war

we are furnishing China with medicine and technical assistance to fight the ravages of malaria. A military mission has also been dispatched to China in connection with the supplying of lend-lease aid.

The $7,000,000,000 appropriated for purchasing defense articles has been available less than 6 months, and actual transfers from these funds have necessarily been limited to articles which could be purchased in a finished state or produced in that time. The speed with which future lend-lease transfers will be made depends largely on the speed with which our industries deliver the goods. The rate of our production must be accelerated, and every step to achieve that end must and will be taken.

These lend-lease deliveries are not, of course, the only materials which have been moving from our shores to the countries resisting aggression. Prior to the Lend-Lease Act, large contracts were placed here by Great Britain and by other countries from their own resources. Deliveries under these contracts are moving across the sea along with lend-lease articles. The true measure of the volume of war supplies moving from our shores is reflected in our total exports. Thus, since the beginning of the war, about $4,400,000,000 worth of goods have been exported to the British Empire.

Figures alone cannot show the significance of our help. Americans may be justly proud of the way in which the tools they have forged are standing up when tested under fire. An American-made flying boat spotted the *Bismarck* and American-made bombers blasted the *Scharnhorst* and the *Gneisenau*, and they have helped make possible the great raids of the R. A. F. in the Battle of Germany. In the wars of the Western Desert, fighter planes from our factories are in the vanguard of the attack and hundreds of our tanks stand ready to help rout the Nazi scourge from the African continent.

The British Empire has received the bulk of our aid. But we have also extended assistance to the many other countries engaged in the same struggle. China and the Dutch East Indies are receiving ever-increasing quantities of supplies. The exiled governments of the countries under the Nazi yoke are sharing in the program. We are already outfitting Polish troops who are training in Canada for action overseas. We are also providing, directly or indirectly, aid for the Dutch, the Norwegians, the Greeks, the Belgians, and the Yugoslavs. We know that every group which yields to or collaborates with the Nazis makes our own defense that much more difficult. Likewise each group that resists Nazi aggression helps to keep the war from our own hemisphere.

The defense of the Western Hemisphere has been a prime consideration in our lend-lease program. Not only are we helping the European countries which stand athwart the Nazi path toward the Western Hemisphere, but we are also giving direct lend-lease aid to the countries of this hemisphere. We are strengthening Iceland, where our troops and ships now stand guard over the approaches of the North Atlantic, and we have already embarked upon a comprehensive program of material aid to the countries of Central and South America to strengthen the common defense of our good neighborhood.

The gallant resistance of the Russian people has been of enormous help to all peoples resisting the Nazi war machine. It has completely upset the Nazi time schedule and has destroyed the myth of Nazi invincibility. We are using the energies of our Government to make available supplies which are urgently needed by Russia. By speeding deliveries and by arranging the quickest transportation of American materials, we are moving to strengthen the important Russian front. The Soviet Government's purchases here are being made with its own funds through its regular purchasing agency.

The people of the United States know that we cannot live in a world dominated by Hitlerism. They realize that there can be no real peace, no secure freedom, until we have destroyed the evil forces which seek to work us woe. Through their chosen representatives, they have declared a firm and unalterable policy to build up an impregnable defense for this hemisphere, and to furnish unstinted material aid to the countries fighting against Nazi aggression and tyranny.

We are not furnishing this aid as an act of charity or sympathy, but as a means of defending America. We offer it because we know that piecemeal resistance to aggression is doomed to failure; because the ruthless war machine which now bestrides the continent of Europe can be combated only by the combined efforts of all free peoples and at all strategic points where the aggressor may strike.

The lend-lease program is no mere side issue to our program of arming for defense. It is an integral part, a keystone, in our great national effort to preserve our national security for generations to come, by crushing the disturbers of our peace.

To those peoples who are gallantly shedding their blood in the front lines of this struggle, we must offer not only a shield but a sword, not merely the means to permit the stalemate of protracted defense, but the tools of a final and total victory.

This country has evolved the greatest and most efficient industrial system in history. It is our task to turn the workshops of our industry into mighty forges of war—to outbuild the aggressors in every category of modern arms. Only in this way can we build the arsenal of democracy.

On this task we are now engaged with ever-increasing vigor. Planes, tanks, guns, and ships have begun to flow from our factories and yards, and the flow will accelerate from day to day, until the stream becomes a river, and the river a torrent, engulfing this totalitarian tyranny which seeks to dominate the world.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE,
September 11, 1941.

TAX ON LEND-LEASE AID TO CHINA

Mr. VANDENBERG. Mr. President, on August 22 the Associated Press reported from Chungking, China, that the British Burma Government was collecting a tax of 1 percent upon all American lend-lease material going to China. The situation struck me as being a most indefensible contemplation, and I submitted the problem to the State Department to determine whether the information was accurate. I have a letter this morning from Secretary of State Hull which very happily concludes the entire incident by reporting that the tax has been lifted as respects lend-lease aid to China.

I think the matter is of sufficient official importance that it be made a matter of final record, and I ask that the original news clipping and the thoroughly responsive letter from the Secretary of State be printed in the RECORD.

There being no objection, the clipping and letter were ordered to be printed in the RECORD, as follows:

BURMA TAX ON AID TO CHINA MUST GO, SAYS UNITED STATES EXPERT

CHUNGKING, CHINA, August 22.—Daniel Arnstein, one of the three of American traffic experts who have more than doubled the flow of supplies over the Burma road in the past 2 weeks, declared today that British Burma's 1 percent ad valorem tax on American lend-lease material for China must go.

Elimination of the tax would save fighting China millions of dollars, Arnstein declared, and he said he would start a powerful drive to cancel it when he returns to the United States.

Arnstein and Marco Hellman, both of New York, and Harold Davis, of Hartford, Conn., already have stepped up the Burma Road's traffic, and a greater increase is expected when 4,500 new American trucks start operating under supervision of Lt. James Wilson, of New Orleans, an experienced truckman who has been made assistant American military attaché here.

Arnstein described the Burma tax as an "iniquitous imposition," and pointed out that if China received a billion dollars' worth of material Burma would collect $10,000,000.

"I'm no politician," Arnstein exclaimed. "I'm just a truckman, but with Burma sitting on a powder keg herself I see no reason why she should take money at the expense of a potential military ally. I told the Governor of Burma, Sir Reginald Dorman-Smith, so.

"The tax has got to go, and believe me it's going. Wait till this story busts wide open in the United States and see what happens."

DEPARTMENT OF STATE,
Washington, September 13, 1941.

The Honorable ARTHUR H. VANDENBERG,
United States Senate.

MY DEAR SENATOR VANDENBERG: I have received your letter of August 25 in which you refer to an Associated Press news item under date August 22, reporting that American lend-lease supplies destined for the Chinese Government, and transported over the Burma Road, are subject to a 1 percent ad valorem transit tax levied by the Government of Burma. You inquire whether this Department has any information in regard to this subject and the extent to which British Burma is under British jurisdiction.

With regard to your question whether American lend-lease supplies to China, in transit through Burma, are subjected to a 1 percent ad valorem tax, I may say that not only lend-lease supplies but also all other goods in transit through Burma were subject to such a tax by the Government of Burma until about August 27, at which time, as reported by the American consul at Rangoon, the ad valorem tax, insofar as goods destined for China are concerned, was superseded by a general transit tax of 10 rupees per ton. The

Department has been endeavoring for some time to obtain the total exemption from Burmese transit duties of shipments of American lend-lease supplies destined for the Chinese Government, and to this end the question has been the subject of discussion between the American Embassy in London and the appropriate authorities of the British Government. On September 7 our embassy reported to the Department that it had been informed by the British Foreign Office that all American lend-lease goods destined for China, landed in Rangoon after September 8, 1941, will be exempt from Burmese transit duties. It is understood that public announcement of this abolition of the transit duties in question was made on Tuesday, September 9, by the Governor of Burma.

With reference to your second question, the extent to which the Government of Burma is subject to the jurisdiction of the British authorities at London, it is the Department's understanding that under the dyarchial system of government in effect in Burma, all matters relating to revenue are within the jurisdiction of the Burmese Minister of Lands and Revenue, while matters pertaining to foreign relations are under the direct control of the Governor appointed by the British Government. It is understood that with regard to certain matters which would normally fall within the jurisdiction of the Minister of Lands and Revenue, the Governor may, in his discretion, certify such matters as foreign-relations questions and take direct action himself or through the Defense Department of the Government of Burma.

Sincerely yours,

CORDELL HULL.

ADDRESS BY SENATOR CAPPER ON FOREIGN POLICY

Mr. CAPPER. Mr. President, I note that in some of the newspapers this morning, and I understand also over the radio, I was quoted in part with reference to my position on matters of foreign policy. In order to keep the record straight, I ask unanimous consent to have printed in the RECORD at this point the complete text of my statement made Sunday night by electrical transcription over WIBW and the Kansas network, from which the quotation in part was made.

I desire particularly to call attention to the following excerpts from the complete statement:

I am still utterly and completely opposed to sending American expeditionary forces overseas to fight in this or any other foreign wars. I shall continue to oppose such action until Congress itself has made the decision.

Moreover, I say that the decision of war or no war is a decision that should be made by Congress. I believe it is the duty and responsibility of the President, under the Constitution, to ask the Congress to declare war if it is the President's judgment that the national defense demands that the United States go to war.

I send the complete text of my statement to the desk, to be printed at this point in the RECORD as part of my remarks.

Mr. CONNALLY. Mr. President, reserving the right to object, I wish to say that I am very happy to have the Senator put that matter in the RECORD. I read a brief statement of it in the press this morning, and I had already suggested to the majority leader that it be inserted in the RECORD. The Senator from Kansas has anticipated my desire. I approve the statement thoroughly and am glad to have it printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Friends in the radio audience, that was a great speech, perhaps one almost might say a great oration, broadcast by President Roosevelt last Thursday night.

President Roosevelt had a great audience—practically the entire world.

He had a great subject—war.

And his delivery could not have been excelled. He spoke slowly, calmly, compellingly, decisively, and most effectively.

The broadcast itself was masterful, forceful, clever, audacious, and, I believe, effective.

I listened attentively to every word. I have studied it word by word as printed. The thought, the arrangement, the delivery could not, I believe, have been improved upon, especially considering the subject and object of the speech.

As I heard the speech, as I have read the speech, as I understand the speech, the President (speaking as Commander in Chief of the Army and Navy) notified Germany and Italy to keep their war craft—surface vessels, submarines, aircraft—off the high seas.

If any German or Italian warship, under the sea, on the sea, over the sea, is sighted by a war vessel of the United States, the United States vessel will shoot first.

Orders to that effect had been issued before the broadcast was delivered.

Neither the President's fireside chat nor his orders to the Army and Navy—some of these days it will develop why the Army was included—is a declaration of war, in the legalistic sense of the term.

Under our Constitution the power to declare war, the responsibility to declare war, rests in the Congress of the United States.

The President in his broadcast declares his action is not an act of war. I quote his language:

"It is not an act of war on our part when we decide to protect the seas which are vital to American defense. The aggression is not ours. Ours is solely in defense.

"But let this warning be clear," the President continued. "From now on, if German or Italian vessels of war enter the waters, the protection of which is necessary for American defense, they do so at their own peril. * * * The sole responsibility rests upon Germany. There will be no shooting unless Germany continues to seek it." That is the quotation.

There is no declaration of war (in the sense of the language of the Constitution) in those words. And those words are the broadcast so far as intent and effect in the field of international relations are concerned. The rest of the speech is a justification, and argument for the course of action taken; an argument addressed to the people of America, to the people of the world.

Whether or not all this is an act of war we may leave for the historians to decide.

It is perfectly plain that the pronouncement and the orders issued in connection bring us closer, very much closer, to all-out war. There is no mention of an American expeditionary force; large armed land forces are not required for naval engagements.

I am assuming that the President will come to Congress for enabling legislation and legal authority before he sends American troops overseas in considerable numbers.

By taking the action he told us about Thursday night, the Commander in Chief ordered the Army and Navy to clear the seas of all German and Italian war vessels they can find.

The President in effect instructed the Navy to convoy all merchant vessels carrying supplies to Britain and Britain's Old World Allies.

Whether, under our Constitution and traditions and way of life the President should have consulted with and advised the Congress before taking this fateful step, was the President's to decide. He decided not to do so. He cast the die himself. For weal or woe, the United States and the people of the United States are involved to whatever extent President Roosevelt has gone to implement his policy of national defense.

My own position is simply this:

For myself, I will support the national-defense program, as I have been doing. The United States must be kept a free and independent and powerful nation at all costs. The President having acted, the Congress of the United States and the people of the the United States must and will support that action. There is no other course of action open to us.

The President points out that in times past, Presidents have waged naval wars without involving the United States in formally declared wars; without sending large forces of armed land forces abroad.

I am still utterly and completely opposed to sending American expeditionary forces overseas to fight in this or any other foreign wars. I shall continue to oppose such action until Congress itself has made the decision.

If the matter were to come to a vote in Congress today, I would vote against sending another American expeditionary force to Europe.

If Congress takes such action, when Congress declares war, then, of course, you and myself and every other loyal American citizen will abide by that decision without reservations.

Moreover, I say that the decision of war or no war is a decision that should be made by Congress. I believe it is the duty and responsibility of the President, under the Constitution, to ask Congress to declare war if it is the President's judgment that the national defense demands that the United States go to war.

There is no use quibbling with words.

The President's announced orders to the Army and Navy not to allow German or Italian war vessels to shoot first amounts to the initiation of an undeclared war. The President has, in fact, ordered the United States Navy to shoot first.

Now, my friends, shoot on sight is not short of war. Shoot on sight is war, and no carefully chosen words in explanation can make such an order anything else.

In 1917 President Wilson had sufficient respect for his oath of office, and for the integrity of the people of the United States, to ask Congress to declare war.

President Wilson did not order American warships to shoot until he had asked, and Congress had given him, that authority.

President Roosevelt's failure to ask Congress for such authority makes him solely responsible for what eventuates from his orders to the Army and Navy, as announced by himself in his broadcast last Thursday night.

And I say again, that when Congress makes the decision, I will accept it wholeheartedly and loyally, just as you and every other loyal American will accept it.

Overshadowed in public interest by the President's broadcast, several other important happenings of the past few days deserve attention.

The conferees on the new tax bill will complete their work tomorrow noon. I am one of the conferees, and as such am bound not to tell what has been agreed upon until the work of the committee has been completed. I can only say this much. It is not a tax bill that I like. I know how heavy the tax burden already is. But I will say that under all the circumstances I believe it is as good a tax bill as could be expected. And in some respects it comes closer to taxing according to ability to pay than have some of the previous tax bills.

I know the taxes it levies on you will bear heavily. But please remember that the Government of the United States cannot expend $50,000,000,000 for national defense, and also through lend-lease appropriations by the tens of billions finance the wars of Britain, Russia, China, Poland, and ultimately a dozen other foreign nations, without the cost falling heavily upon the people of the United States.

The tax bill written next year will be even more burdensome than this one—though I cannot imagine you will get any comfort from that statement. You cannot eat your cake and give away tomorrow's cake and expect still to have the cake, too.

Now, my friends, I have been prepared for some time for the inevitable fact that the farmers of Kansas and of the Nation must be prepared to make their share of the sacrifice for this war effort, or perhaps I should say this national-defense program.

But it came as a distinct shock to me when I read the following statement in a speech delivered at Boston to an advertising club by Secretary of the Treasury Henry Morgenthau, and I quote him directly:

"It seems to me desirable and necessary that we now follow the example set in the case of Cuban sugar and permit the entry of Canadian wheat in large volume."

That statement was made by Secretary Morgenthau on Tuesday of last week.

On Monday, just the day before, Secretary of Agriculture Claude Wickard had announced the 1942 goals for American agriculture. Included as one of the goals by Secretary Wickard is a further reduction of wheat acreage in the United States to from 50,000,000 to 55,000,000 bushels. At the same time Secretary Wickard announced there will be no limit on the sugar acreage planted. So the admission of more sugar from Cuba is not comparable to the admission "in large volume of wheat from Canada."

Secretary Wickard calls upon American wheat growers to reduce planted acreages from an average of 72,000,000 acres the past 5 years—62,500,000 acres for the crop harvested this year—down to 50,000,000 acres for the 1942 crop.

Now, if both the Wickard and Morgenthau wheat programs are followed, what would happen? There are available for a domestic market in the United States this year 1,340,000,000 bushels of wheat—a 2 years' supply. Canada has 498,000,000 bushels—a 2 years' supply for herself and the British Isles.

Mr. Wickard calls upon the American wheat growers to restrict acreage to 50,000,000 acres. Mr. Morgenthau demands that the wheat reserves of the United States be thrown upon the market and that, in addition, large volumes of wheat from Canada be thrown upon the United States market. The effect would be double. The price of wheat would go away down, and the Canadian farmers would supply one-half of the needs of the United States next crop year.

Frankly, my friends, I think that is carrying aid for Britain a little bit further than is justified. I say there ought to be limits to the sacrifices American farmers are required to make. It is my sincere hope—I might almost say it is my belief—that President Roosevelt in this matter will follow the program of Secretary Wickard more closely than that of Secretary Morgenthau. And I hope he will not follow the Wickard program to the limit of reducing wheat acreage to 50,000,000 acres. Matter of fact, under the law Secretary Wickard cannot ask a reduction to below 55,000,000 acres. If this thing is carried much further, I will be compelled to fight the entire farm program, much as I would hate to take that course of action at this time.

I look to the future with a heavy heart, my friends.

THE PRESIDENT'S ADDRESS OF SEPTEMBER 11

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD the radio address delivered by the President on September 11, 1941, which appears in the Appendix.]

EDITORIAL COMMENT ON PRESIDENT'S ADDRESS OF SEPTEMBER 11

[Mr. SCHWARTZ asked and obtained leave to have printed in the RECORD editorial comments on the President's radio address of Thursday, September 11, which appear in the Appendix.]

LABOR DAY ADDRESS BY SENATOR ROSIER

[Mr. KILGORE asked and obtained leave to have printed in the RECORD an address delivered by Senator ROSIER on Labor Day at Morgantown, W. Va., which appears in the Appendix.]

COL. CHARLES A. LINDBERGH—ARTICLE BY HARLAN MILLER

[Mr. HERRING asked and obtained leave to have printed in the RECORD an article by Harlan Miller relative to Col. Charles A. Lindbergh, which appears in the Appendix.]

WAR—EDITORIAL BY JAMES M. LANGLEY

[Mr. TOBEY asked and obtained leave to have printed in the RECORD an editorial from the Concord Monitor, written by James M. Langley, entitled "War," which appears in the Appendix.]

ARTICLE BY ARTHUR KROCK ON PETROLEUM SHORTAGE

[Mr. BYRD asked and obtained leave to have printed in the RECORD an article relative to the petroleum shortage, written by Arthur Krock and published in the New York Times of September 11, 1941, which appears in the Appendix.]

ORDER DISPENSING WITH CALL OF CALENDAR—LEGISLATIVE PROGRAM

The VICE PRESIDENT. The morning business is closed. The calendar under rule VIII is in order.

Mr. BARKLEY. I ask unanimous consent that the call of the calendar be dispensed with.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

Mr. BARKLEY. I wish to state in that connection that we may have a call of the calendar on Wednesday. The House of Representatives must first act on the conference report on the tax bill. The conference report has been practically agreed to, but because the House was in recess when the bill was passed in the Senate, the conferees had to meet informally. The conferees on the part of the House have now been appointed officially, and the conferees will meet at 1 o'clock today to do legally what the conferees have been doing for the past week. So the conference report will be passed on in the House on Wednesday. The House could act on the conference report on Tuesday, but there is an understanding that if there is to be a roll call on the report it will not take place until Wednesday. I hope the Senate will be in session when the report comes to this body Wednesday afternoon, probably not later than 2 o'clock, in order that we may dispose of the conference report on Wednesday. While we are waiting for it on Wednesday, I think we will have a call of the calendar. I make this statement in order that Senators may understand that probably there will be a call of the calendar between 12 o'clock and 2 o'clock Wednesday.

Senators have asked me what the program is for the remainder of the week, and I am frank to say that, outside the tax-bill conference report, there is nothing of any importance impending except as Senators may regard the call of the calendar as of importance. Not only does that apply to this week, but I think it can be said to apply to next week. The President will send to the Congress this week his recommendations for a lend-lease appropriation. That will have to go to the House first, and in all probability it will not reach the Senate for approximately 2 weeks, I should say. So that it seems that, outside the tax-bill conference report, which I hope to have disposed of on Wednesday, there will be nothing of importance this week or next which Senators need to remain in Washington to attend to.

Mr. McNARY. When does the able Senator expect the price-fixation bill to reach the Senate

Mr. BARKLEY. It is impossible to estimate how long it will be. As the Senator understands, the House committee began hearings before the House took its recess. When the House recessed for 4 weeks, the committee recessed also. They are resuming the hearings on the bill this week, and will go right on through with them, and, in view of the agreement we have had not to attempt to hold contemporaneous hearings in the committees of the House and the Senate, I presume the Senate will wait for the House to act first on the price-fixing bill, although we do not wish to delay our proceedings indefinitely or unnecessarily, and we may decide to hold hearings after the House has finished its hearings so that we may have them out of the way. That circumstance makes it impossible for me to predict when the price-fixing bill will be before the Senate.

I agree with the statement made a few days ago by the Senator from Oregon, the distinguished and able minority leader, that we should dispose of price-fixing legislation as soon as possible, in order that those involved in it and affected by it may understand what to expect in the way of such legislation. My guess would be that it may be anywhere from 2 to 4 weeks before the bill reaches the floor of the Senate.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. VANDENBERG. The unfinished business is House bill 2665, a bill dealing with the apportionment problem. The last time we had an agreement on the subject it was indicated as the Senator will recall, that the bill would not be taken up prior to Monday, September 22.

Mr. BARKLEY. Yes.

Mr. VANDENBERG. Now I am wondering whether, in view of the Senator's

statement respecting next week, that bill can be postponed until September 29.

Mr. BARKLEY. I was about to call attention to that. It presents a situation somewhat different from that affecting other bills, even those on the calendar. The bill to which the Senator refers is the unfinished business, and will remain the unfinished business until disposed of, except, of course, that everyone understood that it might be temporarily laid aside if some important bill, such as the lend-lease appropriation measure, should be brought forward. But I hope we can dispose of the bill before the price-fixing proposal gets into the Senate. That raises a question whether the Senate, and particularly the Senators from Arkansas and Michigan, desire that the bill be taken up next Monday. We agreed that we would not take it up prior to next Monday, but we did not agree to take it up next Monday.

Mr. VANDENBERG. That is correct.

Mr. BARKLEY. I am sure neither side wants the bill taken up without a quorum present, and that raises the question whether the Senators from the two States mentioned desire to have Senators here next week in order that there may be a quorum present for the consideration of the bill, or whether it may go over for another week, let us say, in order that Senators may have next week as a vacation.

Mrs. CARAWAY. It is perfectly agreeable to me that the bill go over, so that Senators may have an opportunity for a little longer vacation period.

Mr. BARKLEY. I understood that was the wish of both sides. The bill now occupies a privileged status and will continue to do so, except only for the temporary consideration of other proposals.

I suppose we may understand, then, if it is agreeable, that the bill referred to, which is the unfinished business, will not be taken up next week if Senators desire to absent themselves from Washington during the week.

Mr. VANDENBERG. Then may we understand that, instead of not taking it up until September 22, it is now agreed that it will not be taken up prior to September 29?

Mr. BARKLEY. That is my understanding, and I think that is satisfactory.

Mr. BILBO. Mr. President, will the Senator from Kentucky yield to me?

Mr. BARKLEY. I yield.

Mr. BILBO. With the Senator's statement as to the business to be before the Senate this week and next week, any Senator would feel free to go home, if he saw fit, without fear of censure or condemnation from his constituents, and the leader will become our advocate in case of criticism?

Mr. BARKLEY. Absolutely. I am the advocate for any Senators at any time. I not only think Senators would be justified in going home but I think it is their duty to go and associate with their constituents and act as informers of their constituents as to what is going on in the Senate, in our Government, and in the world; and I know of no one who is better qualified to fill that role in his own State than the Senator who has just propounded the inquiry, the able and distinguished senior Senator from Mississippi.

Mr. BILBO. I wanted to be sure of my ground, because we have a little unfinished business in Mississippi at this time. We will have an election next Tuesday, a week from tomorrow, and I was afraid that if I should return to my home someone might censure me for not being at my post of duty at this critical period in the history of our country. Therefore I wanted to be sure I was on safe ground.

Mr. BARKLEY. My observation in reply to that would be that in the absence of any important vital legislation before the Senate this week or next week, after the tax bill conference report is out of the way, the Senator's post of duty would be in Mississippi.

Mr. BILBO. The Senator will send me a telegram if anything shall arise?

Mr. BARKLEY. I agree to do that.

Mr. BILBO. I can be back in Washington within 6 hours.

RELIEF OF PRODUCERS OF SURPLUS AGRICULTURAL COMMODITIES

Mr. EASTLAND. Mr. President, the senior Senator from Alabama [Mr. BANKHEAD] and I have introduced, and there is now pending in the Senate, a very short agricultural bill for the relief of the producers of cotton, wheat, and all other surplus agricultural commodities. It is a short bill; it is a fair bill; it seeks no special privileges for agriculture, but it is an attempt to breathe life into agriculture and permit agriculture not only to live but to prosper in an industrial, competitive world.

The agricultural problem in this country, Mr. President, is not a lack of production; but in the midst of a hungry and ragged world, ironically enough, the problem is the disposition of its surplus abundance created by the bounty of Nature and the industry and intelligence of American agricultural labor.

This problem has been dramatically demonstrated during the past 60 days. It burst into full bloom squarely into the face of Congress and the country when Congress passed the "freezing bill," whereby surplus cotton and wheat were to be frozen in the hands of the Commodity Credit Corporation, and it was more amply advertised when the President vetoed the bill. Everyone has sympathy with the position of the Commodity Credit Corporation, and everyone should have the profoundest sympathy with the producers who want this surplus frozen. Why do the producers want this surplus kept off the domestic market? The producer wants the surplus kept from the domestic market because the surplus represents the exportable surplus. It represents the portion of two or three cotton crops which the American people have not consumed and do not need at the present rate of American consumption, which is far too low.

Mr. President, that surplus was accumulated when its very producers were naked. It exists in a naked world, but it is here. It is still a surplus; it cannot be laughed off; it cannot be vetoed off; it cannot be denounced off. Under present conditions it cannot be dumped on the domestic market, as advocated by Secretary Morgenthau, without leaving a trail of misery in its wake that will rip the unity of this Nation asunder.

When the cotton-freezing bill was passed by Congress the Senator from Alabama and I had already introduced the bill to which I have referred, and it was pending in the Congress. It deals with the disposition of the surplus.

The bill is only 20 lines long; yet all farm organizations, agricultural leaders, and economists agree that if it should be enacted we should be rid of the agricultural surplus; that as a permanent result we could easily export 7,000,000 bales of cotton each year, and in all probability from 10,000,000 to 12,000,000 bales, regain our lost foreign markets for cotton, and give to the South a gateway through the tariff wall. In other words, it would set the South free from the punitive economic shackles placed upon her, which were the fundamental cause of the great upheaval of the 1860's.

The bill provides that when foreign goods are shipped into this country and sold, the tariff duties paid to get those goods into this country will be refunded if the money acquired from the sale of the goods and the refunded tariff duties is used to purchase, for export, cotton, wheat, and other surplus American farm products.

The proposed legislation is intended to and would solve the problem of the surplus. It would make the cotton and wheat producers of this country highly prosperous. It would not harm the manufacturers. It would not destroy the wage scale of industrial labor. If the bill should be enacted, a cotton grower of the South could again plant a normal cotton acreage. The South would be made highly prosperous, and King Cotton would regain his American throne.

It is admitted by all sides that the protective tariff is designed to protect and make rich a few American industrialists at the expense of American agriculture. It is admitted on all sides that the tariff is the cause of the farm problem, of the poverty of the South, of the loss of the export markets for cotton, and of the cotton-acreage reduction program. Further, if the bill is not enacted into law our export cotton markets will still further dwindle and the acreage that can be planted in cotton in the South will be still further reduced, to the further impoverishment of our people and to the further lowering of their already deplorably low standard of living.

Mr. President, the tariff hurts the South, the West, and agricultural producers everywhere in two ways: First, it greatly and artificially increases the cost of what we must buy; and, second—much worse still—it prevents the American farmer from selling to the world his cotton and wheat, thus causing the accumulation of vast surpluses in this country and the loss of our export markets. It is to the second proposition that I will first address myself.

Nations, Mr. President, like individuals, can buy in only two ways. One is to pay in gold. Foreign countries cannot buy cotton and wheat and pay in gold, because we have cornered and buried in Kentucky practically the world's supply of gold. The other is to ship their goods into this country, sell them, and with the

money thus acquired purchase our cotton. Foreign nations are willing to do this; they are anxious to do so; but the protective tariff, by taxing the goods so high when they enter this country that they cannot sell in competition with American-manufactured goods, keeps out the foreign goods which would be sold to purchase, for export, the cotton and grain crops of the South and West.

A nation is like a farmer. If the farmer cannot sell his cotton, he cannot buy an automobile, shoes, or clothing. If a person cannot sell, of course, he cannot buy. If foreign countries cannot ship in their goods and sell them, they cannot get the money with which to buy this country's cotton and wheat. He who cannot sell cannot buy; and this applies to all producers of commodities and to every business and profession everywhere. There is no dispute, Mr. President, that this condition is the fundamental cause of the American farm problem; that it is the cause of the cotton-acreage reduction in the South, of the destruction of the foreign markets for cotton, and of the South's poverty, because other nations of the earth cannot trade with us. They cannot sell to us. If they cannot sell, they cannot buy our products. Our very able Secretary of Agriculture, the Honorable Claude R. Wickard, hit the nail on the head in his recent testimony before the Committee on Agriculture when he said:

Secretary WICKARD. Well, I think, as a matter of exchange, you cannot expect any country to buy from us indefinitely unless we are willing to take something from them.

Senator AIKEN. Why have we not been willing to take something from them?

Secretary WICKARD. I suspect the high tariffs in this country have made it almost prohibitive.

Senator AIKEN. The tariff against industrial products?

Secretary WICKARD. Yes, sir.

Senator AIKEN. And if we would take more of their industrial products they would take more of our agricultural products?

Secretary WICKARD. That is right.

Senator AIKEN. In other words, American industry, in erecting a high tariff wall against foreign industry, has been decreasing agricultural purchasing power right here at home?

Secretary WICKARD. Yes, sir. Trade is a two-way proposition.

Of course, Mr. President, we cannot expect a foreign country to trade with us if we refuse to trade with it. Secretary Wickard is right, and this is the fundamental condition which the enactment of the bill would remedy. If it is not remedied there will be further impoverishment and enslavement of the people of the South by a further reduction of our cotton acreage; and, by a further contraction of agricultural purchasing power, there will be a further contraction of the domestic market for manufactured goods. We must give the southern farmer a gateway through the tariff wall to enable him to trade with foreign countries.

Mr. President, the tariff policies of this Government have existed since the Civil War. Why is it that the South, which once had a world monopoly upon the production of cotton, has lost its export market only during the past few years? To answer this question it is necessary to give a history of the American export cotton business. Before the Civil War we had free trade in this country. The South was immensely rich because it could trade with the nations of the world. Foreign nations could and did ship their goods into this country, sell them, and acquire cotton. In that day the cotton-growing South was not only the richest section of the United States, it was the richest area in the world. It was richer than imperial Rome in its heyday. It was the richest and most prosperous region on which the sun ever shone. It was rich, not because of slavery, but because we sold cotton in free world trade.

After the Civil War, and until the first great World War, the United States was a debtor nation. We borrowed money from the nations of Europe. Those nations had to have cotton, and they accepted our export cotton in payment of our country's debts. This maintained the South's export business. During the first World War the United States acquired practically the wealth of the world and became a creditor nation. After the war Congress increased the tariff. European nations had no way to pay us for our cotton because they had no gold, and the tariff prevented their shipping in goods in payment. To meet this situation and to maintain our export markets we loaned them the money with which to buy our cotton, wheat, and other surplus farm products. But there was no way that they could repay those loans. There was no way that they could ship in their goods and get the money to pay their obligations. So when pay day came they were unable to pay. They defaulted.

Mr. President, we would not lend them more money and would not sell to them. Therefore our commerce with them stopped, and as a result there ensued the great depression of the 1930's. Since the depression our normal exports have declined from six to eight million bales annually down to a little over a million bales of cotton this year, because we have all the gold and we still refuse to take the goods of other nations in payment.

As I have said, Mr. President, the South once had a world monopoly upon the production of cotton, and still, until the last few years, sold many times more cotton abroad than did any other nation in the world. This export business has slumped until we are now in third place in the export of cotton. British India and Brazil are both ahead of us.

Mr. President, the prosperity of the entire South—farmer, lawyer, doctor, all businesses and professions—depends upon the prosperity of the cotton grower. The prosperity of the cotton grower depends upon retaining his export markets for cotton. Before the great depression the world consumed from eighteen to twenty-three million bales of cotton each year. That consumption has increased since the depression to from twenty-nine to thirty-two million bales of cotton yearly. The world is using more cotton than it ever did, and this consumption will further increase after the present great war. Two-thirds of this cotton would be bought from us if we would trade with foreign countries. In spite of the great increase in the world consumption of cotton, the exports of this country have fallen to practically nothing.

The farms of the South cover less area now than they did in 1860, and they are the dwindling support of nearly twice as many people as they then were. The world consumption of American cotton has drastically declined, and as a result of the loss of these world markets we have been forced to reduce the cotton acreage in this country until at the present time the average farmer cannot plant enough cotton to support his family decently. Such a condition is wrong. If this bill should pass, this evil would be corrected.

Millions of the poor would be benefited by this legislation. Their condition is pathetic. Their voices, asking for relief, are the voices of pathos and anger from millions of small homes on the hillsides and valleys of the South reaching into the din of Washington. If this bill does not pass, I shall sponsor other legislation to correct this evil.

America, Mr. President, grows the highest-grade cotton grown in the world. It is the best cotton grown in the world. It is produced cheaper in the United States than in any other country in the world. Most textile manufacturers state that American cotton has the highest tensile strength of any cotton grown on the earth. Foreign countries desire and prefer American cotton over any foreign-grown cotton. They have sent to this country delegations begging for American cotton, provided we would let them sell in this country goods to get the money to pay us for the cotton. There is normally a world demand at prosperous prices for every single bale of cotton it is possible to grow in the United States. The world offers to pay a premium for American cotton over foreign cottons, yet, because the tariff prevents us from trading with foreign countries so that they can buy our products, we are forced to reduce our acreage to such an extent that the cotton grower cannot make a decent livelihood.

Mr. President, cotton is the greatest commodity grown in the world. It is a commodity that every civilized man must have. It is a necessity and a luxury of civilization. Cotton is different from wheat, corn, and the other great grain crops. Such crops are grown in every area and in every country and, aside from the frigid zones, in every climate in the world. Cotton is more like oil; it can be grown or produced only in limited areas of the earth. Yet it is a commodity which every country needs and must have.

Mr. President, since we grow this product, for which there is a great demand, better and cheaper than it is grown anywhere else in the world, why is it that we are not immensely rich? The South would be rich if this legislation were enacted. She would regain her glory of the days before the war, because foreign countries could trade with us. They could get the money to purchase this much-needed product; and trade, after

all, is nothing but an exchange of commodities and services.

I know, Mr. President, that we cannot repeal the tariff. It is unnecessary to repeal the tariff to relieve the cotton grower of the South. Under this proposed legislation introduced by the senior Senator from Alabama [Mr. BANKHEAD] and me, the tariff would be rebated on only enough foreign goods to make it possible to purchase our exportable surplus of cotton and regain our lost markets. If the tariff were rebated on enough goods to permit the purchase of 7,000,000 bales of American cotton annually and the restoration of only the normal export markets of the South, it would equal only one-half of 1 percent of the annual domestic business of this country—a mere drop in the ocean.

There would not come into America enough foreign goods to injure any American industry. This proposed legislation would not injure the protected industrial interests of New England, New York, and Pennsylvania, which through their tariff protection have sapped the wealth of the South. They still would have their tariff. Not a single schedule of the present Tariff Act would be changed. They still would have their protection from foreign competition. There could not come into this country, under this bill, a great mass of foreign goods to close up the factories and destroy the standard of living of the industrial worker, as the protected industrialists howl when they clamor for swill and additional booty at the expense of the cotton-growing South and of the producers of the grain crops of this country. They would not be hurt, because the amount of goods on which the duties would be rebated would be limited to only enough to permit the purchase of our exportable farm surplus. The enactment of the bill would remove discrimination and legalized robbery of the South. It would give southern agriculture a gateway through the tariff wall. It would make the South highly prosperous.

Mr. President, an increase of the purchasing power of the South would be the greatest boon to permanent American prosperity. Regaining our foreign markets for cotton would mean that we could once again plant a normal cotton acreage in the South. Exportation of 7,000,000 bales of cotton yearly would mean millions of exchange dollars—rich new blood injected into the economic bloodstream of this country. It would increase the prosperity of New York; it would increase the prosperity of Pennsylvania; it would increase the prosperity of manufacturing enterprises all over America, because when southern purchasing power is increased there is a great demand in the South for automobiles, for clothing, for shoes, for the necessities and luxuries of life. To fill southern demands for these commodities would cause to hum the wheels of industry all over this country.

Increased purchasing power for the South means new business for thousands of industrial workers in the North and East. With agriculture poor, who is there to buy the products of industry? When the farmers cannot buy, the industrial worker cannot work. But when the industrial worker is employed, by the increase in agricultural purchasing power, he in turn is able to buy and consume more of the necessities of life; and this in turn means more business and increased prosperity for every section of the country—North, South, East, and West.

Mr. President, trade feeds on trade, and prosperity feeds on prosperity. When you buy from any man, you increase that man's ability to buy. We can have no lasting prosperity in this country with industry immensely rich and agriculture extremely poor.

We are told that we have permanently lost our foreign markets for cotton; that other countries of the world are voluntarily growing cotton to fill their own requirements, and that the industrial nations of Europe will permanently use other cotton instead of our own. This is incorrect. Other nations prefer our cotton and would buy American cotton if we would trade with them.

We are also told, Mr. President, that foreign countries, because of a low-wage scale, produce cotton cheaper than it is produced in America, and therefore are able to undersell us in the markets of the world. This also is incorrect. India is our principal cotton competitor. We are told that we cannot compete with the cotton growers of India because the wages of labor in India are only 15 to 20 cents per day, much lower than our own, and that our costs of production are therefore much higher. It is not true that we cannot compete with the Indian cotton grower. It is true that labor in the United States costs more than it does in India; but we grow cotton in the United States cheaper than it is grown in India, because in India cotton production averages only about 85 to 88 pounds of lint cotton per acre, while the American production of cotton is several times greater than that. The American worker is paid more than the Indian worker is paid, but he produces several times more cotton per acre than does the Indian worker. Because our production is higher it costs less per pound to produce cotton in this country than it costs in India or in any other major cotton-competing country.

We are told that Russia, which at one time was a large user of American cotton, now voluntarily grows its own cotton, and is not only a great competitor but a threat to American cotton growers. This also is untrue. Cotton in Russia is grown in an area of the same latitude as that of the city of Chicago and northern Illinois. It is grown in a region that is admittedly too far north for the economic production of cotton. Russia grows cotton solely because it cannot acquire its supply of cotton from the United States. Several years ago, while we had a great surplus of cotton, the Russian Government sent to the United States a trade mission begging for over a million bales of cotton a year. She desired to pay us in goods. She had no gold. We refused to do business with her, and so Russia began her cotton program. Cotton is grown in Russia at a low production per acre where climatic conditions are quite unfavorable, and at a cost to them of several times what our cotton would cost, solely and admittedly because they cannot otherwise acquire their supply of cotton.

Mr. President, we hear much of the increased acreage in Brazil, and that cotton from Brazil is gradually supplanting American cotton in world markets. Brazil has greatly increased her cotton production. Ten years ago she only produced 483,000 bales of cotton. In the season of 1940 to 1941 she produced 2,523,000 bales. Brazil sells this cotton to countries that formerly bought American cotton. Brazil is growing rich at our expense, because foreign countries ship their goods into Brazil and sell them to get the money to purchase Brazilian cotton. However, in the case of Brazilian cotton, of Russian cotton, of the cotton to British India, and all other major foreign cotton producers, their cotton is not as high grade as American cotton. It does not have the tensile strength of American cotton. It is not so good as American cotton, and, except in the case of Brazil, it is not produced as cheaply as American cotton. Other nations, if they could trade with us, would pay a premium for American cotton over foreign cottons. Cotton is a new game in these countries. It is a business they do not know and do not understand. These countries, if this proposed legislation should be passed, would plant other crops. Brazil would go back to coffee and other crops which suit her needs. All these nations would produce crops which they are equipped to produce and again leave the world cotton markets to us.

The tariff, Mr. President, has driven our customers unwillingly away. It has forced other countries to grow cotton when they had rather grow other crops; but, since cotton is a necessity of civilized man, since it is a commodity which every man must have, many nations take lower-grade cotton grown elsewhere than in the United States and use synthetics and substitutes because we refuse to trade with them. When we refuse to buy the products of any nation, how can we expect that nation to trade with us?

Cotton, as I have said, is a commodity which nations fight for, which every nation must have. It is not only a necessity but a luxury in life. Then why is it that the region of the world, such as the Southern States, which produces this commodity cheaper and of a better quality than any other place in the world, is not immensely rich? Why is it that the South is economic problem No. 1? Why is it that its people are ill housed, ill fed, and ill clothed? Why is it that its standard of living is not only the lowest in the Union but is a disgrace to the United States?

It is solely because the tariff policies of this Government, Mr. President, have sapped the wealth of the South. These policies have not only, as I have described, destroyed our export market for cotton, but the tariff laws enacted since the Civil War have siphoned the foreign wealth which our great export crop has brought into the United States and by legislation transferred it to the protected manufacturing industrialists of the Northern and Eastern States. The South, through its export of cotton, has brought more

money into this country than has any other section; but by the tariff artificially increasing the prices of the things we must buy from the industrialists of the East and North, these sections of the country have siphoned this wealth—our southern wealth—and built up great fortunes for themselves, to the impoverishment of the South.

The tariff laws, as I have said, Mr. President, have kept manufactured goods produced in other countries out of the United States. In other words, the tariff is so high that foreign goods, when shipped into the United States and the tariff paid, cost more than the American-made product. Behind this wall of protection trusts are formed and prices for American-produced goods are artificially increased. For illustration, in the case of shoes which cost in the markets of the world $2 a pair, with cotton at 20 cents per pound, 10 pounds of cotton are sufficient to purchase a pair of shoes. But foreign shoes are kept out, and the American manufacturers form trusts behind the tariff wall and artificially raise the price of shoes from $2 to $3 a pair. So, instead of 10 pounds of cotton purchasing a pair of shoes, it takes 15 pounds of cotton to purchase the same pair of shoes. The manufacturer makes a big profit, but the income of the cotton grower is decreased, his standard of living is lowered, because it takes more of his product to purchase the commodities it is necessary for him to have.

If the State of Mississippi should enact a law providing that all merchandise sold in Mississippi must be purchased from the merchants of the city of Jackson, and then the merchants of Jackson should get together and greatly increase the prices of their commodities, of course, they would become rich and the people would become impoverished. This is what the tariff has done to the producers of exportable agricultural crops in the United States. We have a law whose practical effect is that we must buy from American manufacturers, who have artificially increased their prices because of that law. They have become rich, but they have greatly reduced American consumption, and the South and West have been impoverished. By this method the wealth which cotton and wheat have brought into this country has by law been transferred to the protected barons of the East, and the States where great industries are located enjoy their bountiful prosperity at the expense of and by lowering the standard of living of the Southern and Western States, but principally of the Southern States, because cotton is a greater export crop than wheat.

By enacting a law which, in practical effect, forces us to buy only from American manufacturers and by permitting them artificially to increase the cost to us of what we are forced by legislation to buy from them, and by causing the great acreage reduction of cotton, a tribute of $800,000,000 a year, based on figures for 1937, is levied on the producers of cotton in the South; a penalty of $800,000,000 a year is placed against the South. This $800,000,000 would make the South prosperous. It would rejuvenate the financial structure of America. It would purchase millions of dollars' worth of the industrial commodities of the East and North. It would give permanent employment at good wages to thousands of industrial workers of the industrial East. It would be a great boon to sound, permanent American prosperity.

But, Mr. President, as I have said, the tariff has artificially increased the cost of industrial goods which we must buy 25 percent above the world price level. This means that the farmer of the South must work harder, must work longer, and have less in order to pay this tribute to the protected industrialists of the East. Twenty-five percent higher. This means that 1 year in 4, 1 week in 4, 3 months in 12, 1 year in each 4, the cotton farmer works to pay tribute to the manufacturer of the East. He is forced by law to give this additional labor to the protected interests of this country. When a cotton grower reaches the age of 60, he has contributed 15 years of free labor to the protected interests of the North and East—1 year in 4, 15 years in 60. This is not only economic slavery but human slavery, just as bad, just as dark, and just as unjust as ever existed on any continent of this earth. As the result of this treatment, as the result of this great discrimination against the South and West, the American farmer in exchange for 1 hour of industrial labor has to pay[1] the following percentages more or receive proportionately less than farmers in other countries, as follows:

	Italy	Germany	Russia
	Percent	*Percent*	*Percent*
In bread	270	300	400
In butter	530	333	800
In beef	420	230	700
In potatoes	380	170	480
In a market basket containing 24 foods	430	170	700

The farm dollar of the German farmer, the farm dollar of the Italian farmer, the farm dollar of the peasant in Red Russia purchases more than the dollar of the farmer in great and allegedly free America because of the discriminations created by the protective tariff.

But the crowning shame of all, Mr. President, is that these self-same barons of tariff largess ofttimes finance social expeditions into the South to fan animosities and engender hatreds. They speak of and widely publicize the sharecropper, for whose terrible plight their greed and their tariff is to blame. They attempt to array class against class, to divide and rule. They publicize the "shotgun" houses, the "cabins in the cotton," and the poverty of the country. They point fingers of scorn and cry, "Shame, shame; you are poor!" Thus, by ill-mannered effrontery, they seek to divert attention from their own iniquities and their own crimes. It is like an embezzler condemning the victim for being poor while he wallows in the loot.

[1] By tables prepared by Hon. Oscar F. Bledsoe, of Greenwood, Miss., an economist and patriot who has devoted much time, study, and effort to the development and prosperity of the South.

It is for the permanent prosperity of these people and Southern people everywhere that I speak.

Mr. President, Southern culture, and Southern people are the finest upon this earth. The Southern people are honorable and a fearless people. They seek only justice from this Government. They have been mistreated; they have been discriminated against; they have been continually legislated into poverty since 1860. The Congress can pass this bill and free the agricultural producer of the South without harm to any section of the country, but if you do not pass some such bill the unity of this country may some day be wrecked.

If this proposed legislation is not passed, if our export markets for cotton are permanently lost, if we can only grow cotton for domestic consumption, then my section of the country is bankrupt. We will then be forced into a suicidal battle of competition with the cattle raisers and grain producers of the West.

We of the South ask only equality. We ask only to be put on a parity with other sections of this country. Southern people for 80 years have lived and died in poverty. We have worked and by legislation the fruits created by the sweat of southern labor have enriched a few big industrialists. It is the inalienable right of every man who works to live decently, to have equality of opportunity with every other citizen, and to enjoy the fruits of his labor.

I appeal, Mr. President, to the citizenship and to the chosen representatives in the Congress of all the people of every section of America. The United States as a whole cannot be permanently prosperous unless the South and West are also prosperous. We should all be placed on an even basis. No section of the country should be discriminated against.

Our laws should be fair to every man in America, no matter whether he lives in the East, North, South, or West. We should all be able under the law to enjoy to the fullest the fruits created by a bountiful nature and an industrious, intelligent citizenship. This is justice. The South expects no more and will accept no less.

Mr. President, I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the bill to which I have referred, introduced by the Senator from Alabama [Mr. BANKHEAD] and me.

There being no objection, the bill (S. 1815) was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That on and after the day following the passage of this act any duty levied, collected, and paid under the Tariff Act of 1930 upon any article imported into the United States or any of its possessions as provided in such act shall be refunded if an amount equal to the sum of the value plus import duties is used by the importer or assignee to purchase and export surplus agricultural commodities produced in the United States.

SEC. 2. The Secretary of the Treasury, on collection of import duties, shall issue negotiable documents under such rules and regulations as he may prescribe and, upon certification by the Secretary of Agriculture that proper and sufficient exports have been made,

he shall refund said import duties without interest.

SEC. 3. The Secretary of Agriculture is authorized to prescribe such regulations as may be necessary to carry out his functions under this act and shall from time to time designate for the purposes of this act the agricultural commodities with respect to which a surplus exists. Designations by the Secretary under this section shall be final.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 5417) to provide revenue, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DOUGHTON, Mr. CULLEN, Mr. COOPER, Mr. BOEHNE, Mr. TREADWAY, Mr. KNUTSON, and Mr. REED of New York were appointed managers on the part of the House at the conference.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable committee reports of nominations were submitted:

By Mr. CONNALLY, from the Committee on Foreign Relations:

Anthony J. Drexel Biddle, Jr., of Pennsylvania, now Ambassador Extraordinary and Plenipotentiary to Poland, serving concurrently as Ambassador Extraordinary and Plenipotentiary near the Government of Belgium; and as Envoy Extraordinary and Minister Plenipotentiary near the Governments of Norway, The Netherlands, and Yugoslavia, now established in London, to serve concurrently and without additional compensation also as Envoy Extraordinary and Minister Plenipotentiary near the Provisional Government of Czechoslovakia also now established in London.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The following unfavorable report of a nomination from the Committee on Post Offices and Post Roads was submitted:

By Mr. McKELLAR:

Hazel G. Meunier to be postmaster at Calumet, Mich., in place of Michael Leary, deceased.

POSTMASTER

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the calendar will be stated.

The Chief Clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. Mr. President, I ask unanimous consent that the nominations of postmasters on the calendar be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations are confirmed en bloc.

The Chair is informed that that completes the calendar.

POSTMASTER AT JAYTON, TEX.

Mr. CONNALLY. Mr. President, I ask unanimous consent for the immediate consideration of the nomination of William Edward Wade to be postmaster at Jayton, Tex. The nomination is not on the calendar having just been reported by the Senator from Tennessee [Mr. McKELLAR].

The VICE PRESIDENT. The nomination will be read.

The legislative clerk read the nomination of William Edward Wade to be postmaster at Jayton, Tex.

The VICE PRESIDENT. Is there objection to the present consideration of the nomination? The Chair hears none, and, without objection, the nomination is confirmed.

ADJOURNMENT TO WEDNESDAY

Mr. BARKLEY. Mr. President, if there is no further business, as in legislative session, I move that the Senate adjourn until noon on Wednesday next.

The motion was agreed to; and (at 12 o'clock and 58 minutes p. m.) the Senate adjourned until Wednesday, September 17, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 15, 1941:

ARCHIVIST OF THE UNITED STATES

Solon J. Buck, of Pennsylvania, to be Archivist of the United States, vice Robert D. W. Connor, resigned.

COAST AND GEODETIC SURVEY

To be hydrographic and geodetic engineer (with relative rank of lieutenant in the Navy) by promotion from junior hydrographic and geodetic engineer (with relative rank of lieutenant, junior grade, in the Navy):

Ector B. Latham, of the District of Columbia, vice H. W. Hemple, promoted.

To be hydrographic and geodetic engineer (with relative rank of lieutenant, junior grade, in the Navy) by promotion from aide (with relative rank of ensign in the Navy):

Emmett H. Sheridan, of California, vice E. B. Latham, promoted.

To be aide (with relative rank of ensign in the Navy) by promotion from deck officer:

William B. Page, of Maine, vice J. C. Bull, promoted.

Norman Porter, of New York, vice E. H. Sheridan, promoted.

TEMPORARY APPOINTMENT IN THE ARMY OF THE UNITED STATES

Col. Frank Purdy Lahm, Air Corps, for temporary appointment as major general in the Army of the United States, under the provisions of section 127a, National Defense Act, as amended by an act of Congress approved September 9, 1940.

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS, IN THE REGULAR ARMY OF THE UNITED STATES

TO BE LIEUTENANT COLONEL

Maj. Benjamin Wiley Chidlaw, Air Corps.

TO BE MAJOR

Capt. Ephraim Melmoth Hampton, Air Corps.

NOTE.—The dates of rank are omitted, as the death or other unforeseen change in status of a senior officer might require a change in the dates of rank and necessitate the renomination of these officers.

PROMOTIONS IN THE NAVY

The following-named commanders to be captains in the Navy, to rank from the date stated opposite their names:

John M. Creighton, July 1, 1940.
Allan E. Smith, July 1, 1941.
Don P. Moon, September 1, 1941.
Russell S. Berkey, September 2, 1941.

The following-named lieutenant commanders to be commanders in the Navy, to rank from the date stated opposite their names:

James H. McKay, April 1, 1941.
Thomas M. Dell, Jr., August 27, 1941.
Joel Newsom, September 1, 1941.
Apollo Soucek, September 1, 1941.
Ralph E. Hanson, September 2, 1941.

The following-named lieutenants to be lieutenant commanders in the Navy, to rank from the date stated opposite their names:

Charles Jackson, January 1, 1941.
Jacob E. Cooper, March 1, 1941.
Luther K. Reynolds, April 1, 1941.
Austin C. Behan, April 1, 1941.
George W. Campbell, May 1, 1941.
Allan L. Dunning, July 1, 1941.
Melvyn H. McCoy, July 1, 1941.
Richard H. Phillips, July 1, 1941.
Alexander M. Kowalzyk, Jr., July 1, 1941.
Carl R. Midtlyng, July 1, 1941.
William E. Ferrall, July 1, 1941.
Leon J. Barbot, July 1, 1941.
Arthur C. W. Baskin, August 1, 1941.
John W. Schmidt, August 27, 1941.
Robert M. Barnes, September 1, 1941.
Harold T. Deutermann, September 1, 1941.
Charles L. Melson, September 1, 1941.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the date stated opposite their names:

Martin A. Shellabarger, January 1, 1941.
Frank V. List, February 1, 1941.
Harry M. Lindsay, Jr., March 1, 1941.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of April 1941:

Frank M. Slater	Joseph P. Witherow, Jr.
Harold F. Christ	William T. Vrooman
John T. Blackburn	John M. Steinbeck
Richard C. Gazlay	George M. Price
Stephen Jurika, Jr.	Clarence A. Keller, Jr.
Thompson Black, Jr.	Charles E. King
Jay T. Palmer	Raymond D. Fusselman

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the date stated opposite their names:

Frederick W. Sheppard, May 1, 1941.
Jesse B. Burks, May 1, 1941.
Eugene B. Hayden, May 1, 1941.
Stanley M. Barnes, May 1, 1941.
James A. Smith, May 2[illegible], 1941.
Reuben E. Stanley, May 31, 1941.
Henry S. Monroe, June 21, 1941.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the 1st day of July 1941:

Edward W. Abbot	Lewis Freedman
John M. Stuart	Terry L. Watkins
John N. Ogle	Albert L. Gebelin
Frank G. Selby	Warren S. Macleod
Edward J. Fahy	Arthur R. Manning
George H. Browne	Harold D. Fuller
Brown Taylor	Earl W. Logsdon
Lester S. Chambers	Robert A. Paton
Arthur C. Smith	Cecil K. Harper
Albert L. Becker	William I. Martin
John J. Hyland	Arthur C. House, Jr.
Walter T. Griffith	Willard E. Eastings
John M. McMahon	George W. Lautrup, Jr.
Joseph J. Staley, Jr.	George B. Nicol
Charles C. Mann	Ernest L. E. Ritson
Beverly R. Van Buskirk	Herman J. Kossler
Earl K. Solenberger	Albert Raborn
Charles B. Paine, Jr.	Francis A. G. Kelly
Alexander G. Hay	John W. Florence
Marvin I. Rosenberg	Richard H. O'Kane
John B. Morland	Curtis H. Hutchings
George E. T. Parsons	Wilbur H. Cheney, Jr.
Robert M. Brinker	Hugh Q. Murray
Benedict J. Semmes, Jr.	Francis W. Scanland, Jr.
Barton E. Day	Stuart Stephens
Earle K. McLaren	Mark A. Grant

William A. Dean, Jr.	Archibald Stone, Jr.
Robert E. Wheeler	John C. Martin
William W. Stark, Jr.	Charles M. Bertholf
George F. Davis	Charles B. Farwell
Allen W. Moore	John W. Geist
William T. Kinsella	Claude F. Bailey
Clayton S. Clark	

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the date stated opposite their names:

Thomas H. DuBois, August 1, 1941.
Isaiah M. Hampton, August 1, 1941.
Russell B. Allen, August 1, 1941.
David A. Scoy, August 1, 1941.
James L. P. McCallum, August 1, 1941.
Thomas F. Sharp, August 1, 1941.
Raymond E. Doll, August 1, 1941.
William C. Abhau, August 1, 1941.
Lawrence L. Edge, August 27, 1941.
William F. Petrovic, September 1, 1941.
Ben W. Sarver, Jr., September 1, 1941.
Jesse B. Gay, Jr., September 1, 1941.
Ralph M. Metcalf, September 1, 1941.
John N. Shaffer, September 1, 1941.
David W. Taylor, Jr., September 2, 1941.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 2d day of June 1941:

John M. Waters	Everett A. Trickey
Robert K. R. Worthington	Roy O. Hale, Jr.
	Richard G. Crommelin
Kenneth S. Brown	James A. Masterson
Harry C. Mason	Thomas R. Ingham
Russell H. Hedgecock	Wendell W. Suydam
Vernon R. Hayes	John E. Wicks, Jr.
Richard H. Bowers	William P. Riesenberg
James A. Marks	Irving J. Superfine
Charles R. Norris, Jr.	Carl B. A. Holmstrom
Donald B. Ramage	Charles E. Pond
Douglas H. Pugh	John T. Eversole
Francis H. Huron	Walter A. Sharer
Cecil R. Welte	Wilmer E. Rawie
Arthur F. Johnson	Cecil V. Johnson
John R. Brown	William J. Tate, Jr.
Jackson H. Raymer	Oscar B. Parker
Leonard E. Harmon	Walter H. Kreamer
William R. Glennon	William K. Ratliff
James R. Payne	Charles M. Robertson
William M. Laughlin, Jr.	William L. Lamberson
	Samuel H. Hunter, Jr.
Robert G. Bidwell	Henry E. Surface
Arthur B. Yeates, Jr.	Robert D. Cox, Jr.
James E. Brenner, Jr.	Vincent M. Sim
Gordon F. Smale	Alvin F. Sbisa
Edwin M. Westbrook, Jr.	James H. Ray
	Robert L. Middleton

Assistant Paymaster Dennison C. Ambrose to be a passed assistant paymaster in the Navy, with the rank of lieutenant, from the 1st day of July 1941.

Chaplain William W. Elder to be a chaplain in the Navy, with the rank of captain, from the 1st day of July 1940.

Gunner Charles E. Conboy to be a chief gunner in the Navy, to rank with but after ensign, from the 1st day of July 1941.

Lt. Comdr. Orville K. O'Daniel to be a lieutenant commander in the Navy from the 1st day of April 1941, to correct the date of rank as previously nominated and confirmed.

The following-named lieutenants to be lieutenants in the Navy, to rank from the date stated opposite their names, to correct the date of rank as previously nominated and confirmed:

Edward F. Jackson, April 1, 1941.
Richard L. Poor, April 1, 1941.
Irvin L. Dew, May 1, 1941.
Francis E. Fleck, July 1, 1941.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, to rank from the date stated opposite their names:

Charles Antoniak, July 1, 1941.
Albert P. Coffin, August 1, 1941.

The following-named ensigns to be lieutenants (junior grade) in the Navy, to rank from the 2d day of June 1941:

Lodwick K. Alford	Cecil A. Bolam
Charles A. Anderson	John L. Erickson
John F. Bauer	Grant S. Heston
Joe L. Bettinger Jr.	Alan J. Holmes
John T. Bland 3d	Curtis W. Howard
Herbert R. Kabat	Clarence A. Melvin
Edgar J. Kemp, Jr.	Albert R. Olsen
William M. Klee	William O. Spears, Jr.
Randolph Klippel	Ernest W. Wood, Jr.

The following-named acting chaplains to be chaplains in the Navy, with the rank of lieutenant, to rank from the 1st day of August 1941:

Roland W. Faulk	Emil F. Redman
Francis J. McManus	Frederick Volbeda

The following-named boatswains to be chief boatswains in the Navy, to rank with but after ensign, from the 1st day of July 1941:

Herbert F. Hugo
William F. Dunham

Asst. Surg. Eugene P. Harris to be a passed assistant surgeon in the Navy, with the rank of lieutenant, to rank from the 1st day of April 1941.

Albert B. Larson to be an assistant dental surgeon in the Navy, with the rank of lieutenant (junior grade), to rank from the 8th day of September 1941.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 15, 1941:

POSTMASTERS

FLORIDA

Mansell A. Orchard, Auburndale.
Walter Edward Clark, Fruitland Park.
Martha J. Metz, North Miami.
Mamie M. Baber, Ormond.

INDIANA

Henry E. White, Franklin.

IOWA

Bernadette M. Presho, Marquette.
Gladys Hadley, New Providence.
Hazel Horning, Richland.

MARYLAND

Elizabeth H. Birch, Crownsville.
Michael J. Sullivan, Ellicott City.

NEBRASKA

Arthur M. Hart, Burchard.
William Earl Goodhard, Elkhorn.
Virginia A. Tuey, Madrid.
Howard W. Botsford, Meadow Grove.

NEW JERSEY

Paul N. Hindenach, Riegelsville.

NEW YORK

Edith A. Wyman, Dover Plains.
Walter Stanhope, Thiells.
Leona M. Carr, Union Springs.
William A. Quigley, Yorktown Heights.

OHIO

John E. Doyle, Youngstown.

SOUTH DAKOTA

Ole Peterson Ronning, Valley Springs.

TEXAS

William Edward Wade, Jayton.

WISCONSIN

Ella W. Weidner, Abrams.
Howard E. Bitney, Clayton.
Thomas A. Lowerre, Delafield.
Erna Bond, Eagle River.
Bertrand E. Sands, Eleva.
Edmund P. Johnson, Rosholt.

HOUSE OF REPRESENTATIVES

MONDAY, SEPTEMBER 15, 1941

The House met at 12 o'clock noon and was called to order by the Speaker, Mr. RAYBURN.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Out of the depths do we cry unto Thee, O Lord, for our trust is in Thy forgiving love. With ample powers with which Thou hast endowed us, we pray Thee to fit us for a large service in these days so momentous, strong by the sense of Thy strength, wise by the sense of Thy wisdom, and good by the sense of Thy goodness. O God, in a world in which humanity is bleeding and dying and with its burdened heart, wrestling for the daybreak, Thou hast given us a glorious heritage in a land of plenty. As its servants help us to stoop to its burdens and share its hardships. Let our country hear Thy voice crying in the wilderness, from the sea, air, and mountain, quickening our capacities, opening our hearts and minds to carry forward the sacred tenets of our democracy. Wield Thy scepter, Almighty God, saving us from those subversive elements couched in prejudice, egotism, and selfishness; let the guidance of Thy eternal truth never fail us. Suffer not our hearts to languish nor our souls to fear, but undismayed, will we always seek to do our whole duty. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Thursday, September 11, 1941, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On August 25, 1941:

H. R. 5412. An act making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and for other purposes.

On September 2, 1941:

H. R. 5395. An act to amend the National Housing Act, as amended.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 196. Joint resolution authorizing the printing, with illustrations, of the proceedings of the national encampments of various veterans' organizations in the United States as separate House documents.

REVENUE ACT, 1942

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5417) to provide revenue, and for other purposes, with Senate amendments, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. DOUGHTON, Mr. CULLEN, Mr. COOPER, Mr. BOEHNE, Mr. TREADWAY, Mr. KNUTSON, and Mr. REED of New York.

CONSTRUCTION OF CERTAIN PUBLIC WORKS IN CONNECTION WITH THE WAR DEPARTMENT IN THE DISTRICT OF COLUMBIA

Mr. MAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5146), to amend an

act entitled "An act to authorize the Secretary of War to proceed with the construction of certain public works in connection with the War Department in the District of Columbia," approved June 15, 1938, with Senate amendments, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 3, strike out "purchase" and insert "acquire by purchase, condemnation, or otherwise."

Page 2, line 3, strike out all after "*Provided*," down to and including "begin" in line 6, and insert "That the location and design of such building shall be subject to the approval of the National Capital Park and Planning Commission."

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman from Kentucky explain what these Senate amendments are?

Mr. MAY. The House passed a bill authorizing an appropriation for the reconstruction of the Army Medical Library Building here in Washington. Some 2 or 3 years ago the appropriation was authorized, but there was no authority in the original act by which they could acquire the real estate upon which to construct the building. This bill was reported for the purpose of giving that authority. When it went to the Senate we had provided no means of acquiring the property, and the first amendment of the Senate is to authorize the acquisition by purchase, condemnation, or otherwise, of a suitable site. In other words, we failed to provide that they might purchase it and upon failure to purchase they might acquire it by condemnation proceedings.

Then when it came to the question of who should control the location of the building, the Senate inserted the amendment that it should be subject to the approval of the National Capital Park and Planning Commission.

Mr. MARTIN of Massachusetts. Who had supervision under the House bill?

Mr. MAY. The supervision was in the War Department, or rather there was no provision whatever on that subject in the House bill.

Mr. MARTIN of Massachusetts. Why the change?

Mr. MAY. I think that practically all of the public buildings in the District of Columbia are under the jurisdiction of the National Capital Park and Planning Commission, and it has been the practice for more than 10 years that they should be consulted about it, and they work in harmony with the War Department in connection with these matters.

Mr. MARTIN of Massachusetts. Have they had the approval of every other building that has been constructed in the District of Columbia?

Mr. MAY. I am not advised as to whether they have approved the site of all of the buildings, but I think they have in most instances. There might have been something constructed that they were not consulted about, but it is the practice in the War Department and the Navy Department and all of the construction activities of the various departments to confer with the National Capital Park and Planning Commission, as to location of site, and that is in line with this last amendment of the Senate.

Mr. MARTIN of Massachusetts. Has the gentleman's committee approved of the Senate amendments?

Mr. MAY. Those I have talked to have; yes. I have not seen all of the members.

Mr. MARTIN of Massachusetts. How many have you seen?

Mr. MAY. I have seen three, I believe. I have not seen any member on the minority side of the committee.

Mr. MARTIN of Massachusetts. Does not the gentleman think he should have?

Mr. MAY. I would like to have, but I am sure there will be no objection to it, and I am quite confident there will be no objection by any member of the committee.

Mr. MARTIN of Massachusetts. I think that is quite right, but the fact is we ought to protect our rights in these matters.

Mr. MAY. I would like to say to the gentleman——

Mr. MARTIN of Massachusetts. I think I would be obliged to object unless some of the Republican Members have been consulted.

Mr. HOFFMAN. Will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield.

Mr. HOFFMAN. Where do you get the idea that we have anything to say about this Government?

Mr. MARTIN of Massachusetts. I am trying to establish that right here.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield.

Mr. RICH. Is there anything in this legislation that would permit the Army to go ahead now and proceed with this new building that they are going to build for the Army without the approval of the National Capital Park and Planning Commission?

Mr. MAY. This legislation does not relate at all to that building; it relates merely to the Army Medical Library Building that was constructed 123 years ago and has never been reconstructed. The library in that building is worth about $25,000,000. It is a fire hazard from morning until night, particularly all night. The committee made a unanimous report on the original bill, and I may say to the gentleman from Pennsylvania and to the distinguished minority leader that nobody was more eager to report this bill than the members on the minority side of the committee. They were all very much pleased to have such a bill, and particularly to provide for the protection of this valuable collection.

Mr. MARTIN of Massachusetts. I contend that as a matter of precedent the gentleman should have consulted with the Republican Members before bringing this matter to the floor.

Mr. MAY. If the gentleman wishes, I will withdraw my request at the present time.

Mr. MARTIN of Massachusetts. I think that would be fairer procedure. Then later in the session the gentleman would be in better position to call up the bill.

Mr. MAY. Mr. Speaker, in view of the expressed wishes of my distinguished friend and colleague from Massachusetts, the minority leader, I withdraw my request for the present. I will again call the matter up when some member of the minority on my committee comes into the Chamber.

CONFERENCE REPORT ON TAX BILL

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to have until midnight tonight to file a conference report on the tax bill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SALE OF LAND BY THE BLACKFEET TRIBE OF INDIANS TO CITY OF CUT BANK, MONT.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5261) to authorize the sale of certain Indian lands to the city of Cut Bank, Mont., for immediate consideration. This is a bill that has passed the Senate and has been reported out by the Committee on Indian Affairs.

The Clerk read the title of the bill.

Mr. REED of New York. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. O'CONNOR. Certainly. This is a bill to authorize the sale of certain Indian lands to the city of Cut Bank, Mont.—with the consent of the Indian owners—for airport purposes. Some of the lands are already under lease to the city; and I may say to the gentleman from New York that I have already spoken to the minority leader about this bill.

Mr. REED of New York. May I ask one question?

Mr. O'CONNOR. Certainly.

Mr. REED of New York. Does this bill relate at all to the Indians of New York?

Mr. O'CONNOR. No. It is a bill that is limited, as I say, and provides only for the sale by certain Indians of land to the city of Cut Bank, Mont., for airport purposes.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object—and I do so just for the purpose of getting information—as I understand this bill is simply to permit the Indians to sell certain land which the city wants for airport purposes, and that it does not concern any other group of Indians or any interest except in that immediate locality.

Mr. O'CONNOR. The gentleman is right; it is a bill that has to do only with the purchase of 680 acres of land for airport purposes. Cut Bank has been established as a port of entry. Construction of the airport is held up pending the authorization to give to the Secretary of the Interior the right to sell allotted lands belonging to Indians if the Indians consent to sell their lands to the city. The bill has already passed the Senate.

Mr. MARTIN of Massachusetts. I have no objection.

Mr. RICH. Mr. Speaker, reserving the right to object, what will the Indians receive for this land? What is the value of the land?

Mr. O'CONNOR. Most of this land is used for pasture land. It is in an irrigating district but is not used for farming purposes—just pasture. The Indians are to receive $20 per acre. Similar land for range purposes has been sold in Montana in recent years from $3 to $5 per acre. The gentleman can thus see that the Indians are making a very good deal on this sale, in the event they sell. They do not have to sell, you understand, the sale cannot be made without their consent.

Mr. RICH. Is the city going to pay the Indian Service?

Mr. O'CONNOR. The city will pay for the land just the same as any other person would. This bill does not appropriate any money nor does it require the Federal Government to buy this land.

Mr. RICH. Are there any buildings or improvements on the land?

Mr. O'CONNOR. None that I know of except what the city has made there.

The city has had some of this land under lease and has already made some improvements, I understand, but they cannot complete the airport until such time as they can be certain of having jurisdiction over the land, and that will not be until the Secretary of the Interior is granted the power to complete the transaction under the terms of this bill.

Mr. RICH. Were those improvements made with public funds?

Mr. O'CONNOR. Yes, whatever is there were made with city funds.

Mr. RICH. With city funds, not Federal Government funds?

Mr. O'CONNOR. No, the Federal Government has nothing to do with it. However, airport facilities are desirable for the development of civil and possible national-defense purposes—and the passage of this bill is urgent; so I hope the gentleman will not object.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior, under such regulations as he may prescribe, is authorized to sell to the city of Cut Bank, Mont., all right, title, and interest of the United States and of certain individual Indians of the Blackfeet Tribe of Indians, upon obtaining the consent of such individual Indians to such sale, in and to the following-described lands within the Blackfeet Indian Reservation, Mont.:

Southwest quarter southwest quarter section 14; southwest quarter and south half southeast quarter and northeast quarter southeast quarter section 15; southwest quarter northwest quarter, northeast quarter northwest quarter, northeast quarter, northwest quarter southeast quarter section 22; and the west half northwest quarter section 23, all in township 33 north, range 6 west, M. M., Montana.

SEC. 2. Such portion of the proceeds derived from such sale as represents the value of the right, title, or interest of any such individual Indian in any of such lands shall be paid to the superintendent of the Blackfeet Indian Agency for deposit to the credit of such individual Indian.

SEC. 3. Any patent or other instrument conveying to such city of Cut Bank any of the above-described land shall expressly exclude from such conveyance any oil, gas, or other mineral deposits therein: *Provided*, That the development of any mineral deposits so reserved, which would in any manner interfere with the use of such lands for airport purposes, shall not be permitted or indulged in so long as the lands herein described are needed for airport purposes.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSENT CALENDAR

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that business in order today under the call of the Consent Calendar be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I desire to submit two unanimous-consent requests. First, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Goshen Democrat.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article appearing in the Wall Street Journal.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in two different instances and to include some correspondence which I am sure will be valuable to the Members of the House.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. KNUTSON]?

There was no objection.

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include a resolution relating to the reduction in automobile production.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. DONDERO]?

There was no objection.

Mr. HILL of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a speech made by Abraham Lincoln on January 12, 1848.

The SPEAKER. Is there objection to the request of the gentleman from Washington [Mr. HILL]?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address I delivered at the forty-third annual national encampment of the National Spanish War Veterans, Omaha, Nebr., on August 18, 1941, and also to include a statement by Mr. F. G. Gurley, vice president, A. T. & S. F. Railway, and spokesman for the Carriers' Joint Conference Committee.

The SPEAKER. Is there objection to the request of the gentleman from Washington [Mr. SMITH]?

There was no objection.

(Mr. McINTYRE and Mr. CHIPERFIELD asked and were given permission to extend their own remarks in the RECORD.)

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a resolution passed by officials of the Farm Bureau at Chicago.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. CRAWFORD]?

There was no objection.

Mr. TOLAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. TOLAN]?

There was no objection.

Mr. HAINES. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include an article by Mr. George Murray.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. HAINES]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

IS THE PRESIDENT COURAGEOUS?

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, the President exhibits a very high degree of courage in announcing that the American Navy is going to sweep the seas free of German submarines and all enemy war vessels.

In so doing, he exhibits a complete disregard of what the American people want; of his oath of office; of the constitutional limitations placed upon his power.

This shooting war on the high seas, which he declares is necessary, he tells us, in order that our munitions of war—the things provided by the billions of dollars he is spending—may reach Great Britain. He intends to convoy or, if you prefer, by patrolling the high seas, to see that these munitions reach Great Britain and her allies, even though he involves us in the war.

Oh, yes, the President has courage; or has he? It requires no courage to fight an imaginary foe, meet a danger which does not exist.

It is a different thing, however, when here at home, labor unions, controlled by politicians who support the President, strike and prevent the sailing from our ports of ships laden down with munitions of war.

The President loudly and falsely in the name of patriotism calls upon Americans to sacrifice their lives to prevent Hitler sinking ships carrying war materials to England and her allies. And some call it courage. But what kind of courage is that?

When the Seafarers International Union of North America ties up in our harbors the ships which would carry like materials to England, the President crawls into his hole and pulls the hole in after him. He lacks the courage, and he always has lacked the courage, to deal patriotically, forcefully, with any organization or group which possessed, and was able to wield, political power which might interfere with his own political ambition.

He would drag us into this war, sacrifice a million American lives, violate his promise that he would not send American men to die on foreign battlefields, while he keeps his own four sons in swivel chairs safe here at home.

The President has had a great deal to say about aid to Great Britain; about the necessity of everyone making some sacrifice so that that aid may be adequate and reach her without interference. But when the question arises as to whether he is willing to incur the political opposition of some union or union men who are preventing our ships carrying that aid to England, he will not sacrifice his own political support to help in extending aid to Great Britain.

On the sacrificial altar let the President place his own political ambition as well as the lives of American men.

EXTENSION OF REMARKS

Mr. COCHRAN asked and was given permission to extend his own remarks in the RECORD.

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on passed legislation.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. SHEPPARD]?

There was no objection.

Mr. GORE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address made by Maj. Gen. J. L. Schley, Chief of Engineers, United States Army, at the ground-breaking ceremony for the Wolf Creek Dam.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. GORE]?

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in two separate instances and to include two editorials.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. BLOOM]?

There was no objection.

Mr. SANDERS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address delivered by myself in Louisiana on September 2 over the radio.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. SANDERS]?

There was no objection.

LEAVE OF ABSENCE

Mr. JOHNS. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Wisconsin [Mr. STEVENSON] be granted leave of absence because of illness.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

Mr. DIRKSEN, Mr. SPRINGER, and Mr. WICKERSHAM asked and were given permission to extend their own remarks in the RECORD.

Mr. BEITER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial entitled "We Learn About Ourselves."

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CENSORSHIP OF THE PRESS IN THE NAVY DEPARTMENT

Mr. JACOBSEN, from the Committee on Naval Affairs, submitted an adverse report on House Resolution 299, which is as follows:

Resolved, That the Secretary of the Navy is hereby directed to inform the House of Representatives at the earliest practicable date—

1. If there is in existence a plan by the Navy Department providing for compulsory consorship of the press and radio concerning activities within the purview of the Department.

2. If there is in existence a report dated on or about April 15, 1941, by the censorship committee of the Joint Army-Navy Board concerning a plan for compulsory censorship of press, magazine, book publishing, radio broadcast, or photographic (including motion-picture and still photography) agencies, which would call for the creation of a "director of censorship" and an appropriate staff.

3. Further, if such a report is in existence, what is its context and has it been submitted for consideration by the executive department?

4. Such additional information showing that compulsory censorship is being considered by the Navy Department and/or the Joint Board.

Mr. JACOBSEN. Mr. Speaker, I ask unanimous consent that a letter from the Acting Secretary of the Navy be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

DEPARTMENT OF THE NAVY,
OFFICE OF THE SECRETARY,
Washington, September 3, 1941.

The CHAIRMAN,
Committee on Naval Affairs,
House of Representatives,
Washington, D. C.

MY DEAR MR. CHAIRMAN: House Resolution 299, "requesting the Navy Department to furnish to the House of Representatives information whether or not censorship of the press exists in this Department," was referred to the Navy Department by your committee with request for reply.

The purpose of the resolution is to direct the Secretary of the Navy to furnish the House of Representatives with certain information relative to "a plan by the Navy Department providing for compulsory consorship of the press and radio concerning activities within the purview of the Department."

The control of information the disclosure of which would be inimical to the operations of the fleet is but one of the many problems which is unde: constant study by the Navy Department. Working in close liaison with the War Department, joint plans have been prepared setting forth he measures which should be taken to obtain such control. Subject to approval by higher authority, and supported by such legislation as may e necessary, these plans provide the necessary machinery for the censorship of international communications.

It may be stated without injury to the public interest that such plans contain no provisions for compulsory censorship of the press, but are limited to the control of communications passing between the United States and foreign countries or overseas possessions and between ships and shore.

The Navy Department is of the opinion that the passage of House Resolution 299 would not be to the best interests of the country.

There has been insufficient time to obtain advice from the Bureau of the Budget as to the relationship of this report to the program of the President.

Sincerely yours,

JAMES FORRESTAL,
Acting.

Mr. JACOBSEN. Mr. Speaker, the resolution that has just been submitted to the House calls for information in regard to whether or not a censorship of the press exists in the Navy Department. The information in the Secretary's letter contains answers to all the inquiries made in the resolution.

Mr. Speaker, I move that the resolution be laid on the table.

The motion was agreed to.

A motion to reconsider was laid on the table.

CONSTRUCTION OF CERTAIN PUBLIC WORKS IN CONNECTION WITH THE WAR DEPARTMENT IN THE DISTRICT OF COLUMBIA

Mr. MAY. Mr. Speaker, since I submitted my request earlier today for the consideration of the bill (H. R. 5146) to amend an act entitled "An act to authorize the Secretary of War to proceed with the construction of certain public works in connection with the War Department in the District of Columbia, approved June 15, 1938," I have conferred with a member of the House Committee on Military Affairs on the minority side and have also conferred with the minority leader of the House.

Mr. Speaker, I now renew my request to take from the Speaker's table the bill H. R. 5146, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 2, line 3, strike out "purchase" and insert "acquire by purchase, condemnation, or otherwise."

Page 2, line 3, strike out all after "Provided," down to and including "begin" in line 6, and insert: "That the location and design of such building shall be subject to the approval of the National Capital Park and Planning Commission."

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. RICH. Reserving the right to object, Mr. Speaker, may I ask this question of the gentleman? The country at the present time seems to be very busy. Almost everybody has a job. After the national-defense program or the war program that is now under way is ended there will be a need for the construction of public buildings—all that you can get at that time—in order to keep the people of this country busy.

Is it absolutely necessary to construct this library now, when materials cost so much and labor is so scarce? Does not the gentleman believe this construction ought to be postponed until some more appropriate time?

Mr. MAY. I agree generally with the idea of the gentleman that we shall need many public workers after this emergency has ended in order to give employment to the unemployed people of this country. However, there is a valuable collection of books and documents in this library, half a million volumes of books and more than half a million manuscripts that have been prepared over a period of 100 years. This material is all down here in an old building that neither is fireproof nor has a safe of any kind in which to keep any of these valuable documents.

The appropriation has been made to authorize the planning of the building, the payment of architects' fees, and so forth. I do not believe anything further will be done about the matter until after the emergency is over, because it will be up to the Committee on Appropriations as to whether they will go further than making the plans for the building.

Mr. RICH. The gentleman believes, then, that the actual construction will take place in the future, not at the present time?

Mr. MAY. That is my understanding. I do not think it is planned to construct the building at once.

Mr. RICH. I believe if the gentleman from Kentucky would tell the War Department he believes that to be a wise thing to do, they would postpone the actual construction for a few years at least.

Mr. MAY. I do not know whether or not they would listen to me.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

SALE OF LAND BY THE BLACKFEET TRIBE OF INDIANS TO CITY OF CUT BANK, MONT.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent that the proceedings by which the bill (H. R. 5261) to authorize the sale of certain Indian lands to the city of Cut Bank, Mont., was passed be vacated, and that a similar Senate bill, S. 1725, be considered in lieu thereof.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Interior, under such regulations as he may prescribe, is authorized to sell to the city of Cut Bank, Mont., all right, title, and interest of the United States and of certain individual Indians of the Blackfeet Tribe of Indians, upon obtaining the consent of such individual Indians to such sale, in and to the following-described lands within the Blackfeet Indian Reservation, Mont.:

Southwest quarter southwest quarter section 14; southwest quarter and south half southeast quarter and northeast quarter southeast quarter section 15; southwest quarter northwest quarter, northeast quarter northwest quarter, northeast quarter, northwest quarter southeast quarter section 22; and the west half northwest quarter section 23, all in township 33 north, range 6 west, M. M., Montana.

SEC. 2. Such portion of the proceeds derived from such sale as represents the value of the right, title, or interest of any such individual Indian in any such lands shall be paid to the Superintendent of the Blackfeet Indian Agency for deposit to the credit of such individual Indian.

SEC. 3. Any patent or other instrument conveying to such city of Cut Bank any of the above-described land shall expressly exclude from such conveyance any oil, gas, or other mineral deposits therein: *Provided*, That the development of any mineral deposits so reserved, which would in any manner interfere with the use of such lands for airport purposes, shall not be permitted or indulged in so long as the lands herein described are needed for airport purposes.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 5261) was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I was very much interested in the address of the President last Thursday night, especially the intimation that he has given the Navy authority to shoot any German or Italian ship on sight. I cannot help but recall that the President said—and I quote—"to convoy means to shoot, and that to shoot means war." Therefore, we must draw the conclusion that the President means that when he has given the order to shoot we have declared war. The President of the United States has no authority to declare war. That is up to Congress. I hope the Members of Congress will not give him that authority, because there is nothing more dreadful that could happen to America at this time than to get into a war in Europe or Asia. When the world is all in such a state as now exists, anything dreadful might happen. You Members of Congress are responsible for the power you gave the President. I am not responsible, for I voted against it. We passed the Neutrality Act. Then you repealed the arms embargo. Then the President forbid our ships going into declared danger zones. Now the President not only goes into danger zones with our ships but with our Army and our Navy. Certainly some ships will be sunk and men killed. If so, Mr. Roosevelt is responsible. If under those circumstances we are at war, Mr. Roosevelt is responsible. I say to you, Mr. Speaker, and to the Congress, rescind the power given the President before he gets us into an undeclared war. Nothing can happen to America that is worse for our welfare at this time. We will lose our form of government and our liberty if we do.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therewith certain newspaper excerpts.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. THOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from the Secretary of War.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—REPORT ON EXPENDITURES UNDER LEND-LEASE BILL (S. DOC. NO. 112)

The SPEAKER laid before the House the following message from the President of the United States, which was read and with the accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

The PRESIDENT OF THE SENATE.
The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

I am submitting this report pursuant to section 5 (b) of the Lend-Lease Act of March 11, 1941, which provides that the President report to the Congress every 90 days on the operations under that act.

The Lend-Lease Act was passed by the Congress just 183 days ago. One hundred and sixty-seven days ago, the Congress appropriated $7,000,000,000 to carry out our national policy of giving every possible material assistance to the countries resisting aggression.

The effective expenditure of this large sum in furtherance of our announced policy has presented tasks of large proportions. We have surveyed the needs of the countries we are aiding. We have correlated this program of aid with the procurement programs of our own Army and Navy. We have arranged with our industries for the production of the great quantities of material involved.

The War Department, the Navy Department, the Treasury Department, the

Agriculture Department, and the Maritime Commission are the agencies principally charged with the actual procurement of the supplies. They are now far along with their task.

Over six and one-fourth of the seven billion dollars appropriated have now been allocated, upon the recommendation of these agencies, for specific materials and services. Their procurement machinery has been constantly at work, locating producers and placing contracts. Over three and one-half billion dollars of legal commitments have already been made. Contracts will soon be placed for the entire $7,000,000,000 appropriation.

Contracts have been placed and work has started on nearly a billion dollars of bombardment aircraft. New ways have been started and work is in progress for about one-half a billion dollars of new merchant shipping. New facilities to speed the production of guns, ammunition, and other defense articles have been started under contracts totaling about $262,000,000. Over $430,000,000 has been allocated, and over $250,000,000 has been obligated, for the purchase of milk, eggs, and other agricultural products.

Daily the aid being rendered is growing. Through the month of August the total dollar value of defense articles transferred and defense services rendered, plus expenditures for other lend-lease purposes, amounted to $486,721,838.

Food and steel and machinery and guns and planes have been supplied in increasing quantities. Agricultural commodities worth $110,606,550 have been transferred to the countries we are aiding. We have transferred to the United Kingdom more than 44,000,000 pounds of cheese, more than 54,000,000 pounds of eggs, more than 89,000,000 pounds of cured pork, more than 110,000,000 pounds of dried beans, and more than 114,000,000 pounds of lard. We have transferred to them more than 3,000,000 barrels of gasoline and oil. We have sent them many tanks. Merchant and naval ships and other transportation equipment are being transferred in growing amounts.

A substantial number of cargo ships and tankers have been chartered to the use of those countries whose defense is vital to our own. Our yards are repairing Allied merchant ships. We are equipping Allied ships to protect them from mines; and we are arming them, as much as possible, against aircraft, submarines, and raiders.

We have also, by repairing and outfitting their warships, helped the British and Allied navies keep clear the vital sea lanes upon which depends continued resistance to Axis piracy. The repair of the battleship *Malaya* and the aircraft carrier *Illustrious* are outstanding examples of this naval assistance.

Over the whole range of technical and material assistance required by modern warfare, we are, under the lend-lease program, rendering effective help. Important defense information is being supplied to Britain and the other nations fighting the Axis Powers. Our technicians are instructing the Allies in the assembly, operation, and maintenance of the tools coming from our factories. Across the United States and across Africa, our plane ferry service is linking the arsenals of America with democracy's outposts in the Middle East. On our airfields thousands of British pilots are being, and will continue to be, trained, and already we are preparing a similar program to help the Chinese.

We have supplied equipment for the Yunnan-Burma Railroad and for the Burma Road in order to speed the flow of arms and materials to the heroic Chinese people. In addition to materials of war, we are furnishing China with medicine and technical assistance to fight the ravages of malaria. A military mission has also been dispatched to China in connection with the supplying of lend-lease aid.

The $7,000,000,000 appropriated for purchasing defense articles has been available less than 6 months, and actual transfers from these funds have necessarily been limited to articles which could be purchased in a finished state or produced in that time. The speed with which future lend-lease transfers will be made depends largely on the speed with which our industries deliver the goods. The rate of our production must be accelerated, and every step to achieve that end must and will be taken.

These lend-lease deliveries are not, of course, the only materials which have been moving from our shores to the countries resisting aggression. Prior to the Lend-Lease Act, large contracts were placed here by Great Britain and by other countries from their own resources. Deliveries under these contracts are moving across the sea along with lend-lease articles. The true measure of the volume of war supplies moving from our shores is reflected in our total exports. Thus, since the beginning of the war, about $4,400,000,000 worth of goods have been exported to the British Empire.

Figures alone cannot show the significance of our help. Americans may be justly proud of the way in which the tools they have forged are standing up when tested under fire. An American-made flying-boat spotted the *Bismarck* and American-made bombers blasted the *Scharnhorst* and the *Gneisenau*, and they have helped make possible the great raids of the R. A. F. in the Battle of Germany. In the wars of the Western Desert, fighter planes from our factories are in the vanguard of the attack and hundreds of our tanks stand ready to help rout the Nazi scourge from the African continent.

The British Empire has received the bulk of our aid. But we have also extended assistance to the many other countries engaged in the same struggle. China and the Dutch East Indies are receiving ever-increasing quantities of supplies. The exiled governments of the countries under the Nazi yoke are sharing in the program. We are already outfitting Polish troops who are training in Canada for action overseas. We are also providing, directly or indirectly, aid for the Dutch, the Norwegians, the Greeks, the Belgians, and the Yugoslavs. We know that every group which yields to or collaborates with the Nazis makes our own defense that much more difficult. Likewise each group that resists Nazi aggression helps to keep the war from our own hemisphere.

The defense of the Western Hemisphere has been a prime consideration in our lend-lease program. Not only are we helping the European countries which stand athwart the Nazi path toward the Western Hemisphere, but we are also giving direct lend-lease aid to the countries of this hemisphere. We are strengthening Iceland, where our troops and ships now stand guard over the approaches of the North Atlantic, and we have already embarked upon a comprehensive program of material aid to the countries of Central and South America to strengthen the common defense of our good neighborhood.

The gallant resistance of the Russian people has been of enormous help to all peoples resisting the Nazi war machine. It has completely upset the Nazi time schedule and has destroyed the myth of Nazi invincibility. We are using the energies of our Government to make available supplies which are urgently needed by Russia. By speeding deliveries and by arranging the quickest transportation of American materials, we are moving to strengthen the important Russian front. The Soviet Government's purchases here are being made with its own funds through its regular purchasing agency.

The people of the United States know that we cannot live in a world dominated by Hitlerism. They realize that there can be no real peace, no secure freedom until we have destroyed the evil forces which seek to work us woe. Through their chosen representatives, they have declared a firm and unalterable policy to build up an impregnable defense for this hemisphere, and to furnish unstinted material aid to the countries fighting against Nazi aggression and tyranny.

We are not furnishing this aid as an act of charity or sympathy, but as a means of defending America. We offer it because we know that piecemeal resistance to aggression is doomed to failure; because the ruthless war machine which now bestrides the continent of Europe can be combated only by the combined efforts of all free peoples and at all strategic points where the aggressor may strike.

The lend-lease program is no mere side issue to our program of arming for defense. It is an integral part, a keystone, in our great national effort to preserve our national security for generations to come, by crushing the disturbers of our peace.

To those peoples who are gallantly shedding their blood in the front lines of this struggle, we must offer not only a shield but a sword, not merely the means to permit the stalemate of protracted defense, but the tools of a final and total victory.

This country has evolved the greatest and most efficient industrial system in history. It is our task to turn the workshops of our industry into mighty forges of war—to outbuild the aggressors in every category of modern arms. Only in this way can we build the arsenal of democracy.

On this task we are now engaged with ever-increasing vigor. Planes, tanks,

guns, and ships have begun to flow from our factories and yards, and the flow will accelerate from day to day, until the stream becomes a river, and the river a torrent, engulfing this totalitarian tyranny which seeks to dominate the world.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *September 11, 1941.*

CENSORSHIP OF THE PRESS IN THE WAR DEPARTMENT

Mr. MAY, from the Committee on Military Affairs, submitted an adverse report on House Resolution 300, which is as follows:

Resolved, That the Secretary of War is hereby directed to inform the House of Representatives at the earliest practicable date—

1. If there is in existence a plan by the War Department providing for compulsory censorship of the press and radio concerning activities within the purview of the Department.

2. If there is in existence a report dated on or about April 15, 1941, by the censorship committee of the Joint Army-Navy Board concerning a plan for compulsory censorship of press, magazine, book publishing, radio broadcast, or photographic (including motion picture and still photography) agencies, which would call for the creation of a "director of censorship" and an appropriate staff.

3. Further, if such a report is in existence, what is its context and has it been submitted for consideration by the executive department?

4. Such additional information showing that compulsory censorship is being considered by the War Department, and/or the joint board.

Mr. MAY. Mr. Speaker, the resolution and the report of the War Department are almost identical with the report just considered with respect to the Navy Department, and I therefore move that the resolution be laid on the table.

The motion was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to proceed for 3 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KNUTSON. Mr. Speaker, in the message that has just been read, coming from the White House, the President enumerated the countries that had received assistance under the lend-lease bill, but I failed to hear the name of Russia mentioned and I was wondering whether this was an inadvertence. Surely all the "reds" and "pinks" in this country who were so busy in instigating strikes in defense activities before Comrade Stalin joined the democrats, will want to be assured that he and his fellow humanitarians are not going to be overlooked and that they will have their place at the trough when the next bag of meal is dumped into it, which I understand is to be something like six or seven thousand million dollars. It must be cheering to the American people to know that they have Comrade Stalin and his bloody hands fighting at the side of those who are trying to maintain democracy and Christianity.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. McLAUGHLIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech delivered by myself on Labor Day at the celebration of the Central Labor Union at Omaha, Nebr.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. SHANLEY, for 3 days.

To Mr. LUTHER A. JOHNSON, for 2 weeks, on account of official business.

ORDER OF BUSINESS

Mr. RICH. Mr. Speaker, when are we going to get the tax bill before the House—or has that been mentioned here today?

The SPEAKER. The Chair is informed the conferees will file a report tonight, and the bill will be taken up tomorrow and disposed of at that time, unless there is a roll call. In case there is a roll call, the House will adjourn, and the roll call will be had on Wednesday.

EXTENSION OF REMARKS

Mr. DISNEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GWYNNE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the Waterloo Daily Courier.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SENATE BILL AND JOINT RESOLUTION REFERRED

A bill and joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1014. An act to amend section 12B of the Federal Reserve Act, as amended; to the Committee on Banking and Currency.

S. J. Res. 104. Joint resolution to provide for the general welfare by investigations into the origins and causes of the disease of encephalitis, and for other purposes; to the Committee on Interstate and Foreign Commerce.

ADJOURNMENT

Mr. COCHRAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 47 minutes p. m.) the House adjourned until tomorrow, Tuesday, September 16, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on the following dates at 10 o'clock a. m. to consider the following bills:

Thursday, September 25, 1941:

H. R. 5509, to authorize the Secretary of the Treasury to requisition or purchase motorboats, yachts, and similar vessels for Coast Guard use.

Tuesday, September 30, 1941:

H. R. 5446, to establish a system of unemployment insurance for the maritime industry, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

896. A letter from the Acting Secretary of the Treasury, transmitting the draft of a bill for the relief of Roy F. Lassly; to the Committee on Claims.

897. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Federal Security Agency, 1942 (H. Doc. No. 372); to the Committee on Appropriations and ordered to be printed.

898. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the National Mediation Board, fiscal year 1942 (H. Doc. No. 371); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DOUGHTON: Committee of conference on the disagreeing votes of the two Houses. H. R. 5417. A bill to provide revenue, and for other purposes (Rept. No. 1203). Referred to the Committee of the Whole House on the state of the Union.

ADVERSE REPORTS

Under clause 2 of rule XIII,

Mr. JACOBSEN: Committee on Naval Affairs. House Resolution 299. Resolution requesting the Navy Department to furnish to the House of Representatives information whether or not censorship of the press exists in this Department (Rept. No. 1201). Laid on the table.

Mr. MAY: Committee on Military Affairs. House Resolution 300. Resolution requesting the War Department to furnish to the House of Representatives information whether or not censorship of the press exists in this Department (Rept. No. 1202). Laid on the table.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BEITER:

H. R. 5638. A bill to amend the Employment Stabilization Act of 1931; to the Committee on Labor.

H. R. 5639. A bill to authorize the Federal Government to contribute funds in the improvement of a section of the New York State

Barge Canal; to the Committee on Rivers and Harbors.

By Mr. CELLER:

H. R. 5640. A bill to decrease the rate of tax imposed by the Federal Unemployment Tax Act; to the Committee on Ways and Means.

By Mr. COLLINS:

H. R. 5641. A bill to provide for the disposal of surplus agricultural commodities; to the Committee on Ways and Means.

By Mr. STEAGALL:

H. R. 5642. A bill to exempt strategic and critical materials from customs duties in certain cases, and for other purposes; to the Committee on Banking and Currency.

By Mr. McGEHEE:

H. R. 5652. A bill to relieve certain employees of the Veterans' Administration from financial liability for certain overpayments and allow such credit therefor as is necessary in the accounts of certain disbursing officers, and for other purposes; to the Committee on Claims.

By Mr. CANNON of Florida:

H. J. Res. 234. Joint resolution providing an amendment to the Constitution relative to the making of treaties; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COFFEE of Washington:

H. R. 5643. A bill for the relief of the Pacific Art Tile Co.; to the Committee on Claims.

By Mr. O'TOOLE:

H. R. 5644. A bill granting a pension to Mary L. Fitzgerald; to the Committee on Invalid Pensions.

H. R. 5645. A bill for the relief of John Joseph Defeo; to the Committee on Naval Affairs.

By Mr. McGEHEE:

H. R. 5646. A bill for the relief of Joseph Simon, lieutenant commander (S. C.), United States Navy, and R. D. Lewis; to the Committee on Claims.

H. R. 5647. A bill for the relief of John Paul Murray; to the Committee on Claims.

By Mr. WHITE:

H. R. 5648. A bill for the relief of Josip Mrsan; to the Committee on Immigration and Naturalization.

By Mr. FLAHERTY:

H. R. 5649. A bill for the relief of Alice Comas, Robert Comas, and Frances Williams; to the Committee on Claims.

By Mr. PATRICK:

H. R. 5650. A bill for the relief of Fred P. Fulmer; to the Committee on Claims.

By Mr. HOLBROCK:

H. R. 5651. A bill for the relief of the Home Insurance Co. and the American Insurance Co.; to the Committee on Claims.

HOUSE OF REPRESENTATIVES

TUESDAY, SEPTEMBER 16, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our gracious Father in heaven and our God, as we wait in the solemnity of these moments, do Thou hear our prayer. Unto Thee do we look at day dawn and find our rest at evening time. Give us to understand that it is not by commonplace thoughts that we perform commonplace duties; it is by high and noble aspirations. Persuade us that the abiding realities of moral and spiritual being are found in a godly life. We praise Thee that Thy merciful providence has guided the fortunes of our Republic; we pray that we may be more useful for work and more profitable for labor, obeying our laws and upholding our Constitution. Do Thou enable us ever to honor our Land for its principles and ideals. Grant, blessed Lord, that our arduous labors and our best endeavors for our present security and future greatness may be fully realized. Oh, let the world's cloud be Thy shadow, and may Thy spirit move on the face of its troubled waters. In our Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 16. Concurrent resolution authorizing the Committee on Finance of the Senate to have printed additional copies of the hearings held before said committee on the bill (H. R. 5417) entitled "Revenue Act of 1941."

SWEARING IN OF A MEMBER

The SPEAKER laid before the House the following communication, which was read:

SEPTEMBER 16, 1941.

The Honorable the SPEAKER,
House of Representatives.

DEAR SIR: The certificate of election in due form of law of Hon. LAWRENCE H. SMITH as a Representative-elect to the Seventy-seventh Congress, from the First Congressional District of Wisconsin, to fill the vacancy caused by the death of Hon. Stephen Bolles, is on file in this office.

Very truly yours,

SOUTH TRIMBLE,
Clerk of the House of Representatives.

The SPEAKER. The Member-elect will appear at the bar of the House and take the oath of office.

Mr. LAWRENCE H. SMITH appeared at the bar of the House and took the oath of office.

ELECTION TO COMMITTEES

Mr. MARTIN of Massachusetts. Mr. Speaker, I offer the following resolution, which I send to the desk and ask to have read:

The Clerk read as follows (H. Res. 303):

Resolved, That LAWRENCE H. SMITH, of Wisconsin, be, and he is hereby, elected to the following committees of the House of Representatives: District of Columbia, Expenditures in the Executive Departments, and Committee on Invalid Pensions.

The resolution was agreed to.

VETO MESSAGES ON H. R. 5300 (H. DOC. NO. 365) AND H. R. 2431 (H. DOC. NO. 364)

The SPEAKER. The unfinished business is the further consideration of the veto message of the President on the bill H. R. 5300, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended, which was received in the House on August 25.

Without objection, the bill and the message will be referred to the Committee on Agriculture and ordered to be printed.

There was no objection.

The SPEAKER. The unfinished business is the further consideration of the veto message of the President on the bill H. R. 2431, to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Carr China Co., which was received in the House on August 25.

Without objection, this bill and message will be referred to the Committee on Claims and ordered to be printed, it being a private bill.

There was no objection.

THE REVENUE BILL OF 1941

Mr. DOUGHTON. Mr. Speaker, I call up the conference report upon the bill (H. R. 5417) to provide revenue, and for other purposes, which I send to the desk, and I ask unanimous consent that the statement be read in lieu of the report.

The Clerk reported the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5417) to provide revenue, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 39, 41, 49, 54, 56, 63, 64, 65, 79, 91, 93, 94, 111, 117, 119, 120, 121, 125, 126, 128, 130, 131, 132, 134, 135, 136, 144, 163, and 164.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 43, 44, 45, 46, 47, 48, 50, 51, 52, 53, 59, 61, 62, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 95, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107 108, 109, 110, 112, 113, 114, 115, 116, 122, 123, 127, 129, 133, 138, 139, 140, 141, 142, 146, 147 148, 149, 150, 151, 152, 153, 154, 156, 157, 158, 159, 160, and 161; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"Table of contents

"Title I—Individual and Corporation Income Taxes

"SEC. 101. Surtax on individuals.

"SEC. 102. Optional tax on individuals with certain gross income of $3,000 or less.

"Sec. 103. Corporation defense tax rates incorporated in rate schedules.

"Sec. 104. Surtax on corporations and termination of defense tax.

"Sec. 105. Tax on nonresident alien individuals.

"Sec. 106. Tax on foreign corporations.

"Sec. 107. Withholding of tax at source.

"Sec. 108. Treaty obligations.

"Sec. 109. Reduction in pursuance of treaties of rates of tax and withholding on nonresident alien individuals resident, in and corporations organized under laws of, Western Hemisphere countries.

"Sec. 110. Defense tax rates on personal holding companies and transfers to avoid income tax incorporated in rate schedules.

"Sec. 111. Personal exemption.

"Sec. 112. Returns of income tax.

"Sec. 113. Credit for dependents.
"Sec. 114. Noninterest-bearing obligations issued at discount.
"Sec. 115. Short-term obligations issued on a discount basis.
"Sec. 116. Information returns with respect to Federal obligations.
"Sec. 117. Extension of time of orders of Securities and Exchange Commission.
"Sec. 118. Taxable years to which amendments applicable.

"Title II—Excess Profits Tax

"Sec. 201. Excess profits tax rates and credits.
"Sec. 202. Deduction of excess-profits tax.
"Sec. 203. New capital.
"Sec. 204. Corporations engaged in mining strategic metals.
"Sec. 205. Taxable years to which amendments applicable.

"Title III—Capital Stock Tax and Declared Value Excess-Profits Tax

"Sec. 301. Capital stock tax.
"Sec. 302. Declares value excess-profits tax—Defense tax rates incorporated in rate schedule.

"Title IV—Estate and Gift Taxes

"Sec. 401. Estate tax rates.
"Sec. 402. Gift tax rates.

"Title V—Excise Taxes

"Part I—1932 excise taxes made permanent

"Sec. 501. 1932 excise taxes made permanent.
"Sec. 502. Pipe line tax.
"Sec. 503. Technical amendment.
"Sec. 504. Bond tax.
"Sec. 505. Conveyance tax.

"Part II—Defense tax rates made permanent (no increase in tax and no change in basis of tax)

"Sec. 521. Defense excise tax rates made permanent which are not increased by this Act.

"Part III—Increases in rates of existing excise taxes

"Sec. 531. Playing cards.
"Sec. 532. Safe deposit boxes.
"Sec. 533. Distilled spirits.
"Sec. 534. Wines.
"Sec. 535. Tires and tubes.
"Sec. 536. Effective date of Part III.

"Part IV—Changes in basis of computing tax (rates increased in certain cases)

"Sec. 541. Admissions tax.
"Sec. 542. Cabaret, roof garden, etc., tax.
"Sec. 543. Club dues.
"Sec. 544. Automobile, truck, bus, and parts tax.
"Sec. 545. Radios, phonographs, records, and musical instruments.
"Sec. 546. Mechanical refrigerators.
"Sec. 547. Matches.
"Sec. 548. Telephone, telegraph, etc.
"Sec. 549. Installment, etc., payments.
"Sec. 550. Effective date of Part IV.

"Part V—New excise taxes

"Sec. 551. New manufacturers' excise taxes.
"Sec. 552. New retailers' excise taxes.
"Sec. 553. Administrative changes in manufacturers' excise tax title of Code.
"Sec. 554. Transportation of persons, etc.
"Sec. 555. Coin-operated amusement and gaming devices.
"Sec. 556. Bowling alleys, etc.
"Sec. 557. Use of motor vehicles and boats.
"Sec. 558. Effective date of Part V.

"Part VI—Processing tax on certain oils.

"Sec. 561. Payment of proceeds of processing tax to Guam and American Samoa.

"Title VI—Nonessential Federal Expenditures

Sec. 601. Nonessential Federal expenditures.

"Title VII—Credit Against Federal Unemployment Taxes

"Sec. 701. Credit against Federal unemployment taxes."

And the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"Sec. 117. Extension of time of orders of Securities and Exchange Commission.

"(a) Extension: Section 373 (a) of the Internal Revenue Code (relating to the definition of orders of the Securities and Exchange Commission with respect to which Supplement R applies) is amended to read as follows:

"'(a) The term "order of the Securities and Exchange Commission" means an order (1) issued after May 28, 1938, and prior to January 1, 1943, by the Securities and Exchange Commission to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, 49 Stat. 820 (U. S. C., Supp. V, Title 15, section 79k (b)), or (2) issued by the Commission subsequent to December 31, 1942, in which it is expressly stated that an order of the character specified in clause (1) is amended or supplemented, and (3) which has become final in accordance with law.'

"(b) Effective date of amendment: The amendment made by this section shall be applicable only with respect to taxable years beginning after December 31, 1939."

And the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "118"; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "205"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(c) Returns for 1941: Section 1203 (b) (2) of the Internal Revenue Code (relating to extensions of time for filing capital-stock tax returns) is amended by inserting at the end thereof the following: 'With respect to the year ending June 30, 1941, the extension may be for not more than 90 days.'"

And the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "(d)"; and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"Sec. 302. Declared value excess profits tax—defense tax rates incorporated in rate schedule.

"(a) Rates: Section 600 of the Internal Revenue Code (relating to rate of declared value excess profits tax) is amended as follows:

"(1) By striking out the heading '(a) General rule.—';

"(2) By amending the rate schedule to read as follows:

"'6⅗ per centum of such portion of its net income for such income-tax taxable year as is in excess of 10 per centum and not in excess of 15 per centum of the adjusted declared value;

"'13⅗ per centum of such portion of its net income for such income-tax taxable year as is in excess of 15 per centum of the adjusted declared value.'; and

"(3) By repealing subsection (b) (relating to defense tax for five years).

"(b) Effective date: This section shall be effective only with respect to income-tax taxable years ending after June 30, 1941."

And the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "30 cents"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment, as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"'(1) (A) In the case of each telephone or radio telephone message or conversation which originates within the United States, for which the charge is more than 24 cents, a tax of five cents for each 50 cents, or fraction thereof, of the charge.

"'(B) In the case of each telegraph, cable, or radio dispatch or message which originates within the United States, a tax of 10 per centum of the amount of the charge.

Only one payment of a tax imposed by subparagraph (A) or (B) shall be required notwithstanding the lines or stations of one or more persons are used in the transmission of such dispatch, message, or conversation.

"'(2) (A) A tax equivalent to 10 per centum of the amount paid for leased wire, teletypewriter, or talking circuit special service.

"'(B) A tax equivalent to 5 per centum of the amount paid for any wire and equipment service (including stock quotation and information services, burglar alarm or fire alarm service, and all other similar services, but not including service described in subparagraph (A))."

And the Senate agree to the same.

Amendment numbered 97: That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "6 per centum"; and the Senate agree to the same.

Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"'(10) Electric light bulbs and tubes: Electric light bulbs and tubes, not including articles taxable under any other provision of this subchapter, 5 per centum."

And the Senate agree to the same.

Amendment numbered 124: That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment, as follows: Restore the matter proposed to be stricken out by the Senate amendment and on page 68, line 15, of the House bill before the period insert a comma and the following: "or to a fountain pen if the only parts of the pen which consist of precious metals are essential parts not used for ornamental purposes"; and the Senate agree to the same.

Amendment numbered 137: That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment, as

follows: On page 41, line 17, of the Senate engrossed amendments strike out "2408" and insert "2409"; on page 72, line 11, of the House bill strike out "2409" and insert "2410"; and on page 72, line 15, of the House bill strike out "2410" and insert "2411"; and the Senate agree to the same.

Amendment numbered 143: That the House recede from its disagreement to the amendment of the Senate numbered 143, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(d) Credits, and tax free sales of automobile radios: Section 3442, section 3443 (a) (1), and section 3444 (a) (1) and (2) of the Internal Revenue Code (relating to tax in case of sale of tires to manufacturers of automobiles, etc., and credit on sale) are amended by striking out 'tires or inner tubes,' wherever appearing therein and inserting 'tires, inner tubes, or automobile radios taxable under section 3404'; and by striking out 'tire or inner tube' wherever appearing therein and inserting 'tire, inner tube, or automobile radio taxable under section 3404'. Section 3403 (e) of the Internal Revenue Code, as amended by this Act, is further amended by striking out 'tires and inner tubes' where the phrase appears the first time and inserting 'tires, inner tubes, or automobile radios'; paragraph (1) of subsection (e) of such section is amended by inserting before the semicolon 'or, in the case of automobile radios, if such radios were taxable under section 3404'; paragraph (2) of subsection (e) of such section is amended by striking out 'tires or inner tubes' wherever such phrase appears and inserting 'tires, inner tubes, or automobile radios'."

And the Senate agree to the same.

Amendment numbered 145: That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "October 10, 1941"; and the Senate agree to the same.

Amendment numbered 155: That the House recede from its disagreement to the amendment of the Senate numbered 155, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "There are authorized to be appropriated such sums as may be necessary to enable the Secretary of the Treasury to advance from time to time to the Postmaster General such sums as the Postmaster General may show shall be required for the expenses of the Post Office Department in performing in the District of Columbia and elsewhere all services required by this section." And the Senate agree to the same.

Amendment numbered 162: That the House recede from its disagreement to the amendment of the Senate numbered 162, and agree to the same with an amendment, as follows: On page 51, lines 8 and 9 of the Senate engrossed amendments strike out "and miscellaneous amendments"; and the Senate agree to the same.

R. L. DOUGHTON,
THOS. H. CULLEN,
JERE COOPER,
JOHN W. BOEHNE, JR.,
ALLEN T. TREADWAY,
HAROLD KNUTSON,
DANIEL A. REED,
Managers on the part of the House.

WALTER F. GEORGE,
DAVID I. WALSH,
ALBEN W. BARKLEY,
ARTHUR CAPPER,
JAMES J. DAVIS,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two houses on the amendments of the Senate to the bill (H. R. 5417) to provide revenue, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment changes the table of contents and the House recedes with an amendment conforming the table of contents to the bill as agreed to in conference.

Amendment No. 2: This amendment integrates the defense tax with the basic surtax rates in the House bill. The lowest surtax bracket rate is therefore 6 percent as compared with 5 percent under the House bill and the highest rate is 77 percent as compared with 75 percent under the existing law and under the House bill. The House recedes.

Amendment No. 3: The Senate amendment adds to the Internal Revenue Code a new supplement, designated Supplement T, to provide for the optional use of a simplified return where the gross income does not exceed $3,000, in order that persons in the lower-income tax brackets, particularly those brought in by the reduction of the personal exemption, may be caused a minimum of difficulty in filling out their returns. There were no comparable provisions in the House bill.

If the taxpayer elects to use this simplified plan, the amount of the tax may be readily ascertained by reference to a table contained in the bill. This simplified return may be used only where the taxpayer's income is derived solely from salaries, wages, compensation for personal services, dividends, interest, rent, annuities, or royalties. If the taxpayer elects to use this method, no deductions or credits against net income are allowed. In lieu of these deductions and credits, the tax provided in the table represents a reduction, with respect to the average taxpayer in the bracket, of 10 percent of the tax that would otherwise be payable without such deductions or credits. This 10-percent reduction has been found to be the effect of the average amount of deductions taken by persons in these brackets. One set of rates is provided for married persons or heads of families and another is provided for single persons (not heads of families). In determining the amount payable, the taxpayer in either case reduces his gross income by $400 for each dependent; then by reference to the appropriate table he ascertains the tax set out opposite the amount so determined.

It should be kept in mind that the use of the simplified return is at the option of the taxpayer and he elects each year whether to use this method or to file under the general provisions. However, once the return for any year has been filed under this method, the election shall be irrevocable, and if the taxpayer files under the general provisions for any year he may not thereafter elect for such year to be taxed under the simplified method. Nonresident alien individuals, estates, or trusts are not allowed to use the simplified method.

The House recedes.

Amendment No. 4: The House bill made permanent the defense tax imposed by section 15 of the Internal Revenue Code as added by section 201 of the Revenue Act of 1940. The Senate amendment integrates the defense tax rates with the rates provided in section 13 (b) (1) and (2) of the code, making the basic rate 24 percent. In the case of corporations having net incomes of $25,000 or less, the rates under existing law (including the defense tax) are graduated as follows: 14.85 percent on normal tax net incomes not in excess of $5,000; 16.5 percent on the portion of such net income in excess of $5,000 and not in excess of $20,000; and 18.7 percent on the excess over $20,000. The Senate amendment integrating the defense tax applicable to such net incomes makes the rates 15, 17 and 19 percent, respectively. Under the Senate amendment the alternative tax applicable to corporations having net incomes slightly in excess of $25,000 is $4,250 plus 87 percent of the normal tax net income in excess of $25,000. Under this provision the full tax rate of 24 percent does not become effective until the normal tax net income of the corporation reaches $38,461.54.

This amendment also integrates the defense tax with the normal taxes on resident foreign corporations and on mutual investment companies, and with the surtax on corporations improperly accumulating surplus.

The House recedes.

Amendments Nos. 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17: Section 102 of the House bill imposed upon all corporations (including insurance companies) except nonresident foreign corporations, and mutual investment companies (the latter being dealt with separately) a surtax of 5 percent upon the first $25,000 of the corporation's surtax net income and 6 percent upon the excess of such income over $25,000. "Corporation surtax net income" was defined as net income minus the credit for dividends received provided in section 26 (b) and thus includes partially tax-exempt interest in the tax base. The section also imposed upon mutual investment companies a surtax upon Supplement Q surtax net income of such companies at rates corresponding to those imposed upon corporations generally.

The Senate amendments retain the surtax but in lieu of the rates provided in the House bill the amendment provides a surtax of 6 percent on the first $25,000 surtax net income and 7 percent on the remainder. Since the credit for interest on partially tax-exempt Government securities is not allowable in computing surtax net income, the Senate amendment also provides that for the purposes of the surtax the dividends received credit shall be limited to 85 percent of the net income rather than 85 percent of the adjusted net income.

These amendments also terminate the defense tax, the defense tax rates being integrated with the basic rates.

The House recedes.

Amendments Nos. 18, 19, 20, 21, 22, 23, 24, 25, 26, and 27: The House bill increased the rates of tax on nonresident alien individuals and foreign corporations and made permanent the defense tax. These amendments retain the increased rates but terminate the defense tax and integrate the 10 percent defense tax with the basic rates. The amendments also reduce from $23,800 to $23,000 the amount of the gross income at which a nonresident alien individual becomes subject to the full normal and surtax rates. The amount of $23,000 represents the approximate point at which, under the provisions of the bill, an effective rate of 27½ percent is reached. The House recedes.

Amendments Nos. 28, 29, and 30: These are changes in section numbers; and the House recedes.

Amendment No. 31: This amendment integrates the defense tax with the basic rates of tax imposed upon personal holding companies and transfers to avoid income tax and terminates the defense tax. The House recedes.

Amendment No. 32: This amendment incorporates a new section amending section 25 (b) (1) of the Code to lower the personal exemption of a married person or the head of a family from $2,000 to $1,500 and the personal exemption of a single person or a married person not living with husband or

wife from $800 to $750. The section also amends section 25 (b) (1) to provide a personal exemption of $750 for a married person whose spouse files a separate return under Supplement T, added by section 102 of the bill. See amendment No. 3.

The section also amends sections 214 and 251 (f) of the Internal Revenue Code to provide in the case of nonresident aliens and citizens entitled to the benefits of section 251 a personal exemption of $750 in lieu of $800 to conform with the changes made in section 25 (b).

The tax bill as reported by the Committee on Ways and Means contained a provision requiring a joint income tax return from a husband and wife living together. This provision was estimated to yield additional revenue of about $300,000,000. It was stricken from the bill by the House.

As reported by the Finance Committee to the Senate, the bill contained a provision taxing a husband and wife in a community property State on exactly the same basis as persons similarly situated in non-community property States. This provision was estimated to yield $46,800,000. It was eliminated by the Senate with the understanding that it would be the subject of hearings and action in the administrative bill.

In view of the action by the House and Senate in this regard, in order to make up this substantial loss in revenue, it is necessary to lower the personal exemption of married persons from $2,000 to $1,500 and of single persons from $800 to $750. This section will produce added revenue of $303,000,000, or approximately the amount lost by the elimination of the joint return provision.

This reduction in the personal exemption will require the filing of 4,930,000 new income tax returns and will increase the number of income tax payers by 2,275,000. Of the 4,930,000 new returns, 4,453,000 will come from married persons and heads of families and 477,000 will come from single persons. Of the 2,275,000 new taxpayers, 1,850,000 will be married persons and 425,000 will be single.

Of the total amount of additional revenue to be secured from lowering the exemptions, approximately $47,000,000 will come from new taxpayers. Of this amount, only $10,000,000 will come from new income tax returns. The balance of this additional revenue, $256,000,000 will be secured from persons taxable under existing law.

The question of the joint return and the treatment of community-property income will be further considered by the Committees on Ways and Means and Finance in connection with the bill dealing with administrative matters.

The House recedes.

Amendment No. 33: This amendment incorporates a new section to amend sections 51 (a), 142 (a), and 147 (a) relating to the requirement for individual and fiduciary returns and information returns in order to conform such requirement with the changes in the personal exemption. The House recedes.

Amendment No. 34: This is a change in section number; and the House recedes.

Amendment No. 35: This is a change in section number; and the House recedes.

Amendment No. 36: This amendment makes a clerical change; and the House recedes.

Amendment No. 37: This amendment provides that the issuing discount on certain short-term Federal, State, and local government obligations issued on a discount basis on or after March 1, 1941, shall not be deemed to accrue until such obligations are paid at maturity, sold, or otherwise disposed of, and that such obligations shall not be treated as capital assets within the meaning of section 117 of the Internal Revenue Code. The principal effect of this amendment is to eliminate the necessity (except in the case of life-insurance companies) for making an allocation between interest and capital gain or loss on the disposition of any such obligation and the necessity for including any portion of the original discount in income for any taxable year other than that in which such obligation is paid at maturity, sold, or otherwise disposed of. Thus, under the amendment a person owning a Treasury bill issued on or after March 1, 1941, would not be required to include any portion of the original discount in income for any taxable year until that in which it is paid at maturity, sold, or otherwise disposed of, and for such year would need only to compare the sales price, or the amount paid at maturity, with the purchase price or other basis, and account for the net gain or loss. This amendment is applicable to taxable years ending after February 28, 1941. The House recedes.

Amendment No. 38: This is a change in section number; and the House recedes.

Amendment No. 39: By this amendment, the Senate adds a new section to the bill, section 117, entitled "Alimony and separate maintenance payments." This section of the bill amended sections 22, 23, and 25 of the Internal Revenue Code and added a new section to Supplement E of chapter 1 of the code in order to treat periodic payments in the nature of or in lieu of alimony or an allowance for support as income to a divorced or legally separated spouse or former spouse actually receiving such payments and to allow the other spouse (or former spouse) to deduct or exclude from his income an amount on account of such payments. The conferees have deferred action on the merits of this amendment with the understanding that it will be considered in a later bill dealing with administrative matters. The Senate recedes.

Amendment No. 40: This amendment extends from January 1, 1941, to January 1, 1943, the time during which an order may be issued by the Securities and Exchange Commission, relating to certain transactions arising out of the simplification or geographical integration of public-utility holding-company systems, under which orders such transactions are treated as tax-free exchanges under Supplement R of the Internal Revenue Code.

The House recedes with a technical amendment.

Amendment No. 41: This amendment amends section 23 (a) (1) of the Internal Revenue Code by inserting after the words "taxable year" the words "in conserving and conducting the business affairs of the taxpayer". The conferees have deferred action on the merits of this amendment with the understanding that it will be considered in a later bill dealing with administrative matters. They were advised by the Treasury Department that wherever possible final decision by the Bureau of Internal Revenue on issues arising under the *Higgins* v. *Smith* decision would be deferred pending such later legislation. The Senate recedes.

Amendment No. 42: This is a change in section number and the House recedes with an amendment making a further change in section number.

Amendment No. 43: This is a technical amendment and the House recedes.

Amendments Nos. 44, 45, 46, and 47: The House bill imposed a special 10-percent excess-profits tax, in certain cases where the invested capital credit is used, upon the excess of the adjusted excess profits net income under the income method over the adjusted excess profits net income under the invested capital method.

These amendments strike from the House bill the provisions relating to this tax. The House recedes.

Amendment No. 48: This is a change in section number; and the House recedes.

Amendment No. 49: This is a technical amendment related to Amendment No. 57. In view of the action on amendment No. 57 the Senate recedes.

Amendment No. 50: This is a change in section number; and the House recedes.

Amendment No. 51: This is a technical amendment designed to make the limitations of section 718 (a) (6) (A) of the Internal Revenue Code, added by section 205 of the House bill, applicable to certain exchanges of the same character as those described in the House bill but which were technically not within such provision because they are governed by Supplement R of the Code rather than section 112 (b) (3), (4) or (5). The House recedes.

Amendment No. 52: This amendment makes a clerical change; and the House recedes.

Amendment No. 53: This amendment has the effect of preventing a distribution of taxable stock dividends out of pre-1941 accumulated earnings and profits from constituting new capital solely because of subsequent operating losses or because of subsequently accumulated but undistributed earnings and profits, and also has the effect of preventing money or property paid in from constituting new capital if such money or property merely takes the place of pre-1941 accumulated earnings and profits previously distributed after the beginning of the first taxable year which begins after December 31, 1940. The House recedes.

Amendment No. 54: This amendment strikes out section 206 of the House bill, which provides that section 731 of the Internal Revenue Code (exempting from excess-profits tax income derived from mining certain metals) shall not apply with respect to any taxable year beginning after December 31, 1940. The Senate recedes.

Amendment No. 55: This is a change in section number and the House recedes with an amendment making a further change in section number.

Amendment No. 56: This is a technical amendment rendered unnecessary by the action taken on Senate amendment No. 57; and the Senate recedes.

Amendment No. 57: This amendment allows corporations subject to the capital-stock tax to make a new declaration of capital-stock value annually and permits the Commissioner to grant an additional extension of 30 days for the filing of capital-stock tax returns for the year ending June 30, 1941. The House recedes with an amendment restoring the existing law with respect to the declaration of capital-stock valuation.

Amendment No. 58: This amendment changed a subsection designation from "(c)" to "(f)". The House recedes with an amendment changing the designation to "(d)".

Amendment No. 59: This is a clerical amendment; and the House recedes.

Amendment No. 60: This amendment integrates the defense tax rate of the declared value excess profits tax with the basic rate, and makes technical changes in connection with amendment No. 57, allowing declaration of capital-stock value annually for capital stock tax purposes. The House recedes with an amendment eliminating the technical changes, rendered unnecessary by the action on Senate amendment No. 57.

Amendments Nos. 61 and 62: The House bill increased the rates applicable to the additional estate tax with respect to decedents dying after the date of enactment of the act, and made permanent the defense tax on net estates imposed by section 951 of the Internal Revenue Code. By reason of the integration of the defense tax and the additional estate tax, these amendments further increase the rates applicable to the additional estate tax,

and repeal section 951 of the Internal Revenue Code, which relates to the defense tax rate. The House recedes.

Amendment No. 63: This is an administrative amendment to the estate tax provisions of the Internal Revenue Code and the Revenue Act of 1926, relating to the deduction from the gross estate of property previously taxed. The conferees have deferred action on the merits of this amendment with the understanding that it will be considered in a later bill dealing with administrative matters. The Senate recedes.

Amendment No. 64: This is an administrative amendment to the estate tax provisions of the Internal Revenue Code, relating to the determination of the deduction for charitable, etc., bequests. The conferees have deferred action with the understanding that it will be considered in a later bill dealing with administrative matters. The Senate recedes.

Amendment No. 65: This amendment makes a change in section number; and the Senate recedes.

Amendments Nos. 66 and 70: The House bill increased the rates for computing the gift tax for the calendar year 1942 and each calendar year thereafter, and made permanent the defense tax imposed for five years by section 1001 (d) of the Internal Revenue Code. By reason of the integration of the defense tax and the gift tax, these amendments further increase the rates for computing the gift tax, and repeal section 1001 (d) of the Internal Revenue Code, which relates to the defense tax rate. The House recedes.

Amendments Nos. 67, 68, and 69: These amendments make clerical changes; and the House recedes.

Amendments Nos. 71, 72, 73, 74 and 76: These amendments eliminate the differential in favor of brandy and subject brandy to the same $4 rate as other distilled spirits. In connection with this change a clerical amendment is made in the heading of section 533 (a) and the floor stocks tax on brandy is made $1.25, the difference between the rate of $2.75 under existing law and the $4 rate under the Senate amendment. The House recedes.

Amendments Nos. 75, 77 and 78: These are clerical amendments dependent upon amendment No. 89, which changes the effective date of part III; and the House recedes.

Amendments Nos. 79, 80, 81, 82 and 83: These amendments increase the House bill rates on still wines from 8, 24 and 50 cents to 10, 35 and 65 cents, respectively; the rate of 4 cents on sparkling wines to 7 cents; and the rate of 2¼ cents on artificially carbonated wines and on liqueurs, cordials, and similar compounds to 3½ cents. The House recedes on amendments Nos. 81, 82 and 83 and recedes on amendment No. 80 with an amendment reducing the 35-cent rate on still wines containing more than 14 percent and not exceeding 21 percent of absolute alcohol to 30 cents. The Senate recedes on amendment No. 79, thereby reverting to the 8-cent rate in the House bill on still wines containing not more than 14 percent of absolute alcohol.

Amendments Nos. 84, 85 and 86: These are clerical amendments dependent upon amendment No. 89, which changes the effective date of part III; and the House recedes.

Amendment No. 87: The House bill imposed a floor stocks tax on tires and tubes held for sale on the effective date of part III of title V of the Revenue Act of 1941. The amendment makes the tax applicable to tires and tubes held on October 1, 1941, the effective date of such part under amendment No. 89; and the House recedes.

Amendment No. 88: The House bill made amendments made by part III of title V applicable with respect to the period beginning with the effective date of this part. The amendment makes the amendments made by part III of title V applicable with respect to the period beginning with October 1, 1941; and the House recedes.

Amendment No. 89: The House bill provided that part III of title V shall take effect on the first day of the first month which begins more than 10 days after the date of the enactment of this act. The amendment makes part III effective October 1, 1941; and the House recedes.

Amendments Nos. 90 and 92: The House bill exempted from admissions tax payments for admission which are less than 10 cents. It also provided that amounts paid for admission by season ticket or subscription should be exempt only if the amount which would be charged to the holder or subscriber for a single admission would be less than 10 cents. These amendments allow the exemption with respect to charges under 10 cents only as to children under 12 years of age and eliminate the provision of the House bill relative to season tickets or subscriptions; and the House recedes.

Amendment No. 91: The House bill exempted children under 12 years of age from the provision that in the case of persons admitted free or at reduced rates an equivalent tax shall be collected based on the price charged to other persons for the same or similar accommodations. The amendment extends the exemption to persons under 18 years of age; and the Senate recedes.

Amendments Nos. 93 and 94: The House bill terminated the exemptions from admissions tax extended by section 1701 of the Internal Revenue Code with respect to, among others, certain religious, educational, or charitable entertainments; agricultural fairs; and certain concerts conducted by certain civic or community membership associations. The amendments restore these exemptions and also exempt admissions to entertainments conducted by public or parochial, elementary or high schools; and the Senate recedes.

Amendment No. 95: This amendment makes the floor stocks tax on matches imposed by the House bill effective on October 1, 1941, the effective date of part IV of title V of the bill under amendment No. 103; and the House recedes.

Amendment No. 96: By section 548 the House bill imposed on telephone, telegraph, cable, and radio dispatches, messages, and conversations for which the charge is more than 24 cents, a tax at the rate of 5 cents for each 50 cents or fraction thereof of the charge. The amendment confines this tax to telephone or radio telephone messages or conversations and imposes in the case of each telegraph, cable, or radio dispatch or message a tax of 10 per centum of the amount of the charge.

Section 548 of the House bill also imposed a tax equivalent to 5 percent of the amount paid for (A) leased wire or talking circuit special service or (B) wire and equipment service (including teletypewriter service, burglar alarm service, news ticker service and stock quotation and information services, and all other similar services). The amendment imposes a 10-percent tax with respect to leased wire, teletypewriter or talking circuit special service and a 5-percent tax with respect to amounts paid for wire and equipment service, but not including burglar or fire alarm service.

The House recedes with an amendment subjecting burglar and fire alarm service to the 5-percent tax.

Amendment No. 97: This amendment increases the tax imposed on the amount paid by subscribers for local telephone service from 5 percent as fixed by the House bill to 10 percent; and the House recedes with an amendment fixing the rate at 6 percent.

Amendments Nos. 98 and 99: The House bill, in certain cases, exempts from the taxes under section 3465 of the Internal Revenue Code, as amended by section 548 of the House bill, any payment received from any person for services or facilities utilized in the collection of news for the public press, or radio broadcasting, or in the dissemination of news through the public press. The amendments also exempt news-ticker services furnishing a general news service similar to that of the public press; and the House recedes.

Amendments Nos. 100, 101, and 102: The House bill provided that in the case of leases, contracts of sale, or conditional sales and deliveries thereunder made before July 1, 1941, payments made subsequent to the effective date of part IV of Title V were to be taxed at the rate in force prior to such effective date. The amendments apply this provision to leases, contracts of sale, and conditional sales and deliveries thereunder made prior to October 1, 1941, the effective date of such part under amendment No. 103. The Houses recedes.

Amendments Nos. 103, 104, 105, 106, 107, and 108: These amendments change the effective dates of certain provisions, the effective date in the case of amendments Nos. 103, 104, and 105, being October 1, 1941, and the effective date in the case of amendment No. 106 being October 5, 1941, and in the case of amendments Nos. 107 and 108, being October 6, 1941; and the House recedes.

Amendment No. 109: This amendment eliminates the taxes on soft drinks, finished or fountain syrups and carbonic acid gas imposed by the House bill; and the House recedes.

Amendment No. 110: This is a change of section number; and the House recedes.

Amendment No. 111: This amendment eliminates the tax imposed by the House bill on artificial lures, baits, and flies; and the Senate recedes.

Amendments Nos. 112, 113, and 114: These amendments make the tax imposed by the House bill on certain electrical appliances applicable also to gas or oil water heaters and gas or oil appliances used for cooking, warming, etc.; and the House recedes.

Amendments Nos. 115 and 116: These amendments delete the names of certain business appliances made taxable by the House bill and provide appropriate descriptions for such appliances not already covered under other designations; and the House recedes.

Amendment No. 117: The House bill taxed only washing machines of the kind used in commercial laundries. The amendment extends the tax to domestic washing machines and other washing machines generally; and the Senate recedes.

Amendment No. 118: This amendment imposes a 10 percent manufacturers' excise tax on electric light bulbs. The House recedes with an amendment excluding articles otherwise taxable, reducing the tax to 5 percent, and making it clear that the tax applies to electric light tubes.

Amendments Nos. 119 and 124: The House bill imposed a tax on jewelry and other enumerated articles sold at retail. Amendment No. 124 deletes this tax but amendment No. 119 substitutes a tax on similar articles sold by the manufacturer, producer, or importer with an exemption of fountain pens if the only part of the pen which consists of precious metals is the point or other essential part not used for ornamental purposes. The Senate recedes on amendment No. 119. The House recedes on amendment No. 124 with an amendment restoring the tax on articles sold at retail, and excepting fountain pens if the only parts of the pen which consist of precious metals are points or other essential parts not used for ornamental purposes.

Amendment No. 120: This amendment eliminates a provision of the House bill that an article subject to jewelry tax shall not be subject to any other tax imposed by section 551 (552 of the House bill); and the Senate recedes.

Amendment No. 121: This amendment is clerical; and the Senate recedes.

Amendment No. 122: This amendment makes the effective date of section 551, October 1, 1941, instead of the first day of the first month which begins more than 10 days after the enactment of the act; and the House recedes.

Amendment No. 123: This is a change in section number; and the House recedes.

Amendments Nos. 125 and 126: These are changes in section numbers; and the Senate recedes.

Amendment No. 127: Under the House bill, toilet preparations used by a barber shop, beauty parlor, or similar establishment, in the treatment of any customer or patron were considered as sold at retail and were subject to tax at 10 percent of their fair retail price, as determined by the Commissioner. Under the amendment, sales of toilet preparations to such establishments are treated as sales at retail. Sales by such establishments are also considered sales at retail under the amendment, but in such a case the tax imposed is credited with the tax paid on the sale to the establishment. The House recedes.

Amendment No. 128: This is a change in section number and the Senate recedes.

Amendment No. 129: This amendment provides certain rules for determining the taxable price of an article subject to retailers' excise tax. It provides that charges for coverings and containers and for placing the article in condition packed ready for shipment shall be included, but excludes the tax itself. There is also excluded, if stated as a separate charge, the amount of any retail sales tax imposed by any State, or Territory, or political subdivision of the foregoing, or the District of Columbia. The House recedes.

Amendments Nos. 130 and 131: These amendments change section numbers; and the Senate recedes.

Amendments Nos. 132 and 133: The House bill provided that the retail excise taxes should not apply to jewelry or furs if the article was the subject of a lease, contract for sale, or conditional sale and delivery was made and part of the consideration was paid before July 1, 1941.

Amendment No. 132 is a technical amendment related to amendments Nos. 124 and 126.

Amendment No. 133 changes "July 1, 1941" to "October 1, 1941." The Senate recedes on amendment No. 132 in conformity with the action on amendments Nos. 124 and 126. The House recedes on amendment No. 133.

Amendments Nos. 134, 135, and 136: These amendments change section numbers; and the Senate recedes.

Amendment No. 137: This amendment prohibits, under penalty, in connection with the sale or lease, or offer for sale or lease, of any article subject to retailers' excise tax, the making of any statement, written or oral, in advertisement or otherwise, intended or calculated to lead any person to believe that the price does not include the tax. The House recedes with a clerical amendment.

Amendments Nos. 138 and 139: These amendments make the retailers' excise taxes effective as of October 1, 1941, and terminate the manufacturers' tax on toilet articles as of the same date; and the House recedes.

Amendment No. 140: This amendment, in clarification of existing language, amends section 3440 of the Internal Revenue Code to provide specifically that a renewal or extension of a lease, or subsequent lease, shall be considered a taxable sale. The House recedes.

Amendment No. 141: This amendment permits liability for a manufacturers' excise tax imposed by the bill to be shifted from the manufacturer to the vendee in any case where, prior to the effective date of part V of title V of the bill (October 1, 1941, under amendment No. 156), any person has made a bona fide contract for the sale after that date of any article with respect to the sale of which a tax is imposed or an existing tax is increased by the bill and such contract does not permit the adding of the tax, unless the contract prohibits such addition. The House recedes.

Amendment No. 142: This amendment provides a refund of the tax on photographic apparatus imposed by section 551 (552 in the House bill) paid on unexposed motion picture films used or resold for use in the making of news reel motion picture films; and the House recedes.

Amendment No. 143: This amendment allows, with respect to automobile radios sold or used in connection with the sale of automobiles and similar articles, a credit similar to that allowed with respect to tires and tubes when so sold or used. The House recedes with a clarifying amendment.

Amendment No. 144: Under this amendment, refund of tax paid on distilled spirits would, under certain limitations therein provided, be allowed at the rate of $1 per proof gallon in the case of distilled spirits used in the manufacture or production of an article intended for use for nonbeverage purposes and sold for such use. The Senate recedes.

Amendment No. 145: This amendment makes the tax on payments for transportation of persons applicable with respect to payments on or after October 1, 1941, instead of the first month which begins more than ten days after the date of the enactment of the act, as provided in the House bill. The House recedes with an amendment changing the date to October 10, 1941.

Amendment No. 146: This amendment, in certain cases, exempts from transportation tax payments for transportation of military or naval personnel; and the House recedes.

Amendment No. 147: The House bill imposed an occupational tax of $25 per annum with respect to the operation of a pinball game, a slot machine, or similar amusement or gaming device. The amendment establishes two different rates of tax; $10 per annum in the case of a pinball game, or similar game or amusement machine, and $50 with respect to so-called slot machines, the operation of which involves an element of chance; and the House recedes.

Amendment No. 148: The House bill provided with respect to the year ending June 30, 1942, that the tax on the operation of a coin-operated game or other amusement or gaming device should not be applicable with respect to operation prior to the effective date of part V of title V of the Revenue Act of 1941. The amendment fixes October 1, 1941, as the date prior to which operation of such device shall not cause tax liability to be incurred. The House recedes.

Amendments Nos. 149 and 150: These amendments reduce the tax on the operation of a bowling alley, billiard table, or pool table from $15 to $10 per annum, and make the date prior to which operation shall not cause tax liability to be incurred October 1, 1941. The House recedes.

Amendment No. 151: This amendment eliminates the tax imposed by the House bill upon every person who engages in business as a lessor of billboards; and the House recedes.

Amendment No. 152: This amendment makes a change in section number; and the House recedes.

Amendments Nos. 153 and 154: The House bill exempted from the tax on the use of boats, boats used exclusively for trade, and so forth. These amendments change "exclusively" to "chiefly" and also exempt boats used by the Sea Scouts Department of the Boy Scouts of America chiefly for training scouts in seamanship. The House recedes.

Amendment No. 155: The House bill authorized the Postmaster General to cooperate with the Commissioner of Internal Revenue in the sale of stamps, stickers, or tags used for payment of the tax on the use of motor vehicles and boats. By the Senate amendment, the Secretary of the Treasury is authorized and directed to advance from time to time to the Postmaster General such sums as the Postmaster General may show shall be required in the performance of such services. The House recedes with an amendment authorizing the appropriation of such sums as may be necessary to enable the Secretary of the Treasury to make the advances to the Postmaster General.

Amendment No. 156: This amendment changes a section number; and the House recedes.

Amendment No. 157: This amendment provides that part V of title V of the bill shall be effective October 1, 1941; and the House recedes.

Amendment No. 158: This amendment provides that the taxes collected with respect to the processing of coconut oil originating in Guam or American Samoa shall be held as separate funds and paid to the Treasuries of these possessions, with a condition that such funds shall not be used to subsidize producers of copra, coconut oil, or allied products in such possessions; and the House recedes.

Amendment No. 159: This amendment eliminates the tax imposed by the House bill with respect to the operation of a radio broadcasting station or engaging in network broadcasting; and the House recedes.

Amendment No. 160: This amendment establishes a committee to investigate nonessential Federal expenditures. The committee is to be composed of (a) three members of the Senate Committee on Finance and three members of the Senate Committee on Appropriations, to be appointed by the President of the Senate; (b) three members of the House Committee on Ways and Means, and three members of the House Committee on Appropriations, to be appointed by the Speaker of the House of Representatives; and (c) the Secretary of the Treasury and the Director of the Bureau of the Budget. It shall be the duty of such committee to make a complete study and investigation of all expenditures of the Federal Government with a view to recommending the elimination or reduction of all such expenditures deemed to be nonessential. The committee shall report to the President and to the Congress the result of its study together with its recommendations at the earliest practicable date. It is given the authority and powers commonly given to similar committees of the Senate and will operate under an appropriation not to exceed $10,000. The House recedes.

Amendment No. 161: This amendment amends section 1303 of the Revenue Act of 1918, as amended, to strike out "President of the Senate" wherever it appears therein and insert in lieu thereof "President pro tempore of the Senate." The House recedes.

Amendment No. 162: This amendment allows further time within which a taxpayer may pay contributions into an unemployment fund under a State law and obtain credit therefor against the Federal unemployment tax for 1936, 1937, 1938, 1939, or 1940. There was no comparable provision in the House bill. In each of the past 3 years a similar provision of law has been enacted. Since this tax has been in effect for more than 5 years, a period in which taxpayers have had ample opportunity to familiarize themselves with the time limitation provided in the permanent law and to take advantage of prior relief legislation, the conferees are in agreement with the statement of the Finance Committee of the Senate that this relief legislation should be the last of its kind to be enacted. The House recedes with a clerical amendment.

Amendment No. 163: This amendment adds a new section which amends the provisions of title II of the Labor-Federal Security Appropriation Act, 1942, relating to the appropriation available to the Social Security Board

for grants to States for unemployment compensation administration. The conferees were impressed with the purpose of this amendment, but due to difficulties of working out a suitable provision, action on the merits was deferred with the understanding that it would be considered in a later bill. The Senate recedes.

Amendment No. 164: This amendment adds a new section amending section 401 of the Second Revenue Act of 1940 (relative to the suspension of the Vinson-Trammell Act in the case of contracts or subcontracts not completed before the contractors' or subcontractors' first excess profits tax taxable year) to provide that for the purposes of such section a contract or subcontract shall be deemed to be completed on the date on which final delivery and acceptance of the vessel or other article specified therein is made. The conferees have deferred action on the merits of this amendment with the understanding that it will be considered in a later bill dealing with administrative matters. The Senate recedes.

R. L. DOUGHTON,
THOS. H. CULLEN,
JERE COOPER,
JOHN W. BOEHNE, Jr.,
ALLEN T. TREADWAY,
HAROLD KNUTSON,
DANIEL A. REED,
Managers on the part of the House.

The SPEAKER. The gentleman from North Carolina is recognized for 1 hour.

Mr. DOUGHTON. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, I do not know that a statement by the chairman of the Committee on Ways and Means, is altogether necessary after the reading of the statement of the conferees by the Clerk. Members of the House are familiar with the bill as it passed the House. You have listened to the reading of the statement in lieu of the report, and especially I presume Members have read the report, which I endeavored to place in the office of each Member of the House this morning. I have prepared a brief statement to present to the House and after that, if there are any questions in the minds of Members, some of us will endeavor to enlighten the House concerning them.

Mr. DUNCAN. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. Yes.

Mr. DUNCAN. I wanted to ask about amendments numbered 119 and 124, which impose a jewelry tax. Of course, as the bill is before us it does not contain a full draft of the law. I wanted to ask particularly about safety razors. The Gillette safety razor, for example, sells for about 20 cents. It is sold, together with five blades, for 49 cents. It has 2 cents worth of gold, not for ornamental purposes, but purely for purposes of utility. The manufacturers of these commodities are unable to obtain nickel, and for the purpose of preventing rust it is necessary to use this thin coating of gold. I am wondering whether or not, in the draft of the bill as we get it, this particular commodity will be assessed as jewelry.

Mr. DOUGHTON. I will say to my distinguished friend, an able member of the Committee on Ways and Means, that I do not know that I would be able to give him any fuller information than is contained in the language of the bill.

Mr. DUNCAN. In this amendment you have exempted fountain pens where the precious metal that is used is an essential part.

Mr. DOUGHTON. There was no language in the House bill that dealt exclusively or especially with fountain pens but an exemption was written into the Senate bill, and carried into the conference agreement.

Mr. DUNCAN. Well, it is in the amendment. They are excluded.

Mr. DOUGHTON. I think any statement which the distinguished gentleman would make would carry a great deal of weight with the Treasury Department.

Mr. DUNCAN. It seems to me that in an item of this kind, which is essentially not jewelry and it is absolutely necessary in order to preserve the metal, to place 2 cents worth of gold on it, should not bring the commodity within the provisions of the act.

Mr. DOUGHTON. The gentleman refers to safety razors?

Mr. DUNCAN. This is a sort of general discussion.

Mr. DOUGHTON. Where they are just dipped in gold for the purpose of preventing corrosion, I understand that they would be exempt. If they are heavily plated with gold, however, they should be taxable the same as any other gold article.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield to me?

Mr. DOUGHTON. I yield to the gentleman from Ohio.

Mr. JENKINS of Ohio. In view of the fact that you have already brought up the matter of jewelry, is not this the fact from this conference report and all this talk about amendments in the Senate with reference to jewelry, that they all go out of the window, and we go back to the bill as passed by the House?

Mr. DOUGHTON. Absolutely, except for the special exemption as to fountain pens, to which the gentleman from Missouri [Mr. DUNCAN] has referred.

Mr. JENKINS of Ohio. That is the section on page 98.

Mr. DOUGHTON. The Senate receded on the jewelry provision, except as to fountain pens.

Mr. JENKINS of Ohio. Will the gentleman tell me just what it does do with reference to fountain pens? As I understand it, it does not include any fountain pen unless it is one that has been decorated with silver or some precious metal, or something like that.

Mr. DOUGHTON. I understand that to be correct. Fountain pens are exempt if the only parts of the pen which consist of precious metals are points or other essential parts not used for ornamental purposes.

Mr. REED of New York. Will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. REED of New York. What this exempts from taxation is the gold point of the pen, which is essential, and the band that goes around the pen to keep it from splitting, which is an essential part of the pen.

Mr. JENKINS of Ohio. Will the gentleman yield for another question?

Mr. DOUGHTON. I yield.

Mr. JENKINS of Ohio. As I understand it, the tax on jewelry will be a 10-percent tax on all jewelry articles in a jewelry store.

Mr. DOUGHTON. All articles sold at retail.

Mr. JENKINS of Ohio. In that respect, that is about the only case in this bill where we have a direct retail tax; is that right?

Mr. COOPER. There are two more.

Mr. JENKINS of Ohio. What other items?

Mr. COOPER. Furs and cosmetics.

Mr. JENKINS of Ohio. In that respect the bill is distinctive, in that it does lay a direct retail tax on all jewelry in all jewelry stores and also in drug stores which sell jewelry and all of the big department stores which sell jewelry.

Mr. DOUGHTON. A retail sales tax; 10 percent on jewelry. Of course, the Senate increased it to 15 percent and made it a manufacturers' sales tax, with a 15 percent floor-stock tax, but the Senate conferees receded on that.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. DONDERO. On pages 10 and 11 of the report reference is made to joint returns and community property, and states that the Ways and Means Committee will deal with that subject in an administrative bill.

Mr. DOUGHTON. Yes.

Mr. DONDERO. I think the House would like to know just what is meant by that statement at the top of page 11 of the report.

Mr. DOUGHTON. I think what is meant by that is this: It will be remembered that when the joint return was voted out in the House, one of the main reasons assigned by those opposing joint returns was that hearings had not been had and that the House did not have sufficient information to deal with the subject of joint returns. That being the case, it was inferred that when the new tax bill comes up, a question as important as this would receive full consideration and proper hearings would be conducted.

Mr. FITZPATRICK. If we had passed the bill as recommended by the Ways and Means Committee containing the provision requiring joint returns we would not have had to reduce the exemption to $1,500 on married people.

Mr. DOUGHTON. That is the view we took on it. I went into that fully in my statement at the time we considered the bill originally.

Mr. FITZPATRICK. The committee recommended compulsory joint returns, but the House knocked it out, and for that reason we are now compelled to reduce the exemption to $1,500 on married people and $750 on single people.

Mr. DOUGHTON. The gentleman is absolutely correct. But the House and the Senate both acted after due warning. The amount had to be restored in some form, and it was restored in the Senate by broadening the base. The matter will be solved in some way, and possibly in a way which will be more objectionable than the joint-return provisions of the House bill.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. RICH. I note that under the operation of the provisions of amendment No. 32, which reduces the exemption for married people from $2,000 to $1,500 and for single people from $800 to $750, that it is expected 4,930,000 additional returns will be made and that the increased revenue expected to be received from these sources will be $47,000,000.

Mr. DOUGHTON. From new taxpayers.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

The SPEAKER. The gentleman from North Carolina has consumed 10 minutes.

Mr. DOUGHTON. Mr. Speaker, I yield myself 15 additional minutes.

Mr. RICH. How many new returns will there be, and what will be the cost to the Government of supervising these returns?

Mr. DOUGHTON. I yield to the gentleman from Tennessee.

Mr. COOPER. I think it should be made clear that by reducing the exemptions from $2,000 to $1,500 for married people and from $800 to $750 for single people the Treasury Department estimates that additional revenue of $303,700,000 will be received. Of this amount, there will be received from new taxpayers $47,300,000. There will be received from present taxpayers, who will be required to pay more, the sum of $256,400,000.

Of the $303,700,000, it is estimated that married people will pay $283,200,000 additional in taxes, and single people $20,600,000.

Mr. RICH. The point I would like to make is that it will cost a great deal of money to check and supervise these additional tax returns. The gentleman states it is expected $47,000,000 additional will be received from new taxpayers because of the broadening of the base. I ask the gentleman from Tennessee what it will cost the Federal Government to collect this $47,000,000?

Mr. COOPER. The estimate received by us is that it costs about 50 cents a return.

Mr. RICH. Fifty cents a return. There are going to be more than 2,000,000 new returns.

Mr. COOPER. It costs about 50 cents to receive and handle each non-taxpayer return that is filed.

Mr. RICH. The Treasury Department has men running around over the country examining these returns. Certainly the cost of these men is not included in the cost of examination just referred to by the gentleman.

Mr. COOPER. And, if the gentleman will permit, the estimate given your committee is that for taxable returns filed it costs about $1.50 to receive and handle them.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. KNUTSON. In line with the gentleman's question, it probably would be appropriate at this time to call attention to the fact that we have adopted a simplified return for these nontaxpayers, a return on which they will have to answer only four questions.

Mr. COOPER. Yes; I was in the act of calling the gentleman's attention to amendment No. 3, appearing on page 8 of the bill, which provides for optional tax on individuals with incomes of $3,000 or less. This is a very much simplified form that the people coming under this classification will be allowed to make out and file, and it will greatly reduce the cost of collection and administration.

Mr. RICH. I understand that the reason for the reduction in these exemptions was because we failed to adopt the compulsory joint-return feature, which is beneficial to people in eight community-property States, because we were not permitted to make the people in these community-property States pay what they should pay and what others in like circumstances have to pay in other States. That was wrong. You should never have permitted those fellows to escape. This administrative bill should have teeth in it, so that the people in those eight community-property States shall pay the same as every man and woman in all the other States have to pay. Until this defect is corrected we shall not have just legislation.

Mr. DOUGHTON. That is a matter the Congress will have to correct, not the Treasury Department or the administration.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. KNUTSON. Answering the gentleman from Pennsylvania, I may say that the committee reported the bill with the compulsory joint return, but on a roll call the House struck out that provision, and in so doing took over $300,000,000 out of the bill.

Mr. RICH. The gentleman knows I did not vote to do that.

Mr. KNUTSON. I understand, but do not blame the Ways and Means Committee. The House itself took that action, and in taking that action compelled us to go back and find new sources of income, and we had to broaden the base to bring in $303,000,000.

Mr. RICH. The Senate had such an amendment under consideration. Why did you not stick by the Senate amendment?

Mr. DOUGHTON. The bill as reported to the Senate by the Finance Committee contained an amendment treating married persons in the community-property States the same as persons similarly situated in the other States. The Senate leaders, however, did not insist on it, and it was stricken from the bill and was not in the bill as it passed the Senate. This action was taken with the understanding that the entire matter would be taken up later.

Mr. RICH. Will the gentleman yield further?

Mr. DOUGHTON. In one minute. A decided majority of the Senate Finance Committee favored the community-property tax provision, but when it got on the floor of the Senate, in order to avoid a fight and a long delay they agreed to let it go over, with the understanding that it would be the subject of hearings and action in the administrative bill.

Mr. RICH. In other words, then, the Senate was afraid of these eight community-property States, and it backed down because it did not have the nerve to get up and fight for what was right.

Mr. COCHRAN. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Missouri.

Mr. COCHRAN. The gentleman from Pennsylvania is talking about community-property States only. The House considered a provision in reference to joint returns that applied not only to community-property States but to the taxpayers of the country as a whole. As fair a provision as ever appeared in a revenue bill.

Mr. DOUGHTON. That is correct.

Mr. COCHRAN. The citizens of the community-property States are minor in comparison with the entire country. The money lost all over the United States on account of the action of the House was estimated at $329,000,000, affecting less than 5 percent of all taxpayers. It may be said now that Members of the House Ways and Means Committee, as well as many other Members, including myself, predicted when that matter was under consideration that if the House struck out the joint-return provision we would be required to lower the exemption and to increase the excise taxes, which is just exactly what has happened. Those who voted to strike out the provision referred to blame themselves now for what has happened.

Mr. DOUGHTON. I never like to say, "I told you so"; but if you will read my statement on this question of joint returns when the bill was originally before us, you will see that I emphasized the fact that if the joint-return provision were stricken from the bill we would be short some $300,000,000. We had to raise $3,500,000,000 as a total; and if we lost this $300,000,000, it would have to be made up by increased individual taxes or excise taxes, perhaps both. The general belief was that in broadening the base we would get a large amount of additional revenue; however, by broadening the base we only get $47,000,000 from new taxpayers. The other $256,000,000 will come from present taxpayers whom we thought we had taxed high enough. So those who opposed joint returns have brought this situation upon themselves and the tapayers of the country. They have brought upon us the necessity of increasing the individual income taxes to the extent of $300,000,000.

Mr. COCHRAN. And in doing that you are affecting 100 percent of the taxpayers of the country; and in knocking out the joint return you only benefit less than 5 percent of the people of this country who make joint returns and thus escape their fair share of taxation.

Mr. COOPER. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Tennessee.

Mr. COOPER. I think this ought to be clarified to the extent of saying that the so-called community-property amendment was estimated to yield $50,000,000.

Mr. COCHRAN. The joint return is the big matter.

Mr. COOPER. The so-called mandatory joint provision was estimated to yield $350,000,000.

Mr. COCHRAN. Three hundred and twenty-nine million dollars, according to statements made at the time it was considered.

Mr. COOPER. It should be remembered that there is a substantial difference in revenue as between the two proposals.

Mr. SUMNERS of Texas. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Texas.

Mr. SUMNERS of Texas. As I understand, this community-property matter is not involved in the bill that the gentleman is explaining to the House?

Mr. DOUGHTON. That is correct.

Mr. SUMNERS of Texas. It is not in the conference report?

Mr. DOUGHTON. It is referred to in the conference report.

Mr. SUMNERS of Texas. But it is not involved in this bill?

Mr. DOUGHTON. That is correct. It was not in conference.

Mr. SUMNERS of Texas. It was not in conference at all.

Mr. DOUGHTON. It was explained that the Senate was confronted with the possibility of prolonged debate. The Senate was anxious to avoid delay and it was anxious to get this law on the statute books. It was urged over there that there had not been public hearings on the subject. However, I may say a large majority of the Senate Finance Committee did favor the community-property provision.

Mr. COOPER. Will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from Tennessee.

Mr. COOPER. In order to further clarify the situation, it should be stated that the Senate Finance Committee included the so-called community-property amendment. When the bill reached the floor of the Senate that amendment was eliminated from the bill by the Senate itself.

Mr. SUMNERS of Texas. Yes. Of course, the Ways and Means Committee of the House reported in favor of a joint return. I do not impugn anybody's motive, and I want that made clear, but it does not seem to me quite fair for the committee and the opponents of what happened to undertake now to inject that issue into this report when those of us who do not agree with the statements that they have made will have no opportunity to debate this matter on the floor of the House. I hope the country will understand that when this matter is presented again we will have some views of our own to express.

Mr. DOUGHTON. There is no doubt but what the gentleman from Texas and others who feel as he does will have the opportunity, and will not be derelict in presenting the views they have.

Mr. SUMNERS of Texas. This is not the time and this is not the place, if I may say so, to consider the question of joint returns.

Mr. DOUGHTON. But some explanation must be given here and some explanation must be given to the country as to the reason why the exemptions were lowered and the base broadened, and these additional taxes put upon taxpayers whom we thought we had taxed enough.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from New York.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to insert at this point in the RECORD a table prepared by the Treasury Department showing the effect of this bill on the various items appearing in the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The table referred to follows:

Estimated revenue effect[1] of the revenue bill of 1941 (H. R. 5417) as agreed upon in conference Sept. 11, 1941

[In millions of dollars]

	Estimated increase (+) or decrease (−) over yield of—		Estimated increase or decrease (−) over yield of present law
	House bill	Senate bill	
Income taxes:			
Corporation:			
Normal tax	+26.8	+7.8	−493.3
Surtax	+118.4	−2.1	763.1
Excess-profits tax	−86.0	−18.3	1,112.3
Total corporation income taxes	−59.2	−12.6	1,382.1
Individual	+279.8	−4.1	1,144.6
Total income taxes	+339.0	−16.7	2,526.7
Miscellaneous internal revenue:			
Capital stock tax	0	+38.4	22.3
Estate tax	+5.7	0	141.6
Gift tax	0	0	16.0
Total	+5.7	+38.4	179.9
Manufacturers' and retailers' excise taxes:			
Distilled spirits	+.7	+5.0	[2] 123.0
Wines	+5.4	−4.0	[2] 10.4
Passenger automobiles, parts, and accessories	0	0	72.2
Automobile trucks, busses, and trailers	0	0	16.1
Tires and tubes	0	0	[2] 44.6
Refrigerators, refrigerating apparatus, and air-conditioners	0	0	16.6
Matches	0	0	[2] 8.2
Playing cards	0	0	1.0
Radio receiving sets and parts	0	0	9.4
Phonographs and phonograph records	0	0	4.5
Musical instruments	0	0	3.6
Sporting goods	0	+.3	8.5
Luggage	0	0	4.5
Electric, gas, and oil appliances	+19.2	0	31.8
Photographic apparatus	−.1	0	9.9
Electric signs	0	0	2.7
Business and store machines	0	0	13.0
Rubber articles	0	0	21.3
Washing machines	0	−5.3	.4
Optical equipment	0	0	.3
Soft drinks	−22.6	0	0
Electric-light bulbs	+4.0	−4.0	4.0
Jewelry, etc.	−3.5	+16.6	52.7
Furs	0	0	20.7
Toilet preparations	0	0	19.7
Total manufacturers' and retailers' excise taxes	+3.1	+8.6	499.1
Miscellaneous taxes:			
Admissions	+2.4	+16.2	62.4
Cabarets, roof gardens, etc.	0	0	2.0
Club dues	0	0	2.8
Safe-deposit boxes	0	0	1.7
Telephone, telegraph, radio and cable facilities, leased wires, etc.	−1.7	+.6	24.9
Telephone bill	+8.7	−34.9	52.3
Transportation of persons	−1.0	0	35.5
Use of motor vehicles and boats	0	0	160.2
Bowling alleys and billiard and pool tables	−.7	0	1.3
Coin-operated amusement and gaming devices	−4.3	0	4.6
Radio broadcasting	−12.5	0	0
Outdoor advertising	−1.7	0	0
Total miscellaneous taxes	−10.8	−18.1	347.7
Total excise and miscellaneous taxes	−7.7	−9.5	846.8
Total miscellaneous internal revenue	−2.0	+28.9	1,026.7
Total	+337.0	+12.2	3,553.4

Treasury Department, Division of Research and Statistics, Sept. 11, 1941.

[1] Tentative. All estimates show full year effect. Estimates for corporation and individual income taxes and the gift tax are based on levels of income estimated for calendar year 1941; all other estimates are based on income levels estimated for fiscal year 1942.

[2] Excluding nonrecurring floor-stocks taxes—distilled spirits, $38,000,000; wines, $2,100,000; tires and tubes, $6,7000,000; matches, $700,000.

Mr. CROWTHER. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield to the gentleman from New York.

Mr. CROWTHER. In connection with a question asked by the gentleman from Pennsylvania, when we reduced the exemptions in the 1940 act to $2,000 and $800, the Treasury Department informed us that they were necessarily compelled to employ 3,900 new employees. Have they given the gentleman any figure as to how many more employees they will have to have in connection with this new lowering of the exemption?

Mr. DOUGHTON. No; the chairman of the committee has not been given any definite information on that subject. I doubt if they know definitely just how many new employees will be required. No doubt quite a number will be required, and it will be quite an expense to the Government and to the taxpayers. However, the simplified return will alleviate that difficulty to some extent.

Mr. CROWTHER. Somewhat, but they still will probably have to hire some new employees?

Mr. DOUGHTON. Undoubtedly.

Mr. CROWTHER. You still have in the bill the use tax of $5 on automobiles?

Mr. DOUGHTON. We have.

Mr. CROWTHER. Yes; it is still in the bill.

Mr. DOUGHTON. That was not in conference. The Senate accepted the House provision.

Mr. CROWTHER. The letter from the Internal Revenue Commissioner informed us that he would need 3,800 new employees to enforce that provision.

Mr. DOUGHTON. I believe that figure is a little high, because I do not believe he favored it, and I think he set his figure a little high on that account. But,

of course, his judgment would be better than mine.

Mr. CROWTHER. Some of these sections are turning themselves into employment agencies, it would seem to me.

Now may I ask another question:

I want to know if anything has been done as regards future consideration of radio broadcasting as such connected with advertising, or with advertising separately. There is a business that would be making from 33 to 45 percent on invested capital if they absorbed all the tax that was laid on them in our bill, but still they are going scot free. Are you going to reconsider that in connection with some of these other things?

Mr. DOUGHTON. The gentleman is a member of the Committee on Ways and Means, and he will have just as many votes on that subject as the chairman of the committee. I have no doubt that that question will be considered.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Speaker, I yield myself 10 additional minutes.

A glance at page 1 of the conference report on the tax bill will show that, as usual, the amendments on which the House conferees receded are much greater in number than those on which the Senate conferees receded. This is almost always true, particularly in the case of revenue bills, since the technical and clerical amendments necessary to any rearrangement of the substantive provisions are mostly made by the Senate. However, it is clear that, on the whole, the provisions of the House bill have prevailed.

In this connection Senator GEORGE, the able and efficient chairman of the Senate Committee on Finance, in presenting the Finance Committee bill to the Senate, made the following comment:

> First, I desire to congratulate the Ways and Means Committee of the House under the able leadership of Representative DOUGHTON, its chairman, and the House itself, upon the conscientious consideration given to this tax measure. While the Senate Finance Committee has added some amendments to the bill as it passed the House, the bill in its main features stands as the work of the Ways and Means Committee of the House.

The bill as reported to the House by the Committee on Ways and Means was estimated to yield three billion five hundred and twenty-nine million. Action by the House with respect to the joint return reduced this estimated yield to three billion two hundred and sixteen million. The bill as reported to the Senate by the Committee on Finance was estimated to produce three billion six hundred and eighty million, and, as passed by the Senate, three billion five hundred and forty-one million. Under the conference agreement it is estimated that the yield will be three billion five hundred and thirty-three million. Thus our original goal of three billion five hundred million will have been achieved if the bill as agreed to by the conferees becomes law.

With respect to the procedural steps taken by the House conferees, I desire to make a brief statement. It is always desirable, both from the point of view of the taxpayer and of the Government, that excise taxes become effective upon the first of a month. In addition, fair play and equitable considerations strongly indicate that taxpayers should have at least 10 days' notice of the imposition of an excise. For example, theaters must have new tickets printed upon changes in the admissions tax, and all taxpayers need to set up their books and make other changes in order to make a proper accounting.

For these reasons it has been our aim to have the bill enacted before the 20th of September, next Saturday, so that it may become effective as to the excise taxes upon the 1st of October. If this action were delayed so that it could not become effective before November 1, it would mean the loss of almost $100,000,000 in excise-tax revenue. When the House recessed it was not anticipated that the Senate would act so speedily. Consequently, when it was learned that the bill had passed that body, it was felt thus in the interests of the expedition of final passage, the House conferees should not delay until their formal appointment.

With these considerations in view, the House conferees have met informally with the Senate conferees so as to be ready to report an agreement to the House as speedily as possible.

As I have said before, the bulk of the Senate amendments to the House bill are purely clerical or technical in nature and need no discussion. I shall give you a brief summary of the substantive amendments and of the conference action thereon.

There were 164 Senate amendments. Of these, all but 43 are of a clerical or technical nature. Of the substantive amendments, the Senate receded on 17 and the House receded on 23. The balance were compromised. The tax on local telephone bills was reduced from 10 percent, the Senate bill rate, to 6 percent; the House bill rate was 5 percent. The tax on wines containing between 14 and 21 percent alcohol was reduced from 35 cents, the Senate rate, to 30 cents; the House bill rate was 24 cents. The tax on electric-light bulbs was reduced from 10 percent, the Senate rate, to 5 percent; there was no comparable tax under the House bill.

The most important Senate amendment, which was agreed to by the House conferees, was the reduction of the personal exemption of single persons from $800 to $750 and of married persons from $2,000 to $1,500. The House conferees were forced to agree to this amendment in order to make up the loss of revenue caused by the action of the House in the elimination of the joint return. The Senate Finance Committee inserted a provision taxing persons in community-property States on the same basis as persons in non-community-property States. However, the Senate leaders did not insist upon this amendment, and agreed to withdraw it in order to give an opportunity for hearing, with the understanding that this question would be considered in the administrative bill. It will be recalled that the mandatory joint-return provision, which affected only 5 percent of the married persons paying income tax, would have resulted in additional revenue of approximately $300,000,000. The lowering of the exemptions will produce $303,000,000, of which $47,000,000 will come from new taxpayers. The number of new taxpayers is estimated to be 2,275,000. The total number of persons expected to be liable for income tax will be 13,181,000. The total number of income-tax returns expected to be filed will be 22,108,000.

We have heard some complaint about people in the low-income groups being too heavily taxed by reason of these lowered exemptions. Here are some of the figures:

Single man:	
Income of $750	No tax.
Income of $800	$2 tax.
Income of $1,000	$18 tax.
Married man:	
Income of $1,500	No tax.
Income of $1,600	$5 tax.
Income of $1,700	$11 tax.
Income of $1,800	$19 tax.
Income of $2,000	$37 tax.

As already pointed out, the greater part of the burden of the increased revenue to be secured from lowering the exemptions falls upon existing taxpayers. For example, in order to get $2 in tax from a single man with an income of $800, a single person with an income of $5,000 will be required to pay $8.25 additional tax. In order to secure $5 in tax from a married person with an income of $1,600, a married person with an income of $5,000 will have to pay $66 additional. To carry the comparison still further, a married man with $10,000 of income will have to pay $126.50 more in order to collect $5 from a married man with an income of $1,600. Thus, it is readily demonstrated that the chief portion of this burden is falling not upon new taxpayers brought in by the reduced exemption but upon persons already paying income tax. However, it was necessary to agree to this amendment in order to make up the deficiency in revenue caused by the elimination of the mandatory joint return.

One amendment of the Senate which the House agreed to was that providing a simple method of computing tax on incomes below $3,000. In order to cause these persons the least possible amount of difficulty in computing their tax and filing their returns, an optional simplified return may be filed where the taxpayers' income does not exceed $3,000 and is derived solely from wages, salaries, compensation for personal services, dividends, rents, annuities, or royalties. If the taxpayer elects to use this optional method, he will find his tax already computed in a table set out in the law and on his return itself. One set of amounts is provided for married persons and another set for single persons. If the taxpayer has dependents, he reduces his income by $400 for each dependent before he applies the table. The average deductions now taken by taxpayers in these brackets has already been allowed in arriving at the tax shown in the table.

Another important amendment which the House conferees agreed to was the elimination of the 10-percent penalty tax upon corporations using the invested-capital method. It was contended that this tax would work a severe hardship

upon many small corporations with very little or no earnings in the base period. It would have been particularly severe as applied to many railroads, coal, and lumber companies. By the reversal of the deduction for taxes paid provided in the House bill, the invested capital credit of corporations was, in effect, reduced from 8 percent on the first $5,000,000 of invested capital to 5.6 percent and that of 7 percent on invested capital in excess of $5,000,000 was, in effect, reduced from 7 percent to 4.9 percent. It was believed that corporations should be entitled to at least this return before being subjected to excess-profits tax. New corporations which may make all of their profits out of the defense program are not only entitled to the regular credit before any excess-profits tax is imposed but are also given an additional credit of 25 percent for new capital. Therefore it is not believed fair and equitable to impose upon old corporations which, though in distress, had been able to weather the base-period years a penalty tax merely because their earnings during the base period were not sufficient to equal the invested-capital credit.

It will be recalled that the House levied a surtax upon corporations of 5 percent on the first $25,000 and 6 percent upon the balance. The Senate increased these surtax rates by 1 percent, so that the rate becomes 6 percent on the first $25,000 and 7 percent on the balance. The House conferees agreed to this amendment.

The House bill imposed a 10-percent manufacturers' excise tax upon washing machines of the type used by commercial laundries. The Senate extended this tax to apply to all washing machines. The Senate conferees receded from this amendment and accepted the House provision.

With respect to wines, the Senate amendment greatly increased the rates over those imposed in the House bill. The conferees accepted the House rate of 8 cents a gallon on wines containing not over 14 percent alcohol, instead of the Senate rate of 10 cents a gallon. On wines containing from 14 to 21 percent alcohol, the House provided a rate of 24 cents a gallon and the Senate a rate of 35 cents. On this amendment a compromise was reached fixing the rate at 30 cents a gallon. On wines containing more than 21 percent alcohol and upon champagne and other sparkling wines and liqueurs, the House conferees agreed to the increased rates of the Senate amendments.

The Senate removed the differential between brandy and other distilled spirits. Brandy, under the House bill, was taxed at $3.75 per gallon while other distilled spirits were taxed at $4 per gallon. The House conferees agreed to this amendment and brandy will now be taxed at $4 per gallon the same as any other distilled spirits. A corresponding increase was made in the floor-stocks tax as applied to brandy.

The House levied a tax of one-sixth of 1 cent a bottle on bottled soft drinks with a corresponding tax on the sirup and gas sold at soda fountains. Many of the small bottlers complained that they would be unable to absorb this tax and that its imposition would prevent them from continuing in business. The Senate conferees seemed very much impressed with the possible hardships. The House conferees agreed to the elimination of this tax.

One of the most important amendments was one substituting for the retail tax on jewelry in the House bill, a 15-percent manufacturers' tax on jewelry, with a floor-stocks tax at the same rate. It was demonstrated that a jewelry tax on the manufacturers sale would result in unfair trade practices and substantial evasion of the tax. Upon this amendment the Senate receded.

The House bill imposed a tax of 5 percent upon the local telephone bills. The Senate increased the rate of this tax to 10 percent. We felt that this high rate would result in too great a burden upon many local and rural communities, consequently, a compromise was worked out fixing the rate at 6 percent.

On the admissions tax, the House provisions largely prevailed. The Senate conferees agreed to the House action eliminating the many classes of exemptions from this tax. We agreed to the Senate amendment, which allowed no exemptions from the admissions tax where the charge was under 10 cents, except with respect to children under 12 years of age.

As to the House provisions taxing radio broadcasting and billboards, we were unable to get the Senate conferees to agree. These taxes were bitterly opposed before the Finance Committee and with respect to the radio-broadcasting tax, the Chairman of the Communications Commission, Mr. Fly, expressed the opinion that the radio tax would cause an undue hardship upon that industry. It was felt that this entire subject should receive further study before taxes of this character are imposed.

The Senate made a number of administrative amendments which we felt should go over to the administrative bill. On these, the Senate receded. Among such amendments was one designed to overcome the decision of the Supreme Court in the Higgins case. This case dealt with the disallowance of expenses incurred by trustees and custodians and other fiduciaries. In this respect, the Bureau of Internal Revenue advised us that wherever possible final decision on issues arising under this decision will be deferred pending later legislation.

One amendment in which I was particularly interested establishes a committee to investigate nonessential Federal expenditures. The committee is to be composed of (a) three members of the Senate Committee on Finance and three members of the Senate Committee on Appropriations, to be appointed by the President of the Senate; (b) three members of the House Committee on Ways and Means and three members of the House Committee on Appropriations, to be appointed by the Speaker of the House of Representatives; and (c) the Secretary of the Treasury and the Director of the Bureau of the Budget. It will be the duty of this committee to make a complete study of all expenditures of the Federal Government with a view to recommending the elimination or reduction of all such expenditures deemed to be nonessential. The committee will report to the President and to the Congress the result of its study together with its recommendations at the earliest practicable date. On this amendment the House conferees willingly agreed and we express our fervent hope that the committee will be able to accomplish some forward steps toward this much-desired goal.

With respect to the club-dues tax, I desire to state that on page 54 of your committee's report on the bill it is stated that, for the purposes of the tax on club dues, the term "dues" is redefined to include certain privilege fees and assessments not now subject to the tax. Inasmuch as the taxability of the fees and assessments referred to has not yet been finally determined by the courts and is the subject of pending litigation, it would be more accurate to describe the redefinition of the term "dues" in the manner adopted in the report of the Finance Committee of the Senate, as follows:

> The committee * * * believes the redefinition of the term "dues" to be very helpful in avoiding litigation. Under existing law a number of privilege fees and assessments are subject to tax as club dues. Some taxpayers have alleged either that there is an ambiguity in the present law or that it cannot be construed to cover certain types of fees. It is, therefore, desirable, in order to avoid litigation, to define in very direct terms what is intended to be covered by the term "dues."

Mr. CROWTHER. Over $300,000,000 was taken from the bill when the mandatory joint return was lost in the House. We all know how it was lost; we all know exactly how it was done. I understand by press reports that it made a difference of approximately $15,000 to $17,000 in the income tax of our illustrious President, together with his delightful wife; at least that much. Was any effort made to raise that sum other than by going down into the "sticks" and lowering these exemptions, as they have done, to $750 and $1,500?

I call the attention of the chairman to the fact that under the report made to this committee, covering a study of 2 or 3 years, a man with $1,800 of income pays $230 in hidden taxes. Does the gentleman mean to tell me that that man is not tax conscious, when $230 out of his $1,800 he pays in hidden taxes on beer, gasoline, cigars, and cigarettes? I notice that cigarettes did not get a hoist, tobacco did not get a hoist, gasoline did not get a hoist, and beer did not get a hoist.

Mr. DOUGHTON. The gentleman will concede that they have all been taxed and retaxed.

Mr. CROWTHER. I wonder if all the avenues of taxation have been exhausted?

Mr. DOUGHTON. If the gentleman is addressing that question to me, he is just as familiar with what transpired in the Senate as I am. They said that they considered every other source of taxation, and this was the most equitable, the most fair, and the most logical source from which they could raise it.

Mr. CROWTHER. What was the reason for doing away with the 10-percent special tax that was levied on those corporations who were not liable under the excess-profits tax but were still making

enormous returns over what they had earned during the average period? Why was it that was done away with?

Mr. DOUGHTON. That question would more appropriately be addressed to the Senate Finance Committee, as that was a Senate amendment. The Senate eliminated this 10-percent tax.

Mr. CROWTHER. Did you not fight it out with them in conference?

Mr. DOUGHTON. You cannot fight everything out in conference. You must concede something, and the gentleman will realize that the provision with respect to the special 10-percent excess-profits tax was put in to make up the revenue sought. It was not considered at first in our bill, but was put in to make up the three and a half billion dollars that was necessary to be raised.

Now, with respect to what the gentleman has said, it was clearly shown to us that if that special excess-profits tax remained in the bill, it would certainly impose some very definite hardships on certain legitimate corporations; for instance, the railroad companies, many of whom, in recent years, have been in the hands of receivers. This was also true as to lumber and coal companies. Necessarily they would have to make their returns on the invested-capital plan as they had no profits during the base period years and could not make their returns under the average-earnings plan. They would have to pay an excess-profits tax when, perhaps, they might not be making more than 3 or 4 percent, and I, for one, did not insist very strongly on that. I know, of course, that all the members of the committee, including my good friend the gentleman from Tennessee [Mr. COOPER] did not agree with me about that. I think this was one of the most reasonable amendments that the Senate adopted because I am sure it would have imposed hardships on some corporations that have had a hard time during the depression years.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield to my friend from Kentucky.

Mr. MAY. In regard to the statement of the gentleman from New York [Mr. CROWTHER], with respect to why you did not provide a raise in the tax on tobacco, I think the previous hearings of the Ways and Means Committee will disclose that, as a matter of fact, the product of the tobacco farmer yields to the Government about $1,000 an acre.

Mr. KNUTSON. Eleven hundred dollars.

Mr. DOUGHTON. The truth is that matter was fully discussed in the committee, and it was clearly in the minds of most of us that tobacco is heavily taxed now, and if the additional tax that was recommended by the Treasury were imposed it would be passed onto the farmer. And I may say that the tobacco farmers made one of the best presentations of their case that I have ever heard made by any group of people appearing before our committee.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield to my friend from Montana.

Mr. O'CONNOR. I want to make this observation——

Mr. DOUGHTON. Do not make too long an observation.

Mr. O'CONNOR. I regret very much that we lowered the exemptions on both married and single persons, because this will result in a lower standard of living for the lower-income group. The lower a person's income is, the higher his rate of taxation, relatively speaking, according to statistics from Monograph No. 3, given to the National Economic Committee. For instance, a man with an income of $500 a year pays out 21.9 percent of his income in taxes, which includes Federal, State, and local taxes. In the case of persons receiving incomes of from $500 to $1,000 a year, 18 percent of their income is paid out in taxes. A person receiving $3,000 to $5,000, the tax is 17.6 percent. In other words the larger the income, the lower proportionally his taxes. Therefore, this is not in accordance with the principle of making one pay according to ability to pay.

Mr. DOUGHTON. I would like to say to the gentleman that while, of course, the House bill did not provide for lowering the exemptions, it will be seen that in this great emergency with which we are dealing today and which is the occasion for this tax bill, the lowering of the exemptions will not put a very heavy burden on them. For instance, a single man with an income of $750 will pay no tax. A man with an income of $800 will only pay $2. I do not think he will object to taking that much stock in financing the defense of his country.

Mr. KNUTSON. He ought to be thankful for the privilege.

Mr. DOUGHTON. With $1,000 he would only pay $18. A married man with an income of $1,500 will pay no tax. With an income of $1,600 he will pay only $5, or with an income of $1,700, $11. With an income of $1,800 he will pay $19, and with an income of $2,000 he will pay $37. This is not going to cripple the present standard of living very much.

Mr. O'CONNOR. The point I make is that the lower the income, the larger the slice of his income goes for taxes, proportionally speaking.

Mr. DOUGHTON. Of course, but did the gentleman have that in mind at the time of the vote on joint returns? Did not the gentleman vote against joint returns?

Mr. O'CONNOR. This is going after the poor man and is not basing the tax on ability to pay.

Mr. DOUGHTON. How did the gentleman vote on the question of joint returns?

Mr. O'CONNOR. I was not here.

Mr. KNUTSON. Where was the gentleman?

Mr. O'CONNOR. I was on business in Montana.

Mr. McGREGOR. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield to my friend from Ohio.

Mr. McGREGOR. Is it the gentleman's opinion that admissions to local county fairs will be taxable under this bill?

Mr. DOUGHTON. Yes.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. Yes.

Mr. KNUTSON. One of the purposes in broadening the base, some members of the committee thought, was that we might be able in that way to find the forgotten man.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. Yes.

Mr. RICH. The gentleman from Texas [Mr. SUMNERS] a few moments ago spoke with reference to the community-property States, and said that the bill does not deal with that subject. I read on page 10 of the report in reference to the community-property States, the statement that that feature was eliminated by the Senate with the understanding that it would be the subject of hearings and action in the administrative bill.

The SPEAKER. The gentleman will suspend. The time of the gentleman from North Carolina has expired.

Mr. DOUGHTON. Mr. Speaker, how much time have I remaining?

The SPEAKER. Twenty-five minutes.

Mr. DOUGHTON. Mr. Speaker, I yield myself 5 minutes.

Mr. RICH. Mr. Speaker, I understand that the President had something to do with the stopping of this now, because he was afraid that it might defeat the bill, and that he would see to it that it would be taken up and justice done, and that those States would be compelled to pay in accordance with these other States. We are going to see now whether the President of the United States will make good on that proposal to these conferees.

Mr. DOUGHTON. Mr. Speaker, I have no information about that at all. This is the first that I ever heard of it. I have no information on that subject at all. Of course, the President did take a broad stand, as we all know, late in the proceedings in the House for lowering the exemptions. Then the Treasury Department, when the bill got into the Senate, reversed itself and took a position favorable to lowering the exemptions, and, with the Senate and the President having taken that position, and the Treasury taking that position, and being short that amount of money, the gentleman can understand what the House conferees were up against, and with no other way in sight of raising that amount of money.

Mr. RICH. Further, I heard the statement made that this is an emergency tax bill. Why, this tax bill should have been put upon the people 10 years ago if we intend to meet the obligations which the Congress has encouraged and undertaken. It is not an emergency tax bill at all.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. Yes.

Mr. MICHENER. As I understand it, the committee does not contend that this is a scientific tax bill?

Mr. DOUGHTON. Not 100 percent.

Mr. MICHENER. The task of the committee was to raise money.

Mr. DOUGHTON. Yes.

Mr. MICHENER. And it tapped all available reservoirs where money could

be found. The committee reported a bill to the House, and the House eliminated from that bill by a vote in the House some $300,000,000 prospective taxes?

Mr. DOUGHTON. We worked about 6 months and did the best that we could. Of course, no tax bill will ever be considered perfect by any Member of the House and I do not suppose our committee would ever feel that it had reported a perfect tax bill. Of course, it is not and never will be, until the millenium comes, and then perhaps it will be.

Mr. MICHENER. At least we should have enough experience before that time comes if we keep on writing new tax bills. The committee reported a bill that would raise $3,500,000,000 annually?

Mr. DOUGHTON. Yes.

Mr. MICHENER. And the House deliberately, and after considerable debate, struck out of that bill approximately $300,000,000?

Mr. DOUGHTON. Yes.

Mr. MICHENER. And the Senate tapped other reservoirs to provide that amount? Therefore any discussion here today about the joint returns of husband and wife is purely academic, so far as anything before the House at the moment is concerned. I say that although I favored the joint returns, and in the debate predicted that if that provision was stricken from the House bill the $300,000,000 would have to be secured from other sources. Now the bill and this conference report will remove this $300,000,000 tax burden from the married couples who, are able to pay and place it upon the backs of those married couples with a $1,500 income and the single persons with $750 income. It is all right to talk about making the people tax conscious, but it is all wrong to place this tax on those least able to pay. I realize, however, that this discussion is academic at this point in the proceedings, but I do want to voice my protest.

Mr. DOUGHTON. It is academic now. It will be realistic a little later.

Mr. MICHENER. That is what I wanted to say. There will be another tax bill here very soon. This is important, and the country does not realize it. There will be another tax bill here possibly in November as disclosed by this debate. Let the taxpayer not forget that this bill is but the beginning and is only one-half of the first $7,000,000,000 lend-lease appropriation.

Mr. DOUGHTON. I would like to say in conclusion that the impression seems to have gone abroad, and it has been very much emphasized in the press, that this is mostly a Senate bill. Those who are familiar with the bill know that this is mainly a House bill and not a Senate bill.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Speaker, I yield myself 3 additional minutes.

Of course, the House conferees receded in a greater number of cases on amendments than did the Senate, but that is always the case. Many of the amendments in the bill which the Senate adopted were just clerical amendments, changing section numbers, and so forth.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. JENKINS of Ohio. I am glad the gentleman brought that up. I think it is an insult to the work of the members of the Ways and Means Committee for anybody to say that this is primarily a Senate bill. It is not. The Senate has only made two material changes. One is the simplified return, and the other is the reduction of the exemptions to $1,500 and $750, respectively.

Mr. DOUGHTON. That is true.

Mr. HAINES. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. HAINES. I am seeking information to impart to the principals of our high schools. They are asking me if there is an admission tax on their athletic contests.

Mr. DOUGHTON. Yes; there is.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. RICH. According to amendment No. 160, there is to be a committee appointed to investigate Government expenditures.

Mr. DOUGHTON. And the House receded unanimously on that; and if this conference report is adopted, that provision will remain in the bill.

Mr. RICH. Do you have any hope that this committee will get any action, so that we will cut down a billion dollars on appropriation bills?

Mr. DOUGHTON. I will say, with respect to that, that if I happen to be a member of that committee I shall do everything I can to see that something is accomplished under that provision of the bill. It is one of the most important and one of the most necessary provisions in the bill.

Mr. RICH. I hope the gentleman will do everything he can; but I wonder if he can get the President and the Secretary of the Treasury to do it? They said 4 or 5 months ago that we should cut down a billion dollars, but they have not done a thing to accomplish that. Since you are a member of that committee, I know we are going to get action.

[Here the gavel fell.]

Mr. DOUGHTON. Mr. Speaker, I yield myself 2 additional minutes.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. DOUGHTON. I yield.

Mr. COCHRAN. Mr. Speaker, I think it is proper to read at this point what the gentleman from North Carolina [Mr. DOUGHTON] said just before we voted on this bill. I read from the RECORD of August 4, page 6731. This is what he said:

> The issue here today is one of integrity, one of fair dealing, one of fair play in matters of taxation and that is the issue that will confront us and must confront us when we approach the settlement of this great question. Defeat the joint-return provision today and it may be that the taxes on automobiles and on gasoline and the personal-income taxes will have to be increased. This question will come back to haunt you like Banquo's ghost and it will not be settled until it is settled right.

That is what the gentleman from North Carolina [Mr. DOUGHTON] said, that is what I said at the time, and that is just exactly what happened.

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DOUGHTON. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. TREADWAY] 10 minutes.

Mr. TREADWAY. Mr. Speaker, I think the chairman of our committee the gentleman from North Carolina [Mr. DOUGHTON] ought to have a little relief from the barrage of questions that have been put to him by Members from both sides of the House during the almost three-quarters of an hour that he has occupied the floor. Therefore, I am willing to relieve him to the extent of the 10 minutes that he has just granted me.

I want to touch on a few of the high points, as I see them, in the conference report. I would like the attention of the gentleman from Michigan [Mr. MICHENER], who a few moments ago said the discussion having to do with joint returns and community property was entirely academic. I wish to refute that statement, because the basis of our effort to secure joint returns was to overcome the community-property situation, which is very acute, and it is just as acute as it was when it was originally placed in the bill by the Ways and Means Committee. Therefore, this question is not academic. It is before Congress at the present time and must be fought out until equality is brought about among taxpayers throughout the country, so that residents of the 8 community-property States will not continue to receive the tremendous tax advantage they now enjoy at the expense of taxpayers in the other 40 States. There is no reason in the world why 8 States should have this benefit, which benefit is not enjoyed by citizens of the 40 other States. One State, Oklahoma, admits through its Representative here that it has been forced against its will to adopt the system of community property in order to discourage the movement of its citizens to adjoining States in order to avoid taxation. The hour has come when no citizen should be allowed to escape his fair share of the tax burden, and when residents of those 8 States step up to the Treasury counter and present their tax returns they should pay on the same basis as the man and woman from the States of Massachusetts, North Carolina, and the other 40 States not having the community-property system, which allows husbands and wives to split up their incomes and avoid surtaxes.

Mr. Speaker, there are several outstanding features in this conference report. First of all, I want to refer to the simplified form of income-tax return. Something has been said about the number of employees who will be needed to handle the extra number of tax returns to be received under the operation of the bill. I want to say that if the Treasury has not done another good deed toward the citizens of the country it has at least done one in the offering of the simplified form of return for incomes under $3,000. If there is one thing that provokes the people beyond all others when it comes to

making out their tax returns it is the complications they face year after year. While this feature may interfere perhaps with the prosperity of tax lawyers it will work to the advantage of a great many of our taxpayers, and it is well that this simplified form has been put into the law.

Those having incomes of $3,000 or less are permitted to use this short form of return at their option. They can look at the table and tell at a glance what their tax will be without computing deductions, exemptions, and so forth. If this new form should prove successful, it may be made available to taxpayers with somewhat larger incomes.

One other matter of very great interest to me is amendment No. 160, providing for the creation of a joint economy committee. This amendment follows out an idea which I proposed some time ago. I am a little egotistical in saying I sponsored a similar proposition a number of months ago in the form of a resolution asking this House to create a special joint committee to reduce nondefense expenditures. I did not get very far with my proposal, which is still pending before the Rules Committee, but it has become so apparent that savings could and should be made in nondefense items that it has now been incorporated in this bill in the form of the establishment of a joint committee. This committee will have its work cut out for it, but it will be serving the people of the country if it finds a method of reducing nondefense expenditures. And I want to say in this connection it is not a partisan matter, but we have put that question up time and time again to the administration. Those in authority in the country will not undertake to perform that service even on the advice of the Secretary of the Treasury, Mr. Morgenthau. He has advised our committee that expenditures could be very much reduced, but they have not been; on the contrary they are increasing constantly. I call especial attention therefore to the value of amendment No. 160 setting up a committee that will study this problem and I hope devise methods of reducing expenditures in nondefense items.

If the masses of people are to be called upon for burdensome taxes to meet defense costs, there should likewise be drastic reductions in nondefense expenditures.

I therefore most heartily endorse the proposed joint committee of the House and Senate, which will be charged with the duty of making definite recommendations for such reductions.

If the administration refuses to take the leadership in the matter of economy, then it is up to the Congress itself to do so.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. I yield.

Mr. REED of New York. I am wondering if modesty prevents the gentleman from telling the Members that he introduced a bill to do that very thing just a short while ago.

Mr. TREADWAY. It is House Concurrent Resolution 6. I referred to that slightly, but I did not want to appear egotistical in referring to myself. I believe the gentleman from New York will corroborate my statement that I interrogated the Secretary of the Treasury on that very point when he was before the committee.

Mr. REED of New York. That is certainly true.

Mr. TREADWAY. I feel rather proud of the fact it has been incorporated in this bill, although I do not pose as being the author of the provision as it appears.

Under the conference agreement, the personal exemptions will be reduced to $750 for single persons and to $1,500 for married persons. This amendment was adopted by the Senate upon the recommendation of the President. The House conferees were faced with the necessity of agreeing to this change in view of the fact that if it had not been adopted the bill would fall $300,000,000 short of the three and one-half billion total which was sought.

Under the bill as reported to the House by the Ways and Means Committee, we proposed the retention of the present exemptions, and would have raised this same amount by taxing those now escaping their fair share of the tax burden. The House eliminated this feature of the committee bill, and the Senate did not reinsert it. Instead, it adopted the President's suggestion for broadening the tax base.

While the amendment will bring some two and one-half million new taxpayers under the income tax, it is, nevertheless, a fact that most of the increased revenue will come from present taxpayers, who will have their taxable income increased by the amount the exemption is lowered.

We have done several other things in this measure which are worth while, and to which I wish to refer briefly. One of them which will help the people of the country is the removal of the tax on soft drinks. In the Ways and Means Committee, we originally considered a 1-cent-per-bottle tax, as recommended by the Treasury. We reduced it to one-sixth of a cent a bottle so there would be a 4-cent tax on 24 bottles, and it passed the House in this form. The Senate eliminated the tax, and the conferees have concurred in that action. This is beneficial in this way: We have got to do something for the small businessman. The big people in the soft-drink business would be able to absorb the tax, but the small dealer could not. He would be at a competitive disadvantage and would soon be put out of business by the large concerns. By taking the tax off entirely we help the small manufacturer of soft drinks to stay in business, and it will also reduce the chances of making a 6-cent drink necessary.

In the case of jewelry, the conference agreement restores the House provision for a 10-percent tax on retail sales, rather than the 15-percent manufacturers' tax adopted by the Senate. Under the retail tax, no floor tax will be required.

Mr. Speaker, a good deal has been said here in relation to another tax bill to follow this one. I think it is only fair in this connection for the country to know that the next bill will be an administrative bill. There were certain administrative amendments which would have been in this conference report had it not been for the fact that the Treasury Department said they would bring in another bill in the very near future covering many administrative matters. The details of the forthcoming bill are not material to the discussion here. The administrative features were cut out of this bill, with the assurance that such administrative features as were desirable to administer the law can be properly taken care of in the next bill, and be made retroactive where desirable to do so.

I do not think the taxpayers need be particularly frightened as to new taxes in the administrative bill. They will come later. Let nobody think he will escape taxation, but he need have no fear of another bill similar to this, at least before next year. The administrative bill will be considered in the very near future.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. TREADWAY. I yield.

Mr. JENKINS of Ohio. As I understand it, the newspapers carried reports that there were four administrative features incorporated in the Senate amendments.

Mr. TREADWAY. There were several such amendments.

Mr. JENKINS of Ohio. Whatever the number may be, they were not included in this report for the reason that assurance was given they would be included in the next bill.

Mr. TREADWAY. The gentleman is correct.

The conference agreement omits a number of administrative amendments made by the Senate, though in most cases no objection is made to the subject matter. I was particularly interested in the so-called Adams amendment, dealing with the allowance for expenses incurred in the production of income, which has been disturbed by a recent Supreme Court decision. The Treasury is favorable to this amendment, and there seems to be no opposition to it either in the Ways and Means Committee or the Finance Committee.

However, we had an understanding in the Ways and Means Committee that no administrative matters would be taken up in connection with this bill but would be deferred for consideration in connection with the proposed administrative bill. The Finance Committee likewise adhered to this position. All the administrative amendments were added on the Senate floor. They are omitted from the conference report without prejudice and will be considered at a later date.

Mr. JENKINS of Ohio. As I understand it, this administrative bill that has been promised for about 2 years will involve two or three hundred material changes in the law, but not in rates or in dollars?

Mr. TREADWAY. I hope to see some changes in rates, because when this bill is put into operation it will be found that we have skipped some possibilities of taxation and in the emergency of the day they are going to get caught. The main purpose of that bill will be to correct administrative difficulties that have arisen by experience in the Department.

Mr. JENKINS of Ohio. Does the gentleman think sometime between now and Christmas the Ways and Means Committee will bring in another bill along with this administrative bill or as a part of this administrative bill that will deal with these things?

Mr. TREADWAY. I think it will be incorporated in one bill, but I do not know when it will come up. I think it will be effective before the 15th of March next year.

Mr. Speaker, I want to refer to one other matter that has been spoken of on the floor here, namely, taking out the proposed tax on radio broadcasting advertising. There may be merit in some form of radio tax, but I am not going to discuss the merits or demerits of the tax itself. It would be an exception to the present law to have a tax on radio advertising. No advertising tax has been included in any tax bill, and there is no reason why it should start with radio broadcasting. If you are going to have a tax on advertising it should apply to all forms of advertising, not to one.

It should be made clear that this tax bill will not be the last one during the present emergency.

It was inadequate to meet our fiscal requirements even before it left the Ways and Means Committee. The demands upon the Treasury are growing so large that a further revenue bill will undoubtedly be requested next year, if not before.

The pending bill is only a first step in the direction of what our emergency taxes will eventually be.

The taxes it imposes will pinch, but later on we may expect to really be "put through the wringer." It would be well for the people to take note of the handwriting on the wall and prepare themselves for the tax burden which is coming.

That burden will be greatly aggravated by the past extravagances of the New Deal, which have strained the public credit and used up the available sources of Federal taxation.

But the defense of our country, both from external aggression and internal collapse, can only be accomplished by preserving the Nation's credit. Hence we have no choice but to shoulder the increased burden as it comes.

Mr. DOUGHTON. Mr. Speaker, I move the previous question on the adoption of the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial and some quotations from the Dunkirk Observer.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a list of foreign wars.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. REED]?

There was no objection.

RETIRED PAY AND HOSPITAL BENEFITS TO CERTAIN RESERVE OFFICERS

Mr. MAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3484) to provide retirement pay and hospital benefits to certain Reserve officers, Army of the United States, disabled while on active duty, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 8, after "retirement" insert "pay."

Page 2, line 9, strike out "provided herein" and insert "of the said statute."

Page 2, lines 9 and 10, strike out "whether disability exists and whether such disability was incurred in line of duty" and insert "of all questions of eligibility for the benefits thereof, including all questions of law and fact relating to such eligibility."

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman from Kentucky [Mr. MAY] explain these amendments?

Mr. MAY. May I say to the distinguished minority leader that I overlooked discussing this matter with him, but I did discuss it with the gentleman from New Jersey [Mr. THOMAS], a member of the Military Affairs Committee of the House, and this is satisfactory to him.

Mr. MARTIN of Massachusetts. The House would like to know what the amendments are.

Mr. MAY. The bill as originally passed required that the Secretary of War should determine, first, whether a soldier was disabled, and if he found the soldier was disabled, then the next question to determine was whether or not the disability resulted from a service connection or injury; in other words, in line of duty. That is as far as the House bill went.

The Senate then provided—and, I think, very properly—that in the determination of the two facts, first, the existence of the disability, and, second, that it was service-connected, the Secretary should also find the state of facts upon which he made his determination, and that should go in the record.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. SHEPPARD asked and received permission to extend his own remarks in the RECORD.

SPEAKER RAYBURN

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to address the House to make an announcement.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COCHRAN. Mr. Speaker, 1 year ago today the present occupant of the chair was elected Speaker of the House of Representatives, referred to now and in the past by outstanding statesmen and writers as the most important legislative body in the world. Next to the President of the United States no individual in this country has more power under our form of government.

The wisdom of this action has been clearly demonstrated. I say without fear of contradiction that a more fearless and fair Speaker has never occupied the chair. Not only that, but, Mr. Speaker, you brought with you the experience you gained as a presiding officer in the Legislature of the great State of Texas, which you in part represent.

Mr. Speaker, you have been fair and impartial in your rulings; you have, like all great Speakers, set precedents, and you have won the admiration and respect of every Member of this body.

I am sure the Members of this House join with me in extending congratulations on this, your first anniversary as Speaker, and I express the hope that you will see many more years of service in your present capacity.

EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered last evening by Mr. Donald M. Nelson, Executive Director, Supply Priority and Allocation Board, at the Mayflower Hotel.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BOEHNE. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Indiana [Mr. LARRABEE] be permitted to extend his own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein a radio address delivered by me over radio station WJR, Detroit, on last Saturday, on the St. Lawrence seaway.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article from the Cincinnati Times-Star.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

(Mr. DITTER, Mr. WICKERSHAM, and Mr. VORYS of Ohio asked and were given permission to extend their own remarks in the RECORD.)

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the conference report adopted today by the House.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection?

REPRESENTATIVE ALLEN T. TREADWAY

Mr. CROWTHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CROWTHER. Mr. Speaker, while we are discussing happy events and anniversaries, may I call to your attention the fact that a very distinguished Member on the Republican side of the House is today celebrating his birthday. During the long gruelling hours it has taken to prepare this tax bill he has given unsparingly of his valuable services and has manifested a degree of vigor and forcefulness that has been an inspiration to the younger members of the committee. This is his twenty-ninth year of service.

He is the ranking minority member of the Committee on Ways and Means, one of the most distinguished New England Members who have graced that position. He has won the admiration and respect, I feel certain, of every Member of this House. Those of us who have served with him in committee over a long period of years have recognized his ability and his fairness. I am sure the House will join with me in wishing the Honorable ALLEN T. TREADWAY many happy returns of the day.

EXTENSION OF REMARKS

Mr. MACIEJEWSKI. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a resolution adopted by the students of Nazareth Academy, located in my congressional district, relative to the work of the National Catholic Community Service.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent that on Thursday next, following the disposition of matters on the Speaker's desk, and at the conclusion of the legislative program of the day, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LESINSKI. Mr. Speaker, on Thursday, August 14, the gentleman from Michigan [Mr. HOFFMAN] made some remarks, and I do not find some of those words in the RECORD. I ask that there be delivered to my office that part of the official transcript of the stenographers' notes relative to these remarks of that day in order that I may study same, and I serve notice on the gentleman from Michigan that I shall speak of him and his duties in Congress.

EXTENSION OF REMARKS

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein two editorials from the Milwaukee Journal of September 14.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein the text of two letters I have written.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein an article on the subject of the morality of our entrance into this war.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 5146. An act to amend an act entitled "An act to authorize the Secretary of War to proceed with the construction of certain public works in connection with the War Department in the District of Columbia," approved June 15, 1938; and

H. J. Res. 196. Joint resolution authorizing the printing, with illustrations, of the proceedings of the national encampments of various veterans' organizations in the United States as separate House documents.

ADJOURNMENT

Mr. COCHRAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 23 minutes p. m.) the House adjourned until tomorrow, Wednesday, September 17, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on the following dates at 10 o'clock a. m. to consider the following bills:

Thursday, September 25, 1941:

H. R. 5509, to authorize the Secretary of the Treasury to requisition or purchase motorboats, yachts, and similar vessels for Coast Guard use.

Tuesday, September 30, 1941:

H. R. 5446, to establish a system of unemployment insurance for the maritime industry, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

899. A communication from the President of the United States, transmitting six supplemental estimates of appropriations for the fiscal year 1942 amounting to $3,032,300; and two drafts of proposed provisions pertaining to existing appropriations, for the Department of State (H. Doc. No. 375); to the Committee on Appropriations and ordered to be printed.

900. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Tennessee Valley Authority for the fiscal year 1942 in the amount of $40,000,000 (H. Doc. No. 376); to the Committee on Appropriations and ordered to be printed.

901. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill entitled "A bill to abolish the Guilford Courthouse National Military Park Commission, and for other purposes"; to the Committee on the Public Lands.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Military Affairs was discharged from the consideration of the bill (H. R. 4513) for the relief of Gladys Nelson, and the same was referred to the Committee on Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MAY:

H. R. 5653. A bill to extend, under certain conditions, the time for examination of monthly accounts covering expenditures by disbursing officers of the Army after the date of actual receipt by bureaus and offices of the War Department, and before transmitting the same to the General Accounting Office; to the Committee on Military Affairs.

By Mr. MAAS:

H. R. 5654. A bill for the purpose of correcting errors in the service of retired enlisted men of the Navy; to the Committee on Naval Affairs.

By Mr. RANDOLPH:

H. R. 5655. A bill to amend the District of Columbia Alcoholic Beverage Control Act, approved January 24, 1934, as amended, so as to provide for the filing of price lists and schedules on alcoholic beverages with the Alcoholic Beverage Control Board of the District of Columbia by all holders of manufacturer's, wholesaler's, and solicitor's licenses and for the suppression of secret rebates, discounts, and allowances; to the Committee on the District of Columbia.

By Mr. IZAC:

H. R. 5656. A bill to provide for the advancement of line officers on the retired list of the Navy who were retired pursuant to the provisions of the act of March 3, 1931; to the Committee on Naval Affairs.

By Mr. DOUGHTON:

H. J. Res. 235. Joint resolution to amend section 124 of the Internal Revenue Code by extending the time for applications and changing the procedure for certification of national-defense facilities and contracts for amortization purposes; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BROWN of Ohio:

H. R. 5657. A bill granting an increase of pension to Emma Cora White; to the Committee on Invalid Pensions.

By Mr. BLAND:

H. R. 5658. A bill for the relief of James Warren; to the Committee on Claims.

By Mr. EBERHARTER:

H. R. 5659. A bill for the relief of the Allegheny Forging Co.; to the Committee on Claims.

H. R. 5660. A bill for the relief of the Allegheny Forging Co.; to the Committee on Claims.

By Mr. WELCH:

H. R. 5661. A bill for the relief of Nicholas Aloysius Lopina; to the Committee on Naval Affairs.

By Mr. McMILLAN:

H. R. 5662. A bill for the relief of S. V. Causey, as the legal guardian of Grace Causey, widow; Betty, Tommie, and Mellie Causey, minor children of Lonnie Causey, deceased; to the Committee on Claims.

By Mr. SNYDER:

H. R. 5663. A bill granting a pension to Flora Turner; to the Committee on Invalid Pensions.

H. R. 5664. A bill granting an increase of pension to Annie M. Dill; to the Committee on Invalid Pensions.

By Mr. TARVER:

H. R. 5665. A bill for the relief of Johnston-Hall Hospital, Calhoun, Ga.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1807. By Mr. JOHNS: Petition signed by certain women and mothers of Green Bay, Wis., urging that the President and the Congress of the United States take every step possible to avoid and prevent the convoying of ships and the sending of American troops to any point outside of the Western Hemisphere; to the Committee on Foreign Affairs.

1808. By Mr. MARTIN J. KENNEDY: Petition of the community councils of the city of New York, favoring House bill 5269, introduced by Representative WILLIAM T. PHEIFFER; to the Committee on Rivers and Harbors.

1809. Also, petition of the Brotherhood of Railroad Shop Crafts of America, opposing the St. Lawrence River development, as proposed; to the Committee on Rivers and Harbors.

1810. Also, petition of the Brotherhood of Locomotive Engineers, opposing the St. Lawrence River development, as proposed; to the Committee on Rivers and Harbors.

1811. Also, petition of the Brotherhood of Railroad Trainmen, opposing the St. Lawrence River development, as proposed; to the Committee on Rivers and Harbors.

1812. By Mr. SMITH of Wisconsin: Petition of sundry laboring men of Kenosha, Wis., protesting against the placing of an additional burden on the laboring man by lowering the individual income-tax exemptions for both married and single persons; to the Committee on Ways and Means.

SENATE

WEDNESDAY, SEPTEMBER 17, 1941

Rev. Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

Lord God of our Fathers, who in the former time didst lead them through the valley and the shadow into the radiant light of victorious freedom, there to build a Nation upon sound principles taught of Thee: Accept, we beseech Thee, this our prayer of thanksgiving for Thy manifold mercies vouchsafed to them, and grant that on this sacred anniversary the people of America may dedicate anew unto Thee all that they are, all that they have, and all that they hope to be, to keep alive for all time and for all people the vision of freedom and equality, of peace and brotherhood which Thou hast revealed to Thy children.

Though clouds may lower and obscure the noonday sun, though storms of steel may lash a writhing world, vouchsafe us, O Lord, never to doubt that Thou who hast led us thus far wilt lead us to the end. And when the sky has cleared and the calm has come, grant, we beseech Thee, that divine Fatherhood may be our foundation and human brotherhood our law, and that in Thy peace, which passeth all understanding, mankind may know itself one family in Thee. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Monday, September 15, 1941, was dispensed with, and the Journal was approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Latta, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson one of its clerks, announced that the House had passed without amendment the bill (S. 1725) to authorize the sale of certain Indian lands to the city of Cut Bank, Mont.

The message also announced that the House had severally agreed to the amendments of the Senate to each of the following bills of the House:

H. R. 3484. An act to provide retirement pay and hospital benefits to certain Reserve officers, Army of the United States, disabled while on active duty; and

H. R. 5146. An act to amend an act entitled "An act to authorize the Secretary of War to proceed with the construction of certain public works in connection with the War Department in the District of Columbia," approved June 15, 1938.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5417) to provide revenue, and for other purposes.

The message also announced that the House had agreed to Senate Concurrent Resolution 16, as follows:

Resolved by the Senate (the House of Representatives concurring), That, in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Committee on Finance of the Senate be, and is hereby, authorized and empowered to have printed for its use 2,000 additional copies of the hearings held before said committee during the current session on the bill (H. R. 5417) entitled "Revenue Act of 1941."

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

H. R. 3484. An act to provide retirement pay and hospital benefits to certain Reserve officers, Army of the United States, disabled while on active duty;

H. R. 5146. An act to amend an act entitled "An act to authorize the Secretary of War to proceed with the construction of certain public works in connection with the War Department in the District of Columbia," approved June 15, 1938; and

H. J. Res. 196. Joint resolution authorizing the printing, with illustrations, of the proceedings of the national encampments of various veterans' organizations in the United States as separate House documents.

STATEMENT BY THE VICE PRESIDENT ON MEXICAN INDEPENDENCE DAY

Mr. BARKLEY. Mr. President, I ask unanimous consent to have printed in the RECORD a statement issued by the Vice President of the United States on the 16th of September regarding the one hundred and thirty-first anniversary of the Grito de Dolores, a celebration in Mexico.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Today, September 16, marks the one hundred and thirty-first anniversary of the Grito de Dolores—an event that launched our neighbors, the Mexican people, on their existence as an independent nation. On this glorious day in Mexican history—comparable to our own July 4—I desire to give expression to the feeling of genuine fellowship which we hold for our Mexican brothers, a feeling made all the more poignant now in this historic moment when our two nations have reasserted their common devotion to the ideals of freedom and justice which are threatened on every side. On my visit to Mexico, earlier in the year, I was deeply impressed by the genuine concern for inter-American solidarity that exists there. May our two nations continue to march forward in unity toward ever greater strength, as champions of the ideals which this solemn day symbolizes, namely, the dignity of the human being and the larger inter-American amity, of which the relations between our two countries are but one expression.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

APPLICABILITY OF WORKMEN'S COMPENSATION TO SEAMEN (S. Doc. No. 113)

A letter from the Acting Secretary of Commerce, transmitting, pursuant to Senate Resolution 299 (76th Cong.), a report of the Interdepartmental Committee to study workmen's compensation for seamen prepared by representatives of the Department of Commerce, the Department of Labor, the United States Maritime Commission, the United States Employees' Compensation Commission, and the Maritime Labor Board (with the accompanying report); referred to the Committee on Commerce and ordered to be printed.

DISPOSITION OF EXECUTIVE PAPERS

Letters from the Archivist of the United States, transmitting, pursuant to law, lists of

papers and documents on the files of the Departments of the Treasury, War, Justice (4), Interior, and Agriculture; the Interstate Commerce Commission, the Railroad Retirement Board, the Veterans' Administration, the Office of the Administrator, Federal Security Agency, the Social Security Board, Federal Security Agency, the Public Roads Administration, Federal Works Agency, and the Work Projects Administration, Federal Works Agency (6), which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS

Petitions were presented and referred as indicated:

By Mr. CAPPER:

Petitions, numerously signed, of sundry citizens of Arkansas City and Morrowville, in the State of Kansas, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. TYDINGS:

A petition of sundry citizens of Chestertown, Md., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. SCHWARTZ, from the Committee on Pensions:

H. R. 1030. A bill to provide increases of pension payable to dependents of veterans of the Regular Establishment, and for other purposes; with an amendment (Rept. No. 677);

H. R. 1091. A bill to grant pensions to certain unremarried dependent widows of Civil War veterans who were married to the veteran subsequent to June 26, 1905; without amendment (Rept. No. 678); and

H. R. 1095. A bill to amend the act of March 3, 1927, entitled "An act granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes"; without amendment (Rept. No. 679).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. KILGORE:

S. 1909. A bill granting a pension to Lulu Henrietta Holland; to the Committee on Pensions.

By Mr. McCARRAN:

S. 1910. A bill to restore the exemption from excess-profits tax for income derived from mining certain strategic metals; to the Committee on Finance.

By Mr. HATCH:

S. 1911. A bill granting an increase in pension to Ellsworth F. Bloodgood; to the Committee on Pensions.

By Mr. REYNOLDS:

S. 1912. A bill for the relief of James B. Lewis, Jarvis T. Mills, and Richard D. Peters; to the Committee on Claims.

(Mr. WHITE (for himself and Mr. BREWSTER) introduced Senate bill 1913, which was referred to the Committee on Commerce, and appears under a separate heading.)

By Mr. BARKLEY (for Mr. GLASS):

S. 1914. A bill to exempt strategic and critical materials from customs duties in certain cases, and for other purposes; to the Committee on Banking and Currency.

By Mr. WALLGREN:

S. 1915. A bill to assure conservation of and to permit the fullest utilization of the fisheries of Alaska, and for other purposes; to the Committee on Commerce.

WATER POLLUTION CONTROL

Mr. WHITE. Mr. President, on behalf of my colleague [Mr. BREWSTER] and myself, I introduce, for appropriate reference, a bill to create a division of water pollution control in the United States Public Health Service, and for other purposes.

I call the attention of the distinguished majority leader [Mr. BARKLEY] to the fact that the bill I am now introducing is patterned somewhat closely after legislation which he sponsored in a previous Congress. It also embodies some of the provisions found in a bill introduced by the Senator from Iowa [Mr. GILLETTE]. I think I should add that it contains provisions not found in either of the bills referred to.

I express the very earnest hope that the chairman of the Commerce Committee may refer the bill to the subcommittee which has been appointed, and to which the Gillette bill has been referred, in the hope that the bill may be considered by that subcommittee at the same time it studies and considers the Gillette bill.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 1913) to create a Division of Water Pollution Control in the United States Public Health Service, and for other purposes, was read twice by its title and referred to the Committee on Commerce.

PROMOTION OF MEMBERS OF OFFICERS' RESERVE CORPS—AMENDMENT

Mr. REYNOLDS submitted an amendment intended to be proposed by him to the bill (S. 1058) to provide for the promotion of members of the Officers' Reserve Corps, which was referred to the Committee on Military Affairs and ordered to be printed.

EDITORIAL BY RICHARD B. SCANDRETT, JR., IN SURVEY GRAPHIC

Mr. GUFFEY. Mr. President, I have in my hand an editorial published recently in the Survey Graphic, a monthly magazine devoted to social welfare. The editorial was written by Richard B. Scandrett, Jr., a nephew of the late Dwight Morrow and cousin of Mrs. Anne Morrow Lindbergh. I hope that every appeaser and isolationist in the United States will read this editorial. I ask that it be printed in the RECORD as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Survey Graphic]

DO APPEASERS LACK FAITH IN FUTURE OF DEMOCRACY?

(By Richard B. Scandrett, Jr., President of Survey Associates)

During more than 150 years as a Republic, we have marched steadily ahead. We are far short of achieving a millenium, an economic, political, or social Utopia. But we have put our roots down deep, and these roots have grown fruit, ripening into the thought and institutions of our American civilization.

We have conquered Nature and made great strides in science and invention. We have created higher and higher standards of living, striving toward equality of opportunity, seeking to eliminate inequalities caused by accident of birth and handicaps of inadequate education and health.

We have accomplished this much because we have had faith in ourselves and in our future. We can accomplish even more, if we continue to believe in ourselves and in human progress.

Only when faith has wavered, has our progress been retarded. We need to ask ourselves today: Is our faith strong enough? Can we hold on to it? Because without faith, airplanes, battleships, and all the machinery of a war won't help us. Without faith, we shall generate our own downfall, quite apart from Hitler and his crusade for a "new world order."

KINSHIP WITH PEOPLE

To have faith in ourselves, we must have confidence in the Chief Executive of our democracy. The head of a democracy must be a man who, above all, has understanding and kinship with the average man. And I believe our present Chief Executive has that fundamental quality.

Those Presidents who have contributed most to our democratic progress have been courageous interpreters of public opinion rather than leaders. They certainly have not been "leaders" as the word is used in Germany and in Italy. That kind of leadership is a survival of feudalism and has no place in a dynamic democracy.

Those, like Lindbergh and WHEELER, who cry out for "new leadership" in this country are disciples of fascism, whether they know it or not. They have little faith in democracy and have accepted the dogma that "the people are sheep."

The powers of the President of the United States stem directly from all the people, and the leadership vested in him is the leadership of the people themselves. That is democracy.

LINCOLN UNDERSTOOD

One cannot read Sandburg's War Years without the deep appreciation that Lincoln understood this better than any of our Presidents. He had a steadfast faith in the people, and they, in turn, believed in him. He shared with them their common virtues and their common faults. He knew their hopes, their fears, their courage, and capacity for sacrifice, and their weaknesses. His mistakes were their mistakes. His victories were their victories. At his tragic death he bequeathed to the American people a reservoir of faith in democracy such as no nation had ever known.

The next time you listen to those who demand a "change in leadership" don't believe their glib talk about freedom. They are more than willing to destroy it. They are more than ready to appease the dictators. In one breath they prate of the sanctity of our Constitution, and in the next they

deny faith in the considered and collective judgment of the people, in their capacity to govern themselves.

For these reasons: They recoil from the logical evolution of the democratic process. They are horrified rather than pleased by the desire for social reform that has been growing steadily in this country since the beginning of the century. Like the Chamberlains and the Daladiers, their thinking is influenced by a fear of social change—by the fear that our Government may become more and more a government of, for, and by the people.

THEY HELP HITLER

Many of these appeasers have no conscious desire to help Hitler satisfy his lust for power; nor were all those whose minds went along with Chamberlain and Daladier intentional enemies of their countries. Yet they contributed to Britain's jeopardy and to France's downfall.

We would do well to repeat the lesson of France until we learn it by heart: France wasn't overcome by planes and tanks and guns alone. She was conquered internally by the undermining of her faith in herself—long before the invasion of Poland.

In spite of the appeasers in England, faith was too strong to suffer the same fate. Today the people of England are united in faith. They have buried their internal fears and hates. They have united against the danger of a Nazi scourge—a danger which has stirred in them a frenzy and loyalty to the cause of freedom.

I believe, in spite of the appeasers here, we are strong in faith, too. I believe that the preponderant majority of the people of America recognize the issue that faces all free peoples today. I believe that they, too, are burying their internal fears and hates, and are uniting to defend human freedom and human dignity as cornerstones of our democratic way of life.

ADDRESS BY SENATOR BURTON BEFORE AMERICAN LEGION CONVENTION

[Mr. BURTON asked and obtained leave to have printed in the RECORD an address delivered by him on September 15, 1941, before the national convention of the American Legion at Milwaukee, Wis., which appears in the Appendix.]

ARTICLE BY SENATOR REYNOLDS ON THE WEAK LINKS IN OUR DEFENSE

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article by him entitled "The Weak Links in Our Defense," published in the American magazine for September 1941, which appears in the Appendix.]

LIBERTY, EQUALITY, FRATERNITY—ADDRESS BY NICHOLAS MURRAY BUTLER

[Mr. WALSH asked and obtained leave to have printed in the RECORD an address entitled "Liberty, Equality, Fraternity," delivered by Nicholas Murray Butler at the Parrish Memorial Art Museum, Southampton, Long Island, August 31, 1941, which appears in the Appendix.]

COL. CHARLES A. LINDBERGH—EDITORIAL FROM ATLANTIC CITY DAILY WORLD

[Mr. SMATHERS asked and obtained leave to have printed in the RECORD an editorial entitled "An Invitation to Laughter," published in the Atlantic City Daily World, which appears in the Appendix.]

NATIONAL YOUTH ADMINISTRATION—ADDRESS BY AUBREY WILLIAMS

[Mr. SCHWARTZ asked and obtained leave to have printed in the RECORD a radio address by Aubrey Williams, Administrator of the National Youth Administration, relative to the help rendered American youth by the N. Y. A., which appears in the Appendix.]

A UNITED AMERICA—EDITORIAL FROM ST. LOUIS GLOBE-DEMOCRAT AND ILLINOIS STATE REGISTER

[Mr. LUCAS asked and obtained leave to have printed in the RECORD an editorial entitled "A United America," published in the St. Louis Globe-Democrat and the Illinois State Register, which appears in the Appendix.]

POEM BY HORACE CARLISLE

[Mr. BILBO asked and obtained leave to have printed in the RECORD a poem by Horace Carlisle entitled "Wisdom's Warning to a War-Weary World," which appears in the Appendix.]

REVENUE ACT OF 1941—CONFERENCE REPORT

Mr. GEORGE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5417) to provide revenue, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 39, 41, 49, 54, 56, 63, 64, 65, 79, 91, 93, 94, 111, 117, 119, 120, 121, 125, 126, 128, 130, 131, 132, 134, 135, 136, 144, 163, and 164.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 43, 44, 45, 46, 47, 48, 50, 51, 52, 53, 59, 61, 62, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 95, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 112, 113, 114, 115, 116, 122, 123, 127, 129, 133, 138, 139, 140, 141, 142, 146, 147, 148, 149, 150, 151, 152, 153, 154, 156, 157, 158, 159, 160, and 161; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"Table of contents

"Title I—Individual and Corporation Income Taxes

"SEC. 101. Surtax on individuals.
"SEC. 102. Optional tax on individuals with certain gross income of $3,000 or less.
"SEC. 103. Corporation defense tax rates incorporated in rate schedules.
"SEC. 104. Surtax on corporations and termination of defense tax.
"SEC. 105. Tax on nonresident alien individuals.
"SEC. 106. Tax on foreign corporations.
"SEC. 107. Withholding of tax at source.
"SEC. 108. Treaty obligations.
"Sec. 109. Reduction in pursuance of treaties of rates of tax and withholding on nonresident alien individuals resident, in and corporations organized under laws of, Western Hemisphere countries.
"Sec. 110. Defense tax rates on personal holding companies and transfers to avoid income tax incorporated in rate schedules.
"Sec. 111. Personal exemption.
"Sec. 112. Returns of income tax.
"Sec. 113. Credit for defendents.
"Sec. 114. Noninterest-bearing obligations issued at discount.
"Sec. 115. Short-term obligations issued on a discount basis.
"Sec. 116. Information returns with respect to Federal obligations.
"Sec. 117. Extension of time of orders of Securities and Exchange Commission.
"Sec. 118. Taxable years to which amendments applicable.

"Title II—Excess Profits Tax

"Sec. 201. Excess-profits tax rates and credits.
"Sec. 202. Deductions of excess-profits tax.
"Sec. 203. New capital.
"Sec. 204. Corporations engaged in mining strategic metals.
"Sec. 205. Taxable years to which amendments applicable.

"Title III—Capital Stock Tax and Declared Value Excess-Profits Tax

"Sec. 301. Capital stock tax.
"Sec. 302. Declares value excess-profits tax—Defense tax rates incorporated in rate schedule.

"Title IV—Estate and Gift Taxes

"Sec. 401. Estate tax rates.
"Sec. 402. Gift tax rates.

"Title V—Excise Taxes

"Part I—1932 excise taxes made permanent

"Sec. 501. 1932 excise taxes made permanent.
"Sec. 502. Pipe line tax.
"Sec. 503. Technical amendment.
"Sec. 504. Bond tax.
"Sec. 505. Conveyance tax.

"Part II—Defense tax rates made permanent (no increase in tax and no change in basis of tax)

"Sec. 521. Defense excise tax rates made permanent which are not increased by this Act.

"Part III—Increases in rates of existing excise taxes

"Sec. 531. Playing cards.
"Sec. 532. Safe deposit boxes.
"Sec. 533. Distilled spirits.
"Sec. 534. Wines.
"Sec. 535. Tires and tubes.
"Sec. 536. Effective date of Part III.

"Part IV—Changes in basis of computing tax (rates increased in certain cases)

"Sec. 541. Admissions tax.
"Sec. 542. Cabaret, roof garden, etc., tax.
"Sec. 543. Club dues.
"Sec. 544. Automobile, truck, bus, and parts tax.
"Sec. 545. Radios, phonographs, records, and musical instruments.
"Sec. 546. Mechanical refrigerators.
"Sec. 547. Matches.
"Sec. 548. Telephone, telegraph, etc.
"Sec. 549. Installment, etc., payments.
"Sec. 550. Effective date of Part IV.

"Part V—New excise taxes

"Sec. 551. New manufacturers' excise taxes.
"Sec. 552. New retailers' excise taxes.
"Sec. 553. Administrative changes in manufacturers' excise tax title of Code.
"Sec. 554. Transportation of persons, etc.
"Sec. 555. Coin-operated amusement and gaming devices.
"Sec. 556. Bowling alleys, etc.
"Sec. 557. Use of motor vehicles and boats.
"Sec. 558. Effective date of Part V.

"Part VI—Processing tax on certain oils

"Sec. 561. Payment of proceeds of processing tax to Guam and American Samoa.

"Title VI—Nonessential Federal Expenditures

"Sec. 601. Nonessential Federal expenditures.

"Title VII—Credit Against Federal Unemployment Taxes

"Sec. 701. Credit against Federal unemployment taxes."

And the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted

by the Senate amendment insert the following:

"Sec. 117. Extension of time of orders of Securities and Exchange Commission.

"(a) Extension: Section 373 (a) of the Internal Revenue Code (relating to the definition of orders of the Securities and Exchange Commission with respect to which Supplement R applies) is amended to read as follows:

"'(a) The term "order of the Securities and Exchange Commission" means an order (1) issued after May 28, 1938, and prior to January 1, 1943, by the Securities and Exchange Commission to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, 49 Stat. 820 (U. S. C., Supp. V, Title 15, section 79k (b)), or (2) issued by the Commission subsequent to December 31, 1942, in which it is expressly stated that an order of the character specified in clause (1) is amended or supplemented, and (3) which has become final in accordance with law.'

"(b) Effective date of amendment: The amendment made by this section shall be applicable only with respect to taxable years beginning after December 31, 1939."

And the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "118"; and the Senate agree to the same.

Amendment numbered 55: That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "205"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(c) Returns for 1941: Section 1203 (b) (2) of the Internal Revenue Code (relating to extensions of time for filing capital-stock tax returns) is amended by inserting at the end thereof the following: 'With respect to the year ending June 30, 1941, the extension may be for not more than 90 days.'"

And the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "(d)"; and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"Sec. 302. Declared value excess profits tax—defense tax rates incorporated in rate schedule.

"(a) Rates: Section 600 of the Internal Revenue Code (relating to rate of declared value excess profits tax) is amended as follows:

"(1) By striking out the heading '(a) General rule.—';

"(2) By amending the rate schedule to read as follows:

"'6⅞ per centum of such portion of its net income for such income-tax taxable year as is in excess of 10 per centum and not in excess of 15 per centum of the adjusted declared value;

"'13¾ per centum of such portion of its net income for such income-tax taxable year as is in excess of 15 per centum of the adjusted declared value.'; and

"(3) By repealing subsection (b) (relating to defense tax for five years).

"(b) Effective date: This section shall be effective only with respect to income-tax taxable years ending after June 30, 1941."

And the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "30 cents"; and the Senate agree to the same.

Amendment numbered 96: That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment, as follows:

In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"'(1) (A) In the case of each telephone or radio telephone message or conversation which originates within the United States, for which the charge is more than 24 cents, a tax of five cents for each 50 cents, or fraction thereof, of the charge.

"'(B) In the case of each telegraph, cable, or radio dispatch or message which originates within the United States, a tax of 10 per centum of the amount of the charge.

Only one payment of a tax imposed by subparagraph (A) or (B) shall be required notwithstanding the lines or stations of one or more persons are used in the transmission of such dispatch, message, or conversation.

"'(2) (A) A tax equivalent to 10 per centum of the amount paid for leased wire, teletypewriter, or talking circuit special service.

"'(B) A tax equivalent to 5 per centum of the amount paid for any wire and equipment service (including stock quotation and information services, burglar alarm or fire alarm service, and all other similar services, but not including service described in subparagraph (A)).'"

And the Senate agree to the same.

Amendment numbered 97: That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "6 per centum"; and the Senate agree to the same.

Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"'(10) Electric light bulbs and tubes: Electric light bulbs and tubes, not including articles taxable under any other provision of this subchapter, 5 per centum."

And the Senate agree to the same.

Amendment numbered 124: That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment, as follows: Restore the matter proposed to be stricken out by the Senate amendment and on page 68, line 15, of the House bill before the period insert a comma and the following: "or to a fountain pen if the only parts of the pen which consist of precious metals are essential parts not used for ornamental purposes"; and the Senate agree to the same.

Amendment numbered 137: That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment, as follows: On page 41, line 17, of the Senate engrossed amendments strike out "2408" and insert "2409"; on page 72, line 11, of the House bill strike out "2409" and insert "2410"; and on page 72, line 15, of the House bill strike out "2410" and insert "2411"; and the Senate agree to the same.

Amendment numbered 143: That the House recede from its disagreement to the amendment of the Senate numbered 143, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"(d) Credits, and tax free sales of automobile radios: Section 3442, section 3443 (a) (1), and section 3444 (a) (1) and (2) of the Internal Revenue Code (relating to tax in case of sale of tires to manufacturers of automobiles, etc., and credit on sale) are amended by striking out 'tires or inner tubes,' wherever appearing therein and inserting 'tires, inner tubes, or automobile radios taxable under section 3404'; and by striking out 'tire or inner tube' wherever appearing therein and inserting 'tire, inner tube, or automobile radio taxable under section 3404'. Section 3403 (c) of the Internal Revenue Code, as amended by this Act, is further amended by striking out 'tires and inner tubes' where the phrase appears the first time and inserting 'tires, inner tubes, or automobile radios'; paragraph (1) of subsection (c) of such section is amended by inserting before the semicolon 'or, in the case of automobile radios, if such radios were taxable under section 3404'; paragraph (2) of subsection (c) of such section is amended by striking out 'tires or inner tubes' wherever such phrase appears and inserting 'tires, inner tubes, or automobile radios'."

And the Senate agree to the same.

Amendment numbered 145: That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "October 10, 1941"; and the Senate agree to the same.

Amendment numbered 155: That the House recede from its disagreement to the amendment of the Senate numbered 155, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "There are authorized to be appropriated such sums as may be necessary to enable the Secretary of the Treasury to advance from time to time to the Postmaster General such sums as the Postmaster General may show shall be required for the expenses of the Post Office Department in performing in the District of Columbia and elsewhere all services required by this section." And the Senate agree to the same.

Amendment numbered 162: That the House recede from its disagreement to the amendment of the Senate numbered 162, and agree to the same with an amendment, as follows: On page 51, lines 8 and 9 of the Senate engrossed amendments strike out "and miscellaneous amendments"; and the Senate agree to the same.

WALTER F. GEORGE,
DAVID I. WALSH,
ALBEN W. BARKLEY,
ARTHUR CAPPER,
JAMES J. DAVIS,
Managers on the part of the Senate.

R. L. DOUGHTON,
THOS. H. CULLEN,
JERE COOPER,
JOHN W. BOEHNE, JR.,
ALLEN T. TREADWAY,
HAROLD KNUTSON,
DANIEL A. REED,
Managers on the part of the House.

Mr. GEORGE. I ask unanimous consent for the present consideration of the conference report.

Mr. McNARY. Mr. President, the first request is made for unanimous consent for the consideration of the report; I have no objection to that, but, before it is considered, I should like to have a full explanation from the able Senator in charge of the report.

Mr. GEORGE. I will be very glad to explain the report.

The VICE PRESIDENT. Is there objection to the present consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

Mr. McNARY. Mr. President, in view of the unusual importance of the report, I think we should have a quorum present. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Andrews	Hayden	Reynolds
Ball	Herring	Rosier
Barbour	Hill	Schwartz
Barkley	Hughes	Smathers
Bilbo	Johnson, Colo.	Smith
Bulow	Kilgore	Spencer
Burton	La Follette	Thomas, Okla.
Byrd	Lucas	Thomas, Utah
Capper	McCarran	Tobey
Caraway	McFarland	Tunnell
Clark, Idaho	McKellar	Tydings
Davis	McNary	Vandenberg
Downey	Maloney	Van Nuys
Eastland	Murray	Wallgren
George	O'Mahoney	Walsh
Gillette	Overton	White
Guffey	Peace	Wiley
Gurney	Pepper	
Hatch	Radcliffe	

Mr. McNARY. The Senator from Vermont [Mr. AIKEN], the Senator from Vermont [Mr. AUSTIN], the Senator from Maine [Mr. BREWSTER], the Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. BUTLER], the Senator from Connecticut [Mr. DANAHER], the Senator from Oregon [Mr. HOLMAN], the Senator from North Dakota [Mr. LANGER], the Senator from Massachusetts [Mr. LODGE], the Senator from North Dakota [Mr. NYE], the Senator from Kansas [Mr. REED], the Senator from Minnesota [Mr. SHIPSTEAD], the Senator from Ohio [Mr. TAFT], the Senator from Idaho [Mr. THOMAS], and the Senator from Indiana [Mr. WILLIS] are necessarily absent.

The VICE PRESIDENT. Fifty-five Senators have answered to their names. A quorum is present.

Mr. GEORGE. Mr. President, the conference report on the tax bill has been approved by the House, and is now before the Senate. I think it is important that the principal changes made in the bill by the conference committee be noted.

The total yield under the Senate bill would have been $3,541,200,000. Under the conference agreement the total yield is expected to be $3,553,400,000. Under the House bill the total yield would have been $3,216,400,000. The principal amendment made by the Senate to bring the House bill over $3,500,000,000 was the one lowering the exemptions to $750 in the case of a single person and $1,500 in the case of a married person. This amendment is estimated to yield additional revenue of $303,700,000, of which $47,000,000 will come from new taxpayers and $256,000,000 from the old taxpayers. Only $10,000,000 of this total is expected to come from taxpayers who for the first time will be required to make returns. The House conferees accepted this amendment without change. The House conferees also accepted the Senate amendment permitting taxpayers with incomes of $3,000 or less from wages, salaries, royalties, and so forth, to compute their tax by a simplified method and on a simplified form.

The Senate amendment which eliminated the 10-percent pentalty on corporations using the invested-capital method which had low earnings in the base period was also agreed to by the House conferees.

The Senate amendments integrating the defense tax with the basic tax and the amendment increasing the surtax on corporations were also agreed to by the House conferees.

With respect to the admissions tax, there were concessions on both sides. The House conferees agreed to the Senate amendments which eliminated exemptions for admissions under 10 cents except with respect to children under 12 years of age. We were forced to recede from the Senate provision permitting children under 18 years of age to pay the admissions tax on the price actually charged for their admission instead of upon the established price when the admission charged was 10 cents or more.

We were also compelled to recede with respect to the Senate amendments restoring the exemptions provided under existing law for religious, educational, or charitable entertainments, agricultural fairs, concerts conducted by certain civic or community membership associations, and admissions to entertainments conducted by public or parochial elementary or high schools.

These exemptions, which were restored by the Senate, with the one added amendment to which reference was last made, the House conferees definitely opposed; and, as a result, the amendments were eliminated.

The House conferees agreed to the Senate amendment taxing brandy at the $4 rate applied to other distilled spirits, with corresponding increase in the floor stocks tax on brandy.

So far as the tax on wines and cordials is concerned, a compromise was agreed to. Under the compromise agreement we accepted the House rate of 8 cents on still wines containing not more than 14 percent of absolute alcohol. On still wines containing more than 14 percent and not exceeding 21 percent of alcohol, the rate under the House bill was 24 cents and under the Senate bill was 35 cents a gallon. The conference agreement fixed this rate at 30 cents. The House agreed to the Senate rate of 65 cents with respect to still wines containing more than 21 percent and not exceeding 24 percent of alcohol.

The House conferees agreed to the Senate rates on artificially carbonated wines and on liqueurs, cordials, and similar compounds.

The House conferees agreed to the Senate amendments eliminating the billboard tax, the tax on radio broadcasting, and the tax on soft drinks.

The Senate amendments with respect to telephone, telegraph, and cable dispatches, and so forth, were agreed to with the following exceptions:

The exemption under the Senate bill of burglar or fire-alarm service from the 5 percent tax with respect to amounts paid for wire and equipment service was eliminated. The tax on local telephone bills which was fixed under the Senate amendment at 10 percent was reduced to 6 percent.

We were forced to recede on the Senate amendment exempting from the sporting goods tax artificial lures, baits, and flies.

So far as washing machines are concerned, we were compelled to accept the provisions of the House bill taxing only washing machines of the kind used in commercial laundries. The Senate amendment applied the tax to all washing machines.

Under the conference agreement, the manufacturers' excise tax on electric light bulbs was reduced from 10 percent to 5 percent. The House conferees agreed to the Senate amendment extending the tax on electrical appliances to include gas or oil water heaters and gas or oil appliances used for cooking, warming, and so forth.

So far as the jewelry tax is concerned, we were unable to get the House conferees to agree to a tax on the manufacturer. The agreement restores the retail tax contained in the House bill but carried with it an amendment containing the exemption of the Senate amendment as to fountain pens if the only parts of the pen which consist of precious metals are points or other essential parts not used for ornamental purposes.

In regard to the cosmetics tax, the Senate amendment eliminated the necessity of requiring beauty parlors and barber shops to keep records, was adopted. Under this amendment, sales of toilet preparations to such establishments were treated as sales at retail instead of the use of such preparations by such establishments being treated as sales at retail.

The Senate amendment which prohibited under penalty the making of any statement, written or oral, in advertisement or otherwise intended or calculated to lead any person to believe that the price does not include the tax was agreed to.

The Senate amendments as to pinball and other gaming or amusement machines were agreed to. This was also true with respect to the Senate amendment reducing the tax on the operation of a bowling alley, billiard table, or pool table from $15 to $10.

The House conferees also agreed to the Senate amendment exempting soldiers and sailors from the transportation tax.

We were forced to recede on the Senate amendment permitting an annual declaration of the capital-stock tax, but did retain the Senate amendment granting an additional extension of 30 days for the filing of the capital-stock tax return for the fiscal year ended June 30, 1941.

We were forced to recede on the Senate amendment providing for a differential in the case of nonbeverage alcohol. The Treasury objected to this amendment on the ground that it would entail a great

administrative burden on and expense to the Treasury.

The Senate amendment eliminating the retroactive tax with respect to taxes on installments was agreed to, as well as the Senate amendment providing a refund of the tax on motion-picture films used or resold for use in the making of news-reel motion-picture films.

The Senate amendment allowing a taxpayer further time within which to make payments into an unemployment fund under a State law and obtain credit against Federal unemployment tax for 1936, 1937, 1938, 1939, and 1940 was agreed to by the House conferees.

The Senate amendment, exempting from the tax or use of boats, boats used exclusively for trade, and so forth, was agreed to. This was also true with respect to the exemption of boats used by the Sea Scouts Department of the Boy Scouts of America.

The conferees were sympathetic with the purpose of the amendment offered by the Senator from Connecticut [Mr. DANAHER] relating to appropriations available to the Social Security Board for grants to the States for unemployment-compensation administration. However, due to the difficulties in working out a suitable provision, action on the merits was deferred with the understanding that it would be considered in a later bill.

The Senate amendment establishing a committee to investigate nonessential Federal expenditures was agreed to.

The Senate amendment providing that taxes collected with respect to the processing of coconut oil originating in Guam or American Samoa shall be held as separate funds and paid to their treasuries was agreed to.

Mr. President, with respect to the amendment of the Senate which restored the exemption from the payment of excess-profits taxes by the producers of certain strategic metals, the Senate conferees were compelled to recede, and in that respect the conference report is identical with the bill as it originally passed the House.

On this question I may say that the Senate conferees insisted, on each day of the conference, upon the acceptance of the amendment, for reasons which are very well known to all Senators who are interested in the question. Even on the last day of the conference, on Monday of this week, the question was again reopened for discussion, but the Senate conferees were unable to persuade the House conferees to accept the amendment. So the strategic metals, seven in number, which were exempted in the Excess Profits Tax Act of 1940, are now subject to the excess-profits tax.

Mr. HAYDEN. Mr. President, will the Senator yield?

Mr. GEORGE. I will yield in a moment. I may say further that the House conferees, at least some of them, insisted very strongly that whatever profits were made by the producers of the seven strategic metals, or any of them, would accrue from defense contracts with the Government itself, and for that reason, among others, they very strongly insisted that the producers of strategic metals should be subject to the excess-profits tax, as are other corporate producers.

I yield to the Senator.

Mr. HAYDEN. The inquiry I should like to make is whether the attitude of the House conferees was supported by the Treasury. We had hoped we had persuaded the Treasury that the need for these metals was so great, particularly upon representations made by the Office of Production Management, that their production should be encouraged. There was the further fact that, by reason of the exemption heretofore granted, there were those who had expended money on mines and plants and production, and it seemed bad faith to remove the exemption.

Mr. GEORGE. The Senate conferees presented all those arguments, and the Senate conferees as a whole believed very strongly in the merits of the amendment. The Treasury resisted it, and objected to it, largely upon the ground that exceptions always give rise to certain trouble in administration, and upon the general ground that exceptions to liability for excess-profits taxes could not be justified in any case. That was the broad position taken by the Treasury.

I shall be through with the formal statement after calling attention to certain administrative amendments which were considered by the Senate and which were inserted in the bill in the Senate.

It will be recalled that at the time these several amendments were offered the committee strongly insisted that, since the House had not considered administrative or technical amendments, and since the House conferees themselves, as well as other members of the House Ways and Means Committee, would be embarrassed if administrative amendments were put into the bill and agreed to by the House conferees, it was inadvisable to offer them.

It may be appropriate for me to comment specially on the so-called administrative amendments with respect to which the Senate conferees receded. These amendments are amendments numbered 39, 41, 57, 63, 64, and 164. The House and Senate conferees were in general agreement on the policy of these amendments. It was finally agreed, however, that the subject matter thereof, insofar as legislation is necessary, might better be considered in connection with the administrative bill next month, or the month thereafter.

Amendment No. 39, dealing with alimony and separate maintenance payments, provided that periodical payments of alimony or for separate maintenance should be included in the gross income of the recipient and deducted from the gross income of the payer. Likewise, the amendment provided that alimony and separate maintenance trust income should be taxed to the beneficiary rather than to the grantor. The amendment was recommended to the Senate by the Finance Committee, and I believe, is sound in policy. I trust that it will receive favorable consideration later.

Amendment No. 41 was intended to allow deductions for expenditures in connection with the protection of investments and the production of income, regardless of whether they relate to the taxpayer's trade or business. According to the Supreme Court's decision in *Higgins* v. *Commissioner* (312 U. S. 212), these expenditures are not deductible under present law. The conference committee and the Treasury experts, as I understand them, were in agreement that the law should be amended to permit the deduction of these and similar expenditures.

Amendment No. 57, providing for an annual redeclaration of value for capital stock tax purposes, is unquestionably a desirable provision. The taxpayer should not, in these times at least, be required to guess on future earnings for more than a year ahead. I hope the provision will be included in the next bill. The Senate provision granting authority to extend for an additional 30 days the time for filing returns for the current year was agreed to.

Amendment No. 64 added a new sentence to section 812 (d) of the Internal Revenue Code relating to the deduction of charitable bequests for estate-tax purposes. It provided that the deduction shall include amounts passing under a charitable bequest as the result of a renunciation of some other specific bequest by another beneficiary, regardless of the date of the decedent's death. When the amendment was introduced on the Senate floor, the senior Senator from North Carolina [Mr. BAILEY], who offered the amendment, and I recognized that it probably was merely declaratory of existing law. The Treasury representatives agree, as I understand their position, that section 812 (d) of the present law clearly covers a case in which a simple bequest, involving no power of appointment in the beneficiary, has been validly renounced by the beneficiary, with the result that the property falls into the residuary estate which is transferred to charity under the will. However, as indicated in the statement of the managers on the part of the House, the Treasury officials felt that further consideration would be required in order to determine the necessity for and the propriety of additional legislation to cover a case in which the beneficiary possesses a power of appointment, which, in effect is exercised through his renunciation; or a case in which the renunciation has been delayed for such a period of time that it is ineffective under the applicable State law, with the result that under the State law the bequest is deemed to have vested in the beneficiary prior to his renunciation. I personally doubt the wisdom of covering these two classes of cases under section 812 (d). Inasmuch as the simple case of a legacy which has been validly renounced under State law is apparently within the section, it is questionable whether further legislation should be considered.

Amendment No. 164 added a clarifying sentence to section 401 of the Second Revenue Act of 1940 which suspends the profit-limiting provisions of the Vinson Act in respect of contracts completed after the beginning of the taxpayer's first excess-profits-tax year. The amendment provided that, for the purposes of section 401, a contract shall be deemed to be completed on the date on which

final delivery and acceptance is made. Although there was some discussion in conference as to the determination under section 401 of the date on which a contract is completed, it is obvious that a contract is not completed so long as some part of the work called for by the contract remains to be done, even though there has been delivery and preliminary acceptance. The earliest date on which a contract could be considered to be completed, within the meaning of section 401, is the date on which all the work called for by the contract is completed. The action of the Senate and the Congress in the enactment of the Vinson Act and of section 401 certainly forecloses the use of an earlier date. By reason of probable difficulties in some cases in determining this date, however, it may be that a later date, such as the termination of the guaranty period, or the date of final acceptance by the Government, or perhaps a special date, must be fixed, such as the date of final settlement with the contractor, in those cases in which he does not complete the work. It would seem that a proper interpretation of the present law should be agreed upon by the administrative officials. Unless the question is settled satisfactorily by administrative action, however, a clarifying amendment along the lines of amendment No. 164, included in the administrative bill, may become necessary and will be in order in the administrative bill.

I should add that with respect to this amendment the Treasury itself did not express vital concern. Under existing law the burden largely rests upon the heads of other departments of the Government.

Mr. President, if any Senator has any questions to ask, I shall be pleased to answer them if I can.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. GEORGE. I yield.

Mr. LUCAS. I have attempted to follow the Senator in the course of his remarks on the bill. In my section of the country there seems to be a considerable amount of confusion on the question of the floor-stock tax upon jewelry. I wonder what the conferees did with regard to that question.

Mr. GEORGE. The floor-stock tax on jewelry was eliminated. The Senate conferees receded from the amendment offered by the distinguished Senator from North Carolina [Mr. BAILEY] fixing a 15-percent manufacturers' tax on jewelry. The House provision for a 10-percent retail tax was restored and the floor-stock tax was eliminated.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. TYDINGS. What was the situation with reference to the exemption of alcohol used in food and drugs?

Mr. GEORGE. Nonbeverage alcohol?

Mr. TYDINGS. Nonbeverage alcohol.

Mr. GEORGE. I do not know whether the Senator was present during the early part of my statement.

Mr. TYDINGS. I was not.

Mr. GEORGE. I stated that the Senate conferees as a whole believed that the amendment was meritorious, and strongly insisted upon its adoption by the conference. The House conferees were opposed to it. The Treasury was pronounced in its opposition to the amendment because of greatly increased administrative difficulties and costs.

I may say to the Senator that I personally regretted the disagreement of the House conferees to this amendment on nonbeverage alcohol, the strategic minerals amendment, and the amendment giving corporations the right to declare an annual capital-stock value.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. GEORGE. Yes; I shall be glad to yield.

Mr. TYDINGS. As I pointed out on the floor of the Senate when the amendment was adopted, on $1,200 worth of nonbeverage alcohol the tax is $21,000 under the old law—$21,000 on $1,200 worth of alcohol. As the law now stands, of course, the tax will be increased to about $28,000 on $1,200 worth of nonbeverage alcohol. I do not think we need any enlargement on that statement as to the merit of the amendment; and I only bring it up again in the hope that when the new tax bill is introduced, as I understand one probably will be in the not-far-distant future, the Senator will use his good offices in line with what has been said, and will try to bring relief to an industry that is taxed about eight times the cost of the material it needs.

Mr. GEORGE. I agree with the Senator. In other countries, so far as I have been informed, alcohol used for the purpose of preserving foods and for the purpose of making and preserving drugs is treated differently from beverage alcohol. The Senate Finance Committee and the Senate conferees were strongly of the view that the provisions inserted in the amendment itself, which provided for a refund of the difference between the $4 rate under the bill and the $3 rate imposed by existing law, were sufficient to obviate the administrative difficulties and the great expense which the Treasury experts assured us would be incurred if the amendment remained in the bill. By requiring the taxpayer to pay the tax and then secure relief by way of a claim for refund, the necessity for an elaborate permit procedure to prevent avoidance of the tax was, in our opinion, eliminated. But the House conferees refused to accept this amendment.

Mr. McCARRAN. Mr. President, I desire to address myself very briefly to one item of the conference report; namely, strategic metals, as that subject was dealt with in amendment numbered 54 on page 49 of the bill.

It seems to me exceedingly unfortunate that the amendment which the senior Senator from Nevada offered, and which was adopted by the Committee on Finance and by the Senate, striking out the language of the House bill with regard to excess-profits tax on strategic metals, should not have been retained in the bill. The elimination of the amendment from the bill sets up an unhappy situation in this country. Today we are striving to encourage the discovery and development of metals and minerals essential to national defense. With that in mind, the 1940 tax act carried provisions for exempting from excess-profits tax mines and mining of seven strategic metals and minerals; namely, tungsten, quicksilver, manganese, platinum, antimony, chrome, and tin.

It is rather interesting to note what States are affected by the exemption from excess-profits tax of the mining of these strategic metals. For the benefit of the Senate, let me say that the States of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, South Dakota, Utah, Washington, Wyoming, Alabama, Arkansas, Georgia, Minnesota, North Carolina, Pennsylvania, South Carolina, Tennessee, Texas, and Virginia all are affected, because in the States named strategic metals are found and mined.

In that regard, let me say that tungsten, one of the strategic metals, is found in Arizona, California, Colorado, Idaho, Montana, Nevada, Utah, Washington, and Wyoming.

Quicksilver is found in California, Idaho, Nevada, Oregon, South Dakota, Arkansas, and Texas.

Manganese is found in California, Colorado, Idaho, Montana, New Mexico, Utah, Washington, Alabama, Arkansas, Georgia, Minnesota, North Carolina, South Carolina, Tennessee, Texas, and Virginia.

Platinum is found in California and New Mexico.

Antimony is found in California, Colorado, Montana, and Washington.

Chrome is found in California, Oregon, Wyoming, and Pennsylvania.

Tin is found in Montana, New Mexico, and South Dakota.

I mention the fact that these States are vitally affected in leading up to this thought: We are today trying to encourage, as best we can, the discovery and development of these all-essential metals in the United States because at the present time we are importing about $20,000,000 worth or more of these metals from India, from Russia, from Brazil, from Cuba, and from other countries of the world. We have tried to find in this country sufficient of these all-essential metals to afford proper relief and proper security for our national defense. With that in mind, it has been said by way of argument that the money paid out for these metals is paid out by the Government in any event, and therefore is a profit; but let me say to the Senate that there is no more hazardous industry in the world than the industry of mining. No one can look with any degree of certainty into great depths in the earth; vast sums of money may be necessary to develop a mine, and perhaps after the development is completed the mine itself proves nonprofitable. Only about 1 mine out of every 20 involving discovery of strategic metals makes good. So the hazard of venturing private investment in mining, especially mining of strategic metals, is ever-attendant, and very great.

The result of the action of the conferees, I am afraid, will be most unfortunate. In 1940 we provided encouragement to the miners of strategic metals;

and they, believing we had established a permanent policy, went forward and made vast investments. They not only did that, but prospectors went out into the field and made discoveries and developments, and having made such discoveries and developments they thought there was a basic policy on which they could go forward. I am sorry to say that now, by this act, we have destroyed the encouragement we offered to the prospector and investor, and today they do not know exactly where they stand. Nevertheless, the country is making continuous demands upon them for the discovery and production of these all-essential metals.

Let me say to the Senate, by way of example, that 12 pounds of manganese are required for the proper treatment of 1 ton of iron ore to make steel. Twelve pounds of manganese are essential for 1 ton of steel in the steel industry. We are demanding steel every day, and the treatment of steel by the use of manganese is all essential. Manganese is an essential strategic metal, listed as one of the seven metals that would be exempt from excess-profits tax. The industry itself will suffer a severe blow, because we are importing these metals from countries in which peon and slave labor is resorted to for their production, while, if we had removed the excess-profits tax from the industry, we would have given greater employment to American miners and preserved the American standard of living.

It is to be regretted that the conference committee did not see fit to adopt this amendment. It is to be regretted that the Treasury was adamant against the amendment which the Senate adopted. I take occasion now to express my gratitude to the able chairman of the Committee on Finance of the Senate, who kept his promise given to us at the time we adopted the 1940 Tax Act, and to the Senator from Massachusetts [Mr. WALSH] and the other conferees on the part of the Senate, all of whom have worked zealously to retain the Senate amendment. I regret the attitude of the Treasury in being adamant against this amendment, and I regret exceedingly that the amendment was not retained because its rejection will constitute a serious blow to the national defense if we rely on these strategic metals for national defense, as we naturally do.

Mr. LA FOLLETTE. Mr. President, on Friday, September 5, when the tax bill was under consideration in the Senate, I stated fully my fundamental objections to the pending measure. The conference report, in all its essential particulars, accepts the Senate bill, and, therefore, so far as I am personally concerned, those issues having been threshed out when the bill was under consideration by the Senate, I see no point in making any further effort of resistance against the conference report, and, so far as I am personally concerned, I shall not ask or insist upon a roll call, as I so informed the distinguished majority leader a day or two ago.

I should like to have inserted in the RECORD at this point as a part of my remarks, a letter which I have received upon the general theories of the tax bill from Mr. J. G. Luhrsen, executive secretary-treasurer of the Railway Labor Executives' Association.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

RAILWAY LABOR EXECUTIVES' ASSOCIATION,
Washington, D. C., September 16, 1941.
Hon. ROBERT M. LA FOLLETTE,
Senate Office Building,
Washington, D. C.

DEAR SIR: This communication is directed to the present tax bill now before the Congress for final consideration and action.

Reasonable thinking men—and we believe the chief executives, members of the Railway Labor Executives' Association, are composed of such men—realize and appreciate that people cannot all be of equal wealth nor possessed of equality so far as the development of all faculties is concerned; but that does not imply that there is a yielding to rank discrimination. Our association endorses the principle that every man or woman claiming citizenship and being a part of this wonderful Nation should be made tax conscious and contribute even though ever so meager to bring about the realization that this is the best country in the world in which to live.

However, the present tax bill as reported for consideration bears all earmarks of the creation of dissension and dissatisfaction because it ekes with discrimination favoring the wealthy and imposing an unjust share upon the middle classes.

The memberships of each one of the respective organizations, members of the Railway Labor Executives' Association, are conscious of the necessity of taxation for the preservation of the Nation and equally so are giving their support to the purchase of national-defense savings bonds, and we believe that this same principle holds true with labor generally throughout the Nation. It becomes necessary, however, to point out the fact that there is a realization of the present increased taxation being but a stepping stone to further increased taxation in future years. It is necessary, therefore, to guard against steps being taken now which enhance further dissatisfaction and dissension, and whatever tax legislation may at this time be concurred in should be upon a fundamental and sound basis upon the ability to pay without discrimination or favoritism.

* * * * *

Now we come to the present tax bill, identified as H. R. 5417, and the provisions thereof are again without argument to the contrary discriminatory, favoring the wealthy and depriving the middle classes and particularly those in the lower income brackets.

The present tax bill, H. R. 5417, now before the conference committee should, if the smaller income group is not to be discriminated against, definitely provide for the restoration not only of the $2,000 for the married class and $800 for the single class, but it should restore the exemptions to $2,500 for married persons and $1,000 for single persons.

In connection with this provision which might be the means of paying no tax whatsoever, there is the possibility of providing for a minimum amount of tax so that few will escape from contributing to the Nation's upkeep by taxation.

The viciousness of the reduction in exemptions is exemplified by the following illustration: Under the existing law, the $2,000 personal exemption results in a tax savings of only $80 (4 percent of $2,000) to a married man with an income of $2,500. However, to a man in the top bracket, it results in a tax saving of $1,620 (81 percent of $2,000). The wealthy taxpayer having ability to pay thereby secures from the exemption a much greater reduction in actual taxes than those in the lower income brackets. Such inequity is unsound and detrimental to the morale of those affected by this rank discrimination.

The removal of the mandatory joint return provision as originally contributed by the House committee is a material backward step and the provisions should be restored instead of eliminating the provision permitting the wealthy to transfer their properties to their wives, reporting separate incomes, and thereby materially reducing the surtaxes. It is the vast majority of the lower paid men who must serve the Nation in both Army and Navy defense at a material reduction of their ordinary income. Their losses will range anywhere from $50 to $150 or more per month by not being able to follow their vocation which, therefore, represents a direct contribution on their part for the protection of the Government.

Not satisfied with that most liberal contribution, the present tax bill aims the same unreasonable and unjust taxation upon the lower-income group who are still able to follow their vocation. Many examples and illustrations can be cited, but only a few are necessary to prove the rightful objections on the part of this lower-income group. For example, the new tax bill imposes a heavier tax on a $100-a-month wage earner than a wealthy man has to pay on a $41,000 estate or gift. A single man or woman earning more than $14.42 a week will be compelled to file income-tax returns, although this is less by $1.57 than the minimum wage for a 40-hour week under the Fair Labor Standards Act. An unmarried person will pay a tax of $59 on $1,500, against $24.20 under the present law, and if the income reaches $2,000 the tax will be $117, against $44 under the present law and $110 under the House bill.

Similarly, a married man with an income of $1,500 up to $5,000 has his taxes raised three and one-half or four times more than under the present law. The small percentage increase on incomes over $500,000 up to $5,000,000 is insignificant when one considers the amount remaining for the individual as compared with the amount remaining for the individual with incomes between $1,500 and $5,000 annually.

The House bill, which levied a 10-percent tax on corporations whose profits exceeded those of the years of 1936 to 1939, inclusive, and subsequently deleted, together with a provision permitting corporations which pay excess-profit taxes to be exempt from income by computing normal taxes, as well as other changes, are enormous concessions to the wealthy individuals and corporations.

When the joint-income-return provision was incorporated, which produced more than $300,000,000 in taxes over and above what would be collected when permitting single tax returns, objectors saw fit to now pass that tax onto the smaller-income group by devious and ulterior means.

No consideration seems to be given to the increased cost of living and the effect it has upon those with smaller incomes, nor is there any evidence that consideration is given to the many indirect taxes, including sales taxes in effect in many States, from which there is no escape by the lower-income group. In other words, there is no possible avenue left open for the lower-income group to take advantage of the condition as it affects them based upon their meager income while every possible avenue is thrown open to those of the larger-income group through technical and legal interpretations to which they are able to and will resort.

Among the labor group on the railroads but very few, if any, will exceed $3,600, but the average is much less than one-half of that amount, and each and every one of these railroad employees, together with labor in other industries, are having imposed upon them an unjustifiable tax when a fair and reasonable comparison is made with those of the higher incomes.

We trust that until these discriminations and injustices are eliminated or corrected the bill will not pass until amended to more properly balance the tax legislation so that all will more equally share the burden of the obligations of this Government. We do not object, but, to the contrary, believe it to be the policy of wisdom if everyone who earns his livelihood in this great Nation of ours is made tax conscious by compelling some contribution toward taxes, and we also encourage the early passage of a tax bill. We do, however, believe that even though some small delay may be encountered, it should not stand in the way of bringing about a fair and just tax bill, where the ability to pay should be given greater weight than as now represented in the pending tax legislation.

The biggest and best asset this Nation can have must direct itself to wholehearted unity upon national questions. The tax issue is a national question, and it must be fair and just to all if national unity is to be enhanced, perpetuated, and safeguarded.

Who is there able to convince the one-third ill-fed, ill-clad, and ill-housed that Madison's prophetic warning is not in action today when he declared:

"We are free today substantially, but the day will come when our Republic will be an impossibility. It will be an impossibility because wealth will be concentrated in the hands of a few. A republic cannot stand upon bayonets, and when that day comes, when the wealth of the Nation will be in the hands of a few, then we must rely upon wisdom of the best elements in the country to adjust the laws of the Nation to the changed conditions."

The greatest exponent of our Constitution and our Union, Daniel Webster, spoke this principle:

"The freest government, if it could exist, would not be long acceptable if the tendencies of the law were to create a rapid accumulation of property in few hands and to render the great mass of the population dependent. Universal suffrage, for example, could not long exist in a community where there was a great inequality of property. In the nature of things, those who have not property, and see their neighbors possess much more than they think them to need, cannot be favorable to laws made for the protection of property."

The conditions predicted are at hand and certainly to further safeguard such conditions by favoring the wealthy and denying the poor or middle class by imposing unfair tax burdens cannot and will not be a credit to this great Nation of ours.

We respectfully request your earnest and favorable consideration of our request when your voice is recorded.

Yours very truly,

J. G. LUHRSEN,
Executive Secretary.

Mr. THOMAS of Utah. Mr. President, I desire to concur in all the Senator from Nevada [Mr. MCCARRAN] and the Senator from Georgia [Mr. GEORGE] have said in regard to strategic materials exemptions.

I wish to speak not as a Senator who comes from a mining State but as the chairman of the subcommittee which during the last 4 or 5 years has handled measures relating to strategic materials. I wish to say as to the national policy that when the Federal Government decides upon a policy, I cannot understand how a department of the Government can take steps to try to defeat the policy. That strikes me as something pretty close to anarchy.

The Government has, for a number of years, appropriated money to discover new sources of seven strategic materials, to increase their production, and to make us, if possible, independent of outside sources of supply. That act has been on the statute books for 3 years, and now when we face an emergency we find such things as silk listed as a critical and strategic material. Everyone conversant with international economics knows that within the last few years one country has gained control at least of the exportation of silk, if not of the production of silk. No effort has been made to produce a stock pile of silk, which is an extremely essential material. I am using that as an illustration.

In regard to strategic materials and in regard to the effect of taxing that which we are paying to have brought forth from the earth, and to emphasize again how the Government can be eternally against itself by having some one department willfully and purposely stand out against a policy the Federal Government has declared by law, let me point out the fact that there is a division in the Office of Production Management that is studying, with all its might and main, how to get materials without using ship bottoms because of the scarcity of ships. No one can conceive of a more bulky cargo than ore; in fact, it is used as ballast in ordinary times; and at this moment, when a division of the Government is trying to discover domestic sources of strategic materials so that it will not be necessary to resort to a means of transportation of which there is a scarcity, not only to take care of national-defense needs but those of ordinary industrial life, the Government is discouraging their discovery, though, strange to relate, such materials from what in ordinary times are considered strip mines or uneconomic mines are actually being produced for our Government. In other words, the policy of the Government itself has been proved to be effective, and now one branch of the Government steps in and tries to break down what has been declared to be the policy of the Government.

The opposition to the Senate amendment has come from just one source, and that source, Mr. President, may I say, is one of the administrators of the strategic materials act. I cannot help but repeat that it is beyond my understanding of what should constitute good government to have this sort of thing going on during these perilous times.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I am glad to yield.

Mr. HATCH. Does the Senator know what are the grounds of the opposition of the particular department he mentions?

Mr. THOMAS of Utah. As I understand, the opposition is based on the fact that the provision would be difficult to administer and that it would compel the Treasury to make distinctions, and they do not want to make distinctions. Mr. President, the tax bill, from start to finish, is a bill which has to do with distinctions. There are distinctions as to the amount of income. The argument is so fallacious, so invalid, and so in keeping with the narrow mind of some administrator, that it cannot be defended on any score.

Mr. DAVIS. Mr. President, the tax bill the conference report on which the Senate is now considering reaches down to the very heart of the economic life of our people. It places a heavy burden on large numbers of persons who are already staggering under a load which they cannot bear at a time when prices are rising, and when defense prosperity has reached only a fractional part of the population.

As a member of the conference committee, I voted to carry out the will of the Senate. My vote has very little to do with my individual views, and leaves unsaid much that I would say if I were acting in an individual capacity.

I wish to urge now, as in the past, that some definite action be taken to develop an orderly system of taxation in this country, rather than a constant resort to patchwork measures.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

TREATMENT OF ITALIANS HELD AT ELLIS ISLAND, N. Y.

Mr. DAVIS. Mr. President, I ask unanimous consent to place in the RECORD a statement in connection with a dispatch from Rome, Italy, to the New York Times, telling of the treatment of Italians who were held at Ellis Island. Mr. Generoso Pope, publisher of Il Progresso Italo-Americano, immediately investigated the situation in order to clarify the matter so that the Italians and Americans of Italian origin residing in this country would not be misled by false foreign propaganda.

After a thorough investigation, it was proved that the statements were utterly untrue. Mr. Pope immediately sent a reporter to Fort Missoula, Mont., to secure first-hand information regarding the Italians who are detained there. A number of articles and pictures have been published in Mr. Pope's newspapers depicting the daily routine of the camp, and this has assured many persons that their relatives and friends who are there are well cared for.

Mr. Pope, who came to this country when a small boy, is ever grateful for the opportunities afforded him; and he has endeavored through the columns of his newspapers to promote American ideals and the principles of this democracy, which he has cherished very dearly. Through this medium he has rendered a real service that will promote unity not only among his readers but among all people of this land.

On Sunday, August 17, 1941, an editorial entitled "For a Clear Understanding," appeared in Il Progresso Italo-Americano. This editorial brings out very forcefully the patriotism and loyalty to this great democracy of Americans of Italian extraction; and in it Mr. Pope reiterates his strong conviction that there is no place for foreign propaganda that would confuse and seek to divide our people. I ask unanimous consent to have the editorial which I have just called to the attention of the Senate incorpo-

rated in the RECORD at this point in my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

The editorial is as follows:

[From Il Progresso Italo-Americano of August 17, 1941]

FOR A CLEAR UNDERSTANDING

The Italian Government's declaration of war against England and France on the 10th of June 1940, fulfilling its military and political pacts with Nazi Germany, marked the rupture for the first time in history of the traditional friendly relations between Italy and the United States, as both nations found themselves supporting completely divergent views.

The Americans of Italian extraction, true to their proud heritage of loyalty and patriotism which has been demonstrated in all corners of the world, in the crisis facing the Nation, and upon the proclamation of an unlimited mergency of the President, have reaffirmed their faith and their allegiance to the United States.

Every American has learned to love the freedom, the justice, and the tolerance guaranteed them under the Constitution of the United States. No matter of what national origin, of what race, color, and creed, they have united in a common front to safeguard the American way of life.

I have stated before, and repeat it again, that I am against all foreign "isms" in the United States, no matter what name they may have—communism, nazi-ism, or fascism—endeavoring to undermine our institutions. There is no place here for any foreign propaganda to confuse and seek to divide our people. The Government of the United States, under the able and energetic leadership of President Roosevelt, is performing its obligations to its citizens by making all preparations to safeguard their liberties and their independence.

The realizations that the American ideals are in danger must dawn on every individual who cherishes the democratic principle of government. It is the duty of all citizens to forsake their differences and unite in the common effort of preparing for our national defense. That is why, in my speech at Washington on the occasion of the Marconi gathering on the 22d of July last, I said:

"I came into this strange country, lost in the world. I knew no one. What did I find here? All of you, the American people who welcomed me with open arms. I am very grateful for all this country has done for me, and there is nothing too great, even if it is necessary to give my life, that I would not give to defend the United States of America." Then I added, "We are absolutely opposed to any government that is against the Government of the United States * * * and let no one fool themselves, within our borders or outside, America is ready today, tomorrow, or any time, when that time may come. We hope that it will never come, but if it does we are ready to defend our liberties, our democracy, and our flag."

The Americans of Italian origin are proud of their record. It speaks gloriously for them in heroic deeds performed in all fields during the 165 years of our American independence. They point with pride to the contributions that they and the people of their race have rendered to civilization. They are second to none in their loyalty and their patriotism. They are second to none in their self-sacrifices for the good of the Nation. They have withstood the battering ravages of many battles fighting for the Star-Spangled Banner. Many of their sons lie in Arlington National Cemetery, having given their lives for the defense of the Stars and Stripes. They are ready to bring more honor to the flag of the United States, the flag which was and which will evermore remain the symbol of a strong and united people, a symbol of a land of liberty, progress, and justice for all.

GENEROSO POPE.

AUTHORIZATION FOR VICE PRESIDENT TO SIGN TAX BILL

Mr. BARKLEY. Mr. President, I ask unanimous consent that the Vice President be authorized to affix his signature to the tax bill during the recess or adjournment of the Senate following today's session.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

SENATOR FROM NORTH DAKOTA—INCREASE IN EXPENSES OF COMMITTEE ON PRIVILEGES AND ELECTIONS

Mr. LUCAS. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report favorably Senate Resolution 167, and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. Is there objection to the request of the Senator from Illinois?

There being no objection, the resolution (S. Res. 167) submitted by Mr. HATCH on September 15, 1941, was considered and agreed to, as follows:

Resolved, That the limit of expenditures under Senate Resolution 81, Seventy-seventh Congress, first session, agreed to on March 10, 1941, relating to the proceeding now pending before the Committee on Privileges and Elections to determine whether William Langer is entitled to retain his seat in the Senate, is hereby increased by $5,000.

COL. CHARLES A. LINDBERGH

Mr. LUCAS. Mr. President, I desire to read an editorial from the Illinois State Journal, one of the predominant Republican newspapers in Central Illinois, published at Springfield, Ill. At the head of their column they say that this newspaper was founded November 10, 1831. At the head of the column there is a picture of Abraham Lincoln, and the statement that on June 18, 1864, Mr. Lincoln said:

The Journal paper was always my friend and, of course, its editors the same.

Mr. President, this newspaper has consistently disagreed with the domestic policies of the President of the United States. The editorial, which is entitled "Give Him a Soap Box," is of such importance, coming from a newspaper of this kind in this national emergency, that I propose to read it into the RECORD. It deals with Colonel Lindbergh.

Prior to reading the editorial I wish to say that for a long time I have observed the utterances of Colonel Lindbergh and have read his writings as they have appeared in magazine articles, long before the war was started in September 1939. I never saw Colonel Lindbergh before he appeared before the Committee on Foreign Relations, when he testified on the lend-lease bill. I took particular pains to attend that meeting of the committee for the sole purpose, not of listening to Colonel Lindbergh's testimony, but of watching his gestures, watching his facial expressions and his grimaces and all that he did in connection with the testimony given before the committee.

The editorial I have in my hand is really worth-while from the standpoint of telling the American people just where Colonel Lindbergh has always stood in his heart and his mind and his soul so far as the Nazi philosophy is concerned. I never made any public remarks after I watched him on the witness stand before the committee, but I formed my own conclusions about the gentleman, and those conclusions were vindicated when he spoke in Des Moines, Iowa, a few nights ago, on the same night when the President of the United States made his most recent speech.

This editorial, headed "Give Him a Soap Box," comes from a Republican paper, if you please, of central Illinois, which has been predominantly against everything for which the Roosevelt administration has stood in connection with New Deal policies and foreign policies. The same newspaper approved the President's speech in an editorial printed just above the one to which I have been referring, with a few comments. I wish to read to the Senate the editorial regarding Colonel Lindbergh, because it expresses exactly what I feel about the matter.

GIVE HIM A SOAP BOX

The practical wisdom of freedom of speech has been shown again by the case of Charles Lindbergh. Lindbergh has spoken again and again, attacking the foreign policy of the administration. These speeches brought forth demands that he be silenced, but the tolerance of the American people insisted he had a right to be heard—until now Lindbergh has gone on and assaulted that very tolerance.

How true that is, as will be realized by anyone who will take the pains to read the speech which Colonel Lindbergh made in Des Moines, Iowa, a few nights ago. The editorial continues:

His speech in Des Moines lost all the ground he had ever gained for the noninterventionist cause. In the past Lindbergh's critics charged him with "playing Hitler's game." But, although what he had to say may have given comfort to Hitler, this was only incidental to his insistence that his first concern was for the welfare of the United States.

With that no patriotic American could disagree.

Now he has forfeited any consideration on that ground. No man, concerned for the welfare of his country, could make such a deliberate effort to stir up racial hatred. It was, literally, "playing Hitler's game," for that was the very method—attacking the Jewish people—by which Hitler rose to power in Germany. Lindbergh has gone beyond the reasonable doubt previously allowed him. His own words stamp him as a student of Nazi methods. He has nothing in common with the great American tradition of tolerance and freedom.

Frankly, we don't know what ought to be done with him. We have an idea that gagging him completely would be a bad idea, inasmuch as it would permit him to pose as a phony martyr, but we do not know why he should be extended the courtesy of anything larger than a soap box to air his views.

When the people in Oklahoma prohibited him from speaking there in a civic auditorium, a great hue and cry was raised all over the country by certain individuals because, as they said, he was

being denied freedom of speech, one of the rights which the Bill of Rights guarantees to every American. Yet, according to the editorial which I am reading, he himself is now violently disturbing the Bill of Rights. The editorial continues:

Certainly there is serious doubt as to whether radio, licensed by the Government, as it must be, to serve the general welfare, need lend its facilities to him.

Meanwhile the America First Committee, under whose auspices Lindbergh spoke, could serve its own cause and that of the Nation by disavowing Lindbergh. Many sincere people do not wish to see the United States actively enter the war—

Mr. President, that is my position. I do not know of anyone who wants to see America actively enter the war. In my humble opinion, under the foreign policy of the administration, an attempt is being made to keep the peace for America. But when Mr. Hitler sends his submarines into the Western Hemisphere, and attempts, as he not only has been doing but intends to continue to do, to sink American vessels flying the American flag, and to bring about the destruction of American property and the lives of American citizens within the defensive zone in the Western Hemisphere, wherein every United States Senator has an avowed duty to defend the Monroe Doctrine, undoubtedly the President had the right to do just what he stated he would do in his speech a few days ago.

Some individuals would have us tie up the Navy in Newport, or New York Harbor, and wait until the war was over before we permitted any of our ships to enter upon the high seas, under the freedom-of-the-seas theory, especially in the Western Hemisphere, where ships have been attacked. Certainly, in my opinion, a nation which would not rise up in wrath in such a situation would be a coward.

The editorial concludes:

Many sincere people do not wish to see the United States actively enter the war, but they cannot make common cause with a man whose words prove he has more in common with the Nazis than with the people of the United States.

Mr. President, as I have said before on another occasion over a Nation-wide radio network, Colonel Lindbergh is a great American flyer.

Mr. ANDREWS. Mr. President, without conferring with my distinguished desk mate the senior Senator from Illinois [Mr. LUCAS] regarding his remarks but in support of his very timely statement, I ask unanimous consent to have printed in the RECORD at this point the Associated Press account of the most deplorable speech made by the so-called Colonel Lindbergh at Des Moines, Iowa, last Friday night, within 2 hours after the President's speech over the radio.

The VICE PRESIDENT. Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

LINDBERGH DECLARES JEWS AND BRITISH SEEK TO INVOLVE UNITED STATES IN WAR—ASSERTS ROOSEVELT ADMINISTRATION ALSO PRESSES FOR CONFLICT

(By the Associated Press)

DES MOINES, IOWA, September 12.—Charles A. Lindbergh contends the British, Jews, and the Roosevelt administration are plotting to drive the United States into the war.

His voice drowned out at times by the boos and cheers of a boisterous and heckling crowd, the flyer declared at an America First rally last night:

"The three most important groups who have been pressing this country toward war are the British, the Jewish, and the Roosevelt administration."

Before Mr. Lindbergh reached the platform the crowd heard—and chered 11 distinct times—the broadcast of President Roosevelt's address.

CROWD DISORDERLY

Earl C. Jeffrey, America First field representative, who estimated the crowd at 8,500, said the conduct of the gathering was "the worst I have seen."

"It was a very small minority," he added. "It looked like an organized attempt to sabotage the meeting."

The "war agitators," Mr. Lindbergh said, have planned:

"First, to prepare the United States for war under the guise of American defense; second, to involve us in the war, step by step, without our realization; third, to create a series of incidents which would force us into actual conflict."

Terming England's position "desperate," he declared her geographical position "such that she cannot win the war by the use of aviation alone, regardless of how many planes we send her."

"Only the creation of sufficient 'incidents' yet remains, and you see the first of these already taking place, according to plan—a plan that was never laid before the American people for their approval."

SAYS ENGLAND CAN'T WIN

Referring to England's position Mr. Lindbergh asserted:

"Her population is not large enough and her armies are not strong enough to invade the continent of Europe and win the war she declared against Germany. Her geographical position is such that she cannot win the war by aviation alone regardless of how many planes we send her.

"Even if America entered the war, it is improbable that the allied armies could invade Europe and overcome the Axis Powers."

If it were not for her hope, he said, that she can make the United States responsible for the war "financially as well as militarily, I believe that England would have negotiated a peace in Europe many months ago and be better off for doing so."

Mr. Lindbergh said he could understand why the Jewish people desired the overthrow of the Nazi regime.

"The persecution they suffered in Germany would be sufficient to make bitter enemies of any race. No person with a sense of the dignity of mankind can condone the persecution of the Jewish race in Germany."

He advised, however, "that instead of agitating for war, the Jewish groups in this country should be opposing it in every possible way, for they will be among the first to feel its consequences."

ASSAILS JEWISH INFLUENCE

Tolerance, he declared, "cannot survive war and devastation.

"Their greatest danger to this country," he said of the Jews, "lies in their large ownership and influence in our motion pictures, our press, our radio, and our Government."

Charging the international situation had been used to obtain a third Presidential term, the flyer declared, "The power of the Roosevelt administration depends upon the maintenance of a wartime emergency.

"The danger of the Roosevelt administration lies in its subterfuge," he said. "While its members have promised us peace, they have led us to war—heedless of the platform upon which they were elected.

"If any one of these groups—the British, the Jewish, or the administration—stops agitating for war, I believe there will be little danger of our involvement."

Mr. Lindbergh assailed the lease-lend program for sending a major part of American plane production abroad.

"Today, 2 years after the start of the war," he said, "the American Army has only a few hundred thoroughly modern bombers and fighters—less, in fact, than Germany is able to produce in a single month.

"Ever since its inception, our arms program has been laid out for the purpose of carrying on the war in Europe far more than for the purpose of building an adequate defense for America."

CONSIDERATION OF UNOBJECTED-TO MEASURES ON THE CALENDAR

The VICE PRESIDENT. The morning business is closed.

Mr. BARKLEY. I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar to which there is no objection.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will state the first business on the calendar.

RESOLUTIONS AND BILLS PASSED OVER

The resolution (S. Res. 30) a resolution amending rule VIII so as to prohibit action by unanimous consent on bills in cases where a Senator has given written notice of his objection to their consideration, was announced as the first order of business.

Mr. McNARY. Let the resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

The resolution (S. Res. 96) making rule XVI applicable to amendments to relief and work-relief bills, was announced as next in order.

Mr. McNARY. Let that resolution go over.

The VICE PRESIDENT. The resolution will be passed over.

The bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments, was announced as next in order.

Mr. McNARY. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 357) to provide for the rehabilitation of the anthracite-coal industry was announced as next in order.

Mr. GUFFEY. I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (H. R. 3019) to amend the act entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes. Approved October 6, 1917 (40 Stat. 385), was announced as next in order.

SEVERAL SENATORS. Over!

The VICE PRESIDENT. The bill will be passed over.

INCLUSION OF CUMBERLAND RIVER IN T. V. A. ACT

The bill (S. 1539) to amend the Tennessee Valley Authority Act of 1933 was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Tennessee Valley Authority Act of 1933 be, and the same is hereby, amended by adding to said act a new section to read as follows:

"SEC. 32. Hereafter, the Cumberland River, its tributaries, and the Cumberland River Basin shall be included in the provisions of the Tennessee Valley Authority Act of 1933, as heretofore amended, or as it may hereafter be amended. The Tennessee Valley Authority shall exercise the same jurisdiction and power over the Cumberland River, its tributaries, and the Cumberland River Basin as over the Tennessee River, its tributaries, and the Tennessee River Basin, and all of the provisions of said act that apply to the Tennessee River, its tributaries, the Tennessee River Basin, and the Mississippi River Basin, shall likewise and with like force apply to the Cumberland River, its tributaries, and the Cumberland River Basin."

REGISTRATION OF TRADE-MARKS

The bill (S. 895) to provide for the registration of trade-marks used in commerce to carry out the provisions of certain international conventions, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc.

TITLE I—THE PRINCIPAL REGISTER

SECTION 1. Trade-marks used in commerce may be registered in the following manner:

(a) By filing in the Patent Office—

(1) a written application, verified by the applicant, including a statement to the effect that the applicant believes himself, or the firm, corporation, or association in whose behalf he makes the application, to be the owner of the trade-mark sought to be registered, and that no other person, firm, corporation, or association, to the best of the applicant's knowledge and belief, has the right to use such trade-mark in the United States either in the identical form or in such near resemblance thereto as might be calculated to deceive, and specifying the date of first use of the mark, and the goods or services in connection with which it is used, in such form as may be prescribed by the Commissioner;

(2) a drawing of the mark; and

(3) such number of specimens or facsimiles of the mark as actually used as may be required by the Commissioner.

(b) by paying into the Patent Office the filing fee.

(c) By complying with such rules or regulations, not inconsistent with law, as may be prescribed by the Commissioner.

(d) If the applicant is not domiciled in the United States he shall designate by a written document filed in the Patent Office the name and address of some person resident in the United States on whom may be served notices or process in proceedings affecting the mark. Such notices or process may be served upon the person so designated by leaving a copy thereof at the last address so filed. If the person so designated cannot be found at the address given in the designation, such notice or process may be served upon the Commissioner.

MARKS REGISTRABLE ON THE PRINCIPAL REGISTER

SEC. 2. No mark by which the goods of the applicant may be distinguished from the goods of others shall be refused registration as a trade-mark on account of its nature unless it—

(a) Consists of or comprises immoral, deceptive, or scandalous matter; or matter which tends to disparage persons, living or dead, institutions, beliefs, or national symbols, or to bring them into contempt;

(b) Consists of or comprises the flag or coat of arms or other insignia of the United States, or of any State or municipality, or of any foreign nation, or any simulation thereof;

(c) Consists of or comprises the name, portrait, or signature of a living individual unless by his written consent;

(d) Consists of or comprises a mark which so resembles a mark previously registered or used by another and not abandoned, as to be likely, when applied to the goods of the applicant, to cause confusion or mistake or to deceive purchasers;

(e) Consists of a mark which (1) when applied to the goods of the applicant is merely descriptive of them, (2) when applied to the goods of the applicant is primarily geographically descriptive of them, except as indications of regional origin may be registrable under section 4 hereof, (3) is primarily merely a surname.

(f) Except as expressly excluded in paragraphs (a), (b), (c), and (d) of this section, nothing herein shall prevent the registration of any mark used by the applicant as a trade-mark which has become distinctive of the applicant's goods in commerce. Substantially exclusive use as a mark by applicant, in commerce for 2 years prior to the application, may be accepted by the Commissioner as prima facie evidence of distinctiveness.

SERVICE AND CERTIFICATION MARKS REGISTRABLE

SEC. 3. Subject to the same provisions relating to the registration of trade-marks, so far as they may be applicable, service and certification marks used in commerce shall be registrable, in the same manner and with the same effect, and when registered they shall be entitled to the protection provided herein in the case of trade-marks. The Commissioner may establish a separate register for such service and certification marks. Applications and procedure under this section may conform as nearly as practicable to those prescribed for the registration of trade-marks.

COLLECTIVE AND ASSOCIATION MARKS REGISTRABLE

SEC. 4. Subject to the provisions relating to the registration of trade-marks, so far as they may be applicable, collective marks, including indications of regional origin, used by natural or juristic persons, and nations, States, municipalities, and the like, exercising legitimate control over the use of the mark sought to be registered, even though not possessing an industrial or commercial establishment, shall be registrable under this act in the same manner and with the same effect, and when registered they shall be entitled to the protection provided herein in the case of trade-marks.

USE BY RELATED COMPANIES

SEC. 5. Where the registered mark or the mark sought to be registered is or may be used by subsidiary or related companies, or by the members of an association, such use shall be deemed exclusive in the holding, parent, or related company or in the association; and use of registered marks by companies subsidiary or related to the registrant or by the members of an association, shall not affect the validity of such mark or of its registration. Such mark shall not be used in such manner as to deceive the public.

DISCLAIMERS

SEC. 6. The Commissioner may require unregistrable matter to be disclaimed, but such disclaimer shall not prejudice or affect the applicant's or owner's rights then existing or thereafter arising in the disclaimed matter, nor shall such disclaimer prejudice or affect the applicant's or owner's right of registration on another application of later date if the disclaimed matter has become distinctive of the applicant's goods.

CERTIFICATES

SEC. 7. (a) Certificates of registration of marks registered upon the principal register shall be issued in the name of the United States of America, under the seal of the Patent Office, and shall either be signed by the Commissioner or have his name printed thereon and attested by an assistant commissioner or by one of the law examiners duly designated by the Commissioner, and a record thereof, together with printed copies of the drawing and statement of the applicant, shall be kept in books for that purpose. The certificate shall state the date on which the application for registration was received in the Patent Office.

(b) The certificate of registration of a mark upon the principal register provided by this act shall be prima facie evidence of the validity of the mark and of registrant's exclusive right to use the same in commerce.

(c) Certificates of registration of marks may be issued to the assignees of the applicant, but the assignment must first be recorded in the Patent Office. In case of succession or change of ownership the Commissioner shall, upon a proper showing at the request of the owner or successor and upon the payment of the fee herein provided, issue to such owner or successor a new certificate of registration of the said mark in the name of such owner or successor, and for the original period.

(d) The Commissioner, upon application of the registrant, may permit any registration under this or any previous act to be canceled or for good cause to be amended or disclaimed in whole or in part, at any time upon payment of the required fee: *Provided*, That the Commissioner shall determine that when so amended it shall still contain registerable matter and not require republication, and the Commissioner shall make appropriate entry upon the records of the Patent Office and upon the certificate of registration, or if said certificate is lost or destroyed upon a certified copy thereof.

(e) Copies of any records, books, papers, or drawings belonging to the Patent Office relating to marks, and copies of certificates of registration, authenticated by the seal of the Patent Office and certified by the Commissioner, or in his name by a chief of division duly designated by the Commissioner, shall be evidence in all cases wherein the originals would be evidence; and any person making application therefor and paying the fee required by law shall have such copies.

(f) Whenever a mistake in a registration, incurred through the fault of the Patent Office, is clearly disclosed by the records of the Office a certificate stating the fact and nature of such mistake, signed by the Commissioner and sealed with the seal of the Patent Office, may be issued, without charge, and recorded and a printed copy thereof attached to each printed copy of the registration, and such certificate shall thereafter be considered as part of the original, and every registration, together with such certificate shall have the same effect and operation in law on the trial of all actions or causes thereafter arising as if the same had been originally issued in such corrected form. All such certificates heretofore issued in accordance with the rules of the Patent Office and the registrations to which they are attached shall have the same force and effect as if such certificates and their issue had been specifically authorized by statute.

(g) Whenever a mistake has been made in a registration certificate and a showing has been made that such mistake occurred in good faith through the fault of the applicant, the Commissioner is authorized to issue a certificate of correction upon the payment of the required fee, provided the Commissioner shall determine that the correction is

not such as to necessitate republication of the mark.

DURATION

SEC. 8. Each certificate of registration shall remain in force for 20 years: *Provided*, That the registration of any mark under the provisions of this act shall be canceled at the end of 5 years following its date, unless within 3 months next preceding the expiration of such 5 years the registrant shall file in the Patent Office an affidavit in such form as may be prescribed by the Commissioner stating that said mark is still in use. If, however, nonuse is due to special circumstances and not to any intention not to use or to abandon such mark, the affidavit shall so state, in which case the registration shall not be canceled because of such nonuse. Forms for such affidavits shall be attached to each certificate of registration.

RENEWAL

SEC. 9. On application of the registrant, certificates of registration may be renewed for like periods of 20 years from the end of the expiring period on payment of the renewal fees required by this act if the registered mark is still in use; and such application may be made at any time within 6 months before the expiration of the period for which the certificate of registration was issued or renewed, or may be made within 3 months after such expiration on payment of an additional fee as herein provided.

If the applicant for renewal is not domiciled in the United States, he shall designate by a written document filed in the Patent Office the name and address of some person resident in the United States on whom may be served notices or process in proceedings affecting the mark in the same way as provided in subsection (d) of section 1 of this act.

ASSIGNMENT

SEC. 10. A registered mark or a mark for which application has been filed shall be assignable upon such terms and conditions as the parties may agree. Assignments shall be by instruments in writing duly executed. Acknowledgment shall be prima facie evidence of the execution of the assignment and when recorded in the Patent Office the record shall be prima facie evidence of execution. An assignment shall be void as against any subsequent purchaser for a valuable consideration without notice, unless it is recorded in the Patent Office within 3 months from the date thereof or prior to such subsequent purchase. The Commissioner shall keep a record of assignments.

If the assignee is not domiciled in the United States, he shall designate by a written document filed in the Patent Office the name and address of some person resident in the United States on whom may be served notices or process in proceedings affecting the mark, in the same way as provided in subsection (d) of section 1 of this act.

SEC. 11. Any acknowledgment or verification shall be valid if it complies with the laws of the State or country where it is made.

PUBLICATION

SEC. 12. Upon the filing of an application for registration and payment of the fees herein provided, the Commissioner shall cause an examination to be made and if on such examination it shall appear that the applicant is entitled to registration, the Commissioner shall cause the mark to be published at least once in the Official Gazette of the Patent Office.

OPPOSITION

SEC. 13. Any person who would be damaged by the registration of a mark may, upon payment of the required fee, file a verified notice of opposition in the Patent Office stating the grounds therefor within 30 days after the publication in the Official Gazette of the mark sought to be registered. For good cause shown, the time for filing notice of opposition may be extended by the Commissioner. An unverified opposition may be filed by a duly authorized attorney, but such opposition shall be null and void unless verified by the opposer within a reasonable time after such filing to be fixed by the Commissioner.

CANCELATION

SEC. 14. Whenever any person is damaged by the registration of a mark under this act, he may, within 10 years from the date of such registration, apply to cancel the registration thereof. If a registered mark has been abandoned or its registration was obtained fraudulently, or contrary to the provisions of section 2, subsections (a), (b), or (c) hereof, application for its cancelation may be made at any time. In the case of marks registered under the acts of February 20, 1905, and March 3, 1881, the 10-year period shall begin from the effective date of this act.

SEC. 15. After the period for the cancelation of the registration of a trade-mark has expired the right of the registrant to use his mark as theretofore used in commerce shall be incontestable.

INTERFERENCE

SEC. 16. Whenever application is made for the registration of a mark which in the opinion of the Commissioner so resembles a mark previously registered by another, or for the registration of which another has previously made application, as to be likely when applied to the goods of the applicant, to cause confusion or mistake or to deceive purchasers, the Commissioner may declare that an interference exists. No interference shall be declared between an application and a mark the right to use of which has become incontestable.

SEC. 17. If, after due proceedings, it shall appear that there has been in commerce an honest concurrent use of the same or similar marks for the same or similar goods or services for a continuous period of more than 5 years immediately preceding the date of a pending application by one of such users for the registration of one of such marks, without protest by any other such user within said period, the Commissioner, or on appeal the United States Court of Customs and Patent Appeals, or the court in an action begun under the provisions of section 4915, Revised Statutes, may grant more than one registration of such marks, subject to such conditions and limitations, if any, as to mode or place of use of such marks as the Commissioner or said courts, or either of them, may require in order to minimize the probability of confusion arising from the concurrent use of such marks.

The provisions of this section shall also govern cases heretofore begun in the Patent Office, and not finally determined, where the provisions thereof may be applicable.

In any case in which an appeal is pending before the United States Court of Customs and Patent Appeals at the date of the enactment of this act, the said court, if it be of the opinion that the provisions of this section may be applicable to the subject matter of the appeal, may remand the case to the Commissioner for the taking of additional evidence or for reconsideration of his decision on the record as made, as the court may deem proper.

In any case in which an appeal is pending before the United States Court of Appeals for the District of Columbia at the time of the enactment of this act, the said court, if it be of the opinion that the provisions of this section may be applicable to the subject matter of the appeal, may remand the case to the District Court for the District of Columbia for a new trial or for reconsideration of its decision on the record as made, as the appellate court may deem proper.

SEC. 18. In every case of interference, opposition to registration, application to register as an honest concurrent user, or application to cancel the registration of a mark, the Commissioner shall give notice to all parties and shall direct the examiner in charge of interferences to determine the right of registration.

SEC. 19. The Commissioner may refuse to register the opposed mark, may cancel the registration of a registered mark, or may refuse to register any or all of several interfering marks, or may register the mark for the person or persons entitled thereto, as the rights of the parties may be established in the proceedings.

(a) In all inter partes proceedings the doctrine of laches and acquiescence, where applicable, shall be considered and applied. The provisions of this section shall also govern cases heretofore begun in the Patent Office and not finally determined, and the provisions of section 17 respecting remands shall be applicable to this section.

SEC. 20. Appeal may be taken to the Commissioner in person from the final decision of the examiner of interferences. Appeals may also be taken to the Commissioner in person from all final decisions of the examiner in charge of trade-marks.

SEC. 21. If an applicant for registration of a mark, or a party to an interference as to a mark, or party who has filed opposition to the registration of a mark, or a party to an application to register as an honest concurrent user, or party to an application for the cancelation of the registration of a mark, is dissatisfied with the decision of the Commissioner of Patents, he may appeal to the United States Court of Customs and Patent Appeals on complying with the conditions required in case of an appeal from the decision of the Board of Appeals by an applicant for a patent or a party to an interference as to an invention, and the same rules of practice and procedure shall govern in every stage of such proceedings as far as the same may be applicable. The provisions of section 4915 of the Revised Statutes shall apply in trade-mark cases. The same right of review as provided in said section 4915 shall be accorded to all parties to interference opposition and cancelation proceedings.

REGISTRATION IS NOTICE

SEC. 22. Registration of a mark under this act and the acts of March 3, 1881, February 20, 1905, and March 19, 1920, is notice of the registrant's claim of ownership thereof.

TITLE II—THE SUPPLEMENTAL REGISTER

SEC. 23. In addition to the principal register, the Commissioner shall keep a continuation of the register provided in paragraph (b) of section 1 of the act of March 19, 1920, entitled "An act to give effect to certain provisions of the convention for the protection of trade-marks and commercial names, made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes," to be called the supplemental register. All marks not registrable on the principal register herein provided, except those declared to be unregistrable under paragraps (a), (b), (c), and (d) of section 2 of this act, which have been in bona fide use for not less than 1 year in commerce by the proprietor thereof, upon or in connection with any goods of such proprietor, may be registered on the supplemental register upon payment of the filing fee to the Commissioner of Patents and compliance with such formalities as the said Commissioner may require: *Provided*, That a mark which so resembles a known mark owned and used in commerce by another, as to be likely, when applied to the goods of the applicant, to cause confusion or mistake or to deceive purchasers, shall not be placed on this register: *And provided further*, That where the mark so to be registered is or may be used by subsidiary or related companies or by members of an association, such use shall be deemed exclusive in the holding or parent company or in the association, for the purposes of the application

and for all other purposes; and use of registered marks by companies subsidiary or related to the registrant or by the members of an association, shall not affect the validity of such trade-mark or of its registration.

For the purposes of this register, a mark may include a trade-mark, symbol, label, package, configuration of goods, name, word, slogan, or phrase, but such mark must be capable of distinguishing the applicant's goods.

Collective marks, including indications of regional origin, used by natural or juristic persons, and nations, States, municipalities, and the like, exercising legitimate control over the use of the mark sought to be registered, even though not possessing ar industrial or commercial establishment, shall be registrable under this section: *Provided further*, That upon a proper showing by the applicant that he has begun the bona fide use of his mark in foreign commerce and that he requires domestic registration as a basis for foreign protection of his mark, the Commissioner may waive the requirement of a full year's use and may grant registration forthwith. Appeal may be had to the Commissioner from a refusal of the Examiner of Trade-Marks to register a mark on the supplemental register, but the decision of the Commissioner shall not be appealable.

CANCELATION

SEC. 24. Marks for the supplemental register shall not be published for or be subject to opposition, but shall be published on registration. Whenever any person shall deem himself injured by the inclusion of a mark on this register, he may at any time apply to the Commissioner of Patents to cancel the registration thereof. The Commissioner shall refer such application to the examiner in charge of interferences, who is empowered to hear and determine this question, and who shall give notice thereof to the registrant. If it appear after a hearing before the examiner that the registrant was not entitled to register the mark at the date of his application for registration thereof, or that the mark is not used by the registrant or has been abandoned, and the examiner shall so decide, the Commissioner shall cancel the registration. Appeal may be taken to the Commissioner in person from the decision of the examiner in charge of interferences, but the decision of the Commissioner shall not be appealable.

DURATION AND RENEWAL

SEC. 25. Registrations on the supplemental register shall remain in force for 20 years: *Provided*, That the registration of any mark on the supplemental register shall be canceled at the end of 5 years following its date, unless within 3 months next preceding the expiration of such 5 years the registrant shall file in the Patent Office an affidavit in such form as may be prescribed by the Commissioner stating that said mark is still in use. If, however, nonuse is due to special circumstances and not to any intention not to use or to abandon such trade-mark, the affidavit shall so state, in which case the registration shall not be canceled because of such nonuse. Forms for such affidavits shall be attached to each certificate of registration. Registrations on the supplemental register may be renewed as provided in section 9 of this act.

GENERAL PROVISIONS

SEC. 26. The provisions of paragraphs (a), (c), (e), (f), and (g) of section 7, the provisions of section 10 and the provisions of sections 11 and 22 of this act, are hereby made applicable to registrations on the supplemental register.

SEC. 27. Registration on the supplemental register, or under the act of March 19, 1920, or expiration under section 25 hereof, shall not preclude registration by registrant on the principal register established by this act.

SEC. 28. Registration on the supplemental register or under the act of March 19, 1920, shall not be filed in the Department of the Treasury or be used to stop importations. The certificates of registration for marks registered on the supplemental register shall be conspicuously different in appearance from certificates issued for marks registered on the principal register.

TITLE III—NOTICE OF REGISTRATION

SEC. 29. It shall be the duty of the registrant to accompany a mark registered under the act of February 20, 1905, or under section 1 (b) of the act of March 19, 1920, or under this act, with the words "Registered in U. S. Patent Office" or "Reg. U. S. Pat. Off." or with the letter R enclosed within a circle, thus, ®, or T. M. R. in an ellipse thus, (T. M. R.); and in any suit for infringement under this act by a registrant failing so to mark, no profits and no damages shall be recovered unless the defendant had actual notice: *Provided, however*, That the foregoing requirement as to notice shall be deemed fulfilled in respect to goods of foreign origin if the marks thereon which are registered in the United States carry the words or indications of registration legally used or required to be used in the country of origin of the goods.

TITLE IV—CLASSIFICATION

SEC. 30. The Commissioner may establish a classification of merchandise, services, and so forth, for convenience of Patent Office administration, but not to limit or extend the applicant's rights. The applicant may register his mark in one application for any or all of the goods included in one class, upon which he has actually used the mark. The Commissioner may issue a single certificate for one mark registered in a plurality of classes upon payment of a fee equalling the sum of the fees for each registration in each class.

TITLE V—FEES AND CHARGES

SEC. 31. Fees payable to the Patent Office under this act shall be as follows: On filing each original application for registration of a mark in either the principal or the supplemental register, $15; on filing each application for renewal, $15; and on filing each application for renewal after expiration of the registration, an additional fee of $5; on filing notice of opposition or application for cancelation, $10; on appeal from the examiner in charge of trade-marks to the Commissioner, $20; on appeal from the examiner in charge of interferences to the Commissioner, $20; for issuance of a new certificate of registration following change of ownership of a mark, $10; for certificate of correction of registrant's mistake, $10; for filing each application communicated to the United States from the International Bureau, Habana, $15; for filing and transmitting application to the International Bureau, Habana, including certificate, $10; for manuscript copies, for every 100 words or fraction thereof, 10 cents; for comparing other copies, 5 cents for every 100 words or fraction thereof; for certifying in any case, additional, 75 cents; for each additional registration or application which may be included under a single certificate, 25 cents additional; for each additional registration or application included, or involved in one writing where more than one is so included or involved, additional, 50 cents; for filing disclaimer after registration, $10.

For abstracts of title: For the search, one hour or less, and certificate, $3; each additional hour or fraction thereof, $1.50; for each brief from the digest of assignments of 200 words or less, 50 cents; each additional 100 words or fraction thereof, 10 cents.

For certificate that trade-mark has not been registered—search and certificate (for deposit in foreign countries only) $3.

For title reports required for office use, $1.

For a single printed copy of statement and drawing, 10 cents; if certified, for the grant, additional, 50 cents; for the certificate, 50 cents; if renewed, for copy of certificate of renewal, additional, 50 cents.

For photographic copies of records, per copy, 20 cents; if certified, for the certificate, additional, 50 cents.

For photographic copies of drawings, per sheet, 20 cents.

For recording every assignment, power of attorney, or other paper not exceeding six pages, $3; for each additional two pages or less, $1.

The Commissioner is authorized to refund fees paid by mistake or in excess.

TITLE VI—REMEDIES

SEC. 32. Any person who shall, in commerce, without the consent of the registrant, (a) reproduce, counterfeit, copy, or colorably imitate any mark on either register provided by this act, or (b) shall apply such reproduction, counterfeit, copy, or colorable imitation to merchandise or services of such a character that the use thereof is likely to cause confusion or mistake or to deceive purchasers, or to labels, signs, prints, packages, wrappers, receptacles, or advertisements intended to be used upon or in connection with the sale of such merchandise or services, or (c) shall otherwise use such reproduction, counterfeit, copy, or colorable imitation falsely to indicate that the goods or services are the goods or services of a person who shall have registered a mark under this act, shall be liable in a civil action by the registrant for any or all of the remedies hereinafter provided.

In such action any certificate of registration on the principal register issued under this act and owned by the plaintiff shall be admissible in evidence and shall be prima facie evidence of plaintiff's exclusive right to the use of the mark therein described on the goods therein specified. If the right to use the mark has become incontestable under section 15 hereof, the certificate shall be evidence of the registrant's exclusive right to use the mark which can be rebutted only by proof that the registration was obtained fraudulently or that the mark has been abandoned by the registrant, or by proof of one of the following defenses:

(1) That the mark whose use by the defendant, or those in privity with him, is charged as an infringement has been continuously used by the defendant or by his predecessors in business in the State or States where its use is charged to infringe from a date prior to the use by the registrant or his predecessors of the trade-mark described in the registration: *Provided*, That when prior use shall have been established in the defendant or his predecessor, he shall be entitled to the exclusive development of his mark within the territory which he now holds.

(2) That the use by the defendent of the mark charged to be an infringement is a fair use of the defendant's individual name in his own business in a manner not calculated to deceive the public, or is a fair use of the only known descriptive term for goods rightfully sold by the defendant.

(3) If goods have been put on the market by the registrant of a mark registered under this act or under any of the prior acts enumerated in section 46 hereof, in a package or other container bearing such mark, and said goods, or any part thereof, have been transferred, without the authority of the registrant, to another package or container, or if said goods have been in any way altered, it shall be unlawful and an infringement of such registered mark to make any use of or reference to such registered mark on or in

connection with such altered or transferred goods or on or in connection with any packages or containers or display devices therefor, in the selling or displaying or offering for sale of any of the altered or transferred goods.

SEC. 33. The several courts vested with jurisdiction of civil actions arising under this act shall have power to grant injunctions, according to the principles of equity and upon such terms as the court may deem reasonable, to prevent the violation of any right of the registrant of a mark registered under this act. Any such injunction granted upon hearing, after notice to the defendant, by any district court of the United States, or by a judge thereof, may be served on the parties against whom such injunction is granted anywhere in the United States where they may be found, and shall be operative, and may be enforced by proceedings to punish for contempt, or otherwise, by the court by which such injunction was granted, or by any other district court, or judge thereof, in the United States, or by the District Court of the United States for the District of Columbia, or a judge thereof. The said courts, or judges thereof, shall have jurisdiction to enforce said injunction, as herein provided, as fully as if the injunction had been granted by the district court in which it is sought to be enforced. The clerk of the court or judge granting the injunction shall, when required to do so by the court before which application to enforce said injunction is made, transfer without delay to said court a certified copy of all papers on file in his office, upon which said injunction was granted. And it shall be the duty of the clerks of such courts within 1 month after the filing of any action, suit, or proceeding arising under the provisions of this act to give notice thereof in writing to the Commissioner of Patents, setting forth in order so far as known the names and addresses of the litigants and the designating number or numbers of the registration or registrations upon which the action, suit, or proceeding has been brought, and in the event any other registration be subsequently included in the action, suit, or proceeding by amendment, answer, cross-bill, or other pleading, the clerk shall give like notice thereof to the Commissioner of Patents, and within one month after the decision is rendered or a decree issued the clerk of the court shall give notice thereof to the Commissioner of Patents, and it shall be the duty of the Commissioner of Patents on receipts of such notice forthwith to endorse the same upon the file wrapper of the said registration or registrations and to incorporate the same as a part of the contents of said file or file wrapper; and for each notice required to be furnished to the Commissioner of Patents in compliance therewith a fee of 50 cents shall be taxed by the clerk as costs of suit.

SEC. 34. Whenever the plaintiff shall have established his right to relief in any civil action arising under this act, he shall be entitled (subject to the provisions of section 29) to recover (1) defendant's profits, (2) any damages sustained by the plaintiff, and (3) in the discretion of the court the costs of the action. The court shall assess such profits and damages or cause the same to be assessed under its direction. In assessing profits the plaintiff shall be required to prove defendant's sales only; defendant must prove all elements of cost or deduction claimed. In assessing damages the court may, according to the circumstances of the case, enter judgment for any sum above the amount found as actual damages, not exceeding three times such amount, such sum to constitute compensation and not a penalty.

SEC. 35. In any civil action arising under this act, in which the plaintiff shall have established his right to relief, the court may order that all labels, signs, prints, packages, wrappers, receptacles, or advertisements in the possession of the defendant, bearing the mark of the plaintiff or any reproduction, counterfeit, copy, or colorable limitation thereof, and all plates, molds, matrices, or other means of making the same, shall be delivered up and destroyed.

SEC. 36. In any action the court may determine the right to registration, order the cancelation of registrations, in whole or in part, restore canceled registrations, and otherwise rectify the register. Decrees and orders shall be certified by the court to the Commissioner, who shall make appropriate entry upon the records of the Patent Office, and shall be controlled thereby.

SEC. 37. Any person who shall procure registration of a mark in the office of the Commissioner of Patents by a false or fraudulent declaration or representation, oral or in writing, or by any false means, shall be liable in a civil action by any person injured thereby for any damages sustained in consequence thereof.

SEC. 38. The district and territorial courts of the United States and the District Court of the United States for the District of Columbia shall have original jurisdiction, and the circuit courts of appeal of the United States and the United States Court of Appeals for the District of Columbia shall have appellate jurisdiction, of all civil actions arising under this act respecting trade-marks registered in accordance with the provisions of this act, without regard to the amount in controversy or to diversity or lack of diversity of the citizenship of the parties.

SEC. 39. Writs of certiorari may be granted by the Supreme Court of the United States for the review of cases arising under this act in the same manner as provided for in cases under the patent laws.

SEC. 40. The Commissioner of Patents is authorized to make rules and regulations, not inconsistent with law, for the conduct of proceedings in the Patent Office under this act.

CRIMINAL OFFENSES

SEC. 41. Knowingly to introduce or deliver for introduction or to receive in commerce any counterfeit of any mark upon the principal register or knowingly to transport such counterfeit in commerce shall be a misdemeanor punishable by a fine not exceeding $1,000 or imprisonment not exceeding 6 months, or both such fine and imprisonment.

Any person who shall introduce in commerce goods bearing a legend falsely indicating that the mark thereof is registered in the United States Patent Office, shall be guilty of a misdemeanor and shall be subject to a fine of not less than $100.

TITLE VII—IMPORTATION FORBIDDEN OF GOODS BEARING INFRINGING MARKS OR NAMES

SEC. 42. (a) Any merchandise, whatever may be its source or origin, which shall bear any registered mark or any infringement thereof, except a mark registered under section 1 (b) of the act of March 19, 1920, or in the supplemental register provided by this act, shall not be imported into the United States or admitted to entry at any customhouse of the United States unless the written consent of the registrant to such importation or entry be first had and obtained or unless such offending mark be removed or obliterated; and, if brought into the United States in violation of the provision of this section, any person selling, offering for sale, or dealing in such merchandise shall be amenable, at the suit of the registrant, to the liabilities for infringement provided in this act and, in addition, be required to export or destroy such merchandise or to remove or obliterate such infringing mark therefrom, and such merchandise shall be subject to seizure and forfeiture for violation of the customs laws: *Provided*, That in order to aid the officers of customs in enforcing this paragraph, the registrant or owner of the trade-mark shall record the trade-mark in the Department of the Treasury, under such regulations as the Secretary of the Treasury shall prescribe.

(b) Any merchandise, whatever may be its source or origin, which shall bear the name or a simulation thereof of any domestic manufacture or manufacturer or trader, or of any manufacturer or trader located in any foreign country which by treaty, convention, or law affords similar privileges to citizens of the United States, shall not be imported into the United States or admitted to entry at any customhouse of the United States unless the written consent of such manufacturer or trader to such importation or entry be first had and obtained, or unless such offending name be removed or obliterated, and if brought into the United States in violation of the provisions of this section, any person selling, offering for sale, or dealing in such merchandise may be enjoined from dealing therein and in addition be required to export or destroy such merchandise or to remove or obliterate such name therefrom, and the merchandise shall be subject to seizure and forfeiture for violation of the customs laws: *Provided*, That in order to aid the officers of customs in enforcing this paragraph, such domestic or foreign manufacturer or trader shall record his trade or commercial name in the Department of the Treasury, under such regulations as the Secretary of the Treasury may prescribe.

(c) The owner, importer, or consignee of merchandise refused entry or seized under paragraphs (a) or (b) of this section may have relief against the registrant, manufacturer, or trader by a summary proceeding in any United States court of original jurisdiction, in the district where such merchandise is held or where such registrant, manufacturer, or trader or a designated representative is an inhabitant or may be found, or, if the registrant is a foreigner and no such designation has been filed, then in the District of Columbia, and after such notice and upon such proceedings as the court may direct the court may determine whether the plaintiff for any reason has the right to import such merchandise under the names or marks which it bears.

(d) A decree or order of such court for the plaintiff, upon being certified to the collector of the port where the merchandise is held, shall be warrant to such collector to release the merchandise from arrest or seizure or forfeiture under this section.

(e) An order or decree for either party, whether interlocutory or final, shall be appealable within 30 days, and the court making such order or decree may, in its discretion, suspend the operation thereof pending appeal.

TITLE VIII—FALSE DESIGNATION OF ORIGIN AND FALSE DESCRIPTIONS FORBIDDEN

SEC. 43. (a) Any person who shall affix, apply, or annex, or use in connection with any article or articles of merchandise, or any container or containers of the same, a false designation of origin, or any false description or representation, including words or other symbols tending falsely to describe or represent the same, and shall cause such merchandise to enter into commerce, and any person who shall knowingly cause or procure the same to be transported in commerce or shall knowingly deliver the same to any carrier to be transported, shall be liable to a civil action at the suit of any person doing business in the locality falsely indicated as that of origin or in the region in which said locality is situated, or of any association of such persons or of any person who is or is likely to be damaged by the use of any false description, or representation or at the suit of any association of such persons.

(b) Any article marked or labeled in contravention of the provisions of this section shall not be imported into the United States or admitted to entry at any customhouse of the United States. The owner, importer, or consignee of merchandise refused entry in any customhouse under this section may have any recourse by protest or appeal that

is given under the customs revenue laws or may have the remedy given by this act in cases involving merchandise refused entry or seized.

TITLE IX—INTERNATIONAL CONVENTIONS

SEC. 44. (a) The Commissioner shall keep a register of all marks communicated to him by the international bureaus provided for by the Conventions for the Protection of Industrial Property, trade-marks, commercial and trade names, and the repression of unfair competition to which the United States is or may become a party, and upon the payment of the fees required by such conventions and the fees herein prescribed may place the marks so communicated upon such register. This register shall show a facsimile of the mark or name; the name and residence of the registrant; the number, date, and place of the first registration of the mark, including the date on which application for such registration was filed and the term of such registration; a list of goods to which the mark is applied as shown by the registration in the country of origin, and such other data as may be useful concerning the mark. This register shall be a continuation of the register provided in section (a) of the act of March 19, 1920.

(b) Persons nationals of, or domiciled in, or having a bona fide and effective business or commercial establishment in any country, which is party to the International Convention for the Protection of Industrial Property, concluded at Paris on March 20, 1883, or to any subsequent revision thereof, as well as to the convention between American republics concerning the protection of trade-marks and trade names and the repression of unfair competition, to which the United States is also a party, by the proclamation of February 27, 1931, shall be entitled to the benefits and subject to the provisions of this act except as provided in the following paragraphs of this section.

(c) No registration of a mark in the United States by a person described in paragraph (b) of this section shall be perfected until such mark has been registered in the country of origin of the applicant, except when such country makes no such requirement of nationals or residents of the United States or the applicant alleges use in commerce.

For the purposes of this section, the country of origin of the applicant is the country in which he has a bona fide and effective industrial or commercial establishment and, in the case of associations, the country in which the association has its domicile or its principal office.

(d) An application for registration of a mark under section 1 or 23 of this act filed by a person described in paragraph (b) of this section who has previously duly filed an application for registration of the same mark in one of the countries described in paragraph (b) shall be accorded the same force and effect as would be accorded to the same application if filed in the United States on the same date on which the application was first filed in such foreign country: *Provided*, That—

(1) the application in the United States is filed within 6 months from the date on which the application was first filed in the foreign country;

(2) the application conforms as nearly as practicable to the requirements of this act, but use in commerce need not be alleged;

(3) the applicant files a certified copy of the application filed in the foreign country: *And provided further*, That—

(4) the rights acquired by third parties before the day of the first application in the foreign country shall in no way be affected by the registration obtained on the application under this paragraph; and

(5) nothing in this paragraph shall entitle the foreign applicant to sue for infringement of his mark prior to the date on which his mark was registered in this country unless the registration is based on use in commerce.

(e) A mark duly registered in the country of origin of the foreign applicant may be registered on the principal register if eligible, otherwise on the supplemental register herein provided. The application shall be accompanied by a certified copy of the registration in the country of origin of the applicant.

(f) The registration of a mark under the provisions of paragraphs (c), (d), and (e) of this section by a person described in paragraph (b) shall be independent of the registration in the country of origin and the duration, validity, or transfer in the United States of such registration shall be governed by the provisions of this act.

(g) Trade names of persons described in paragraph (b) of this section used in commerce shall be protected in accordance with the provisions of this act.

(h) Any person designated in paragraph (b) of this section as entitled to the benefits and subject to the provisions of this act, shall be entitled to effective protection against unfair business competition, and in repressing acts of unfair competition, the remedies provided herein against infringement of trade-marks shall be available so far as they may be appropriate.

(i) Citizens or residents of the United States shall have the same benefits as are granted by this section to persons described in paragraph (b) hereof.

TITLE X—CONSTRUCTION AND DEFINITIONS

SEC. 45. In the construction of this act, unless the contrary is plainly apparent from the context—

The United States includes and embraces all territory which is under its jurisdiction and control.

The word "commerce" means all commerce which may lawfully be regulated by Congress.

The term "person" and any other word or term used to designate the applicant or other entitled to a benefit or privilege or rendered liable under the provisions of this act includes a juristic person as well as a natural person. The term "juristic person" includes a firm, corporation, association or similar organization capable of suing and being sued in a court of law.

The terms "applicant" and "registrant" embrace the legal representatives and successors and assigns of such applicant or registrant.

The term "Commissioner" means the Commissioner of Patents.

The term "related company" means any individual, partnership, or person within the definition above where, by ownership, or contractual relationship, control of the nature and quality of the goods upon which the mark is used is exercised by the registrant.

The terms "trade-mark" and "mark" include any mark which is entitled to registration under the terms of this act and whether registered or not. "Service marks" are marks so used as to distinguish the user's services of any nature from the similar or related services of others. "Certification marks" are marks indicating that the goods in connection with which they are used are certified by the registrant as to origin, material, mode of manufacture, quality, accuracy, or other characteristic. There may be included in the category of certification marks the marks of labor unions and other associations. "Collective marks" means marks lawfully used by two or more persons.

For the purposes of this act a mark shall be deemed to be applied to an article when it is placed in any manner in or upon either the article or its container or display or upon tags or labels or is otherwise used in the advertisement and sale thereof in commerce.

A mark shall be deemed to be "abandoned"—

(a) When its use has been discontinued with intent not to resume. Intent not to resume may be inferred from circumstances. Discontinuance of use for 2 years shall be prima facie abandonment.

(b) When any conduct of the registrant causes the mark to lose its significance as an indication of origin.

The term "colorable imitation" includes any mark which so resembles a mark registered under this act as to be likely to cause confusion or mistake or to deceive purchasers.

A "counterfeit" is a mark which is identical with, or substantially indistinguishable from, a registered mark.

Words used in the singular include the plural, and vice versa.

The intent of this act is to regulate commerce within the control of Congress by making actionable the deceptive and misleading use of marks in such commerce; to protect registered marks used in such commerce from interference by State legislation; to protect persons engaged in such commerce against unfair competition; to prevent fraud and deception in such commerce by the use of reproductions, copies, counterfeits, or colorable imitations of registered marks; and to provide rights and remedies stipulated by treaties and conventions respecting trade-marks and unfair competition entered into between the United States and foreign nations.

TITLE XI—REPEAL OF PREVIOUS ACTS

SEC. 46. This act shall be in force and take effect 60 days from its enactment, but except as otherwise herein specifically provided shall not affect any suit, proceeding, or appeal then pending. All acts and parts of acts inconsistent herewith are hereby repealed, including the following, namely: The act of Congress approved March 3, 1881, entitled "An act to authorize the registration of trade-marks and protect the same"; the act approved August 5, 1882, entitled "An act relating to the registration of trade-marks"; the act of February 20, 1905 (U. S. C., title 15, secs. 81 to 109, inclusive), entitled "An act to authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same," and the amendments thereto by the acts of May 4, 1906 (U. S. C., title 15, secs. 131 and 132; 34 Stat. 169), March 2, 1907 (34 Stat. 1251, 1252), February 18, 1909 (35 Stat. 627, 628), February 18, 1911 (36 Stat. 918), March 3, 1911 (36 Stat 1167), January 8, 1913 (37 Stat. 649), June 7, 1924 (43 Stat 647), March 4, 1925 (43 Stat. 1268, 1269), April 11, 1930 (46 Stat. 155); act June 10, 1938 (Public, No. 586, 75th Cong., ch. 332, 3d sess.); the act of March 19, 1920 (U. S. C., title 15, secs. 121 to 128, inclusive), entitled "An act to give effect to certain provisions of the convention for the protection of trade-marks and commercial names made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes"; and the amendments thereto, including act June 10, 1938 (Public, No. 586, 75th Cong., ch. 332, 3d sess.); and section 526 of the Tariff Act of 1930 (U. S. C., title 19, sec. 1526), except that this repeal shall not affect the validity of registrations under said acts, respectively, or rights or remedies thereunder.

Registrations now existing under the act of February 20, 1905, shall continue in full force and effect for the unexpired term thereof and may be renewed under the provisions of section 9 of this act. Such registrations shall be subject to and shall be entitled to the benefit of the provisions of this act relating to marks registered on the principal register established by this act. Marks registered under the "10-year proviso" of section 5 of the act of February 20, 1905, as amended, shall be deemed to have become distinctive of the registrant's goods in commerce under paragraph (f) of section 2 of this act and may be renewed under section 9 hereof as trade-marks coming within said paragraph.

connection with such altered or transferred goods or on or in connection with any packages or containers or display devices therefor, in the selling or displaying or offering for sale of any of the altered or transferred goods.

SEC. 33. The several courts vested with jurisdiction of civil actions arising under this act shall have power to grant injunctions, according to the principles of equity and upon such terms as the court may deem reasonable, to prevent the violation of any right of the registrant of a mark registered under this act. Any such injunction granted upon hearing, after notice to the defendant, by any district court of the United States, or by a judge thereof, may be served on the parties against whom such injunction is granted anywhere in the United States where they may be found, and shall be operative, and may be enforced by proceedings to punish for contempt, or otherwise, by the court by which such injunction was granted, or by any other district court, or judge thereof, in the United States, or by the District Court of the United States for the District of Columbia, or a judge thereof. The said courts, or judges thereof, shall have jurisdiction to enforce said injunction, as herein provided, as fully as if the injunction had been granted by the district court in which it is sought to be enforced. The clerk of the court or judge granting the injunction shall, when required to do so by the court before which application to enforce said injunction is made, transfer without delay to said court a certified copy of all papers on file in his office, upon which said injunction was granted. And it shall be the duty of the clerks of such courts within 1 month after the filing of any action, suit, or proceeding arising under the provisions of this act to give notice thereof in writing to the Commissioner of Patents, setting forth in order so far as known the names and addresses of the litigants and the designating number or numbers of the registration or registrations upon which the action, suit, or proceeding has been brought, and in the event any other registration be subsequently included in the action, suit, or proceeding by amendment, answer, cross-bill, or other pleading, the clerk shall give like notice thereof to the Commissioner of Patents, and within one month after the decision is rendered or a decree issued the clerk of the court shall give notice thereof to the Commissioner of Patents, and it shall be the duty of the Commissioner of Patents on receipts of such notice forthwith to endorse the same upon the file wrapper of the said registration or registrations and to incorporate the same as a part of the contents of said file or file wrapper; and for each notice required to be furnished to the Commissioner of Patents in compliance therewith a fee of 50 cents shall be taxed by the clerk as costs of suit.

SEC. 34. Whenever the plaintiff shall have established his right to relief in any civil action arising under this act, he shall be entitled (subject to the provisions of section 29) to recover (1) defendant's profits, (2) any damages sustained by the plaintiff, and (3) in the discretion of the court the costs of the action. The court shall assess such profits and damages or cause the same to be assessed under its direction. In assessing profits the plaintiff shall be required to prove defendant's sales only; defendant must prove all elements of cost or deduction claimed. In assessing damages the court may, according to the circumstances of the case, enter judgment for any sum above the amount found as actual damages, not exceeding three times such amount, such sum to constitute compensation and not a penalty.

SEC. 35. In any civil action arising under this act, in which the plaintiff shall have established his right to relief, the court may order that all labels, signs, prints, packages, wrappers, receptacles, or advertisements in the possession of the defendant, bearing the mark of the plaintiff or any reproduction, counterfeit, copy, or colorable limitation thereof, and all plates, molds, matrices, or other means of making the same, shall be delivered up and destroyed.

SEC. 36. In any action the court may determine the right to registration, order the cancelation of registrations, in whole or in part, restore canceled registrations, and otherwise rectify the register. Decrees and orders shall be certified by the court to the Commissioner, who shall make appropriate entry upon the records of the Patent Office, and shall be controlled thereby.

SEC. 37. Any person who shall procure registration of a mark in the office of the Commissioner of Patents by a false or fraudulent declaration or representation, oral or in writing, or by any false means, shall be liable in a civil action by any person injured thereby for any damages sustained in consequence thereof.

SEC. 38. The district and territorial courts of the United States and the District Court of the United States for the District of Columbia shall have original jurisdiction, and the circuit courts of appeal of the United States and the United States Court of Appeals for the District of Columbia shall have appellate jurisdiction, of all civil actions arising under this act respecting trade-marks registered in accordance with the provisions of this act, without regard to the amount in controversy or to diversity or lack of diversity of the citizenship of the parties.

SEC. 39. Writs of certiorari may be granted by the Supreme Court of the United States for the review of cases arising under this act in the same manner as provided for in cases under the patent laws.

SEC. 40. The Commissioner of Patents is authorized to make rules and regulations, not inconsistent with law, for the conduct of proceedings in the Patent Office under this act.

CRIMINAL OFFENSES

SEC. 41. Knowingly to introduce or deliver for introduction or to receive in commerce any counterfeit of any mark upon the principal register or knowingly to transport such counterfeit in commerce shall be a misdemeanor punishable by a fine not exceeding $1,000 or imprisonment not exceeding 6 months, or both such fine and imprisonment.

Any person who shall introduce in commerce goods bearing a legend falsely indicating that the mark thereof is registered in the United States Patent Office, shall be guilty of a misdemeanor and shall be subject to a fine of not less than $100.

TITLE VII—IMPORTATION FORBIDDEN OF GOODS BEARING INFRINGING MARKS OR NAMES

SEC. 42. (a) Any merchandise, whatever may be its source or origin, which shall bear any registered mark or any infringement thereof, except a mark registered under section 1 (b) of the act of March 19, 1920, or in the supplemental register provided by this act, shall not be imported into the United States or admitted to entry at any customhouse of the United States unless the written consent of the registrant to such importation or entry be first had and obtained or unless such offending mark be removed or obliterated; and, if brought into the United States in violation of the provision of this section, any person selling, offering for sale, or dealing in such merchandise shall be amenable, at the suit of the registrant, to the liabilities for infringement provided in this act and, in addition, be required to export or destroy such merchandise or to remove or obliterate such infringing mark therefrom, and such merchandise shall be subject to seizure and forfeiture for violation of the customs laws: *Provided*, That in order to aid the officers of customs in enforcing this paragraph, the registrant or owner of the trade-mark shall record the trade-mark in the Department of the Treasury, under such regulations as the Secretary of the Treasury shall prescribe.

(b) Any merchandise, whatever may be its source or origin, which shall bear the name or a simulation thereof of any domestic manufacture or manufacturer or trader, or of any manufacturer or trader located in any foreign country which by treaty, convention, or law affords similar privileges to citizens of the United States, shall not be imported into the United States or admitted to entry at any customhouse of the United States unless the written consent of such manufacturer or trader to such importation or entry be first had and obtained, or unless such offending name be removed or obliterated, and if brought into the United States in violation of the provisions of this section, any person selling, offering for sale, or dealing in such merchandise may be enjoined from dealing therein and in addition be required to export or destroy such merchandise or to remove or obliterate such name therefrom, and the merchandise shall be subject to seizure and forfeiture for violation of the customs laws: *Provided*, That in order to aid the officers of customs in enforcing this paragraph, such domestic or foreign manufacturer or trader shall record his trade or commercial name in the Department of the Treasury, under such regulations as the Secretary of the Treasury may prescribe.

(c) The owner, importer, or consignee of merchandise refused entry or seized under paragraphs (a) or (b) of this section may have relief against the registrant, manufacturer, or trader by a summary proceeding in any United States court of original jurisdiction, in the district where such merchandise is held or where such registrant, manufacturer, or trader or a designated representative is an inhabitant or may be found, or, if the registrant is a foreigner and no such designation has been filed, then in the District of Columbia, and after such notice and upon such proceedings as the court may direct the court may determine whether the plaintiff for any reason has the right to import such merchandise under the names or marks which it bears.

(d) A decree or order of such court for the plaintiff, upon being certified to the collector of the port where the merchandise is held, shall be warrant to such collector to release the merchandise from arrest or seizure or forfeiture under this section.

(e) An order or decree for either party, whether interlocutory or final, shall be appealable within 30 days, and the court making such order or decree may, in its discretion, suspend the operation thereof pending appeal.

TITLE VIII—FALSE DESIGNATION OF ORIGIN AND FALSE DESCRIPTIONS FORBIDDEN

SEC. 43. (a) Any person who shall affix, apply, or annex, or use in connection with any article or articles of merchandise, or any container or containers of the same, a false designation of origin, or any false description or representation, including words or other symbols tending falsely to describe or represent the same, and shall cause such merchandise to enter into commerce, and any person who shall knowingly cause or procure the same to be transported in commerce or shall knowingly deliver the same to any carrier to be transported, shall be liable to a civil action at the suit of any person doing business in the locality falsely indicated as that of origin or in the region in which said locality is situated, or of any association of such persons or of any person who is or is likely to be damaged by the use of any false description, or representation or at the suit of any association of such persons.

(b) Any article marked or labeled in contravention of the provisions of this section shall not be imported into the United States or admitted to entry at any customhouse of the United States. The owner, importer, or consignee of merchandise refused entry in any customhouse under this section may have any recourse by protest or appeal that

is given under the customs revenue laws or may have the remedy given by this act in cases involving merchandise refused entry or seized.

TITLE IX—INTERNATIONAL CONVENTIONS

SEC. 44. (a) The Commissioner shall keep a register of all marks communicated to him by the international bureaus provided for by the Conventions for the Protection of Industrial Property, trade-marks, commercial and trade names, and the repression of unfair competition to which the United States is or may become a party, and upon the payment of the fees required by such conventions and the fees herein prescribed may place the marks so communicated upon such register. This register shall show a facsimile of the mark or name; the name and residence of the registrant; the number, date, and place of the first registration of the mark, including the date on which application for such registration was filed and the term of such registration; a list of goods to which the mark is applied as shown by the registration in the country of origin, and such other data as may be useful concerning the mark. This register shall be a continuation of the register provided in section (a) of the act of March 19, 1920.

(b) Persons nationals of, or domiciled in, or having a bona fide and effective business or commercial establishment in any country, which is party to the International Convention for the Protection of Industrial Property, concluded at Paris on March 20, 1883, or to any subsequent revision thereof, as well as to the convention between American republics concerning the protection of trade-marks and trade names and the repression of unfair competition, to which the United States is also a party, by the proclamation of February 27, 1931, shall be entitled to the benefits and subject to the provisions of this act except as provided in the following paragraphs of this section.

(c) No registration of a mark in the United States by a person described in paragraph (b) of this section shall be perfected until such mark has been registered in the country of origin of the applicant, except when such country makes no such requirement of nationals or residents of the United States or the applicant alleges use in commerce.

For the purposes of this section, the country of origin of the applicant is the country in which he has a bona fide and effective industrial or commercial establishment and, in the case of associations, the country in which the association has its domicile or its principal office.

(d) An application for registration of a mark under section 1 or 23 of this act filed by a person described in paragraph (b) of this section who has previously duly filed an application for registration of the same mark in one of the countries described in paragraph (b) shall be accorded the same force and effect as would be accorded to the same application if filed in the United States on the same date on which the application was first filed in such foreign country: *Provided*, That—

(1) the application in the United States is filed within 6 months from the date on which the application was first filed in the foreign country;

(2) the application conforms as nearly as practicable to the requirements of this act, but use in commerce need not be alleged;

(3) the applicant files a certified copy of the application filed in the foreign country: *And provided further*, That—

(4) the rights acquired by third parties before the day of the first application in the foreign country shall in no way be affected by the registration obtained on the application under this paragraph; and

(5) nothing in this paragraph shall entitle the foreign applicant to sue for infringement of his mark prior to the date on which his mark was registered in this country unless the registration is based on use in commerce.

(e) A mark duly registered in the country of origin of the foreign applicant may be registered on the principal register if eligible, otherwise on the supplemental register herein provided. The application shall be accompanied by a certified copy of the registration in the country of origin of the applicant.

(f) The registration of a mark under the provisions of paragraphs (c), (d), and (e) of this section by a person described in paragraph (b) shall be independent of the registration in the country of origin and the duration, validity, or transfer in the United States of such registration shall be governed by the provisions of this act.

(g) Trade names of persons described in paragraph (b) of this section used in commerce shall be protected in accordance with the provisions of this act.

(h) Any person designated in paragraph (b) of this section as entitled to the benefits and subject to the provisions of this act, shall be entitled to effective protection against unfair business competition, and in repressing acts of unfair competition, the remedies provided herein against infringement of trade-marks shall be available so far as they may be appropriate.

(i) Citizens or residents of the United States shall have the same benefits as are granted by this section to persons described in paragraph (b) hereof.

TITLE X—CONSTRUCTION AND DEFINITIONS

SEC. 45. In the construction of this act, unless the contrary is plainly apparent from the context—

The United States includes and embraces all territory which is under its jurisdiction and control.

The word "commerce" means all commerce which may lawfully be regulated by Congress.

The term "person" and any other word or term used to designate the applicant or other entitled to a benefit or privilege or rendered liable under the provisions of this act includes a juristic person as well as a natural person. The term "juristic person" includes a firm, corporation, association or similar organization capable of suing and being sued in a court of law.

The terms "applicant" and "registrant" embrace the legal representatives and successors and assigns of such applicant or registrant.

The term "Commissioner" means the Commissioner of Patents.

The term "related company" means any individual, partnership, or person within the definition above where, by ownership, or contractual relationship, control of the nature and quality of the goods upon which the mark is used is exercised by the registrant.

The terms "trade-mark" and "mark" include any mark which is entitled to registration under the terms of this act and whether registered or not. "Service marks" are marks so used as to distinguish the user's services of any nature from the similar or related services of others. "Certification marks" are marks indicating that the goods in connection with which they are used are certified by the registrant as to origin, material, mode of manufacture, quality, accuracy, or other characteristic. There may be included in the category of certification marks the marks of labor unions and other associations. "Collective marks" means marks lawfully used by two or more persons.

For the purposes of this act a mark shall be deemed to be applied to an article when it is placed in any manner in or upon either the article or its container or display or upon tags or labels or is otherwise used in the advertisement and sale thereof in commerce.

A mark shall be deemed to be "abandoned"—

(a) When its use has been discontinued with intent not to resume. Intent not to resume may be inferred from circumstances. Discontinuance of use for 2 years shall be prima facie abandonment.

(b) When any conduct of the registrant causes the mark to lose its significance as an indication of origin.

The term "colorable imitation" includes any mark which so resembles a mark registered under this act as to be likely to cause confusion or mistake or to deceive purchasers.

A "counterfeit" is a mark which is identical with, or substantially indistinguishable from, a registered mark.

Words used in the singular include the plural, and vice versa.

The intent of this act is to regulate commerce within the control of Congress by making actionable the deceptive and misleading use of marks in such commerce; to protect registered marks used in such commerce from interference by State legislation; to protect persons engaged in such commerce against unfair competition; to prevent fraud and deception in such commerce by the use of reproductions, copies, counterfeits, or colorable imitations of registered marks; and to provide rights and remedies stipulated by treaties and conventions respecting trade-marks and unfair competition entered into between the United States and foreign nations.

TITLE XI—REPEAL OF PREVIOUS ACTS

SEC. 46. This act shall be in force and take effect 60 days from its enactment, but except as otherwise herein specifically provided shall not affect any suit, proceeding, or appeal then pending. All acts and parts of acts inconsistent herewith are hereby repealed, including the following, namely: The act of Congress approved March 3, 1881, entitled "An act to authorize the registration of trade-marks and protect the same"; the act approved August 5, 1882, entitled "An act relating to the registration of trade-marks"; the act of February 20, 1905 (U. S. C., title 15, secs. 81 to 109, inclusive), entitled "An act to authorize the registration of trade-marks used in commerce with foreign nations or among the several States or with Indian tribes, and to protect the same," and the amendments thereto by the acts of May 4, 1906 (U. S. C., title 15, secs. 131 and 132; 34 Stat. 169), March 2, 1907 (34 Stat. 1251, 1252), February 18, 1909 (35 Stat. 627, 628), February 18, 1911 (36 Stat. 918), March 3, 1911 (36 Stat 1167), January 8, 1913 (37 Stat. 649), June 7, 1924 (43 Stat 647), March 4, 1925 (43 Stat. 1268, 1269), April 11, 1930 (46 Stat. 155); act June 10, 1938 (Public, No. 586, 75th Cong., ch. 332, 3d sess.); the act of March 19, 1920 (U. S. C., title 15, secs. 121 to 128, inclusive), entitled "An act to give effect to certain provisions of the convention for the protection of trade-marks and commercial names made and signed in the city of Buenos Aires, in the Argentine Republic, August 20, 1910, and for other purposes"; and the amendments thereto, including act June 10, 1938 (Public, No. 586, 75th Cong., ch. 332, 3d sess.); and section 526 of the Tariff Act of 1930 (U. S. C., title 19, sec. 1526), except that this repeal shall not affect the validity of registrations under said acts, respectively, or rights or remedies thereunder.

Registrations now existing under the act of February 20, 1905, shall continue in full force and effect for the unexpired term thereof and may be renewed under the provisions of section 9 of this act. Such registrations shall be subject to and shall be entitled to the benefit of the provisions of this act relating to marks registered on the principal register established by this act. Marks registered under the "10-year proviso" of section 5 of the act of February 20, 1905, as amended, shall be deemed to have become distinctive of the registrant's goods in commerce under paragraph (f) of section 2 of this act and may be renewed under section 9 hereof as trade-marks coming within said paragraph.

Registrations now existing under the act of March 19, 1920, shall expire in 20 years from the date of registration and may not be renewed unless renewal is required to support foreign registrations. In that event renewal may be effected under the provisions of section 9 of this act. Such registrations shall be subject to and entitled to the benefit of the provisions of this act relating to marks registered on the supplemental register established by this act. Marks registered under previous acts may, if eligible, also be registered under this act.

SEC. 47. Section 4 of the act of January 5, 1905 (U. S. C., title 36, sec. 4), as amended, entitled "An act to incorporate the National Red Cross," and section 7 of the act of June 15, 1916 (U. S. C., title 36, sec. 27), entitled "An act to incorporate the Boy Scouts of America, and for other purposes", and the act of June 20, 1936 (U. S. C., title 22, sec. 248), entitled "An act to prohibit the commercial use of the coat of arms of the Swiss Confederation," are not repealed or affected by this act.

SEC. 48. If any provision of this act or the application of such provision to any person or circumstance is held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

PRESERVATION OF THE RIGHTS OF AUTHORS

The bill (H. R. 4826) to amend section 8 of the Copyright Act of March 4, 1909, as amended, so as to preserve the rights of authors during the present emergency and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

RECOGNITION OF SERVICES OF CERTAIN CIVILIAN EMPLOYEES IN THE CONSTRUCTION OF THE PANAMA CANAL

The bill (S. 1481) to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That in recognition of the distinguished services rendered in and about the construction, maintenance, operation, sanitation, and government of the Panama Canal, and the Canal Zone, during the construction period of the Panama Canal, from May 4, 1904, to March 31, 1914, inclusive, by civilian officials and employees, citizens of the United States, the thanks of Congress are hereby extended to all and each of them so engaged or employed, who were not included in the recognition and benefits accorded by the act of March 4, 1915 (38 Stat. 1190).

SEC. 2. That in further recognition of the exceptional character of the services described in section 1, each civilian official and each civilian employee entitled to receive the thanks of Congress agreeably to the provisions of section 1, who has not been heretofore specially rewarded by gratuity, annuity, or other benefit under any provision of law; and who was engaged with, or employed by, the Isthmian Canal Commission or the Panama Railroad Company on the Isthmus of Panama during the aforesaid construction period of the Panama Canal, for 3 years or more; and who, during such service, was a citizen of the United States; and who, on the date whereon this act becomes effective, shall be living, shall be entitled to receive, and there shall be paid to him by the Government of the United States, for and during the remainder of his life, an annuity, based on the salary, pay, or compensation received by, and paid to him, for his aforesaid service, as follows:

Forty percent of his average annual basic salary, pay, or compensation if such service was for as much as 3 years and not more than 4 years;

Fifty percent of his average annual basic salary, pay, or compensation if such service was for more than 4 years and not exceeding 6 years; and

Sixty percent of his average annual basic salary, pay, or compensation if such service was for more than 6 years.

The term "basic salary, pay, or compensation," as used in this act, shall be so construed as to exclude from the operation of the act all bonuses, allowances, overtime pay, or salary, pay, or compensation given in addition to the base pay of the position as fixed by law or regulations.

SEC. 3. Annuities granted under the provisions of this act shall be due and payable in monthly installments on the first business day of the month following the month or other period for which the annuity shall have accrued; and payment of all annuities and allowances granted hereunder shall be made by checks drawn by the disbursing clerk for the payment of pensions, in such form and manner, and with such safeguards as shall be prescribed by the Civil Service Commission, in accordance with the laws, rules, and regulations governing accounting that may be found applicable to such payments; and the administration of this act shall be under the Civil Service Commission.

Each application for annuity hereunder shall be in such form as the Civil Service Commission may prescribe and shall be supported by such certificate from the head of the department, branch, or independent office of the Government, or the Panama Canal, or the Panama Railroad Co., which may have in possession the record of any service described or referred to in this act, as may be necessary to determine the rights of the applicant. Upon receipt of satisfactory evidence, the Civil Service Commission shall forthwith adjudicate the claim of the applicant, and, if title to annuity be established, a proper certificate shall be issued to the annuitant under the seal of the Civil Service Commission.

SEC. 4. Annuities granted under the provisions of this act shall commence from the date whereon the act takes effect and shall continue during the life of the annuitant: *Provided, however,* That in such case as where a deceased person, had he been alive on the date whereon the act takes effect, would have been entitled to receive an annuity hereunder, and shall have been survived by a wife undivorced from him, who was his wife living with him at least 1 year of his service on the Isthmus of Panama during said construction, such survivor shall be entitled to receive such annuity from the effective date of the act until her death: *And provided further,* That in any case where an annuitant hereunder shall die after he has received any annuity payment, or payments hereunder, and shall leave surviving him a wife undivorced from him, who was his wife living with him at least 1 year of his service on the Isthmus of Panama during said construction, such survivor shall be entitled to receive the annuity from the date to which same was paid to such deceased annuitant until her death.

Any surviving person as described in this section shall become an annuitant hereunder and shall be subject to all the provisions of this act regarding applications for, and payment of, annuities, and she shall furnish such proof of her marriage and marital relationships to establish her right to become such annuitant as may be required by the Civil Service Commission.

SEC. 5. If, after becoming an annuitant under the provisions of this act, any person, on account of any service rendered by him as hereinbefore indicated, or rendered by him as an official or employee of the permanent organization of the Panama Canal, or of the Panama Railroad Co., subsequent to March 31, 1914, shall elect to receive, and shall receive, any special reward or annuity, under any provision of law other than that provided for by this act, then and in that event all his further right to receive the annuity hereunder authorized shall thenceforth cease.

In any case where a citizen of the United States is receiving, or becomes entitled to receive, an annuity under the provisions of any law providing for the retirement of civilian officers and employees of the United States Government or any of its agencies, and had 3 years or more of service on the Isthmus of Panama of the character described in section 2, he may elect to have that annuity canceled, and thenceforth to become and be an annuitant under the provisions of this act. The annuity which may thus be paid to him under this act shall begin with the date whereon his other annuity, hereinbefore referred to, shall cease because of his election to cancel same; and the substituted annuity, thus to be paid him, under the provisions of this act, shall thenceforth continue until his death. As an annuitant under this act, all its provisions shall be applicable to him.

SEC. 6. For the purposes of administration, the Civil Service Commission is hereby authorized and directed to perform, or cause to be performed, any and all acts, and to make such rules and regulations as may be necessary and proper for carrying into full force and effect the provisions of this act.

The Civil Service Commission shall make a detailed comparative report annually, showing all the receipts and disbursements on account of annuities paid under this act, together with the total number of persons receiving such annuities and the total amounts paid them.

SEC. 7. None of the annuities or moneys mentioned in this act shall be assignable, either in law or equity, or be subject to execution, levy, lien, attachment, garnishment, or other legal process.

SEC. 8. The Civil Service Commission shall submit annually to the Bureau of the Budget estimates of the appropriations necessary to pay the annuities hereunder authorized.

SEC. 9. There are hereby authorized to be appropriated annually such sums as may be necessary to pay such annuities and to carry out the provisions of this act.

TESTIMONY OF EMPLOYEES OF THE UNITED STATES AND OF THE DISTRICT OF COLUMBIA

The bill (S. 1344) to authorize employees of the United States to testify on behalf of the District of Columbia and employees of the District of Columbia to testify on behalf of the United States and of the District of Columbia without loss of salary or annual leave was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That from and after the passage of this act employees of the Government of the United States in active service who are called upon to serve as witnesses on behalf of the District of Columbia in any court proceeding in which the government of the District of Columbia may be a party and employees of the government of the District of Columbia who are called upon to serve as witnesses on behalf of the United States or the District of Columbia in any court proceeding in which the Government of the United States or the government of the District of Columbia may be a party, shall not be paid witness fees for such service, but the period of such service shall be without loss of salary or compensation and shall not be deducted from any leave of absence with pay authorized by law.

PROTECTION OF CONFIDENTIAL NATURE OF RECORDS IN RELIEF CASES

The bill (H. R. 4837) to safeguard the confidential nature of Board of Public Welfare of the District of Columbia case records in all types of relief cases, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. BYRD subsequently said: Mr. President, House bill 4837, Calendar No. 599, was passed. I ask that the vote by which the bill was passed be reconsidered. I desire that the bill be passed over in order that I may make an investigation.

The VICE PRESIDENT. Is there objection?

Mr. McCARRAN. Will the Senator withhold his request in order that I may say to him that the provisions now sought to be incorporated into the laws of the District of Columbia are almost identical with similar provisions in the State of Virginia on this subject.

If the Senator desires it, we shall be glad to give him further information.

Mr. BYRD. It may be that the State of Virginia is wrong.

Mr. McCARRAN. Then, that must be true of nearly all the other States.

Mr. BYRD. I am not convinced that the relief rolls should be kept secret.

The VICE PRESIDENT. Is there objection to reconsidering the vote by which the bill was passed? The Chair hears none; and, without objection, the bill will be restored to the calendar.

PICTURES FOR ROOMS OF FOREIGN RELATIONS COMMITTEE

The resolution (S. Res. 148) reported by Mr. GEORGE, from the Committee on Foreign Relations, on July 22, 1941, was considered and agreed to, as follows:

Resolved, That the chairman of the Committee on Foreign Relations be, and he is hereby, authorized to secure, have framed, and hung in the rooms of the Committee on Foreign Relations pictures of the former chairmen of the said committee and of the former Presidents pro tempore of the Senate.

The expenses thereof, not to exceed the sum of $250, shall be paid out of the contingent fund of the Senate upon vouchers approved by the chairman of the Committee on Foreign Relations.

BILLS PASSED OVER

The bill (S. 1355) to authorize improvement of navigation facilities on the Santee, Congaree, and Cooper Rivers in the counties of Berkeley, Clarendon, Calhoun, Richland, and Orangeburg, S. C., and for other purposes, was announced as next in order.

Mr. McNARY. Mr. President, I am not familiar with that bill, although I am a member of the committee. I should like to have an explanation of its purposes before action is taken. I do not know that I have any objection to the bill, but I should like to have its objectives stated.

The VICE PRESIDENT. The Chair understands that the Senator from North Carolina [Mr. BAILEY] desires to make an explanation. The Senator from North Carolina does not seem to be present.

Mr. McNARY. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

The bill (S. 1358) to amend section 1 of the act entitled "An act to provide that funds allocated to Puerto Rico under the Emergency Relief Appropriation Act of 1935 may be expended for rehabilitation and for other purposes" approved February 11, 1936, was announced as next in order.

Mr. GILLETTE. Mr. President, on a former call of the calendar I objected to the consideration of this bill. I desire to interrogate the distinguished author of the bill [Mr. TYDINGS] with reference to it. He not being present in the Chamber, I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

ACTION ON REPORTS OF SURVEY PERTAINING TO LOSS, DESTRUCTION, ETC., OF GOVERNMENT PROPERTY

The bill (S. 1772) to authorize Army officers designated by the Secretary of War to take final action on reports of survey and vouchers pertaining to the loss, damage, spoilage, unserviceability, unsuitability, or destruction of Government property was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That hereafter those officers of the Army designated by the Secretary of War, under such regulations as he may prescribe, may take action upon reports of survey and all other vouchers pertaining to the loss, damage, spoilage, unserviceability, unsuitability, or destruction of property of the United States under the control of the War Department, and the action taken by any such officer on said surveys or vouchers shall be final: *Provided*, That in a case where any person or concern is held pecuniarily liable for the loss, damage, spoilage, or destruction of property of the United States under the control of the War Department, such findings shall not be final until approved by the Secretary of War or by the Chief of Finance acting under the authority of the Secretary of War.

TEMPORARY APPOINTMENTS OF OFFICERS IN THE ARMY

The joint resolution (H. J. Res. 199) to authorize temporary appointments of officers in the Army of the United States was considered, ordered to a third reading, read the third time, and passed.

PROHIBITION OF PHOTOGRAPHS AND SKETCHES OF MILITARY OR NAVAL RESERVATIONS, ETC.

The bill (S. 1707) to prevent the making of photographs and sketches of military or naval reservations, naval vessels, and other naval and military properties, and for other purposes was announced as next in order.

Mr. WALSH. Mr. President, a bill similar to this, but much broader in scope, was passed by the Senate and is now pending before the Naval Affairs Committee of the House. However, that bill does not include the photographing of Army reservations. It relates only to the Navy. I understand that the bill now before the Senate includes both Navy and Army reservations. If agreeable to the chairman of the Military Affairs Committee of the Senate [Mr. REYNOLDS], I suggest that the pending bill be passed over for the present, to see if the bill which is now in the House cannot be amended to meet the wishes of the Military Affairs Committee of the Senate.

Mr. REYNOLDS. Mr. President, I think this is the matter about which the Senator spoke to me previously.

Mr. WALSH. No. A similar bill was reported by the Naval Affairs Committee of the Senate and passed the Senate, and is now before the Naval Affairs Committee of the House. It relates only to photographs of naval establishments and naval defenses. The bill which the Senate Committee on Military Affairs reported includes Army reservations. A similar bill dealing with naval reservations has already passed the Senate and is now pending before the Naval Affairs Committee of the House. I thought the whole subject might be dealt with by a request for an amendment before the Naval Affairs Committee of the House, to include Army reservations, which would avoid having two bills on the same subject passing the Senate.

Mr. REYNOLDS. That is agreeable.

Mr. WALSH. I suggest that the bill be passed over for the present. I will communicate with the Naval Affairs Committee of the House.

Mr. REYNOLDS. I thank the Senator.

Mr. WALSH. The Senator will agree that such legislation as may be enacted should be the same for both the Navy and the Army?

Mr. REYNOLDS. Yes.

The VICE PRESIDENT. The bill will be passed over.

APPORTIONMENT OF REPRESENTATIVES IN CONGRESS

Mr. BARKLEY. Mr. President, what was done with Calendar No. 594, House bill 2665?

The VICE PRESIDENT. The Chair is informed that that bill is the unfinished business and that it was not called.

INCLUSION OF CANNED FRUIT JUICES IN THE NAVY RATION

The bill (S. 1521) to provide that the Navy ration shall include canned or powdered or concentrated fruit juices was announced as next in order.

The VICE PRESIDENT. The Chair is informed that this bill was passed on a previous call of the calendar, and that the Senator from Florida [Mr. ANDREWS] moved to reconsider the vote by which the bill was passed, which motion was agreed to.

Mr. ANDREWS. Mr. President, I move to reconsider the vote by which the amendment heretofore offered was agreed to.

The VICE PRESIDENT. Is there objection to the reconsideration of the amendment?

Mr. McNARY. Mr. President, I should like to know the parliamentary status. As I understand, there was a motion to reconsider the vote by which the bill was passed.

The VICE PRESIDENT. That motion was agreed to on the day the bill was passed.

Mr. McNARY. What is the pending question?

Mr. WALSH. Mr. President, originally the bill dealt with the ration of the Navy. An amendment was offered on the floor to make the provisions of the bill apply also to the Army. That amendment was agreed to. The Senator from Florida

objects to the amendment heretofore agreed to, and wishes to have the bill passed as originally reported by the Committee on Naval Affairs.

Mr. ANDREWS. Mr. President, I have conferred with Army officials——

Mr. WALSH. As I understand, the Army does not need the proposed authority.

Mr. ANDREWS. The Army does not need this provision, but the Navy does. I move that the vote by which the amendment was agreed to be reconsidered.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Florida to reconsider the vote by which the amendment providing for the inclusion of the Army was agreed to.

Mr. McNARY. Mr. President, I wish to reserve the right to offer an amendment.

The VICE PRESIDENT. The amendment with respect to which the motion is made will be stated.

The CHIEF CLERK. The amendment heretofore agreed to is on page 1, line 4, after "Navy", to insert "and Army", so as to read "in the Navy and Army ration."

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Florida to reconsider the vote by which the amendment was agreed to.

The motion was agreed to.

Mr. BARKLEY. Mr. President, I think it might be well for us to understand why the amendment is objected to, or why it ought not to be adopted.

Mr. ANDREWS. Mr. President, originally the bill was introduced in behalf of the Navy, to provide for concentrated fruit juices in the Navy ration. I was not present when the bill came up, but it was passed. I immediately took the matter up with the Army officials, and found that such a provision should not apply to the Army.

Mr. BARKLEY. In other words, the Army does not want fruit juices forced on it?

Mr. ANDREWS. The Army is usually on land, and it can obtain fresh fruit. There is a different situation with regard to the Navy. Sometimes naval units are away from the United States for 3 or 4 or 6 months, and such a provision is necessary.

Mr. BARKLEY. The Army does not wish this amendment adopted?

Mr. ANDREWS. The Army does not wish this amendment adopted, and that is why I am asking that it be eliminated.

Mr. WALSH. Mr. President, strange to say the ration of the Navy is defined by law. I never could understand why it was necessary to define by law what Navy enlisted men should eat, but that is the fact.

There is a question as to whether the Navy has authority to use canned fruit juices to the extent to which it is now using them. The law is an old one. At the time the law was enacted very limited quantities of canned goods were used. Canned goods have now become a substantial part of the Navy diet. As a matter of fact, regardless of the law, the Navy is using canned fruit juices. The bill is designed merely to legalize the practice of giving a larger amount of canned fruit juices to the enlisted men in the Navy. When the bill was before the Senate it was proposed that it be made applicable to the Army as well. No objection was made, but I understand that since that time the Senator from Florida has found that the Army does not care for the provision. The Army does not have a law defining what the ration shall be. That is the reason for the elimination of that part of the bill dealing with the Army.

The VICE PRESIDENT. The question is on agreeing to the amendment heretofore agreed to.

The amendment was rejected.

The VICE PRESIDENT. The bill is open to further amendment.

Mr. McNARY. Mr. President, I desire to suggest to the able Senator from Florida that he might well expand the variety of uses included in his proposal. I desire to suggest that in line 7 after the word "tomato", there be inserted the words "or vegetable", so as to make the phrase read "or six ounces of canned fruit or tomato or vegetable juices."

Tomato juice is vegetable juice, and I do not think we should discriminate between tomatoes, carrots, celery, beets, and other vegetables. Inasmuch as the Senator is now attempting to enlarge the base of the fruits that may be used in juices I think we might as well avoid discrimination and include all vegetable juices.

Mr. WALSH. I hope the Senator from Florida will accept the amendment.

Mr. ANDREWS. I shall be glad to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide that the Navy ration shall include canned or powdered or concentrated fruit or tomato or vegetable juices."

BILL PASSED OVER

The bill (H. R. 1057) to establish a system of longevity pay for postal employees was announced as next in order.

Mr. McNARY. Mr. President, I recall that when the bill was previously called some controversy ensued, and I observe the absence of the Senators who then engaged in the controversy. Would the Senator from Tennessee be willing to have the bill passed over for today?

Mr. McKELLAR. It is an important bill. But if there are objections, I am willing that it go over. I may say that the bill as now reported by the Senate committee is in the nature of a compromise agreement, and provides about one-third or one-fourth of the amount originally asked for. It is a very fair measure, as a compromise measure, and there should not be any real opposition to it. But if the Senator thinks it better that the bill go over for today I am perfectly willing that it go over.

Mr. McNARY. I do not know that there is present opposition to it, since the Senator from Tennessee has suggested that there has been modification and agreement.

Mr. BARKLEY. There has been no modification and agreement on the controversial matters. The disagreement arises from the fact that the bill eliminates third-class and fourth-class postmasters from its provisions; and the Senator from New York [Mr. MEAD], who, I think, was interested in the controversy, and other Senators who previously participated in the controversy are absent.

Mr. McKELLAR. I am perfectly willing to have the bill go over, if that is thought best by the Senator.

Mr. McNARY. Very well.

The VICE PRESIDENT. The bill will be passed over.

Mr. McCARRAN subsequently said: Mr. President, I wonder if the able Senator from Tennessee [Mr. McKELLAR] and the Senator from Kentucky [Mr. BARKLEY] would agree to take up the bill to establish a system of longevity pay for postal employees, which we passed over a little while ago?

Mr. BARKLEY. Mr. President, I will state frankly to the Senator that I am for the longevity bill, but my objection to it as it is now written is that it eliminates third- and fourth-class postmasters. If the Senator in charge of the bill would accept an amendment including them, I would be for the bill, but I feel that that large body of postal employees ought not to be eliminated without further consideration.

Mr. McKELLAR. Mr. President, we have not reached an agreement about the matter in the committee and with those who are interested. I do not feel that I ought to make an agreement about third- and fourth-class postmasters, but I will undertake to see representatives of the Post Office Department. The Department is very much concerned about this matter. I do not think that an agreement ought to be made without first consulting the Department. I hope to be able to report definitely the next time the calendar is called.

JOINT RESOLUTION PASSED OVER

The joint resolution (S. J. Res. 35) proposing an amendment to the Constitution of the United States providing for national representation for the people of the District of Columbia was announced as next in order.

Mr. McNARY. Let the joint resolution go over.

The VICE PRESIDENT. The joint resolution will be passed over.

BUILDING FOR RECORDER OF DEEDS, DISTRICT OF COLUMBIA

The bill (H. R. 4865) to increase the amount authorized by the act of July 11, 1940, for the construction of a building for the office of the Recorder of Deeds of the District of Columbia was considered, ordered to a third reading, read the third time, and passed.

TRANSFER OF LAND TO SPRING PARK CLUB, RICHFIELD SPRINGS, N. Y.

The bill (H. R. 2381) authorizing the transfer of land owned by the United States back to the Spring Park Club, of Richfield Springs, N. Y., was considered, ordered to a third reading, read the third time, and passed.

DEFINITION AND PUNISHMENT OF VAGRANCY IN THE DISTRICT OF COLUMBIA

The bill (H. R. 5448) to define and punish vagrancy in the District of Columbia, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

SECOND CONVICTION FOR CRIMINAL OFFENSES IN THE DISTRICT

The Senate proceeded to consider the bill (H. R. 5447) to amend section 907 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to second conviction of criminal offenses, which had been reported from the Committee on the District of Columbia with an amendment to strike out all after the enacting clause and to insert:

That the act to establish a Code of Law for the District of Columbia, approved March 3, 1901, be, and the same is hereby, amended by striking out section 907 and inserting in lieu thereof the following:

"SEC. 907. Second conviction of misdemeanor: Every person, upon his second conviction of a misdemeanor, may be sentenced to pay a fine not exceeding 50 percent greater, and to suffer imprisonment for a period not more than one-half longer, than the maximum fine and imprisonment for the first offense."

And by inserting immediately after section 907 the following:

"SEC. 907-A. 'Crime of violence,' as used in this act, means any of the following crimes, or an attempt to commit any of the same, namely: Murder, manslaughter, rape, mayhem, maliciously disfiguring another, abduction, kidnaping, housebreaking, robbery, assault with intent to kill, or to commit rape, or to commit robbery, assault with a dangerous weapon, arson, placing explosives near buildings or other structures with intent to destroy or injure the same, placing obstruction on or near steam or street railway tracks with intent to endanger the passage of any locomotive or car, resisting, interfering with, or assaulting a Federal officer, using personal violence on a member of the police force in the discharge of his duty, assault with intent to commit any offense punishable by imprisonment in the penitentiary.

"SEC. 907-B. Punishment for second offense of crime of violence: A person who, after having been convicted in the District of Columbia of a crime of violence, or, under the laws of any State, Territory, government, or country, of a crime which, if committed in the District of Columbia, would be a crime of violence, commits any crime of violence in the District of Columbia, shall be punished upon conviction of such second crime of violence as follows:

"If the second crime of violence is such that the maximum penalty prescribed by the statute condemning it is imprisonment either for a term of years, or for a term of years and a fine, or for life, then such person must be sentenced to the maximum term of years prescribed or for life, as the case may be, except when such second crime of violence is rape, in which case the punishment shall be imprisonment for the maximum term, or death, as provided by law.

"SEC. 907-C. Punishment for third offense of crime of violence: If any person, having been so convicted the second time as above provided, shall again be convicted of any crime of violence, committed after said second conviction, he shall be punished as follows:

"If the third crime of violence is such that the maximum penalty prescribed by the statute condemning it is imprisonment either for a term of years, or for a term of years and a fine, or for life, then such person must be sentenced to the maximum term of years prescribed, plus one-half of such maximum term of years, or for life, as the case may be, except when such third crime of violence is rape, in which case the punishment shall be imprisonment for the maximum term, plus one-half thereof, or death, as provided by law.

"SEC. 907-D. Punishment for fourth and subsequent offense of crime of violence: If any person, having been so convicted for the third time as above provided, shall again be convicted of any crime of violence, committed after said third conviction, he shall be punished as follows:

"If the fourth crime of violence is such that the maximum penalty prescribed by the statute condemning it is imprisonment either for a term of years, or for a term of years and a fine, or for life, then such person must be sentenced to twice the maximum term of years prescribed, or for life, as the case may be, except when such fourth crime of violence is rape, in which case the punishment shall be imprisonment for twice the maximum term, or death, as provided by law.

"If any person, having been so convicted the fourth time, as above provided, shall again be convicted of any crime or crimes of violence, committed after said fourth conviction, the punishment shall in each such case be the same as that provided for fourth offense of crime of violence.

"SEC. 907-E. Former conviction or convictions and judgment or judgments, if known, shall be set forth in apt words in the indictment. On any trial for any of said crimes of violence or in any proceeding under section 907-G, hereof, a duly authenticated copy of the record of the former conviction and judgment of any court of record, for any crime of violence against the party indicted, shall be prima facie evidence of such former conviction, and may be used in evidence against such party.

"SEC. 907-F. A person, to be punishable under sections 907-A to 907-D, inclusive, hereof, need not have been indicted and convicted as a previous offender in order to receive the increased punishment therein provided, but may be proceeded against as provided in the following section.

"SEC. 907-G. If at any time, either after conviction or sentence, it shall appear that a person convicted of a crime of violence has previously been convicted of a crime or crimes of violence, as set forth in sections 907-A to 907-D hereof, it shall be the duty of the United States attorney for the District of Columbia to file an information accusing the said person of such previous conviction or convictions. Whereupon the court in which said conviction was had shall cause the said person, whether he be confined in jail or in the peritentiary, or otherwise, or on probation, to be brought before it and shall inform him of the allegations contained in such information and of his right to be tried as to the truth thereof according to law, and shall require such offender to say whether he is the same person as charged in such information or not. If he says he is not the same person, or refuses to answer, or remain silent, his plea, or the fact of his silence, shall be entered of record and a jury shall be impaneled to inquire whether the offender is the same person mentioned in the several records as set forth in such information. If the jury finds that he is the same person, or if he acknowledges or confesses in open court, after being duly cautioned as to his rights, that he is the same person, the court shall sentence him to the punishment prescribed in sections 907-A to 907-D, as the case may be, and shall vacate the previous sentence, deducting from the new sentence all time actually served on the sentence so vacated. Whenever it shall become known to any warden of prison, keeper of jail, probation, parole, or police officer, or other peace officer, or any other person, that any person charged with or convicted of a crime of violence has been previously convicted within the meaning of said sections 907-A to 907-D, it shall become his duty forthwith to report the facts to the United States attorney for the District of Columbia.

"SEC. 907-H. The act approved July 15, 1932, establishing a Board of Indeterminate Sentence and Parole for the District of Columbia, as amended, shall not be applicable to any person convicted of a second or subsequent crime of violence, as hereinbefore set out."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (S. 1826) to permit seeing-eye dogs to enter Government buildings when accompanied by their blind masters, and for other purposes, was announced as next in order.

Mr. McKELLAR. I do not see the Senator from Connecticut [Mr. MALONEY], who introduced the bill, present in the Chamber; but I may say that the matter contained in the bill has been settled by two orders of the Post Office Department, and I think the Department's action obviates the necessity for the passage of the bill. Therefore, I ask that it go over.

The VICE PRESIDENT. The bill will be passed over.

Mr. McKELLAR. In connection with my request I desire to have published in the RECORD the two orders of the Post Office Department, which I send to the desk. I ask that they be made a part of the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The orders referred to are as follows:

[Reprint of notice which appeared in the Postal Bulletin of August 27, 1941]

GUIDE DOGS ASSISTING BLIND OPERATORS OF VENDING STANDS

OFFICE OF THE POSTMASTER GENERAL,
Washington, August 25, 1941.

Order No. 16124.

The blind operators of vending stands in post offices may use guide dogs specially trained and educated for such purpose: *Provided*, That such guide dogs shall be kept within the space assigned to such blind operators, shall at all times be on leash; *And provided further*, That such operators shall give bond to be approved by and filed with the Postmaster General running to the United States of America for the use and benefit of any person injured or damaged by reason of the use of such guide dogs.

It shall be the duty of the postmaster to enforce the provisions of this regulation.

FRANK C. WALKER,
Postmaster General.

POST OFFICE DEPARTMENT,
Washington, September 15, 1941.
Order No. 16211.

Guide dogs, specially trained and educated for the use of blind persons, when accompanying their blind masters, shall be admitted to public buildings operated and controlled by the Post Office Department and to space therein assigned to other Departments or Agencies of the United States, upon the same terms and conditions and subject to the same regulations as govern the admission of the public generally to such property: *Provided*, That such guide dogs shall not be permitted to run free or roam in or on such property and shall at all times be in guiding harness or on leash and under the complete control of their blind masters while in or on such property.

FRANK C. WALKER,
Postmaster General.

VOCATIONAL TRAINING IN CIVILIAN CONSERVATION CORPS CAMPS

The Senate proceeded to consider the bill (S. 1365) to amend the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes," approved June 28, 1937, as amended, for the purpose of providing vocational training in Civilian Conservation Corps camps in the interest of the national defense, which had been reported from the Committee on Education and Labor, with amendments, on page 2, in line 1, to strike out "September 8, 1939", and insert "May 27, 1941", and on the same page, in line 2, after the word "exist", to strike out ", in 300 Civilian Conservation Corps camps and in any additional Civilian Conservation Corps camps for which the necessary funds may be provided, work in connection with conservation of natural resources shall be discontinued and an intensive program of vocational and allied training designed to promote and contribute to the national defense shall be conducted" and insert "in such Civilian Conservation Corps camps as the Director may deem advisable, work in connection with conservation of natural resources may be reduced or discontinued at the discretion of the Director and an intensive program of vocational and allied training designed to promote and contribute to the national defense may be conducted: *Provided further*, That such program of vocational and allied training in camps where conservation work has been totally discontinued shall not at any time involve in excess of 10 percent of all enrollees of the Civilian Conservation Corps: *Provided further*, That none of the provisions of this act shall prohibit the continuance of training offered under the provisions of existing law", so as to make the bill read:

Be it enacted, etc., That the act entitled "An act to establish a Civilian Conservation Corps, and for other purposes," approved June 28, 1937, as amended (50 Stat. 319), is amended by inserting before the period at the end of section 3 a colon and the following: "*Provided further*, That under the supervision of the Director of the Civilian Conservation Corps, during the emergency proclaimed by the President on May 27, 1941, to exist in such Civilian Conservation Corps camps as the Director may deem advisable, work in connection with conservation of natural resources may be reduced or discontinued at the discretion of the Director and an intensive program of vocational and allied training designed to promote and contribute to the national defense may be conducted: *Provided further*, That such program of vocational and allied training in camps where conservation work has been totally discontinued shall not at any time involve in excess of 10 percent of all enrollees of the Civilian Conservation Corps: *Provided further*, That none of the provisions of this act shall prohibit the continuance of training offered under the provisions of existing law."

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary for employing the necessary instructors, procuring the necessary equipment, and making other necessary expenditures, for carrying out the purposes of this act.

Mr. McKELLAR. Mr. President, I inquire of the Senator in charge of the bill, the Senator from Nevada, what does the bill propose to do? I have not gone into it.

Mr. McCARRAN. It provides that 10 percent of the members of the Civilian Conservation Corps may, at the discretion of the Administrator of the Civilian Conservation Corps, be trained in mechanical classes and the use of mechanical devices.

The object is to make it possible to train Civilian Conservation Corps enrollees along lines essential for national defense and to give the enrollees in the Civilian Conservation Corps training in something more than merely digging ditches, and the like.

Mr. McKELLAR. Mr. President, I desire to say that I was astounded the other day when there came before the Committee on Appropriations, of which I happen to be a member, the appropriation bill for the Civilian Conservation Corps, and after considerable difficulty we finally learned that it costs the Government more than $1,000 for each person enrolled in the Civilian Conservation Corps.

Mr. WALSH. Per annum?

Mr. McKELLAR. Per annum. That seemed to be quite remarkable. If the Government is to continue this Corps, it seems to me it could be improved tremendously by requiring the education of these boys, instead of putting them to digging ditches and doing other things which are more or less of little importance. As a boy I went through college and received a very good education for very much less than $1,000 a year. This contribution by the Government, as all of us remember, was first introduced when the boys had no work to do. We put them on any kind of a job we could find, in order to give them something to do, to give them some employment. It was purely a gratuity. But we have continued it, and it seems to be a popular use of Federal money. But, Mr. President, my judgment is that we are making a tremendous mistake in contributing $1,000 a year for each C. C. C. enrollee to provide outdoor exercise, and some little employment thrown in, for boys who are unable to get along in the world, when we might educate them at schools and colleges throughout the country and give them an excellent education which would fit them to go through life as upstanding men, rather than, after their term in the Conservation Corps is over, to let them go through life as mendicants.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield to the Senator from Nevada.

Mr. McCARRAN. I may say to the Senator that, in keeping with the very thought the Senator has expressed, this bill proposes to educate these boys to do things with their hands so that when they leave the Corps they will have received training in practical things and be enabled to support themselves thereafter.

While the Senator has been so gracious as to yield to me, may I state further that the Senator I think has not properly described what has been done by the Civilian Conservation Corps. Very valuable improvements in various communities of America have been brought about by the labor of the boys in the Civilian Conservation Corps, who are paid, as I express it, the pittance of only $1,000, of which nearly 50 percent is returned to the enrollees' dependents. What is more than that, the organization has done a great work, for it has taken boys off the highways and byways and from useless walks of life, and given them useful employment and training, so that they know how to live with their fellow men and have been taught a mode of life that is preliminary, so to speak, to training in the Army, for in the Civilian Conservation Corps they get the first rudiments of training in the Army. The bill now under consideration merely permits those in charge of the Civilian Conservation Corps to select 10 percent, so that they may have, in keeping with their opportunity and attainments, the right to learn to do with their hands things which will be of advantage not only to the national defense but to the enrollees themselves.

I thank the Senator.

Mr. McKELLAR. Mr. President, as I recall, I voted for all the Civilian Conservation Corps bills and for all the appropriations which have sustained the Corps. That, however, was at a time when there was no work for the boys to do.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. McKELLAR. I will be glad to yield to the Senator from Utah in a few moments. The country had no work for them to do. Of course, along that line, the C. C. C. has accomplished great good; there is no question about that. It probably was necessary at the time. But the necessity does not now exist, for any able-bodied youngster in America who wants to work can get work almost anywhere in the United States. For this reason, if the Federal Government is to continue in this field, it seems to me that the whole system should be changed so as to give these boys an education.

There are colleges in every State of the Union which, undoubtedly, would be able to give these boys a valuable education, graduate them, fit them for their life work, give them a high standing in their several communities, and so train them as to enable them hereafter to do the best possible with their talents. It seems to me that the Government should work in conjunction with the colleges throughout the Nation, and have these boys educated, instead of having them tramping

over the country or confined in camps in various places and shifted from one camp to another from time to time.

The cost to the Government for each enrollee may seem paltry enough to us in these days, but I remember, in my own personal history, when a thousand dollars to be expended for education seemed almost as imposing a sum as a million dollars does now; it seemed almost an impossible sum to acquire in those days. So I plead for the education of these boys, not only for their keep in hard times but for their education and equipment to fit them for life.

I might say to the Senator from Nevada that I know the amendment he proposes to the law is suggested in the very best of faith; I know it may be entirely proper; I have not examined it; but, in view of the question as it was developed in the Appropriations Committee, and the cost of this work, which is over a thousand dollars for each enrollee, it seems to me that the bill ought to go over and that we ought to work out a scheme by which these boys may be educated at the same time they are undergoing training.

I now yield to the Senator from Utah.

Mr. THOMAS of Utah. Mr. President, the Senator from Tennessee evidently is going to ask that the bill go over.

Mr. McKELLAR. Yes; I have asked that it go over.

Mr. THOMAS of Utah. I think, if the Senator does not object, reference should be made to one or two things about the Civilian Conservation Corps so that when comparisons are made they will be proper ones. I do not want to do that by way of argument, but everyone knows that the operation of an emergency work of any kind costs more than does the operation of a regularly established institution.

If the Civilian Conservation Corps were primarily an educational institution, then, it would be a failure compared with other educational institutions. But it is not primarily an educational institution. In the first place, the time of enrollment in the Corps is limited to 6 months, and, in the second place, the boys who come into the Corps are of the type who have been deprived of socializing influences such as schools and colleges and the Army and Navy, so that a great many of them need to be taught the fundamentals of education. That, of course, is being carried on. Education is not forced upon these boys, for the boys are put to work.

When we consider the cost to the Government, we must also take into consideration the work which they do for the Government; and a thousand dollars a year for an enrollee is not very much, considering that which the Government has gotten through the Corps.

I may give a simple little example of Conservation Corps work on the top of a mountain which has stopped floods. The last great flood there cost the community $3,000,000 and 21 lives. The cost of protecting against floods, including study and research, and the actual building of proper works was approximately $225,000. We could multiply such instances.

I know the Senator is heartily in favor of the Civilian Conservation Corps and its objectives; no one could be opposed to them; and I know that everyone in the United States appreciates what has been accomplished, both from the standpoint of building up men and also from the standpoint of conservation. The Army has received a benefit from the Civilian Conservation Corps which cannot be estimated, for the Corps has given certificates of proficiency to men who have learned how to operate trucks, how to cook, and so on.

I thought it was necessary to say that because, by a mere comparison of the Government costs, of course, it costs more to put a boy through a Conservation Corps camp than it costs to put a man through a university, in dollars and cents.

Mr. McKELLAR. Mr. President, in reply to the Senator, let me say that I am inclined to think that when the Federal Government——

The PRESIDING OFFICER (Mr. VAN NUYS in the chair). The Chair calls the attention of the Senator from Tennessee to the fact that his time has expired.

Mr. McKELLAR. I beg the Chair's pardon; and I yield the floor.

Mr. HUGHES. Mr. President, I desire to say a few words, because this is an opportunity to speak on the C. C. C. I have had in mind commenting on it for some time, and have been waiting for an opportunity; but if the bill is going over, and is to be further considered in the committee, I should like to have an opportunity to appear before the committee whenever they take up the matter.

Mr. THOMAS of Utah. Mr. President, if the Senator will yield, this bill has had committee consideration and committee action, and comes out on the floor of the Senate from the committee.

Mr. HUGHES. In the case of a good many hearings before committees, those who are not on the committees do not know that the hearings are going on; and in this case I did not know it.

Mr. WALSH. Mr. President, if the Senator will yield, I will say that if the bill goes over it will have to come up again for debate, and the Senator will have an opportunity to discuss it at that time.

Mr. HUGHES. Yes; but if it is to be considered by the committee——

Mr. THOMAS of Utah. Does the Senator wish to have it recommitted to the committee?

Mr. McKELLAR. Mr. President, if I may interrupt, and if the Senator will yield, I hope that will be done, because I do not know what the bill provides. I should like to examine it, and I should like to appear before the committee before any amendment is made to the present law, for I think conditions in our country have changed to such an extent that it will be necessary to change the Civilian Conservation Corps to accord with economic conditions in the country as they now are. I hope, therefore, the chairman of the committee will let the bill go back to his committee.

Mr. HUGHES. I move that the bill be recommitted to the Committee on Education and Labor.

The PRESIDING OFFICER. May the Chair ask the Senator from Tennessee whether he withdraws his objection in order that the motion to recommit may be made?

Mr. McKELLAR. Yes; I shall be glad to do that.

Mr. WALSH. Mr. President, undoubtedly the cost of the C. C. C. and the changed conditions to which the Senator from Tennessee has referred are matters that should engage the attention of the Senate at some time; but this bill deals only very remotely with the activities of the C. C. C.

Under present law the C. C. C. deals with conservation, and permits young men to be employed in the field of conservation alone. This bill merely amends the general law, and gives permission to the Director to use 10 percent of the enrollees in vocational training activities. It only gives him permission to do so, and he must get the necessary money from the Committee on Appropriations if he decides that it is a worth-while activity.

Mr. HUGHES. Mr. President, will the Senator yield?

Mr. WALSH. I shall be glad to yield to the Senator from Delaware.

Mr. HUGHES. I simply wish to remark, from my knowledge of the C. C. C. camps in our jurisdiction, that what this bill aims at has been going on in most of the C. C. C. camps anyway.

Mr. WALSH. To an extent, that is true; but it is voluntarily done, and done after the regular hours of employment in conservation work, and done only on a limited scale. It is not done legally, and not done under conditions in which it could be required, or in which the whole time could be given to vocational training. The Senator is correct, however, that a certain amount of it is being done voluntarily by enrollees.

Mr. HUGHES. Unfortunately, however, the one camp in my State which has been doing that, and has been doing a splendid work for the boys, has been taken away from the State, and the other camps there do not do it.

Mr. WALSH. The point I want to make is this: Assuming that C. C. C. activities continue, and assuming that they have the money which they have from the last appropriation bill, all that the bill does is to say, "The Congress gives you permission to broaden your activities from mere conservation into the field of vocational training; and, in order that the real purpose of the C. C. C. shall not be destroyed, it limits to 10 percent the activities of the C. C. C. which may be given to vocational training." It is merely permissive, not mandatory. It may never be done; and, of course, if it will cost more than the ordinary C. C. C., it will be a matter to be dealt with by the Committee on Appropriations.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. WALSH. Yes.

Mr. McKELLAR. I will read the substantial part of the bill:

> That * * * in such Civilian Conservation Corps camps as the Director may deem advisable, work in connection with conservation of natural resources may be reduced or discontinued at the discretion of the Director and an intensive program of

vacational and allied training designed to promote and contribute to the national defense may be conducted.

That provision gives enormous powers to the Director, in the first place.

Mr. WALSH. It is entirely permissive.

Mr. McKELLAR. I know it is permissive; but, in my judgment, the present Director is a gentleman who will use whatever powers are given him.

Mr. WALSH. I wish the Senator would read the report.

Mr. McKELLAR. I will read the report.

Mr. WALSH. I think it shows the pressure which business groups have brought upon the C. C. C. to open up this field.

Mr. McKELLAR. I desire to say to the Senator something I have not yet said, and that is that when this matter was before the Appropriations Committee, and the Director was before the Appropriations Committee, it was proposed to reduce the appropriation to some extent, and it was reduced to some extent over the protest of the Director; but section 2 of the bill provides:

There are hereby authorized to be appropriated such sums as may be necessary for employing the necessary instructors, procuring the necessary equipment, and making other necessary expenditures, for carrying out the purposes of this act.

In other words, it is intended to obtain from the Government more money to carry out this additional purpose of the Civilian Conservation Corps. I do not think that ought to be done under present conditions; and I hope the motion of the Senator from Delaware may be agreed to, and that the bill may be recommitted to the committee, so that there may be a hearing on it.

I desire to say to the Senator from Massachusetts, if he will permit me, that his colleague [Mr. LODGE], a member of the Appropriations Committee, asked the Director when he appeared before that committee if the Corps was not advertising by the use of big vans, "Join the Civilian Conservation Corps," and parading those vans through the city of Boston, trying to drum up young men to get them to go into the Corps. That was not denied. Under those circumstances the Government this year has appropriated for this purpose $180,000,000, which to my mind is being to a great extent misused; and it ought not to be done. I think it is monstrous for this Corps in our Government at a time like this to be undertaking to advertise and drum up young men to go into the Civilian Conservation Corps.

Mr. WALSH. Mr. President, I do not want the Senator from Tennessee to think I was attempting to defend the cost, or even to defend the operations of the C. C. C., for I have none of the information the Committee on Appropriations had.

Mr. McKELLAR. I was sure of that.

Mr. WALSH. But I was trying to make it clear that this bill is an authorization permitting the Director under certain circumstances to give vocational training to a limited degree; and that is the sole issue here.

The PRESIDING OFFICER. The question before the Senate is the motion of the Senator from Delaware [Mr. HUGHES] to recommit to the Committee on Education and Labor Senate bill 1365. (Putting the question:) By the sound the "noes" appear to have it. The "noes" have it, and the motion is rejected.

Mr. BARKLEY. Mr. President, if the bill is not to be recommitted, I think it ought to go over.

Mr. WALSH. Let the bill go over.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. McKELLAR. I object, and ask that it go over.

The PRESIDING OFFICER. The bill will be passed over.

BILLS PASSED OVER

The bill (S. 1831) to prohibit the purchase of foreign-grown cotton with public funds was announced as next in order.

Mr. BARKLEY. Let that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

NORTH SLOUGH DAM AND DIKE, OREG.

The bill (H. R. 4835) to extend the times for commencing and completing the construction of a dam and dike for preventing the flow of tidal waters into North Slough in Coos County, Oreg., was considered, ordered to a third reading, read the third time, and passed.

EMPLOYER-EMPLOYEE WORK AGREEMENTS

The bill (S. 1713) to amend Public Law No. 718, Seventy-fifth Congress, approved June 25, 1938, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That paragraph (2) of subsection (b) of section 7 of Public Law No. 718, Seventy-fifth Congress, approved June 25, 1938, is hereby amended to read as follows:

"(2) on an annual basis in pursuance of an agreement with his employer, made as a result of collective bargaining by representatives of employees certified as bona fide by the National Labor Relations Board, which provides that the employee shall not be employed more than 2,080 hours during any period of 52 consecutive weeks, or."

LOAN RATES FOR CORN AND WHEAT

The bill (S. 1744) to provide uniform loan rates for corn and wheat at certain points on the Missouri River was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the rates of loans made available on corn and wheat by the Commodity Credit Corporation under the Agricultural Adjustment Act of 1938, as amended, and Public Law No. 74, Seventy-seventh Congress, approved May 26, 1941, shall be the same, for like grades and quality of the commodity, at all points on the Missouri River (1) where such loans are made available and (2) from which the rail freight rate on such commodity to Chicago is the same.

GEORGE A. CARDEN AND ANDERSON T. HERD

The bill (S. 169) to provide for an appeal to the Supreme Court of the United States from the decision of the Court of Claims in a suit instituted by George A. Carden and Anderson T. Herd, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That George A. Carden and Anderson T. Herd, or their legal representatives, may, at any time within 6 months after the date of the enactment of this act, appeal as of right to the Supreme Court of the United States from the judgment of the Court of Claims of the United States in the suit No. 42711 heretofore instituted in the Court of Claims by George A. Carden and Anderson T. Herd, and jurisdiction is hereby conferred upon the Supreme Court to consider on such appeal all questions of law and fact, including the fair market price of the property involved. Any judgment rendered in favor of the claimants shall be paid in the same manner as other judgments of said Court of Claims are paid.

SUIT BY INDIANS OF CALIFORNIA

The Senate proceeded to consider the bill (S. 1112) to amend the act entitled "An act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California," approved May 18, 1928, which had been reported from the Committee on Indian Affairs with amendments in section 3, page 3, line 21, before the word "unratified", to insert "said"; in section 6, page 5, line 17, after the words "verified by", to strike out "attorneys selected by said Indians" and to insert "the attorney or attorneys employed by said Indians, and approved by the Secretary of the Interior in accordance with existing laws;" on page 6, after line 24, to insert "shall be approved by the Secretary of the Interior according with existing law and"; on page 7, line 5, after the word "attorneys", to insert "so" and after the word "retained", to strike out the words "by said delegates"; on page 7, after line 14, to strike out:

"The court is hereby authorized and directed to determine and fix reasonable compensation for attorneys and other persons for services rendered, relating to the act of May 18, 1928 (45 Stat. 602), or amendments thereto and proceedings thereunder, on a quantum meruit basis, less any amount that the court upon evidence submitted may find to have been received on account of such services, and the total of such compensation for attorneys and other persons shall not exceed 10 percent of the amount recovered, and the court shall find and fix, on the evidence presented, the amount of actual and necessary expenses incurred in the performance of such services, and shall deduct from such finding any amount which the court finds has been paid as expenses for such services, and the difference shall be the amount finally fixed as expenses, and such compensation and expenses shall be paid by the Secretary of the Treasury out of the appropriation made by Congress in the payment of any decree rendered: *Provided*, That all claims for compensation for services rendered and expenses incurred shall be filed with the court within 4 months after the judgment, if any, shall have become final.

And insert:

"That upon final determination of such suit or suits the Court of Claims shall have jurisdiction to fix and determine a reasonable fee or fees, not to exceed 10 percent of the amount recovered, for services rendered said Indians under duly approved contracts to be paid to said attorney or attorneys for the said Indians, together with all necessary

and proper expenses incurred in the prosecution and preparation of the suit or suits, the same to be paid out of any sum or sums found to be due said Indians under such suit or suits, and such fees and expenses shall be paid by the Secretary of the Treasury out of the appropriation made by Congress in the payment of any decree rendered: *Provided*, That all claims for such fees and expenses incurred shall be filed with the court within 4 months after the judgment, if any, shall have become final.

So as to make the bill read:

Be it enacted, etc., That the act of May 18, 1928 (45 Stat. 602), entitled "An act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California," as amended by act of April 29, 1930 (46 Stat. 259), be, and the same is hereby, amended as follows:

SEC. 2. That section 1 of the act of May 18, 1928 (45 Stat. 602), be amended to read as follows:

"SECTION 1. That for the purpose of this act the Indians of California shall be defined to be all Indians who were residing in the State of California on June 1, 1852, and their descendants living on May 18, 1928, and others born thereafter and living on date of entry of judgment of the Court of Claims herein, and all Indians who are now on the census roll of the Indians of California as authorized by the act of May 18, 1928 (45 Stat. 602), as amended, and who may be enrolled in addition thereto under the provisions of this act."

SEC. 3. That the act of May 18, 1928 (45 Stat. 602), be amended by adding the following new section "3A":

"SEC. 3A. Jurisdiction is hereby conferred upon the Court of Claims to adjudicate the claims of said Indians, who were not parties to the said unratified treaties, notwithstanding lapse of time or statutes of limitation or the fact that the said claim or claims have not been presented to any other tribunal, and it is hereby declared that the taking and the loss of these Indians who were not parties to the said unratified treaties of their said lands without compensation therefor, and for the wrong done and loss inflicted and the failure of the United States to protect their interest in said lands is sufficient ground for equitable relief, and it is the purpose of the act to treat those Indians not parties to said unratified treaties the same as if similar treaties had been negotiated with them, and the court shall consider that such unnegotiated treaties, if negotiated, would have commuted the claims of occupancy of those Indians not parties to the unratified treaties, into reduced acreages and into pledged goods and services in the same ratios as that which the court shall find to have been promised in the said unratified treaties. To this end and under this declared policy of the Congress the court shall find and determine, as near as may be, on the evidence submitted, and such findings and determination shall be final and conclusive upon the parties, the number of bands who were parties to the 18 unratified treaties and the number of bands with whom no treaties were negotiated and in lieu of more definite and conclusive evidence the court is hereby instructed to receive and accept official documents, maps, and records, including reports, records, the maps in the possession of the Smithsonian Institute, or The Archives of the Federal or State Governments, and the depositions of expert witnesses, as sufficient proof. And the court shall find that each band of those Indians not parties to said unratified treaties is entitled to compensation for the wrong done and loss inflicted, limited to the average amount allowed each band of those Indians who were parties to said unratified treaties, and shall render judgment therefor. The court in finding the number of bands shall consider a village or rancheria as a band."

SEC. 4. That the act of May 18, 1928 (45 Stat. 602), be amended by striking from section 6 thereof the following words: "and no part of said judgment shall be paid out in per capita payments to said Indians."

SEC. 5. That section 7 of the act of May 18, 1928 (45 Stat. 602), as amended by the act of April 29, 1930 (46 Stat. 259), is further amended by adding the following proviso: "*Provided further*, That the Secretary of the Interior is hereby authorized and directed to allow 6 months from the date of entry of judgment of the Court of Claims in which to receive applications for enrollment of Indians residing in the State of California on June 1, 1852, and their descendants living on May 18, 1928, and others born thereafter and living on date of judgment, not now on the census roll of the Indians of California under the act of May 18, 1928 (45 Stat. 602), as amended, and the Secretary of the Interior shall have 3 months thereafter to approve such supplemental roll, at the expiration of which time the roll shall be forever closed and thereafter no additional names shall be added thereto.

"The right to present the claims hereunder to the Court of Claims either by original petition or amendment to the petition now pending in the court is extended to any time prior to the entry of judgment.

"It is hereby declared that the loss to the said Indians, with whom 18 treaties were negotiated, in the years of 1851 and 1852, on account of their failure to secure the lands and compensation provided for in said treaties, and for the wrong done and loss inflicted is sufficient ground for equitable relief, and the court shall determine, as near as may be, on the evidence submitted, all matters of fact and in lieu of more definite evidence, shall accept official documents, maps, and records, including reports, records, and maps in the possession of the Smithsonian Institute or The Archives of the Federal or State Governments, and depositions of expert witnesses, as sufficient proof."

SEC. 6. That the act of May 18, 1928 (45 Stat. 602), be amended by adding a new section, as follows:

"SEC. 8. The claims of the Indians of California may be submitted to the Court of Claims of the United States upon petition signed and verified by the attorney or attorneys employed by said Indians and approved by the Secretary of the Interior in accordance with existing law, notwithstanding any provisions in the act of May 18, 1928 (45 Stat. 602). And notwithstanding anything in the Revised Statutes of the United States to the contrary, any 100 or more of said Indians, who are 18 years of age, or over, enrolled as Indians of California under existing law, shall within 90 days after the approval of this act serve notice upon and file with the Secretary of the Interior a statement signed by them stating they have chosen and authorized the delegate therein named, and who shall be a qualified signer, to represent them in the selection of an attorney or attorneys to represent the Indians of California by contract under this act; and the said Secretary within 30 days after the time provided for filing said statements shall provide for and call a convention of such delegates to convene at some central place within the State of California for the purpose of the said delegates selecting by ballot, not more than three attorneys or firms of attorneys to represent the Indians of California and to authorize the chairman and secretary of said convention to execute a contract or contracts with such attorneys, and each delegate shall be entitled to one vote for each qualified signer selecting him: *Provided*, That 15 days' notice shall be given to each delegate so selected of the time and place of said convention, which convention shall be conducted in accordance with any standard rules of order; and the Secretary of the Interior shall submit to the convention on the day it convenes a certificate of the qualified delegates and their respective number of votes: *Provided further*, That the vote of any Indian signing more than one statement shall be disqualified. Such contract or contracts as negotiated shall be approved by the Secretary of the Interior according with existing law and shall be uniform and shall be executed in quadruplicate and one copy of said contract or contracts shall be filed with the court, one copy with the Secretary of the Interior, and one copy retained by a custodian to be designated by the convention. The attorneys so retained shall thereupon become attorneys of record.

"Vacancies occurring among the attorneys chosen as herein provided may be filled by the same process by said delegates, who shall be assembled in convention by the Secretary of the Interior at some central place within the State of California, within 30 days after such vacancy shall occur: *Provided*, That said Secretary shall give each delegate 15 days' written notice of the time, place, and purpose of such convention.

"That upon final determination of such suit or suits the Court of Claims shall have jurisdiction to fix and determine a reasonable fee or fees, not to exceed 10 percent of the amount recovered, for services rendered said Indians under duly approved contracts to be paid to said attorney or attorneys for the said Indians, together with all necessary and proper expenses incurred in the prosecution and preparation of the suit or suits, the same to be paid out of any sum or sums found to be due said Indians under such suit or suits, and such fees and expenses shall be paid by the Secretary of the Treasury out of the appropriation made by Congress in the payment of any decree rendered: *Provided*, That all claims for such fees and expenses incurred shall be filed with the court within 4 months after the judgment, if any, shall have become final.

"It shall be unlawful for any person, association, or corporation to solicit, collect, or accept from any Indian of California any portion of the amount recovered hereunder, except as herein provided, as compensation or expenses for services rendered in connection with or relating to the act of May 18, 1928 (45 Stat. 602), or amendments thereto, any contract or agreement whatever to the contrary notwithstanding. Any person, association, or corporation violating the provisions hereof shall be guilty of a misdemeanor and shall upon conviction thereof be fined not more than $1,000 or imprisoned not more than 6 months, or both, for each violation."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REGISTRY OF PURSERS AND SURGEONS AS STAFF OFFICERS

The bill (H. R. 3864) to amend the act entitled "An act to provide for the registry of pursers and surgeons as staff officers on vessels of the United States, and for other purposes", approved August 1, 1939, was considered, ordered to a third reading, read the third time, and passed.

MANNING OF VESSELS

The bill (H. R. 4446) relating to the manning of vessels, was considered, ordered to a third reading, read the third time, and passed.

MANNING OF SEAGOING BARGES

The bill (H. R. 4946) relating to the manning of certain seagoing barges, was announced as next in order.

Mr. McKELLAR. Mr. President, there seem to be several of these bills, and I wonder whether the author of them, the Senator from Maryland [Mr. RADCLIFFE], who is present in the Chamber, would state to the Senate what is proposed.

Mr. RADCLIFFE. Mr. President, the bill just passed and the one now before the Senate are both aimed at liberalizing the requirements in regard to able seamen.

Mr. McKELLAR. Do they have the approval of the Department?

Mr. RADCLIFFE. They have the approval of substantially all the departments concerned, the Maritime Commission, the Navy Department, the War Department, and one of them of the O. P. M. They are aimed at creating more elasticity in regard to able seamen. For instance, House bill 4446 provides that if it shall be deemed necessary to do so by the Secretary of Commerce he may permit 50 percent instead of 25 percent of the able seamen to be men who are blue-ticket men, not green-ticket men.

Mr. McKELLAR. What are the blue-ticket men and what are the green-ticket men?

Mr. RADCLIFFE. The blue tickets indicate at least 1 year's service; the green tickets 3 or more years' service, as applied to able seamen.

As I stated a moment ago, under existing law it is necessary that at least 75 percent of the seamen should be green-ticket men; that is, men who have had at least 3 years' service. House bill 4446 would reduce that requirement from 75 percent to 50 percent should the Secretary of Commerce find it necessary to do so in order to get the requisite number of able seamen.

Mr. McKELLAR. I see no objection to the bill at all.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

CLEARANCE AND ENTRY OF UNITED STATES VESSELS FOR BUNKER FUEL ONLY

The bill (H. R. 5289) to dispense with the requirement of clearance and entry for certain United States vessels on the Great Lakes which touch at Canadian ports for bunker fuel only was considered, ordered to a third reading, read the third time, and passed.

HOMESTEADS IN HAWAII

The bill (H. R. 4520) to ratify and confirm certain right of purchase leases, special homestead agreements, cash freehold agreements, certificates of occupation, homestead leases, and patents issued under or in purported compliance with section 73 of the Hawaiian Organic Act and the laws of the Territory of Hawaii, was considered, ordered to a third reading, read the third time, and passed.

HOMESTEAD PROJECTS IN THE VIRGIN ISLANDS

The joint resolution (S. J. Res. 105) transferring the administration of the homestead projects established in the Virgin Islands from the Government of the Virgin Islands to the Department of Agriculture, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved, etc., That, effective July 1, 1942, the homestead projects established in the Virgin Islands by virtue of the provisions of the Second Deficiency Act, fiscal year 1931 (46 Stat. 1552, 1570), by virtue of the provisions of the act of April 22, 1932, entitled "An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1933, and for other purposes" (47 Stat. 91, 129), by virtue of the provisions of title II of the National Industrial Recovery Act (48 Stat. 195, 200), and by virtue of all other provisions of law relating to such projects are hereby transferred from the jurisdiction and control of the government of the Virgin Islands, Department of the Interior, to the jurisdiction and control of the Department of Agriculture. The Virgin Islands Homestead Authority is hereby abolished and its functions transferred to the Department of Agriculture.

SEC. 2. All real and personal property owned or held by the United States in the Virgin Islands and employed exclusively in the prosecution of homestead projects, and all equipment, assets, and records pertaining to homestead projects in the Virgin Islands, including the equipment, assets, and records of the Virgin Islands Homestead Authority, are hereby transferred to the Department of Agriculture.

SEC. 3. All valid contracts, sales, transfers, leases, and other transactions heretofore entered into or effected by the government of the Virgin Islands, the Virgin Islands Homestead Authority, the Department of the Interior, or any officer or agency of any of the foregoing, in connection with homestead projects in the Virgin Islands are hereby continued in full force and effect: *Provided*, That the Secretary of Agriculture, or his designee, may compromise claims and obligations arising under, and adjust and modify the terms of such contracts, as circumstances may require.

SEC. 4. The Department of Agriculture is hereby authorized to use for the administration, development, management, and liquidation of the homestead projects in the Virgin Islands transferred to its jurisdiction and control all funds heretofore or hereafter appropriated, allocated, or otherwise made available to the Department of Agriculture for rural rehabilitation projects and functions of like character to those transferred hereunder.

TAXICAB INSURANCE

The Senate proceeded to consider the bill (S. 1008) to amend an act entitled "An act to provide that all cabs for hire in the District of Columbia be compelled to carry insurance for the protection of passengers, and for other purposes," approved June 29, 1938, which had been reported from the Committee on the District of Columbia with amendments, on page 2, line 6, after the word "bonding", to strike out "taxicab risks" and insert "any risk arising out of the operation of any passenger motor vehicle for hire required to be insured or bonded under this act"; on line 14, after the word "business" and the period, to strike out "Every such insurance company or corporate surety shall have, and shall at all times maintain, adequate reserves for losses, unearned premiums, and all other liabilities" and insert "Every such insurance company or corporate surety, whether or not it shall be a mutual company, shall have and shall at all times maintain reserves for losses, unearned premiums, and all other liabilities as will meet the requirements of any regulation issued by the Superintendent of Insurance and applicable to such company or such classifications of companies"; and on page 3, line 3, to strike out "Rules and regulations relating to mutual companies may differ from those relating to stock companies", so as to make the bill read:

Be it enacted, etc., That an act entitled "An act to provide that all cabs for hire in the District of Columbia be compelled to carry insurance for the protection of passengers, and for other purposes," approved June 29, 1938, is hereby amended by striking out the sentence reading as follows: "The Superintendent of Insurance of the District of Columbia shall be empowered to make all reasonable rules and regulations relating to the writing of taxicab insurance and shall be empowered to govern the maximum rates to be charged on such insurance" and inserting in lieu thereof the following: "No such insurance company or corporate surety shall engage in or conduct the business of insuring or bonding any risk arising out of the operation of any passenger motor vehicle for hire required to be insured or bonded under this act unless the Superintendent of Insurance shall find that the management of such company is capable, by experience or otherwise, of conducting such business in the public interest and unless such insurance company or corporate surety shall possess a certificate of approval issued by said Superintendent for such business. Every such insurance company or corporate surety, whether or not it shall be a mutual company, shall have and shall at all times maintain reserves for losses, unearned premiums, and all other liabilities as will meet the requirements of any regulation issued by the Superintendent of Insurance and applicable to such company or such classifications of companies. The Superintendent of Insurance shall be empowered to make reasonable rules and regulations governing the writing of such insurance and the making of such bonds and the business of insuring or bonding such risks, including the expenses of management, administration, and acquisition of business and the rates to be charged. The Superintendent of Insurance is authorized and empowered, after hearing, to withdraw his certificate of approval of the business of insuring or bonding taxicab risks of any insurance company or corporate surety violating any provision of this act or of the rules and regulations promulgated hereunder."

The amendments were agreed to.

Mr. BARKLEY. Mr. President, I wonder whether this bill should be passed on during the call of the calendar, with so few Senators present. I have discussed the subject matter of the bill with many cab drivers as I have driven from the Capitol to my home and back and forth, and there seems to be some confusion about the merits of the bill. I wonder whether the Senator from Ohio could explain it in a word or two, or whether we should take it up at some time when there would be better opportunity to consider it.

Mr. BURTON. Mr. President, I think a very simple explanation will suffice to clarify the matter, and I believe the bill should be considered at this time.

There has been in effect for some time in the District of Columbia a taxicab insurance law requiring cabs to carry insurance. It developed in a recent court decision, however, that the language of the act apparently did not go so far as those administering the law thought it

had gone. For example, the language of the act contains this provision:

The Superintendent of Insurance of the District of Columbia shall be empowered to make all reasonable rules and regulations relating to the writing of taxicab insurance and shall be empowered to govern the maximum rates to be charged on such insurance.

Under that authority the superintendent of insurance had gone ahead and prescribed the reserves which should be kept by a mutual insurance company, for example, a small company. But the court decision was that the language was not sufficiently broad to permit the superintendent of insurance to prescribe the reserves which should be maintained by a mutual company. It had been the practice, however, so to prescribe.

The court decision having been that the superintendent of insurance does not have the authority to prescribe the reserves of these mutual companies, there is not such a reserve prescribed, and at the present time the public, the taxicab drivers, and all affected are endangered by the fact that the mutual companies do not come under the regulation under which it was thought they did come.

Mr. BARKLEY. This bill, then, is a measure to correct existing law, and to confirm what Congress thought was in the law at the time it was originally passed?

Mr. BURTON. That is precisely the purpose.

Mr. BARKLEY. It is only made necessary by a decision of the court?

Mr. BURTON. That is correct; and that is all set forth in a letter from Commissioner John Russell Young.

Mr. BARKLEY. I have no objection.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SAFETY OF WAGE EARNERS

The Senate proceeded to consider the bill (H. R. 5202) to create an Industrial Accident Prevention Board to foster, promote, and develop the safety of wage earners of the District of Columbia, to define its powers and duties, and for other purposes, which had been reported from the Committee on the District of Columbia with an amendment to strike out all after the enacting clause and insert:

That an act entitled "An act to protect the lives and health and morals of women and minor workers in the District of Columbia, and to establish a Minimum Wage Board, and define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for other purposes," approved September 19, 1918, is hereby amended as follows:

The name of the "Minimum Wage Board" created by said act is hereby changed to "Minimum Wage and Industrial Safety Board."

SEC. 2. Sections 1 to 23, inclusive, of said act are hereby designated "Title I—Minimum Wages."

SEC. 3. Immediately after section 23 of said act the following is added:

"TITLE II—INDUSTRIAL SAFETY

"SEC. 1. The purpose of this title is to foster, promote, and develop the safety of wage earners of the District of Columbia in relation to their working conditions.

"SEC. 2. When used in this title, the following words shall have the following meanings, unless the context clearly requires otherwise:

"(a) 'Employer' includes every person, firm, corporation, partnership, stock association, agent, manager, representative, or foreman, or other persons having control or custody of any industrial employment, place of employment, or of any employee. It shall not include the District of Columbia or any instrumentality thereof, or the United States or any instrumentality thereof.

"(b) 'Board' means the Minimum Wage and Industrial Safety Board.

"(c) 'Safe' and 'safety' as applied to an employment, a device, or a place of employment, including facilities of sanitation and hygiene, mean such freedom from danger to life or health of employees as circumstances reasonably permit, and shall not be given restrictive interpretation so as to exclude any mitigation or prevention of a specific danger.

"(d) 'Place of employment' means any place where industrial employment is carried on: *Provided, however,* That such term shall not include the premises of any Federal or District of Columbia establishment, except to include any and all work of whatever nature being performed by an independent contractor for the United States Government or any instrumentality thereof or the District of Columbia or any instrumentality thereof.

"SEC. 3. The Board, in addition to its duties defined in title I shall administer the provisions of this title and shall have power to make such inspections and investigations as it may deem necessary; collect and compile statistical information; require employers to keep their places of employment reasonably safe; require employers to keep such records as it may deem advisable and to furnish the Board with complete, detailed reports relative to all accidents; determine and fix reasonable standards of safety in employment, places of employment, in the use of devices and safeguards, and in the use of practices, means, methods, operations, and processes of employment; promulgate general rules and regulations based upon such standards and fix the minimum safety requirements which shall be complied with by employers within the purview of this title.

"SEC. 4. Before any rules or regulations of the Board shall become effective a public hearing shall be held by the Board for the purpose of investigating reasonable standards of safety in employment, places of employment, in the use of devices and safeguards, and in the use of practices, means, methods, operations, and processes of employment, and any person interested in the matter being investigated may appear and testify. If, after investigaton, the Board is of the opinion that minimum standards of safety requirements are necessary to protect or safeguard the lives or health of employees covered by this title, it may adopt and promulgate such rules and regulations as it may deem advisable, which shall become effective thirty days after they have been published at least once in two of the daily newspapers of general circulation in the District of Columbia.

"SEC. 5. Any member of the Board shall have power to administer oaths and the Board may require by subpena the attendance and testimony of witnesses, the production of all books, registers, and other evidence relative to any matters under investigation, at any public hearing, or at any session or any conference held by the Board. In case of disobedience to a subpena the Board may invoke the aid of the District Court of the United States for the District of Columbia in requiring the attendance and testimony of witnesses and the production of documentary evidence. In the case of contumacy or refusal to obey a subpena, the court may issue an order requiring appearance before the Board, the production of documentary evidence and the giving of evidence touching the matter in question, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

"SEC. 6. The Board may, upon written application of any employer affected by such rule or regulation, permit variations from any provisions thereof if it shall find that the application of such provision would result in unnecessary hardship or practical difficulty: *Provided, however,* That the Board shall keep a properly indexed record of all variations permitted from any rule or regulation which shall be open to public inspection.

"SEC. 7. The Board is hereby authorized to employ a Director of Industrial Safety, who shall not be a member of the Board and whose compensation shall be fixed in accordance with the Classification Act of 1923, as amended. The Director shall perform such duties as may be prescribed by the Board in administering the provisions of this title.

"SEC. 8. (a) Every employer shall furnish a place of employment which shall be reasonably safe for employees, shall furnish and use safety devices and safeguards, and shall adopt and use practices, means, methods, operations, and processes which are reasonably safe and adequate to render such employment and place of employment reasonably safe.

"(b) Every employer shall furnish to the Board any information which the Board is authorized to require and shall make true and specific answers to all questions.

"(c) Every employer shall submit to the Board within 10 days from the date of any injury or death, or from the date that the employer has knowledge of any disease or infection resulting from any injury, a duplicate copy of the report provided for in section 30 of the act of March 4, 1927 (44 Stat. 1439; U. S. C., title 33, sec. 930), as made applicable to the District of Columbia by the act of May 17, 1928 (45 Stat. 600).

"(d) Every employer shall keep an accurate record of every person employed by him so as to be able in case of accident immediately to give an accurate record relative to same.

"SEC. 9. (a) The Board, or any officer or employee acting under its authority, shall have the authority, at any reasonable time, to enter any place where an employment covered by this title is being carried on, and to examine any structure, tool, appliance, machinery, or process used in or connected with such employment. No employer or other persons shall refuse to admit any member of the Board or its authorized representative to any such place or to permit any such examination.

"SEC. 10. The Commissioners of the District of Columbia shall furnish the Board with such office space, furniture and equipment, stationery, books, books of reference, and other supplies as are necessary for the discharge of its duties under this title.

"SEC. 11. The Board shall annually, on or before the 1st day of July, file with the Commissioners of the District of Columbia a report covering its activities under this title.

"SEC. 12. Whoever violates any of the provisions of this title, or any rules or regulations promulgated hereunder, shall be deemed guilty of a misdemeanor; and, upon conviction thereof, shall be punished by a fine of not more than $300, or by imprisonment of not exceeding 90 days. Prosecutions for violations of this title shall be in the name of the District of Columbia on information filed in the police court of the District of Columbia by the corporation counsel or one of his assistants.

"SEC. 13. There is hereby authorized to be appropriated, out of the revenues for the District of Columbia, a sum not to exceed $15,000 per annum, or so much thereof as

may be necessary, for the proper administration of this title.

"SEC. 14. If any provision of this title, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this title, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby."

SEC. 4. This act shall become effective upon its approval by the President.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended so as to read: "An act to amend an act entitled 'An act to protect the lives and health and morals of women and minor workers in the District of Columbia, and to establish a Minimum Wage Board, and define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for other purposes,' approved September 19, 1918."

The PRESIDING OFFICER. That completes the calendar.

AUTHORIZATION FOR CERTAIN STEAMSHIPS TO ENGAGE IN THE FISHERIES

Mr. RADCLIFFE. Mr. President, from the Committee on Commerce I report favorably House bill 5425, to permit certain-named ships to engage in the fisheries, and I ask unanimous consent for its present consideration. The bill is not on the calendar. It has passed the House, and is now recommended by the Commerce Committee.

Passage of the bill is very much needed at this time. The bill is not controversial. Its passage has been recommended by the Secretary of War, the Secretary of the Navy, the Chairman of the Maritime Commission, the Office of Production Management, and by other departments.

The bill has reference only to the ships named therein—that is, the *Port Saunders* and the *Hawk*. Those two ships are essential now for use in the fisheries industry, especially in whaling.

The obstacle to their use arises from the fact that the ships were built in Norway and therefore there are certain technical objections to their use for the purpose now desired. The bill contains restrictions with regard to ownership and other features. For instance, it provides that the ships must be manned by American officers, that they must be owned to the extent of at least 75 percent by Americans, and that they may not be used for coastwise traffic. The immediate use of the ships is now very pressing. As I have stated, no objections have been raised to the bill, either in the House or, so far, in the Senate. In view of the urgency of the situation, I ask unanimous consent that the bill be immediately considered and passed.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 5425) to permit the steamship *Port Saunders*, official No. 220150, and steamship *Hawk*, official No. 220149, to engage in the fisheries.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. McNARY. Mr. President, when the bill came before the Commerce Committee I objected to its consideration because it had not been referred to the Fish and Wildlife Administration. I have conferred with that agency and find that it has no objection to the passage of the bill, so I have none at the present time.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. VAN NUYS in the chair) laid before the Senate a message from the President of the United States submitting the nomination of Gerard D. Reilly, of Massachusetts, to be a member of the National Labor Relations Board for the term of years from August 27, 1941 vice Edwin S. Smith, which was referred to the Committee on Education and Labor.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable committee reports of nominations were submitted:

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

By Mr. WALSH, from the Committee on Naval Affairs:

Sundry officers for promotion in the Marine Corps.

ARMY NOMINATIONS REPORTED AND CONFIRMED

Mr. REYNOLDS. Mr. President, from the Committee on Military Affairs, I report favorably certain routine nominations in the Army and ask unanimous consent for their present consideration en bloc.

The PRESIDING OFFICER. Is there objection? The Chair hears none. Without objection, the nominations are confirmed en bloc.

Mr. REYNOLDS. I ask that the President be immediately notified.

The PRESIDING OFFICER. Without objection, it is so ordered.

ARCHIVIST OF THE UNITED STATES

Mr. BARKLEY. Mr. President, from the Committee on the Library, I report favorably the nomination of Solon J. Buck, of Pennsylvania, to be Archivist of the United States and ask unanimous consent for its present consideration.

After conferring with the distinguished Senator from Oregon [Mr. McNARY], I am willing that the nomination be placed on the calendar and go over until tomorrow, when the Senate must meet. We can take it up then.

The PRESIDING OFFICER. The nomination will be placed on the Executive Calendar.

If there be no further reports of committees, the clerk will state the nominations on the calendar.

DIPLOMATIC AND FOREIGN SERVICE

The legislative clerk read the nomination of Anthony J. Drexel Biddle, Jr., of Pennsylvania, to be Ambassador Extraordinary and Plenipotentiary to Poland, Ambassador Extraordinary and Plenipotentiary near the Government of Belgium, Envoy Extraordinary and Minister Plenipotentiary near the Governments of Norway, The Netherlands, and Yugoslavia, to serve concurrently and without additional compensation, also as Envoy Extraordinary and Minister Plenipotentiary near the Provisional Government of Czechoslovakia.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. BARKLEY. I ask that the President be notified.

The PRESIDING OFFICER. Without objection, the President will be notified.

POSTMASTER NOMINATION REJECTED

The legislative clerk read the nomination of Hazel G. Meunier to be postmaster at Calumet, Mich., which had been adversely reported from the Committee on Post Offices and Post Roads.

Mr. McKELLAR. I ask that the nomination be rejected.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to this nomination?

The nomination was rejected.

POSTMASTER NOMINATIONS CONFIRMED

The legislative clerk proceeded to read sundry nominations of postmasters, which had been favorably reported from the Committee on Post Offices and Post Roads.

Mr. McKELLAR. I ask that the nominations of postmasters which have been favorably reported be confirmed en bloc, and that the President be notified.

The PRESIDING OFFICER. Without objection, the remaining nominations of postmasters are confirmed en bloc, and the President will be notified.

That concludes the calendar.

ADJOURNMENT

Mr. BARKLEY. As in legislative session, I move that the Senate adjourn.

The motion was agreed to; and (at 2 o'clock and 16 minutes p. m.) the Senate adjourned until tomorrow, Thursday, September 18, 1941, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate September 17, 1941:

NATIONAL LABOR RELATIONS BOARD

Gerard D. Reilly, of Massachusetts, to be a member of the National Labor Relations Board for the term of 5 years from August 27, 1941, vice Edwin S. Smith.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 17, 1941:

DIPLOMATIC AND FOREIGN SERVICE

Anthony J. Drexel Biddle, Jr., of Pennsylvania, now Ambassador Extraordinary and Plenipotentiary to Poland, serving concurrently as Ambassador Extraordinary and Plenipotentiary near the Government of Belgium; and as Envoy Extraordinary and Minister Plenipotentiary near the Governments of Norway, The Netherlands, and Yugoslavia, now established in London, to serve concurrently and without additional compensation also as Envoy Extraordinary and Minister Plenipotentiary of the United States of America near the Provisional Government of Czechoslovakia also now established in London.

POSTMASTERS

ALABAMA

Hettye M. Snell, Clio.
Arthur T. Sanders, Oakman.

ARKANSAS

Glenn Johnson, Flippin.

HAWAII

Teruko F. Sugiyama, Kohala.

MICHIGAN

Neva J. DuVall, Coloma.
Floyd H. Shear, Homer.
Charles I. Cook, Levering.
Henry E. Murphy, Pinckney.
Roy M. Gillies, West Branch.

NORTH CAROLINA

Mary J. Pepper, Danbury.

NORTH DAKOTA

Josephine V. Senecal, Grenora.
Lee M. Rott, Hazelton.
Ella E. Morin, Neche.

SOUTH CAROLINA

James V. Askew, Jr., Lockhart.
Annie T. Elvington, Nichols.
Jacob M. Bedenbaugh, Prosperity.

VIRGINIA

James Archie Buchanan, Saltville.

WASHINGTON

Alvin R. Lehmann, Parkland.

IN THE AIR CORPS, UNITED STATES ARMY

Delos Carleton Emmons, lieutenant general (temporary), Army of the United States, to be commanding general, General Headquarters Air Force, an office now merged in that of Chief, Air Force Combat Command, with the rank of major general from March 1, 1939.

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS, IN THE REGULAR ARMY

Benjamin Wiley Chidlaw to be lieutenant colonel, Air Corps.

Ephraim Melmoth Hampton to be major, Air Corps.

APPOINTMENTS IN THE REGULAR ARMY

TO BE SECOND LIEUTENANTS

James Howard Shelton, Infantry.
Charles Edward Mosse, Cavalry.

TO BE FIRST LIEUTENANT

Robert Lowry Berry, Jr., Medical Corps.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

Maj. William Wallace Brier, to Quartermaster Corps.

Capt. Paul Arthur Mayo, Infantry, to Finance Department.

First Lt. Charles Herbert Wood, to Ordnance Department.

First Lt. Oscar Gordon Kreiser to Ordnance Department.

First Lt. Edward Daniel Mohlere to Ordnance Department.

PROMOTIONS IN THE REGULAR ARMY

(NOTE.—That officer whose name is preceded by the symbol (×) has been examined and found qualified for promotion. All others are subject to examination required by law.)

TO BE COLONELS

Julian Francis Barnes, Field Artillery.
Harold Cornelius Vanderveer, Field Artillery.
Kenna Granville Eastham, Cavalry.
Henry Terrell, Jr., Infantry.
Clift Andrus, Field Artillery.
Frank Cadle Mahin, Infantry.
×Lawrence Sprague Churchill, Air Corps.
George Elmer Arneman, Field Artillery.

TEMPORARY APPOINTMENT IN THE REGULAR ARMY

Frank Purdy Lahm to be major general.

REJECTION

Executive nomination rejected by the Senate September 17, 1941:

POSTMASTER

Hazel G. Meunier to be postmaster at Calumet, in the State of Michigan.

HOUSE OF REPRESENTATIVES

WEDNESDAY, SEPTEMBER 17, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in heaven, while hate and distress dim the luster of this visible world, we pray that our faith may rend the veil, finding strength and courage in the power and determination of our national life. We praise Thee for the invocation of the great Apostle: "Blessed be the God and Father of our Lord Jesus Christ, the Father of mercies and God of all comfort, who comforteth us in all our affliction that we may be able to comfort them that are in any affliction, through the comfort wherewith we ourselves are comforted." Like a touch from the Divine, let this silent moment sink into our breasts and send us forth through the hours to labor in sympathy and in wisdom for the traditional institutions which have made us a liberty-loving people. Clothe us, O Lord, with honor, pride, and virtue, that all our fellow citizens may be worthy and love to call America their home. In our dear Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

WILLIAM TURNER LOGAN

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS. Mr. Speaker, I rise to perform a most unpleasant duty. It is to inform the House of the death of my close personal friend and a former Member of this body. On Monday, September 15, at his residence in the city of Charleston, William Turner Logan passed to his reward. He was 67 years of age and had been in ill health for some time. Mr. Logan was elected to Congress in 1921 and served during the Sixty-seventh and Sixty-eighth Congresses. He was regarded by his colleagues and constituents alike as a great patriot and a deep and profound thinker. He was strong in his convictions, resolute in his ideals, unswerving in his fight for the principles of right as he saw them. He was kind of nature and positive in expression. Mr. Logan distinguished himself in his chosen profession of the law and enjoyed the reputation of being one of the outstanding members of the bar of the State of South Carolina. In the death of this illustrious servant America has lost an ardent defender of her traditions and an able advocate of her ideals. I am truly grateful that I can say he was my friend.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent that at the end of the business of today I may be permitted to address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent that on tomorrow, after the disposition of the legislative business, I may proceed for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, I would like to ask recognition now, if I may, for 5 minutes.

The SPEAKER. Is it agreeable to the gentleman from New York [Mr. MARTIN J. KENNEDY] that the gentleman from Illinois may proceed for 5 minutes at this time?

Mr. MARTIN J. KENNEDY. I have no objection, Mr. Speaker.

The SPEAKER. Without objection, the gentleman from Illinois [Mr. DIRKSEN] is recognized for 5 minutes.

There was no objection.

ANNIVERSARY OF THE SIGNING OF THE CONSTITUTION

Mr. DIRKSEN. Mr. Speaker, how distressing it is that on this anniversary of the signing of the Constitution so little has been carried in the public press to mark this natal day of a great document. As we wrestle each day with swiftly moving events, one wonders at times whether we, as a free people, are fully mindful of the value, the freshness, and the durability of that great organic law under which we exercise such complete human freedom.

Everywhere in this land, from every platform, there should resound today encomiums on the Constitution of the United States of America as the longest-lived, most virile, and all-embracing organic act in the history of the world.

On many occasions I have tried in my humble way to translate its freshness

and application in terms which I understand and which the people understand.

One journeys back to a period in 1917 when the legislature of the State of Nebraska undertook by legislative enactment to interdict and restrict the teaching of a certain language in the public schools of that State. In that State, however, were intrepid souls mindful of the guaranties which are embodied in the Constitution who brought that question to the Supreme Court of the land. They leveled an accusing finger at those who would so restrict liberty of speech and thought and solemnly warned that such an act was in contravention of the very act whose anniversary we observe today.

But a few years ago the legislature of Oregon enacted a statute which required that every child of school age be educated in the public schools of that Commonwealth. At first glance, such a statute seems harmless enough. But what of the law-abiding, devoted fathers and mothers who send their children to parochial schools which are supported entirely from their own contributions? What of their right to educate their children in schools of their own choice where they might absorb the ancient truths of the faith of their fathers? In consequence of this statute, the Society of Sisters launched an appeal, and once more the issue of liberty was reposed before the Supreme Court. Once again that tribunal examined the never-aging law which we revere as the Constitution and invalidated this legislative effort to infringe upon and restrict the guaranties of liberty of conscience.

But a few years ago in the State of Alabama a group of Negroes were apprehended for the commission of a heinous crime. One of them did not receive that kind of impartial trial by jury which is guaranteed to every citizen by the Constitution. When the sovereign State of Alabama sought to take away his life, he appealed to the Supreme Court, and again the fundamental question of constitutional guaranties was in issue. Did the high tribunal frown upon the appeal of this poor Negro? Did that tribunal, taking note of the mass of unemployment in the land, merely gloss over the case and indicate that one poor jobless Negro more or less was of little consequence and thus lightly dispose of a momentous issue? Frankly, it did not. It examined the document which is as a cloak to human liberty and sternly admonished that State that it must not take the life of this humble person unless he had first enjoyed a fair trial and given the benefit of every constitutional guaranty which had been written into that living document.

But a few years ago a young man with pockets bulging with communistic literature was seized on the streets of Atlanta. Under an ancient statute he was sentenced to a long period of servitude in the chain gang. Of all places where communism cannot and does not exist, that place would be the highest court in the land. Yet, when one who was disseminating literature and preaching doctrine which had for their purpose the destruction of this Government, he appealed to that same Government whose destruction he was abetting for succor and relief. Once again constitutional guaranties were on trial, and once again the Supreme Court after an examination of the assurances and guaranties which the Founding Fathers bequeathed to us as a great legacy, said to the State of Georgia, "You must not send even this person to penal servitude until he has had a fair trial."

I think of what happened in Germany a number of years ago, when the names of Jewish war veterans who had fought and died for that nation in the World War were, under the impulses of hate and prejudice, expunged from the commemorative bronze tablets which had been erected to the memory of those who perished in that struggle. That could not happen here. The Constitution, whose creation we mark today, is the great shield which protects the basic liberty and conscience of all. Men may raise the ugly banner of hate and prejudice, but what a comfort that the Bill of Rights, which has come to us in all its fresh and unimpaired glory, is still intact and stands today after the elapse of more than 150 years as the citadel of human freedom.

There are some who believe that the Constitution of our land is but a musty museum piece which has outlived its usefulness. There are some who would streamline it and give it the modern touch. The history of more than a century and one-half rises up to proclaim on this anniversary day that the Constitution is as virile, as durable, as fresh, as applicable, and as vital in this year of our Lord 1941 as it was when devised and adopted by those rugged and courageous pioneers who laid the foundations of this land.

Let it never be said that the American people and the Congress of this Nation, every Member of which took oath to support and defend that Constitution before he or she could exercise the responsibilities of membership, shall be wanting in reverence for this keystone of freedom or wanting in appreciation of its value to the continued entrenchment of freedom in our own great land.

EXTENSION OF REMARKS

Mr. BEITER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a memorandum from the National Resources Planning Board.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LOUISE HOLCOMBE ET AL.

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4100) for the relief of Louise Holcombe, a minor, George Holcombe, and Cliff Evans, with Senate amendments thereto, and agree to the Senate amendments.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, strike out "$575" and insert "$200."

Page 1, lines 6 and 7, strike out "a minor; $76.25 to George Holcombe; and $30 to Cliff Evans, all" and insert "a minor, and $36.25 to George Holcombe,".

Page 1, line 9, strike out "the value of lost time."

Amend the title so as to read: "An act for the relief of the legal guardian of Louise Holcombe, a minor, and George Holcombe."

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. LYNCH. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an address delivered by the Vice President of the United States at the Fordham Centenary Dinner last night.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE LATE HON. ALANSON B. HOUGHTON

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COLE of New York. Mr. Speaker, one of the sad and solemn responsibilities of those incumbent in office is to announce to our associates the death of some friend, colleague, or predecessor in office.

In common with my colleague, the gentleman from South Carolina [Mr. RIVERS] I have that sad and solemn responsibility today. It was a distinct shock to me last evening to read of the sudden death of one of my predecessors in office, a man who is nationally known, a man who held a high place in the councils of the political party of which I am a member. I speak of Alanson B. Houghton, who, though he had reached the ripe and enviable age of 77 years, came to a sudden and untimely death.

Mr. Houghton was elected by the people of the Thirty-seventh District of New York in 1918. He was immediately placed upon the Ways and Means Committee of this House, which is the envied goal of most of us after having served here for many years. In 1922 Mr. Houghton was appointed by President Harding as the first ambassador to Germany after the end of World War I. It was through his business training, his understanding of business methods, combined with his unusual ability as a diplomat, that the Dawes plan was first put into operation in Germany. Who knows but what if that plan had been carried to its ultimate conclusion, through the ground work which Mr. HOUGHTON had laid, the world today might have been spared the bloodshed and grief in which it is now engulfed?

After that Mr. Houghton was appointed to the Court of St. James as ambassador, in 1925, from which position he resigned in 1928.

Those who knew him personally, who knew his high scholarly attainments, who knew his untiring devotion to public service, his complete honesty, his unusu-

ally generous attitude toward the employees working in his own factory, mourn his passing and share with his bereaved family the unhappiness and sorrow that rest in their hearts.

PENALTIES ON WHEAT PRODUCTION

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. McGREGOR. Mr. Speaker, we have just received official notice of the President's veto of H. R. 5300. This is another example of how the President and this administration feel toward the American farmer.

A clause contained in H. R. 5300 was similar to my bill, H. R. 5303, which allowed the farmer to feed his surplus wheat without penalty during the year 1941. By this veto the President is forcing our American farmer to pay a penalty of 49 cents a bushel. His argument for veto seems to be that we have a surplus of wheat in the United States and he is vetoing the item in order to maintain high prices.

If this is correct, I should like to ask some of the Democratic leaders on the other side of the aisle why we are allowing to be imported into the United States approximately 1,500,000 bushels of wheat each month. This wheat is put on the market in direct competition with the wheat of our American farmer.

I have been trying to find out the tariff on this imported wheat, but no one seems to want to give me the information, so until I am informed differently I am relying on the information that this wheat is being brought into this country on a tariff not to exceed 9 cents a bushel. If such is the case the present administration is penalizing the farmer of America 40 cents a bushel over that of the farmer of other countries.

I hope some of my friends on the other side of the aisle will give an answer to why this is being done.

[Here the gavel fell.]

INVESTIGATION OF PROGRESS OF DEFENSE HOUSING

Mr. LANHAM. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution (H. Res. 304), which I send to the Clerk's desk and ask to have read.

The Clerk read as follows:

Resolved, That the committee on Public Buildings and Grounds, as a whole or by subcommittee, is authorized to conduct an investigation of the progress of the defense-housing program, with a view to determining whether such program is being carried forward efficiently, expeditiously, and economically, and with a view to determining whether the authorization of additional appropriations for defense-housing purposes is necessary.

For the purposes of this resolution, the said committee or any subcommittee thereof is hereby authorized to sit and act during the present Congress at such times and places within the United States, whether the House is in session, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses, and the production of such books or papers or documents or vouchers by subpena or otherwise, and to take such testimony and records as it deems necessary. Subpenas may be issued over the signature of the chairman of the committee or subcommittee, or by any person designated by him, and shall be served by such person or persons as the chairman of the committee or subcommittee may designate. The chairman of the committee or subcommittee, or any member thereof, may administer oaths to witnesses.

That the said committee shall report to the House of Representatives during the present Congress the results of their studies, inquiries, and investigations with such recommendations for legislation or otherwise as the committee deems desirable.

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. As I understand, this is a resolution that comes from the gentleman's Committee on Public Buildings and Grounds that the membership is to be entirely of that committee, and that the purpose of the resolution is to investigate the progress of defense housing?

Mr. LANHAM. Mr. Speaker, let me say to the distinguished minority leader that at a meeting of the Committee on Public Buildings and Grounds this morning I was authorized to introduce this resolution. In view of the fact that large sums have been spent for defense housing, and that further large sums are requested for that purpose, the committee thinks it very expedient to make some investigation with reference to the manner in which housing has been done and to determine the needs for further housing that is requested. The resolution is in the usual form of resolutions of this character.

Mr. MARTIN of Massachusetts. There is not any extra power beyond that generally found in resolutions of this character?

Mr. LANHAM. None whatever. It is the usual form of resolutions of this kind.

Mr. MARTIN of Massachusetts. Mr. Speaker, I approve of the gentleman's policy of investigating this matter of housing, and I think the House should do more investigating of these matters than it has done. We are spending billions and billions of dollars, and in the interest of the taxpayer I think the House should do what the gentleman's committee is going to do.

Mr. LANHAM. And may I say to the distinguished gentleman that that was the thought of the committee.

The SPEAKER. Is there objection?

Mr. MICHENER. Mr. Speaker, I reserve the right to object. I did not hear the resolution read but, as I understand it, it carries the power of subpena. Where the power of subpena is embodied in a resolution of investigation, the resolution ordinarily comes from the Committee on Rules. I am not going to object. I am not familiar with this matter, but I want the RECORD to show that by permitting this resolution to go through without objection, no precedent will be established for future action by committees. I think we all have such faith and boundless confidence in the distinguished chairman of the Committee on Public Buildings and Grounds that he could almost run away with the Capitol, if he wanted to, but while we might believe in him and trust him at this time, we do not want the RECORD to establish a precedent which may come back to plague us at a later date. I withdraw my reservation of objection.

Mr. LANHAM. Mr. Speaker, I am very grateful to my distinguished friend from Michigan for his kind words, but I may say that it is not anticipated that any subpena will be issued. The resolution is merely presented in the customary form, but it is not thought it will be necessary to issue any subpena whatever.

Mr. MAY. Mr. Speaker, I reserve the right further to object in order to ask the gentleman one or two questions.

I understand, of course, that the Committee on Public Buildings and Grounds has jurisdiction of all the public buildings and grounds of the Government, and I am not now raising the question of whether or not the projects now being constructed as residences and places of occupancy of employees of the War Department would come essentially under the jurisdiction of this committee. I want, however, to say to the gentleman that his colleague from the State of Texas [Mr. THOMASON] is chairman of a special subcommittee of the House Military Affairs Committee charged with the duty of investigating Army construction generally, including cantonments, housing for the Army, and everything connected with the real-estate transactions of the Army. I would like to suggest to my colleague that it might not be a bad idea when the gentleman from Texas [Mr. THOMASON], whose committee is now out investigating these very things, returns to the Capitol, for the two gentlemen to have a conference because I think the gentleman from Texas [Mr. THOMASON] has been investigating some of the very projects that would come under the Federal Housing Administration.

Mr. LANHAM. I appreciate what the gentleman from Kentucky has said, but I think the two matters are entirely separate and distinct. This has to do primarily with the housing of industrial workers in congested defense areas, with some provision made for housing of certain noncommissioned officers near cantonments. It has nothing to do with the construction of the cantonments or other instrumentalities of the War Department. I believe the gentleman will find upon investigation that the two are quite separate and distinct. It will, however, be a pleasure for me to consult with my distinguished friend the gentleman from Texas [Mr. THOMASON].

Mr. MAY. The only purpose I have in speaking of this matter is that we may avoid duplication of efforts which occur so frequently in our work here. I hope some beneficial result may come from a conference between these two gentlemen.

Mr. LANHAM. This particular matter has been in the exclusive charge, from a legislative standpoint, of the Committee on Public Buildings and Grounds.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CALENDAR WEDNESDAY AND PROGRAM FOR NEXT 10 DAYS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that Calendar Wednesday business in order today may be dispensed with.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, and I am not going to object to the gentleman's request, could the gentleman tell us what the program is going to be for the rest of the week and possibly for next week?

Mr. COCHRAN. All I can say is that I understand it is expected the President's message in reference to an additional appropriation under the Lend-Lease Act will come in tomorrow. As soon as that message is received I am advised the Committee on Appropriations will hold hearings on a deficiency bill. A number of other items will also be included in that deficiency bill, items that have already been messaged to the Congress. While no one I have approached will state definitely, the best information I can get is that it will take at least a week for the hearings.

There therefore appears to be nothing whatever of importance to come up next week, and if an agreement can be reached it is likely that the House will adjourn from Monday until Thursday of next week, and then if the deficiency bill is not ready, adjourn until the following Monday. This, of course, is predicated on action by the Appropriations Committee on the deficiency bill.

Mr. MARTIN of Massachusetts. And it is the intention to adjourn tomorrow over until the following Monday?

Mr. COCHRAN. With the permission of the House if that is granted tomorrow, yes.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I yield.

Mr. HOFFMAN. The gentleman states there is nothing of importance to do. What about these strikes that are holding up the defense program? Are they important?

Mr. COCHRAN. I am not talking for the legislative committees. The legislative committees have brought in no bills of that character that can be called up.

Mr. HOFFMAN. The gentleman says there is nothing important for Congress to do. I just wondered whether he considered it important that these strikes are holding up the defense program. Is there anything more important than to keep the defense program flowing smoothly?

Mr. COCHRAN. There is nothing reported from the committees on that subject. That is what I said.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ELECTION OF CHAIRMAN OF COMMITTEE ON APPROPRIATIONS

Mr. DOUGHTON. Mr. Speaker, I send the following resolution (H. Res. 305) to the desk for immediate consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That CLARENCE CANNON, of the State of Missouri, be, and he is hereby, elected chairman of the standing committee of the House of Representatives on Appropriations.

The resolution was agreed to.

EXTENSION OF REMARKS

By unanimous consent, Mr. BUCK was given permission to extend his own remarks in the RECORD.

AUTHORIZING THE PRINTING OF 2,000 ADDITIONAL COPIES OF SENATE HEARINGS ON THE BILL H. R. 5417, THE REVENUE ACT OF 1941

Mr. RICH. Mr. Speaker, I ask unanimous consent for the present consideration of Senate Concurrent Resolution 16, which I send to the desk.

The SPEAKER. The Clerk will report the concurrent resolution.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That, in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Committee on Finance of the Senate be, and is hereby, authorized and empowered to have printed for its use 2,000 additional copies of the hearings held before said committee during the current session on the bill (H. R. 5417) entitled "Revenue Act of 1941."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent that after the disposition of the legislative business for the day and other special orders I may be permitted to address the House for 10 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PRESIDENTIAL DECLARATION OF WAR

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOODRUFF]?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, the time has come when the people of this Nation must look some unpleasant facts in the face. They must do this calmly and determinedly, if they are to know what the future holds in store and what burdens they must undertake, what hardships they must undergo, what agonies they must suffer.

The President's world-wide declaration and order to the armed forces of the United States to "shoot on sight" at any German plane, ship, or submarine appearing in the waters of any ocean or any sea anywhere in the world Mr. Roosevelt thinks they should not be was nothing less than a declaration of war.

Aside from any question of whether or not the order should have been given; aside from any question of the constitutionality or unconstitutionality of the President's act; aside from any question of whether or not he should have consulted the Congress before making such a declaration; aside from any question of whether we agree or disagree with his action, the stark fact remains for the American people to face that the President has declared war on Germany and Italy.

As Senator ARTHUR CAPPER, of Kansas, observed, an order to shoot on sight "is not short of war—it is war." All the trick words and catch phrases designed to conceal rather than to reveal the true nature of the President's action do not in the least alter for the American people the fact that the President has declared war on Germany and Italy. The fact that the President does not have the constitutional power to declare war for the citizens of this country is now beside the point because he has declared war. He has declared it not only as the President of the United States; he has declared it as the Commander in Chief of the armed forces of the United States. The only possible action that could be taken by any agency of the people to undeclare the war Mr. Roosevelt declared in his world-wide broadcast would be for Congress to repudiate both his order to the armed forces to "shoot on sight" and the President's power to issue such an order. Every student of the situation in Washington knows that Congress will not do this any more than it would have repudiated his trading off the 50 naval destroyers without asking leave of Congress or the people to do so.

It is not too late for the will of the people to be effectively demonstrated through their representatives in the Congress. There is no question but that 85 or 90 percent of the American people are dead against the United States being taken into a shooting war. The American people believe, as all informed Members of Congress and Washington observers know, that our Navy is inadequate for a war at this time; our armies are untrained and unequipped; we have not the machines or munitions with which to prosecute a successful war. Indeed, we might be hard put to it adequately to defend ourselves in case of an attack. There is a vast difference between a defense concentrated in our own waters and on our own shores and an offense—even though it be mislabeled "defense"—which requires our inadequate Navy to spread itself out too thinly over all the oceans of the world. Yet the President has chosen the course of spreading our tragically inadequate Navy too thinly over all the oceans of the world.

It is not too late for the American people to make their will felt in this matter, because a declaration of war is not war until it is consummated by an overt act of war—by actual shooting. It is true that we have been waging for a long time a desperate economic war against the

Axis Powers, and that economic war has had the great advantage of being more effective than a war of guns and machines, because it is a bloodless war; the advantage lies all with the United States, and we and not our adversaries can choose the place, the method, and the means of the struggle. We are vastly better equipped for an economic war than any of the Axis Powers.

This is not the case in a shooting war. Our armies need long preparation and training. To get this training they must first have the equipment with which to train. They must be provided with fighting equipment, which is vastly different from the training equipment they now have. The Navy needs equipment as badly as does the Army.

Although the President has on his own personal responsibility declared war against Germany and Italy, if the people rise up and let the Congress understand that they do not want this Nation dragged into a shooting war, there is little doubt that the President would take heed and, as Commander in Chief of the armed forces of the United States, exercise much greater caution about plunging the armed forces into bloody conflict.

Even if it is inevitable that we must sooner or later take up arms against Germany and Italy, it is obvious to all informed observers in Washington that we are not ready to do it now. To attempt this would be not only to enter a shooting conflict without anything like adequate preparation or equipment, but in all probability would so step down our supply of arms and munitions to the other nations which are now fighting the Axis forces as to discourage them and possibly cause them to give up their defense.

If Army and Navy officers dared to tell the public the facts, their views undoubtedly would be in accord with those herein expressed.

It is time for the American people, if they want to avoid disaster, to rise up and with one voice warn the President to "stop, look, and listen."

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a speech by Mr. George M. Peek.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. WOODRUFF]?

There was no objection.

Mr. SANDERS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a brief statement by Col. W. F. Giles, President of the Louisiana Sugar Cane League before the Committee for Reciprocity Information.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. SANDERS]?

There was no objection.

Mr. BURGIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article by Mark Sullivan, appearing in the Washington Post of September 17, 1941.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina [Mr. BURGIN]?

There was no objection.

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a decision of the Interstate Commerce Commission and of the Supreme Court of the United States.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. MITCHELL]?

There was no objection.

(Mr. SCOTT asked and was given permission to extend his own remarks in the RECORD.)

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include brief correspondence with Mackenzie King, Prime Minister of Canada, in relation to the St. Lawrence waterway.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. DONDERO]?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article by Paul Cunningham, of the Boston Herald, regarding the fine condition of Fort Devens, in my district.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts [Mrs. ROGERS]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on tomorrow at the conclusion of the legislative business in order for the day, and after previous special orders, I may address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

EXTENSION OF REMARKS

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to extend my own remarks at two points in the RECORD and to include some verses by Mr. Horace Carlisle.

The SPEAKER. Is there objection to the request of the gentleman from Virginia [Mr. WOODRUM]?

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include editorials from the Washington Evening Star and the New York Herald Tribune.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. BLOOM]?

There was no objection.

MRS. CLYDE THATCHER

Mr. WEISS submitted a conference report and statement on the bill (H. R. 3827) for the relief of Mrs. Clyde Thatcher and her two minor children, Marjorie Thatcher and Bobby Thatcher.

EXTENSION OF REMARKS

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter from a constituent.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. KEEFE]?

There was no objection.

Mr. GUYER of Kansas. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Kansas [Mr. LAMBERTSON] may be permitted to extend his own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. GUYER]?

There was no objection.

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my own remarks in two places, first, to include in the Appendix of the RECORD an editorial from the Green Bay Press-Gazette of September 13, 1941, and also to include a letter from a constituent.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. JOHNS]?

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. THILL]?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my own remarks at two points in the RECORD, in one to include a general letter to its employees by the Southern Counties Gas Co. in California, and in the other to include a Labor Day speech of my own.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered by the Governor of my State last night in the city of New York.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

ALUMINUM

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, while I was home last week this inquiry was propounded to me by a number of housewives. They said that on the day

they were asked to give up their aluminum they gladly did so; that, in fact, they would give up anything they had for the defense of America. But what they could not understand was that the next day when they went to the store to buy porcelain and granite to replace their vessels, all they could find to purchase was aluminum. They could not understand why the United States Government would ask them to give up what they had bought and paid for and needed, and at the same time permit the stores to be full of aluminum which the Government could take if it wanted to do so. I told them I could not understand it either.

[Here the gavel fell.]

The SPEAKER. Under a previous order of the House the gentleman from New York [Mr. MARTIN J. KENNEDY] is recognized.

ADMINISTRATION OF SELECTIVE SERVICE ACT

Mr. MARTIN J. KENNEDY. Mr. Speaker, I wish to call to the attention of the House a matter which I believe is deserving of prompt and serious attention. Some time ago, Brig. Gen. Lewis B. Hershey issued a ruling to the effect that all persons, volunteers included, connected with the administration of the Selective Service Act would be considered as coming under the provisions of the Hatch Act. On September 13, a few days before the primary election there appeared, big headlines, a statement alleged to have come from General Hershey, in which he reversed his original ruling and stating that these persons connected with Selective Service Act were not under the Hatch Act, and that only the clerks were to be considered under the Hatch Act.

Mr. Speaker, it is most important that every person, whether a volunteer or not, should come under the Hatch Act. I believe we intended to preclude from political activity all persons connected with Government positions of influence regardless of compensation. In my opinion, no man is more influential in his community, today, than a member of a draft board. I want the director of the Selective Service Act to exact a pledge from each and every man, serving on such draft boards, that he will refrain from any and all forms of political activity.

I am not acquainted with the political standing of the members of the boards in my district or any other district, but regardless of party affiliation I believe it would work serious harm to permit these men to become active in political campaigns. We all recognize their influence. We realize how dominating they could be if they exercised their power unwisely.

In my city the director of the Selective Service Act is a paid city employee, an exempt appointee, who owes his job to a particular man and that man is now a candidate for reelection. Of course, it is a bit unreasonable to expect that gentleman to go through a campaign without working, with a $10,000 job at stake. Unless action is now taken we may expect that Colonel McDermott is going to be very active in the New York City campaign.

Another example is Mr. Thomas E. Dewey, now a county officer and who is also head of the U. S. O. Because of the military character of his new position, he travels around in Army cars and Army planes. Only the other day from the headquarters of the United Service Organizations he gave his endorsement to one of our candidates for the mayoralty. The same candidate who last year kicked Mr. Dewey in the pants.

If the men I mentioned occupying important key positions feel at liberty to use their Government jobs to help candidates seeking public office, then, I suppose, we may expect other officers connected with the draft boards to do likewise.

This is the time for every Member to take an interest in this question of political activity in violation of law. We are not candidates; we can look at this matter objectively. I believe unless something is done to stop it it will bring into the campaign a sinister influence.

I have written a letter to General Hershey, directing his attention to these facts. It is my hope that he will give my letter his immediate attention. His original ruling was the correct ruling, and I do not know who succeeded in influencing General Hershey to reverse that decision.

Most of the gentlemen serving as volunteer workers on the draft boards and in the various departments connected with the Selective Service Act are real public-spirited citizens, but around election time they become "infected" with the political bug and forget what it means to be fair, impartial, and nonpartisan.

Unless the membership of this House stops once and for all the pernicious activity among Government people working on the Selective Service Act, I fear we may have many scandals during the coming election.

[Here the gavel fell.]

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania [Mr. RICH] is recognized for 10 minutes.

PRESIDENT ROOSEVELT'S STATEMENT RELATIVE TO NOT SENDING AMERICAN BOYS TO FIGHT FOREIGN WARS

Mr. RICH. Mr. Speaker, a few minutes ago you heard the gentleman from Illinois [Mr. DIRKSEN] speak about the Constitution of the United States and the fact that every Member of Congress has stood in the Well of this House with upheld hand stating that he would uphold, protect, and defend the Constitution.

I wonder whether in our deliberations we, as Members of Congress, are doing what we should to uphold this Constitution of ours. I wonder whether men in public life are giving it the attention they should. As was said by the gentleman from Illinois, this document has stood for 154 years, probably longer than any other document of its kind in the world. It has governed our people well, as shown by the progress that has been made by the American people and by the privileges which they have enjoyed and by the liberty and freedom that has been extended to them. Are we going to let it fall by the wayside? It will fall when men in public life promise to support it and then they do not do so.

There are many things happening today that deserve our very best attention if we are to keep our liberty and freedom. They deserve attention not only by the Congress but by the Chief Executive and the other officers of this country.

I am going to quote from the address of the President of the United States, made on October 23, 1940, at Philadelphia:

> We are arming ourselves, not for any purposes of conquest or intervention in foreign dispute. I repeat again that I stand on the platform of our party. We will not participate in foreign wars and we will not send our Army, naval, or armed forces to fight in foreign lands outside of the Americas except in case of attack.

Now, the Republican platform and the Democratic platform both were very explicit about the fact that they would not in any way interfere with the affairs of Europe, but that we would stay at home and attend to our own business. But I am afraid we are getting away from that position. We should guard our every action. Keep America out of European troubles, out of war.

Let me quote further from the fireside chat of the President of December 29, 1940:

> There is no demand for sending an American expeditionary force outside of our own borders. There is no intention by any member of your Government to send such a force. You can therefore nail any talk about sending armies to Europe as deliberate untruth.

Is the President forgetting?

When I think of what has happened recently, together with the fact that we have sent our armed forces to Iceland, and Iceland is within 490 miles of the British Isles and 2,740 miles from New York City, I wonder if we have not slipped a little. Certainly the President is not doing what he said he would.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield for a question.

Mr. HOFFMAN. On those naval vessels which have been ordered to sweep enemy vessels off the high seas, are there not armed forces?

Mr. RICH. Certainly there are, and that is contrary to the statement that he made; and that is just what I am trying to bring out. I like a man to do as he says he will do, regardless of who he is or where he is.

Mr. HOFFMAN. Well, who is telling the truth, if anybody?

Mr. RICH. Do you mean me?

Mr. HOFFMAN. No.

Mr. RICH. Whom do you mean?

Mr. HOFFMAN. You know whom I mean. Is the President telling the truth about it?

Mr. RICH. You mean the President?

Mr. HOFFMAN. Sure.

Mr. RICH. That is what I am trying to get at. I want to know why he does not do as he says he will do.

Mr. HOFFMAN. Did it take you that long to find it out?

Mr. RICH. I know it, but I want the public to know it.

Let me quote from the President of the United States, as of April 20, 1940, to the Young Democratic Clubs of America:

I am not speaking tonight of world affairs. Your Government is keeping a cool head and a steady hand. We are keeping out of the wars that are going on in Europe and in Asia, but I do not subscribe to the preachment of a Republican aspirant for the Presidency who tells you, in effect, that the United States and the people of the United States should do nothing to try to bring about a better order, a more secure order, of world peace when the time comes.

Now, I heard the statement made by that same candidate the other day in reference to purging people who do not agree with him and the administration. It does not make any difference whether he is a Democrat or a Republican, anybody who talks like that ought to carry out the things that he originally planned he would do when he was an aspirant for office, and neither Mr. Willkie nor Mr. Roosevelt has had due regard to the statements they made about entrance into the war. So there is nothing political about this, even though I quote what the President said before the Young Democratic Clubs of America.

War is not a political question. It is an American problem and as for me I will do all I can to keep America out of war if it be contrary to the wishes of Mr. Willkie or Mr. Roosevelt.

I am not a pacifist, I am not for Germany, I am not for Italy, I am not for Great Britain. I am for America. I am for the United States of America and the American people 100 percent above any other nation or peoples. I am against tearing down America to aid some one else. Let us call a spade a spade.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield for a question?

Mr. RICH. Yes; for a question.

Mr. HOFFMAN. There is something commercial about Willkie's statement, is there not? Has not he hired out again?

Mr. RICH. Willkie will be after the gentleman and myself next political campaign, so they say, but I do not intend to stop preaching the best interest for the United States as I see it, for Mr. Willkie or Mr. Roosevelt or for anybody, when it comes to defending America and American best interests, and I say that that can be done best by staying out of European entanglements, European wars. Remember the World War; see what it cost in lives and materials. What did it do for America? The answer is obvious.

Mr. HOFFMAN. And when Willkie gets after the gentleman and me, who will be paying him then?

Mr. RICH. I do not care anything about Willkie or Roosevelt getting after me or anybody else. I expect to keep this country out of war by my vote, and I am going to do everything I can to that end.

Mr. PIERCE. Mr. Speaker, will the gentleman yield?

Mr. RICH. For a question.

Mr. PIERCE. Would the gentleman give up freedom of the seas?

Mr. RICH. No; I would not give up freedom of the seas. Nobody is asking us to. The President declared neutral zones. Let him stay out of them. When the gentleman from Oregon [Mr. PIERCE] wants to get this country into war by sending our ships armed across to Europe carrying implements of war for the destruction of another nation, and then the gentleman tells that nation that it could not do anything to him because he is going into the territory that has already been declared a war zone, and which the President of the United States told the ships of America a year ago to stay away from, but is now deliberating violating the statement that he made to the American shipping interests, then I say that he is doing himself the very thing that he told them not to do, and where is there any consistency in that? He is noted for doing one thing after promising another. He has already said that convoying means shooting, and that shooting means war. The President evidently wants war. You are getting us into war, because you are backing up the President who is doing those things, and I am against any such man, whether he be Willkie, or whether his name be Roosevelt.

Mr. PIERCE. Will the gentleman yield for another question?

Mr. RICH. For a question.

Mr. PIERCE. I would like to have a clear statement from the gentleman of how far he is willing to give up the freedom of the seas, the freedom of shipping, and the freedom of traveling the seas.

Mr. RICH. Stay out of the danger zones Hitler prescribed and which Roosevelt requested our shipping to stay out of and there will be no danger to our vessels. We said that we would stay out of European entanglements, just as the President said in the quotations that I have read. Now, the Monroe Doctrine had three principles. The first was that we would not permit any more colonization of America and the second was that we would not interfere with the affairs of Europe, and the third was that we did not expect those people to interfere in the affairs of the Western Hemisphere. If the Monroe Doctrine was good, then we ought to have brains enough, or at least common sense enough, to stay out of this mess, this great war that is going on in Europe, and also out of the war that is going on in Asia. We can lend our offices, but we certainly ought to keep this country out of war.

With all of the quotations that I have given you, and after the President of the United States promised the American people in no uncertain terms that he would keep this country out of war and stay out of foreign entanglements and not meddle in the affairs of Europe, in the last few months he has taken on an entirely different attitude. In his speech on Thursday evening, September 11, the President told the American people he had instructed the Navy to shoot. He said:

But let this warning be clear. From now on if German or Italian vessels of war enter the waters the protection of which is necessary for American defense, they do so at their own peril.

When the President of the United States sends our ships and takes possession of territory in the Eastern Hemisphere contrary to the principles of the Monroe Doctrine then he is doing something that this Congress should not stand for. He is violating the principles of the Monroe Doctrine. He should be stopped and Congress should stop him. Will you do it? He has taken over Iceland in the Eastern Hemisphere, and he has no business doing it. He has no authority from Congress to do so.

In other words, the power that was granted to the Congress, which you stood here and swore you would uphold and defend, you are letting the President take it over. He is usurping your constitutional powers. Do you know what should happen to a man like that? He should be taken out of office.

Tuesday, September 16, was the day set by the Secretary of the Navy, Frank Knox, when he spoke before the American Legion convention in Milwaukee, and I quote:

Beginning tomorrow, the American Navy will provide protection—protection as adequate as we can make it—for ships of every flag carrying lease-lend aid supplies between the American continent and the waters adjacent to Iceland. The Navy is ordered to capture or destroy by every means at its disposal Axis-controlled submarines or surface raiders encountered in these waters.

That is a great space of territory to cover. He has ordered his vessels to shoot and he is the servant of the American people and he is under direct supervision of the President, and the President and Secretary Knox have ordered our Navy to shoot. And when they shoot they are certainly at war, because the President said to convoy means to shoot, and to shoot means war. Therefore they are taking us directly into it when 80 percent of the American people want to stay out.

President Roosevelt and Secretary Knox should be stopped by the Congress from so doing. Are we going to let the President and Secretary Knox get us into war against the will of the American people? Article I, section 8 of the United States Constitution states as follows:

The Congress shall have power * * * to declare war.

Certainly the President does not have the power nor does Secretary Knox have the power. If we did not interfere with other peoples' business it would not be necessary to shoot and when you start shooting you will no doubt send more men to Europe as we have already done.

If 80 percent of the American people realize that the majority of people who voted for Roosevelt last election to have us get into war, they are to blame, because they elected a man who gave his word to do a certain thing and does not do it.

Mr. DOUGHTON. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield to the distinguished chairman of the Ways and Means Committee.

Mr. DOUGHTON. If we had elected the other candidate do you think the situation would have been any better?

Mr. RICH. No. He would not have been a bit better. His own statements condemn him in reference to war. I am against both of their war policies, I want

to say to the gentleman from North Carolina. If the Republicans had known what we know now about that candidate before the Philadelphia convention, he would not have been the Republican candidate. I am sure of that.

Mr. HOFFMAN. They sold him to us.

Mr. RICH. Yes. He is a run-away Democrat just the same as Knox and Stimson and Ickes, who are advocating getting us into war, are now aiding the New Deal. This thing is a real muddle now as far as politics is concerned.

Mr. HOFFMAN. Will the gentleman yield?

Mr. RICH. I yield.

Mr. HOFFMAN. Now, these Hollywood sharks have bought him. God hope they keep him.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. RICH. You gentlemen interrupt me so that I cannot finish my statement. I must yield to my good friend from Mississippi.

Mr. COLMER. Does my good friend from Pennsylvania estimate that 80 percent of the people of the United States are against the President's foreign policy?

Mr. RICH. They are against the policy that the President is trying to get us into war. He is getting us into war, and you know it.

Mr. COLMER. Does my friend make the assertion that 80 percent of the American people are opposed to the President's foreign policy?

Mr. RICH. I say that 80 percent of the American people are opposed to this country getting into war, and the President of the United States, from his acts and from the things he is doing, is certainly going to get us there, because when he says, "Convoying means shooting and shooting means war," and then he gives orders to Secretary Knox to shoot, what do you call it?

Mr. COLMER. But the gentleman does not answer my question.

Mr. HOFFMAN. Let me answer the gentleman. What do you mean by "his policy"? What he says or what he does? He says one thing and he does something else.

Mr. COLMER. Of course, I am interrogating the gentleman from Pennsylvania.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. RICH. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

MINORITY VIEWS ON H. R. 5667

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. HULL] may have until tomorrow noon to file minority views on the bill H. R. 5667.

The SPEAKER. Without objection, it is so ordered.

Miss SUMNER of Illinois. Mr. Speaker, reserving the right to object, there are at least two other members of the minority who wish to sign that minority report.

Mr. STEAGALL. You will have an opportunity to sign it with the gentleman from Wisconsin [Mr. HULL].

The SPEAKER. Is there objection? There was no objection.

LABOR AND NATIONAL DEFENSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 3 minutes, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, in view of the statement made by the gentleman from Missouri [Mr. COCHRAN], which in substance was that there was no legislative business for the House to consider after Thursday, I want to call attention to the fact that the administration and the majority party, that is, the New Deal Party, has been following a course which prevents effective preparation for national defense and which prevents giving aid to Great Britain to the fullest possible extent and that, now, when there is no other business before the House, nothing for the House to consider during the coming week, we refuse to remedy this situation.

The National Defense Mediation Board has of late been forcing industry to agree to a closed shop and men who work to join a particular union. In several cases the National Mediation Board has recommended and has forced industry to accept the closed shop, to deny to American citizens guilty of no offense, the opportunity to serve their country while drafting others. That is a strange and un-American proposition.

When the President asks for unity, asks everyone to aid in this national-defense program, asks everyone to help Russia, I say it is a strange proposition for him then, through his Mediation Board, to come along and say that only those who join a particular organization, either the C. I. O. or the A. F. of L., and pay the dues and assessments demanded by their officers, can work on that program.

You see the result of that policy up in Pennsylvania at the present time. Forty thousand miners are out on strike for the closed shop. The answer to it will be the closing down of the steel mills. In another part of the State, there are some 14,000 miners out on strike. Against the employer? Oh, no. No. They are striking against their union because the C. I. O. officials have arbitrarily raised the annual dues and assessments from $14 to $24. The administration and the Democratic Party now are deliberately, not on one occasion but on several occasions, letting outside extra-legal organizations impose a fine or penalty, or a tax, if you prefer, in this particular case of $10 per man, upon these 14,000 workers. Where is your freedom from fear? Where is your freedom to hold a job? Where is your right to work to support yourself, to aid in the defense of your Government when the administration does a thing of that kind?

The tyranny of the C. I. O. leadership, the hardships it is imposing upon its individual members, is but the proof of the dictatorship established by union leaders over American workingmen; and the administration, which talks so much about freedom, about carrying the gospel of humanity, of equality, to all corners of the earth, here in America, in this case in Pennsylvania, denies to its own citizens, the men who pay the taxes which enable it to exist, the opportunity to earn a livelihood.

[Here the gavel fell.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SMITH of Wisconsin (at the request of Mr. JOHNS) until October 1, 1941, on account of important business matters.

ENROLLED BILL SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 3484. An act to provide retirement pay and hospital benefits to certain Reserve officers, Army of the United States, disabled while on active duty.

ADJOURNMENT

Mr. COCHRAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 57 minutes p. m.) the House adjourned until tomorrow, Thursday, September 18, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on the following dates at 10 o'clock a. m. to consider the following bills:

Thursday, September 25, 1941:

H. R. 5509, to authorize the Secretary of the Treasury to requisition or purchase motorboats, yachts, and similar vessels for Coast Guard use.

Tuesday, September 30, 1941:

H. R. 5446, to establish a system of unemployment insurance for the maritime industry, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

902. A letter from the acting executive officer, Office for Emergency Management, Division of Defense Aid Reports, transmitting second report under the act of March 11, 1941; to the Committee on Foreign Affairs.

903. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting annual report of the Federal Deposit Insurance Corporation for the year ended December 31, 1940; to the Committee on Banking and Currency.

904. A letter from the Federal Loan Agency, transmitting report of the Reconstruction Finance Corporation on defense program as of September 13, 1941; to the Committee on Banking and Currency.

905. A letter from the president, Board of Commissioners, government of the District of Columbia, transmitting the draft of a proposed bill to prevent the sale of unwholesome food in the District of Columbia; to the Committee on the District of Columbia.

906. A letter from the Administrator of the Federal Security Agency, transmitting the draft of a proposed bill to require the establishment and maintenance of personnel standards on a merit basis in the administration of State programs for public health, vocational education, and vocational rehabilitation receiving Federal aid; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WEISS: Committee on conference on the disagreeing votes of the two Houses. H. R. 3827. A bill for the relief of Mrs. Clyde Thatcher and her two minor children, Marjorie Thatcher and Bobby Thatcher; with an amendment (Rept. No. 1204). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 5556. A bill increasing motor-vehicle-fuel taxes in the District of Columbia for the period January 1, 1942, to June 30, 1949; without amendment (Rept. No. 1205). Referred to the Committee of the Whole House on the state of the Union.

Mr. STEAGALL: Committee on Banking and Currency. H. R. 5667. A bill to exempt strategic and critical materials from customs duties in certain cases, and for other purposes; without amendment (Rept. No. 1206). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 5423) granting a pension to John Porter Naanes, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. FULMER:

H. R. 5666. A bill to authorize the Secretary of Agriculture to enter into cooperative agreements or leases with farmers in order to provide for the management of their forest lands and the marketing of their forest products in accordance with proper forestry and marketing practices, and for other purposes; to the Committee on Agriculture.

By Mr. STEAGALL:

H. R. 5667. A bill to exempt strategic and critical materials from customs duties in certain cases, and for other purposes; to the Committee on Banking and Currency.

By Mr. SHEPPARD:

H. R. 5668. A bill providing for an additional United States Naval Academy in the New Port Harbor area in the State of California, and for other purposes; to the Committee on Naval Affairs.

By Mr. RANKIN of Mississippi:

H. R. 5669. A bill to increase the amount of funds available for the disposal of surplus agricultural commodities; to the Committee on Agriculture.

H. R. 5670. A bill authorizing the Administrator of Veterans' Affairs to grant an easement for highway purposes to the county of Macon, Ala., in a strip of land located at Veterans' Administration facility, Tuskegee, Ala.; to the Committee on World War Veterans' Legislation.

By Mr. YOUNGDAHL:

H. R. 5671. A bill authorizing transmission in the United States mails free of postage certain mail matter addressed to men in the military and naval service of the United States; to the Committee on the Post Office and Post Roads.

By Mr. BLAND:

H. R. 5672. A bill to authorize the issuance of certificates of service to applicants for engine-room ratings on vessels, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. RANDOLPH:

H. R. 5673 (by request). A bill to regulate rents in the District of Columbia, to create an Office of Administrator of Rent Control, and for other purposes; to the Committee on the District of Columbia.

By Mr. TRAYNOR:

H. R. 5674. A bill to protect the public health by the prevention of certain practices leading to dental disorders; and to prevent the circumvention of certain State laws regulating the practice of dentistry; to the Committee on Interstate and Foreign Commerce.

By Mr. O'BRIEN of Michigan:

H. R. 5675. A bill to provide a pension for persons who served in the United States military or naval service who were injured in line of duty and who are now past 65 years of age; to the Committee on Invalid Pensions.

By Mrs. SMITH of Maine:

H. R. 5676. A bill to create a Division of Water Pollution Control in the United States Public Health Service, and for other purposes; to the Committee on Rivers and Harbors.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Republic of Peru, memorializing the President and the Congress of the United States to consider their resolution with reference to the constitutional organization of the Republic; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States to consider their Senate Resolution No. 10, relative to the death of Sara Delano Roosevelt, the gracious mother of the President of the United States; to the Committee on Memorials.

Also, memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States to consider their House Simple Resolution No. 5, relative to a loan by the Export-Import Bank; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. KELLEY of Pennsylvania:

H. R. 5677. A bill granting an increase of pension to Hattie C. Knox; to the Committee on Invalid Pensions.

By Mr. LANDIS:

H. R. 5678. A bill granting an increase of pension to Cora Trueblood; to the Committee on Invalid Pensions.

H. R. 5679. A bill granting an increase of pension to Nancy A. Shaw; to the Committee on Invalid Pensions.

By Mr. VOORHIS of California:

H. R. 5680. A bill for the relief of James M. Hays; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1813. By Mr. JARRETT: Petition of railroad employees, requesting amendment to the Retirement Act; to the Committee on Interstate and Foreign Commerce.

1814. By Mr. CARTER: Petition of the California Benevolent and Protective Order of Elks, petitioning Congress to enact such law or laws as may be necessary to outlaw the Communist Party as a political party in our Nation; to the Committee on the Judiciary.

1815. By the SPEAKER: Petition of the Embassy of Peru in Washington, D. C., petitioning consideration of their resolution with reference to Peruvian rights in boundary question with Ecuador; to the Committee on Foreign Affairs.

1816. Also, petition of the Iowa district of the American Lutheran Church, Oelwein, Iowa, petitioning consideration of their resolution with reference to foreign affairs; to the Committee on Foreign Affairs.

1817. Also, petition of the Ocean County Association, Junior Order United American Mechanics, Ocean County, N. J., petitioning consideration of their resolution with reference to Federal Social Security Act; to the Committee on Ways and Means.

1818. Also, petition of the Philadelphia Chamber of Commerce, Philadelphia, Pa., petitioning consideration of their resolution with reference to legislation relative to our "good neighbor" policy; to the Committee on Interstate and Foreign Commerce.

1819. Also, petition of the General Welfare Center, No. 295, District No. 1, Portland, Maine, petitioning consideration of their resolution with reference to Federal Social Security Act; to the Committee on Ways and Means.

1820. Also, petition of the Massachusetts Society for Old Age Pensions, Boston, Mass., petitioning consideration of their resolution with reference to the general welfare plan; to the Committee on Ways and Means.

1821. Also, petition of the Texas Farm Bureau Federation, Waco, Tex., petitioning consideration of their resolution with reference to House bill 5300; to the Committee on Agriculture.

1822. Also, petition of the Middle Rio Grande conservancy district, Albuquerque, N. Mex., petitioning consideration of their resolution with reference to surveys and investigations of the Bureau of Reclamation and appropriations from Congress; to the Committee on Irrigation and Reclamation.

SENATE

THURSDAY, SEPTEMBER 18, 1941

Rev. Hunter M. Lewis, B. D., assistant rector, Church of the Epiphany, Washington, D. C., offered the following prayer:

Almighty God, Merciful Father, upon whose altar all hatreds are consumed by the flame of Thy love: We come before Thee confessing our manifold sins and unworthiness, putting our whole trust and confidence in Thy mercy. Quicken us with such zeal for justice and truth that our lives may be purged from all dross, and that, putting on the whole armor of God, we may serve Thee and

our country in holiness and righteousness to Thy honor and glory.

Though the base desires of men have so permeated Thy creation that nought therein may be called entirely pure, grant, we beseech Thee, that Thy divine grace may be so with us that none of Thy creatures may be utterly debased, and that we may go forth in Thy Name against the powers and rulers of darkness in this world to win for all mankind the eternal victory of righteousness. We ask it through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, September 17, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Latta, one of his secretaries.

ACKNOWLEDGMENT OF SENATE'S EXPRESSION OF SYMPATHY ON DEATH OF MRS. SARA DELANO ROOSEVELT

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Senate, which was read, as follows:

SECRETARY OF THE
UNITED STATES SENATE,
September 18, 1941.

MY DEAR MR. PRESIDENT: There has been received from the President of the United States a letter acknowledging receipt of the resolution of sympathy adopted by the Senate on the occasion of the death of his mother, Mrs. Sara Delano Roosevelt, and requesting me to give to the Members of the Senate the assurance of his profound gratitude for their thoughtful expression.

Sincerely yours,

EDWIN A. HALSEY,
Secretary.

Hon. HENRY A. WALLACE,
The President of the Senate.

EXECUTIVE COMMUNICATION

The VICE PRESIDENT laid before the Senate the following letter, which was referred as indicated:

PERSONNEL STANDARDS IN ADMINISTRATION OF STATE PROGRAMS

A letter from the Administrator of the Federal Security Agency, transmitting a draft of proposed legislation to require the establishment and maintenance of personnel standards on a merit basis in the administration of State programs for public health, vocational education, and vocational rehabilitation receiving Federal aid (with an accompanying paper); to the Committee on Finance.

PETITIONS

Petitions, etc., were laid before the Senate by the Vice President and referred as indicated:

Resolutions adopted by the Taxpayers' Safety League, of Newport, Ky., and the General Welfare Center No. 1, of Jerome, Idaho, favoring the enactment of legislation providing a pension of $30 per month for every citizen over 60 years of age; to the Committee on Finance.

A letter in the nature of a petition from Dorothy M. Burnes, of Freck, Ark., praying for the enactment of the bill (H. R. 965) to place postmasters at fourth-class offices on an annual salary basis, and fix their rate of pay; and provide allowances for rent, fuel, light, and equipment, and fix the rates thereof; to the Committee on Post Offices and Post Roads.

A letter in the nature of a petition from Joe A. Bellig, of Mankato, Minn., praying that the United States keep out of foreign war; to the Committee on Foreign Relations.

RESOLUTIONS OF KANSAS DEPARTMENT OF AMERICAN LECION

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD resolutions adopted at the annual convention of the Kansas Department of the American Legion on September 1, 1941, at Topeka, Kans. I call particular attention to the resolution condemning the activities of communistic agents in the United States.

There being no objection, the resolutions were ordered to be printed in the RECORD, as follows:

ALL AID TO BRITAIN

Whereas contrary to our hopes, desires, and prayers, we find our Nation to an unknown extent in, or at least involved in, the present world conflict as a noncombatant belligerent; and

Whereas our national interests will best be served by a British victory; and

Whereas the defense of this Nation may require more than an all-out material and financial aid to Britain; and

Whereas if this Nation is to be defended and our way of life preserved, there must be universal sacrifice; that this sacrifice now requires military service by conscription and should call for equal sacrifice on the part of industry, capital, labor, agriculture, and all resources: Now, therefore, be it

Resolved by the Kansas Department of the American Legion, That we continue to advocate all aid to Britain consistent with our national defense; and that we continue to advocate universal service; and, now that men have been conscripted, that capital, industry, labor, agriculture, and resources be likewise conscripted for national defense for the duration of the present emergency.

TO BOOST NAVY ENLISTMENTS

Whereas our country is now in a state of national emergency; and

Whereas our Navy, upon which we rely as our first line of defense, is in need of skilled and trained officers and enlisted personnel: Now, therefore, be it

Resolved, That the Kansas Department of the American Legion, through its members, posts, and membership at large, assist in every way possible to disseminate information concerning enlistment opportunities in the Navy and encourage all young men who are eligible to join this branch of the service.

WANT STRIKES TO END

Whereas we deplore strikes which retard operation of defense industries: Now, therefore, be it

Resolved by the Kansas Department of the American Legion, That we call upon industry and labor to settle all controversies without strikes, in order that essential production be not curtailed.

WANT MADAM PERKINS TO QUIT

Whereas it is essential in this time of grave emergency that there should be no lack of complete confidence in any officer of the Government if we are to attain full unity of purpose in this Nation; and

Whereas it is becoming increasingly obvious that there is a growing lack of confidence on the part of the American people in the abilities of the present Secretary of Labor to fully exercise the high responsibilities of that office; and

Whereas it appears that as long as the present Secretary of Labor is in office there will continue to be trouble in defense industries: Now, therefore, be it

Resolved by the Kansas Department of the American Legion in convention assembled, That it is the opinion of this organization that the cause of national unity in national defense will be best served by the tender and acceptance of the resignation of the present Secretary of Labor.

STILL COMBATS COMMUNISM

Whereas we continue to condemn communism and the activities of communistic agencies in this country; and

Whereas we deplore the necessity therefor but realize some aid will be given communistic Russia in its present conflict with national socialistic Germany: Now, therefore, be it

Resolved by the Kansas Department of the American Legion, That although aid is given communistic Russia consistent with our own national defense, we continue to combat communistic activities and influences in this Nation with the same unrelenting fervor with which we fight German and Italian national socialism.

BAR SLACKERS FROM OFFICE

Whereas in times of national peril the first duty of citizenship is to bear arms in the defense of the Nation which has given them opportunity to enjoy the blessings of citizenship therein: Now, therefore, be it

Resolved by the Kansas Department of the American Legion, That the United States Government and the State of Kansas be requested to pass legislation to the effect that any person who refuses or advocates refusal to serve in the armed forces of the United States when such service is required be forever barred from holding any position of honor or trust under Federal, State, county, or city government, gratuitously or for compensation, particularly as teachers or instructors in the public schools.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. LA FOLLETTE:

S. 1916. A bill to authorize the conveyance of the old Coast Guard station building at Two Rivers, Wis., to the Eleven Gold Star Post, No. 1284, Veterans of Foreign Wars, Two Rivers, Wis.; to the Committee on Commerce.

By Mr. CLARK of Idaho:

S. 1917. A bill authorizing the President of the United States to appoint Thomas C. Neibaur, late of Company M, Sixteenth Infantry, United States Army, as a major in the United States Army and then place him on the retired list; to the Committee on Military Affairs.

By Mr. McKELLAR:

S. 1918. A bill for the relief of the State Savings Bank, Memphis, Tenn.; to the Committee on Claims.

By Mr. McCARRAN:

S. 1919. A bill to amend the Civilian Pilot Training Act of 1939 so as to provide for the training of civilian aviation mechanics; to the Committee on Commerce.

S. 1920 (by request). A bill to amend an act to provide for a Union Railroad Station in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

REVENUE ACT OF 1941—LETTER FROM FARMERS' EDUCATIONAL COOPERATIVE UNION OF AMERICA

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD a letter signed by Robert Handschin, resident secre-

tary, on behalf of Mr. M. W. Thatcher, chairman of the national legislative committee of the Farmers' Educational and Cooperative Union of America, in regard to the Revenue Act of 1941, which appears in the Appendix.]

AMERICAN PARTICIPATION IN THE WAR—ADDRESS BY WALTER E. COSGRIFF

[Mr. CLARK of Idaho asked unanimous consent to have printed in the RECORD an address on the subject, Shall the United States Enter the War? delivered by Walter E. Cosgriff, on March 9, 1941, which appears in the Appendix.]

EXECUTIVE SESSION

The VICE PRESIDENT. Morning business is closed.

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable executive reports of a committee were submitted:

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations on the calendar.

ARCHIVIST OF THE UNITED STATES

The legislative clerk read the nomination of Solon J. Buck, of Pennsylvania, to be Archivist of the United States.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The VICE PRESIDENT. Without objection, the postmaster nominations are confirmed en bloc.

THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

The VICE PRESIDENT. Without objection, the nominations in the Marine Corps are confirmed en bloc. That completes the calendar. Without objection, the President will be notified of all confirmations this day made.

Mr. McNARY. Mr. President, I do not understand whether it was the order that the nominations in the Marine Corps be confirmed en bloc.

The VICE PRESIDENT. It was.

Mr. McNARY. And that the President be notified?

The VICE PRESIDENT. Yes.

That completes the Executive Calendar.

AUTHORIZATION FOR THE VICE PRESIDENT TO SIGN TAX BILL

The Senate resumed the consideration of legislative business.

Mr. BARKLEY. Mr. President, yesterday I got consent of the Senate that the Vice President be authorized to sign the tax bill notwithstanding the Senate might be in recess. I understood that that request covered any recess in which the Senate might be at the time the bill comes here, but the Parliamentarian thinks that probably I had better renew the request. So I ask unanimous consent that the Vice President be authorized to sign the tax bill when it comes over from the other House at any time when the Senate is in recess or adjournment.

The VICE PRESIDENT. Without objection, it is so ordered.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Swanson, one of its clerks, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 4100) for the relief of the legal guardian of Louise Holcombe, a minor, George Holcombe, and Cliff Evans.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 1725. An act to authorize the sale of certain Indian lands to the city of Cut Bank, Mont.;

H. R. 2381. An act authorizing the transfer of land owned by the United States back to the Spring Park Club, of Richfield Springs, N. Y.;

H. R. 3864. An act to amend the act entitled "An act to provide for the registry of pursers and surgeons as staff officers on vessels of the United States, and for other purposes," approved August 1, 1939;

H. R. 4100. An act for the relief of the legal guardian of Louise Holcombe, a minor, and George Holcombe;

H. R. 4446. An act relating to the manning of vessels;

H. R. 4520. An act to ratify and confirm certain right-of-purchase leases, special homestead agreements, cash freehold agreements, certificates of occupation, homestead leases, and patents issued under or in purported compliance with section 73 of the Hawaiian Organic Act and the laws of the Territory of Hawaii;

H. R. 4826. An act to amend section 8 of the Copyright Act of March 4, 1909, as amended, so as to preserve the rights of authors during the present emergency, and for other purposes;

H. R. 4835. An act to extend the times for commencing and completing the construction of a dam and dike for preventing the flow of tidal waters into North Slough in Coos County, Oreg.;

H. R. 4865. An act to increase the amount authorized by the act of July 11, 1940, for the construction of a building for the office of the recorder of deeds of the District of Columbia;

H. R. 4946. An act relating to the manning of certain seagoing barges;

H. R. 5289. An act to dispense with the requirement of clearance and entry for certain United States vessels on the Great Lakes which touch at Canadian ports for bunker fuel only;

H. R. 5425. An act to permit the steamship *Port Saunders*, official No. 220150, and steamship *Hawk*, official No. 220149, to engage in the fisheries;

H. R. 5448. An act to define and punish vagrancy in the District of Columbia, and for other purposes; and

H. J. Res. 199. Joint resolution to authorize temporary appointments of officers in the Army of the United States.

ADJOURNMENT TO MONDAY

Mr. BARKLEY. Mr. President, I thought there would be a message delivered to the Senate and the House of Representatives concurrently today on the new lend-lease appropriation. I am informed that it has gone to the other House simply as a Budget estimate and will not be delivered to the Senate. So there is no occasion for the Senate to wait for it.

If there is nothing further, I move that the Senate adjourn until noon on Monday next.

The motion was agreed to; and (at 12 o'clock and 8 minutes p. m.) the Senate adjourned until Monday, September 22, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 18, 1941:

FOREIGN SERVICE

The following-named persons for promotion in the Foreign Service of the United States, effective as of August 16, 1941, as follows:

From Foreign Service officer of class 3 to Foreign Service officer of class 2:

Loyd V. Steere, of California.

From Foreign Service officer of class 4 to Foreign Service officer of class 3:

Don C. Bliss, Jr., of Mississippi.
Austin C. Brady, of New Mexico.
Edward S. Crocker 2d, of Massachusetts.
Walter J. Donnelly, of Massachusetts.
Homer S. Fox, of Michigan.
Harry F. Hawley, of New York.
William R. Langdon, of Massachusetts.
Alfred T. Nester, of New York.
Albert F. Nufer, of New York.
Frank S. Williams, of Mississippi.

From Service officer of class 5 to Foreign Service officer of class 4:

Clayson W. Aldridge, of New York.
William H. Beach, of Virginia.
Donald F. Bigelow, of Minnesota.
John Corrigan, of Georgia.
Allan Dawson, of Iowa.
James Orr Denby, of Indiana.
Lynn W. Franklin, of Maryland.
Curtis C. Jordan, of California.
David McK. Key, of Tennessee.
Renwick S. McNiece, of Utah.
Marcel E. Malige, of Idaho.
Warwick Perkins, of Maryland.
J. Bartlett Richards, of Maryland.

From Foreign Service officer of class 6 to Foreign Service officer of class 5:

H. Merrell Benninghoff, of New York.
Joseph F. Burt, of Illinois.
Vinton Chapin, of Massachusetts.
Prescott Childs, of Massachusetts.
William M. Gwynn, of California.
Walter H. McKinney, of Michigan.
Clarence E. Macy, of Colorado.
Dale W. Maher, of Missouri.
Walter S. Reineck, of Ohio.
Thomas H. Robinson, of New Jersey.
William A. Smale, of California.
E. Talbot Smith, of Connecticut.

Francis H. Styles, of Virginia.
Howard F. Withey, of Michigan.

From Service officer of class 7 to Foreign Service officer of class 6:

George M. Abbott, of Ohio.
George D. Andrews, of Tennessee.
Lawrence S. Armstrong, of New York.
Roy W. Baker, of New York.
Ellis A. Bonnet, of Texas.
Frederick W. Hinke, of New York.
Charles A. Hutchinson, of Minnesota.
John B. Ketcham, of New York.
John H. Madonne, of Texas.
James E. Parks, of North Carolina.
James K. Penfield, of California.
Winfield H. Scott, of the District of Columbia.
Arthur F. Tower, of New York.

From Foreign Service officer of class 8 to Foreign Service officer of class 7:

Stephen E. Aguirre, of Texas.
Daniel V. Anderson, of Delaware.
Waldo E. Bailey, of Mississippi.
Walworth Barbour, of Massachusetts.
Jacob D. Beam, of New Jersey.
John Willard Carrigan, of California.
Bernard C. Connelly, of Illinois.
Merritt N. Cootes, of Virginia.
Earl T. Crain, of Illinois.
Andrew E. Donovan 2d, of California.
Walter C. Dowling, of Georgia.
Daniel Gaudin, Jr., of Pennsylvania.
James E. Henderson, of California.
Fred W. Jandrey, of Wisconsin.
Douglas Jenkins, Jr., of South Carolina.
Henry P. Leverich, of New Jersey.
Raymond P. Ludden, of Massachusetts.
Patrick Malloy, of Ohio.
John Peabody Palmer, of Washington.
Troy L. Perkins, of Kentucky.
Paul J. Revcley, of Connecticut.
W. Garland Richardson, of Virginia.
Halleck L. Rose, of Nebraska.
Livingston Satterthwaite, of Pennsylvania.
Francis L. Spalding, of Massachusetts.
John F. Stone, of Pennsylvania.
Tyler Thompson, of New York.
William C. Trimble, of Maryland.
Milton K. Wells, of Oklahoma.

From Foreign Service officer, unclassified, to Foreign Service officer of class 8:

Hector C. Adam, Jr., of New York.
Russell W. Benton, of New York.
Roswell C. Beverstock, of California.
William F. Busser, of Pennsylvania.
Richard W. Byrd, of Virginia.
Glion Curtis, Jr., of Missouri.
Harry M. Donaldson, of Pennsylvania.
Owen W. Gaines, of Georgia.
Elbert G. Mathews, of California.
John Ordway, of the District of Columbia.
Marselis C. Parsons, Jr., of New York.
George F. Scherer, of New York.
Earle C. Taylor, of Pennsylvania.
Woodruff Wallner, of New York.
T. Eliot Weil, of New York.
Ivan B. White, of Oregon.

COAST GUARD OF THE UNITED STATES

Lt. Leslie D. Edwards to be a lieutenant commander in the Coast Guard of the United States, to rank as such from August 5, 1941.

The following-named officers in the Coast Guard of the United States, to rank as such from the dates set opposite their names:

TO BE A CAPTAIN

Commander Clarence H. Dench, September 1, 1941.

TO BE COMMANDERS

Lt. Comdr. John P. Murray, Jr., July 26, 1941.
Lt. Comdr. Severt A. Olsen, September 1, 1941.

TO BE LIEUTENANT COMMANDERS

Lt. Carl B. Olsen, May 25, 1941.
Lt. Edwin C. Whitfield, August 1, 1941.
Lt. Anthony F. Glaza, August 21, 1941.
Lt. Frederick G. Eastman, September 1, 1941.

TO BE LIEUTENANTS

Lt. (Jr. Gr.) George R. Reynolds, June 8, 1941.
Lt. (Jr. Gr.) Fred J. Scheiber, July 26, 1941.
Lt. (Jr. Gr.) Christian R. Cousar, September 1, 1941.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 18, 1941:

ARCHIVIST OF THE UNITED STATES

Solon J. Buck to be Archivist of the United States.

POSTMASTERS

CALIFORNIA

Bertie Poore, Armona.

GEORGIA

John T. Miller, Maysville.
Frank H. Moxley, Wadley.

ILLINOIS

Thelma B. Zimmer, Armington.
Quintin B. Bilderback, Augusta.
Fred H. Asay, Buckley.
Meda D. Dowdall, Carrollton.
Charles William Karcher, Dahlgren.
Helen R. Daniel, Danvers.
Charles E. Hibbs, Grand Ridge.
Muriel V. McNeil, Hazel Crest.
Paul H. Ryan, New Holland.
Robert H. Ryan, Rankin.
David E. Woolsoncroft, Roberts.
Walter W. Lesch, Washburn.
Hugh E. Davis, Waterman.
John H. Stone, Watseka.

MASSACHUSETTS

Homer L. Simmons, Chartley.

MISSISSIPPI

Robert B. Cox, Batesville.
Scott H. Speck, Blue Springs.
Troy McGehee, Brookhaven.
Frances H. Cooke, Coffeeville.
Catherine Fitzpatrick, Pass Christian.
William F. Henson, Ripley.
G. Albert Decell, Wesson.

NORTH CAROLINA

Paul E. Rickman, Arden.

OKLAHOMA

Earl Witten, Pauls Valley.

WEST VIRGINIA

J. Fred Wilson, Clay.
Norrene F. Golightly, Davis.

APPOINTMENTS AND PROMOTIONS IN THE NAVY

MARINE CORPS

To be captains

Charles W. Harrison
Arthur A. Chidester
Robert A. McGill
William W. Buchanan
Frank L. Kilmartin
Eschol M. Mallory
Lawrence H. McCulley
Alexander A. Vandegrift, Jr.
George B. Bell
Frederick R. Dowsett
Orin C. Bjornsrud
Robert W. Boyd

To be second lieutenant

Robert T. Knox, a citizen of Idaho.

HOUSE OF REPRESENTATIVES

THURSDAY, SEPTEMBER 18, 1941

The House met at 12 o'clock noon and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed Lord God, in the toil and service in which we are engaged, may we stand reproved because we have lost something of our first love, with its heights and visions, the devotion and sanctity of the fireside. Enable us to keep on doing good, being charitable to the bad people, kind to the cruel, gracious to the unthankful, with a warm, loving heart, with our faith in man and our trust in God unquenched. Heavenly Father, possess us, dominate us with that spirit which pleads for consecration to the work of national deliverance. Impress us that human life is too high and holy, too great and solemn to be spent in anything but in the service of God and man. In a world of tumult and tempest, of fears and conflict which no mortal can escape; in a day in which strong men are beaten down and humbled, where human hearts are crushed and bleeding and Rachel mourning for her children, blessed Lord, be our light in the darkness and our peace in pain. Fit us for a lasting service, using our ampler powers to enfranchise the souls of earth's appealing children. Through Christ our blessed Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Baldridge, one of its clerks, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H. R. 2381. An act authorizing the transfer of land owned by the United States back to the Spring Park Club, of Richfield Springs, N. Y.;

H. R. 3864. An act to amend the act entitled "An act to provide for the registry of pursers and surgeons as staff officers on vessels of the United States, and for other purposes," approved August 1, 1939;

H. R. 4446. An act relating to the manning of vessels;

H. R. 4520. An act to ratify and confirm certain right-of-purchase leases, special homestead agreements, cash freehold agreements, certificates of occupation, homestead leases, and patents issued under or in purported compliance with section 73 of the Hawaiian Organic Act and the laws of the Territory of Hawaii;

H. R. 4826. An act to amend section 8 of the Copyright Act of March 4, 1909, as amended, so as to preserve the rights of authors during the present emergency, and for other purposes;

H. R. 4835. An act to extend the times for commencing and completing, the construction of a dam and dike for preventing the flow of tidal waters into North Slough in Coos County, Oreg.;

H. R. 4865. An act to increase the amount authorized by the act of July 11, 1940, for the construction of a building for the office of the recorder of deeds of the District of Columbia;

H. R. 4946. An act relating to the manning of certain seagoing barges;

H. R. 5289. An act to dispense with the requirement of clearance and entry for certain United States vessels on the Great Lakes which touch at Canadian ports for bunker fuel only;

H. R. 5425. An act to permit the steamship *Port Saunders*, official No. 220150, and steamship *Hawk*, official No. 220149, to engage in the fisheries;

H. R. 5448. An act to define and punish vagrancy in the District of Columbia, and for other purposes; and

H. J. Res. 199. Joint resolution to authorize temporary appointments of officers in the Army of the United States.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 169. An act to provide for an appeal to the Supreme Court of the United States from the decision of the Court of Claims in a suit instituted by George A. Carden and Anderson T. Herd;

S. 895. An act to provide for the registration of trade-marks used in commerce to carry out the provisions of certain international conventions, and for other purposes;

S. 1008. An act to amend an act entitled "An act to provide that all cabs for hire in the District of Columbia be compelled to carry insurance for the protection of passengers, and for other purposes," approved June 29, 1938;

S. 1112. An act to amend the act entitled "An act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California," approved May 18, 1928 (45 Stat. 602);

S. 1344. An act to authorize employees of the United States to testify on behalf of the District of Columbia and employees of the District of Columbia to testify on behalf of the United States and of the District of Columbia without loss of salary or annual leave;

S. 1481. An act to provide for the recognition of the service of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal;

S. 1521. An act to provide that the Navy ration shall include canned or powdered or concentrated fruit or vegetable juices;

S. 1539. An act to amend the Tennessee Valley Authority Act of 1933;

S. 1713. An act to amend Public Law No. 718, Seventy-fifth Congress, approved June 25, 1938;

S. 1744. An act to provide uniform loan rates for corn and wheat at certain points on the Missouri River;

S. 1772. An act to authorize Army officers designated by the Secretary of War to take final action on reports of survey and vouchers pertaining to the loss, damage, spoilage, unserviceability, unsuitability, or destruction of Government property; and

S. J. Res. 105. Joint resolution transferring the administration of the homestead projects established in Virgin Islands from the Government of the Virgin Islands to the Department of Agriculture.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 5202. An act to create an Industrial Accident Prevention Board, to foster, promote, and develop the safety of wage earners of the District of Columbia; to define its powers and duties, and for other purposes; and

H. R. 5447. An act to amend section 907 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to second conviction of criminal offenses.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5417) entitled "An act to provide revenue, and for other purposes."

The message also announced that the Vice President had appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Agriculture.
2. Department of the Interior.
3. Department of Justice.
4. Department of the Treasury.
5. Department of War.
6. Federal Security Agency, Office of the Administrator.
7. Federal Security Agency, Social Security Board.
8. Federal Works Agency, Public Roads Administration.
9. Federal Works Agency, Work Projects Administration.
10. Interstate Commerce Commission.
11. Railroad Retirement Board.
12. Veterans' Administration.

ESTIMATE OF APPROPRIATIONS—LEND LEASE ACT (H. DOC. NO. 374)

The SPEAKER laid before the House the following communication from the President of the United States, which was read and, with accompanying documents, referred to the Committee on Appropriations and ordered to be printed:

THE WHITE HOUSE,
Washington, September 18, 1941.

The SPEAKER OF THE
HOUSE OF REPRESENTATIVES.

SIR: I have transmitted to the Congress the second report of operations under the Lend Lease Act. This report indicates the increasing amount of material aid we are rendering to the democracies. Of the $7,000,000,000 appropriated 6 months ago, aid in the amount of $6,280,000,000 is now moving through the successive stages of allocation, obligation, production, and delivery. Additional funds are now needed in order that there be no interruption in the flow of aid to those countries whose defense is vital to our own. I am therefore transmitting a supplemental estimate of appropriation in the amount of $5,985,000,000, the details of which are set forth in the accompanying letter from the Director of the Bureau of the Budget. I recommend its speedy enactment.

Respectfully,

FRANKLIN D. ROOSEVELT.

EXPENSES OF INVESTIGATION BY COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

Mr. COCHRAN. Mr. Speaker, by direction of the Committee on Accounts, I submit a privileged resolution (H. Res. 306) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the expenses of conducting the investigation authorized by House Resolution 304 of the present Congress, incurred by the Committee on Public Buildings and Grounds, not to exceed $10,000, including expenditures for the employment of clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee conducting such studies and investigations or any part thereof, signed by the chairman of the committee and approved by the Committee on Accounts.

SEC. 2. The official stenographers to committees may be used at all hearings held in the District of Columbia.

Mr. MICHENER. Mr. Speaker, will the gentleman from Missouri yield for a question?

Mr. COCHRAN. I yield to the gentleman.

Mr. MICHENER. Does this bill implement the bill passed yesterday?

Mr. COCHRAN. This resolution follows the resolution that the House passed yesterday.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

THE LATE JOHN C. McKENZIE

The SPEAKER. The Chair recognizes the gentleman from Illinois [Mr. ALLEN].

Mr. ALLEN of Illinois. Mr. Speaker, I rise at this time to inform the Members of the House that the messenger of death has called once again. This time the Lord has deemed it just to call to eternal rest a beloved friend and ex-colleague, the Honorable John C. McKenzie, of Elizabeth, Ill. My heart is heavy with sadness as I pause to pay tribute to this noble man whom I held as one of my dearest and closest friends.

Few of the present Members knew Mr. McKenzie, for he voluntarily retired after serving his country well for 14 years as a Member of this Chamber. I say to you most humbly, my friends, that I am without adequate words to express my most profound sorrow. Those of us who knew him, and I assure you who became Members of this body after Mr. McKenzie's time, that to have known and become associated with him was a rare privilege.

John Charles McKenzie possessed many of the attributes of another great son of Illinois, namely, Abe Lincoln. Mr. McKenzie was honest above reproach; he was noted for his honesty in thought and action. His deep-rooted love for America and what it stood for was beyond questioning. Once convinced of the righteousness of his path of action, he would not turn or be swayed from that chosen path. John McKenzie was truly a man of strong convictions.

Nor was my honorable friend Mr. McKenzie's time spent idly as a Member of this body. His 14 years' service as a United States Representative was crowded with many, many achievements. Perhaps the outstanding measure for which he fought and finally forced through the Congress was the Army reorganization bill which reorganized the Army, and is one of the fundamental bases for many of the present United States Army's proceedings. From his mind there was also laid down the principles for the future conduct of this country in time of war. As a highly respected Member of the Military Affairs Committee, he helped map out a wise course in 1920 that solved the question of

employment when the manufacture of munitions stopped.

John Charles McKenzie represented in Congress the district in Illinois that I now have the honor and privilege to represent. He was born in Jo Daviess County, Ill., February 18, 1860; attended the common schools, taught school, and engaged in agricultural pursuits; studied law, was admitted to the bar in 1890, and commenced the practice of his profession in Elizabeth, Ill. He was elected to the State house of representatives from 1892–96; member of the Illinois Claims Commission, 1896–1900; served in the State senate from 1900, 1903, 1905; elected as a Republican to the Sixty-second, Sixty-third, Sixty-fourth, Sixty-fifth, Sixty-sixth, Sixty-seventh, and Sixty-eighth Congresses, March 4, 1911, to March 3, 1925. He was not a candidate for renomination in 1924. He was appointed on March 26, 1925, a member of the commission to report the most practical method of utilizing the nitrate plant at Muscle Shoals, Ala., and served until November 14, 1925, when the commission submitted its conclusions to President Coolidge, resumed the practice of his profession and was a resident of Elizabeth, Ill., where he passed from this world on September 17, 1941. He leaves to mourn an affectionate wife, a loving daughter, as well as a host of friends.

In the oft-repeated words of Shakespeare I inform this assembly:

> He was a man, take him for all in all,
> I shall not look upon his like again.

EXTENSION OF REMARKS

Mr. MITCHELL. Mr. Speaker, yesterday I was granted unanimous consent to extend my own remarks in the RECORD, and to include decisions handed down by the Interstate Commerce Commission, the United States District Court, and the Supreme Court of the United States. The Public Printer finds this extension of remarks exceeds the space ordinarily permitted under the rules of the House, and has submitted me an estimate in writing which shows that the extension of remarks with the extracts included require 2⅔ pages at an estimated cost of $120. I wish to renew my unanimous consent request and ask that these remarks be printed in the RECORD notwithstanding.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. MITCHELL]?

There was no objection.

Mr. TOLAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CELLER] may be permitted to extend his own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. TOLAN]?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I have two requests; first, to extend my own remarks in the RECORD, and to include an editorial in the New York Times entitled "The St. Lawrence and Labor"; and, secondly, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. MARTIN J. KENNEDY]?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker and Members of the House, I wish to bring to your attention the editorial page of this morning's Daily Mirror. It contains a picture of the Capitol, with a sign marked "S. R. O.," and a picture of a group of New York City buildings marked with a sign "For rent."

The editorial is entitled "Boom Town" and refers to the conditions existing here in Washington because of the shortage of adequate housing and office facilities.

I wish to add my protest to that of the editor's on three specific counts, as follows:

First. Eight families were found living in one 8-room house and 24 people were taking turns using one bath.

Second. Parents with two to five children live in single basement rooms, and pay from $30 to $40 a month for such hovels.

Third. In another case seven unrelated people were found living in the parlor of a one-time fine residence.

I hope the appropriate officials will take immediate action to correct the conditions outlined in the editorial.

The editorial suggests other remedies to overcome the crowded conditions here in Washington, but in my opinion the editor overshot the mark when he insinuates that the Representatives from New York City are not aware of the conditions and, further, that they have not shown sufficient interest in having Government bureaus transferred from Washington to New York City.

As the membership of the House well knows, I have on three occasions addressed the House of Representatives on this very subject. I have given unlimited cooperation to New York City's Department of Commerce and I have personally visited the various bureaus in company with the Representatives of the city of New York in their quest to obtain the transfer of Government offices to New York.

The membership is familiar with my recent proposal, suggesting that the Members of the Congress and the Senators could do their part to help the conditions by surrendering part of their office space for other Government activities.

On September 26, 1940, I presented to the House a report by Mr. Martin Sweeny, president of the Commodore Hotel, furnished to Mayor LaGuardia entitled "Report on Industrial Mobilization," and since last September I have devoted myself to promoting the interest of my city by urging upon the Government authorities the use of the unlimited facilities offered by New York in the matter of housing space, hotel accommodations, modern office buildings, excellent transportation, as well as fine recreational activities.

I again appeal to the membership for cooperation in correcting the condition set forth in the editorial Boom Town, as well as for your assistance in my efforts to help solve the problem in Washington by moving other Government bureaus to New York as the Federal Home Owners' Loan Corporation was moved to New York.

LIQUIDATION OF SMALL BUSINESS

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to extend my own remarks in the RECORD by including an editorial on defense.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN]?

There was no objection.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, on September 15 President Roosevelt signed an Executive order to expedite the shipment of raw and finished materials from the United States to South America. The order was issued on account of the growing number of complaints from Latin American business interests about the slowness for clearance of sorely needed materials in the countries to the south. The Economic Defense Board, with Vice President WALLACE as chairman, was designated to handle this job.

In accepting this new assignment Mr. WALLACE is quoted as having said:

> We must help see to it that other nations in that part of the world which is still free get enough goods to maintain the stability of their own economies as far as possible. This is particularly important in the Western Hemisphere.

I would like to ask the President and Vice President what they intend to do to maintain the stability of the economies of the great American middle class not engaged in defense production. Complaints from thousands of small businessmen, manufacturers, contractors, and others, are daily pouring into Washington begging for needed materials so they may continue their work and provide employment for millions of their fellow Americans.

We want to help our neighbors to the south and elsewhere, but it seems to me that our first duty, if high morale and national unity is desired in the United States, should be to stop this liquidation of our great American middle class. Most of us in Congress belong to this group. We believe in our American system and will fight to preserve it for America. Surely our own people are entitled to as much consideration as our foreign friends.

I realize that every effort is being made to work up a war spirit in America by denying things to the people. But when thousands of small businessmen are forced to close down for want of material and men thrown out of employment, you may get something entirely different from a unified America. A high defense official recently estimated that a third of American business may shut down this fall for lack of material.

President Roosevelt has promised to help solve this important problem to save small business. He has appointed Donald Nelson, of the O. P. M., and Mr. Odlum, of the Atlas Corporation, to tackle the job. The small businessmen want re-

sults. Too many unfilled promises have been made during the past 8 years to help the small businessman.

All small manufacturers and contractors want to cooperate in the national-defense program. They should be given the opportunity to do so under a cost-plus-fixed-fee policy. Fifty-six large manufacturers have been given 75 percent of all defense production. These manufacturers should be compelled to farm out a substantial portion of their defense production to small manufacturers. If speed for national defense is necessary, all producers should be given an opportunity to take part.

The defense policy of the administration must be changed at once to save American economy and secure national unity. Either small manufacturers should be given defense orders on a cost-plus-fixed-fee basis or they should be permitted to receive needed supplies to carry on for civilian demands. At least, they should be able to secure as much material as they received prior to the defense production program.

Mr. Donald Nelson recognizes the seriousness of the situation confronting the small manufacturer, when he states:

I am concerned right now with the situation of the manufacturer who can no longer get the materials he needs. * * * What happens to him? The regrettable answer, as of today, is that in all too many cases he simply has to shut up shop, pay off his labor force, and let his equipment stand idle.

If the defense priority policy is not changed, 10,000 small concerns will be closed by winter and millions of workers will be forced to join the ranks of the unemployed. In addition to throwing millions of factory workers on the street, thousands of salesmen engaged in wholesale and retail distribution of goods, as well as others, will be without jobs.

The time has come to act for the saving of millions of Americans. President Roosevelt and his associates have the power. We all want national unity. To get it the administration must stop this liquidation of our great American middle class engaged in small business.

Mr. Speaker, I ask consent to insert herewith a very pertinent and timely editorial on the subject of What Price Defense? written by the editor of the Bruce Publishing Co. of St. Paul and Minneapolis, which fully discloses one feature of waste and inconsistency in the defense program.

AS WE SEE IT—WHAT PRICE DEFENSE?

There are but three ways in which the tremendous costs which are being incurred through our national-defense program can be met, as met eventually they must be.

One, and the one which is a natural expectation, is through the typically American procedure of raising the money by means of taxation, part now and part in future years.

Another is through repudiation of debts—national insolvency—certainly not a consummation to be desired.

The third is through eventual socialization of business and industry.

Taxation, however, is the method which it is proposed to follow—at present at least.

And taxation presupposes a continuance of normal business within reasonable limitations, for the simple reason that when all is said and done all taxes have their source in business.

Without business, which obviously means what we term industry as well, there would be no market for the products of the farm, the craftsmanship of the laborer, the skill of the professional man, or the services of those many other component parts of our greatly diversified economy, who are the source of taxes.

This being true, it would seemingly follow that in proceeding with our national-defense program every effort would be made to see to it that there be the least possible interference with, and dislocation of, our domestic business and industrial machinery.

On the contrary, there seems to be confusion, uncertainty, and conditions approaching the chaotic in our business life, due to claimed shortages of various kinds.

Under the lend-lease bill we are shipping huge quantities of raw materials to Great Britain, while at the same time hundreds of our own industrial plants are forced to close for lack of these same materials.

In his press conference of August 26 last, the President is reported to have answered criticisms of this practice, and the charge that Great Britain had in turn fabricated these raw materials into finished products which it had sold in the world markets, with the statement that all England had done was to fulfill previous contracts with her own raw materials.

Is it not only reasonable to believe that these British raw materials which find their way to other countries in the form of finished products are replaced by other raw materials taken from American supplies? Our factories, in turn, being deprived of them, are consequently unable to fulfill their own contracts, also previously entered into.

American business is completely back of a national-defense program which is a national-defense program. There may be, indeed, there are, honest differences of opinion as to the desirability of some of the appendages added since it was originally conceived, but as to support, wholehearted support, of the basic program, there is no doubt.

Is it, however, to be wondered at that many of us find it difficult if not impossible to reconcile some of the things which are happening in this country as a result of that program with the imperative need of maintaining business as near to usual as is possible?

Take one product required in our own business, publishing. Paper prices have been rising. Shortages are predicted. Rationing is a possibility. Yet at Washington in the multitudinous departments, commissions, and what have you, paper is being wasted as if it were as common and as free as the air.

One visit of the postman to this office this week brought a mass of separate and distinct lots of material from three different governmental departments and agencies. The heaviest and best quality mailing envelopes were used. These ranged in size from 6½ by 10 to 12 by 15 inches. In the main the contents were, so far as we are concerned, of the type which in a court of law would be termed "irrelevant and immaterial." One member of our staff on the same day received six similar pieces at his residence address.

Multiply these many pieces by the number of firms and individuals to whom they were sent, and at least a partial answer is found to the problem as to why there is a growing shortage of paper.

In this same mail was a one-thousand-two hundred-odd page book issued by the United States Department of Agriculture. Page size was 5¾ by 9 inches. As to how many were issued and carried free in the mails we do not know. Presumably there were many thousands. Presumably, again, the interest of a majority of recipients was the same as ours, viz, absolute zero. What a tremendous waste. What an unnecessary toll upon the taxpayer.

American business is ready, willing, and anxious to do its part, but American business asks that government in turn do its part by playing fair with business.

There is such a thing as consistency, and consistency is very much needed in this present time of stress and strain, of crisis and near crisis.

Let's demand rational, reasonable, horse-sense economy from government. Let's demand that in this hour of the Nation's need it practice some of those economies which many of its spokesmen are so fond of preaching.

Let's give a trifle more heed to the fact that in the final analysis, if we continue in the American way, business must pay all costs, and that in that same final analysis every one of us is engaged in business, be he day laborer, monthly employee, professional man, industrialist, manufacturer, retailer, or even Member of Congress.

In short, let's take some of our public speakers at face value in their plea that we become realistic, and in our turn demand of them a little more realism with respect to this whole question of national defense and the manner in which the bill it entails is to be paid.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the revenue bill and include therein a table.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a speech of the Honorable Herbert Hoover at Chicago on Tuesday evening of this week.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. OSMERS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article written by myself which appeared in Flying and Popular Aviation on the subject of modernizing our present War College.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short article on the collection of aluminum by the Boy Scouts of America, and also a letter from Mayor LaGuardia.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

[Mr. PIERCE addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the Appendix of the RECORD and include therein an article.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

EXTENSION OF REMARKS

Mr. SHANNON. Mr. Speaker, I ask unanimous consent to have printed in the Appendix of the RECORD a Labor Day address by Rev. John C. Friedl, S. J., director of the Institute for Social Reconstruction of Rockhurst College, Kansas City, Mo., before a meeting of the Omaha Central Labor Union, Omaha, Nebr., on September 1, of this year.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. ALLEN of Louisiana. Mr. Speaker, I ask unanimous consent that on Monday next, at the conclusion of the legislative program of the day, I be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks at three points in the RECORD and include therein an article and two editorials.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. THILL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article on war propaganda.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. KNUTSON] be permitted to extend his own remarks in the RECORD, and also that the gentleman from New York [Mr. COLE] be permitted to extend his own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short article concerning my tour of duty with the First Cavalry Division at Fort Bliss, Tex., last month.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PURCHASE OF WHEAT FROM CANADA

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. McGREGOR. Mr. Speaker, yesterday I made the accusation that this administration is allowing 1,500,000 bushels of wheat to be imported into this country under a 9-cent penalty, and at the same time is penalizing the American farmer 49 cents per bushel for surplus wheat. Up to this time this statement has not been denied.

Upon returning to my office this morning I received a report that under the lend-lease bill this administration is purchasing wheat from Canada and sending it to England. I have tried to verify this report, but can find no official who cares to discuss the subject. Therefore, until this report is officially denied, I am considering it to be correct. I am asking you is it fair to penalize the American farmer for growing a product and at the same time purchase this product from Canada, pay for it with the American taxpayers' money, and send it to England?

[Here the gavel fell.]

(Mr. McGREGOR asked and was given permission to revise and extend his remarks in the RECORD.)

EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein a letter addressed by a former Member of Congress from New York, John O'Connor, former chairman of the Committee on Rules, to Collier's Weekly.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

COMMON CITIZENSHIP WITH GREAT BRITAIN

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I hold here a United Press dispatch, dated September 17, that ought to be of considerable interest to all of those who think we are dependent upon Great Britain. Hore-Belisha makes this announcement:

Churchill had an imaginative idea in offering France common citizenship with Great Britain. There is far more reason for common citizenship with America.

Now, get this one. He continues:

If we can replace the Declaration of Independence with a declaration of interdependence, we should lay the firmest foundation for permanent world peace.

Follow the Britisher and scrap our Declaration of Independence now and go along with Britain, all those who want to. But, as for me, I still cling to the Declaration of Independence made by our forefathers. God bless and preserve America.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. YOUNGDAHL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution passed by the City Council of the City of Minneapolis, Minn.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

OLEOMARGARINE REGULATIONS

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Speaker, while home the past 3 weeks I found that a matter of great concern to the people of my district, and especially to the farmers, was the fact that there have been promulgated new oleo regulations which will permit the sale of oleo in direct competition with and practically under the guise of butter. I cannot too strongly urge that the Congress will do something toward taking out of the control of bureaucrats the great dairy industry of America.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, in view of the fact that we have so many strikes now and in view of the fact that the Mediation Board is requiring these production plants to put on a closed shop so that only members of some unions can work, and in view of the further fact that the union officials up in Pennsylvania now are adding $10 to the annual dues and assessments of the United Mine Workers, creating a fund of some $6,000,000, does not the gentleman think we ought to stay in session and do something about that?

Mr. THILL. Mr. Speaker, reserving the right to object——

Mr. McCORMACK. Of course, the gentleman from Michigan, I assume, voted for the Connally amendment, did he not?

Mr. HOFFMAN. I do not recall now what that was, but if it was an amendment that denied the workingman the right to work, I did not.

Mr. McCORMACK. The amendment was not adopted anyway, and we all know the history of it, but there is no legislation before the House now.

Mr. HOFFMAN. Why not get some legislation before the House? Why not bring in some legislation? Listen! I have several amendments proposed, and the gentleman from Indiana [Mr. HALLECK] has an amendment before the Labor Committee to the Wagner Act, which is at the bottom of much of our trouble.

Mr. McCORMACK. The gentleman, of course, has been a Member of the House long enough to know that the House cannot act on anything until a bill is reported out of committee.

Mr. HOFFMAN. The House might ask the Labor Committee to bring in some of this legislation.

Mr. McCORMACK. The gentleman has been a Member of the House long enough to know the procedure of the House with reference to legislation.

Mr. HOFFMAN. If the gentleman is referring to the hog-tying business, I know about that.

Mr. McCORMACK. The gentleman is not going to get me into a discussion with him of issues that do not exist except in the mind of my distinguished friend from Michigan.

Mr. HOFFMAN. That strike issue exists, all right.

Mr. McCORMACK. I am not going to argue on a delicate question that exists only in the mind of the gentleman from Michigan.

Mr. HOFFMAN. Never mind about the word "delicate."

Mr. McCORMACK. I respect the gentleman, no matter what disagreement we may have, and I want the gentleman and the world to know that I respect the gentleman even in disagreement, as I assume the gentleman respects others when they disagree with him.

Mr. HOFFMAN. I certainly do.

Mr. McCORMACK. I never challenge the sincerity of the gentleman.

Mr. THILL. Mr. Speaker, reserving the right to object, after a brief period of recess, the Members of the House from Maine to California, from Florida to Minnesota, have been called back to Washington. During this critical period I believe the Members should be given an opportunity to speak every day, particularly on the international situation. We see the President taking this country into an undeclared war without consulting Congress and without consulting the American people. Roosevelt issues an order to shoot on the high seas. This will mean death and ruin for thousands of American boys. Is Congress apathetic? Has Congress no voice? To what low estate has Congress fallen? Mr. Speaker, under those circumstances I shall object.

Mr. MICHENER. Mr. Speaker, will the gentleman withhold that a moment?

Mr. THILL. I withhold the objection.

Mr. MICHENER. I agree with much that the gentleman from Wisconsin has said, but I cannot see any results to be obtained by objection to this particular request. If the request is not granted, we will meet here tomorrow and adjourn, and we will meet again Saturday, but there will be no business transacted because there is no grist in the mill. If the gentleman's objection would assist in bringing about results, it would be a different matter. This objection will inconvenience many Members. I am here and I will be here tomorrow and I will be here every day, so I am not inconvenienced personally.

Mr. THILL. If the leadership does not have any legislative program, this will at least give the Members a chance to speak here every day except over the week end. Any Members who want to leave can do so; they will not be inconvenienced.

Mr. MICHENER. If the gentleman wants to speak tomorrow and Saturday and every day, I would not want to stand in the way. I only inquire because the majority leadership has announced that there will be no legislation transacted before September 29.

Mr. THILL. Some other Members and I do not wish to speak over the week end, but the Members should have the opportunity to speak every weekday except Saturday and Sunday.

Mr. McCORMACK. Mr. Speaker, about these 1-minute speeches, I think perhaps it may be a good idea. Of course, substantially nobody objects to them, although the country, of course, is commencing to look with a lot of amusement upon these famous 1-minute speeches that are made here from day to day.

Mr. THILL. Mr. Speaker, I object.

The SPEAKER. The gentleman from Wisconsin objects.

Mr. McCORMACK. Of course, Mr. Speaker, the gentleman places himself in an embarrassing position.

Mr. HOFFMAN. Mr. Speaker, I make the point of order that the gentleman from Massachusetts has no right to comment upon the attitude of the gentleman from Wisconsin.

The SPEAKER. The gentleman from Massachusetts will proceed in order.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER. Is there objection?

There was no objection.

DEATH OF FORMER REPRESENTATIVE PETER F. TAGUE

Mr. FLAHERTY. Mr. Speaker, it is my unpleasant duty today to rise and to call the official attention of the House to the death of a former distinguished and outstanding member of this body in the person of Hon. Peter F. Tague, late postmaster of the city of Boston, and a member of the Sixty-fourth, Sixty-fifth, Sixty-sixth, Sixty-seventh, and Sixty-eighth Congresses.

I had known Mr. Tague all my life; I knew intimately his broad tolerance, his fine character, and his inestimable worth as a husband, father, citizen, and public official. I deem it an honor as a former constituent to rise in my place today and to pay tribute to his memory.

Peter Tague would not want me to say that he was a great man, but he was great in the sense of the values that men place upon friendship, upon honor, upon character, and integrity.

I was proud to call him friend and am proud today of the fact that I represent part of his old district in this body.

Mr. Speaker, Peter F. Tague a generation ago began his service in this House, service characterized by devotion to duty in a period of our history in which we faced a crisis very similar to the one that confronts us today. Perhaps the finest tribute that could be paid him, and one that he would cherish more than any other, is a simple one couched in simple terms and yet pregnant with all that makes this country great. It is simply this: He was a good man and a true American.

Mr. McCORMACK. Mr. Speaker, I join with my distinguished colleague the gentleman from Massachusetts [Mr. FLAHERTY] in making to the House the very unpleasant announcement of the sudden and unexpected death yesterday of a former Member of this body, Hon. Peter F. Tague, who will be remembered well by the older Members of this body. He was one of the outstanding Members of the Congress of the United States. I make this announcement for the Massachusetts delegation, both Democratic and Republican, and I know that I speak the sentiments of both parties in expressing our deep sorrow. Personally I make the announcement with the keenest and most profound regret. Mr. Speaker, Mr. Tague was a distinguished Member of this body from March 4, 1915, until March 3, 1925. As a young man at the age of 23 he first started his public career, like many honorable Members of this body and other bodies have done at an early age, and he gave his whole life in the public service of the city, the State, and the Nation. He served in the Boston Common Council during the years 1894 to 1896, inclusive. He also served in the Massachusetts House of Representatives in 1897 and 1898 and again in 1913 and 1914. He was a member of the Massachusetts State Senate in 1899 and 1900. Thereafter he served with great distinction in this honorable body. Subsequent to 1926 he served with great distinction as election commissioner of the city of Boston. In 1935 he was appointed postmaster of the Boston postal district by President Roosevelt, which position he occupied up to the time of his death.

I know that those who knew the late Mr. Tague will hear of his passing with the keenest regret. He was a personal friend of mine, a gentleman whom I profoundly admired. His word was his bond. He was able, courageous, and outstanding in his honorable concept of life and in the performance of his public duties. His passing is a great loss not only to his two sons, who survive him, and to his many friends, but also to the Commonwealth of Massachusetts and the entire Nation. Those who knew him will profoundly regret his passing.

Mr. TREADWAY. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. TREADWAY. Mr. Speaker, I can add very little to the remarks made by my colleague the Democratic leader of the House in reference to the death of Peter F. Tague. I can only supplement what he has said by adding my word of praise to the character of Mr. Tague and my intimate acquaintance with him over the period when he was a Member of the House. He came to Congress in 1915, one term later than I, following an honorable record of service in the Massachusetts Legislature. He served on the committee of which I have had the honor of being a member for a long time, and he served with great distinction and ability. He endeared himself not only to the membership of the committee but to the membership of the House generally. While differing with Mr. Tague from a political viewpoint, I was his keen admirer and his intimate friend during the period he was in this body.

I have also known of his standing in our State. Certainly no citizen of the Commonwealth of Massachusetts has passed away who will leave a wider mark of respect and esteem than Peter Tague.

It will be with great regret that the people of the State will mourn his loss. I, for one, join with my colleagues in expressing these words of praise of his character, his ability as a man, and his keen sense of justice in the cause of good government.

[Here the gavel fell.]

Mr. HEALEY. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HEALEY. Mr. Speaker, the countless friends and admirers of the Honorable Peter F. Tague, postmaster of Boston, Mass., were shocked by the news of his untimely death on yesterday. While acting as host postmaster to the convention of postmasters of the United States which is being held in Boston this week, Postmaster Tague very suddenly passed away. His death brought to an end a long, distinguished, and honorable career in the public service. He served for a number of terms in this body with great honor and distinction.

Early in the administration of President Roosevelt he was appointed postmaster of Boston, Mass., which is one of the largest postal districts in the United States, extending into the environs of Boston and covering practically all of its suburbs. In area it is one of the largest postal districts in the country. The multiple duties of that office are very arduous and exacting. However, it is recognized, I am sure, by all of the citizens served by that postal district and the large number of postal employees that Peter F. Tague has served in that difficult office with the same fealty and devotion to duty that has marked his long and honorable career of public service.

Fair and impartial in his dealings with the employees under his jurisdiction, kindly and humane, with a sympathetic understanding of their problems, he soon endeared himself to all employees in his jurisdiction. His able and intelligent direction of the great task of handling the public's mail soon characterized the Boston postal district as one of the most efficient in the Nation. The Postal Service, the city of Boston, and the Nation mourn the loss of a great and noble character.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I was profoundly shocked, as were hundreds in the State of Massachusetts, by the passing of Peter Tague, postmaster at Boston. He was a personal friend of mine and my husband's for many years. His modest friendly ways endeared him to his friends and associates. During his stay in the Congress of the United States he was held in high esteem and he made many staunch and lasting friends regardless of party which indicated his warm and charming personality.

He was an able, fearless, and distinguished public servant, a loyal American and a great patriot.

At the moment, the thing that is uppermost in my mind is the loss that he will be to his country at this time. I know the loss he will be to the very many persons whom he has helped. I went to him often when he was postmaster, as he had some of my district in his postal area, in reference to matters of employment. I discovered at that time that when Peter Tague during the Christmas rush was employing extra people, that he gave this employment to men in rather desperate circumstances in order that they might earn a little money for the Christmas season. I discovered further that Peter Tague, busy as he was as the head of a big metropolitan post office, personally investigated every person who came to the post office for employment and he saw that every man in case of need was fed before he started his day's work. That was typical of his generous, kindly nature.

[Here the gavel fell.]

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, I dare say that no man in this country deplores more than I do the passing of Peter Tague. He was one of the first men I met when I came to Congress and one of the first I ever saw in a real battle on this floor.

I saw him tested at a time when the party majority against us in the House was 169. I saw him go through the battles here immediately after the close of the World War, and I do not hesitate to say that no man with whom I have served in this body more courageously supported the fundamental principles upon which our Government and our institutions are founded than did Peter Tague.

He was a lovable character. He was courteous at all times yet he had the courage of a lion, and above all things he had that rare quality, so necessary for a representative in a body of this kind, he had moral courage; the courage of his convictions.

In his devotion to the Constitution of the United States, in his devotion to the great fundamental principles of American institutions, in his devotions to those principles of government laid down by Jefferson and Washington and the other great founders of this Republic, in his devotion to the cause of humanity and to the cause of Christianity, to the cause of all those moral, spiritual, and economic principles upon which our Government must ever rest, if it continues to exist at all, he was "constant as the northern star of whose true fixed and resting quality there is no fellow in the firmament."

America never had a more worthy Representative in the Halls of Congress.

[Here the gavel fell.]

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. LESINSKI] is recognized for 30 minutes.

Mr. LESINSKI. Mr. Speaker, I yield to the gentleman from Illinois [Mr. DIRKSEN], who has requested that his time be changed so that he can speak first.

The SPEAKER. The gentleman from Illinois [Mr. DIRKSEN] is recognized for 10 minutes.

MODERATIONIST

Mr. DIRKSEN. Mr. Speaker, 20 months ago a Republican program committee of 200 members submitted to the Republican National Committee a program for a dynamic America, which said, in part:

> It is imperative that nothing be permitted to unsteady the judgment of the American people or their leaders in dealing with the delicate issues raised by the European conflict. Under existing circumstances, there are compelling reasons why Americans, regardless of party, should support every effort consistent with our national security and the safeguarding of our liberty and welfare as a people to keep the United States out of this war.

Careful reading of that paragraph persuades one that it was timely and free from partisanship.

Slightly less than 15 months ago the Republican Party convened in Philadelphia to nominate candidates and adopt a platform. That platform pledged the party against involvement in foreign war, such aid to all people whose liberty is threatened as is consistent with law and our own defense needs and the building of a realistic national defense capable of defending the United States, its possessions and essential outposts, and the upholding of the Monroe Doctrine in the case of war.

In substance, that platform was similar to the platform of the Democratic Party.

Fifteen months have elapsed since that time. Let us, therefore, take honest and searching inventory today, as a request for additional lend-lease funds comes to the Congress, in the hope of finding a common purpose which will promote oneness of spirit and best serve our country in a time of crisis.

Two words have done grave harm to America. One is "isolationist"; the other is "interventionist." Neither word accurately reflects American thought. There is room and time for a better and more definitive expression. It is "moderationist." It avoids both extremes. It is free from emotionalism. Its essence is reality and common sense.

Today we face the imperative of restoring world peace. The sooner peace is restored, the better is our chance of surviving the readjustment which must follow this conflict.

Three methods of achieving peace are manifest: One is agreement; the second is through defeat of one party to the conflict; the third is through exhaustion.

Peace by agreement seems remote. If it were possible, it could scarcely be more than a transitory and unstable interlude. It would be a peace treaty rather than peace and devoid of assurance that genuine and abiding amity had again been restored to the world.

Exhaustion will come to the embattled nations, but nobody knows when. Hope is universal that the aggressors will collapse through exhaustion, but plans for defense and aid must be long range.

There remains, therefore, a continuation of armed effort and the ultimate defeat of one party to the conflict. America has plumped for victory. That leaves but one result—the defeat of the Axis Powers. How shall this be encompassed? Two methods are at hand: The

first is to throw the massed productive might of our Nation into the balance; the second is to undertake the experience of 1917 and send our manpower.

The American people have sensed this logic of events. They are not confused. If confusion exists, it lies in the thinking of those who seek to interpret the American mind. Measured by every test, people have clearly and consistently revealed the pattern of their convictions. They want rational and national defense; they want unfriendly forces and potential enemies kept away from this hemisphere; they want to see the Axis Powers defeated; they want American soldiers kept at home.

Within the framework of this broad popular conviction, what can be done to restore peace and expedite a restoration of the essential factors of human progress? I see a pattern of moderation which could commend itself to every shade of opinion and bring about complete unity of purpose.

First. Let there be a moratorium on hate. A crisis demands clear heads and clean hearts. Hate is a weak weapon in a crisis. It can serve no good purpose.

Second. Let there be fair, candid, and temperate criticism of every mistake which hinders national defense. Our common interest is an efficient, economical defense established in air, on land, and sea.

Third. Let there be commendation for the President and the Secretary of State in their cautious and delicate handling of the problem in the Pacific.

Fourth. Since aid to Britain and the countries whose defense is deemed vital to the United States is settled policy adopted by the Congress, we should provide such funds, supplies, and authority as are needed to make that policy effective and to keep the war away from this hemisphere and bring about its speedy termination.

Fifth. In the efforts of the President to keep out of war and conform to the desire of the people to avoid the experience of the Expeditionary Force of 1917, let partisanship be submerged and encouragement given to those efforts.

Sixth. The President has announced a policy of patrolling and clearing the waters which are deemed necessary to our defense and for the maintenance of freedom of the seas. That policy is now known to all the world. To disavow or oppose that policy now could only weaken the President's position, impair our prestige, and imperil the Nation.

Abraham Lincoln once said:

I walk slowly, but I never walk backward.

Can we walk backward in the present crisis?

[Here the gavel fell.]

DISTRICT OF COLUMBIA BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that District of Columbia business in order on Monday next may be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that if the House is in session on Wednesday next, Calendar Wednesday business in order on that day may be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

ORDER OF BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, I desire to announce that in view of the present situation where we adjourn from day to day, there will be no business prior to 1 week from next Monday, except such matters as will be considered by unanimous consent.

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. LESINSKI] is recognized for 30 minutes.

Mr. LESINSKI. Mr. Speaker, I yield to the gentleman from Illinois [Mr. DEWEY] to submit a unanimous-consent request.

EXTENSION OF REMARKS

Mr. DEWEY. Mr. Speaker, I would like to proceed for 30 seconds. I thank the gentleman from Michigan for his courtesy in yielding to me in order that I may personally express alarm over the expenditures that are being made by the Government. In this connection, I ask unanimous consent to extend my remarks and to include therein an article entitled "Recklessness of Defense Spending is Declared Without Parallel," by Mr. Frank R. Kent in the Washington Star of Wednesday, September 17.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LOYALTY OF FOREIGN-BORN CITIZENS

Mr. LESINSKI. Mr. Speaker, on August 14 the gentleman from Michigan [Mr. HOFFMAN] made some remarks which I at this time am taking objection to. At that time I did not have an opportunity to ask for time to reply as I left on the 15th and did not return to Washington until last Monday night. That is the reason why on Tuesday I asked for this time to speak today.

I read the following excerpts from the speech of the gentleman from Michigan [Mr. HOFFMAN]:

What I wanted to talk about, though, is this: We are all going home. The leaders have arranged so that we can go home and see the folks. Whether they take us out in the woodshed and give us an old-fashioned admonition as to what we should do, or whether they pat us on the back, is a question. I suggest that when we get home we ask the home folks these questions, and if we do not ask them they will probably ask us.

Now, I am only reading what the gentleman said, not his corrected statement.

And if and when we ask that question, let us be sure to tell whether we voted for this additional service; and if we did, just why; and I hope the two gentlemen from Detroit [Mr. DINGELL and Mr. LESINSKI], when they get home, will ask their folks whether it was a fair proposition.

Mr. LESINSKI. Does the gentleman want me to answer?

Mr. HOFFMAN. The gentleman does not need to answer. It was rotten.

Mr. LESINSKI. Ninety percent of my people are with the President.

Mr. HOFFMAN. Oh, yes?

Mr. LESINSKI. And they are glad I voted that way.

Mr. HOFFMAN. And if the election were coming along next November, how would the gentleman have voted?

Mr. LESINSKI. Just the same as I did, and as I have in the last 10 years. That is why I am here.

Mr. HOFFMAN. The gentleman is here because the C. I. O. that is holding up the production of ships for our Navy says that the gentleman can come here.

Mr. LESINSKI. I am sorry. The gentleman is wrong.

Mr. HOFFMAN. Mr. Speaker, I ask for order, I did not yield to the gentleman.

Mr. LESINSKI. I have not been endorsed by either the C. I. O. or the A. F. of L. I have been endorsed only by the people of my district who elected me.

And in that instant the gentleman from Michigan [Mr. HOFFMAN] reported that I had been elected by aliens, and that is not in the RECORD.

Mr. HOFFMAN. Now, wait a moment.

Mr. LESINSKI. I am making the issue. Just a minute. I am not through.

Mr. HOFFMAN. Mr. Speaker, a point of order.

The SPEAKER pro tempore (Mr. COOPER). The gentleman will state it.

Mr. HOFFMAN. I say that if the gentleman intends to quote from the stenographer's minutes, I have a right to see them; that those minutes have been in the gentleman's possession since yesterday and he has refused to let me see them. I challenge the record and demand the right to see what the gentleman is quoting from.

The SPEAKER pro tempore. The gentleman from Michigan will proceed in order.

Mr. LESINSKI. Mr. Speaker, in answer to the gentleman from Michigan [Mr. HOFFMAN], let me say that he had these records and corrected them. I did not turn them over to him because I asked unanimous consent to have them delivered to my office; and I am reading exactly what the record states. I continue reading:

Mr. HOFFMAN. The gentleman will not get any of that in the RECORD because I did not yield to him.

If and when you ask these questions be sure to state whether you voted for this additional service and if you did, just why. And I say that if you have not got a lot of foreigners in your district, if you have true native-born Americans, the backbone of this country, who believe in the principles on which our Government was founded, they will take you out in the woodshed and put you over a barrel. Make no mistake of that.

I just want to tell the gentleman from Michigan [Mr. HOFFMAN] that I did not know a foreigner could vote. Besides that, the only true Americans native-born are Indians, and the gentleman is not an Indian.

Now, answering the gentleman as to why I voted against the draft, let me say I am 21 and an American citizen and privileged to vote as I please. The reason I voted against the draft the first time was because I did not believe in the draft,

and it has proven itself that the law is wrong. Then the second draft bill came up. Although it is not perfect, it is better than the first bill. My contention is that we should have compulsory training of our youth from the age of 18 to 23, requiring them to render service in the Army when they are through high school. That is the time to take those boys in, maybe when they are 18, maybe when they are 19, 20, or 21. A boy who is not in high school would have to serve his country at least for 1 year before the age of 21.

If a youth wanted to go to college or the university, he could arrange to serve 3 months during the summer months and go to school 9 months. If he did that for 4 years consecutively, he would be doing his duty by the country.

My belief is that it does not matter who the youth is, he ought to serve. I believe that we should combine the C. C. C. camps, the National Youth Administration, and the Army all into one. Today in the draft, what happens? There is a family of seven or eight people, probably two or three boys. The father is working and their boys are working and earning money; while in another family, which is less fortunate as to financial matters, it may only have one boy and that boy is drafted into the Army. That is why we should have compulsory training for everybody, combining it with the C. C. C. and the National Youth Administration.

This Government is spending millions of dollars on the Youth Administration. That youth should be utilized by the Army, because with the mechanized armies today we need many mechanics.

The reason I have not been here is because I made a trip through the Western States. The gentleman from Michigan has stated many times that the President and this Government are spending a lot of money.

Mr. KEEFE. Will the gentleman yield?

Mr. LESINSKI. For a question.

Mr. KEEFE. Do I understand that the gentleman is opposed to the N. Y. A.?

Mr. LESINSKI. I am not. It should be combined with the Army.

Mr. KEEFE. Then the gentleman thinks the youth instead of being taken for training into the National Youth Administration should be immediately inducted into the Army; is that the gentleman's point?

Mr. LESINSKI. That is right. They should get their training.

Mr. KEEFE. To that extent, at least, the gentleman is opposed to the present policy of the administration and the National Youth Administration?

Mr. LESINSKI. I am not opposed to it, but I think it should be in the Army and under military supervision.

Mr. KEEFE. Does not the gentleman appreciate the training which the youth are receiving in the N. Y. A. centers is training for industrial arts, to place them in factories in order to produce munitions, arms, and implements of war, and that that is a very necessary training and one that is necessary for our national defense?

Mr. LESINSKI. It is necessary, but it can be just as well done in the Army. I am not yielding any more.

Now, the gentleman from Michigan spoke about foreigners. I happen to have three issues of the Detroit papers and some letters and telegrams here. One of these is the Detroit Free Press of September 9, 1941, in which the following is stated:

Hoping to blister the conqueror's heel, Poles the world over are rallying.

Battered suitcases in hand, adventure in their eyes, and something more in their hearts, kids from all over the United States are showing up in Windsor, Ontario, in a steadily mounting stream.

Mostly they are kids with a "ski" on the end of their names, but the latest roster of the Polish Legion lists a Healy and a Goldberg. When the Free Press photographer took over as they came into the Polish recruiting mission his first subject was Earl W. Gruebner, 23 years old, a Flint taxi driver—yes, of German descent.

Then I have before me the pictorial section of the Detroit News of September 14, 1941, in which they give the pictures of different Americans who have joined the Polish Army. There is a picture of Robert Berry, of Galveston, Tex., who says:

My aim is the air force. This strikes me as the fastest way of getting there the "firstist."

Then there is a picture of Leon Vanlandingham, of Duncan, Okla., who says:

If I can fly maybe I can even the score with outfits that bomb women and kids.

Then there is the picture of Mitchell Lampert, born in Poland of Jewish parents, who says:

I wore out six pairs of shoes getting here by Siberia and Japan.

That is the type of foreign-born, as they are called, who will fight for democracy.

Mr. Speaker, I also have before me the Sunday issue of the Detroit Times of September 14, 1941, and this will tie up with the gentleman from the other side of the Capitol who spoke in Montana recently, and, by the way, the papers reported last night somebody threw eggs at him. This is an editorial commenting on the address of Charles A. Lindbergh given in Detroit, and calls it an un-American address:

The raising of the racial issue by Charles A. Lindbergh in his Des Moines, Iowa, speech is the most unfortunate happening that has occurred in the United States since the present tense international situation developed.

Mr. Lindbergh said that "the three most important groups which have been pressing this country toward war are the British, the Jewish, and the Roosevelt administration."

The assertion that the Jews are pressing this country into war is unwise, unpatriotic, and un-American.

This astonishing statement, at total variance with the facts, is in nowise softened by Mr. Lindbergh's condemnation further on in his speech of the atrocities committed against the Jews by the Nazis in Germany.

In answer to the statement of the gentleman from Michigan as to what the people of my district would say, may I say that I have a telegram, dated September 14, 1941, addressed to me at the House Office Building, Washington, D. C., reading as follows:

The Detroit Citizens' Committee to Fight Hitlerism congratulates you upon your stand in support of President Roosevelt's declared foreign policy of all-out aid to those countries and peoples fighting to defeat Hitlerism. Our committee, initiated by Polish-American groups, represents American citizens of 22 different national origins in over 100 organizations. We will be greatly honored by your appearance as a speaker at a mass rally at the Bell Isle Shell, September 28, 2 p. m. Your presence will greatly encourage the tens of thousands who will gather in this vitally important defense center in a great demonstration of support for President Roosevelt's foreign policy and of condemnation of Hitlerism and all that it represents. Your acceptance by telegram to the undersigned will speed the final preparations for this democratic answer to the Fascist provocations of the last few days.

Mr. Speaker, there are articles written in the Public Box in the Detroit News, in one of which the gentleman from Michigan [Mr. HOFFMAN] is mentioned complimentarily, and in another article where the gentleman from Michigan [Mr. DINGELL] and I get a panning, and the writer wonders if I have a son eligible for the Army.

My son answered that by sending this letter to the editor:

Saturday, August 23, Howard J. Rickinger stated in his letter that he doubted if Representative JOHN LESINSKI had any boys of draft age.

For his information, please be informed that I served 4 years aboard ship in the United States Navy, and after leaving active service therein I voluntarily reenlisted in the Naval Reserve, and I am now on active duty with that branch of service.

I feel it to be not only a duty but a privilege for me to serve my country during this emergency and I am not complaining of the extension of my enlistment.

JOHN A. LESINSKI, JR.

Another letter to the editor appeared in the same newspaper in reply:

I think that Jane F. Kent, who stated that we should remember the names of JOHN D. DINGELL and JOHN LESINSKI, Members of the House from Michigan, because they voted for all such acts "which are leading us into war," should rid herself of the completely outmoded idea that by remaining unarmed and completely unprepared, we need not worry about invasion. She must realize now that the forces of Hitler and Mussolini and also the Government of Japan have no respect for a country that is so attractive as ours, and they will be encouraged to take away our precious freedom, which she seems to regard so lightly. Hasn't the fate of France, Poland, Greece, and China proved anything to her? I say three cheers for DINGELL and LESINSKI. If there had been more men like them in the House years ago we wouldn't have to be doing so much last-minute building.

ROBERTA E. MALONE.

I happen to have a letter sent to me by the Associated Hungarian Weeklies of America:

With great pleasure do I enclose the latest article in our daily. I translated it in a crude form. I had to use one of my pen names that my Hungarians shall not tell: Of course, the old man is in love with LESINSKI so he praises him always.

Translation:

WHO IS THE TRUER MAN?

We have no right by law to call as jurors the readers of the Szabadsag daily newspaper, nevertheless we do it now. We call especially the attention of the great multitude of our Michigan readers when we state this extraordinary case. They shall tell in their verdict: Who is the truer man?

To stick to the forms of the legal world we start the trial as follows:

Now comes one of the parties, whose name is CLARE E. HOFFMAN; by trade he is a Congressman from one of the rural districts of Michigan. He is a Republican, a member of the minority. Within the last 2 years President Roosevelt could not recommend anything for the national defense that was not objected to vehemently by Congressman HOFFMAN. He is a professional oppositionist whose motto is to oppose everything.

Congress of the States was asked not by the President but by the Chief of Staff, General Marshall, not to disrupt the American Army. He was asking for the extension of the service at least as long as America is 'n peril.

The majority of Congress, Senators and Congressmen, gave everything that the general was asking for, because they valued better their own fatherland than their mandate from the voters.

Of course the rural Congressman, CLARE E. HOFFMAN, objected. And when the extension was voted for favorably, in his anger he attacked two Michigan Congressmen, DINGELL and LESINSKI, both of whom voted for the strengthening of the national defense. He (CLARE E. HOFFMAN) said.

There follow extracts from the RECORD.

After such threat that contains all of the elements of blackmail, it was but natural that Congressman JOHN LESINSKI, who represents the Sixteenth District from Detroit, accepted the challenge. Here is the altercation verbatim.

Then he quotes again from the CONGRESSIONAL RECORD:

According to the CONGRESSIONAL RECORD, here came the end of the words. You can see how low is the nerve of certain men when they can attack in such a way a Congressman who does his best for national defense, who puts in front the interests of America.

Mr. KEEFE. Mr. Speaker, a point of order.

The SPEAKER pro tempore (Mr. COOPER). The gentleman will state it.

Mr. KEEFE. Mr. Speaker, I make the point of order that the gentleman is not proceeding in order. Repeatedly, in reading from this article, he has referred in terms of contempt to another Member of this House, referring to him by name, in violation of the rules of this House.

The SPEAKER pro tempore. The gentleman from Michigan will proceed in order.

Mr. KEEFE. Mr. Speaker, I ask that the remarks of the gentleman in which he refers contemptuously to another Member of this House by reading from this manuscript be expunged from the RECORD.

The SPEAKER pro tempore. The gentleman's request is not in order. The gentleman from Michigan will proceed in order.

Mr. LESINSKI. Mr. Speaker, may I say, in answer to the gentleman, that I am reading an actual letter written to me, and these are not my remarks.

Let us now bring forward our defense because the Congressman so attacked, JOHN LESINSKI, comes from such a district where the majority of the voters are Hungarians and their highly appreciated friends Poles.

According to the last election returns, the overwhelming majority of Hungarians voted in Detroit for JOHN LESINSKI. Out of every 100 Hungarian votes, he received 99, and the total mass of Detroit Hungarians praise the stand of their Congressman that he took in the questions of national defense.

In Detroit, like a rock, so the Hungarians are standing behind President Roosevelt and his friends who do everything to defend the Nation against outside enemies. Hundreds of Hungarian boys went from Detroit into the Army, and they or their parents raise no objection against the extension of service.

We request the American, and especially the Michigan, Hungarians to tell in their verdict that between the two Congressmen who is the truer man?

Mr. HOFFMAN. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOFFMAN. Mr. Speaker, I make the point of order that a reference to a Member of this body made in a letter to another Member derogatory to that Member in his representative capacity is abolutely out of order and there is no question about it under the rule.

The SPEAKER pro tempore. The gentleman from Michigan will proceed in order.

Mr. LESINSKI. Besides, when I was home last Sunday I received a delegation from a Rumanian group that lives in my district and they stated very plainly to me what happened in connection with their government in Rumania and denied responsibility and stated that the Rumanians are 100 percent with President Roosevelt and commended me on the way I voted.

I also want to say this: Yes; I have a lot of foreigners in my district, if you want to call them that. According to a geographic survey there are 52 nationalities in the world, and I happen to have 52 in my district.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. LESINSKI. I yield.

Mr. McCORMACK. But the gentleman himself would say that they are Americans of Rumanian descent?

Mr. LESINSKI. As good Americans as any Member of this House, and I happen to have a report that I received in Detroit that at the present time, in the American Army of 1,500,000, 17 percent are Polish-parentage enlistments.

In the last World War, of the first 100,000 volunteers who answered the summons of President Wilson, no fewer than 40,000 were Poles, and it is on record that the first American soldier to die on the field of honor in France was a Pole. His name was Joe Czajka, of Milwaukee. Altogether some 300,000 Poles served in the United States Army in the last World War.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, will the gentleman yield?

Mr. LESINSKI. Not until I am through with my statement.

I also want to say this. All the men of Polish extraction have always been called foreigners, but going back to the very beginning of America's colonial history we find that even the Pilgrim Fathers had their Polish predecessors on American soil in the shape of certain Polish artisans introduced by the English into Jamestown in 1608 and praised by Capt. John Smith, the colonizer of Virginia, for their industry and their skill, especially in making pitch and tar for shipbuilding uses as well as for their bravery in fighting the Indians. These "Polonians" were awarded the franchise of the colony of the Virginia Co. of London in 1619, having organized a regular strike for the express purpose of obtaining political rights.

In the same early period, Polish farmers made their mark among Dutch settlers in what is now the State of New York, and the first secondary school founded in New Amsterdam—as New York was then called—was organized in 1659 by a Pole, Dr. Alexander Charles Curtius.

The same thing can be said of the War of Independence. Pulaski won fame for the same intrepid courage in attack he had shown as a partisan leader in Poland. By his boldness he saved Washington's army at Brandywine and at Warren Tavern in 1777; and, at the head of a special detachment organized by himself, known as Pulaski's Legion, he marched in 1779, to South Carolina, raised the impending siege of the town of Charleston, and finally met a hero's death in leading French and American troops in the attack on Savannah, Ga.

This is the way the foreigners have defended this country.

I do want to call to the attention of the House a speech I heard over the radio delivered by Commander Warner, of the American Legion. His speech was very plain and he stated very plainly that the American Legion not only was a thousand percent with President Roosevelt, but that it maintains that we must rearm and we must protect the democracies as we have promised.

I will say, however, that I have had some ladies in my office who were against the draft legislation and who were also against extension of the draft. I could not agree with them because I felt it did not represent the majority of the district. I asked one of the ladies, "Have you got a son that is eligible for the draft?" She answered "No, but he is 16 years old." I asked the other lady if she had such a son and she said, no, she was not married. Then I wondered what these mothers meant. Were they working to promote somebody else's Hitlerism in this country. I no doubt have a few people in my district who would like to see Hitler not only defeat England but come over here and defeat us.

I also want to call attention to the fact that the gentleman from Michigan at one time stood on the floor of the House and waved an advertisement in one of the newspapers from Detroit and stated

about the following words: "Why can't men go to work that want to work?; why must the unions interfere?; why must C. I. O. interfere?"

It happened to be a strike at the Currier Lumber Co. The men did strike and they stayed out on strike and Mr. Currier brought in scabs from Chicago, and these scabs did not last very long.

The SPEAKER pro tempore (Mr. COOPER). The time of the gentleman from Michigan has expired. Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 15 minutes.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, the procedure we have just listened to is most remarkable. Notwithstanding the rules and precedents of the House, one Member, the gentleman from Michigan [Mr. LESINSKI], is permitted on the floor of this House to read letters received from constituents expressing the writer's opinion of another Member of the House. One Member of the House, notwithstanding the rules of the House, is permitted to take the floor and read excerpts from newspapers expressing an opinion of another Member of the House, and, when objection to that procedure, so destructive of decorum, so tending to create discord, is made, the Presiding Officer merely says the gentleman will proceed in order. Common sense as well as the rules of the House condemns personalities in debate.

Rule 14 of the House expressly provides that a Member speaking on the floor "shall confine himself to the question under debate, avoiding personality." That rule was adopted as far back as 1880, and it has been consistently followed down to the present moment.

If a Member, in debate on the floor of the House, may not speak disparagingly of another Member, is it not a far greater violation not only of the rule but of common courtesy to permit a Member to read excerpts from letters or newspaper articles which reflect upon another Member?

With all due respect to all of the Members of the House—and no one has ever heard me criticize or question the ability or speak against the integrity or the motives of any Member of the House—with all due respect, where would we be if we all got up and read what somebody wrote us about some other Member? The contribution that the gentleman from Michigan [Mr. LESINSKI] has just made to the RECORD is certainly a most valuable one, is it not?

To permit a Member of this House, as the gentleman from Michigan [Mr. LESINSKI] was permitted, to read letters or newspaper articles reflecting upon another Member of the House is not only a violation of the rules of the House but tends to create controversy and, if he were answered in the same way, the House would day after day be in a turmoil. I can ignore what he said and what he read because the RECORD, so far as I am concerned, is clear, unequivocal.

It appeared to me as I listened to him that he must have been taken out into some woodshed when he got home after voting for the draft extension and had administered to him some sort of a political and patriotic spanking, and that got under his hide, and now he wants to use me as a whipping boy. Well, he is welcome. My hide is thick, and I welcome any criticism from the C. I. O. or the labor racketeers or the gangsters from Detroit, of whom I am happy to say the gentleman is not one, but who constitute so large a proportion of those who send him here. The gentleman from Michigan [Mr. LESINSKI] brags of his support of the President, and the Presidential policies, but I notice—and do not misunderstand me—and I am quite sure that the gentleman from Michigan [Mr. LESINSKI] and the other gentlemen from Michigan, who have seats on the majority side, were only voting their convictions when they turned the President down on the draft legislation and voted with the Republicans. I have here the RECORD showing where the gentleman from Missouri [Mr. SHORT] moved to recommit that draft bill, and the gentleman from Michigan [Mr. LESINSKI] voted just as I did. He forgot his President, and every other Representative from Michigan forgot the President and they listened to what the people of Michigan wanted, as they should do, representing the districts and the State as a whole.

And so the gentleman should not criticize; and a few moments later—and he will find it in the RECORD—the vote was taken on the passage of the bill, and that is on page 11754, Volume 86, CONGRESSIONAL RECORD, and it will be seen there that the gentleman from Michigan [Mr. LESINSKI] forgot all about the President and remembered the voters out home. He remembered there was going to be another election in 1942 and 1944; he got into line and voted against the bill, just the same as the Republicans did. Why brag, why boast of wearing the collar when every once in a while, when the people get next to you, you slip it off and vote—I would not say in accordance with your own interests, for you do not vote that way from any selfish motive—but you vote that way because you know, or at least you think from letters you get and newspaper comments, that you are the best man in the district to represent the district. You think you have more patriotism, more ability; in fact, that you are, in your own opinion, the only man in the district who can do the job right, or as well as you do it, and you vote that way so that you will stay here, and that is a patriotic duty, because no Member should be so selfish or so unpatriotic as to think of casting his vote to stay here just because he wants to stay, but because he knows he is so invaluable that no one can replace him; and when you have that idea, you have the same idea that the President has—there is only one man in all the world who can govern the United States, so the President mistakenly tells us.

Now, the gentleman said here on Tuesday that he was going to speak about me and my duties. I did not hear much about that when he talked. I assumed he was going to criticize me because I had left out of the CONGRESSIONAL RECORD something that I said on the floor. I will now ask the gentleman, do you claim I left out of the CONGRESSIONAL RECORD something I said on the floor?

Mr. LESINSKI. No; you did not. The stenographer missed.

Mr. HOFFMAN. Oh, listen to that. I did not leave anything out of the RECORD that I said, so states the gentleman from Michigan [Mr. LESINSKI], but the gentleman says the stenographer did not put it in. He has got something in his head over there that the stenographer did not get. Now, I think, Mr. Speaker, we ought to get a new stenographer or two. There are four or five of them here. Perhaps they are all incompetent. I have found them all—every one—to be quite accurrate; the gentleman from Michigan [Mr. LESINSKI] was mistaken about what he thought he heard. It is just too bad. I should think you would have the decency to put in the RECORD the fact that I did not change it in any improper way.

Here is what the gentleman did. He got hold of the stenographer's minutes either night before last or yesterday morning and he got the transcript over in his office. In view of the fact that he had charged on the floor there were some words put in there or left out, I do not know which, I sent over and tried to get it. Do you think I could get it? He would not answer the phone. I could not get hold of him. So I sent someone over there and the office door was locked, but the messenger got in through the committee room door, and there the transcript laid on his desk.

Later on when I telephoned again someone answered and said, "Mr. LESINSKI is using it." I said, "Well, that is too bad, because he is not in the office and the record is there. If he is away and out of the room, I do not see how he can be using it unless he has second sight or something like that." To this moment I have not been able to get hold of the public record, to which I am entitled, to find out whether there is any discrepancy between the stenographer's minutes and what I put into the RECORD. But when it gets back into the RECORD I will tell the Members of the House whether it is in or not—if there is anything improper in the proceeding. If I did strike something out, if you will look in the RECORD you will see I got permission to revise and extend, and if there was anything in that RECORD which reflected on any foreigner you will not find it in the printed RECORD, because I struck it out, and now the gentleman wants to place in the RECORD something reflecting upon foreigners and attribute it to me; he makes it a matter of public record. You get it in the permanent RECORD. In other words, if I say something derogatory in the heat of anger or because of lack of mentality, and I leave it out of the RECORD, then the gentleman thinks that, in the interest of good government and peace and unity and harmony in the House, he should come along and stick it back in the RECORD. Now, would that not be a fine procedure if everybody fol-

lowed it; if every word that was said on the floor or that was used out in the lobby—"O Mr. Jones, have you heard what the milkman or the iceman or the maid said about some Member?" Do you not think it would be fine if the gentleman would stick something like that in the RECORD? That is about what he did today, notwithstanding the rules of the House.

Now, perhaps I ought to be ashamed of some of the things I have done on the floor. Who has not made a mistake or two? But in my opposition to the gentleman's beloved C. I. O. I am not ashamed.

I did wave something on the floor, and here is a copy of it, about these friends, these C. I. O. men, five of them, two of them Communists, beating up one man. It was on the 3d day of April 1941. Two of them had Communist cards and I have photostatic copies of their cards. You can see them if you want to—the organization that the gentleman from Michigan [Mr. LESINSKI] supports and the organization that backs the gentleman from Michigan [Mr. LESINSKI].

Oh, listen—this picture shows—and you have seen it several times before—a group of men surrounding another man, bent over, with his overcoat put over his head and his arms across his face, trying to protect himself. The beating occurred at the Ford River Rouge plant at Dearborn, Wayne County, Mich., as the worker attempted to enter gate 4 on Miller Road, to aid in making out the pay rol. for the strikers. His name was Melvin Bartling and he was a timekeeper. He was beaten until he was unconscious by the four men who are shown in the picture beating him. Within 50 feet of him and of the place where he was beaten stood 15 members of the Michigan State police, who are not shown in the picture, and they gave him no assistance.

The man with the club raised up over his head, about to bring it down upon the head, the shoulder, and the back of Bartling, is Roy Snowden; the man at the left of the picture, swinging his fist, and the man in front of the man being beaten are the Ferraza brothers. Torrence, the man on the left of the beaten man, is striking Bartling in the stomach. None of these men were Ford employees. They were members of the Briggs local, and, as I stated, two of them, Snowden and Torrence, are members of the Communist Party.

Oh, what a lot of courage it takes for these four men, surrounded as they were by a hundred or more other pickets, to beat up this defenseless, unarmed man. The gentleman from Michigan [Mr. LESINSKI] may be proud of the support of that kind of gangster, but for me I want none of it.

The gentleman from Michigan [Mr. LESINSKI] may ridicule me, if he wishes, because I come from what he is pleased to term a rural district. But in that district we have factories and we have industrial workers. We have men who are members of the A. F. of L. and of the C. I. O., but, for the most part, they are loyal, law-abiding American citizens, and the only time they go wrong is when some agitator, some racketeer, from Detroit or some other city, comes in and misleads them.

Let the gentleman glory in the support he receives from the C. I. O. When in this country the gentleman stands for a doctrine that no man shall work on national defense; no man shall work to produce guns or trucks or planes to support the boys in the Army; when a man says no one can do that until he has paid tribute to the C. I. O., then I will take my stand with the gentleman from Michigan [Mr. LESINSKI] any time, although comparisons are odious, as to which of us is best serving the interests of his country. I accept the challenge on that issue and time will judge as to whether the right to strike is of more importance, is more vital to the safety of our country, than is the question of national defense.

When the Mediation Board, as it has been doing for the last 2 or 3 weeks, comes along and tells these manufacturers of planes or trucks or tractors that they cannot work in their plants any man who does not join the union—and tells the shipyards that they cannot watch the ships down the ways—three of the ships were ready, and your organization, the organization that you back and that supports you, will not permit those ships to be launched as long as a man in the yard does not belong to the union, and the Mediation Board, as I said, compelled them to join, then I want none of that doctrine; I give it no support. Then the officers of the union turn around and do as they did in Pennsylvania, and they add $10 a year to the burden of the workingman—oh, you are supporting the workingman? No; I want none of that doctrine, either.

Bless your heart, the course which you are taking is lending support to the racketeers in the union, helping Lewis and those officials of the union to impose that additional $10 a year upon the shoulders of those men who work—$6,000,000.

Do not tell me when you add $6,000,000 to the burden carried by the miners of Pennsylvania that you are doing it because you love the man who works. The gentleman from Pennsylvania the other day told us of 14,000 of those workers up in Pennsylvania striking against the union dues.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I cannot just now.

And I recall back in 1937 when, on the floor of this House, I called attention to the strike against the Consumers' Power Co. on the eastern side of Michigan. I told you then how the C. I. O., the organization which sends the gentleman here, bless your heart—oh, yes; the C. I. O. closed the plant which furnished electricity to the hospitals.

I told you then how the C. I. O. deprived the hospitals of the light which was necessary to enable the surgeons to perform operations which were needed to save suffering, and in some instances to prolong the lives, of the patients; how the C. I. O. deprived some patients of even the right to see the faces of loved ones and friends when the sands of life were running out.

And in the Washington papers of the 17th, yesterday, you will find the story and pictures of where, out in Kansas City, once more a union cut off the power of the city, depriving the hospitals of light and power. And here is the picture of a little boy, 2 years old, who was in an iron lung, taken out of it because the power was cut off, taken to the hospital window with the doctors and nurses working over him to keep life in a 2-year-old boy while the union kept the power shut off, depriving him of the iron lung. Now is not that humanity? Is not that a wonderful spirit of charity and human kindness? And operations being performed by flashlights while the union—while the union, had its way. Let the child die so far as they were concerned. Let men and women in the hospital die if their right to strike be preserved. Stand for that policy of the closed shop if you want to, stand for that thing which deprives the ill, the dying, of the last moments' service of the surgeon or the physician if you want to, but I never will.

Mr. LESINSKI. I will stand for it.

Mr. HOFFMAN. Oh, you will stand for it. Well, you stand for it, you stand for it. And for God's sake let St. Peter record it in his book, that you stand for cutting off the power of hospitals.

Mr. LESINSKI. I did not say that. I said I would stand for the closed shop.

Mr. HOFFMAN. Yes. Stand for it if you will.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

The SPEAKER pro tempore. Does the gentleman from Michigan yield?

Mr. HOFFMAN. I am sorry, I cannot yield; I cannot.

Talk about national defense. The President said we are going to have shooting to stop the submarines and the other vessels which are preventing our supplies reaching Great Britain. Very well, if he has the authority—and I do not believe he has—that is one brand of courage, is it not? He is usurping the functions of Congress. But let us pass that for the moment. That responsibility for what he has done rests upon his shoulders.

But what did he say about this proposition I spoke of a moment ago? Here are American ships on the ways to carry other supplies to Great Britain, and here is a union for which the gentleman from Michigan [Mr. LESINSKI] speaks, or some other union—it makes no difference; I hold no brief for either, though I believe in unions when they operate lawfully—there are the unions, and that is only one instance, saying that the props which hold the ships on the ways shall not be struck from under them unless one of their men does it. Now, why, why is it that the President does not say to those men, "I defied Hitler; I am showing Hitler, and I am going to show Hitler, even if it costs a million American lives, I am going to show him that he cannot interfere with the freedom of the seas; that he cannot prevent these things going to Great Britain; nor will I permit you to do it." Why is it that he defies Hitler, and then, when the union defies him and says, "These ships shall not sail," he does not act? Why is it that then he crawls in his hole and refuses to take Executive action? Why is it, I say? Is it because the union can vote and their members can vote and Hitler cannot? Is that the reason? It looks like it. Let the people

judge. My only regret is that there is not an election in November of this year.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent that on Monday next, after disposition of business on the Speaker's desk, I may be permitted to address the House for 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin [Mr. GEHRMANN]?

There was no objection.

Mr. PATRICK. Mr. Speaker, since Members of the minority have decided that we shall meet tomorrow, and I understand the purpose of that meeting is to have speeches, I ask that I be permitted to address this House for 30 minutes, if I can get unanimous consent to do that.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama [Mr. PATRICK]?

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, how long is that?

Mr. PATRICK. For 30 minutes. I think we can agree on 40 when I have spoken 30.

Mr. HOFFMAN. If the gentleman thinks he needs it.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama [Mr. PATRICK]?

There was no objection.

EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that after the distinguished gentleman from Alabama [Mr. PATRICK] concludes his address tomorrow, I may have 5 minutes to answer the gentleman.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2381. An act authorizing the transfer of land owned by the United States back to the Spring Park Club, of Richfield Springs, N. Y.;

H. R. 3864. An act to amend the act entitled "An act to provide for the registry of pursers and surgeons as staff officers on vessels of the United States, and for other purposes," approved August 1, 1939;

H. R. 4100. An act for the relief of the legal guardian of Louise Holcombe, a minor, and George Holcombe;

H. R. 4446. An act relating to the manning of vessels;

H. R. 4520. An act to ratify and confirm certain right-of-purchase leases, special homestead agreements, cash freehold agreements, certificates of occupation, homestead leases, and patents issued under or in purported compliance with section 73 of the Hawaiian Organic Act and the laws of the Territory of Hawaii;

H. R. 4826. An act to amend section 8 of the Copyright Act of March 4, 1909, as amended, so as to preserve the rights of authors during the present emergency, and for other purposes;

H. R. 4835. An act to extend the times for commencing and completing the construction of a dam and dike for preventing the flow of tidal waters into North Slough in Coos County, Oreg.;

H. R. 4865. An act to increase the amount authorized by the act of July 11, 1940, for the construction of a building for the office of the recorder of deeds of the District of Columbia;

H. R. 4946. An act relating to the manning of certain seagoing barges;

H. R. 5289. An act to dispense with the requirement of clearance and entry for certain United States vessels on the Great Lakes which touch at Canadian ports for bunker fuel only;

H. R. 5417. An act to provide revenue, and for other purposes;

H. R. 5425. An act to permit the steamship *Port Saunders*, official number 230150, and steamship *Hawk*, official number 220149, to engage in the fisheries;

H. R. 5448. An act to define and punish vagrancy in the District of Columbia, and for other purposes; and

H. J. Res. 199. Joint resolution to authorize temporary appointments of officers in the Army of the United States.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1725. An act to authorize the sale of certain Indian lands to the city of Cut Bank, Mont.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on Wednesday, September 17, 1941, present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 3484. An act to provide retirement pay and hospital benefits to certain Reserve officers, Army of the United States, disabled while on active duty; and

H. R. 5146. An act to amend an act entitled "An act to authorize the Secretary of War to proceed with the construction of certain public works in connection with the War Department in the District of Columbia," approved June 15, 1938.

H. J. Res. 196. Joint resolution authorizing the printing, with illustrations, of the proceedings of the national encampments of various veterans' organizations in the United States as separate House documents;

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 34 minutes p. m.) the House adjourned until tomorrow, Friday, September 19, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on the following dates at 10 o'clock a. m. to consider the following bills:

Thursday, September 25, 1941:

H. R. 5509, to authorize the Secretary of the Treasury to requisition or purchase motorboats, yachts, and similar vessels for Coast Guard use.

Tuesday, September 30, 1941:

H. R. 5446, to establish a system of unemployment insurance for the maritime industry, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

907. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Civil Service Commission, amounting to $54,255, for the fiscal year 1942 (H. Doc. No. 373); to the Committee on Appropriations and ordered to be printed.

908. A communication from the President of the United States, transmitting a supplemental estimate of appropriation in the amount of $5,985,000,000 for operations under the Lend-Lease Act (H. Doc. No. 374); to the Committee on Appropriations and ordered to be printed.

909. A letter from the Archivist of the United States, transmitting a list of papers in the Department of the Treasury; to the Committee on the Disposition of Executive Papers.

910. A letter from the Archivist of the United States, transmitting a list of papers by the United States attorney for the southern district of Florida; to the Committee on the Disposition of Executive Papers.

911. A letter from the Archivist of the United States, transmitting a list of papers by the United States attorney for the district of Oregon; to the Committee on the Disposition of Executive Papers.

912. A letter from the Archivist of the United States, transmitting a list of papers by the United States attorney for the eastern district of Illinois; to the Committee on the Disposition of Executive Papers.

913. A letter from the Archivist of the United States, transmitting lists of papers in the Department of Agriculture; to the Committee on the Disposition of Executive Papers.

914. A letter from the Archivist of the United States, transmitting a list of papers by the United States marshal for the western district of Texas; to the Committee on the Disposition of Executive Papers.

915. A letter from the Archivist of the United States, transmitting a list of papers in the Department of War; to the Committee on the Disposition of Executive Papers.

916. A letter from the Archivist of the United States, transmitting a list of papers in the office of the Administrator, Federal Security Agency; to the Committee on the Disposition of Executive Papers.

917. A letter from the Archivist of the United States, transmitting a list of papers in the Social Security Board, Federal Security Agency; to the Committee on the Disposition of Executive Papers.

918. A letter from the Archivist of the United States, transmitting a list of papers in the Public Roads Administration, Federal Works Agency; to the Committee on the Disposition of Executive Papers.

919. A letter from the Archivist of the United States, transmitting a list of photographs in the Federal Works Agency; to the Committee on the Disposition of Executive Papers.

920. A letter from the Archivist of the United States, transmitting a list of papers in the Work Projects Administration, Federal Works Agency; to the Committee on the Disposition of Executive Papers.

921. A letter from the Archivist of the United States, transmitting a list of papers in the Work Projects Administration, Federal Works Agency; to the Committee on the Disposition of Executive Papers.

922. A letter from the Archivist of the United States, transmitting a list of papers in the Work Projects Administration, Federal Works Agency; to the Committee on the Disposition of Executive Papers.

923. A letter from the Archivist of the United States, transmitting a list of papers in the Work Projects Administration, Federal Works Agency; to the Committee on the Disposition of Executive Papers.

924. A letter from the Archivist of the United States, transmitting a list of papers in the Work Projects Administration, Federal Works Agency; to the Committee on the Disposition of Executive Papers.

925. A letter from the Archivist of the United States, transmitting a list of papers in the Interstate Commerce Commission; to the Committee on the Disposition of Executive Papers.

926. A letter from the Archivist of the United States, transmitting a list of papers in the Railroad Retirement Board; to the Committee on the Disposition of Executive Papers.

927. A letter from the Archivist of the United States, transmitting a list of papers in the Veterans' Administration; to the Committee on the Disposition of Executive Papers.

928. A letter from the Archivist of the United States, transmitting a list of official documents in the Department of Interior recommended for disposal; to the Committee on the Disposition of Executive Papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COCHRAN: Committee on Accounts. House Resolution 306. Resolution providing for the expenses of conducting the investigation authorized by House Resolution 304; without amendment (Rept. No. 1200). Referred to the House Calendar.

Mr. HULL: Committee on Banking and Currency. Part II, minority report on H. R. 5667. A bill to amend the Reconstruction Finance Corporation Act, as amended (Rept. No. 1206). Referred to the Committee of the Whole House on the state of the Union.

Mr. DOUGHTON: Committee on Ways and Means. House Joint Resolution 235. Joint resolution to amend section 124 of the Internal Revenue Code by extending the time for applications, and changing the procedure, for certification of national-defense facilities and contracts for amortization purposes; with amendments (Rept. 1207). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HENDRICKS:

H. R. 5681. A bill relating to the accounts of deceased employees of the Railway Mail Service; to the Committee on the Post Office and Post Roads.

By Mr. RANDOLPH:

H. R. 5682. A bill to amend an act to provide for a union railroad station in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. ROBINSON of Utah:

H. R. 5683. A bill to authorize the Secretary of the Interior to acquire lands or interests in lands for the Geological Survey; to the Committee on the Public Lands.

By Mr. STEAGALL:

H. R. 5684. A bill to amend the Reconstruction Finance Corporation Act, as amended, and for other purposes; to the Committee on Banking and Currency.

By Mr. ROBINSON of Utah:

H. R. 5685. A bill to reserve certain public lands in California for the Manchester Band of Pomo Indians of the Manchester Rancheria; to the Committee on the Public Lands.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States to consider their House Simple Resolution No. 8, relative to legislation of taxes on agricultural products; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CLAYPOOL:

H. R. 5686. A bill for the relief of Lewis J. and Mary Black; to the Committee on Claims.

By Mr. CROWTHER:

H. R. 5687. A bill for the relief of Edwin L. Wade; to the Committee on Claims.

By Mr. FLANNERY:

H. R. 5688. A bill to authorize the presentation to William A. Durkin of a Distinguished-Service Cross; to the Committee on Military Affairs.

By Mr. MACIORA:

H. R. 5689. A bill for the relief of Waclaw Bittner; to the Committee on Immigration and Naturalization.

H. R. 5690. A bill granting an increase of pension to Stefan Wloszczewski; to the Committee on Immigration and Naturalization.

By Mr. OLIVER:

H. R. 5691. A bill for the relief of Rose Aimee Guimond; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1823. By Mr. TOLAN: Petition of the Board of Supervisors of Alameda County, Calif., appealing to the Federal Government to establish a bureau of technical nonresidents to finance the care and sustenance of such persons by direct aid from the Federal Government; to the Committee on Ways and Means.

1824: By the SPEAKER: Petition of the American Labor Party, New York County, New York, N. Y., petitioning consideration of their resolution with reference to the investigation of Lindbergh's activity; to the Committee on Rules.

1825. Also, petition of the International Workers Order, New York, N. Y., petitioning consideration of their resolution with reference to foreign affairs; to the Committee on Foreign Affairs.

1826. Also, petition of the Alta California Supervisors' Association, Alta, Calif., petitioning consideration of their resolution with reference to Federal old-age pension system; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES

FRIDAY, SEPTEMBER 19, 1941

The House met at 12 o'clock noon.

The Clerk read as follows:

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES, UNITED STATES,
Washington, D. C., September 19, 1941.

I hereby designate the gentleman from Massachusetts, Mr. MCCORMACK, to act as Speaker pro tempore today.

SAM RAYBURN, *Speaker.*

Mr. MCCORMACK assumed the chair as Speaker pro tempore.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our blessed Father in heaven, let the touch of our Saviour's spirit be upon our hearts as His voice comes to our ears: "He that doeth the right cometh to the light." Though the faintest beam fall upon our pathway, may we follow it until it broadens into a perfect day. While the storm rages, the thunders of criticism crash over our heads and the lightnings flash in our sky, let the conviction struggle toward utterance that right must be defended and wrong defied. Not grudgingly, not stunned into submission, but in peace, in calmness, and in rest of spirit we would accept the yoke of service.

For the helpless and the weak we would learn Thy gentle pity by supporting the American Red Cross. Be with them when their light is dim and when on the dark verge of life open before their waiting eyes the twilight of eternal day. The heart that knows Thy love, O Christ, shall be a sacred temple forevermore. In the name of the Holy Trinity. Amen.

The Journal of yesterday was read and approved.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 169. An act to provide for an appeal to the Supreme Court of the United States from the decision of the Court of Claims in a suit instituted by George A. Carden and Anderson T. Herd; to the Committee on the Judiciary.

S. 895. An act to provide for the registration of trade-marks used in commerce to carry out the provisions of certain international conventions, and for other purposes; to the Committee on Patents.

S. 1008. An act to amend an act entitled "An act to provide that all cabs for hire in the District of Columbia be compelled to carry insurance for the protection of passengers, and for other purposes," approved June 29, 1938; to the Committee on the District of Columbia.

S. 1112. An act to amend the act entitled "An act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California," approved May 18, 1928 (45 Stat. 602); to the Committee on Indian Affairs.

S. 1344. An act to authorize employees of the United States to testify on behalf of the District of Columbia and employees of the District of Columbia to testify on behalf of the United States and of the District of Columbia without loss of salary or annual leave; to the Committee on the District of Columbia.

S. 1481. An act to provide for the recognition of the service of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal; to the Committee on the Merchant Marine and Fisheries.

S. 1521. An act to provide that the Navy ration shall include canned or powdered or concentrated fruit or vegetable juices; to the Committee on Naval Affairs.

S. 1539. An act to amend the Tennessee Valley Authority Act of 1933; to the Committee on Military Affairs.

S. 1713. An act to amend Public Law No. 718, Seventy-fifth Congress, approved June 25, 1938; to the Committee on Labor.

S. 1744. An act to provide uniform loan rates for corn and wheat at certain points on the Missouri River; to the Committee on Agriculture.

S. 1772. An act to authorize Army officers designated by the Secretary of War to take final action on reports of survey and vouchers pertaining to the loss, damage, spoilage, unserviceability, unsuitability, or destruction of Government property; to the Committee on Military Affairs.

S. J. Res. 105. Joint resolution transferring the administration of the homestead projects established in the Virgin Islands from the government of the Virgin Islands to the Department of Agriculture; to the Committee on Insular Affairs.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore (Mr. BOLAND). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. THILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. THILL. Mr. Speaker, now that Roosevelt alone has ordered a naval shooting war, there has been some discussion of what those who oppose Roosevelt's war should do. If in the considered judgment of most of us our entry into this war now is evil, there was nothing which occurred on September 11, the day Roosevelt's shooting order was issued, to make our entry into this war right. If logic, reason, and morality tell us Roosevelt's action was wrong, how can we be so crass, craven, and unrighteous as to give up our function as a Congress or as a militant minority in Congress and surrender the best interests of our country? It is true Stephen Decatur said:

> It is our country; in her intercourse with foreign nations may she always be in the right; but our country, right or wrong.

Notwithstanding the learning of that great American, I should like to change that statement to "Our country, may she always be right; but if she is not right, then it is our holy duty to set her right."

EXTENSION OF REMARKS

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my remarks at two points in the RECORD, one extension being my own remarks, and in the other I ask to include an address delivered by Dr. John A. O'Brien, of the University of Notre Dame.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my own remarks at two points in the RECORD and to include therein a speech delivered by Attorney General Biddle and two editorials on the veterans' convention.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on Monday next, at the conclusion of the legislative program of the day, and following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, in the CONGRESSIONAL RECORD of yesterday, on page 7479, the gentleman from Michigan [Mr. LESINSKI], referring to the Member from the Fourth Michigan District, said this:

> And in that instance the gentleman from Michigan [Mr. HOFFMAN] reported that I had been elected by aliens, and that is not in the RECORD.

I hold in my hands what I stated yesterday I would procure, the official transcript of the stenographer. The gentleman from Michigan [Mr. LESINSKI] had absolutely no foundation for his statement that I said he had been elected by aliens. I never made such a statement on the floor. The official transcript shows that I did not make it. As I understand, under the rule I cannot ask that the remarks of the gentleman from Michigan be corrected, but I do ask that my remarks stand as a correction of his misstatement, which is undoubtedly due not to any desire to misquote, but, shall we say to inadvertency.

The remarks which he attributes to me, which were just quoted, were not included in the printed RECORD for the very good reason that they were never made on the floor of the House, as is shown by the official record of the official reporter, which is now offered in support of my statement, if that statement needs any support.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short newspaper article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SPECIAL ORDERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama [Mr. PATRICK] is recognized for 30 minutes.

Under a previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 5 minutes.

Mr. HOFFMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOFFMAN. Does the gentleman from Alabama [Mr. PATRICK] intend to take his 30 minutes? I wanted to answer him, but perhaps he is not going to speak.

The SPEAKER pro tempore (Mr. MCCORMACK). In answer to the inquiry of the gentleman from Michigan, the Chair may state that the gentleman from Alabama [Mr. PATRICK] is undoubtedly away on important official matters at the present time. In order for the gentleman from Alabama to address the House before it adjourns today, the special order of the gentleman from Michigan being in order and the gentleman from Michigan having been recognized, the gentleman from Alabama, it is the understanding of the Chair, would again have to obtain the unanimous consent of the House.

Mr. HOFFMAN. Then, Mr. Speaker, I ask unanimous consent that I may have 10 minutes instead of 5, and that I may be permitted to revise and extend my remarks.

The SPEAKER pro tempore. Does the gentleman desire a total of 10 minutes or 10 additional minutes?

Mr. HOFFMAN. Make it 10 additional minutes.

The SPEAKER pro tempore. Without objection, the gentleman from Michigan is recognized for 15 minutes.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I have tried since coming here to follow the rules of the House, which I suppose were adopted in order to promote the business of the House, prevent confusion, and lead to orderly procedure. Rule XIV requires that Members of the House in addressing the House be courteous and refrain from personalities, and avoid disparaging references to any other Member of the House. There is no doubt as to the wisdom of that rule.

On yesterday, after having served notice on Tuesday that he intended to talk about the Member from the fourth Michigan district and his duties, and implying, indeed, that he intended to have something to say as to the manner in which those duties were performed, the gentleman from Michigan [Mr. LESINSKI] over protest read into the RECORD—get this, please, because it concerns all of us—what he said was a translation from a foreign-language newspaper, which the gentleman from Michigan [Mr. LESINSKI] seemed to think reflected upon the Member from Michigan in his representative capacity.

The translation, as read by the gentleman from Michigan [Mr. LESINSKI], among other things charged that I was "a Congressman from one of the rural districts of Michigan." Later in the same foreign-language newspaper that charge was repeated. Now, is not that a very, very serious offense?

I must admit there is some truth to the charge; in fact, there is quite a little truth in it. He stated on the floor of this House that I represent a rural district.

Frankly, I am proud, extremely proud, to represent that district, for no better people are found anywhere in the world than those who reside, not only in the

rural districts of the Fourth Congressional District of Michigan but in the hamlets, the towns, and the cities. To be charged with being a representative of a rural district is something terrible, is it not?

We have factories in our district, many of them, and I do thank God that we have farmers in our district, men who work out in the open air where their minds are not befuddled and their thoughts confused by the fumes from automobiles or the gaseous products of disordered minds, emanating from what might be termed the outlets of sewers, if they were not in human beings.

Now, I say I must plead guilty to having farmers in my district, God-fearing people, people who do not take any stock at all in this idea which comes from Russia that there is no God, and that religion is a fraud, and that the priests and the ministers should be shot and the churches torn down. Our people do not believe in that.

Nor do they believe that America, in order to serve the cause of civilization; to remain as a citadel of liberty and freedom, must be remade after the pattern of either the British Empire or Soviet Russia.

True, we are somewhat old-fashioned. We believe in paying our debts. We believe that a campaign promise is a solemn covenant with the people. We believe that the man who promises the people one thing in order to be elected to office and then who does the opposite, is a traitor to his people. We believe in honesty and square-dealing, and we hope for, and work toward, eternal salvation.

Even though I come from the "sticks", so-called, and the people of the district live in the "sticks", so-called by the window-box farmers of the East, I hope that the Members of the House will bear with me, for sometimes I go astray and stick to that old fundamental doctrine, that old faith and belief, that there is a Deity; that there is an Almighty Being somewhere always trying to guide our national destinies, and the actions of each one of us and to whom in time of peril we may turn for help.

Then, notwithstanding a protest to the Chair and an appeal for a ruling, the gentleman from Michigan read this translation, which reflects somewhat upon the Member from the Fourth District of Michigan, into the RECORD, and I do not know that I care so very much about the criticism that comes from a translation of a foreign-language newspaper; but I do care about the rules of the House.

I have only one country. I do not owe any allegiance to Great Britain or Russia or China, and I am not in favor, even though other Members of the House on the Republican side may be in favor of it, of scrapping the Declaration of Independence and adopting that declaration of interdependence which Hore-Belisha is quoted as advocating in the Washington papers of the 17th. Of course, each Member on the Republican side must make up his own mind and express his own convictions, but I cannot go along with the idea that these farmers in my district and the men who work in the factories and the factory owners themselves, should give everything that we can rake and scrape together; not only our coats, but our vests, our shirts, our pants, our socks, our shoes, to the "reds" of Russia. I cannot believe that, and this administration, speaking figuratively, is just stripping us naked, closing our factories, throwing men out of work to give aid to the Chinamen and the "reds" in Russia.

The thing I want to talk about, however, or one thing I want to speak about, is this. You know that this rule provides that personalities in debate are not permitted, and when this gentleman from Michigan [Mr. LESINSKI] was reading that letter the point of order was raised that he was out of order. Now, the rule is rule XIV. It provides that any Member desiring to speak or deliver any matter to the House shall confine himself to the question under debate, avoiding personality. The gentleman from Tennessee [Mr. COOPER], an experienced parliamentarian, was in the chair, and he told the gentleman from Michigan [Mr. LESINSKI] to proceed in order; but the gentleman from Tennessee [Mr. COOPER] refused to, or at least he did not, rule that the gentleman from Michigan [Mr. LESINSKI], who had read a translation of a foreign-language newspaper which reflected upon another Member in his representative capacity, was out of order. He let the gentleman from Michigan [Mr. LESINSKI] go on and read from a foreign-language newspaper a charge reflecting upon a Representative of this body.

So now I will, with the permission of the House, read a hypothetical letter which I might have received this morning. We will say the letter is as follows. It is from Mr. Lumbago, who writes: "I read what this gentleman had to say about you in the RECORD, the gentleman who represents the Fifth District of Mexico, and I want to say to you that, in my opinion, he is a polecat and a skunk, and further than that I do not want to go, because if you read the letter I might violate a rule of the House and use unparliamentary language, although in view of some things that have been said in the House, I do not see how that could be."

Suppose I came in some morning with an actual letter of that kind and read it from the floor. Do you see how unjust, how out of line with all precedents that ruling of yesterday was? Do you see how it leads to and promotes discord and contention on the floor? How outrageous it is to permit any Member of the House to get up here and read a newspaper article reflecting upon another Member? Is it possible that this House intends in the future to stand for that kind of rot, that kind of libel or slander?

I did not receive any such letter as I just purported to read; of course not—nothing of the kind—I just used that as an illustration to try to bring home to the Members where we would get if we follow that ruling of yesterday. I could go out and I could write myself a letter reflecting in the most severe manner upon the honesty and integrity and the patriotism of any or all Members of this House and then I could come in here, if that ruling stands, and read it and send it throughout your districts under my frank, and what could you do about it?

Ah, Members of the House, let us get back to bedrock, and let me ask you, In the future proceedings of this House are you going to stand for that kind of procedure? I make this statement this morning not because I care anything about what the gentleman said about me personally. My hide is as thick as that of any rhinoceros that ever lived in Africa or any other place, and I do not mind so very much so long as the charge that is made is untrue, because I can go to bed and sleep with my conscience and St. Peter will keep the record straight.

But, after all, people sit here day after day in the galleries; day after day visitors from our home districts come in here; and, if they can sit here and listen to one Member of the House after another get up and read letters or newspaper articles unjustly and untruthfully reflecting upon other Members of the House; communications disparaging, belittling, and tending to break down the confidence of the people in their representatives, it will not be long before the people as a whole will have no respect for, or confidence in, the Congress.

If one Member of the House is permitted, by the reading of newspaper articles or of letters, reflecting upon the political integrity, the representative capacity, of another Member, in violation of the rules of the House, then each and every Member may do the same. Restraint will be gone, and shortly there will be a quarreling, contentious group, disorderly, and a disgrace to the Nation. Such will be the situation unless the rules of the House are enforced, and, to plead for their enforcement—not for my own protection, for I can protect myself—but for the protection of the dignity of the House, I have taken the floor.

So, in conclusion, I ask that, hereafter, when questions of this kind come up, if the Chair rules that that procedure is proper, that one Member may read communications which reflect upon another Member, and a request is made that the words be stricken, the Members of the majority will join with the minority and strike such words from the record.

Mr. BOLAND. Mr. Speaker, I move that the House do now adjourn.

Mr. JOHNS. Will the gentleman withhold that for a minute?

Mr. BOLAND. I withhold the motion, Mr. Speaker.

EXTENSION OF REMARKS

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an editorial from the Green Bay Press Gazette.

The SPEAKER pro tempore (Mr. MCCORMACK). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PATRICK. Mr. Speaker, may I have permission at this time to address the House for 30 minutes, part of which I will use?

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama that he may address the House for 30 minutes?

Mr. HOFFMAN. Mr. Speaker, reserving the right to object, does the gentleman intend to make the same speech that he intended to make yesterday?

Mr. PATRICK. Well, I will have to honestly answer the gentleman that I will probably vary a little from what I intended to embark upon.

Mr. HOFFMAN. The gentleman from Alabama is placing me in an embarrassing position, because when he got the 40 minutes yesterday I prepared to answer that speech.

Mr. PATRICK. Well, I will accommodate the gentleman. I am sure that a man of the giant intellect of the gentleman from Michigan can answer anything I say in a couple of minutes.

Mr. HOFFMAN. I think that is right; not pleading guilty to the giant intellect, but to answering in 2 minutes anything the gentleman from Alabama says in 40 minutes.

Mr. PATRICK. The modesty of the gentleman should preclude him from saying so, but the rest of us who recognize the giant ability of the gentleman can say it, so I will yield the last 5 minutes of my time to the gentleman.

Mr. HOFFMAN. Further reserving the right to object, Mr. Speaker, is the gentleman from Alabama [Mr. PATRICK] going to include anything about potato peeling and strikes?

Mr. PATRICK. Well, you are not going to run out on me, are you?

Mr. HOFFMAN. I want to know whether the gentleman is going to say anything. If he is not, I am going. If he is, I will stay.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent to address the House for up to 30 minutes. If there objection?

There was no objection.

MINORITY OPPOSITION

Mr. PATRICK. Mr. Speaker, I was talking to one of the old-timers here the other day and was lamenting the fact that the Democrats are up against such a proposition by so many Republicans opposing everything the Democrats do, and demagoging about it. He gave me this consolation. He said, "Well, you were not here, PATRICK, when the Republicans were in the majority and the Democrats were in the minority. I want to confess to you that we did the same old trick, and we opposed the administration's measures and did the same thing, in full measure, that they are doing today."

Well, that was a disappointment to me—a sort of pleasant disappointment, because I realize that after all the Republicans here are following the traditional thing, and the thing that in a measure addresses itself as the proper thing for the minority group to do. I will say this, I think there is an amazing amount of sincerity that unconsciously creeps into the behavior of Republican ladies and gentlemen when they get up here and oppose what the Democrats are doing; because all their lifetime, in their activities, pursuing partisanship in legislation as well as general political matters, they are engaging in a combat. But here is where it slips up on them. There is one place that does not work. There is one case in which it takes departure and that is in matters of international relations and foreign policies. When we cross an ocean the people feel differently; they feel that patriotism demands closer general teamwork. Now, that has got some of the boys out on a limb here and is a danger the boys have stepped into. The folks back home will follow you; they will follow your party leanings and party activities and your opposition to the majority with a certain amount of admiration in many instances as long as you stay at home and as long as the issue is neighborhood and interstate policy.

Mr. JENSEN. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. Not right now, of course; I will in a minute.

But when they step out, when they look across and see it is upon a matter of dealing with other nations, when they see it is a matter of foreign policy, then the folks back home have another attitude. They see no relationship between that and such behavior when it is domestic policy. And there is where the boys are getting out on a limb; and to make it more embarrassing, the outstanding leaders of the Republican Party are adding to their humiliation and embarrassment because there is Willkie, and there is Knox, and there is Mrs. Coolidge, and Senator Wadsworth—there are any number of fine, outstanding, intellectual Republicans who see this and know it and do not like themselves to be held in by partisan principles; and they leave these babies on the island, and it is getting more precarious and more dangerous and more unworkable for them every day.

I now yield to the gentleman.

Mr. JENSEN. I do not care to have the gentleman yield to me now. The gentleman has answered my question. I thank him.

Mr. PATRICK. Here is another interesting phase: Unconsciously they have fallen into following an amazing character—unconsciously, I say—in Mr. Lindbergh, an erstwhile hero of the country; and I am just running into the philosophy that he follows.

This big book I hold in my hand is Hitler's Mein Kampf. This is Hitler's map and plan, written so that he who runs may read, the program begun by Hitler, the author. This is a compilation of two volumes that he wrote, much of it when he was in jail. Why, here is a map and a chart and a plan for conquest of the world. Is it for a campaign in Europe? Not on your life; it is a campaign for the world. In this, as in his speeches of today, he declares against democracy. Democracy in Europe? No, indeed, democracy throughout the world. He declares for a controlled trade. Controlled commerce in Europe or for Europe and Asiatic waters? No, indeed, not of the Eastern Hemisphere, but the whole world—all hemispheres. Here it is in black and white written in a record. I was interested in strangely familiar thoughts in it. Let me quote just a little from this.

Mr. BRADLEY of Michigan. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. As soon as I get through with this quotation I have begun:

She—

Referring to history Hitler calls history "she"—

will remember they also called to the seat of judgment those in power who today trample on right and wrong, who lead our nation into misery and ruin, and who in the misfortune of the fatherland value their own ego more than the life of the commonwealth.

That is on page 992 of Mein Kampf. It sounds like a paragraph from Lindbergh's speech, does it not? It makes one wonder where Lindbergh got his speech. That is almost word for word—if you will change just a few key words—the statement that Lindbergh makes in half his speeches. There are others aplenty. I call this to the attention of those who have been gained to espouse Lindbergh's cause on the floor of this Congress.

Mr. BRADLEY of Michigan. Mr. Speaker, will the gentleman yield?

Mr. PATRICK. I yield.

Mr. BRADLEY of Michigan. Do I understand the gentleman puts any faith in the words and promises of Mr. Hitler? I have always understood that he was not a man to be trusted. I would not therefore put much faith in what he promises in that book.

Mr. PATRICK. We do not put any faith in his words but we can see how he has charted his course and how he has followed what he has charted. I judge that the gentleman has not studied and read Mein Kampf, and has not studied and observed what Hitler has been doing since he has organized his machine and that he has now annexed 14 flags. If he had, I am sure the gentleman would not ask such a question on the floor of the Congress of the United States that the folks of the country may read and realize how far off he is. The gentleman would find it profitable to do a little further studying.

More about our friend Lindbergh. I have here Who's Who. Now, most of you gentleman and ladies on the floor here know Who's Who. When you get elected to Congress they, just as a sort of little courtesy to the people of the United States, include your name along with other Members of Congress. That is the way most of you got in Who's Who, but Mr. Lindbergh got in because he flew the Atlantic on a sandwich. It was a great feat. We all hailed him as our hero. Mr. Lindbergh, however, turned sour on the United States. I ask you, incidentally, if any of you know of a personal friend of Lindbergh? Can any of you name a human being in the United States who regards himself as an intimate and personal friend of Lindbergh? I know of no such person; and there is a reason for that. Here is a man who would have you believe he was so modest he would not speak in public, who never was even a justice of the peace, yet this man today puts himself up as the leader

of a nation, but only after the inspiration of the infusion of some kind of doctrine he got somewhere outside of the United States. Any barber is his equal and any justice of the peace is his superior on matters of legislative knowledge and activity, or in statesmanship. Yet he comes back from abroad all at once, moving on with an enthusiasm, heaving with inspiration and calls together a network of activity and trumpets forth as a leader of the Nation.

Where does he live? I show to you what he hands in as his place of abode. In the last edition of Who's Who, which is the 1941 volume, Lindbergh gives his residence as Illiec Island, Penvenan, France. I had supposed that since he is dabbling in politics he would get himself located in the United States so he could run for office. I supposed he would come home. But he ran out on us and went to England. England did not bow to him. He ran out on them and went to France, and incidentally he went to Germany where they sold him a bill of goods. It is my honest conviction they sold him such a bill of goods that he thought Germany would eventually win. They sold him such a bill of goods that he thought, as he testified before the Foreign Relations Committee of the Senate and the Foreign Affairs Committee of the House, and he took that position, so he said, because there was no other alternative, that all the nations combined could not whip Germany. Did he not say that? Nobody has heard him condemn one of the acts of Hitler and Germany that I can find. Now, he even tracks them closely. He finds, as he says, that we are going in the war, being pulled in by the seat of the pants, so to speak, by the President and the Jews of the United States. In other words, 3 percent of the people of the United States are pulling us into the war, according to Mr. Lindbergh.

Where does that come from? Where did you hear that voice before? Where has the air been saturated with that same doctrine long before Lindbergh ever got hold of it? Where does it come from? From Nazi Germany. Where does it bracket him? Where does it place him? Those of you who are so thoughtless, Republicans or Democrats, as to follow and espouse the cause of Lindbergh are going to find yourselves more lonesome as the days go by and further removed from being able to serve your Nation and this land. Hitler thinks nazi-ism will eventually triumph and he will be big papa over here, is my sincere conviction. There are many more things I could say about that.

I do want to call your attention again to the Lindbergh report in which it was stated that we could not land in Greenland, that that was no place for airplane bases, and airplanes to land. We can excuse Lindbergh for most things on the ground of his dumbness, but you cannot dismiss this on the ground of stupidity because if he knows anything he knows flying. So I wonder what he was thinking of when he reported to his country that it could not use Greenland as a base for landing planes when we know today that even the snows in wintertime provide good landing places and which fields are now being employed by the United States, although Lindbergh said it could not be done.

He got off on this isolationist movement. What does the isolationist say? He says, "Arm to the teeth." He says, "Prepare to defend your land," but he forgets that you cannot attend to a world-wide business by building a Chinese wall around a nation and staying exclusively at home. If we had followed the isolationist policy we would have no Army today, there would never have been a lease-lend program passed, never have had a draftee brought into the Army. Our Army would be today only what it could be by the voluntary method. We would never have had the extension of those things. In fact, we had a close call on that because all the isolationists and everybody piled up on one side of that question. We would never have had enough battleships. We would not have had an adequate army. The isolationists until recently were not encouraging an army. They were encouraging anything but arming the Nation. So we must watch that sort of thing.

Mr. MASON. Will the gentleman yield?

Mr. PATRICK. I yield to the gentleman from Illinois.

Mr. MASON. Is not the gentleman getting his terms "isolationist" and "pacifist" mixed up? It was the pacifist who was always against arming.

Mr. PATRICK. That is a natural question. I have not got them mixed, because they have merged. I followed the lanes back to determine that before I got up on the floor here and made that statement. The pacifists of yesterday are almost name by name the isolationists of today. If you want to challenge the statement, I will go with you back to the House and the Senate and the leaders of the country on it.

Mr. JENSEN. Will the gentleman yield?

Mr. PATRICK. I yield to the gentleman from Iowa.

Mr. JENSEN. The gentleman will admit that we want unity today; that is the most important thing in America today?

Mr. PATRICK. That is what this speech is coming to.

Mr. JENSEN. It is? The gentleman is certainly going to have to straighten himself out from now on, then.

Mr. PATRICK. I am sorry if the gentleman feels so about my efforts.

Mr. JENSEN. The gentleman said he wanted unity.

Mr. PATRICK. By all means let us have unity.

Mr. JENSEN. Let us have it. Do not try to drive a wedge between all the different factions.

Mr. PATRICK. Bless you, my lad, do you mean to say that in view of all the things you boys are up to here, all the stink bombs you throw, and all the discord we have in the Army, resulting no doubt from chips flying from Congress, that when a Democrat tries to get up and say, "Let's all get together," you should start to holler, "Is that for unity?" I would be ashamed, my handsome lad.

Mr. JENSEN rose.

Mr. PATRICK. Does the gentleman want me to yield again?

Mr. JENSEN. I do not want to take too much of the gentleman's time.

Mr. PATRICK. I appreciate that; that is very nice.

Mr. JENSEN. But—no; you go ahead.

Mr. PATRICK. Thank you very kindly. We must have unity, unity of purpose and action, and that can only come by pursuing the democratic course, the majority voice of America.

That has been interesting. I think the boys are a little embarrassed. And let me say that anyone who condemns the act of throwing eggs—and we deplore the fact that even in his home State one of the isolationist leaders of the other House was given such a treatment. But I do want to call the attention of this House to the fact that even that did not happen until he tried to bring in the name of our erstwhile hero, Mr. Lindbergh.

I heard one of the gentlemen say that he wishes there were an election this fall. How easy it is for a man to fool himself. How easy for a man to feel that the cause he espouses is the majority cause in the land. How easy for a man to think that were an election called, the group that communicates with him would prove the majority group in the land, how easy for him to think that an election would reflect his and their views instead of the views of a democratic majority in the country.

We are here as a Nation to enjoy liberty, freedom, and democracy, and then they say that means stay at home and attend to our own business, and it means not to meddle in any foreign war. That is sensible if employed correctly. But they speak of freedom, liberty, and democracy as if freedom, liberty, and democracy were something that comes as the rain from the heaven falls on the just and the unjust, the lazy and the industrious, the thoughtless as well as the thoughtful.

Unfortunately, that is not the case. Unfortunately, you cannot sit in the shade of a tree or in your rocking chair and attend to your business and refuse to "meddle in foreign affairs," and count the rich blessings that will abundantly descend upon you. Liberty demands attention. Our business is world-wide. Our home demands that we take care of our affairs this world over.

It is true that only 10 percent, or thereabouts, of our commerce is foreign commerce, but that 10 percent is a marginal percent; that 10 percent is the percent wherein we take in that which we cannot get otherwise. That 10 percent is the margin as compared to the turnover here in this country. Home business is turnover, foreign business is increase.

There is a great difference between the value-making effects of our foreign commerce and the value-making effects of our home commerce. Those in that section of the country who choose isolationism are those who do not realize the value of our foreign commerce as to its effects internally and as to the increase of the riches of this great liberty-loving country of ours.

So you cannot stay at home in that sense and attend to your own business;

you cannot stay at home and lock yourself in your cellar and maintain the freedom of the seas and the Monroe Doctrine in the land. It cannot be done.

We owe the oncoming American, the fellow who has not been born yet, something more than a constant threat of totalitarianism, and it is in this demand that I call for unity. We owe the boy that has not been born yet, and the little girl who will live with him, something more than a constant sword of Damocles of nazi-ism over his head. We owe it to him to clear house today as those who made the Nation cleared house for us. Destiny demands of us that we do it today. Kismet to America is something she can shape.

There is a "mollycoddle" doctrine in the land. You cannot found nations on "mollycoddlism" and expect them to live.

You know a fear of war. We all dread war. We all hate war. We all despise war. Why, I can get up before any audience in the country, I think, and say, "We have to stay at home and attend to our own business and avoid war and see that our boys are not brought into the conflict on any foreign shore or anywhere else," and I believe I can get applause from almost any audience in this land.

Even so, the safety of a nation, the successful program of a nation, the policy of a nation, cannot be founded on fear of war. It is fine to have a fear of war, but a nation's policies and a nation's structure cannot be built successfully on a fear of war. So whenever we say that we will sacrifice principles out of fear of war, when we say we will withdraw our intentions or withhold our program, or we will not call for the enforcement of the freedom of the seas, or we will forego an undertaking that is good for the land or temper an express policy of the Nation, out of fear of war, whenever we do that we are not adding to, we are subtracting from the security and the safety of the Nation.

That is how it stands today. Everything we have done, they said if we would do it we would get into war. We are not in it yet. Every step we have taken, they said, "If you do this, you are headed for war—you are dragging us into war by the back door." Well, we are not there. Why? Because that is not the way nazi-ism and totalitarianism, established, espoused, and carried on by Hitler, works. It works like this: Be a rabbit and we will eat you up. Be a lion and we will not tackle you. He sees we are strong. He sees we are determined. He sees we stand on our own hind legs and fight our Nation's battle. He sees that when we say we will do something we do it, and we do not falter and pause. That is the reason we are safe and secure.

[Here the gavel fell.]

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, the gentleman who just concluded his remarks spoke against the doctrine of fear. There is no informed person in the United States who does not know that for months the President and the administration and his spokesmen and the gentleman himself who just spoke have been trying—and the gentleman himself today tried—to make us believe that we are in danger from Hitler, and tried to frighten us, the whole theory being that we should, if I understand them correctly, carry this war to Germany and to Europe, so that they will not fight us here on our own soil. In short, the administration, and if I understood the gentleman from Alabama [Mr. PATRICK], he, too, is holding out to us the fear of an invasion by Hitler.

The administration has been preaching nothing but fear, trying to frighten us into getting into the war, and yet the gentleman comes here today and tells us that the people should not be frightened.

Oh, it is a wonderful thing to talk about carrying the four freedoms to all the world, to talk about freedom from fear, and how this administration desires to create that, and yet here in America the President himself and the agencies of the Government for more than 4 years have, by intimidation and coercion and force, by goon squads, been frightening American workmen, American women who want to work, frightening them away from their jobs. Down in the city of Birmingham, where the gentleman lives, the Birmingham News today is closed because of fear. Fear of what?

Mr. PATRICK. Mr. Speaker, will the gentleman yield? I will be glad to inform the gentleman that the Birmingham News is running today.

Mr. HOFFMAN. I refuse to yield.

Mr. PATRICK. The gentleman will be glad to know that the Birmingham News is running today.

Mr. HOFFMAN. Do you want to address the Speaker? I will yield to you if you want to address the Speaker.

Mr. PATRICK. Will the gentleman yield?

Mr. HOFFMAN. Yes.

Mr. PATRICK. I just want to reiterate the statement I made and get it into the RECORD properly. The gentleman will be delighted, I know, to know that everything is in such order that the Birmingham News is running today, and it is hoped the Birmingham Post will be running right away.

Mr. HOFFMAN. I thank the gentleman. Did I have the name of the paper wrong?

Mr. PATRICK. No; there is a Birmingham News there.

Mr. HOFFMAN. Was it not closed Monday, Tuesday, and Wednesday?

Mr. PATRICK. I was talking about today. I will state to the gentleman it was not Monday, Tuesday, or Wednesday.

Mr. HOFFMAN. What days was it closed down?

Mr. PATRICK. The Birmingham News got by and turned its paper out every day.

Mr. HOFFMAN. What about the Post?

Mr. PATRICK. The Post is a different story.

Mr. HOFFMAN. Ah! I only know what the representative of the workingmen who came here to my office yesterday and the day before and appealed to me to help them get an election said. And I said to him, "Why don't you go to your Senators from Alabama? Why come to a fellow from Michigan?" I said, "Why don't you go to your Representative from Alabama, your Representative from Birmingham [Mr. PATRICK] who certainly knows about the situation." "Well," he said, "there are 22 of the fellows there and they have stopped 116 of us from working and we cannot get out the paper. I go through because I tell them to get out of the way." He is a big fellow who intends to maintain his right to work. But when I asked him why he did not go to the gentleman who represented that district, he said, "Oh, he is a crooner; he can't do me any good." I said to him, "You are mistaken; he is a distinguished gentleman, an able gentleman."

I want the RECORD to show that the gentleman from Alabama [Mr. PATRICK] was the only one in the House who applauded that statement and I want it noted that he again applauds, and I agree with him. He does most ably represent his district, and I hope that no one will take me to task or challenge the truthfulness or the accuracy of that statement.

The contribution of the gentleman from Alabama [Mr. PATRICK] in calling my attention to the error in referring to the Birmingham News refreshes my recollection. I now remember that the strike was against the Birmingham Post; that it was called on the 6th day of September by the Guild, which demanded the closed shop and the check-off; that a picket line of miners was established; that threats to the families of those who wanted to work were made; that there was some disorder on the picket line; that the Alabama Employees, Inc., a labor union, represents a majority of the workers; that that organization has appealed to the National Labor Relations Board to hold an immediate election to determine whether it or the Guild shall represent the employees of the Birmingham Post, but that so far such an election has not been held; that there are 116 employees of the Post, and that but a small minority is backing the strike, while, according to what the gentleman told me, some 1,800 people are dependent or interested, directly or indirectly, in the jobs available when the Post is published.

Talk about carrying freedom to all the world—freedom from fear.

[Here the gavel fell.]

Mr. THILL. Mr. Speaker, I think the gentleman is making a very able address, and I ask unanimous consent that he may proceed for 5 additional minutes.

The SPEAKER pro tempore (Mr. BOLAND). Is there objection to the request of the gentleman from Wisconsin?

Mr. PATRICK. Incidentally, I want to join in that request.

Mr. HOFFMAN. I would like to have order; and will the Chair explain to the gentleman from Alabama, or from Birmingham, that I have not yielded?

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. PATRICK. I want to ask the gentleman if he will yield to me just a second.

Mr. HOFFMAN. I did not hear the gentleman ask the Speaker. If the gentleman will address the Speaker, I will yield.

The SPEAKER pro tempore. Does the gentleman from Michigan yield to the gentleman from Alabama?

Mr. HOFFMAN. I yield to him if the Chair desires to recognize him.

Mr. PATRICK. I want to get this recognition just to ask for 3 minutes, or get unanimous consent to address the House for 3 minutes, after the gentleman from Michigan concludes.

Mr. KNUTSON. Mr. Speaker, reserving the right to object, upon what subject?

Mr. PATRICK. Do I have to announce a subject?

Mr. KNUTSON. Of course, the gentleman does not usually have to have a subject.

Mr. PATRICK. I do not usually take a subject.

Mr. KNUTSON. But some of us insist on his having a text.

Mr. PATRICK. Does the gentleman want to restrict me to a text?

Mr. KNUTSON. Oh, no. If it will give the gentleman any pleasure to take 3 minutes of the time of the House, I will withdraw my objection.

The SPEAKER pro tempore (Mr. BOLAND). Is there objection to the request of the gentleman from Alabama [Mr. PATRICK] that he may address the House for 3 minutes following the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

The SPEAKER pro tempore. The gentleman from Michigan is recognized.

Mr. HOFFMAN. Now, let us get back to something that concerns the Nation and our national defense.

AN ADMINISTRATION-SPONSORED RACKET

No great moral issue is ever permanently settled until it is solved justly.

For more than 4 years, week in and week out, the attention of this House has been called by me to the fact that the God-given, the Constitution-guaranteed right to earn a livelihood has been denied to hundreds of thousands of American citizens.

To Adam God said, "In the sweat of thy face shalt thou eat bread," and ever since that day the laws of Nature have required that somewhere in the world men must work if others would eat. The right to work, to earn a livelihood, must not only be upheld if our form of Government is to continue, but it must be protected if individuals, and hence the Nation, are to exist.

The President of the United States, Franklin Delano Roosevelt, and the boards and agencies which he has created and to which he has induced Congress to give authority, have for more than 4 years deliberately, wickedly, and unlawfully deprived American citizens, who are guilty of no wrong, who are loyal and patriotic, of a necessary right—the right to work—until those citizens have complied with the demands of the favored administration-sponsored racketeers.

You have the right, I have the right, every individual has the right, the unqualified right, to work to earn a livelihood for himself and those who are near and dear to him. Nevertheless, the President of the United States, Franklin Delano Roosevelt, a member of his Cabinet, his National Defense Mediation Board, have established a dictatorship by irresponsibles, having no legal authority, who levy what they call dues and assessments, but which in reality are tribute, as a condition precedent to the earning of a livelihood.

By his inaction and his neglect to perform his duty and with the active assistance of his personal representative, the then Governor of Michigan, Frank Murphy, who was subsequently rewarded by an appointment to the Supreme Court, Franklin Delano Roosevelt aided the C. I. O. and the Communists in the C. I. O. in the sit-down strikes of 1937, carried on in Michigan, in utter disregard of the laws of State and Nation.

From that day to this, Franklin Delano Roosevelt has supported actively, through the agencies established by him, the efforts of men and groups of men and of organizations to unlawfully deprive individuals of employment until they had met the monetary demands of organizations.

We are now engaged in a great national-defense program, upon the success of which, it is said, not only the safety but the very existence of our Nation depends. The President calls upon all citizens to unite behind that program, but he renders unity impossible by supporting the demand of certain organizations that no one can serve his Nation in national-defense work until he has paid tribute for that privilege.

The Barbary pirates, whose tribute-levying activities were ended by Perry, were no worse in principle than are those agencies of the Government, those organizations, which now would collect tribute from the worker.

Those unions which are demanding a closed shop and the administration which supports them ignore the fact that all men under the Selective Service Act who fall within its terms are required to serve their country. Those organizations and the President ignore the fact that every individual is required to pay a tax in support of the Government. But when the individual seeks work on a Government national-defense project to earn the money to sustain himself and his family to pay the tax which the Government demands he is told that he cannot work until he pays over to an organization, which has no legal authority to compel him to pay, the sum of money stated by it.

Recently the C. I. O. organization called a strike in the shipyards at Kearny, N. J., because the corporation operating the yard refused to compel its employees to join that organization and meet its demands. Had that corporation told its members they must join a particular union or lose their jobs, it would have violated the National Labor Relations Act.

The Navy took over the shipyard, and Secretary Knox has now put the force of the Federal Government behind the policy of "union maintenance," which means that no man can work after a stated time in that shipyard, fabricating and launching the ships necessary for national defense and for aid to Britain, until he has paid his dues to that union.

In effect, Secretary Knox has instructed Admiral Bowen, who is in charge of operations at the shipyard, to discharge any member of the C. I. O.'s Industrial Union of Marine and Shipbuilding Workers who, for any reason, fails to pay the dues assessed against him.

Every individual in this land who has property, who lives, must pay a tax in some form, unless he is confined in a charitable or penal institution. But, in contrast to that policy of imposing the burden upon every man, the Federal Government denies to millions of our citizens the right to participate equally in the benefits of private and Federal employment.

The President would carry to the four corners of the world freedom from this, that, and the other, but he denies to American citizens freedom from fear of union goon-squads, freedom to work to earn a livelihood. The administration sells to union leaders, union bosses, and union racketeers, in return for political support, the American worker.

Democracy, so-called, our free institutions; the liberty of the American citizen; his right to earn a livelihood, to maintain his home and his family, to provide for his old age, are more endangered by the administration's policy of permitting the levying of tribute; the taxing, if you please, of American citizens by extralegal organizations, than by Hitler and all his armed forces.

Hitler and his armies we can meet and defeat in the open. This other evil thing is a malignant cancer, protected and fed by the administration itself, which is surely and inevitably destroying our Government and will ultimately take from us all our liberty, our freedom.

The spectacle of this Congress, sitting here inactive, while this consuming evil working from within destroys our Nation, is one which will puzzle the historian of the future.

Why is it that we who see and recognize the danger refuse to act? Are we waiting until a long-suffering people arise in their righteous wrath and bloody rebellion, successful revolution and the overthrow of those in power by violent means furnish the solution? Or will we act now by orderly processes to wipe out the evil?

To show that the necessity for the action for which, for more than 4 long years I have fought and been cursed and condemned, is now recognized, I here quote an editorial from a Washington morning paper of today, together with an article by a columnist appearing therein:

UNION DUES

It was a mistake for Secretary Knox to put the force of the Government behind the policy of "union maintenance." In effect he has instructed Admiral Bowen, who is in charge of the Kearny, N. J., shipyard recently taken over by the Navy, to fire any member

of the C. I. O.'s Industrial Union of Marine and Shipbuilding Workers who fails to pay his dues and maintain his good standing. Each case will be referred to the National Defense Mediation Board to guard against arbitrary use of this enormous power granted to the union. But that does not change the effect of the policy. Secretary Knox has come very close to saying that men who lose their union membership have no place in industries contributing to naval defense.

That far-reaching policy stems, of course, from the decision of the N. D. M. B. recommending "union maintenance" in the Kearny plant before the Navy took it over. But Mr. Knox has gone much further than the Mediation Board went. He has agreed to fire union men who fail to pay their dues even while the Navy is temporarily operating the plant. More important is the statement that the union-maintenance policy will be upheld if the Navy decides to assign operation of the plant to "a corporation." This clearly implies that the strength of the Government is behind the use of coercion to collect union dues as a general policy. The Mediation Board had made its decision applicable to the specific circumstances existing at the Kearny plant under its former management. Mr. Knox says that any corporation which may be chosen to operate the plant—presumably that includes a Government corporation—will have to agree to discharge union members who fail to maintain their good standing in a private organization.

Here is, indeed, a far-reaching edict. A few years ago Congress laid down the rule that employers must not interfere with their employees in the exercise of the right to organize and bargain collectively. Many unions accepting the help of employers were outlawed as company unions. That law remains on the statute books, but now it has been partly superseded by a decree implying that the Government looks with favor upon employer interference with union affairs, at least to the extent of discharging workers who fail to pay their union dues. Today employers doing vital defense work for the Nation are on notice that the Government may enforce this policy by seizing the factories of those who refuse to coerce their workers at the behest of union leaders.

Congress would have engaged in long debate on this issue, and there are many indications that it would not have approved the policy which Secretary Knox, with the aid of the N. D. M. B., has put into effect. But the issue has never been carried to Congress. That body had previously dumped into the lap of the President broad powers to deal with the troublesome question of settling labor disputes in defense industries. Now it sees the spirit, if not the letter, of its own legislation partly nullified by Executive decree. If this situation does not arouse Congress to the enactment of a constructive labor policy of its own, the cause of democracy in this country will suffer from confusion and surrender within even while it is under attack from without.

FAIR ENOUGH—UNION REFORM

(By Westbrook Pegler)

My colleague, Ray Clapper, has just whipped up a batch of worry for himself over the "reckless perversion," as he calls it, of free speech and criticism in this perilous time, and I will say that I have felt some bother, too, and not so much over the free expressions of others as over some of my own. Some days I am frightened by my own stuff and wonder if it wouldn't be better citizenship on my part and more helpful journalism to throw in a sentimental one about the death of my dog or a tribute to some grand old man of this or that, to help ease the public blood pressure.

But when I get to thinking about this dangerous union thing, this invisible empire of the irresponsibilities which President Roosevelt has set up in our country, and I find that I am more afraid of that than of Hitler and Stalin. I know the President is a politician, and I have been told by one of his more important appointees that it is absolutely impossible for a leader to make open admission of a mistake, lest he lose the confidence of the country and cause worse harm thereby than by his original error. But this man said—and he is one of the President's true-believing, "kiver-to-kiver" men—that the political way to get results is to keep hammering with facts, thus arousing an organized opposition or compelling the President himself eventually to pretend that this danger is a new development and to take the responsibility and credit for a reform.

Incidentally, my friend, Mr. Nameless, thinks exactly as I do about the character of the leadership of our unions and sees eye to eye with me the danger of uncontrolled power, and it may surprise you to learn that a lot of new dealers privately hold the same views.

Some of the wiser and more practical and patriotic unioneers also wish someone would take some of their power away from them, because they realize that power unaccompanied by responsibility is dangerous to all concerned. But they won't say so publicly, because they simply lack the courage and the citizenship to face the inevitable storm of epithets and lies from the union fakers and the Communists in the New Deal.

Now, there is another subject that scares me sometimes. Communists in the New Deal. When I accuse the New Deal of harboring Communists and permitting these evil traitors to harass Americans and undermine our form of government, I am afraid I am alienating some of our people from our elected leadership. But, damn it, it is true and it is wrong and it shouldn't be. But instead of doing anything about it, our Government protects the Communists and tries to smother and discredit the Dies committee, which by utterances of the President and gestures of Mrs. Roosevelt, plus propaganda written by the administration group of journalists, has been made to look like a lot of clowns and Kluxers. The Dies committee is all right.

So the only way to get results is to criticize and prove up, thus forcing the administration to take action, or arousing an organized opposition which will toss the administration out and institute reforms. But such criticism and proof inescapably must shake the people's confidence in their Government at a time when every heart and mind should be united against foreign perils.

I know quite a few young Americans who are under arms or will be under arms soon and facing a war and I just can't see myself at their age making such sacrifices to the end that, even if our side wins, we then settle down to a life under a lot of American Brown Shirt gangs not much different from Hitler's and certainly no more desirable just because we call them pickets or goons. I claim that a union mob should have no more standing than any other mob, but I realize that these mobs operate with the endorsement and encouragement of our Government.

For that matter, all of us are going to make great sacrifices and I, for one, am resigned to a belief that in the end I will have lost every material thing that I have worked for and acquired honestly since I was 15 years old. My neighbors and you and your neighbors face this sacrifice and whether we make it cheerfully or grudgingly, we have a right to know that the reward will be something better than Hitlerism or communism, between which there is no choice, in our own country.

So, in clouting away at the Brown Shirts of the unions and the Communists both in unions and in the Government, I may be impairing the people's faith in their President, but all he has to do to shut me up is to give Congress permission to curtail the power of the Brown Shirts and throw out the Communists.

The Brown Shirts—ruled in many cases that I have proved, by common underworld criminals—and the Communists are my principal obsession. I have no enthusiasm to sacrifice for the privilege of being ruled by them and I am sure most real Americans feel the same way.

In confirmation of my charge, made on the 15th of September, that the President was a roaring lion when defying Hitler's interference with the shipment of munitions of war to Britain, Russia, and other nations, but a timid rabbit, hunting a hole in which to hide, when labor unions defied him and prevented the manufacture or shipment of such supplies, let me quote an article by Frank R. Kent in the Washington Star of today. It is as follows:

ADMINISTRATION LEADERS ARE ACCUSED OF SIDE-STEPPING TRUTH ON DEFENSE STRIKES

(By Frank R. Kent)

If there is any excuse for the way in which (the President setting the example) everybody in authority in the defense organization carefully avoids mentioning the extraordinary manner in which organized labor strikes on defense work have delayed—and are delaying—the vital job of defense, it has not been advanced.

If there is one, certainly some spokesman of the administration should present it. In the absence of such excuse, there seems no answer to the charge that, on this matter anyhow, the administration is as lacking in courage as it is in candor. For example, take the utterances on Monday of Mr. Roosevelt, Mr. Knudsen, and Mr. Nelson.

And did they touch upon this matter of strikes? They did not. Though they well know that in the past 7 months more than 5,000,000 man-days have been lost on Army and Navy contracts alone, not one of them referred to that shocking and sensational fact. The President reported on the operations of the Lease-Lend Act, giving the disappointing figures of the amount of goods delivered to the British since last March, but failing utterly to mention that but for defense strikes this amount would have been very greatly increased.

AVOIDANCE OF TRUTH

But, in this avoidance of the truth the Messrs. Knudsen and Nelson went beyond the President, because their speeches were devoted to stressing the awful danger of delay. Mr. Knudsen, urging the necessity of "stepping up production," declared that if "every American would work just 15 minutes longer a day, that would give us 75,000,000 more man-hours." It is a silly calculation, because most Americans are not on defense work. It is a meaningless statement because it takes in millions whose work does not affect defense contracts and it fails to focus upon the millions whose work does.

His colleague, Mr. Nelson, however, went beyond Mr. Knudsen in calculated side-stepping. Insisting that we double our effort and then "pile more on top of that," Mr. Nelson sonorously declared: "In every area of national life we have got to work off the fat and harden the muscle. We cannot waste anything—not the labor of one man, not the use of one pound of material, not the service of one bit of machinery." Those are stirring words, but while Mr. Nelson was uttering

them (and while the President and Mr. Knudsen were uttering theirs) there were in progress, on defense work, 22 strikes and one lockout, involving 12,410 employees.

At the same time 20,000 coal miners in the anthracite field had put an effective stop to production in a very wide region. In the light of these facts, Mr. Nelson's brave words, that "We cannot waste anything—not the labor of one man, the use of one pound of material or the service of one bit of machinery" seem more or less ridiculous.

INSINCERE STATEMENTS

If Mr. Nelson, Mr. Knudsen, and the President do not know all this, then they are incredibly ignorant. If they do know it, then the avoidance of any reference thereto makes all these phrases about everybody working 15 minutes more, and not wasting the labor of one man unworthy and insincere. They are in the same class as that Labor Day telegram sent by Under Secretary of War Patterson to the Messrs. Green and Murray declaring himself "profoundly gratified" at the noble showing of labor in face of the fact that in his own War Department in 7 months 2,900,000 man-days had been lost through strikes on Army contracts.

To urge the people to double production and then say no word of reproach for the labor racketeers who have so perilously retarded the defense program—and still are doing so—cannot be justified and should not be excused. It is calculated to destroy confidence in those who operate the defense machine. From top to bottom the policy seems accepted that there must be no critical word uttered about anything that organized labor and organized labor leaders do. Men who long to speak out are restrained by the conviction that to do so would be resented at the White House.

While labor leaders close up factories and mines and halt machines in order to force higher wages, establish the closed shop and increase their political power, those in governmental authority declare they are "profoundly gratified." Otherwise they are silent, which is naturally regarded as acquiessence, if not encouragement. It is appalling that labor lobbyists should be able to inspire such paralyzing fear among the men who run the Government. The only other explanation is that the latter are cooperating in the effort to use the national crisis for further so-called social gains.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

The gentleman from Alabama [Mr. PATRICK] is recognized for 3 minutes.

Mr. PATRICK. All I want to get up for on this go-around is to say that there is a distinct difference between being afraid of war and afraid of duty. I do not want us to fear anything we have to do. The United States of America must not be afraid of anything to the point of shrinking from its duty.

Is there anybody who has studied the relations of the United States with the world and other countries—is there one mother's son of us here who does not realize the threat that is over this world today, and who does not realize that if Adolf Hitler and the powerful forces that he has organized, can walk in and annex the wealth of the Ukraine and the oil of the Baku, and the rich mineral resources that Russia will add; that then if he can break the back of the English Navy he can do what he sets forth in Mein Kampf? Do you not know he can then lay his wicked hand upon the commerce of the earth, and without having a navy he can be master of the seas, and that he can choke us at every port? He can determine each port of shipment and each port of entry, then within 4 years he can have the United States, commercially, on her knees, and there is nothing we can do to prevent it. That is the reason that America has amassed her forces and is determined to do all she can by lease-lend support, to help the countries that are fighting the battle for democracy; to see that, if it can be done. Nazi-ism is broken down on the other side and to see to it that the powers of totalitarianism are never allowed to get a throat hold on democracy in this world.

[Here the gavel fell.]

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. KNUTSON. Mr. Speaker, the gentleman from Alabama [Mr. PATRICK], who has just taken his seat, used a great many "ifs" in putting over his contention that we in this country are in mortal danger from Hitlerism. He said, "If the British Fleet is destroyed," and "if such and such a thing happened," and "if such and such a thing happened," why, of course, we are lost.

Well, some of us who have been here a long time have been through this before. The gentleman from Alabama need not flatter himself that he is the first American who has shown mortal fear when some foreign dictator's name was mentioned. Thank God there are not very many Americans of that kind, but we do have a few of them. We still raise some white chickens in this country.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. KNUTSON. I yield.

Mr. HOFFMAN. Was not the gentleman from Minnesota here when war was declared in 1917?

Mr. KNUTSON. I was here at that time.

Mr. Speaker, I am deeply concerned over the preservation of democracy at home. I am not one of those who is willing to destroy American democracy and American freedom in order to preserve it in some remote corner of the earth.

Each day we receive letters from small American businessmen who are being put out of business by the system of priorities that the administration has embarked upon, a system which is more rigid than anything found necessary while we were actually at war 25 years ago. I need not tell you there is too much hooey in some of the things we are doing today. Of course, if the administration can continue to keep the American people in a state of fear and if they can prolong this war past 1944 we may succeed in making the country safe for a fourth term.

Mr. Speaker, I yield back the balance of my time.

EXTENSION OF REMARKS

Mr. BURDICK. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein the proceedings of the Kiwanis Club of Minnesota and the Dakotas on the St. Lawrence waterway.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to include in the remarks I made today an editorial from this morning's Washington Post and an article by Westbrook Pegler.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

ORDER OF BUSINESS

Mr. McCORMACK. Mr. Speaker, I desire to make a brief announcement and therefore ask unanimous consent to address the House for 2 minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, on yesterday I stated, and I want to reiterate it and emphasize it so the Members can govern themselves accordingly, that next week no business will be done except by unanimous consent. There may be one or two minor matters acted on by unanimous consent, and I understand that the Ways and Means Committee will ask consent to consider a bill that committee reported out unanimously; but no business at all will be done except by unanimous consent.

Some Members have spoken to me about the possibility of there being called up a bill reported out by the Committee on Banking and Currency relating to the Reconstruction Finance Corporation. This bill will not come up next week. On yesterday I conferred with the chairman of the Committee on Banking and Currency. Furthermore, I may say that consent requests dealing with legislative matters will not be submitted; will not pass the close scrutiny of both myself and the minority leader, or the acting minority leader. Nothing of a controversial nature will be called up, and nothing at all except by unanimous consent. We all know, of course, that when nobody is opposed to any bill it is only minor legislation. As I say, the only bill I know of which may be brought up is this bill from the Ways and Means Committee, and this bill was reported out unanimously. I see the gentleman from Minnesota, a member of the committee here. I ask him if my understanding in this regard is correct.

Mr. KNUTSON. Yes; that is right.

Mr. McCORMACK. I know of no other unanimous consent requests to be submitted; and in any event nothing will be done except by unanimous consent—speeches, of course, but no legislation next week. I say this so the membership can govern themselves accordingly.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. KNUTSON. Is the distinguished majority leader prepared to give the House information as to what will be on the agenda for the following week?

Mr. McCORMACK. I cannot at this time. I always try to let the distinguished leader of the minority or the

acting leader know as far ahead as possible; and I will, of course, continue to do so.

The chances are that in accordance with the message of the President, submitted to the House yesterday, legislation for additional appropriations may come up, and, of course, would be in order as soon as reported out of the committee. Without knowing and without committing myself, my assumption is that that bill will be brought up a week from Monday or a week from Tuesday. I say this, however, with complete reservation, because I never like to say anything to the House of a definite nature unless I know what I am talking about.

Mr. KNUTSON. Could the distinguished majority leader inform the House when we may look for the second lend-lease bill?

Mr. McCORMACK. That is the bill to which I am referring. I assume this bill will come up week after next, and it will be brought up just as soon as reported out of committee.

Mr. KNUTSON. I assume there is no hurry; the money will not spoil if we do not pass it for a week or so.

Mr. McCORMACK. I hope the gentleman will not get me into a discussion.

Mr. KNUTSON. I think we all recognize there is no need for haste.

Mr. McCORMACK. It will not come up next week.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. O'CONNOR. I want to thank the majority leader for making the announcement he did with reference to the bill from the Committee on Banking and Currency, because I am the Member who spoke to him about not permitting that bill to come up by unanimous consent. I am saying now that I am going to oppose the bill, which I understand takes the tariff off of copper and other minerals, and also takes the tariff off of wool, hides, and other agricultural products, when it is called up in the House.

Mr. McCORMACK. The gentleman need not fear. No consent request will be made with respect to that bill.

BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on Thursday, September 18, 1941, present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 2381. An act authorizing the transfer of land owned by the United States back to the Spring Park Club, of Richfield Springs, N. Y.;

H. R. 3864. An act to amend the act entitled "An act to provide for the registry of pursers and surgeons as staff officers on vessels of the United States, and for other purposes," approved August 1, 1939;

H. R. 4100. An act for the relief of the legal guardian of Louise Holcombe, a minor, and George Holcombe;

H. R. 4446. An act relating to the manning of vessels;

H. R. 4520. An act to ratify and confirm certain right of purchase leases, special homestead agreements, cash freehold agreements, certificates of occupation, homestead leases, and patents issued under or in purported compliance with section 73 of the Hawaiian Organic Act and the laws of the Territory of Hawaii;

H. R. 4826. An act to amend section 8 of the Copyright Act of March 4, 1909, as amended, so as to preserve the rights of authors during the present emergency, and for other purposes;

H. R. 4835. An act to extend the times for commencing and completing the construction of a dam and dike for preventing the flow of tidal waters into North Slough in Coos County, Oreg.;

H. R. 4865. An act to increase the amount authorized by the act of July 11, 1940, for the construction of a building for the office of the recorder of deeds of the District of Columbia;

H. R. 4946. An act relating to the manning of certain seagoing barges;

H. R. 5289. An act to dispense with the requirement of clearance and entry for certain United States vessels on the Great Lakes which touch at Canadian ports for bunker fuel only;

H. R. 5417. An act to provide revenue, and for other purposes;

H. R. 5425. An act to permit the steamship *Port Saunders*, official No. 220150, and steamship *Hawk*, official No. 220149, to engage in the fisheries;

H. R. 5448. An act to define and punish vagrancy in the District of Columbia, and for other purposes; and

H. J. Res. 199. Joint resolution to authorize temporary appointments of officers in the Army of the United States.

ADJOURNMENT

Mr. DOWNS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 4 minutes p. m.) the House, pursuant to its previous order, adjourned until Monday, September 22, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marines and Fisheries will hold public hearings on the following dates at 10 o'clock a. m. to consider the following bills:

Thursday, September 25, 1941:

H. R. 5509, to authorize the Secretary of the Treasury to requisition or purchase motorboats, yachts, and similar vessels for Coast Guard use.

Tuesday, September 30, 1941:

H. R. 5446, to establish a system of unemployment insurance for the maritime industry, and for other purposes.

Tuesday, October 14, 1941:

H. R. 3254, to safeguard and protect further the lives of fishermen at sea and to place fishing boats under the supervision of the Department of Commerce, Bureau of Marine Inspection and Navigation, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

929. A communication from the President of the United States, transmitting supplemental estimates of appropriations for fiscal year 1942 for the Department of Commerce, amounting to $152,730 (H. Doc. No. 378); to the Committee on Appropriations and ordered to be printed.

930. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Treasury Department for the fiscal year 1942 amounting to $25,682,330 (H. Doc. No. 377); to the Committee on Appropriations and ordered to be printed.

931. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 23, 1941, submitting a report, together with accompanying papers and illustrations, on reexamination of Keehi Lagoon, Oahu, Hawaii, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted May 8, 1941 (H. Doc. No. 379); to the Committee on Rivers and Harbors and ordered to be printed, with three illustrations.

932. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 19, 1941, submitting a report, together with accompanying papers and an illustration, on reexamination of Manistee Harbor, Mich., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted January 19, 1940 (H. Doc. No. 380); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

933. A letter from the Secretary of War, transmitting the draft of a bill to amend section 19 (a) of the Philippine Independence Act of March 24, 1934, as amended by the act of August 7, 1939, and to amend the act approved June 19, 1934, so as to authorize certain sugar excise tax funds and other funds to be used for military and naval defense purposes in the Philippine Islands; to the Committee on Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LANHAM: Committee on Public Buildings and Grounds. H. R. 5199. A bill to authorize the furnishing of steam from the Central Heating Plant to the property of the Daughters of the American Revolution, and for other purposes; with amendments (Rept. No. 1208). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURCH:

H. R. 5692. A bill amending section 204 of the act of March 4, 1909; to the Committee on the Post Office and Post Roads.

By Mr. FLAHERTY:

H. R. 5693. A bill to provide for adjusting the compensation of persons employed as masters at arms and guards at navy yards and stations, and for other purposes; to the Committee on Naval Affairs.

By Mr. RANDOLPH:

H. R. 5694. A bill to prevent the sale of unwholesome food in the District of Columbia; to the Committee on the District of Columbia.

H. R. 5695. A bill to amend the Civilian Pilot Training Act of 1939 so as to provide for the training of civilian aviation mechanics; to the Committee on Interstate and Foreign Commerce.

By Mr. HOFFMAN:

H. R. 5696. A bill to protect the right of American citizens to earn a livelihood and to restore to American citizens freedom from fear and equality under law; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. SOMERS of New York introduced a bill (H. R. 5697) for the relief of Mrs. Lillian K. Last, which was referred to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII,

1827. Mr. LYNCH presented a petition of Local No. 52, United Federal Workers of America, urging increases in salary for all custodial employees of the Post Office Department who have not received an increase in 18 months, which was referred to the Committee on the Post Office and Post Roads.

SENATE

MONDAY, SEPTEMBER 22, 1941

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Eternal God and Heavenly Father, whose name reveals the greatness of Thy love and apart from whom all gain is loss, all labor vainly done: Anoint us with Thy grace at this Thy mercy seat of prayer as we invoke Thy blessing upon all Thy children, especially our brethren who commemorate today the beginning of another year, and do Thou, O Lord God of our Fathers, accept our consecration of spirit, soul, and body unto Thee and Thy holy service.

When work and worry, waste and failure, take from us their toll of strength, revive in us the rapture of a high resolve to do our duty despite all untoward exactions of our tasks.

Make of us, dear Lord, a united people, conscious that only as we dwell under the defense of the Most High shall we abide in the shadow of the Almighty. We ask it in our Saviour's name and for His own dear sake. Amen.

THE JOURNAL

On request of Mr. LUCAS, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, September 18, 1941, was dispensed with, and the Journal was approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Latta, one of his secretaries.

ENROLLED BILL SIGNED DURING ADJOURNMENT

Under authority of the order of the 18th instant,

The VICE PRESIDENT announced that on September 18, 1941, he affixed his signature to the enrolled bill (H. R. 5417) to provide revenue, and for other purposes, which had been signed previously by the Speaker of the House of Representatives.

EXECUTIVE COMMUNICATION

The VICE PRESIDENT laid before the Senate the following letter, which was referred as indicated:

RECEIPTS AND EXPENDITURES, ST. ELIZABETHS HOSPITAL

A letter from the Administrator of the Federal Security Agency, transmitting, pursuant to law, a report of the Superintendent of St. Elizabeths Hospital, listing the detailed expenses of that institution for the fiscal year 1941 (with an accompanying report); to the Committee on the District of Columbia.

PETITIONS

Petitions were presented and referred as indicated:

By Mr. CAPPER:

Petitions, numerously signed, of sundry citizens of Ness City and Topeka, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

RESOLUTION OF MINDORO (WIS.) COOPERATIVE CREAMERY ASSOCIATION

Mr. WILEY. Mr. President, I present for printing in the RECORD and appropriate reference a resolution of the Mindoro Cooperative Creamery Association, of Mindoro, Wis., which relates to the subject of standards for oleo.

The VICE PRESIDENT. Without objection, the resolution will be referred to the Committee on Agriculture and Forestry and printed in the RECORD.

The resolution is as follows:

MINDORO COOPERATIVE CREAMERY ASSOCIATION,
Mindoro, Wis., September 15, 1941.

Whereas we, the directors of the Western Wisconsin Dairy Improvement Cooperative, an organization composed of six cooperative creameries, and representing over 1,200 dairy farmers, feel that the standards for oleo, authorized by Paul V. McNutt of the Federal Security Administration, which give manufacturers of oleo permission to sell oleo in imitation of butter, is unfair and unjust to the dairy farmer.

Whereas we also feel that this standard for oleo will create a great hardship and, undoubtedly, take away the market for butter which has taken the dairy farmer years to build up: Therefore be it

Resolved, That we, the directors of the Western Wisconsin Dairy Improvement Cooperative, West Salem, Wis., go on record as being opposed and protest the standards for oleo, authorized by Paul V. McNutt, of the Federal Security Administration, which give manufacturers of oleo permission to sell oleo in imitation of butter. We hereby petition that these standards be suspended, by congressional action if necessary; be it further

Resolved, That a copy of this resolution be sent to our Representatives in Congress and to our United States Senators.

The above resolution was adopted by a unanimous vote of the directors of the Western Wisconsin Dairy Improvement Cooperative at its regular monthly meeting held September 15, 1941, at West Salem, Wis.

W. H. EWERT,
Secretary of the Western Wisconsin Dairy Improvement Cooperative.

FRED A. RUSSELL—RESOLUTIONS

Mr. WILEY. Mr. President, I present two resolutions which relate to the appointment of Fred A. Russell, of Superior, as collector of customs for the Superior-Duluth collection district, and ask that the resolutions be printed in the RECORD and appropriately referred.

The VICE PRESIDENT. Without objection, the resolutions will be referred to the Committee on Finance and printed in the RECORD.

The resolutions are as follows:

SUPERIOR JUNIOR CHAMBER OF COMMERCE,
Superior, Wis.

Resolution passed by the Superior Junior Chamber of Commerce at its regular meeting, held Tuesday evening, September 16, 1941, at the Androy Hotel in the city of Superior, Wis.:

"Whereas Franklin D. Roosevelt, President of the United States, has nominated Fred A. Russell of Superior, Wis., for the position of port collector for the Superior-Duluth district;

"Whereas Franklin D. Roosevelt, President of the United States, has submitted the nomination of Fred A. Russell for confirmation to the United States Senate; and

"Whereas the citizens of the city of Superior are highly in favor of the appointment of Fred A. Russell to the position of port collector for the Superior-Duluth district:

"Resolved then by the Junior Chamber of Commerce, Superior, Wis., That this body unanimously go on record heartily endorsing Fred A. Russell for the position of port collector for the Superior-Duluth district;

"Resolved further, That copies of this resolution be sent to United States Senator ROBERT M. LA FOLLETTE, JR.; United States Senator ALEXANDER WILEY; Representative BERNARD J. GEHRMANN."

ANDY BORG, *President.*
JOE T. LESZCYNSKI, *Secretary.*
ROBERT J. JOHNSON, *Committee.*
ROLAND L. AMUNDSON, *Committee.*
LEO S. SINGER, *Committee.*

RESOLUTION BY SUPERVISOR HORTZA

Whereas President Roosevelt has appointed Fred A. Russell of this city as collector of customs for the ports of Superior and Duluth; and

Whereas certain interests of our sister city of Duluth are protesting Mr. Russell's appointment and are using every means at their disposal to prevent confirmation of his appointment: Be it

Resolved by the Douglas County Board of Supervisors, in regularly assembled meeting, That this board go on record as favoring the appointment of Mr. Fred A. Russell; and be it further

Resolved, The county clerk be instructed to send copies of this resolution to Senators LA FOLLETTE and WILEY.

REPORT OF A COMMITTEE

The following report of the Committee on Military Affairs was submitted:

By Mr. THOMAS of Utah:

S. 1884. A bill to make provision for the construction activities of the Army; with an amendment (Rept. No. 680).

PRINTING OF ADDITIONAL COPIES OF REVENUE ACT

Mr. HAYDEN. Mr. President, there is a great demand for copies of the new Tax Act. I report from the Committee on Printing and ask unanimous consent for the immediate consideration of a concurrent resolution authorizing its printing.

The VICE PRESIDENT. The concurrent resolution will be read.

The legislative clerk read the concurrent resolution (S. Con. Res. 17), as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 30,000 additional copies of Public Law No. 250, current session, entitled "Revenue Act of 1941," of which 5,000 copies shall be for the use of the Senate document room, 25,000 copies shall be for the use of the House document room, 4,000 for the Committee on Ways and Means of the House, and 1,000 for the Committee on Finance of the Senate.

The VICE PRESIDENT. Is there objection to the present consideration of the concurrent resolution?

Mr. McNARY. Mr. President, I did not understand the total number desired to be printed.

Mr. HAYDEN. Thirty-five thousand. That is the usual number printed heretofore when a new revenue bill has been enacted.

Mr. McNARY. What about the division of copies between the two Houses?

Mr. HAYDEN. The division is in the usual manner between the House and Senate.

The VICE PRESIDENT. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution was considered and agreed to.

ADDITIONAL COPIES OF HEARINGS BEFORE SPECIAL COMMITTEE TO INVESTIGATE GASOLINE AND FUEL-OIL SHORTAGES

Mr. HAYDEN. Mr. President, from the Committee on Printing, I report a resolution and ask unanimous consent for its present consideration. The resolution authorizes the reprinting of additional copies of the hearings before a special committee to investigate the gasoline shortage.

The VICE PRESIDENT. The resolution will be read for the information of the Senate.

The legislative clerk read the resolution (S. Res. 168), as follows:

Resolved, That, in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Special Committee to Investigate Gasoline and Fuel-Oil Shortages of the United States Senate be, and is hereby, authorized and empowered to have printed for its use 2,000 additional copies of the hearings held before said special committee during the current session, pursuant to the resolution (S. Res. 156) creating a special committee to investigate gasoline and fuel-oil shortages, methods of curtailment, and means of insuring an adequate supply.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

ENROLLED BILL PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on September 18, 1941, that committee presented to the President of the United States the enrolled bill (S. 1725) to authorize the sale of certain Indian lands to the city of Cut Bank, Mont.

BILL INTRODUCED

Mr. GILLETTE introduced a bill (S. 1921) to promote and protect the public welfare by prohibiting the shipment and sale in interstate and foreign commerce of oleomargarine containing any milk or its products, or which is yellow in color, or which is in semblance or imitation of butter as to color, flavor, or appearance; to regulate the advertising of oleomargarine; to provide for the enforcement of this act; to provide penalties; and for other purposes, which was read twice by its title and referred to the Committee on Agriculture and Forestry.

LANDS IN ARLINGTON COUNTY, VA.—CHANGE OF REFERENCE

Mr. REYNOLDS. Mr. President, several days ago I introduced a bill to authorize the President to purchase certain lands in Arlington County, Va. The bill is designated as Senate bill 1817. It was referred to the Committee on Military Affairs. I ask that the Committee on Military Affairs be discharged from the further consideration of the bill and that it be referred to the Committee on Public Buildings and Grounds.

The VICE PRESIDENT. Without objection, it is so ordered.

WATER SYSTEM AND RATES IN THE DISTRICT

Mr. CAPPER. Mr. President, on behalf of the chairman of the Committee on the District of Columbia, the Senator from Nevada [Mr. McCARRAN], I submit a resolution providing for a study of the water system of the District of Columbia. The Senator from Nevada is absent in the State of Nevada on official business.

The VICE PRESIDENT. The resolution will be received and referred to the Committee on the District of Columbia.

The resolution (S. Res. 169) is as follows:

Resolved, etc., That the Committee on the District of Columbia, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation of the administration and operation of the water system of the District of Columbia, and a full and complete study and investigation of the proposed increase in water rates in the District of Columbia and the distribution, sale, and resale of such water to the consumers thereof in the District of Columbia and its environs. The committee is authorized to use the records, services, facilities, and personnel of departments and agencies of the Government, both Federal and municipal, in carrying out its powers under this resolution. The committee shall report to the Senate, at the earliest practicable date, the results of its study and investigations, together with its recommendations, if any, for necessary legislation.

For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-seventh Congress, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $20,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

WE DEFEND OUR SECURITY—ADDRESS BY SENATOR BAILEY

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD an address, entitled "We Defend Our Security," delivered by Senator BAILEY at the convention of the North Carolina Young Democratic Clubs, at Winston-Salem, N. C., on September 20, 1941, which appears in the Appendix.]

ADDRESS BY SENATOR REYNOLDS BEFORE IOWA BANKERS' ASSOCIATION

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an address delivered by him on September 10, 1941, at Des Moines, Iowa, before the fifty-fifth annual convention of the Iowa Bankers' Association, which appears in the Appendix.]

ADDRESS BY SENATOR BUNKER ON NEVADA'S CONTRIBUTION TO NATIONAL DEFENSE

[Mr. SCHWARTZ asked and obtained leave to have printed in the RECORD a radio address delivered by Senator BUNKER, on August 19, 1941, with reference to Nevada's contribution to national defense, which appears in the Appendix.]

ADDRESS BY THE ATTORNEY GENERAL AT CALIFORNIA BAR ASSOCIATION CONVENTION

[Mr. LUCAS asked and obtained leave to have printed in the RECORD the address delivered by Hon. Francis Biddle, Attorney General of the United States, before the annual convention of the California State Bar Association, on September 18, 1941.]

ADDRESS BY GENERAL MARSHALL BEFORE AMERICAN LEGION CONVENTION

[Mr. LUCAS asked and obtained leave to have printed in the RECORD the address delivered by Gen. George C. Marshall, Chief of Staff, United States Army, at the national convention of the American Legion at Milwaukee, Wis., on September 15, 1941, which appears in the Appendix.]

ADDRESS BY HON. HERBERT HOOVER ON THE CRISIS

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address upon The Crisis, delivered by Hon. Herbert Hoover at Chicago, Ill., on September 16, 1941.]

ADDRESS BY DONALD M. NELSON AT RETAILERS FOR DEFENSE DINNER

[Mr. McKELLAR asked and obtained leave to have printed in the RECORD the address delivered by Hon. Donald M. Nelson, executive director of the Supply Priorities and Allocations Board, at the Retailers for Defense dinner at Washington, D. C., on September 15, 1941.]

ELECTRIC POWER ON FARMS—ARTICLE BY HARRY SLATTERY

[Mr. McKELLAR asked and obtained leave to have printed in the RECORD an article entitled "Electric Power on the Farm Aids National Defense," written by Harry Slattery, and published in Public Utilities Fortnightly of August 14, 1941, which appears in the Appendix.]

ADDRESS BY GEORGE S. COUNTS, PRESIDENT, AMERICAN FEDERATION OF TEACHERS

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD the address delivered by George S. Counts, president of the American Federation of Teachers, at the annual meeting of the Federation in Detroit on August 22, 1941, which appears in the Appendix.]

CATHOLICS AND THE NAZIS—ARTICLE BY PROFESSOR MAYNARD

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an article, entitled "Catholics and the Nazis," written by Prof. Theodore Maynard and published in the American Mercury for October 1941, which appears in the Appendix.]

RECOGNITION OF SERVICES OF CERTAIN CIVILIAN EMPLOYEES IN THE CONSTRUCTION OF THE PANAMA CANAL—RECONSIDERATION

Mr. ADAMS. Mr. President, at the conclusion of the consideration of the tax bill I left Washington as a member of the committee to attend the funeral of the late chairman of the Appropriations Committee of the other House, Representative Taylor, of Colorado. I left with the understanding that there would be no business of consequence done at least until today. I have made it my business to be rather diligent in attending the sessions of the Senate.

There was pending upon the calendar a bill to which I had objected upon several occasions, Senate bill 1481. The bill had been discussed somewhat on one or two occasions, and I felt that it should not be passed during the consideration of bills on the calendar by unanimous consent. It involves the payment of pensions to civilian employees engaged in the construction of the Panama Canal during a period running from 27 to 37 years ago. I thought the questions involved at least should have some consideration on the floor.

I now find, on my return this morning, that this bill was passed during the consideration of bills on the calendar by unanimous consent, without objection, though I think there were several Senators, perhaps not then present, who knew that at least one of us felt that a bill involving an annual charge upon the Government of several million dollars ought not to be passed without some consideration. In the tax bill we had provided for the appointment of a committee to study the matter of obviating and eliminating expenditures which could be avoided. Now I find that a bill which will impose upon the Government a burden of several million dollars a year has passed, obviously at a time when relatively few Senators were present.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. ADAMS. Certainly.

Mr. CONNALLY. How long ago was it? Is it possible to make a motion to reconsider?

Mr. ADAMS. I was about to ask unanimous consent for the reconsideration of the action of the Senate. The bill passed the Senate on Wednesday.

Mr. CONNALLY. I was going to suggest that the Senator ask unanimous consent to vacate the action of the Senate in passing the bill, and request the return of the bill from the House.

Mr. ADAMS. That is what I propose to do, but I wanted to make this explanation in advance so that my request would be understood.

Mr. McNARY. Mr. President, I do not desire to obtrude a remark or observation if the Senator desires to make a speech, but I want to assume my responsibility for the bill passing. The able Senator from Kentucky [Mr. BARKLEY], who is always fair, asked me if I had any objection to taking up bills on the calendar. I said "No." If I had known, or if he had known, of the objection of the Senator from Colorado, of course, the bill would not have passed.

The Senator, however, is not without his remedy now. As suggested by the able Senator from Texas [Mr. CONNALLY], it is very easy to move to reconsider and ask that the papers be returned, and I shall cooperate with the Senator along that line. I do not want to take away his theme if he wishes to make a speech, but it is a very easy matter to correct. It can be done immediately.

Mr. ADAMS. The Senator from Oregon knows that the Senator from Colorado is not given to making speeches.

Mr. McNARY. I always enjoy hearing the Senator, anyway, when he desires to speak.

Mr. ADAMS. I simply want to suggest that there was at least some difference of opinion as to whether this measure should pass, going back 27 or 37 years, providing pensions for civilians. I shall accede to the suggestions of the distinguished Senators from Oregon and Texas, and ask unanimous consent that the bill be recalled from the House, and that I be permitted to enter a motion to reconsider the vote by which it passed.

The VICE PRESIDENT. The first question is the entering of a motion to reconsider. The second question is the motion that the House be requested to return the papers. The motion to reconsider will be entered.

Is there objection to the request that the papers be returned from the House? The Chair hears none, and the request is agreed to.

Mr. CONNALLY. Mr. President, the action will have to be written, will it not, with respect to the request to the House to return the papers?

The VICE PRESIDENT. The Secretary of the Senate will send to the House an order of the Senate requesting their return.

ORDER DISPENSING WITH CALL OF CALENDAR

Mr. LUCAS. I ask unanimous consent that the calling of the calendar be dispensed with.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. LUCAS. I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting several nominations in the Coast Guard, which was referred to the Committee on Commerce.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:
Sundry postmasters.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the postmaster nominations be confirmed en bloc, and that the President be notified forthwith.

The VICE PRESIDENT. Without objection, the postmaster nominations are confirmed, and the President will be immediately notified. That completes the calendar.

ADJOURNMENT TO THURSDAY

Mr. LUCAS. As in legislative session, I move that the Senate adjourn until 12 o'clock noon Thursday of this week.

The motion was agreed to; and (at 12 o'clock and 18 minutes p. m.) the Senate adjourned until Thursday, September 25, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 22, 1941:

COAST GUARD OF THE UNITED STATES

Lt. Frank K. Johnson to be a lieutenant commander, to rank as such from July 26, 1941.

Lt. (Jr. Gr.) William B. Ellis to be a lieutenant, to rank as such from August 1, 1941.

Lt. (Jr. Gr.) John W. MacIntosh, Jr., to be a lieutenant, to rank as such from August 5, 1941.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 22, 1941:

POSTMASTERS

OHIO

George H. Smith, Bryan.
Ivah Averill, Copley.
John Jones, Jefferson.

TENNESSEE

Albert Jackson Dale, Celina.
Leland D. Jordan, Shelbyville.

HOUSE OF REPRESENTATIVES

MONDAY, SEPTEMBER 22, 1941

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thou who art the Father of eternal love and mercy, we wait at Thy altar of

prayer; transform our visions that the wilderness of tragedy may lose its pain, enabling us to look forward to the humane possibilities of tomorrow. We stand humble before the deplorable realization that this beautiful world is being defiled and wrecked by the mad fury of man. We praise Thee that it is gloriously worth-while that we are not the victims of time, whirled hither and thither by the merciless winds of chance. In a world in which tumults are surging and conflicts of hate are raging, do Thou arm us with patience, calmness, and confidence that the dark nights of human history have again and again given way to slow but glorious dawns.

Almighty God, allow not the light of urgent and immediate duty to die out on our path. Grant that all which shall be done in this historic Chamber shall be inspired by the spirit of harmony and conformity to the lasting laws of our Republic—one flag, one Nation established in honor to all. Oh, give our sympathies a wide sweep embracing all peoples who are homeless and dying. Continue to work through our democracy Thy great purpose, teaching us that it is far better to suffer and sacrifice than to wear the chains of brutal force which is threatening mankind. In the name of the world's Redeemer. Amen.

The Journal of the proceedings of Friday, September 19, 1941, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Baldridge, one of its clerks, announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 17. Concurrent resolution authorizing the printing of additional copies of Public Law No. 250, entitled "Revenue Act of 1941."

PERMISSION TO ADDRESS THE HOUSE

Mr. PLOESER. Mr. Speaker, I ask unanimous consent that when the House next meets I may have permission to address the House for 15 minutes after the regular order of business has been disposed of.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. PLOESER]?

There was no objection.

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my own remarks and to include therein a letter from a constituent.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. McGREGOR]?

There was no objection.

[Mr. McGREGOR addressed the House. His remarks appear in the Appendix of the RECORD.]

ADJOURNMENT OVER—REJECTED

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

Mr. HOFFMAN. Mr. Speaker, I object.

AMENDMENT OF SECTION 124 OF THE INTERNAL REVENUE CODE

Mr. COOPER. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 235, to amend section 124 of the Internal Revenue Code by extending the time for applications, and changing the procedure, for certification of national-defense facilities and contracts for amortization purposes, unanimously reported by the Ways and Means Committee.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. COOPER]?

Mr. MICHENER. Mr. Speaker, reserving the right to object, this is from the Ways and Means Committee?

Mr. COOPER. That is correct.

Mr. MICHENER. The gentleman from New York [Mr. CROWTHER] is present. Does he desire to make a statement?

Mr. CROWTHER. Mr. Speaker, may I say that this meets with the unanimous approval of all members of the Ways and Means Committee, and the measure is calculated, roughly, to unloosen or cut the red tape that is delaying defense production. The policy in this joint resolution is to allow the Secretary of the Navy and the Secretary of War to award these amortization certificates which have played such an important part in the defense program, as the gentleman will recollect, so that they will be allocated on broad general principles set down by the O. P. M. or that committee which takes its place. The authority is given to the Secretary of War and the Secretary of the Navy, who, after all, are the ones who make the contracts. They are the ones who are entirely responsible to the Congress and to the Government.

Mr. REED of New York. Will the gentleman yield?

Mr. CROWTHER. I yield to the gentleman from New York.

Mr. REED of New York. Is it the gentleman's recollection that the statement was made before the committee that there were over 50,000 contracts and that there were 30 percent which came within the $15,000 limit where there was not red tape, but that the work had piled up and they could not get to pass on them fast enough to release the contracts so that they could go on with the defense program?

Mr. CROWTHER. The statement of the gentleman is absolutely correct.

Mr. MICHENER. If the two gentlemen from New York have been most careful about these things and feel the resolution should be passed by unanimous consent at this time, inasmuch as they are members of the Committee on Ways and Means, I withdraw my reservation of objection.

Mr. CROWTHER. May I say that there was considerable doubt on both sides of the table as to the merits of this proposition, and it was given most careful consideration. Our final conclusions were that at this time this was almost a necessity.

Mr. WOODRUFF of Michigan. Will the gentleman yield?

Mr. CROWTHER. I yield to the gentleman from Michigan.

Mr. WOODRUFF of Michigan. I wish to add my voice to what has been said by the gentleman from New York and to say that the adoption of this proposed resolution will very substantially step up the operations of the departments of government having to do with our national defense.

Mr. MICHENER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. COOPER]?

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That section 124 (f) (1) of the Internal Revenue Code, as amended, is amended to read as follows:

"(1) There shall be included only so much of the amount otherwise constituting such adjusted basis as is properly attributable to such construction, reconstruction, erection, installation, or acquisition after June 10, 1940, as either the Secretary of War or the Secretary of the Navy have certified as necessary in the interest of national defense during the emergency period, under such regulations as may be prescribed from time to time by the Secretary of War and the Secretary of the Navy and subject to such policies and procedures as may be prescribed from time to time by the President, or by such agency or officer as he may designate."

SEC. 2. Section 124 (f) (3) of the Internal Revenue Code, as amended, is amended by striking out "60 days" and inserting in lieu thereof "6 months."

SEC. 3. Section 124 (i) of the Internal Revenue Code, as amended, is amended to read as follows:

"Protection of the United States: If the taxpayer has been or will be reimbursed by the United States for all or a part of the cost of any emergency facility pursuant to any contract (in excess of $15,000 in amount) with the United States, made on its behalf by the War Department, the Navy Department, the United States Maritime Commission, or such other department or agency as the President may designate, either—

"(1) directly, by a provision therein dealing expressly with such reimbursement, or

"(2) indirectly, because the price paid by the United States (insofar as return of cost of the facility is used by the United States as a factor in the fixing of such price) is recognized by the contract as including a return of cost greater than the normal exhaustion, wear, and tear: *Provided*, That no such greater return of cost shall be deemed to have been used as a factor in the fixing of such price when the negotiating or contracting officer reports that after careful consideration he is satisfied that such greater return was not included in the price,

no amortization deduction with respect to such emergency facility shall be allowed for any month after the end of the month in which such contract is made unless either the Secretary of War or the Secretary of the Navy certify to the Commissioner that the interest of the United States is adequately protected with reference to the future use and disposition of such emergency facility. A certificate of like effect may also be issued with respect to emergency facilities for which the taxpayer has not been or will not be so reimbursed. A certificate by either the Secretary of War or the Secretary of the Navy made to the Commissioner, to the effect that under any such contract, reimbursement for all or a part of the cost of any emergency facility is not provided for within the meaning of clause (1) or clause (2), shall be conclusive for the purposes of this subsection. Except in cases of applications therefor filed before February 6, 1941, the certificates provided for under this subsection shall have no effect unless an application therefor is filed either before the expiration of 6 months after the

making of such contract or before the expiration of 60 days after the making of a certificate under subsection (f), whichever is later.

"The reports of negotiating and contracting officers and the certificates provided for in this subsection shall be issued under such regulations as may be prescribed from time to time by the Secretary of War and the Secretary of the Navy and subject to such policies and procedures as may be prescribed from time to time by the President, or by such agency or officer as he may designate.

"The terms and conditions of contracts with reference to reimbursement of the cost of emergency facilities and the protecting of the United States with reference to the future use and disposition of such emergency facilities shall be made available to the public."

SEC. 4. The amendments made by this joint resolution to section 124 of the Internal Revenue Code shall be applicable as if they were a part of such section on the date of the enactment of the Second Revenue Act of 1940.

With the following committee amendments:

Page 1, line 9, strike out "have" and insert the word "has."

Page 2, line 2, after the word "period", insert "which certification shall be."

Page 3, line 12, strike out the word "certify" and insert "certifies."

Page 4, line 9, strike out "and" and insert "which regulations shall be."

Mr. COOPER. Mr. Speaker, I may say that these amendments were offered in the committee by the gentleman from Massachusetts [Mr. TREADWAY], the ranking minority member of that committee.

The committee amendments were agreed to.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. McINTYRE asked and was given permission to extend his own remarks in the RECORD.

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a short editorial from a newspaper.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOOK]?

There was no objection.

(Mr. PLUMLEY asked and was given permission to extend his own remarks in the RECORD.)

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein some short extracts from hearings before the Rivers and Harbors Committee.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. GEHRMANN]?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article from the Times-Herald.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. MICHENER]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. FULMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina [Mr. FULMER]?

There was no objection.

[Mr. FULMER addressed the House. His remarks appear in the Appendix of the RECORD.]

Mr. FULMER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein an address by Mr. Duggan.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

SOURCES OF REVENUE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, it is estimated by Treasury experts that $303,000,000 of revenue will be derived by the lowering of income-tax exemptions. This will come in part from some 4,800,000 new returns by people with very modest incomes, indeed. Had Congress, however, adopted the proposal of the Committee on Ways and Means to require joint returns of husbands and wives, a larger sum, $323,000,000 would have been forthcoming, and as was pointed out in the debate by myself and others, this would have come from families whose income, in every case, is over $4,000 a year. It seems to me the only time the exemptions ought to be lowered and the incomes of our poorer people tapped is after every other source of revenue has been exhausted and the needs of the Nation—the real needs—are still not met. Certainly there are several such sources that should have been used before the exemptions were lowered, the requiring of joint returns by husbands and wives is one of them.

I regret, exceedingly, that by the action of the House and Senate the burden has been shifted from those better able to those less able to carry it. The people will not complain overmuch, because they are patriotic people. But how much better they would feel if we carefully observed the principle of ability to pay, and of the plugging of every possible loophole in our tax legislation.

[Here the gavel fell.]

THE LATE DEWEY W. JOHNSON

Mr. YOUNGDAHL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. YOUNGDAHL. Mr. Speaker, it is my sad duty to announce the death of one of our former Members of the House, the Honorable Dewey W. Johnson. Mr. Johnson served the same district during the Seventy-fifth Congress that I now have the honor to represent.

He was an active leader in the Farmer-Labor Party of Minnesota and gave much of his time toward the building of this organization.

He secured his education in the city of Minneapolis and received a degree in law. He specialized in the insurance business and at one time served as deputy insurance commissioner of the State of Minnesota, as well as several terms in the Minnesota State Legislature.

Mr. Johnson was known as a fighter. He worked hard and vigorously for the things which he believed right. He had a host of friends not only in his city but throughout the State.

To his bereaved wife and family, I know that I bespeak the feelings of the Members of the House of Representatives in offering sincerest sympathies in the loss that they have sustained.

PERMISSION TO ADDRESS THE HOUSE

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, the biggest issue before the American people today is whether any one man or small group of war makers can force the United States into an undeclared war in defiance of the Constitution, the Congress, and over 80 percent of the American people.

The Congress has the sole constitutional power to declare war. Congress must not surrender its war-making powers to the Executive or permit them to be usurped by Field Marshal Harry Hopkins, Secretary Ickes, and Secretary Morgenthau, or other war makers invincible in peace but invisible in the last war.

The real issue is whether we shall uphold and defend the Constitution and the right of Congress under the Constitution to declare war or scrap the Constitution and permit the President and a small minority to involve us in wars in Europe and Asia that will bring ruin and bankruptcy to America and communism all over Europe.

The very existence of constitutional and representative government is at stake, as well as the security, the safety, and the destiny of America and 130,000,000 of Americans.

[Here the gavel fell.]

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, undoubtedly some Members of the House wonder why I objected to the unanimous-consent request that when the House adjourns today it adjourn to Thursday next. Most Members of the Congress are out of the city. I understand from the statement of the majority leader that we shall not have any business until the 29th of this month. That being so, and the Members understanding that situation, no one is inconvenienced,

for there will not be a roll call. Until, for the present at least, some answer is made to the editorial of the Washington News of last Saturday charging this body with inertia, political slickness, and cowardice, it seems to me that it is my duty to object to adjournments of the House over successive 3-day periods.

QUESTION OF PERSONAL PRIVILEGE AND PRIVILEGE OF THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I rise to a question of personal privilege and of the privilege of the House.

The SPEAKER. The gentleman will state his question of personal privilege, or submit the matter to the Chair if he has anything in writing.

Mr. HOFFMAN. I should like to state the question of personal privilege. It also involves a question of the privilege of the House.

The SPEAKER. The gentleman can submit it to the Chair or offer a resolution, as he desires.

Mr. HOFFMAN. I have a resolution prepared, but may I not state my position and call attention to this editorial?

The SPEAKER. The gentleman can state his question of personal privilege.

Mr. HOFFMAN. Mr. Speaker, in the Washington News of Saturday appeared an editorial headed "Is Congress abdicating?" This editorial reads as follows:

IS CONGRESS ABDICATING?

Looking to the long future, the most serious question confronting this country is not war, but the survival of representative government.

Democracy might recover from war and its inevitable executive dictatorship, as after the last war—though the second stroke, coming before complete recovery from the first, would be harder. But if the legislative branch ceases to function in peacetime, democracy is done for. No popular control of the war-making power would remain.

Congress has not yet ceased to function. Though it has given away some legislative functions to the President, the courts, and regulatory commissions, it retains many powers, including that of the purse. Even the latter grows less, however, as appropriations become lump sums, and taxation continues a losing battle with executive budget deficits.

Most important of all congressional functions under the Constitution is the sole authority—and responsibility—to decide whether the country shall go to war. Today the United States is close to war. This status, and the most direct steps leading to it, have been decreed by Presidential orders and not by Congress.

Inevitably this departure provokes charges of Presidential usurpation, even of dictatorship. In our judgment the charge that Mr. Roosevelt desires a personal dictatorship is not only unjust, but obscures the issue. Mr. Roosevelt is only one factor in this complex situation, which includes foreign forces and Members of Congress. His actions are those he believes best for the Nation. Many of them are being ignored by that "equal and coordinate" body wherein the final responsibility, as imposed by the Constitution, rests.

We are alarmed at the failure of Congress to guard and to use its powers over war policy. When the President sometimes has encroached, Congress has defaulted. Too often it has confirmed, by its silence and inaction, executive moves it was too cowardly to challenge or too witless to supplant by a better policy.

The inaction of Congress is variously explained. Some Members are too bewildered, some secretly rejoice that the President does what they are afraid to do, some have lost hope of reversing the trend to greater executive power, some are playing waiting politics. The latter foresee a more bitter post-war reaction destroying Roosevelt ian policies than buried the Wilson administration—and this they seem to welcome, whatever the cost.

We hope Congress will rise above the inertia, cowardice, and political slickness which are losing it the authority and respect bestowed by the Constitution and confirmed by the voters who elected it to represent them.

For this Nation to get into war without the considered consent of Congress would be more destructive of American democracy than anything in our history. There cannot be national unity without congressional decision. There can be national unity if Congress acts, whether it votes yes or no.

If Congress abdicates it cannot blame the President, and the people should not.

Mr. Speaker, there is a direct charge in that editorial that this Congress is inert; that is, that it is lazy, it is indolent. There is a direct charge that it is guilty of political slickness. Those are the words—"political slickness."

To be lazy and indolent on a $10,000-a-year job is bad enough; it is reprehensible; but to be guilty of cowardice—and this editorial charges that we are—that is worse. However, to be guilty of political slickness is as bad as treason itself.

A charge that 435 Members of this Congress are not only lazy but cowardly and are guilty of political slickness should not go unchallenged. That is the purpose of my resolution, and that is why I asked for time.

I know the answer. We know it will be said that this is a charge against the Congress, and no individual Member of the Congress can raise the point; but the charge is against every Member of the Congress, and I say that any individual Member of Congress should have the right to raise the point and to discuss it.

Mr. PITTENGER. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I do not suppose I may under this situation. I am discussing this for the benefit of the Chair.

The SPEAKER. What question has the gentleman in mind? Is the gentleman addressing some remarks to the Chair?

Mr. HOFFMAN. I am addressing my remarks to the Chair.

The SPEAKER. The Chair did not understand what the gentleman said, although it is apparent the gentleman made some remarks to the Chair.

Mr. HOFFMAN. When the gentleman asked me if I would yield, I made the statement that I did not know whether it was in order for me to yield. If it is, I yield.

The SPEAKER. The gentleman may yield if he so desires.

Mr. PITTENGER. I would like to ask the gentleman a question.

Mr. HOFFMAN. Go ahead.

Mr. PITTENGER. Is it not a fact that committees of the House are meeting every day and that they met every day last week? I have in mind the Banking and Currency Committee, and I also have in mind the Rivers and Harbors Committee, as well as other committees.

Mr. HOFFMAN. I do not care to discuss that. I am just raising this one question of the charge here made against Congress and the Members of Congress.

The SPEAKER. The Chair is ready to rule on the question.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

The SPEAKER. The Chair is ready to rule.

The Chair does not think that an editorial in a paper making general criticism of Congress raises a question of the privileges of the House, and certainly no Member of the House in his individual capacity is attacked in this resolution, and, therefore, the Chair must hold that this is not a question of personal privilege or a question of the privilege of the House.

Mr. HOFFMAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HOFFMAN. That ruling, as I understand, does not bar me from discussing this question in the special order of 15 minutes which I have.

The SPEAKER. The gentleman knows he can discuss any matter he desires in the 15 minutes as long as he stays within the rules of the House.

EXTENSION OF REMARKS

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an editorial from the Valparaiso (Ind.) Cadet-Messenger.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, I ask unanimous consent that on Wednesday next, at the conclusion of the legislative business of the day, and following any previous special order, I may be permitted to address the House for 25 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

THE LATE EDWARD T. TAYLOR

Mr. CHENOWETH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. CHENOWETH. Mr. Speaker, this is the first time that I have taken the floor to address this House since becoming a Member. I do so now because this is the first opportunity I have had to pay my tribute to our deceased colleague the Honorable Edward T. Taylor.

I had not personally met Mr. Taylor before coming to Washington last January. On my arrival I immediately got in touch with him. He received me most cordially, and from that time on our friendship grew. I learned to depend on him for counsel and advice. He was always ready to help, and our association

together became most cordial. We made frequent trips to the departments together on matters that affected Colorado and the West.

Very few men have had such long and distinguished careers in this body as Ed. Taylor. I visited his district in the year 1937 after I had been elected chairman of the Republican State central committee of Colorado. I soon learned that Mr. Taylor had a seat in this House just as long as he cared to run for reelection. He took great pride in the fact that in the election of 1940 he did not return to Colorado, and it brought him great satisfaction to know that the people in the Fourth Congressional District of Colorado appreciated his services.

Mr. Taylor liked to show the portrait that hung in his office as chairman of the Appropriations Committee. This picture had been painted by an artist hired by his friends and constituents who wanted to do something to show their gratitude for his efforts in their behalf. It is truly a work of art and brought great happiness to Mr. Taylor.

I shall miss Mr. Taylor. I shall always remember him as a friend. His mortal remains are in a mausoleum in Glenwood Springs, Colo., his home town. However, no marble tomb could ever hold the spirit of Ed. Taylor. His influence shall live on as a challenge and inspiration to those of us who remain.

Ed. Taylor loved Colorado and the West. He was always a champion for any movement which sought to improve conditions in the West. When he came to Congress in 1909 he immediately became active in promoting not only the interests of his district, the State of Colorado, but the entire western domain. Some of the most important legislation affecting the West bears his name.

I cannot say, and I will not say,
He is dead; he is just away.

VISIT OF THE DUKE AND DUCHESS OF WINDSOR

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RIZLEY. Mr. Speaker, out in my home town of Guymon, Okla., the high school girls' pep squad voted unanimously to donate their twin sweater sets to the Bundles for Britain, Inc. This is typical and characteristic of the generosity and patriotism which the people of the Middle West always demonstrate for the needy and less fortunate.

Not so long ago the womenfolk all over this land gave up their aluminum cooking utensils for national defense, which is another splendid example of the character of patriotism and loyalty which the women of America have always demonstrated when their country calls.

The Washington Post of yesterday, under a headline "Windsors to start north Tuesday," has this to say:

Traveling with three pet dogs and a retinue of aides, the Duke and Duchess of Windsor will leave by plane Tuesday morning.

They will go by chartered Pan American clipper to Miami on the first leg of a 6-week journey to Washington, Chicago, the Duke's Canadian ranch, New York, and Baltimore. They will be at the White House Thursday.

The Duke will, of course, be remembered as giving up his kingdom for the attractive American divorcee, Wallie.

The schoolgirls who gave up their sweaters, the American women who gave up their pots and pans, and the American mothers who may give up their sons may well wonder whether the Duchess, who has no son to give, might not have set a better example by donating the traveling expenses of the dogs and the expense of at least a portion of the retinue of aides to Bundles for Britain.

ADDITIONAL COPIES OF REVENUE ACT OF 1941

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the consideration of a Senate concurrent resolution (S. Con. Res. 17), authorizing the printing of additional copies of Public Law Numbered 250, entitled "Revenue Act of 1941".

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 35,000 additional copies of Public Law No. 250, current session, entitled "Revenue Act of 1941," of which 5,000 copies shall be for the use of the Senate document room, 25,000 copies shall be for the use of the House document room, 4,000 for the Committee on Ways and Means of the House, and 1,000 for the Committee on Finance of the Senate.

The SPEAKER. The question is on agreeing to the concurrent resolution.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. Yes.

Mr. MICHENER. Just to call attention to the fact that those who want copies of this document when it is printed, will have to apply to the document room.

Mr. McCORMACK. That is correct.

Mr. MICHENER. I am not going to suggest that these go to the folding room. They will go to the document room, and Members should understand that they will not get any copies unless they make application to the document room.

Mr. McCORMACK. That is correct.

The SPEAKER. The question is on agreeing to the concurrent resolution.

The concurrent resolution was agreed to.

PARITY PRICES FOR FARMERS

Mr. HOBBS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOBBS. Mr. Speaker, the only hope of this Nation financially, as long as we adhere to our present economic practices, is to have an annual national income of a hundred billion dollars, or more. With such a volume of annual income our tax structure can support even such a prodigious spending program as that for which we have been appropriating. But without such an income to be taxed there is no hope of solvency.

The only feasible way by which that income may be assured is to see that the farmers of the Nation—north, east, south, and west—get parity prices for the products of their skill and industry in terms of their fair exchange value for the products of other industries. It makes no difference whether prices of farm products are high or low so long as they get for the farmer the same volume and quality of goods in exchange. But there can be no good reason why a thousand dollar automobile should cost a farmer 10 bales of cotton one year and 30 bales the next.

The farmer's dollar multiplies itself by circulation seven times in terms of annual national income. Look at the record. You will find that the annual national income is, on the average, seven times the income of the farmers of the Nation. Reduce the income of the farmers and the income of the Nation is cut seven times as much. Increase the farmers' income, and for every dollar so invested the national income increases $7.

Mr. Bernard Baruch is a wise and great man, but he doesn't know everything. He can be wrong. In my judgment, he is when he advocates the fixing of farm prices at what they were January 1, 1941. That would cut the income of the farmers about in half, and thereby lower the national income by a billion dollars.

The income of the people of this Nation must be raised, not lowered, if our taxes are to produce the revenue so vitally needed. [Applause.]

The SPEAKER. The time of the gentleman from Alabama has expired.

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon two subjects and to include short newspaper articles in each.

The SPEAKER. Is there objection?

There was no objection.

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD an article from the Green Bay (Wis.) Press-Gazette on the American Legion and the war.

The SPEAKER. Is there objection?

There was no objection.

UNDERNOURISHMENT IN THE SOUTH

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. JOHNS. Mr. Speaker, I have just received a copy of a resolution that has been passed by the Lake County Industrial Union Council of East Chicago, Ind., which came to me not only as a surprise but as a shock because of the statements made in the resolution. It informs me that many hundreds of thousands of American citizens among the sharecroppers and cotton wage earners throughout the rural South are undernourished—in many cases face starvation—and have disastrously unbalanced diets; that the Government has large surpluses of food crops which could be purchased and distributed to these deprived American workers by the Surplus Commodities Corporation, such as fruit juices, milk, dried and fresh fruits, canned fruits and vegetables, eggs, cheese, and meats which the Surplus Commodities Corporation is purchasing every day, so this resolution recites; that they are petitioning the

President of the United States, the Secretary of Agriculture, and the Administrator of the Surplus Commodities Corporation, as well as Members of Congress, to take the necessary steps to get this surplus food to these thousands of sharecroppers and cotton wage workers who, they allege, are shamefully exploited workers, and to insure its distribution without interference or discrimination by landlords or their agents.

I would like to call upon the Members from the South either to admit that these conditions do exist down there or deny that such is the fact. If these conditions do exist and these people are actually starving, it seems to me that Congress should provide for them instead of appropriating $6,000,000,000 to aid Russia and other foreign countries. I hope that this matter may be cleared up satisfactorily before we are asked to donate $6,000,000,000 to foreign countries, and I ask unanimous consent to have copy of this resolution inserted in the RECORD at this point so that the Members of Congress may read it, if they have not already received a copy of it.

LAKE COUNTY INDUSTRIAL UNION COUNCIL,
East Chicago, Ind., September 13, 1941.
HON. JOSHUA L. JOHNS,
House Office Building,
Washington, D. C.

DEAR SIR: The following resolution, which is self-explanatory, was unanimously adopted at the last regular meeting of this council.

"Whereas many hundreds of thousands of American citizens among the sharecroppers and cotton wage workers throughout the rural South are undernourished (in many cases face starvation), and have disastrously unbalanced diets; and

"Whereas many food crops have large surpluses which could be purchased and distributed to these deprived American workers by the Surplus Commodities Corporation through its food-stamp plan or a modified form of it. Especially important are such surpluses as fruit juices, milk, dried and fresh fruits, canned fruits and vegetables, eggs, cheese, and meats which the Surplus Commodities Corporation is already purchasing: Therefore be it

"*Resolved*, That we petition President Franklin D. Roosevelt; Claude R. Wickard, Secretary of Agriculture; Milo Perkins, Administrator, Surplus Commodities Corporation; and all Members of Congress to take such necessary steps to get these surplus foods to these hundreds of thousands of sharecroppers and cotton wage workers, under some modified form of the food-stamp plan which can meet the pocketbooks of these shamefully exploited workers and will safeguard that the food gets distributed to these people without interference or discrimination by landlords or their agents."

Adopted by the Lake County Industrial Union Council this 9th day of September 1941.

Respectfully yours,
RUSSELL S. GRAVES,
Financial Secretary.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. JOHNS. Yes.

Mr. COX. I suggest to the gentleman that the statement made in the resolution sent to him is an exaggeration. I come from a section of the rural South.

EXTENSION OF REMARKS

Mr. MARTIN of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address which I delivered over the radio September 21 on the subject of national defense.

The SPEAKER. Is there objection?

There was no objection.

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter on the St. Lawrence waterway and my answer thereto.

The SPEAKER. Is there objection?

There was no objection.

Mr. WHITE. Mr. Speaker, also I ask unanimous consent to extend my remarks in the RECORD and include an excerpt from a letter appearing in the Washington Post in the issue of Sunday.

The SPEAKER. Is there objection?

There was no objection.

Mr. WHITE. Also, Mr. Speaker, I ask unanimous consent to extend my remarks and include excerpts from an article on India.

The SPEAKER. Is there objection?

There was no objection.

CRITICISM OF CONGRESS

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATRICK. Mr. Speaker, a gentleman down where I live called my attention to the very editorial that was referred to by the gentleman from Michigan [Mr. HOFFMAN]. I read it through, and I saw that it had no personal reference to me at all and I just want to join you gentlemen who went through it so placidly and did not take any personal resentment to it. The shoe did not pinch me so I did not cry out in the meeting house. I thank you very kindly.

PERMISSION TO ADDRESS THE HOUSE

Mr. FISH. Mr. Speaker, I ask unanimous consent that today, after the other special orders, I may be allowed to address the House for 15 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE LOUISIANA MANEUVERS

The SPEAKER. Under the previous order of the House, the Chair recognizes the gentleman from Louisiana [Mr. ALLEN] for 15 minutes.

Mr. ALLEN of Louisiana. Mr. Speaker, the maneuvers in Louisiana are being held largely in the Eighth Congressional District, which I have the honor to represent. I thought it would be a good thing to bring to the membership of the House a word picture of what is going on down there and give you some idea of what the men are doing and of the attitude of the men themselves and of the people.

The maneuvers are being held largely in the Eighth Congressional District. A part is being conducted in the Fourth District and some in the Seventh District, and it might spread a little farther. During the recess of the House I spent the entire 3 weeks going over the district every day; in fact, day and night I was talking with the men. I was out at midnight observing the maneuvers, and I talked with the citizens locally, getting the sentiment not only of the people but also of the officers and the men in the armed forces. I shall try to bring you some of the conclusions I reached in the hope they may be of some interest to you.

In the first place, Mr. Speaker, I want to try to correct the impression that has gone out over the country, largely due to newspaper articles, that the maneuvers are being held in swampy territory. Every day you see newspaper references stating that the maneuvers are being held in the swamps of Louisiana. We do have some swamps in Louisiana, plenty of them, but this training is being done in central and north Louisiana. I doubt very much whether more than 2 or 3 percent of the area in which these maneuvers are being conducted is of a swampy nature. The truth of the matter is that nearly all of this area was formerly covered with long-leaf pines. This timber was cut many years ago, and it has since grown up in small timber, but a lot of it is open land. They have just the right kind of terrain on which to conduct that training. General Marshall told me this himself last year. I hope, therefore, that in the future newspapers will quit referring to it as swampland, because it is not that at all. As a matter of fact, it is high, dry, hilly land traversed by many spring branches and beautiful, clear, running creeks; and the boys enjoy getting down in those creeks. I ran across a group of them building a bridge the other day to replace a bridge they said had been blown out. A group of military vehicles was stopped on the bank while the men were down in the creek building the new bridge for them to cross on.

The fathers and mothers of these boys need not worry about their health. There is very little sickness among them. Mosquito reports are grossly exaggerated. As a matter of fact, in the fall of the year in this area we have very few mosquitoes. Over at Camp Polk the other day General Gillem told me himself they had no mosquitoes. So you Members who have sons and relatives down there and the fathers and mothers of your districts need not worry about mosquitoes.

I want now to discuss with you very briefly the question of morale.

Entirely too much has been said about morale. Too much has been said here on the floor of Congress and too much said and printed all over the country. I spent days and nights with these men; I talked with the officers and with the men. I talked with men from all parts of the country, from nearly all the States. I observed them at work and at play, and I got their views on questions. Let me tell you very frankly that the morale of the men is good. It is a whole lot better than most of us had been led to believe. I am not going to say that the morale is 100-percent perfect, for I know and you know that any time you get half a million men together in any walk of life you are going to have a lot of fellows who are disgruntled and grumbling about this, that, or the other thing. Amongst the soldiers you are bound to have some who are not altogether satisfied. But, Mr. Speaker, the dissatisfied ones were the exception rather than the rule. The morale is good. There is no question about that. I want to say a word about the

cause of the bad morale that may exist, although it is little. It is my belief that civilians themselves are largely responsible for whatever bad morale may exist. These soldiers come from your home districts. They have the same likes and dislikes the folks back home have. When they hear reports about the fellows back home making a lot of money, plenty of money, when they hear reports about money flowing freely, they naturally would like to be back home to make some of this money.

Mr. Speaker, there is too much commercialism, too much desire on the part of many to make money out of this situation. When a large part of the civilian population has that attitude you may certainly expect it to be reflected among the soldiers. These soldiers are willing to serve their country, but they do not want big profits made out of this condition. When you take the big profits out of war you will go a long way to achieve the highest morale in the Army. While the soldiers are sacrificing, civilians in all walks of life owe it to them to make sacrifices, too.

Mr. Speaker, I want to say something about that Life magazine article. I do not question the motive of Life magazine in publishing that article, but I tell you very frankly that I found that most of the soldiers had read that article, and those who had not read it had heard about about it, and it certainly did not do the morale any good. Life magazine may have had the best motive in the world in publishing that, but it did not make the situation any better. First, I think it overdrew the picture. Next it caused the soldiers to think more about it and gave the few grumblers a chance to get recognition.

Incidentally, a number of people said to me, "Why do you not shut up Lindbergh and others?" My reply to them was that while I did not approve of many things they have been saying, the same power that gave them the right to speak gave me and all others the right to speak. Therefore, we could not undertake to shut up those folks, although we may disapprove of some things they say.

But I do want to give it as my considered judgment that the inflammatory speeches that have been made, and are being made, are doing great harm. I believe in free speech, but I question the expediency of many speeches now being made. I am afraid the enemies of America might take comfort from some speeches recently made.

The men in the camps are getting tough. I think somebody made a reference to that the other day. I can assure you when those boys go out without shaving for 3 or 4 days, when they go 3 or 4 nights without sleep, they are getting pretty tough. They are learning how to take it, do not make any mistake about that. These boys in the Army are getting tough. You are going to find that these fellows can be as tough as the soldiers of other years. Give them a little time and they will show you a fine example of American stamina.

Now, I want to say a word about southern hospitality. You have heard about that. These boys who are down there are learning about southern hospitality. They are experiencing it. The people down there are taking the boys into their homes. They are entertaining them. They find a boy on the street with a week's growth of beard on his face, take him to the house, give him a shave and a hot bath, and give him a dinner of southern-fried chicken. You can imagine how they feel about the whole situation. That builds morale. That lets a fellow know after all he is appreciated. The uniform of Uncle Sam is honored and respected by all our people. I saw soldiers in church the other day who told me that they had come 80 miles to church that morning, which is farther than most others would go to church. The churches are opening their doors to them and the men are coming.

There are several churches in my town. The members of my church took about 300 soldiers to dinner. The other churches did likewise. Down South the noon hour is still the good old dinner hour, especially when you get fried chicken. I had 4 at my house, and they represented 4 different States. There were 2 Irishmen, 1 Norwegian, and 1 was part German. Those boys like that hospitality. A fine fellowship is developing between our people and the fine sons from all over the Nation. There is no sectionalism, just plain Americanism. The wife of a pastor of a large church offered to wash the clothes of several of the soldiers. She was ready to do this with her own hands. I was told that when the trucks stop near homes and the boys cannot leave them, often women carry out to the boys pans of water and towels to wash and then give them hot coffee and other refreshments.

When the subcommittee of the Military Affairs Committee of the House was down there the other day, I was riding in the car with the gentleman from Texas, Chairman EWING THOMASON, and reminded him that we had had two bad crops down there, and he stated that the money we would get from the maneuver rights would come in fine. I said, "Mr. Chairman, I want to tell you that our people gave millions of acres of land for these maneuver rights and we did not get one dime for it." He could hardly believe that. We did not get a dime for these some 15,000,000 acres of land and we did not ask anything. That is the spirit of our people.

Mr. Speaker, in conclusion, let me appeal to the Congress and appeal to the people of the Nation to get behind these boys. Let us all stand behind them They have the same stuff in them that our fathers and grandfathers had. They are just as patriotic, they are just as fine citizens, wherever they may come from, the North, East, South, or West, as any one could want. They are fine men and they are great soldiers. We now have a great Army as far as that goes. We need more equipment, but we already have a fine Army. We now need to stand by the men. We need to stand by General Marshall and his officers. We must quit quibbling behind the lines. Let us have less talk and more cooperation. Let the people unite. Unity among the people breeds unity and high morale among the soldiers. Civilian morale will help the men in the Army. It is a time for unity. America is in a tough spot. No one can deny that. We have a situation that calls for the best brains, the best effort, and a united front. I have faith in America. I have faith in our soldiers. I believe these men are willing to undergo hardships, willing to make sacrifices, if the heart of America is behind them. That, Mr. Speaker, is our responsibility, the plain duty of every American. The need of America today is unity and cooperation. That will save America. Nothing less will do.

[Here the gavel fell.]

SPECIAL ORDER

The SPEAKER pro tempore (Mr. WHITTINGTON). Under a previous order of the House, the gentleman from Wisconsin [Mr. GEHRMANN] is recognized for 15 minutes.

Mr. GEHRMANN. Mr. Speaker, the subject I am going to discuss is usually a touchy one, because the cotton farmers are led to believe that it is directed at them. I wish there were more Representatives here from the cotton States, because this is a fight that evidently has been created, mainly through Government agencies and a misinformed press. I refer to the fight between the farmers in dairy States versus the substitutes or oleomargarine manufacturers and distributors.

I shall not yield. I have prepared these remarks because I want to be careful that I follow the statistics I have in here and that I do not go off on a tangent, which I could do very easy; therefore, as I stated, it will be impossible for me to yield unless I can get more time.

Tomorrow the representatives from 22 dairy States will be here and they will endeavor to persuade the Federal Security Administrator, Mr. McNutt, to change his order, or at least grant the dairy farmers a fair hearing, before his order—which will certainly raise havoc with the largest single agricultural industry—is enforced.

DAIRYMAN'S REWARD FOR ALL-OUT PRODUCTION IS THE DELIBERATE DESTRUCTION OF HIS MARKET

There is one thing that all patriotic Americans are agreed upon and that is that we should all be united, particularly in these trying times, when we are confronted with national problems of an unprecedented gravity. But with some people and Government departments the idea of unity seems to consist in the determination to have others agree with them under penalty of punishment. Just like the story current about a farmer who believed in cooperation provided they threshed his grain first.

The particular Government Departments which suffer from this dictatorial affliction are the United States Department of Agriculture and the Federal Security Administration. These two Departments seem to have concentrated their animosity on the great and fundamental dairy industry of the United States. As an instance, the Secretary of Agriculture has issued a statement advocating a decrease in the consumption of cheese. Then his Department started

an intensive propaganda for a wholesale diversion of milk from creameries to cheese factories. The result is that the butter industry of the country is being ruined, which has a nefarious influence on our entire dairy industry. I am not quarreling with the policy of the administration that we furnish all the food possible to Great Britain, because the lend-lease bill has been adopted by Congress and is now the law of the land.

But what I do say is that when the United States Department of Agriculture embarks upon a program which may profoundly affect production relations in such an important industry as dairying, it should not undertake anything without close consultation and cooperation with the responsible agricultural representatives of State governments and farmers' organizations, and no attempt should be made to put across a program without a wholehearted support and endorsement of the latter. There is always a way to agree upon a reasonable method of doing things if the farmers are not badgered and irritated by bureaucratic hysterics and high-hand methods. After a number of fruitless attempts by the representatives of the dairy industry to meet in conference with Secretary Wickard, the latter sent into the Middle West some subordinates whose expressed views served to add more fuel to the already irritated state of mind of the dairy producers. And this is called working toward unity.

The ridiculousness of these tactics is patent when we take into consideration that the dairy industry is in a position to furnish the dairy products needed by Great Britain without a decrease in the domestic consumption of any dairy products. In fact, production has increased considerably and stocks of butter and cheese in the cold storages of the country are reaching unusual heights. On September 1 of this year there were over 200,000,000 pounds of butter in storage, or 49,000,000 pounds more than for the 5-year average, 1936–40; holdings of cheese amounted to 152,000,000 pounds, or 41,000,000 pounds more than the 5-year average. According to the President's report on the lend-lease bill, which he sent to Congress only a week ago, 44,000,000 pounds of cheese have been furnished to the United Kingdom. That means we have four times as much cheese in storage right now than we have sent to England this year. The United States Department of Agriculture complains that it cannot get all the cheese it needs for Great Britain. Our Wisconsin warehouses are bulging with cheese. Outside of 5 or 6 warehouses of 2 farmers' cheese-marketing cooperatives, the other 91 warehouses in Wisconsin do not belong to farmers; the great portion of these warehouses are owned by 4 powerful concerns. Let the United States Department of Agriculture find means to get hold of this cheese and also find means to prevent holding cheese and other food products for higher prices, thus preventing speculators from enriching themselves at the expense of the dairy producer and the American and British consumer.

In this connection, let me remind you that during the last World War the then Food Administrator warned the American people not to decrease their consumption of dairy products for the sake of their health.

The latest performance of the United States Department of Agriculture is one which I have particularly in mind today and which cuts deep into the foundations of the American dairy industry; namely, the oleomargarine salesmanship talk broadcast by a division of the United States Department of Agriculture, the Consumers' Counsel Division; in this the Federal Security Administration bears a large share of responsibility. After a perfunctory hearing, with no adequate opportunity for the butter industry to be properly represented, the Federal Security Administrator issued standards for oleomargarine which, in fact, place this synthetic product on the same footing as butter and which convey to the consumer the conviction that it is as good as butter from a nutritive point of view if it is fortified with vitamins. Following the issuance of these standards the Consumers' Division of the United States Department of Agriculture broadcast performance which was not an impartial enumeration of fact for or against oleomargarine but was a highly colored, theatrical, and spectacular piece of high-pressure oleomargarine salesmanship, actually urging consumers to favor this product. This broadcast failed to mention the fact that even fortified oleomargarine does not contain fatty acids essential to the growth of young animals and that experiments are being conducted to determine the importance of these fats to the growth of children. This broadcast, moreover, puts one over on the consumer by making him believe that he can obtain all the information about oleomargarine which he is buying by reading the label. The label says that it contains 80 percent fat. What kind of fat is not mentioned. In the case of butter, the 80 percent is always butterfat. But most of the oleomargarine, as latest statistics show, is produced from vegetable oil fats. In 1939 there were over 225,000,000 pounds of domestic and foreign vegetable oils used as against only a little over 17,000,000 pounds of animal fats in the manufacture of oleomargarine. The contents of oleomargarine changes continually; sometimes it is mostly soybean oil; sometimes coconut, and so on. Does this mean enlightening the consumer; does this mean upholding our pure food and standardization laws? I leave it to your judgment. Then also the Federal Security Administration and the Department of Agriculture advise the manufacturers of oleomargarine to use preservatives to keep this imitation of the natural product from becoming rancid. That preservative will most likely be benzoate of soda which, in my State, has been held injurious to health and its use in food articles is prohibited by law. For many years a certain baking powder company spent large sums of money at every session of the legislature to have this restriction removed. But the health authorities convinced the members that it is injurious, and the prohibition of the use of this preservative is still the law in Wisconsin in spite of large sums of money spent for lobbying to have it legalized.

I wish to emphasize the fact that I am not condemning the national administration as a whole. My accusations are leveled against the United States Department of Agriculture and the Federal Security Administration. There are agencies in the Federal Government which are taking an entirely different attitude toward dairy problems. One such agency is the Antitrust Division of the United States Department of Justice, which, under the leadership of Thurman Arnold, is going thoroughly into the problems affecting the dairy industry by investigating monopolistic practices in the distribution of the product of an important branch of this industry—cheese. I am informed by the Wisconsin State Department of Agriculture that the Chicago office of the Antitrust Division, in charge of Mr. Daniel B. Britt, Special Assistant to the Attorney General, is hard at work investigating trade practices in the buying and distribution of cheese, and that it is fully cooperating with the Wisconsin State Department of Agriculture in this field. If, instead of wasting time antagonizing dairy farmers, the United States Department of Agriculture would adopt the policy followed by the Antitrust Division of the United States Department of Justice and would look into conditions in the southern cotton industry, it would find that the fight on oleomargarine is not a fight against the working cotton farmer. Profits from oleomargarine do not go to the cotton farmer. As is proven in the document which I will ask to insert in the RECORD, the cotton farmer gets scarcely anything from the ingredients that go into oleomargarine. Therefore, the antioleo laws which the dairy States have to enforce largely because of the inimical attitude toward the butter industry on the part of some Government agencies, like the United States Department of Agriculture and the Federal Security Administration, do not aim at the cotton producer but at those interests who enrich themselves at his expense. I want to make it plain that this is not a fight between the dairy farmers and the cotton farmers. Both groups are at the mercy of powerful monopolies who have enriched themselves at the expense of the producers and consumers. Statistics show that a very small percentage of the farmers' income is derived out of products used in oleomargarine. The following farm products are used in oleo:

Cottonseed oil	$3,830,000
Soybean oil	2,962,000
Peanut oil	59,000
Corn oil	13,000
Beef products	644,000
Hog products	178,000
Dairy products	183,000
Or a total of	7,869,000

In comparison to the less than $8,000,000 worth of farm products used in the manufacture of this imitation butter, the dairymen last year bought $17,384,000 worth of cottonseed feeds, as well as $11,454,000 worth of soybean feeds. The amount of beef and the hog products used in oleo is really insignificant, as the table I just quoted will show. The interest of the cotton and hog farmers should be identical to the interest of the

dairy farmers. The hog farmers' interest should lie in the more than $82,000,000 worth of lard, and the cotton farmer has a much larger stake in the nearly $38,000,000 worth of shortening products. The consumer as well as all groups of producers, instead of permitting monopoly groups to cause them to fight among themselves, should get their heads together and fight those that have for years played one group against the other for their own selfish benefits. We know that it costs only a few cents to make a pound of this make-believe or often-called poor man's butter. But watch the price and you will see that they increase the price as butter prices advance, and lower it as butter prices decline. Yes; this poor man's spread may cost those people who feel they are forced to use it, or who have been induced to use it because of questionable claims, a great deal more in later life than the difference in the price. The Army draft plainly shows that lack of sufficient milk and dairy products is the main reason for a large proportion of rejections. I wonder how many of those that advocate the use of oleo, including our hired men in Government departments, feed their children this substitute.

And now, gentlemen, I am coming to the specific subject which I have in mind. The propoganda in favor of oleomargarine interest is not confined to the two Government agencies which I mentioned but is spreading all over the country and finds its way into nationally known publications of reputed progressive tendencies. One such publication is the New Republic, of New York. On August 11 this magazine published two editorial paragraphs under the caption Butter or oleomargarine. In these two paragraphs it defended the broadcast of the Consumers' Counsel Division of the United States Department of Agriculture, insulted the Congressman from the First Minnesota District for his speech attacking this broadcast, and finished with what amounts to a plea to the consumer to substitute oleomargarine for butter. A member of the staff of the Wisconsin State Department of Agriculture wrote an answer to this editorial analyzing the whole problem of butter versus oleomargarine. He wrote the editor of the New Republic stating that their editorial is not based on careful analysis but is a hasty and superficial treatment of the problem involved. The New Republic replied stating that the reply to its editorial is too long—it covered 9 double-spaced typewritten pages—and that it should be condensed to 350 words or 1 typewritten page.

Now, the New Republic prides itself on being a progressive journal of opinion. It heralds far and wide its interest in the producer, the laborer, and the farmer. It prints long articles carefully analyzing various labor problems so as to be sure that the labor interests are safeguarded. But when it comes to the farmer the militant progressive philosophy of this journal seems to take a sudden slump. It limits itself to a few grandiloquent, sophisticated remarks and refuses to publish an analysis of the problem written from the point of view of the progressive economic philosophy of which the New Republic considers itself as being a standard bearer—and the whole thing would not take more than two and a quarter pages in its weekly issue. The incident does not need further elaboration.

Mr. Speaker, I ask unanimous consent to include in the RECORD the editorial of the New Republic, as well as the answer to this editorial by a member of the staff of the Wisconsin Department of Agriculture. This should follow my remarks in order not to cause confusion, and while I do not think it will overrun the space permitted under the rules, I ask unanimous consent to have it included, even though it does require more space.

The SPEAKER pro tempore. Has the gentleman obtained an estimate from the Public Printer as to the cost?

Mr. GEHRMANN. I do not believe it will exceed the limit more than a very little.

The SPEAKER pro tempore. It will be necessary for the gentleman to get such an estimate and place it before the House before he can get unanimous consent to insert the article.

Mr. GEHRMANN. Then, Mr. Speaker, I ask unanimous consent that the article be printed in the Appendix of the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

EXTENSION OF REMARKS

Mr. WELCH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by me on the unveiling of a monument erected to honor the memory of the late Andrew Furuseth, in San Francisco on Labor Day, September 1, 1941.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

(Mr. ALLEN of Louisiana asked and was given permission to revise and extend his remarks in the RECORD.)

SPECIAL ORDER

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Michigan [Mr. HOFFMAN] is recognized for 15 minutes.

Mr. HOFFMAN. Mr. Speaker, there are two subjects on which I want to speak today. One is an editorial from the Washington News of Saturday and the other is a cartoon from the Washington Star of Saturday. One has to do with the Congress and some of the things it has been doing or has not been doing; the other has to do with the attitude of those who quite recently have presumed to speak—some of them, anyway—for the Republican Party.

A LAZY, POLITICALLY MINDED, COWARDLY CONGRESS?

In the Washington News of Saturday appears an editorial captioned "Is Congress abdicating?" It makes the charge that this Congress is motivated by inertia, cowardice, and political slickness.

Such a charge tends to destroy the confidence of the people in their chosen representatives and to undermine representative government. It should not be permitted to go unanswered, and, if it cannot be successfully contradicted, then this Congress should accept the rebuke, mend its ways, forget party advantage, forsake the easy road, and courageously, without ceasing, defy those—including newspaper editors and columnists—who would destroy representative government.

Whether this Congress is lazy or, as the editor puts it, "inert"; whether this Congress is striving for party advantage; and whether it is cowardly are charges which no self-respecting Member of this body can let pass unnoticed. And each of the three is a charge which every Member of this body should take to heart and, having considered its meaning, go back over his own record and determine to his own satisfaction whether it or any part of it be true.

To be lazy in the performance of a public duty to which our constituents have entrusted us is reprehensible.

To be cowardly would brand each and every one of us as unworthy of the confidence of our people; as deserving of retirement to private life.

To be guilty of political slickness at a time when the future of the Nation is threatened is a betrayal of the people who sent us here and as serious an offense as is treason in time of war.

Recently many letters have come to me, and no doubt to other Members of Congress, charging that Congress is not performing its full duty, and it is time that we take notice of these charges and answer them not only by word but by deed.

The writer of this editorial states several self-evident, well-recognized truths. One is that "the most serious question confronting this country is not war, but the survival of representative government."

Another is that representative government may recover from the aftermath of war, from national bankruptcy; but if we continue to permit the executive branch to control the judicial branch, as it has done, and if Congress is and continues to be the "rubber stamp" Congress which so many people have for so long accused it of being, then, continue peace or come war—and in that war, if it comes, defeat or victory—the restoration of representative government will be impossible.

This editorial continues:

> Most important of all congressional functions under the Constitution is the sole authority — and responsibility — to decide whether the country shall go to war.

There is nothing new in that statement. It carries a truth which every Member of Congress and a vast majority of the people of the United States recognize.

The editorial continues:

> Today the United States is close to war.

Again, there is nothing new in that statement. Some even say we are in the war.

I continue to quote:

> This status (that is, the state of being close to war) and the most direct steps leading to it have been decreed by Presidential orders and not by Congress.

Again the editor states an undisputed proposition, one which the President's opponents deplore, one which his most ardent supporters applaud.

The editorial then continues:

We are alarmed at the failure of Congress to guard and to use its powers over war policy. When the President sometimes has encroached, Congress has defaulted. Too often it has confirmed, by its silence and inaction, Executive moves it was too cowardly to challenge or too witless to supplant by a better policy.

It is true, as the writer charges, that time and again, by the granting of blank checks in appropriation bills, by the granting of arbitrary and uncontrolled authority in other enactments, Congress has enabled the President to grasp and to use the powers of a dictator.

Not so long ago the President stated:

In 34 months we have built up new instruments of public power. * * * In the hands of political puppets of an economic autocracy such power would provide shackles for the liberties of the people.

Many of the people of our country now realize that the power to shackle the liberty of the citizens has been given to the President, and many of them believe that he is using them unjustly, unlawfully, as is evidenced by the fact that, while he has openly and by subterfuge been driving us into this war, more than 80 percent of the people have expressed themselves in every form of poll as being opposed to that course.

This last statement being true, it necessarily and irresistibly follows that the President no longer represents the majority of the people of this country but that he represents a minority.

Commenting then on this situation, the editorial continues:

The inaction of Congress is variously explained. Some Members are too bewildered, some secretly rejoice that the President does what they are afraid to do, some have lost hope of reversing the trend to greater Executive power, some are playing waiting politics. The latter foresee a more bitter post-war reaction destroying Rooseveltian policies than buried the Wilson administration; and this they seem to welcome, whatever the cost.

I am one of those who firmly believes that if this Congress continues to let the President and those who agree with him that we must have a shooting war; that we must send another expeditionary force to Europe; that the end of the war will be followed by a complete repudiation of the Rooseveltian policies; that this will be accomplished either at an election or, if that fails, by a bloody revolution within our own borders.

Neither this administration nor any other administration can deny to the American workingman the right to toil at whatever task he may obtain without paying tribute to a union or a union boss, and survive the wrath of the people when once they realize that a right essential to their existence has been taken from them in exchange for political support.

The arraying of class against class; the hampering of national defense, in order to curry favor with a politically active and a politically strong group, which is collecting millions of dollars from workers, is becoming more and more evident to the man upon the street, the merchant behind the counter, the farmer driving the tractor.

Today, the strike of the miners in Pennsylvania against the imposition by their officials of what they consider to be unjust assessments is evidence that another Boston Tea Party is in the making.

Let me continue to quote from the editorial:

We hope Congress will rise above the inertia, cowardice, and political slickness which are losing it the authority and respect bestowed by the Constitution and confirmed by the voters who elected it to represent them.

In these words is found the charge which this Congress should call upon the editor to substantiate and, if, as some believe, he makes good his charge, it is time that we—yes, all of us—repent in sackcloth and ashes and get about our country's business.

The editor states:

For this Nation to get into war without the considered consent of Congress would be more destructive of American democracy than anything in our history. There cannot be national unity without congressional decision. There can be national unity if Congress acts, whether it votes yes or no.

If Congress abdicates it cannot blame the President, and the people should not.

With this last sentence, that is, the statement, "If Congress abdicates it cannot blame the President, and the people should not," I cannot wholly agree.

The President is a remarkable man. He has appealed to one class after the other, offering successively to each class, at the expense of the other, some special benefit or reward. Many of these moves have been so disguised that the people and some Members of Congress were deceived thereby.

True, the deception, the fraud, in some of these policies has been repeatedly pointed out. The inevitableness of national bankruptcy if the President continued his spending, wasteful course, has been called to the public attention, to the attention of Congress, time and time again.

The destruction of the workingman's right to collective bargaining, if the National Labor Relations Act continued unamended, I have myself more than 90 times in 1 year called to the attention of this Congress without result.

The excessive profiteering, the creation of war multimillionaires by maladministration of the national-defense program, has been spoken of in the halls of Congress.

As long ago as the 19th day of November 1940, almost a year ago, I introduced a bill which would have limited profiteering, fixed prices—a move which the administration now, in a half-hearted, incompetent manner, is attempting to accomplish.

If, as the editorial states, Congress abdicates, it can in part blame the President, the people who for the third time elected him after the hypocrisy of his administration, the un-Americanism of his administration, was clearly pointed out.

But Congress cannot shirk its responsibility. This Congress is not so indolent; it is not so lacking in intelligence, that it cannot now observe the course which the Nation is following, see the destination in all of its hideousness, at which it will ultimately arrive unless we change our way, assert our authority, represent the people.

We should at least do one thing, in my judgment. We should call that editor to account, not with the idea of suppressing free speech. It may be, and certainly it would be regrettable, if true, that that editor can offer evidence to substantiate every one of his charges.

Suppose the Speaker had appointed, as I requested, a committee of three to interview the editor and have him submit the evidence, and the editor had come along with the evidence and it did appear that we were lazy, that we were not about the country's business; suppose it should appear that some of us were advocating a do-nothing policy on the theory that the policies of the President and the New Deal are wrong, hence would result in a Republican victory in 1942 and 1944. Then it would appear, would it not, that for political reasons we were betraying our country?

Suppose it should appear that because of the pressure of certain groups—labor unions, if you wish; farmers, if you please; or those who desire pensions—this Congress and the Members of it were so cowardly that they did not dare put through legislation which they knew or which they believed to be right; then what course should we follow? Condemn the editor? No; as I just stated, thank him for having rendered the country a service, and Congress and the Members of it should repent and put this country in a situation where we would once more have liberty and freedom, not only for the workingman but for the businessman, the factory owner, and where we could get production out of these war industries which are now only delivering part of what they should deliver.

Let me repeat, it is bad enough to be called lazy; that is reprehensible. It is worse to be called cowardly, as that newspaper editor does call us. But it certainly is the limit when he says that we are guilty of political slickness because we do not act, or to be guilty of a combination of the three.

So my thought is that when charges of this kind are made in one of the great newspapers that are published and printed in the Nation's capital and circulated here and throughout the country—and I have had many letters to the same effect, that we were not performing our duty—we had better investigate and learn whether that charge is true. It may be that that investigation can be made without the expenditure of a single penny. It is just possible that by sitting down quietly and thinking a little bit, and listening to the voice of conscience, we may determine for ourselves whether we have been shirking, whether we are cowardly, whether some of our votes are due to a desire to exhibit a little political slickness.

So much for that.

Then there is this cartoon. It shows the hoisting of another, a new flag for this country.

OUR COUNTRY—MAY SHE ALWAYS BE IN THE RIGHT—BUT OUR COUNTRY, RIGHT OR WRONG

The time is here when each Member of Congress, for his conduct, must not only answer to his own conscience, but to the people who sent him here.

There are those who say that, the President having declared for a shooting war, we must blindly follow his lead or merit the charge of disloyalty.

With that theory I cannot agree, for the very good reason that the President, although Commander in Chief of the Army and Navy, has no authority to declare war. That power is vested solely in the Congress, the people's representatives, and the people, on every occasion when they have been permitted to speak, have declared against war.

In the Washington Star of September 20 appears this cartoon which I show you. It shows two gentlemen running up a flag and on that flag is the motto, "Our country! May she always be right; but our country, right or wrong!"

At the bottom of the cartoon is this statement, "The banner for all of us to follow." That is the new motto which we are asked to adopt for this country. The sense of it or the meaning of it is that we should follow the President in his shooting war. Such a policy was advocated here on the floor just a few days ago. In making these remarks I am not referring critically to the gentleman from Illinois [Mr. DIRKSEN] or to a Member of the Senate. I am just talking generally now. If it happens that some one falls into that classification that is not my fault. It is unfortunate, extremely unfortunate, that those who advocate that policy, "My country, right or wrong"—and I can agree to that—fail to understand that the President is not "my country." He is just the President of the country. We have had other Presidents and God grant that we may have still others.

Though wrong, my country first, because all, as individuals and as countries, make mistakes—and I repeat I agree to "my country right or wrong," but let me repeat, for the point is vital, the sad error, the fatal error into which those gentlemen fall when they hoist that flag and advocate that motto is that they mistake the meaning of the term "our country." Our country is not the President and the President is not our country. Do you see the point?

Now, it is quite true that, during the last campaign, the President and many others took the position that he was the only man who could safely guide us. But, unfortunately for those who would contend that, the people having elected him, we should now unquestioningly follow his lead, the fact remains that he obtained that election by the making of false promises, promises to keep us out of war, that he would not send our boys to Europe on another A. E. F. An election obtained by fraud is no certificate entitling the bearer to confidence or blind obedience. No. Oh, no.

All patriotic citizens should be willing to follow our country wherever she may lead, and I call upon those who would lead us into war to follow the will of our people in a campaign for peace; in a campaign for preparedness to defend our country.

And those gentlemen who so think and talk, and the British who think that the President is our country, because in the last campaign he was elected for a third term we should follow him into a war Congress has not declared, and those who write me, "Why do you not go along with the President? Do you not know that 27,000,000 people voted for him and that he was overwhelmingly elected for a third term?" To them my reply has always been to ask, "How did he obtain his election," and I answer my own question—"By fraud and the making of false promises." That is the way he got it and there is no reason on earth why anyone should follow a man who has deceived the public and obtained an election by fraud and deceit. So to these men who say that we should hoist that flag and who appeal to us to follow it, and contend the motto means we should blindly follow the President, I say they are wrong. They are wrong because they proceed on the false assumption that the President is the country. Oh, no, I say, follow our flag, sure, follow that motto, but just remember that our country means the people and their elected representatives, that more than 80 percent of the people in every poll, every poll that has been had, have decided that they do not want a shooting war.

Those who ask us to follow the President into a shooting war without a declaration of war by Congress; who ask us to follow the slogan, "Our country, right or wrong," and send another expeditionary force to Europe, are asking us to disregard the Constitution. They have joined with Hore-Belisha and adopted his declaration of policy, when he told us that we should replace the Declaration of Independence with a declaration of interdependence.

They and Hore-Belisha are asking us to pull down this flag, which is the symbol of the Declaration of Independence, the flag which in the beginning had but 13 stars and the 13 stripes, and to run up in its place this flag of Union Now, of Hore-Belisha.

They are asking us to scrap the Declaration of Independence and substitute in lieu thereof a declaration that we cannot exist; that we cannot continue as a Nation unless we become dependent upon Great Britain, become one of her colonial possessions. One thing that those gentlemen who would give us a new flag should remember is this: When you hoist a flag, presumably, you pull one down. Now, what flag are we going to pull down? I have here a flag of the Thirteen Colonies. How many years ago was it adopted? More than 150, was it not, that it first saw the light of day as the emblem of freedom. Would they now haul it down? Is not that what they suggested? It followed the Declaration of Independence and now what do these people who want to get us into war say? Follow the President in what? Into a shooting war and send our men across the seas, say the British. And what else? After the war is over join Britain in policing the whole world. Oh, yes, we have that British statesman, Hore-Belisha, and let me repeat what he said. It is a vicious, wicked statement: "Replace the Declaration of Independence with a declaration of interdependence." Think of it. The freedom for which our forefathers fought more than 100 years ago, for which they fought during 8 long years, which has been the star pointing the way to freedom and liberty for all the people the wide world over. Forsake that and replace it with what? Let me give it to you. Let me show it to you. See here it is. This is the flag that these gentlemen would hoist in place of the Stars and Stripes.

Here is the new flag; the Hore-Belisha flag; the flag of Union Now. Over the Stars and Stripes flies the Union Jack of Great Britain. Across the front is the motto of Hore-Belisha. Interdependence is the word. That is the flag that those who would involve us in this war would hoist now and keep flying after the war is over. They want interdependence, dependence of this country upon Great Britain instead of the Declaration of Independence.

Union Now would do that; and they are organized and working for interdependence, and the British statesmen advocate it and some of our people advocate it. Oh, those Republicans and those Democrats, those Members of the majority party who want to follow the advice of Hore-Belisha follow it if you will.

Let those who would haul down the Stars and Stripes, repudiate the teachings of our forefathers, confess that we have so little of faith, of ability, of courage, of perseverance, of determination, of national patriotism, run up the flag of interdependency. But for me, so long as there is breath in my body, I will fight to uphold our Constitution, for the preservation of our liberty and our freedom, our national existence, for I have but one flag, the Stars and Stripes; but one country, America—America first. One flag—one Nation—now and forever.

The SPEAKER pro tempore (Mr. HEALEY). Under previous order of the House the gentleman from New York [Mr. FISH] is recognized for 15 minutes.

CONSTITUTIONAL GOVERNMENT

Mr. FISH. Mr. Speaker, I perhaps should not have chosen this time to speak today, but as the House will probably recess until Thursday, and I shall not be here on Thursday, I am obliged to make some comments and observations on the war issue, the single, greatest issue that confronts the American people. That issue is so great that it transcends all party lines. It is far greater than the Republican Party to which I belong, and far greater than the Democratic Party, or both parties combined, because it affects the security, the safety, and the destiny of America, and of 130,000,000 free Americans.

If the President succeeds in scrapping the Constitution and putting the United States into an undeclared war, it will mean the end of our free institutions, American liberties and civil rights, and the beginning of a dictatorship just as odious as the Nazis, Fascists, and Communists.

An undeclared war is a creation of the totalitarian or dictatorial nations and has no place in free America. We must not copy Nazi methods or permit one man to put America into war against the will of the American people. This is the time to uphold the Constitution and insist that Congress alone exercise the power to declare war.

I do not believe that the flame of liberty has been extinguished in America or that it is burning so low that President Roosevelt and Secretaries Stimson and Knox, those twin war makers, can involve us in war in defiance of the Constitution, the Congress, and the American people.

That, my fellow Members, is the main issue with which this country is confronted—whether the Congress, Republicans and Democrats alike, intend to surrender their constitutional power to declare war. I do not believe there is a single Member of Congress who is so cowardly, so craven, that he will sacrifice that right and avoid that responsibility by permitting one man or any small group of men to put this country into war without a vote of the Congress of the United States. I have heard rumors that there are certain Members of Congress who would like to escape or evade voting on a declaration of war that affects the security and the destiny of America, the greatest Nation in the world. I hesitate to believe that there is any foundation for such rumors, whether it be on the Democratic side or on the Republican side, because the issue is far greater than the political ambitions of any Member of Congress or of his family or of his party. This issue involves the destiny of America and there can be no compromise. The very existence of America is at stake. The very existence of our form of government and of constitutional government is in the balance; and we hold the power, the responsibility, and the decision in Congress, not because we asked for it, but because it is written into the Constitution, and we have taken an oath of office to uphold and defend the Constitution. If there is any Republican who supinely and deliberately seeks to avoid voting on a declaration of war then, as far as I am concerned, he takes a stand in opposition to constitutional government in the United States. He has no right to be a Republican, nor even to be a Democrat, because I am far from convinced that the Democratic Members of Congress will not in the last analysis uphold constitutional government and oppose any attempt to put us into an undeclared war.

I did not get much excited by the statement of my colleague from Illinois [Mr. DIRKSEN]. In the first place, every Member of Congress and every free American has the right of freedom of speech. I have no quarrel with any man or woman in this country who wants to take us into war. It is his or her right to hold those views and express them openly, but by the same token the other 85 percent who want to stay out of war have the same right to express their views and give their reasons why they believe it to be to the best interest of America to stay out of foreign wars. There is only one yardstick that I know of to apply in order to reach a decision, and that decision must be made by the Congress of the United States and by no other group of men or women, in the administration or out of it. That yardstick is: What is best for America and the destiny of America and 130,000,000 people? If you abide by that yardstick, and even if you are for war, I will be the last person to challenge your views.

As I stated, I am not greatly alarmed by the statement made by the gentleman from Illinois [Mr. DIRKSEN]. I have just read it. At no time did the gentleman from Illinois say he was for war. That is the real issue. You are either for war or you are against involving this country in war. At no place in his remarks did he mention being in favor of going to war. He made some remarks endorsing the President's policy in regard to the defense zones, particularly in connection with Iceland.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. HOFFMAN. Did the gentleman from Illinois say that he favored following or endorsing the President's shooting war?

Mr. FISH. In the defense zone. Let us be fair with the gentleman from Illinois.

Mr. HOFFMAN. Read what he said.

Mr. FISH. I have it right here, I will read it. Here is what he said.

I ask unanimous consent, Mr. Speaker, to proceed for 5 minutes more than my allotted time if I am going to read extracts from the speech made by my colleague the gentleman from Illinois [Mr. DIRKSEN].

The SPEAKER pro tempore [Mr. HEALEY]. Without objection, it is so ordered.

There was no objection.

Mr. FISH. I will read only the fifth and sixth points in his address. These two may arouse some discussion, the others will not:

> In the efforts of the President to keep out of war and conform to the desire of the people to avoid the experience of the expeditionary force of 1917, let partisanship be submerged and encouragement given to those efforts.

Certainly if the President is trying to keep us out of war—and I have made that statement a dozen times in the House before the last Thursday speech—we ought to back him up. I confess since the President's shooting order I have changed my viewpoint.

> Sixth. The President has endorsed a policy of our patrolling and clearing the waters which are deemed necessary to our purpose, namely, our defense, and for the maintenance of freedom of the seas. That policy is now known to the world. To disavow or oppose that policy now could only weaken the President's position, embarrass our prestige, and imperil the Nation.

Now, as I interpret the President's speech, the President had already issued orders that our troops should occupy Iceland. They are there.

Mr. HOFFMAN. But, Mr. Speaker——

Mr. FISH. I will answer the gentleman in detail if he will be patient.

Mr. HOFFMAN. The gentleman is a long way from it so far.

Mr. FISH. I will answer it in detail. I never approved of sending American troops to Iceland, but they are there. They are there because the President ordered them to Iceland. It may be unconstitutional, but they are there, and the British Army is there, too. I believe, however, that the President is right in protecting our ships taking supplies and munitions to our troops in Iceland, although I deplore the fact they are there. I think that is what the President meant in his speech. If the President meant that our warships should commence shooting all over the seven seas whenever they saw a Fascist or Nazi ship, I should say that that was an indirect declaration of war by the President. But to defend our vessels going over to Iceland is a matter on which I am rather in accord with the President. I really do not believe the gentleman from Illinois meant anything further than that. But let me go on. I want to be fair to the gentleman from Illinois. I do not know his views, and I was not here when he spoke, but I want to issue this challenge to the gentleman from Illinois because there has been a great deal of confusion in the public press about what he said or meant. I think he should come before the House of Representatives, where he made that speech, and make clear that he believes in constitutional government and that he believes the Congress alone can declare war under the provisions of the Constitution of the United States. And I am sure that the gentleman from Illinois will make that statement, that he has not committed himself to any undeclared war, which is an action of totalitarian states and utterly repugnant in free America under our form of government and under the Constitution. I believe that when this interpretation of his remarks is called to the attention of the gentleman from Illinois he will as a firm defender of the Constitution come before this body and state that he believes the Congress alone can declare war.

Before I leave this phase of the matter, let me say the same misinterpretation was put upon the remarks made by Senator CAPPER a few days ago. He has since publicly said he was opposed to an undeclared war and was opposed to sending an expeditionary force, saying that the Congress alone could declare war under the Constitution. This ought to be a sufficient answer to the statement that appeared in the press misinterpreting what Senator CAPPER said.

If the President's order relates only to defense zones and if our warships are to merely patrol these waters to protect our ships and supplies that is one thing, but if it is going to cover the whole seven seas, then, of course, he has taken upon himself to put us into a shooting war. Whether that will lead to war or not I do not know, as I believe the last thing in the world that Hitler or Mussolini wants is war with the United States. I think they would do do anything in the world to keep out of war with us.

I now yield to the gentleman from Michigan.

Mr. HOFFMAN. I am not criticizing what the gentleman from Illinois [Mr. DIRKSEN] or anyone else says, I am not

finding fault with it but what I am asking is this: The gentleman said that no one but the Congress has the authority to declare war. Everyone knows that, of course, but what about the President's declaration of a shooting war on the high seas? I understood the gentleman from Illinois to say that we should follow the President. I understood the gentleman from New York to say not all over the seven seas but to Iceland and nowhere else. That is what I want to have clear in my mind.

Mr. FISH. I will answer that. It may be somewhere else; yes.

Mr. HOFFMAN. Where?

Mr. FISH. If the President goes further and establishes another base—God forbid—and he sends men there he will want to keep those lanes open. He has not done so, but I think he may do it. At one time there was talk of establishing a base at Dakar. I do not believe he would do it, but if he does he will say he wants to keep the lanes open there.

Mr. HOFFMAN. Then if he does that, has he not declared war on the seven seas?

Mr. FISH. No.

Mr. HOFFMAN. He is carrying it on.

Mr. FISH. No.

Mr. HOFFMAN. What is the difference between declaring it and fighting?

Mr. FISH. There is a great deal of difference. You will not be in a war until you have shooting, killing, and destruction on a large scale. There have been a lot of little undeclared wars before. Japan and Russia were actually shooting at each other 2 years ago, but there was no war. It only lasted a month or so. I am opposed to going out looking for wars and sticking our neck out, as is the gentleman. But the main issue before the Congress is a constitutional one. I agree with Senator GEORGE when he says, "Let the American people decide the war policy and let them decide it through the Congress of the United States." That is where the decision must be made as to war or peace. We cannot dodge it, particularly the Republicans who have always stood for constitutional government. Senator GEORGE is right when he says that repeal or modification of the Neutrality Act and other similar proposals are minor issues compared with the real issue, Shall we go into the war or shall we stay out?

Mr. HOFFMAN. Is this not the situation: Step by step, ocean by ocean, and port by port we are actually engaged in war without a declaration of war?

Mr. FISH. The answer to that is that step by step from the beginning, the gentleman and I have opposed every one of the proposals that are getting closer to war. We knew what was happening and we are not apologizing at all, because we believed we were right then and we know we are right now. Step by step we have been advancing toward war. Every American, regardless of partisanship, knows that we are on the verge of war today. Some people believe that the President is trying to get us into an undeclared war. That is where the Congress comes in. We do not propose to permit the President or anyone else to put us into an undeclared war. That is the issue I am attempting to discuss right here.

There seems to be a lot of confusion as to the attitude of the American Legion and what position the American Legion has taken in connection with going to war. I want to say as strongly as I can and as emphatically as I can that the American Legion at no time and at no place has ever come out for war, nor has it ever advocated our going into this war in any resolution at any time in any convention. Yet the interventionist newspapers have distorted the facts with headlines reading, "The American Legion is for war" just the way they twisted around the speech made by the gentleman from Illinois [Mr. DIRKSEN], stating that he was for an undeclared war or that he was for following the President into an undeclared war. He made no such statement. I do not approve of some of the remarks made by the gentleman from Illinois [Mr. DIRKSEN], but that is another matter entirely, and he is responsible for them to his constituents and not anyone else.

Let me read what the Legion said on the war issue, and to that extent I am inclined to agree with them:

> The basic elements of national defense are the ability to carry war, when unavoidable, to our enemy and thus prevent him from bringing war to us. This ability will require removal of all geographic limitations on the movement of force and adequate provision for corresponding plans and materials.
>
> We want America strong enough to meet any possible attack before it arrives and turn the enemy back so that our homes remain intact and our families secure. If fighting is necessary to defend the United States, we insist upon being prepared to do the fighting outside of the United States.

I endorse both of those provisions 100 percent. If we are to go into this war by an act of Congress, even by a majority of one, then it is the will of the American people. There should be national unity then throughout the length and breadth of the land and we should go into a total war. The American people would be for it, and I think we would all be for it.

This would mean an army of ten or twelve million men fighting in China, Africa, Soviet Russia, and all over Europe in a war that might last 10 or 20 years. That is what the American Legion is talking about. If war is unavoidable, we are not going to hide behind the British, the Communists, and the Chinese, and say, "You go ahead and do the fighting." If we are involved in the war, we will have to fight and we will have to do the fighting on the other side. That is what the American Legion said. That is what many of us who are unalterably opposed to war except by vote of Congress would be in favor of.

Let me quote Senator PEPPER, perhaps the arch war maker in America. He says, "If we are involved in this war, it may last 5, 10, or 20 years and cost $100,000,000,000 a year."

I agree with Senator PEPPER on that, and I think it is the greatest possible argument against our becoming involved in the war when the American people realize that it may last 5, 10, or 20 years to take the four freedoms to Africa, China, and Soviet Russia, where they do not even want them, and his statement that the cost will be $100,000,000,000 a year can have no great appeal to American businessmen.

There is not a man in this Chamber, Republican or Democrat, who does not know that if war would cost a hundred billion dollars a year, in 2 years this country would be bankrupt and impoverished. We would then be holding the financial bag for the rest of the world—the Chinese, the Communists, and the British. That alone ought to be enough of an answer as to why we shou'd not go into war.

I will go much further than that. I think the whole destiny of America is at stake, not only our form of government, our constitutional form of government, but I believe the day we go into war we will have lost, even though we may be victorious in 10 or 20 years.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I ask unanimous consent to proceed for 3 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. FISH]?

There was no objection.

Mr. FISH. Mr. Speaker, at what a price! At the price of ruin, destruction, bankruptcy, the loss of civil liberties, and the loss of freedom, with a dictatorship springing up overnight. Then what? We will send an army of ten or twelve million to the far corners of the world and within 2 or 3 years there will be enormous casualties, 3,000,000 killed and 3,000,000 disabled, blind, and maimed to be brought back home to a living death.

It is not like the last war, when we had 21 allies and 5 navies. Now all we have is the British, the Communists, and the Chinese. We would have huge losses, but it goes even beyond the loss of American lives, because at the end there would be only one result. If we destroy the Germans and the Italians in Europe, it means only one thing, the resurrection of the Communists. It means communism in Europe, in Germany, in France, and in Italy. At the end of 10 or 20 years there could be nothing else back home but bankruptcy, revolution, chaos, poverty, and the destruction of our form of government.

Therefore, this decision of war or peace must be decided by the Congress under the Constitution after careful and serious debate. What price war is all I ask every Member of Congress to consider before he makes that decision. What price war to America, not what price war to Great Britain or to Soviet Russia or to China. The question is what it means to us and the destiny of America.

I hope that every Republican and Democrat will come out against an undeclared war or any semblance or vestige of an undeclared war and insist on reaching a decision, and the right decision, in an American way and the constitutional way, here in Congress. I challenge the President of the United States, if he has any idea of taking this country into war, to do the honest and honorable thing and send in a declaration of war to the Congress of the United States in the

American way and according to the Constitution. I honestly and sincerely believe that if the President does that we will vote it down today by more than 2-to-1 vote in the House of Representatives.

[Here the gavel fell.]

ADJOURNMENT

Mr. COOPER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 41 minutes p. m.) the House adjourned until tomorrow, Tuesday, September 23, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on the following dates at 10 o'clock a. m. to consider the following bills:

Thursday, September 25, 1941:

H. R. 5509, to authorize the Secretary of the Treasury to requisition or purchase motorboats, yachts, and similar vessels for Coast Guard use.

Tuesday, September 30, 1941:

H. R. 5446, to establish a system of unemployment insurance for the maritime industry, and for other purposes.

Tuesday, October 14, 1941:

H. R. 3254, to safeguard and protect further the lives of fishermen at sea and to place fishing boats under the supervision of the Department of Commerce, Bureau of Marine Inspection and Navigation, and for other purposes.

COMMITTEE ON AGRICULTURE

The Committee on Agriculture will hold hearings on Tuesday, September 30, 1941, at 10 o'clock a. m. on H. R. 5336. Farm Credit Act.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

934. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 20, 1941, submitting a report, together with accompanying papers and an illustration on reexamination of Warrior and Tombigbee Rivers, below Tuscaloosa, Ala., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 28, 1939 (H. Doc. No. 382); to the Committee on Rivers and Harbors and ordered to be printed with an illustration.

935. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 19, 1941, submitting a report, together with accompanying papers and illustrations, on reexamination of channel from Aransas Pass, Tex., to the Intracoastal Waterway, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted July 25, 1940 (H. Doc. No. 383); to the Committee on Rivers and Harbors and ordered to be printed with two illustrations.

936. A letter from the Administrator of the Federal Security Agency, transmitting a report of the superintendent of St. Elizabeths Hospital, listing the detailed expenses of that institution for the fiscal year 1941; to the Committee on Expenditures in the Executive Departments.

937. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Office of Emergency Management amounting to $16,917,125 for the fiscal year 1942 (H. Doc. No. 384); to the Committee on Appropriations and ordered to be printed.

938. A communication from the President of the United States, transmitting deficiency estimates of appropriations for the legislative establishment, House of Representatives, fiscal year 1941, amounting to $27,300 (H. Doc. No. 385); to the Committee on Appropriations and ordered to be printed.

939. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the National Archives for the fiscal year 1942 in the amount of $84,710 (H. Doc. No. 386); to the Committee on Appropriations and ordered to be printed.

940. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Navy Department for the fiscal year ending June 30, 1941, amounting to $120,996,000 (H. Doc. No. 387); to the Committee on Appropriations and ordered to be printed.

941. A communication from the President of the United States, transmitting supplemental and deficiency estimates of appropriations for the Department of the Interior for the fiscal year 1942 and prior years, amounting to $12,285,749.39 (H. Doc. No. 388); to the Committee on Appropriations and ordered to be printed.

942. A letter from the Chairman of the Board of Investigation and Research, transmitting the Annual Report of the Board of Investigation; to the Committee on Interstate and Foreign Commerce.

943. A letter from the Secretary of the Navy transmitting a draft of proposed bill to authorize the transfer of jurisdiction of a portion of the Colonial National Historical Park, Yorktown, Va., from the Department of the Interior to the Department of the Navy; to the Committee on the Public Lands.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 5682. A bill to amend an act to provide for a Union Railroad Station in the District of Columbia, and for other purposes; without amendment (Rept. No. 1209). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. VOORHIS of California:

H. R. 5698. A bill to establish under the Fish and Wildlife Service of the Department of the Interior a research laboratory to study the diseases of domestic rabbits, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. STEARNS of New Hampshire:

H. R. 5699. A bill for the relief of World War veterans who served in Russia and who were discharged from the military or naval service for fraudulent enlistment on account of minority or misrepresentation of age; to the Committee on Military Affairs.

By Mr. AUGUST H. ANDRESEN:

H. R. 5700. A bill to promote and protect the public welfare by prohibiting the shipment and sale in interstate and foreign commerce of oleomargarine containing any milk or its products, or which is yellow in color, or which is in semblance or imitation of butter as to color, flavor, or appearance; to regulate the advertising of oleomargarine; to provide for the enforcement of the act to provide penalties and for other purposes; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BATES of Kentucky:

H. R. 5701. A bill for the relief of the accounts of Lt. Col. Joseph M. Kelly, United States property and disbursing officer for Kentucky; to the Committee on Claims.

By Mr. FITZGERALD:

H. R. 5702. A bill for the relief of the East Coast Ship & Yacht Corporation, of Noank, Conn.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1828. By Mr. JENKS of New Hampshire: Petition of 400 residents of New Hampshire, opposing House bill 3852, to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

1829. By Mr. KEOGH: Petition of the Yarmouth Regular Democratic Club of Woodhaven, Inc., Woodhaven, N. Y., favoring an amendment to title I of the Social Security Act so as to make a minimum of $30 per month to every retired citizen 60 years of age or older, who is not drawing annuities in that amount under any Government, State, or city system, or otherwise, as provided by the General Welfare Act, House bill 1410, now pending before Congress; to the Committee on Ways and Means.

1830. By Mr. O'BRIEN of New York: Petition of sundry citizens of Rochester, N. Y., urging passage of Senate bill 860; to the Committee on Military Affairs.

1831. By Mr. ROLPH: Resolution No. 2033 of the Board of Supervisors of the City and County of San Francisco, Calif., endorsing House Resolution 158, regarding construction of the bridge from Hunters Point to Bay Farm Island, San Francisco, Calif.; to the Committee on Rivers and Harbors.

1832. By the SPEAKER: Petition of the Houston Chamber of Commerce, Houston, Tex., petitioning consideration of their resolution with reference to nondefense expenditures; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES

TUESDAY, SEPTEMBER 23, 1941

The House met at 12 o'clock noon.

Rev. John R. Edwards, D. D., district superintendent, Washington west district, the Methodist Church, Washington, D. C., offered the following prayer:

Eternal God, our Heavenly Father, we come to Thee in remembrance of Thine everywhere manifest greatness and of Thy revealed holiness. We bear to Thee our tribute of honor, praise, and affection.

We thank Thee for this new day. Impart to us a teachable spirit that we may possess reverence in worship and wisdom in every thought and act of life. Give direction, we pray, to the important counsels and decisions of this day in this legislative body and in all other departments of our Government. May our trend of prayer be an urge on the part of

Thy servants to a Godly interest in all members of Thy family everywhere.

We would master the lessons which perplexity and danger in the world's ongoing should impart. May our faith in ultimate good through an unforgetting God never fail. May life's darkest experiences, wherever in this present world, bring to mind the shadows of a cross that redeems and that finds fulfillment in a great resurrection.

In the name of One who lived and died victoriously, we make our petition. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had—

Resolved, That the Secretary be directed to request the return from the House of Representatives the bill (S. 1481) entitled "An act to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal."

ARMY MANEUVERS IN LOUISIANA

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SNYDER. Mr. Speaker, together with the Honorable DAVID TERRY, of Arkansas; Hon. JOE STARNES, of Alabama; Hon. GEORGE MAHON, of Texas, members of my committee on Army appropriations, we observed the Army maneuvers in Louisiana last week for 2 days and 2 nights.

It is unfortunate, indeed, Mr. Speaker, that all of the people in the United States over the age of 14 could not see this wonderful demonstration of our national-defense equipment and the men handling it in the State of Louisiana at this time. They would see the answer to the destructive critics of the efforts of Congress and the efforts of the Army and the efforts of the Navy and the patriotic efforts of all of the other 99.99 percent of our patriotic people.

We saw hundreds of new, modern tanks, hundreds of the best combat airplanes in the world, hundreds of armored cars of all kinds. We saw our parachute troops in action. Yes, Mr. Speaker, we saw an army of 500,000 men in action, the best clothed, the best fed, and the best disciplined Army in the world, with the best morale of any army that ever trod the soil.

EXTENSION OF REMARKS

Mr. FULMER. Mr. Speaker, on yesterday I asked unanimous consent to insert in the RECORD an address of Mr. Duggan, who is connected with the Department of Agriculture. The Public Printer finds that it will take an extra one-half page to include this address, and I therefore ask unanimous consent that it may be inserted in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address delivered by the Honorable W. Arthur Simpson at Barre, Vt.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a telegram.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a radio address which I delivered over the Mutual network in the State of Washington.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

THE LABOR SITUATION

Mr. COX. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COX. Mr. Speaker, the one thing that is giving more concern to the people of this country than anything else is the attitude of the administration toward gangsterism in labor.

The President has asked much of the country and has gotten all. Turn about is fair play. It is now the people's time to ask something of the President, and that is to crack down on the "reds" in the C. I. O. and the gangsters in A. F. of L. and bring to an end these strikes that are a disgrace to the country and an impeachment of the good faith and integrity of the administration.

We must end the efforts to destroy the thing that we are sworn to defend, that is, the Government of these United States. If we win this war, we must have a united people. Unless we unite, then preparation for defense is a sham and a fraud, and we do nothing more than prepare the young manhood of this country for slaughter.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject, A Significant Congressional Change, and to include therein an editorial from the Saturday Evening Post on the same subject.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a brief letter.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein two brief editorials.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks and include brief excerpts from the Christian Century and the Christian Science Advocate, and also an article by Senator WAGNER.

The SPEAKER. Is there objection?

There was no objection.

THE GOVERNMENT AND THE ADMINISTRATION

Mr. GUYER of Kansas. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. GUYER of Kansas. Mr. Speaker, I do this to read from an address delivered in the House by a young Congressman from Illinois, who said:

There is an important sense in which the Government is distinct from the administration. One is perpetual, the other is temporary and changeable. A man may be loyal to his Government and yet oppose the peculiar principles and methods of the administration.

Mr. Speaker, this young Congressman from Illinois thought something ought to be said and he said it. His name was Abraham Lincoln.

EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

THE RIGHT OF A MAN TO WORK

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I can and I do heartily endorse all that the gentleman from Georgia [Mr. Cox] just said on the floor about the duty of the President to get us national defense. The papers this morning tell us that 20 ships carrying munitions, or which would carry munitions to Britain and other countries, if they were permitted to sail, are tied up in harbors. It is all very well to criticize the President. He merits that criticism because of his attitude, but what has the gentleman from Georgia and the majority leader to say about the failure of Congress to bring forth legislation to remedy the situation? Can we throw all the blame for the deplorable

situation on the President? And what about the Labor Committee of the House? What about bringing out a bill which would give every American citizen, regardless of his membership in any organization, the right to work in producing national defense? What about that? I have introduced several bills to remedy the trouble. Each—all—have been pigeonholed.

EXTENSION OF REMARKS

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from New York [Mr. KEOGH] be permitted to extend his remarks and include a speech delivered by the Honorable William O'Dwyer, candidate for the mayoralty of New York City, delivered lately.

The SPEAKER. Is there objection?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to extend my remarks and include a newspaper editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. VREELAND. Mr. Speaker, I ask unanimous consent to extend my remarks by the inclusion of a radio address which I delivered last night over the red network.

The SPEAKER. Is there objection?

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter relative to the 4-H Club work in Michigan, and in support of the bill H. R. 4530.

The SPEAKER. Is there objection?

There was no objection.

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on taxation and include an article appearing in the Medford Mail-Tribune on that subject.

The SPEAKER. Is there objection?

There was no objection.

Mr. PIERCE. Also, Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of the St. Lawrence seaway, and include an article published in the Timberman.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a speech by Mayor Trott, of Billings, Mont., introducing the senior Senator from that State.

The SPEAKER. Is there objection?

There was no objection.

CHARLES A. LINDBERGH

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. PATRICK. Mr. Speaker, I see that an indefinite number of the people are still inclined, for some strange reason, to follow the leadership of Charles A. Lindbergh. I do not understand why that same group, looking to the same qualifications, do not put forward one other who has the same qualifications as Mr. Lindbergh, so far as I can see and on the same basis, namely, "Wrong Way" Corrigan. For the same reason it is wrong to play Charles Lindbergh up so high and not to play "Wrong Way" up just as high. Plain favoritism, that is what it is.

EXTENSION OF REMARKS

Mr. THOMAS F. FORD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein an address made by the gentlewoman from New Jersey [Mrs. NORTON] at a luncheon under the auspices of the regional conference of Democratic women of 11 Western States held at Los Angeles September 13, 1941; and, in addition to that, to include a brief resolution passed by the labor representatives of California at a meeting held after the luncheon.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PADDOCK. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein an address by William Tyler Page.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a prize-winning essay written by a high-school student, Warren Bierman, of Harrisburg, Pa.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

(By unanimous consent, Mr. GEHRMANN was given permission to revise and extend his own remarks in the Appendix of the RECORD.)

ORDER OF BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask for this time for the purpose of announcing to the House that the probabilities are that the second lend-lease appropriation bill will be taken up in the House on Monday, October 6, and that after that bill is disposed of a number of other bills will be brought up. The membership is already aware of the fact there will be no legislation brought up this week except such as can be passed by unanimous consent. The same situation will prevail next week. I make this announcement for the benefit of the Members so they can govern themselves accordingly.

The SPEAKER. Under the previous order of the House the gentleman from Missouri [Mr. PLOESER] is recognized for 15 minutes.

PORK-BARREL ORGY

Mr. PLOESER. Mr. Speaker, the growing alarm in the country concerning our fiscal policy is not as vocal as "war" or "no war," but it is none the less significant. People are beginning to recognize what many of us contended months ago to be fact. It becomes more and more obvious that it is the intention on the part of the spenders to outdo their past notorious performances. Instead of cutting nondefense spending, I am amazed at the increase in nondefense spending. Waste not only continues but increases—frequently in the name of defense—that there may be an excuse for unthinkable extravagance. Occasional apprehension, however, seems to enter the thoughts and plans of even the most brazen souls, and, as a result, somewhat erroneous or incomplete estimates are sent forth to entice the most economical minds of the people and of Congress. Such a case—an important case—will be before the House shortly. Surely the House will not be beguiled.

Statements have frequently been made by Members of Congress, by outstanding engineers, and by prominent citizens to the effect that the omnibus rivers and harbors bill, now in process of preparation, would cost the taxpayers of the United States more than a billion dollars.

In an apparent effort to counteract a prevailing belief in the public mind that this bill will be heavily loaded with "pork," one of the clerks in the Rivers and Harbors Committee has been passing out copies of a pamphlet entitled:

COMMITTEE PRINT, SEPTEMBER 17, 1941

The estimated cost to the United States of the projects heretofore adopted and those to be considered is as follows:

Then follows a list of some 250 rivers and harbors projects, including the so-called St. Lawrence seaway. This committee print estimates the total cost of these projects at $755,770,731.67.

Oddly enough the Rivers and Harbors Committee failed to claim authorship for this report, for nowhere in the committee print is the name of the committee issuing it.

The estimated cost of the St. Lawrence seaway, as shown by this committee print, will be $191,681,515. I believe that the estimated cost of a number of the projects set out in the list appearing in the committee print is too low, but the only one that I care to discuss at this time is the St. Lawrence seaway project. The estimate for this project seems to be ridiculous.

My purpose is to set forth estimates, which some of the greatest engineers in America have placed upon the St. Lawrence seaway, as shown by the hearings of the Senate Foreign Relations Committee, when the St. Lawrence Seaway Treaty was properly before that committee in 1932.

On November 14, 1932, former Congressman Peter G. Ten Eyck, of New York, appeared before a subcommittee of the Foreign Relations Committee of the Senate, and in his testimony he set forth estimates of the cost of the St. Lawrence seaway as made by a number of the most distinguished engineers in the United States. You will find that Mr. Ten Eyck testified before the Senate committee on November 14, 1932, and you will find his testimony beginning on page 16 of the hearings.

According to the testimony of Col. Hugh L. Cooper, builder of the Keokuk lock and dam on the Mississippi River, builder of power dams and power plants on the St. Lawrence, and builder of a number of dams and power plants in

Russia, he estimated the cost of the St. Lawrence at $1,350,000,000. It will not cost any less to build that seaway now than it would have cost then. The committee print estimates $191,681,515.

According to the testimony of E. P. Goodrich, one of the most eminent consulting engineers in New York, he estimated the cost of the St. Lawrence seaway at $1,054,000,000. The committee print estimates $191,681,515.

According to the testimony of Dr. Harold G. Moulton, president of the Brookings Institution, he estimated the cost of the St. Lawrence seaway at $712,000,000. The committee print estimates $191,681,515.

According to the testimony of Herbert Hoover, then President of the United States, and recognized as one of the world's great engineers, he estimated the cost of the St. Lawrence seaway at $800,000,000. The committee print estimates $191,681,515.

Mr. Chauncy J. Hamlin, of Buffalo, N. Y., chairman of the Niagara Frontier Planning Board, who had the benefit of the information and advice of some of the most eminent engineers in the United States, and who lives immediately adjacent to the improvements already made on the St. Lawrence, appeared before the House Rivers and Harbors Committee recently and testified that after a thorough investigation and consulting with able and eminent engineers, the sum total of his investigation showed that the cost of the St. Lawrence seaway would approximate $1,144,000,000. The committee print estimates $191,681,515.

Now, a brief comparative summary:

If Col. Hugh L. Cooper is right, the omnibus rivers and harbors bill will cost the taxpayers $1,914,089,216 plus—not $755,770,731.67, according to the committee print.

If E. P. Goodrich is right, the omnibus rivers and harbors bill will cost the taxpayers $1,618,089,216 plus—not $755,770,731.67, according to the committee print.

If Dr. Harold G. Moulton is right, the omnibus rivers and harbors bill will cost the taxpayers $1,276,689,216 plus—not $755,770,731.67, according to the committee print.

If Herbert Hoover is right, the omnibus rivers and harbors bill will cost the taxpayers $1,364,089,216 plus—not $755,770,731,67, according to the committee print.

If Chauncy J. Hamlin is right, the omnibus rivers and harbors bill will cost the taxpayers $1,604,089,216 plus—not $755,770,731.67, according to the committee print.

I have quoted these figures with the word "plus," because there are a number of rivers and harbors projects which are scheduled to be included in the omnibus rivers and harbors bill which are not included in the committee print. The Trinity River project in Texas has been approved by the Army engineers at an estimated cost of $118,000,000. This project has support in the administration and is expected to be included in the omnibus bill, and yet by some oversight the Trinity River project was not included.

The Rivers and Harbors Committee is still considering and approving projects for the omnibus bill which are not listed. On September 19, 1941, the committee heard testimony and approved a project for locks and dams on the Neches River in Texas at a cost of $23,000,000. This is not included in the committee print. I am advised that there are about 10 more projects which have the approval of the Army engineers and which will be included in the omnibus bill. The country will be amazed when it finally learns the real cost of the omnibus rivers and harbors bill of 1941.

The task before us is national defense. Yet we are continually called upon to spend, spend, spend, and tax, tax, tax for nondefense expenditures. This bill alone will be one of the most grandiose schemes for waste and extravagance ever to go on record in the Congress. At a time when the burden on national economy is back-breaking, the approval of such a pork-barrel orgy would be historical scandal.

Mr. PITTENGER and Mr. VOORHIS of California rose.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. PLOESER. I yield.

Mr. VOORHIS of California. I would like to point out to the gentleman in the first place that all these considerations have been taken up not with a view to this year, next year, or even the year after, but with a view toward an examination of various projects looking ahead into an indefinite future to the possibility that the time may come when this country will once again face a serious unemployment problem. The question I want to ask the gentleman is, What are the various items that are included in the estimates of the cost of the St. Lawrence seaway project that he gave us? In other words, is the gentleman talking about the construction of locks and dams or is the gentleman talking about the cost of improving all the harbors and facilities in all the ports of the Great Lakes? The purchase of land might be desirable in connection with these projects. Is that included in the cost? Will the gentleman specify what is included in the figures? It would mean much if he would.

Mr. PLOESER. Has the gentleman completed his question?

Mr. VOORHIS of California. Yes.

Mr. PLOESER. I would be happy to show the gentleman what goes into these figures. I think he can find it from the testimony before the Rivers and Harbors Committee. But let me say to the gentleman from California that I realize that in starting the St. Lawrence project many, many more things will follow. It was not my intention to try to figure the cost of the deepening of all harbors and that sort of thing; but I do contend that it is the duty of the administration that recommends such a project to tell the country the whole cost of the project in the beginning. They have not done that in this instance. They say it will cost $191,681,515 when they know it will cost the taxpayers of this Nation well in excess of $1,000,000,000 before the job is finished. It has been said by my friend the gentleman from Minnesota that the War Department engineers are very accurate. Our experience shows they were not very accurate in their estimates of the cost of cantonments. I cite one example in my own State of Missouri. Camp Leonard Wood was estimated by War Department engineers to cost $15,000,000. It actually cost $33,000,000.

I yield now to the gentleman from Minnesota.

Mr. PITTENGER. Mr. Speaker, I do not want to ask a question. I ask unanimous consent to address the House for 5 minutes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. PITTENGER. Mr. Speaker, I yield to my colleague from Michigan, to submit a unanimous-consent request.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes following the conclusion of the remarks of the gentleman from Minnesota.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PITTENGER. Mr. Speaker, I have listened with a great deal of amazement to my able, distinguished, and far-flung colleague from St. Louis. I recall that some weeks ago he made a speech and his modesty forbade him to follow the conclusions the initial logic of his speech would lead to, namely, to fill up the Great Lakes and use the Mississippi River as the only transportation system in the country.

Mr. Speaker, in 5 minutes one cannot do much. I wish the membership would read in yesterday's RECORD the remarks extended in the Appendix by the gentleman from Wisconsin [Mr. GEHRMANN]. This will give them one bit of sunshine and intelligent consideration of what the Rivers and Harbors Committee is doing. It will take only 5 minutes.

The first comment I want to make is that I do not know where my colleague got his figures. I have listened to these experts and read this railroad propaganda in the newspapers about the St. Lawrence project being a $1,000,000,000 project. I have studied the figures of the experts referred to by my distinguished colleague. Even the experts are $600,000,000 apart and, as my colleague the gentleman from California [Mr. VOORHIS] pointed out, it all depends on what sort of figures you want to use.

Mr. PLOESER. Mr. Speaker, will the gentleman yield for a question?

Mr. PITTENGER. Yes; for a question but not a speech.

Mr. PLOESER. No; I never abuse the privilege.

Mr. PITTENGER. I am talking about the committee print.

Mr. PLOESER. Has the gentleman ever seen it before?

Mr. PITTENGER. Yes; I certainly have.

Mr. PLOESER. Who published it?

Mr. PITTENGER. I presume it was published at the request of the chairman of the Rivers and Harbors Committee, one of the most distinguished Members of this House.

Mr. PLOESER. Has the gentleman read it?

Mr. PITTENGER. Yes. I am familiar with it.

Mr. PLOESER. The figures I talked about are in there?

Mr. PITTENGER. If the gentleman would attend a few of the meetings of the Rivers and Harbors Committee, and if some of my other colleagues would do the same thing, and find out something about the War Department engineers, something about the work they are doing, and something about the program of the Rivers and Harbors Committee of this House, they would be amazed at the lack of knowledge that prevails in this country. They would be amazed at the lack of educational work in connection with projects all over this country that would be more to the advantage of the American people than anything else under the sun.

I asked General Robins if it was not true that the United States, while Europe was developing every waterway resource it had, had neglected to take the necessary forward steps that should be taken in the interest of our national economy and for the welfare of all of the American people. His answer was "Yes." When I asked Colonel North, who testified last week, if that was not true his answer was "Yes." So I would urge the Members of the House to get acquainted with these projects, and if all of you will get the same little pamphlet that my distinguished friend from Missouri has and study those projects you will learn something. You can also get copies of the hearings.

Mr. Speaker, I do not like for anybody to challenge the integrity of the War Department engineers, because the committee has accepted their estimates. We have never found them wrong, and they are not wrong so far as the St. Lawrence seaway is concerned. The figure is $285,000,000 as our share, less $93,000,000 we will get for the power which the State of New York will take.

Mr. REES of Kansas. Will the gentleman yield?

Mr. PITTENGER. I yield to the gentleman from Kansas.

Mr. REES of Kansas. I assume that the gentleman is in favor of the entire bill that has come out of the Rivers and Harbors Committee?

Mr. PITTENGER. I am in favor of every one of those projects that are included in the proposed committee bill, and I assume that the sheet of paper which the gentleman holds in his hand has those projects listed.

Mr. REES of Kansas. Does the gentleman favor the $197,000,000 for the Florida ship canal?

Mr. PITTENGER. It is not $197,000,000. However, I am in favor of the Florida ship canal. The provision for the Florida ship canal will have in it a clause providing for tolls. It will be a self-liquidating project. But whether it has provision for tolls or not, may I say to the gentleman that for 3 years I attended every committee hearing of the Rivers and Harbors Committee. I attended the hearings on the Florida ship canal. I listened to one of the greatest military men in the United States in executive session. He talked to us for an hour and told us that from the standpoint of national defense, if this country should become involved in a war in the Far East, the project could be justified on that ground alone.

Mr. REES of Kansas. But when does the gentleman expect this Florida ship canal will be completed, as well as the St. Lawrence seaway?

Mr. PITTENGER. I am not the President of the United States, and I am not the Director of the Budget. Which brings me to one thing more.

Mr. REES of Kansas. Can the gentleman estimate when it will be completed?

Mr. PITTENGER. The gentleman should get acquainted with the engineers. This bill is just an authorization. It does not appropriate a single dollar out of the Treasury of the United States. They would still have to come before the Director of the Budget; they would have to consult the President of the United States; they would have to consult the Appropriations Committee of the House before any of these projects could be undertaken.

I want you all to get acquainted with the War Department engineers, because they are a great bunch of boys. They do not report favorably on a single project that is not in the interest of this country. In other words, before a project is approved by the War Department engineers, it must justify itself economically from the standpoint of being worth while.

[Here the gavel fell.]

SPECIAL ORDER

The SPEAKER. Under a previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on tomorrow at the conclusion of the legislative business in order for the day and after other special orders have been disposed of I may address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN].

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I also ask unanimous consent to include in the remarks I make today an editorial from the Marine News, a statement by Shaw Walker, and an excerpt from two letters.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

NATIONAL DEFENSE OR NATIONAL UNIONIZATION

Mr. HOFFMAN. Mr. Speaker, last week I introduced a bill which would restore to the American worker the right to work without paying dues to any union. Since that time I have received quite a number of letters favoring the bill, and the remarkable thing about that is this—that none of those letters come from any employer. They have all been from members of unions. Here are two which are typical of the lot.

Here is one dated Chicago, September 20, and it reads as follows:

CHICAGO, ILL., *September 20, 1941.*

DEAR SIR: I note with pride your bill to Congress about paying tribute to get, hold, and enjoy a job at anything without seeing a union.

I am an American-born citizen of Chicago. My parents before me were born in Chicago. I studied for electrical engineering, but upon graduation I was told to see the union which Mike Boyle and his henchmen control.

My education cost me around $900 for 4 years. Mike Boyle demanded anywhere from $1,000 to $1,500 to join his outfit or "you cannot work in Chicago."

At this moment I wish there were more men in Congress who would represent the workingman.

I call that last sentence to the attention of the so-called labor leaders in Congress.

Here is another one dated Chicago, the same date, September 20. These letters are signed. The addresses of the writers are given. I do not put them in the RECORD because Mike might go down and call on some of these fellows to their injury.

DEAR SIR: Tonight I read the Chicago Tribune and see that you are working on a bill to stop unions in their rackets on labor. I will tell you that it would a great thing for labor. I am an ex-service man and was disabled in the World War. I also am a painter by trade and have been for the last 20 years.

I joined the A. F. of L. in 1924, and during the depression work was so slack in Chicago I dropped my membership in 1932. Now in 1941 when this Government work began I went to Joliet, Ill.—

That is the town that I believe the gentleman from Illinois [Mr. DIRKSEN] comes from—

to try to get work as a painter. I didn't have a union card but I offered to pay my fee at $25 per week for 4 weeks which paid $100 initiation fee. The union business agent refused that, and said $100 cash or no job. I had no way to get the $100 so I was never allowed to go to work. Now that work is completed and since April I lost all the pay I could have earned, which was $78 per week. Most of the summer I have been idle on account of the union locking me out. Now there are thousands of good Americans in the same fix as I am. I am an American; born here, and fought for the United States only to see those racketeers and goons run the labor their own way.

I earnestly hope that you succeed with the bill to prohibit them from ruining the work for a man who will honestly work for his country but doesn't get the chance.

I remain,
Yours truly.

That is not the only case. As the gentleman writes, there are thousands of men who are ready to work, but they cannot work. This man could have received $78 a week for painting. The union initiation fee was $100. He offered to pay that fee at $25 a week, but the business agent said, "No, you have to lay it down on the desk."

What is the reason for that? Of course, the reason is that the union in that particular case wanted to keep those jobs for their own members. The result is that a veteran of foreign wars, a

man who served his country in time of war, is deprived not only, not by the Government, not by any employer, but by an organization which pretends, which holds itself out as representing labor, of his right to earn food and clothing. That man is prevented from obtaining a job because he cannot get the $100 tribute money.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. For what?

Mr. PATRICK. A question; just a question.

Mr. HOFFMAN. Certainly.

Mr. PATRICK. May I ask if the gentleman cannot get together with his Republican colleague, Mr. John Lewis, on this, and see if they cannot work out something on it?

Mr. HOFFMAN. I am on no more friendly terms with John Lewis than you are with your communistic bedfellows who were at the White House.

Mr. PATRICK. Not communistic bedfellows at the White House.

Mr. HOFFMAN. Mr. Speaker, I yielded to the gentleman and I answered him, and that is all.

Mr. PATRICK. I should like to ask the gentleman another question.

The SPEAKER. The gentleman declines to yield.

Mr. HOFFMAN. No; go back to your potato peeling. I do not have time.

Mr. PATRICK. He has a potato-peeling complex, Mr. Speaker.

Mr. HOFFMAN. Here is the editorial from the Marine News. We all know about this strike at the Kearny. As I said at the opening of the session this morning, here are 20 vessels loaded with munitions of war and supplies for those who are the recipients of lend-lease benefits. These ships are tied up in these harbors, and they are tied up because of this seamen's strike. At the Kearny shipyards we had another strike.

What was the issue? We have had it before us time and time again. This is the issue. Those men want a closed shop—union security, they call it. It is all the same thing. It amounts to this. They demand that no one shall work in that shipyard until that man joins that particular union and pays the fee they may ask. Here is the point. The shipbuilders and the union have a signed contract in this case, which runs for 2 years. There is a written agreement, signed by everyone interested, that there shall be no strikes, yet these seamen strike. And what does the so-called Mediation Board do? Notwithstanding the signed agreement not to strike, the Mediation Board says that the company must agree to discharge every man—white, black, or yellow; Catholic, Protestant, or Jew—working in that yard who will not pay that union the fee they demand for union membership.

Now, think of appropriating $7,000,000,000—and next week we will be asked to appropriate billions more—for lend-lease purposes, for national defense, and then having these shipyards and the factories tied up by the demands of some organization which is not a branch of either municipal, State, or Federal Government; and we sit here and let them do it.

The gentleman from Georgia [Mr. Cox] this morning criticized the President bitterly. I can join in that criticism, as I said before. But what have we done to clear our skirts of our responsibility for that situation? I put it up to the Members of this House, what is the sense of appropriating some $13,000,000,000 or $14,000,000,000 to get aid to Britain and Russia and China and then letting some organization right here in America tie up the whole program and say that those supplies shall neither be manufactured nor shipped if manufactured until their demands are complied with, until they are paid a fee?

What kind of a supergovernment has this administration imposed upon this Nation, and what is the limit? The miners of Pennsylvania, you will recall, are striking today against the dues imposed by their own union officials because they had no voice in the fixing of those dues. Are we to let a little group dominate? As the gentleman said, there are the Communists in the C. I. C. and the racketeers in the A. F. of L. There are only a few of them in the two organizations, but they are at the top and they are the ones who guide and control the destinies of those two unions. The unions have failed to clean house. Are we to let them go on and hamper and delay, yes, perhaps, destroy the whole effort for national defense—render futile the burden imposed upon our constituents, billions of dollars in taxes—and then let these men render our efforts null and void? And why is it, now? I wish someone on the majority side—I see the Democratic majority leader here—I wish he would delegate someone on his side to tell the country why it is we let these groups which are traitors within our shores carry on. Bills have been introduced and bills are pending before the Labor Committee, which refuses to meet, to remedy the situation; and we sit here and the Members on your own side criticize the President. Part of the blame, equal responsibility for the situation, rests upon the shoulders of this Congress. Why is it the majority does not remedy that condition?

The editorial from the Marine News is as follows:

AMERICA AT THE CROSSROADS DEMANDS CONGRESSIONAL ACTION

The dangerous implications in the Executive order taking possession of the strike-bound Kearny shipyard brings America to the crossroads of its future. We face the most serious internal situation since Appomattox, at a time when national unity is essential. One road leads to domestic peace and united effort, the other to discord, strikes, and socialism in its worst form.

No act of Congress has ever clothed anyone with authority to seize or confiscate the property representing the investment of millions of Americans, who directly or indirectly have used their life savings to furnish and equip shipyards or other industrial plants giving employment to others, unless they compel each and every employee to join a specific union.

The nonmediating Mediation Board is so far out on a limb that even its reversal of its position in a similar case in Texas cannot make it of any value to the country. The obvious unfairness of the Executive order in placing the blame for the situation upon the shipbuilding company; the fact that the shipbuilding industry, under Government auspices, recently signed a contract with labor banning strikes and lockouts for 2 years; the fact this contract, providing wage increases in excess of $200,000,000 was quickly flouted by labor; and the patent fact that the action in this test case will be tried on all employers filling Government contracts, if this un-American action succeeds, places the administration in a decidedly uncomfortable situation. Our concern, however, is with the country's future. Administrations come and administrations go, but the country, we hope, will go on forever.

The Constitution provides that no one may be deprived of life, liberty, or property without due process of law. The Constitution places upon Congress the duty of making the laws, upon the Executive the duty of executing and enforcing them. Upon the same Congress, therefore, which recently specifically refused to grant authority to the Executive to seize plants, rests the future of America. Allow the recent Executive order to stand unchallenged and every private industry will quickly be Government owned and Government operated, and socialism or worse will reign.

Their oath of office, plus their duty to their constituents, demands immediate action by every Member of Congress. That friendly relationship which must exist between employee and employer, for the best interest of the country, for the duration of the emergency, at least, must be determined by Congress—now, and enacted into law—now. Sink politics, sink theories, save the American way—by immediate and decisive action.

S. WILLSON RICHARDS, *Editor*.

EXTENSION OF REMARKS

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a radio speech.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. FISH. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Mr. Speaker, in my humble opinion, the St. Lawrence project or the proposed ocean-ship canal is the greatest pork-barrel raid upon the American taxpayers in the name of defense that has ever been brought before the Congress of the United States. I cannot understand, Mr. Speaker, the logic of the remarks of the gentleman from Minnesota who says that the St. Lawrence Canal would be very helpful in case of a war in the Pacific or with Japan. Just how helpful it would be I cannot understand, or how it could enable our fleet to attack from the St. Lawrence Canal and up the Great Lakes any portion of the Japanese Fleet, unless we have flying submarines by that time. I have just been informed that the gentleman from Minnesota was referring to the Florida Canal, but I do not see how the construction even of that canal could help us fight the Japanese.

Mr. Speaker, I really rose, however, to call attention to the fact that practically all the newspapers in the United States have headlines that an American ship has been sunk by the Nazis. I want to

call attention to the fact that that ship was one of those that was seized under a bill that was passed recently by the Congress. It was a former Danish vessel, and it was transferred to the Panamanian flag in order to circumvent the Neutrality Act and to avoid just such responsibility as the interventionists would have the American people believe exists. The American Government is in no way responsible for ships flying the Panamanian flag, any more than they are responsible for the ships flying the Swedish flag or for the Swiss Navy; nevertheless the interventionist press of the country has headlines that a United States boat has been sunk. This is not true. The fact is this boat was under the Panamanian flag and was registered as such, and we have no responsibility in law or under international law for it.

Mr. Speaker, I hope the American people will soon learn these facts and realize that there is a distinction between the Panamanian flag and our own. In fact, I do not believe the American people know what the Panamanian flag looks like. They ought to know if they are to be asked to die for it in foreign lands.

The name of the boat, as I understand it, was the *Pink Star*. If it had been the *Red Star*, now that we are about to pass a Lenin-lease bill and go hand in hand with our palsy-walsy bloody Joe Stalin, and the Communists, then possibly there would be some excuse to say that we are responsible for the torpedoed vessel, but as long as it was only the *Pink Star* I think the facts speak for themselves and we have no responsibility whatever.

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. PATRICK. Mr. Speaker, I would merely like to ask the gentleman from New York [Mr. FISH] if he has determined just exactly—and I am asking this entirely as a matter of information—at what longitude and latitude this sinking occurred?

Mr. FISH. I am not in the confidence of either the German Government, or, evidently, our own, and I could not tell the gentleman the latitude and longitude. I could not tell the gentleman whether it was convoyed by the British Navy or our own Navy or any navy. All I can tell the gentleman is that it flew the Panamanian flag and was placed under the Panamanian flag to circumvent the neutrality law which is still the law of the land.

Mr. PATRICK. I thank the gentleman very much.

[Here the gavel fell.]

ITALY A GERMAN PROVINCE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for 3 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. McCORMACK. Mr. Speaker, we have read many stories of the Nazi's domination and conquest of Italy in the newspapers. In yesterday's newspapers appeared an item which is a powerful confirmation of the fact that Hitler and Nazi Germany have conquered Italy, and that Italy today is nothing but a province of Nazi Germany. I have in my hand a news item which probably escaped the notice of most of the leaders, but which to me was one of extreme importance. It is as follows:

ITALIAN PAPER ADMITS GESTAPO CENSORSHIP

CAIRO, September 22.—The Germans have instituted censorships at Bologna, Florence, and Taranto, where all Italian letters are recensored after passing the Italian censor, according to the Italian newspaper, Corriere d'Italia, published here. The Gestapo is now openly exercising its activity in Italy and has precedence over the Italian police, the paper continued.

That, Mr. Speaker, is a quotation from an Italian newspaper. Mussolini forced the Government and people of Italy to become an ally of Nazi Germany, and today Italy is an ally only in name. In fact, she is merely a province of Germany. The people of Italy are a fine people. We of America respect them and deeply sympathize with them in their predicament. We know that they strongly resent the Nazi domination of their country and we also know that the great majority of the people of Italy want to possess the natural, inherent, and God-given rights of man. We of America sympathize with the people of Italy in the fact that the Fascist regime has permitted Hitler to absorb their beloved country and for all purposes to make Italy a province of Nazi Germany. We are looking forward to the day, which we hope will be in the very near future, when the people of Italy will refuse to allow Hitler to treat Italy, the real Italy, as a province of Germany.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 54 minutes p. m.), the House adjourned until tomorrow, Wednesday, September 24, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on the following dates at 10 o'clock a. m. to consider the following bills:

Thursday, September 25, 1941:

H. R. 5509, to authorize the Secretary of the Treasury to requisition or purchase motorboats, yachts, and similar vessels for Coast Guard use.

Tuesday, September 30, 1941:

H. R. 5446, to establish a system of unemployment insurance for the maritime industry, and for other purposes.

Tuesday, October 14, 1941:

H. R. 3254, to safeguard and protect further the lives of fishermen at sea and to place fishing boats under the supervision of the Department of Commerce, Bureau of Marine Inspection and Navigation, and for other purposes.

COMMITTEE ON AGRICULTURE

The Committee on Agriculture will hold hearings on Tuesday, September 30, 1941, at 10 o'clock a. m. on H. R. 5336, Farm Credit Act.

EXECUTIVE COMMUNICATIONS, ETC.

944. Under clause 2 of rule XXIV a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Freedmen's Hospital, Federal Security Agency, amounting to $13,365 (H. Doc. No. 389), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. KEOGH: Committee on Claims. H. R. 5594. A bill for the relief of the Kulp Lumber Co.; without amendment (Rept. No. 1210). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 5659. A bill for the relief of the Allegheny Forging Co.; without amendment (Rept. No. 1211). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 5687. A bill for the relief of Edwin L. Wade; with an amendment (Rept. No. 1212). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. S. 1813. An act for the relief of Harry F. Baker; with an amendment (Rept. No. 1213). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. O'BRIEN of Michigan:

H. R. 5703. A bill authorizing the printing, with illustrations, of the proceedings of the national encampments of various veterans' organizations in the United States as separate House documents; to the Committee on Printing.

By Mr. SHEPPARD:

H. R. 5704. A bill to amend the act entitled "An act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California," approved May 18, 1928 (45 Stat. 602); to the Committee on Indian Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DWORSHAK:

H. R. 5705. A bill for the relief of the State of Idaho; to the Committee on Claims.

By Mr. IZAC:

H. R. 5706. A bill authorizing the Administrator of Veterans' Affairs to restore retirement benefits to William Ellis McCarthy denied him under Public, No. 2, Seventy-third Congress, and his name be placed on the United States Naval Officers Register; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1833. By Mr. LAMBERTSON: Petition of Mrs. Katherine Dick and 23 members of the

L. N. Club of Axtell, Kans., pledging their loyalty to our country and expressing their willingness to fight in defense of our country but not on foreign shores; to the Committee on Foreign Affairs.

1834. By Mr. ROLPH: Resolution No. 2034 of the Board of Supervisors of the city and county of San Francisco, Calif., favoring the proposal by Henry J. Kaiser to create a steel industry on the Pacific coast and the establishment of same in the city of San Francisco, Calif.; to the Committee on Banking and Currency.

HOUSE OF REPRESENTATIVES

WEDNESDAY, SEPTEMBER 24, 1941

The House met at 12 o'clock noon.

Rev. Jacob S. Payton, D. D., executive secretary of the Methodist Commission on Camp Activities, Washington, D. C., offered the following prayer:

O Lord, our God, the sum of whose benefits is innumerable and the extent of whose forbearance is amazing, we come before Thee with praise and thanksgiving. Look with mercy upon our failures and remove our sins through Thy great forgiveness.

Deliver us from the false belief that there is national security apart from reliance upon Thy strength, or any mission of high service for a people who disown the Lord as their God. In a day when the folly and the wickedness of man has filled the world with death and sorrow, we pray that sanity may return to Thy children, and that those who offend may be humbled under the judgments of the Lord.

Our Father, grant that this day we may serve with such wisdom and unselfishness as to give our work enduring value, and make it acceptable unto Thee. We offer our prayer in the name of Jesus, our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

PERMISSION TO ADDRESS THE HOUSE

Mr. LEA. Mr. Speaker, I ask unanimous consent that after the conclusion of legislative business tomorrow I may address the House for 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. MERRITT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a speech delivered by the former Postmaster General, Hon. James A. Farley, at Syracuse.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of Washington. Mr. Speaker, several of my colleagues on th Committee on Rivers and Harbors have suggested that I place in the RECORD a speech which I delivered in the House on July 1, 1937, entitled "Merit of River and Harbor Projects—Labor Employed." I ask unanimous consent to extend my remarks and insert in the Appendix of the RECORD the speech referred to.

The SPEAKER. Is there objection?

There was no objection.

Mr. STEARNS of New Hampshire. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. REED of New York. Mr. Speaker, after the conclusion of the reading of the Journal and the business on the Speaker's table and any other special orders that may have been entered, I ask unanimous consent that I may speak for 10 minutes tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a letter from Earl Lee Kelly, vice president of the Bank of America, and a news item by Mr. Giannini, president of the Bank of America.

The SPEAKER. Is there objection?

There was no objection.

JOBS FOR EX-SERVICE MEN

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I would like to call to the attention of the House two letters which I am inserting in the RECORD today from the Bank of America. The Bank of America believes it is a part of their duty to give every man his job back in as good a position as he was or a better one, upon his return from any service that he may have entered into for the United States Government.

I think that is a very commendable thing for the bank to do, and I think it is a fine example to set, to come out publicly and say that every man who has been in their service, now in the service of the United States, will have just as good a job as he had, when he comes out of the service.

I hope you will all read these letters.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GAMBLE] may extend his own remarks in the RECORD and include an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to extend my remarks and include excerpts from a recent article by the United States Tariff Commission on the possibilities of producing rubber in the United States.

The SPEAKER. Is there objection?

There was no objection.

THE LATE HON. JAY FORD LANING

Mr. BAUMHART. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. BAUMHART. Mr. Speaker, at the ripe age of 88 one of my predecessors in Congress, the Honorable Jay Ford Laning, passed away recently. This man was a versatile and model citizen. Born in New London, Ohio, he became a resident of Norwalk in 1882, in which city he lived until his death. He devoted much to the betterment of that city, such as the first installation of brick sidewalks, the present water system, and the reservoirs which bear his name, known as the Laning Lakes.

He founded the Laning Printing Co. and the Fair Publishing House, which became one of the largest of its kind in Ohio, employing at times 600 persons.

Although admitted to the bar when a young man—just 21—he chose to devote most of his energy and talents to the writing, editing, and publishing of law and school textbooks, of which many bear his name in a copyrighted collection in the Ohianna Library.

Because of his prominence in civic affairs and his literary attainments Mr. Laning was singled out for political honors and was sent to the Ohio State Senate for 4 years and then to this body in the Sixtieth Congress; and although nominated for a second term he declined to run, preferring to devote his time to the more congenial task as publisher, in which he excelled. His community, for which he labored so abundantly, and the State of Ohio, have lost an exemplary citizen.

I extend my deepest sympathy to his wife and five children who survive him.

COMMITTEE ON MILITARY AFFAIRS

Mr. MAY. Mr. Speaker, I ask unanimous consent that the Committee on Military Affairs may sit during the sessions of the House during this week and next.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an editorial from the Saturday Evening Post.

The SPEAKER. Is there objection?

There was no objection.

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include therein a brief editorial from the Watchman Advocate, published at Clayton, Mo.

The SPEAKER. Is there objection?

There was no objection.

UNION RAILROAD STATION IN THE DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 5682) to amend an act to provide for a union railroad station in the District of Columbia, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. McCORMACK. Mr. Speaker, reserving the right to object, I understand the gentleman from West Virginia [Mr. RANDOLPH] has taken this matter up with the minority members of his committee and with the distinguished gentleman from Michigan [Mr. MICHENER], who is acting minority leader. Is that true?

Mr. RANDOLPH. Mr. Speaker, in answer to the distinguished majority leader, this bill comes from the House Committee on the District of Columbia with a unanimous report.

I have discussed it with the acting minority leader, the gentleman from Michigan. I should like to take just a few moments to state exactly why action is needed.

Mr. McCORMACK. Because of the statement I have previously made that no legislation would be taken up of a controversial nature, and nothing handled except by unanimous consent, I want the record to show that this bill is not controversial, which means that it meets with no objection from either the minority members of the committee or the minority leader.

Mr. MICHENER. The gentleman from West Virginia has spoken to members of the committee on this side of the aisle. I understand the bill has the unanimous support of the District Committee. It does not take anything out of the Treasury. It is an administrative measure. I hope the gentleman will explain the bill. If it is not controversial, there should be no objection.

Mr. RANDOLPH. In reply to the statement of the gentleman from Michigan, I will state to the House that by an act of Congress of 1903 a union railroad station was provided for in our National Capital. We know that at the present time there is an increasing burden on the facilities we now have at the Washington terminal to take care of the vastly increased mail and passenger traffic. This bill was proposed by officials of the railroads who form the Washington Terminal Co. The Post Office Department also made representations to your District Committee that it was necessary that this work involving approximately $500,000, the amount to be paid by the railroads using the terminal, with no cost to the Government, should proceed just as quickly as possible. It is planned that by December 1, or shortly thereafter, the enlarged facilities be available to take care of the increased load which necessarily occurs with the business incident to the Christmas rush. It simply involves added space, equipment, and so forth, for the increased facilities. This situation makes necessary an amendment to the original act passed by the Congress. The Senate District Committee also, I believe, will expedite consideration in the other body.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. I yield to my colleague from Nebraska.

Mr. STEFAN. Is it proposed here eventually to remove some of these hazardous streetcar tracks and add new busses to take care of this traffic here? There has been considerable complaint regarding streetcars going two ways around circles, endangering the lives of pedestrians and automobilists. I wonder if this new terminal facility will result in some relief in this respect?

Mr. RANDOLPH. The gentleman from Nebraska, a keen student of District affairs as evidenced by his excellent work on the Subcommittee on Appropriations, brings to the attention of the House a different matter than is concerned in this subject. I am sure, however, something will be done to correct the situation of which he complains.

The pending bill deals only with additional facilities needed at the Washington Terminal for the railroads.

Mr. STEFAN. If the gentleman will yield further; is this going to be an additional cost to the Federal Government?

Mr. RANDOLPH. No. The cost will be approximately $500,000, but it is to be borne by the railroads themselves, through their organization, the Washington Terminal Co.

In the District of Columbia certainly the traffic problems are becoming increasingly acute. Studies being made by the Commissioners, traffic and highway heads, the acting inspector of police, and appropriate committees on Capitol Hill, and by interested citizens, would cause us to hope that a plan will eventually be formulated to meet the responsibility in this matter.

Mr. REED of New York. Mr. Speaker, will the gentleman yield?

Mr. RANDOLPH. I yield to my friend from New York.

Mr. REED of New York. The suggestion I am about to make may not appeal to the gentleman at all, but I believe some of the traffic difficulties could be solved if the investigating bodies were to call in some of the more experienced and intelligent taxi drivers of the city and let them explain the situation as they find it in a practical way.

Mr. RANDOLPH. I thank the gentleman for his contribution. I would recommend that he embody those suggestions in a communication to be addressed to the Commissioners. I will be glad also to convey what the gentleman has said here. We have seen where the Commissioner of Police of New York City, Mr. Valentine, is to be called into consultation on our present problem.

I was recently in St. Louis and addressed a national convention. While there I watched the flow of traffic on downtown streets. I noticed that in the congested areas the traffic was not moved by lights but was controlled by one, two, and in some cases three policemen. It appeared to be a good system for safety and speed. I have felt for many months, perhaps many years, that our staggered traffic-light system was not conducive to the smoothest flow of traffic, or to take care of the increased traffic load in our downtown sections.

Mr. REED of New York. Mr. Speaker, will the gentleman yield further?

Mr. RANDOLPH. I yield.

Mr. REED of New York. Is it not true that when the city of Washington was laid out under the L'Enfant plan it was laid out for military purposes? At that time these circles were put in so that cannon might be placed strategically to sweep the streets radiating from the circles. This naturally creates a much more complex situation than there is in most of the large cities.

Mr. RANDOLPH. The gentleman's observation is entirely right. The circles were planned not only for military purposes but also to beautify the National Capital.

Mr. STEFAN. Mr. Speaker, will the gentleman yield further?

Mr. RANDOLPH. Certainly.

Mr. STEFAN. The gentleman referred to his address in St. Louis and referred also to stop lights and patrolmen. It may be interesting to the gentleman to know that during the time he was in St. Louis one of the Washington newspapers—I believe the Times-Herald—conducted an experiment with regard to Washington traffic. Two young reporters, one a man and the other a woman, started from a certain location on Massachusetts Avenue to go to the depot, a distance of several miles. The result was that the horse and buggy reached its destination practically at the same time with the automobiles because of the delay caused by certain traffic lights. Has the gentleman a solution for this problem?

Mr. RANDOLPH. The gentleman asks a very perplexing question. I remember the experiment of the Times-Herald. I can only say as I said earlier today in response to an inquiry, that a study of these problems was being made at the present time. I would suggest that Captain Whitehurst, Director of Traffic Van Duzer, Police Inspector Kelly, and certain others of the District government staff take a transport plane out of Washington some morning early, proceed to Pittsburgh, study the way they handle traffic in the downtown areas of that city, then move on to Detroit, Milwaukee, St. Louis, Cincinnati, and possibly some other cities, and do the same.

I think it might be a profitable trip of 4 or 5 days, during which time those individuals and others could make a survey and then report their findings. I know the problem exists, and I am very certain all of us—and especially those who are actually on the District of Columbia committees—are intensely interested and trust that the traffic bottleneck will be broken as soon as possible.

Mr. MICHENER. Will the gentleman yield?

Mr. RANDOLPH. I yield to the gentleman from Michigan.

Mr. MICHENER. You know we are all traffic experts, and I think that is one of the difficulties. However I have another solution. My suggestion is that a traffic engineer who understands the art of the business be employed, that that individual make these studies in the cities to which the gentleman referred rather than send three Commissioners who do not claim to be traffic experts, to these cities to spend a few minutes in order to solve the problem. The mere fact that a man has been appointed a city official does not make him an authority on traffic problems.

Mr. RANDOLPH. Of course, I can understand well the gentleman's desire for expert advice. However, the Inspector of Police here is charged with a very real responsibility in this matter. He is tackling the job. In other cities they assume that responsibility, and certainly we would not want to shirk it here. There has been a so-called expert study made not only once but several times of the problem affecting the flow of traffic in Washington.

Mr. REED of New York. I do not believe you can rely upon an expert alone unless he takes into consideration the advice of some of the practical-minded men. Quite a number of years ago there was a railroad that had a brand new engine with a defect. They called in expert engineers from all over the country, and they were unable to correct this defect in the engine. A young practical man came along and crawled under the engine. After a time he came out and said, "I think I have the solution." They asked, "What is it?" "Why," he said, "when the springs were put in one leaf was left out." Yet the experts had not discovered that.

Mr. RANDOLPH. I thank the gentleman.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There was no objection, and the Clerk read the bill, as follows:

Be it enacted, etc., That in order to provide additional facilities for the accommodation of passenger traffic and for the handling of United States mail, section 2 of the act of Congress entitled "An act to provide for a Union Railroad Station in the District of Columbia, and for other purposes," approved February 28, 1903 (Public, No. 122, 32 Stat. 909), is hereby amended by the addition of a new paragraph, to be inserted between the second and third paragraphs of said section 2 to read as follows:

"There shall be added to the property described in the next preceding paragraph of this section 2 the following: Beginning for the same at a point on the south line of H Street, fifty-eight and forty-six one-hundredths feet westwardly from the west line of Second Street, said point being also located three hundred and eighty feet southeastwardly from the center line of Delaware Avenue produced, measured at right angles thereto; thence eastwardly along the south line of H Street a distance of eighteen and eighty-six one-hundredths feet; thence southwardly parallel with Second Street a distance of sixty-eight and sixty one-hundredths feet; thence eastwardly parallel with H Street a distance of thirty-nine and sixty one-hundredths feet to a point on the west line of Second Street; thence southwardly along the west line of Second Street to the north line of F Street; thence westwardly along the north line of F Street to a point in a line parallel with and distant three hundred and eighty feet southeastwardly from the center line of Delaware Avenue produced, measured at right angles thereto; thence in a northeastwardly direction along said line, parallel with the center line of Delaware Avenue produced to the point of beginning."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MESSAGE FROM THE SENATE

The SPEAKER pro tempore laid before the House the following message from the Senate, which was read:

Resolved, That the Secretary be directed to request the return from the House of Representatives the bill (S. 1481) entitled "An act to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal."

The SPEAKER pro tempore. Without objection, the request will be granted.

There was no objection.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including a very interesting editorial.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a brief address recently delivered by myself in West Virginia.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There was no objection.

(Mr. SHAFER of Michigan asked and was given permission to extend his own remarks in the RECORD.)

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on tomorrow after the reading of the Journal, there being no legislative business, and at the expiration of other special orders heretofore made, I may be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. DITTER. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program and after the special orders that may have been heretofore arranged, I may have the privilege of addressing the House for 1 hour.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania [Mr. DITTER]?

There was no objection.

EXTENSION OF REMARKS

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a news item from the Manchester Union.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Vermont [Mr. PLUMLEY]?

There was no objection.

(Mr. PATRICK asked and was given permission to extend his own remarks in the RECORD.)

Mr. BLAND. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein an address made by Paul McNutt.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia [Mr. BLAND]?

There was no objection.

SPECIAL ORDER

The SPEAKER pro tempore. Under a previous special order of the House, the gentleman from New York [Mr. WILLIAM T. PHEIFFER] is recognized for 25 minutes.

NEEDLESS GOVERNMENTAL EXPENDITURES

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, if I were to choose a title for my remarks this afternoon, an apt one would be "Merrily We Go Boondoggling Along." Another fitting title would be "Lip Service to Economy, Actual Service to Extravagance."

On June 10, and again on July 31, I stood here in the well of the House and gave you specific proof of the fact that, despite the oft-repeated assurances of the President that nondefense spending would be cut to the limit, the administration was still giving its stamp of approval to the spending of millions upon untold millions of dollars of the taxpayers hard-earned money for projects that have no more relation to national defense than soybeans have to caviar. Let it be clearly understood that the boondoggling projects I described on those previous occasions, and the ones that I will describe today, are simply random examples of the futile spending of public funds in only one locality, namely, in the metropolitan area of my home city of New York. It is quite safe to assume that expenditures of the same stripe are being made, in larger or smaller degree, in every congressional district of the country. Multiply the total expense of the projects I have described, and will describe, and a rough idea will be obtained of the amount of money which must be paid for these frills and furbelows by the taxpayers who are already confronted with an overwhelming war preparedness burden.

Among the projects described in my previous remarks were such items as the compiling of specific data from the censuses from 1880 to 1930, and the making of a study of each individual, with particular regard to race, locality, and relative fertility by age, at a cost of $1,860,000; the salvaging and indexing of the records of discontinued Federal relief programs at a cost of $700,000 and the compilation of a fascinating and indispensable inventory of books, pamphlets, and broadsides printed in the United States and its Territorial possessions prior to January 1, 1891, at a cost of $375,000. No justification can exist for the financing by the Government of such useless and absurd projects, even during the sunny days of peacetime, even during the lush and fabulous days of the first New Deal, when, admittedly, some necessity existed for the manufacturing of work, but it is downright outrageous and unconscionable to be tapping the United States Treasury for hundreds of millions of dollars for the financing of such projects during these crucial days when every ounce of our energy and every dollar of our resources should be going into our defense effort.

Now, let us pick up the thread of the story as of July 31, 1941, which, you will recall, was the date of my last remarks on this topic. On that very day the following great defense project was approved:

I am going to read these notices of approval in full, although you may find it somewhat tedious, but I want to impress upon you some of the absurdities of

these projects for which the American taxpayers are being required to pay hundreds of millions of dollars. Here is one that is costing us $217,247. The description of it is as follows:

To assemble, transcribe, tabulate, make computations, analyze, and summarize financial and nonfinancial information of importance to national defense contained in the registration statements and annual reports filed by corporations and companies under the Securities Exchange Act of 1934 and subsequent acts, in the annual reports filed under the Investment Company Act of 1940, and other related and pertinent data; and organize and prepare the compilations and summarizations in a series of reports suitable for reproduction.

While it is difficult to perceive that there is any national-defense value whatever to a project of that sort, nevertheless, if it does have defense value we have the Securities and Exchange Commission with a large staff of experts to do that very kind of work.

Any of you who have ever gone through the ordeal of filing a registration statement with the S. E. C. will, I believe, agree with me that the information therein set out is so complete and so clearly indexed at the time of the filing of the statement that certainly it should not require the sum of $217,247 to go back over those reports and cull out that data which, by some remote stretch of the imagination, might be essential to the defense effort.

I am taking these in chronological order since July 31.

On August 1 the following project, which will cost $181,996, was approved. It is a beauty. It includes everything but a study of the high price of putty in Peru. This is what we are getting for $182,000:

Promote, initiate, coordinate, and supervise activities relating to the preparation of material in publishable form, or in form suitable for radio and lecture presentation for the general public. Work will consist of producing further volumes in the American Guide series and Life in America series of the writers' program, including the necessary research incidental thereto; gathering material on history, folklore, and racial groups; preparing material on social, educational, artistic, and cultural subjects including architecture, labor, industry, government, public utilities, communications, housing, transportation, recreation, handicrafts, food, conservation, horticulture, public health, and other subjects of value to the national-defense program.

Note the recurrence of the magic words "national defense." One of the artifices by which the New Deal aims to bring about social revolution is giving to socialistic experiments sugar-coated names so as to make them more palatable to the public. Talleyrand, that unscrupulous French diplomat of a day long gone, knew the art well. He explained it thusly:

The chief function of a statesman is to invent new names for institutions which, under their old names, have become disliked by many of the people.

So we find the administration using the magic words, the sugar-coated words "national defense" as a cloak to hide a project of that sort at a cost to the people of $182,000.

Here is another one, in chronological order, under date of August 18, that I believe you will agree with me is rather far removed from our defense effort. The cost of this project will be $211,017. It is to—

Conduct a study of Federal and State marketing and revenue laws. Work involves compiling, reviewing, and analyzing Federal and State statutes regulating marketing and revenues, together with the legislative history of such statutes, court decisions, organization, procedures, and orders of marketing administrative agencies, and performing related research concerning marketing laws.

I want to be fair about this situation. Every now and then we run onto a project that has some justification. The one I am going to read to you now is, by comparison, justifiable in the sense that it is related to our defense program. It refers to the providing of clerical assistance in the organization and distribution of information concerning recreational facilities for the use of military and naval personnel on leave in New York City. The work will include typing, registering, classifying, sorting, indexing, filing, and related clerical operations, assistance in securing and disseminating information, preparing informational bulletins, and related activities.

As I say, this project might be justified, but it is well to add that the same functions that will be performed under this appropriation are being very well performed by the United Service Organizations, which is privately financed and for whose purposes $250,000 was raised here in the city of Washington alone.

Here is one under date of August 25, 1941:

Make general improvements and alterations to public buildings, bulkheads, docks, and ferry terminals and perform work incidental and appurtenant thereto, including demolishing obsolete structures and landscaping grounds. Publicly owned property.

The cost of that is the neat little sum of $2,556,200.

There, Mr. Speaker, is a striking example of the abuse of the administration's discretion in the spending of the funds which have been appropriated for so-called defense purposes.

We are faced now with a real problem in obtaining raw materials for our small nondefense manufacturing plants, yet we are using building materials for making alterations and improvements in existing structures that are certainly adequate for the time being, and at the same time we are employing men—carpenters, brick masons, artisans of various kinds—who could better be employed in the building of defense works or working in defense plants.

Now, here is another corking, fine defense project which is costing the people $205,000 to "collect, salvage, clean, sort, arrange, refile, and microfilm noncurrent Federal records." Now, if it is necessary to go through the old musty Federal records in New York City and index them and sort them and microfilm them, may not that work well wait until this emergency is over? Can we not use that money to much better avail in the building and supplying of armaments for our troops?

It is interesting to compare the total cost of this project, $205,000, with the earnings of a man during his lifetime. I am speaking of the average man. It is estimated that the average white-collar worker earns on the average $2,500 a year. His maximum working career is 40 years. Therefore we have him earning $100,000 during his lifetime. We are spending more than twice that much for the totally unnecessary purpose of sorting, indexing, refiling, and microfilming old Government records, which probably will never be looked at again and will simply be put on the shelves to gather several new layers of dust.

Here is a project that is certainly a great defense measure. It probably has Mr. Hitler, Mr. Goering, and company shaking in their boots—"to select, reproduce, interfile, edit, and combine into a master catalog the main entry catalog cards of participating libraries in New York City and transmit the assembled file to Washington, D. C., for incorporation in the National Union Catalog." The price tag is $272,916.

This project explains itself. It is one that there could not possibly be any justification for in these trying days.

Here is one that is going to cost the American taxpayers $1,216,521 to "promote, initiate, coordinate, supervise, and conduct art activities. Work will consist of producing works of art; initiating and operating experimental art centers and galleries in cooperation with communities; assembling, preparing, and circulating exhibitions; conducting lectures and demonstrations in art techniques and media; teaching art; assisting in the preparation of an index of American design; preparing book brochures, monographs; catalogs and other compilations covering the field of art activities, including the necessary research incidental thereto," and so on and so forth, ad infinitum, ad nauseum.

I realize one treads on dangerous ground in criticizing a project involving the cultural progress of mankind, for we have been taught that the better and happier life is possible only through the fulfillment of our aesthetic and spiritual natures, but first things should come first in these days. I maintain that a project of this sort might come tenth or twelfth, but never first.

And, finally, a project approved on September 11, 1941, to "microphotograph all birth and death records, and all documents supporting changes thereon, for the period from 1796 to 1939, inclusive." The cost of this will be $120,749.

The total cost of the 9 "boondoggling" projects I have just read to you is the enormous sum of $5,063,162. Let us translate that sum into terms of the armament and war matériel which we so vitally need for building an impregnable defense. The cost of a heavy submarine is approximately $6,000,000, so this money would not fall far short of providing us with another submarine. It would provide us with 10 four-engined bombers at the rate of $500,000 for each bomber; it would give us 188 light tanks

on the basis of $27,000 per tank; it would give us 75 medium tanks on the basis of $67,000 per tank; and it would provide us with 44 heavy tanks on the basis of $114,000 per unit. Which is the more important, the sorting, indexing, and microfilming of musty old Government records and the restoring and cataloging of works of art, or the providing of our armed forces with modern implements of war which they now so woefully lack?

The Byrd amendment to the new tax bill, under which there will be formed a joint committee to study the means and opportunities of reducing nondefense expenditures, is a fine thing, and I am heartily in favor of that amendment. However, as a practical matter, it does not require a great deal of research and study to ferret out glaring examples of the lavish spending of public funds for nondefense purposes. The projects I have described to you today are tangible proof of just what is happening, and, as I said in the beginning, this is only a sample of what is happening all over the country.

Some timid souls might question the political wisdom of a Member of Congress criticizing what are ostensibly relief projects. However, according to my concept, we are not here to curry favor with any particular voting bloc, but we are here to legislate and act for the welfare of all the people of the United States. Although my New York district includes a large strip of Park Avenue and other wealthy neighborhoods, yet the majority of my constituents are people of modest means, and it is true that quite a considerable number of them are, because of circumstances beyond their control, the recipients of relief payments from the Federal and State Governments.

However, I speak with the utmost assurance when I say that these fine people would much prefer to be doing useful and constructive work in return for their meager relief payments than to be constantly engaged in working on projects which amount to no more than digging a hole and filling it up again. And there is an abundance of useful and constructive work directly connected with our defense program which could be done by a majority of the people now on the relief rolls.

When we consider that the gross debt of the United States has now reached a total of almost $52,000,000,000, which is nearly double the national debt existing at the end of World War No. 1, and that it is skyrocketing upward at the rate of $277.50 a second, it is clearly apparent that rigid economy in nondefense spending is not simply advisable, but it is a stark necessity.

We have heard many examples of the vastness of a billion dollars. I recently heard one that, in my judgment, is the most striking of all, even more striking than the illustration of the number of strands of $1 bills that would reach from the earth to the moon and back again to make up a billion dollars. It strikes right home. It is that the total assessed valuation of all the real and personal property in the city of Philadelphia for the year 1940 was the sum of only $2,000,000,000. Hence, with the present national debt of $52,000,000,000, and the ceiling going up all of the time, we find that we have the equivalent of 26 Philadelphias and all the real and personal property of that great city represented by our present national debt, which must be repaid some day, unless we have repudiation, and certainly the American people will never repudiate their obligations. It must be repaid from the cash drawers and the meager bank accounts and the hard-won earnings of the American people as a whole.

The gigantic tax bill of three and one-half billion dollars which we passed last week would not have reached such dizzy heights had the New Deal administration remembered and taken to heart during the past 8 years the wise and incontrovertibly true utterance of Cicero that "Economy is a great source of revenue." As appropriation bills come before us during the remainder of this session, let economy be our watchword in connection with all items which do not directly and genuinely contribute to our defense effort. In this way, and only in this way, will we be keeping faith with the people of the United States.

EXTENSION OF REMARKS

Mr. HULL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter from the Four-State Dairy Protective Association.

The SPEAKER pro tempore (Mr. COOPER). Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent that at the conclusion of the special orders today I may be permitted to proceed for 5 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

SPECIAL ORDER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

Mr. HOFFMAN. I ask unanimous consent to include in my remarks or in the Appendix a statement by the Shaw-Walker Co.

The SPEAKER pro tempore. Is there objection?

There was no objection.

THE 1942 ELECTIONS

Mr. HOFFMAN. Mr. Speaker, this morning I want to talk about something that affects the pocketbook of every Congressman. I am sorry that there are not more here, because I know the boys want to save the money. This thought is called to mind by a column which is printed rather extensively throughout Michigan, and it refers to the statement that we have heard—a rumor it was—to the effect that Franklin Delano Roosevelt will be the last President the United States would have. This columnist suggests that, inasmuch as the Constitution provides, section 4 of article I:

> The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the legislature thereof, but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

There now is a movement on foot to do away with the 1942 elections. He writes from Washington:

> Certain Rooseveltian scouts have tried to induce Governors and legislatures to waive the 1942 elections. The Washington emissaries figure that if half a dozen States would agree to forego their right to an off-year canvass the other Commonwealths would follow suit. F. D. R.'s friends argue that elimination of elections would tend to suppress any evidences of disunity in the United States.

In the last few weeks we have been often told that we must do this, that, or the other, pass one bill or another, because the administration desires it, and because there was no other way for us to be saved, except to follow along after the President. Because of that it is well that we begin to think about that rumored drive to do away with elections, inasmuch as the people back home are thinking about it. It is easy to see how we can save some money, is it not? I mean for ourselves. Ordinarily you know we have campaign expenses. The gentlemen from the South, I understand, do not have any general election expenses, but we in the North, where there is a contest and where they cast the votes, where all vote, have campaign expenses.

By the way, let me put in here that in my district, the Fourth Michigan District, in one election, our people cast more votes than were cast for congressmen in the whole State of Mississippi. In the 1938 election the winning candidate in the Fourth District of Michigan received 49,279 votes, while the total vote for the 7 Mississippi congressmen was 35,439. Up there where they have these contests, it costs us real money every election to make a campaign.

Now, the administration, appealing to the rubber stamps, if there are such—not in Congress, but outside—to talk to their Congressmen to the effect that this country certainly would go to the dogs if we did not have a Congress that would support the President; with all that ballyhoo going on it is barely possible—not only possible but probable—that some of these new dealers down here who would remake America might suggest such a thing to this Congress.

This Congress has passed bills that were just as harmful to representative government as that procedure would be. With "Wally" and Edward over here at the White House, fussing around and getting the President and his advisers all befuddled, with Hore-Belisha suggesting that we replace the Declaration of Independence with a declaration of interdependence, it is not such a wild thought now, is it, that out of this New Deal craziness, encouraged by the success it has had, would come a measure to postpone the election of 1942 until 1944? To, in effect, establish a dictatorship? Now, if that comes up, I would like to have someone on the Democratic side tell me

how many Democratic votes it would get. I will never vote for it. I have not done anything because of which I dare not go home and face my people. I may be mistaken. They may skin me completely and hang my hide on the barnyard fence, where the Communists have long desired to see it flapping in the breeze, but that is all right. If they can, they are welcome. But how many Democrats will take a chance, with national bankruptcy right here, with this un-American policy—I see my good friend the gentleman from Georgia [Mr. RAMSPECK], the advocate of the closed shop—with this un-American policy of denying every patriotic American—you knew I would get it in somewhere, did you not?—the right to work in defense of his country; with this question of backing up the President, in violation of all those promises he made; with all that staring you in the face, how many of you want to go back home and face an election? Not this November. Perhaps the war will be all over in 1942; but if it is, there will be some other reason that the gentleman in the White House can think up as to why he, and he alone, is the only man in all the world that can still carry us through whatever crisis or depression in which he may have involved us. National bankruptcy and armed men, ships sailing the seas with orders to shoot, American men denied the right to work and earn a livelihood and denied equal protection of the law, you can see how this little handle of not electing a Congress would fit in on his dictatorship machine. You know, Wilson tried that in an appeal to the people to elect a rubber-stamp Congress. Roosevelt is adroit enough and deceitful enough and pro-British enough to want to continue in power regardless of the will of the people. Otherwise he would not be trying, by every means in his power, to shove us into this war.

So now let the Members of the House begin to think of voting on such legislation. That thought is not the product of a nightmare or a dream induced by indigestion. Many a thoughtful citizen has been asking whether there would be introduced a bill to postpone the 1942 election. Many a citizen is asking whether those powers which the President said had been returned to Washington and which in improper hands might be used to shackle the liberties of the people were not in improper hands.

May I express this thought: That there must be an overwhelming majority on the Democratic side, Members who are thoroughly convinced that they are more competent to represent their constituents than anybody back home, who might vote for such legislation as an emergency measure if the President backed it.

Mr. LAMBERTSON. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Yes; I yield.

Mr. LAMBERTSON. I am not quite clear on what you fear in the abolishing of the election; whether there would be a resolution continuing us for 2 years, or just cutting us off—which?

Mr. HOFFMAN. Now, does it make much difference? The only difference is that some of us here, one way or another, are permitted to talk about it and kick about it and squawk about it. If they cut us off, we would not be here. Now they let us talk, but they will not help us with corrective, constructive legislation, even though they admit it to be good. I do not know whether they are going to separate us from our salaries or not. When I was home next to the last time they had an argument in the grocery store—the old-time cracker-box argument—and one fellow said, "What are you doing down in Washington?" I said, "Well, we are trying to do this, that, and the other," and I tried to tell him. The other fellow said, "But you haven't accomplished anything. You haven't gotten anywhere." I said, "I have tried. I have talked about it. I have introduced bills to correct some of the worst practices." The first fellow said, "Now, HOFFMAN has tried." The second fellow said, "Yes; but he has not done anything. He hasn't gotten anything through Congress. They have not enacted his bills into law. What he has been doing down there is talking about it and trying to convert them and point out hell fire and damnation to those Democrats and new dealers. He has been trying all right hard enough, but he can't make any converts. They will confess, but, darn them, they won't act when it comes to voting." He says, "Yes; I will admit that he is all right." The second fellow says, "He is all right. I know he has been trying, but the fact remains he hasn't gotten anywhere with this legislation."

So what is the use of having Congressmen, good or bad? Let us just abolish them and save that $10,000 a year that each one of them gets.

Now, do you see the argument? Do you understand, gentlemen; do you understand that the people are getting so they do not think very much of us as a whole and they think they do not need us down here? If that idea continues to grow we will not have a legislative branch of the Government. While the administration wants war—wants to fight Hitler—it is following the same course he pursued to destroy the people's government in Germany. Now, all this weakening of national morale is due to the doctrines you new dealers have put across. You have damned all of us in the minds of the people and we have to catch it for your iniquities and for your sins. We are getting awfully tired of it and we only hope when the final judgment comes and St. Peter reads out of his book that the goats will be separated from the sheep, that those who are good will go one place and those who are bad another; but I would not want to be with the new dealers either place, for it would be hell anywhere with them.

Mr. WICKERSHAM. Mr. Speaker, will the gentleman yield for a question?

Mr. HOFFMAN. I yield.

Mr. WICKERSHAM. I just wondered if it would not be a good idea for the gentleman to extend an invitation. He has been preaching and preaching, but the trouble is he has never extended the invitation.

Mr. HOFFMAN. Has not what?

Mr. WICKERSHAM. Has not extended the invitation like they do in church.

Mr. HOFFMAN. What does the gentleman mean? I have asked the opposition to repent and be good, but so far, while you confess, you do not reform—at least the reformation has not progressed far enough to show on the surface. And there is no use passing the plate, as they do in church, for a new dealer never spends any of his own money, and the taxpayers have burden enough. I have many times extended the invitation for you folks to come forward and be saved, but you will not do it. Speaking for myself alone—if Congress does such a thing, I hope that Michigan will hold its regular congressional election and, by force if necessary, seat the Congressmen elected in 1942. If we must again fight to preserve our representative government, let us do it.

[Here the gavel fell.]

SPECIAL ORDER

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Michigan [Mr. BRADLEY] is recognized for 5 minutes.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. BRADLEY of Michigan. I yield.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my remarks and to include therein a statement by General Rivers on the Philippines.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

THE "PINK STAR" HYPOCRISY

Mr. BRADLEY of Michigan. Mr. Speaker, judging from the mail that comes into my office every day, there is a great deal of truth in what was said by the gentleman from Michigan [Mr. HOFFMAN]. The people back home are beginning to wonder—and justly so—how near we are approaching the end of constitutional government in this country and the substitution therefor of government by Presidential decree.

A week or so ago the President made a speech over the radio in which he informed us that henceforth the American Navy would start convoying ships of all nations carrying war materials between the United States shores and Iceland; this despite the fact he had previously said—and said in no uncertain terms when he was trying to put across the Lease-Lend Act—that convoying was entirely out of the question—would not even be considered. Why? Because convoying meant shooting, and shooting meant war.

BY JUST WHAT LEGAL AUTHORITY CAN THE PRESIDENT ORDER OUR NAVY TO CONVOY FOREIGN-FLAG SHIPS?

But then we find him saying a little later on in that memorable speech that he had ordered the American Navy to shoot on sight all surface, subsurface, or above-surface craft belonging to the Axis Powers or controlled by them. Then he went on to say that if there was war resulting therefrom it would be up to Adolf Hitler. I do not know by what authority he can issue a Presidential declaration of war and instruct our Navy to start shooting on sight and then try to pass the buck over to somebody else who happens to own warships and war planes

that are engaged in warfare with a country other than ours.

Then there is another fact that enters into this whole question. The other day a ship known as the *Pink Star* was sunk. On yesterday the afternoon News and other Washington papers broadcast to the American people the fact that American shipping had again been attacked and that our State Department regarded that as an attack on American shipping; and I presume as such we may consider that possibly that is another step on the road to war. It is about time we stopped kidding the American people. It is about time we quit all this hypocrisy and told the American people something of the truth as to what the *Pink Star* was and what her history was.

The *Pink Star* was a Danish boat which sought shelter in our ports when we were a neutral nation. Several months ago we were rushed into passing the ship-seizure bill. When we were considering it before our Merchant Marine Committee I personally asked various witnesses from the Maritime Commission, the State, War, and Navy Departments just what use would be made of these seized ships—just why they wanted that bill passed in that exact manner, which permitted their transfer to foreign flags. None would tell us for what purpose they wanted it, but they had to have it, and we passed it. Nobody would tell us to what use these boats might be put. In fact, it appeared obvious they were not permitted to tell us. So now we may ask if the deliberate attempt is being made to use them in such a manner as to create "that certain incident"? That act passed the Congress, and under the authority of that act we seized that Danish ship. Presumably we paid for it. Our Government does not operate it nor man it, nor does it sail under our own flag. We leased it to an American concern, the United States Lines. We did not dare sail it in its intended service under the American flag because of the remaining vestiges of the Neutrality Act. We sent it down to Panama, put a Panama flag on it, and we put an un-American crew—a crew of foreigners, not American citizens—on that boat. Then we armed her. We brought her back to New York and we loaded her with war materials for Britain. She dares to sail under a Canadian convoy into a blockade zone, so proclaimed by the German Government. The boat is attacked and sunk.

Now, the afernoon papers tell us that the State Department regards that as an attack on American shipping. For the love of heaven, can we not come clean with the American people? The President comes out and says that if Congress does not repeal the Neutrality Act, which prohibits the arming of American ships and the employment of American merchant ships in belligerent zones, he will arm those ships himself. By what authority? The American people want to know just how soon we are going back to constitutional government in this country—if ever. Wake up, America. Wake up, Congress.

[Here the gavel fell.]

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow it adjourn to meet on Monday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

ARMY DEMONSTRATION FOR MEMBERS OF CONGRESS, FORT BELVOIR, VA., OCTOBER 2, 1941

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachussets [Mr. McCORMACK]?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I have received a communication from the War Department, which I think should be announced so that those Members who may desire to attend may have the information. This memorandum is addressed to me and reads as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, September 24, 1941.

Memorandum for the Honorable JOHN W. McCORMACK, M. C.:

Subject: Army demonstration for Members of Congress, Fort Belvoir, Va., October 2, 1941

At the request of various Members of Congress the War Department has arranged a demonstration of weapons and combat formations for the Congress at Fort Belvoir, Va., on Thursday, October 2. Members will be transported from the Capitol to Fort Belvoir in motor transportation to be furnished by the Army and will be given lunch at Fort Belvoir, returning to Washington during the middle of the afternoon.

All types of weapons will be displayed, and an opportunity will be afforded the Members to witness combat-training activities, including the action of dive bombers and parachute troops. Every effort will be made to show the Members a complete picture of current Army equipment and training.

C. V. ALLAN,
Lieutenant Colonel, General Staff Corps.

I want to make this announcement for the benefit of the Members of the House so that such Members as desire to attend may make their plans accordingly.

[Here the gavel fell.]

THE CONSTITUTION AND DISCRIMINATION

Mr. CAPOZZOLI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. CAPOZZOLI]?

There was no objection.

Mr. CAPOZZOLI. Mr. Speaker, last week our country observed the one hundred and fifty-fourth anniversary of the signing of the Constitution of the United States. Much has been said and written about the immortality of this document. Any word of mine would contribute little to its glory. Suffice it to say that for years it has extended its beneficent protection over all of our people, irrespective of race, color, or creed.

I like to think of the workings of our Constitution in the terms contained in a passage of an address delivered by the late United States Senator Borah, reading as follows:

Men of all races, English, German, Italian, Norwegian, Irish, Greek, and all, with their varied and conflicting views and ways of thinking and living, representing all faiths, all creeds, and all religions, Protestant, Catholic, Jew, Scientist, and those with no belief, all living in peace and security under one flag.

The passage which I have just read to you is extremely eloquent in the expression of the basic reasons why America exists. It is here that race, color, or creed shall not have any influence on the individual right to live and to be happy. All this has been made possible by reason of the foresight and wisdom of the framers of our Constitution. Within its terms there is found the fundamental and basic theory of protection of the individual freedom. That theory is just as good today, just as necessary, and as valuable as it was when it was first enunciated by the framers of our Constitution.

It is, therefore, with a great deal of regret that we witness attempts, made in certain quarters, to encourage discrimination against some of our fellow Americans, or, perhaps, hatred, by reason of their race, color, or creed.

I had occasion in June of this year to address the House on the subject of racial discrimination. Has anything else taken place since then which constitutes additional justification for my remarks at that time? I certainly believe so.

Very recently a statement has been broadcast, from a prominent source, calculated to create the impression that the Jews are pressing this country into war. Aside from the inaccuracy of the statement, there are far more important criticisms. What is the effect of such a statement? What can be the natural result flowing therefrom? I think it is fair to state that the overwhelming majority of our people abhor and do not want war. If, then, we are advised that a particular class of our people wants war for selfish reasons and against the wishes of the majority, that class will be very unpopular. The result, of necessity, will be that this class would be the object of the hatred of our fellow Americans. Hence, it is plain that statements, such as the one above referred to, do not make for a united nation and, on the contrary, will actually tend to divide our people into hostile classes. I maintain that the more prominent the person, the more careful he should be in not broadcasting inflammatory statements raising the racial issue. Such conduct is entirely un-American and a direct blow to the fundamental principles of our democracy.

The Jews are not the only ones who are victims of racial hatred and propaganda. Other minorities suffer the same injustices to which the Jews have been subjected. This condition is particularly present in the field of employment.

When I last addressed the House on this subject I cited evidence to support my contention. This evidence consisted of official utterances, made by high officials of the State of New York. Is this practice limited to New York? Not at all. It is a condition which prevails elsewhere in our country.

Rather recently, in a statement issued by the Connecticut State Employment Service, it was said:

A study of the active files of the state employment office indicated that on April 26,

1941, an estimated 16 percent of the 35,000 people in the files were difficult of placement because they were of Italian or German extraction, another 4 percent could be placed only in a limited category of occupations because of color.

In testifying before the House Committee to investigate defense migration early this summer, Hon. Leonard J. Maloney, Director of the Connecticut State Employment Service, stated as follows:

Applicants of Italian extraction, two and three generations removed, have been denied employment * * * they are becoming militant in their demands for fair treatment and a number of disturbances have been reported from public employment offices. It does not make sense that the same Italians who are acceptable for selective service are denied the opportunity to serve in airplane and munition plants.

I most certainly agree with Mr. Maloney, and he is to be commended for his observation included in this last quotation. Certainly it does not make sense that Americans of Italian extraction are good enough to do their bit in the armed forces of our country and yet not acceptable in their attempts to earn a livelihood.

However, I am not at all surprised. I have always believed that the persecution of any given minority will spread to other minorities. Aside from the passage of laws in an attempt to curtail this practice, there should be wholehearted cooperation on the part of all Americans, with one purpose in mind, namely, eliminate all talk of racial discrimination. We must not permit any particular class of our American people to suffer any unfair treatment because of race, color, or creed.

Let us all keep in mind the statement of a prominent American, the former Chief Justice of the United States, Hon. Charles E. Hughes:

We protect the fundamental rights of minorities in order to save democratic government from destroying itself by the excesses of its own power. The firmest ground for confidence in the future is that more than ever we realize that, while democracy must have its organization and controls, its vital breath is individual liberty.

In these days, when on all sides there is talk of danger confronting our country, we should close ranks and present a united front in the hope that whatever the danger may be we shall meet it successfully. I am sorry to say that a division of our people into classes whereby one class shall distrust another is not the sort of unity which we want in these crucial days. Let us have our differences based upon the merits of a proposition and not based upon racial origin.

We should rededicate ourselves to the protection of those basic individual rights guaranteed to us under our Constitution. Let us assure all our fellow Americans that irrespective of race, color, or creed they shall be judged as to their Americanism on the basis of their devotion to our country and their willingness to make sacrifices in its behalf. No one class has a monopoly on Americanism.

EXTENSION OF REMARKS

Mr. KOPPLEMANN. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD an address made by my colleague the gentleman from New York [Mr. CELLER].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Connecticut [Mr. KOPPLEMANN]?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include resolutions adopted at a recent convention of the Yankee Division Veterans' Association.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 2 minutes p. m.) the House adjourned until tomorrow, Thursday, September 25, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on the following dates at 10 o'clock a. m. to consider the following bills:

Thursday, September 25, 1941:

H. R. 5509, to authorize the Secretary of the Treasury to requisition or purchase motorboats, yachts, and similar vessels for Coast Guard use.

Tuesday, September 30, 1941:

H. R. 5446, to establish a system of unemployment insurance for the maritime industry and for other purposes.

Tuesday, October 14, 1941:

H. R. 3254, to safeguard and protect further the lives of fishermen at sea and to place fishing boats under the supervision of the Department of Commerce, Bureau of Marine Inspection and Navigation, and for other purposes.

COMMITTEE ON AGRICULTURE

The Committee on Agriculture will hold hearings on Tuesday, September 30, 1941, at 10 o'clock a. m. on H. R. 5336, Farm Credit Act.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

945. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 26, 1941, submitting a report, together with accompanying papers and an illustration, on reexamination of San Diego Harbor, Calif., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted May 8, 1941 (H. Doc. No. 390); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

946. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 1, 1941, submitting a report, together with accompanying papers and an illustration, on reexamination of St. Lucie River, Fla., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted January 26, 1940 (H. Doc. No. 391); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

947. A letter from the Director of Civilian Defense, transmitting a draft of a bill to provide protection of persons and property from bombing attacks in the United States, and for other purposes; to the Committee on Military Affairs.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 3965) for the relief of Martha Smith Brown, and the same was referred to the Committee on War Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. O'BRIEN of Michigan:

H. R. 5707. A bill to provide travel expense to their homes for enlisted men and selectees in the United States Army, Navy, and Marine Corps while on furlough; to the Committee on Military Affairs.

By Mr. RANDOLPH:

H. R. 5708. A bill to amend the District of Columbia Unemployment Compensation Act; to the Committee on the District of Columbia.

By Mr. SAUTHOFF:

H. R. 5709. A bill excepting from the definition of employment for the purposes of the Social Security Act and related tax acts service performed as musician or entertainer in the employ of certain fraternal organizations; to the Committee on Ways and Means.

By Mr. GREEN:

H. Con. Res. 52. Concurrent resolution to designate Horace C. Carlisle as poet laureate of Congress, with the privilege of having his poems printed in the CONGRESSIONAL RECORD; to the Committee on the Library.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Republic of Peru, memorializing the President and the Congress of the United States to consider their resolution relative to foreign affairs; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BISHOP:

H. R. 5710. A bill for the relief of Martha Elezabeth Dry, widow of Frank Dry; to the Committee on Claims.

By Mr. BOGGS:

H. R. 5711. A bill for the relief of Kenneth A. Rotharmel; to the Committee on Claims.

By Mr. GUYER of Kansas:

H. R. 5712. A bill granting a pension to Eliza G. Johnson; to the Committee on Invalid Pensions.

By Mr. McINTYRE:

H. R. 5713. A bill for the relief of George W. Lyle under the jurisdiction of the United States Employees' Compensation Commission; to the Committee on Claims.

By Mr. RIVERS:

H. R. 5714. A bill for the relief of William H. Cogswell, Jr.; to the Committee on Claims.

By Mr. SCRUGHAM:

H. R. 5715. A bill for the relief of Wyatt Bowles; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1835. By the SPEAKER: Petition of the Michigan Municipal League, Ann Arbor, Mich., petitioning consideration of their resolution with reference to legislation relative to water transportation through creation of the St. Lawrence waterway; to the Committee on Rivers and Harbors.

1836. Also, petition of George McVey Hally, Lucena, Tayabas Province, P. I., petitioning consideration of their resolution with reference to legislation relative to processing tax on coconut oil; to the Committee on Insular Affairs.

SENATE

THURSDAY, SEPTEMBER 25, 1941

The Chaplain, Rev. Barney T. Phillips, D. D., offered the following prayer:

Eternal God, Thou loving Father of mankind, whose greatness doth transcend all human thought: Enable us to realize Thy presence as Thy tender love indwelling us wakens the slumbering possibilities of our greatness. Speak to our inmost souls, and make us generous in thought, word, and deed, refined in discernment, calm in judgment, and resolute in purpose, that, with wills unsullied by any thought of self, the spirit of true unity may be manifest in the hearts of all our people.

Bless our President with health and strength and bestow upon him whatever may be needful for the fulfillment of his great, exacting tasks. Sanctify the sorrow that hath touched with sadness the sacred precincts of the home and bring the comfort of Thy grace.

Shine through the mists of our mortality, and lead us as a people to the city of our God, where one day we may lay at Thy feet all that we have attained through the mastery of our powers. We ask it in the name of Jesus Christ Thy Son our Lord. Amen.

THE JOURNAL

On request of Mr. HERRING, and by unanimous consent, the reading of the Journal of the proceedings of Monday, September 22, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF A BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries, who also announced that on September 24, 1941, the President had approved and signed the act (S. 1725) to authorize the sale of certain Indian lands to the city of Cut Bank, Mont.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Calloway, one of its reading clerks, returned to the Senate, in compliance with its request, the bill (S. 1481) to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal.

The message announced that the House had agreed to Senate Concurrent Resolution 17, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed 35,000 additional copies of Public Law No. 250, current session, entitled "Revenue Act of 1941," of which 5,000 copies shall be for the use of the Senate document room, 25,000 copies shall be for the use of the House document room, 4,000 for the Committee on Ways and Means of the House, and 1,000 for the Committee on Finance of the Senate.

The message also announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

H. R. 5682. An act to amend an act to provide for a union railroad station in the District of Columbia, and for other purposes; and

H. J. Res. 235. Joint resolution to amend section 124 of the Internal Revenue Code by extending the time for applications, and changing the procedure, for certification of national-defense facilities and contracts for amortization purposes.

INVITATION TO VIEW THE MOTION PICTURE, LAND OF LIBERTY

Mr. DOWNEY. Mr. President, I have heretofore sent to Senators a written invitation to witness the much-discussed film, Land of Liberty, tomorrow afternoon at 2:15 and 4:15 p. m. at the National Archives Building. Lately there has been a great deal of publicity about Land of Liberty, and I believe Members of the Senate will enjoy seeing this film, which I consider to be a historical and inspiring epic. We will be very happy to have any and all Senators see it who care to do so.

EXECUTIVE COMMUNICATIONS

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

DRAFT OF PROPOSED LEGISLATION PROVIDING PROTECTION AGAINST BOMBING ATTACKS

A letter from the United States Director of Civilian Defense, transmitting a draft of proposed legislation to provide protection of persons and property from bombing attacks in the United States, and for other purposes (with an accompanying paper); to the Committee on Military Affairs.

REPORT OF BOARD OF INVESTIGATION AND RESEARCH

A letter from the Chairman of the Board of Investigation and Research (Transportation Act of 1940), transmitting, pursuant to law, the annual report of the Board of Investigation and Research, established under section 305 of part 1 of title III of the Transportation Act of 1940 (with an accompanying report); to the Committee on Interstate Commerce.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate or presented and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Michigan Municipal League in convention assembled at Traverse City, Mich., favoring the enactment of legislation providing for development of the St. Lawrence River; to the Committee on Commerce.

A communication from John C. Gives, of New York City, N. Y., relative to the international situation and current speeches of certain noninterventionists; to the Committee on Foreign Relations.

A letter in the nature of a memorial from Autory Joseph, of Philadelphia, Pa., remonstrating against repairing British war vessels in United States ports and the appropriation of additional funds for lend-lease purposes; to the Committee on Foreign Relations.

By Mr. CAPPER:

Petitions, numerously signed, of sundry citizens of Galena and Osborne County, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

REPORTS OF A COMMITTEE

The following reports of the Committee on Military Affairs were submitted:

By Mr. JOHNSON of Colorado:

S. 1843. A bill to provide for payments in advance to enlisted men of monetary allowance in lieu of quarters and subsistence under certain conditions; without amendment (Rept. No. 681).

By Mr. THOMAS of Utah:

S. 1885. A bill to extend, under certain conditions, the time for examination of monthly accounts covering expenditures by disbursing officers of the Army; without amendment (Rept. No. 682).

By Mr. GURNEY:

H. R. 588. A bill to authorize an appropriation for the purpose of establishing a national cemetery at Honolulu, T. H.; without amendment (Rept. No. 683).

By Mr. SCHWARTZ:

H. R. 596. A bill to authorize maintenance and use of a banking house upon the United States military reservation at Hickam Field, Oahu, Hawaii; without amendment (Rept. No. 684).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

S. 1922. A bill to provide for the acquisition and toll-free operation by the United States of the interstate bridge between Rainier, Oreg., and Longview, Wash.; to the Committee on Commerce.

By Mr. McFARLAND:

S. 1923. A bill for the relief of William A. Easley; to the Committee on Finance.

S. 1924. A bill granting an increase of pension to Alice L. Updegraff; to the Committee on Pensions.

(Mr. McKELLAR introduced Senate bill 1925, which was referred to the Committee on Foreign Relations and appears under a separate heading.)

By Mr. THOMAS of Oklahoma:

S. 1926. A bill to correct an error in the Cherokee school fund, and for other purposes; and

S. 1927 (by request). A bill to reserve certain public lands in California for the benefit of the Manchester Band of Pomo Indians of the Manchester Rancheria; to the Committee on Indian Affairs.

By Mr. REYNOLDS:

S. 1928. A bill for the relief of Thaddeus C. Knight; to the Committee on Military Affairs.

S. 1929. A bill to amend section 19 (a) of the Philippine Independence Act of March 24, 1934, as amended by the act of August 7, 1939, and to amend the act approved June 19, 1934, so as to authorize certain sugar excise tax funds and other funds to be used for military and naval defense purposes in the Philippine Islands (with accompanying papers); to the Committee on Territories and Insular Affairs.

By Mr. BYRD:

S. 1930. A bill to provide for compensatory time off or additional compensation for regular employees of navy yards and naval stations who are required to work on holidays or on days when the departments and establishments of the Government are closed by Executive order; to the Committee on Naval Affairs.

By Mr. ADAMS:

S. 1931. A bill to abolish the Guilford Courthouse National Military Park Commission, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. DOWNEY:

S. 1932. A bill to amend the Social Security Act to provide for general pensions, and for other purposes; to the Committee on Finance.

(Mr. O'DANIEL introduced Senate Joint Resolution 106, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

REPEAL OF NEUTRALITY ACT

Mr. McKELLAR. Mr. President, I introduce a bill for appropriate reference and ask unanimous consent, if it is necessary to do so, that I may proceed for half a minute in reference to it.

The VICE PRESIDENT. Without objection, the Senator may proceed.

Mr. McKELLAR. Mr. President, the bill reads:

A bill to repeal the Neutrality Act of 1939

Be it enacted, etc., That the Neutrality Act of 1939 is hereby repealed.

SEC. 2. Offenses committed and penalties, forfeitures, or liabilities incurred under such act prior to the date of enactment of this act may be prosecuted and punished, and suits and proceedings for violations of such act or of any rule or regulation issued pursuant thereto may be commenced and prosecuted, in the same manner and with the same effect, as if such act had not been repealed.

My reasons for introducing a bill to repeal the neutrality laws are as follows:

First. We made a mistake in passing the neutrality laws, as they have done no good and have merely cluttered up a situation that was already bad.

Second. Because such a law is at war with our age-old policy of freedom of the seas. We have fought two wars in behalf of this policy, one with Great Britain in 1812–14, which we lost, with the exception of the Battle of New Orleans, fought after a peace treaty had been signed; another with Germany, in 1917–19, which we won and then lost in the Peace Conference and in the Disarmament Conference in 1922. The neutrality law passed by Congress is in direct conflict with the freedom-of-the-seas policy which we have pursued for more than a hundred years, and is in direct conflict with all we hold dear concerning the freedom of the seas.

Third. Because, although the law is on the statute book, we are paying it virtually no attention, and no great government should pass a law and then disregard it. This is one of the principal reasons why I voted to repeal the prohibition law.

Fourth. Because our adherence to this law in the Atlantic Ocean and then disregarding it in the Pacific Ocean is a policy in which no great government such as ours should indulge.

Fifth. In keeping the law on the statute book we are indirectly consenting to Germany's claim that she controls a part of the waters of the Atlantic Ocean.

Sixth. Because I do not believe that the neutrality laws will keep us out of war. So long as we keep them on the books Germany will, no doubt, regard them as full evidence that we are afraid of her.

The bill (S. 1925) to repeal the Neutrality Act of 1939, was read twice by its title and referred to the Committee on Foreign Relations.

HOUSE BILL AND JOINT RESOLUTION REFERRED

The following bill and joint resolution were each read twice by their title and referred as indicated:

H. R. 5682. An act to amend an act to provide for a union railroad station in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

H. J. Res. 235. Joint resolution to amend section 124 of the Internal Revenue Code by extending the time for applications, and changing the procedure, for certification of national-defense facilities and contracts for amortization purposes; to the Committee on Finance.

ASSISTANT CLERK, COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

Mr. MALONEY submitted the following resolution (S. Res. 170), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Public Buildings and Grounds is hereby authorized to employ for the remainder of the Seventy-seventh Congress an assistant clerk, to be paid from the contingent fund of the Senate at the rate of $1,800 per annum.

ADDITIONAL COPIES OF SENATE DOCUMENT NO. 96, CURRENT SESSION—SERVICE MANUAL

Mr. JOHNSON of Colorado submitted the following resolution (S. Res. 171), which was referred to the Committee on Printing:

Resolved, That there be printed 5,000 additional copies of Senate Document No. 96, current session, entitled "Service Manual as to Privileges, Rights, and Benefits of Disabled American Veterans of the World War and Their Dependents" for the use of the Senate document room.

REPORT ON DUXBURY HARBOR, MASS. (S. DOC. NO. 115)

Mrs. CARAWAY presented a letter from the Secretary of War, transmitting a report dated June 20, 1941, from the Chief of Engineers of the Army, on re-examination of Duxbury Harbor, Mass., which, with the accompanying papers, was referred to the Committee on Commerce and ordered to be printed with an illustration.

REPORT ON LALOUTRE, ST. MALO, AND YSCLOSKEY BAYOUS, LA. (S. DOC. NO. 116)

Mrs. CARAWAY presented a letter from the Secretary of War, transmitting a report dated June 20, 1941, from the Chief of Engineers of the Army, on re-examination of LaLoutre, St. Malo, and Ysclosky Bayous, La., which, with the accompanying papers, was referred to the Committee on Commerce and ordered to be printed, with an illustration.

ONE HUNDRED AND FIFTY-SECOND ANNIVERSARY OF ENACTMENT OF BILL OF RIGHTS

Mr. BRIDGES. Mr. President, today is the one hundred and fifty-second anniversary of the enactment by the Congress of the Bill of Rights. It was 152 years ago today, on September 25, that the United States Senate concurred in the action of the House of Representatives which resulted in the enactment of the Bill of Rights. I think it is well that on this occasion there be some mention of it made in the Senate Chamber. Never since the Bill of Rights was adopted has it had greater significance; and, in this connection, I ask unanimous consent to have printed as a part of my remarks, in the body of the RECORD, an editorial from the New York Herald Tribune of this date entitled "The Ramparts of Liberty."

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the New York Herald Tribune of September 25, 1941]

THE RAMPARTS OF LIBERTY

The celebration today of the one hundred and fifty-second anniversary of the enactment by Congress of the Bill of Rights serves as a reminder that t' is great charter of civil liberties took the form in which we know it right here in New York City, in the Federal building on the site of the subtreasury at the corner of Wall and Nasau Streets. A chronology prepared by Mr. Gardner Osborn, the executive director of the Federal Hall Memorial Associates, calls attention to the fact that it was on May 4, 1789, only 5 days after the inauguration of President Washington, that Mr. James Madison notified the House of Representatives that he intended to bring up the subject of amendments to the Constitution on the fourth Monday of May. Throughout the summer discussion of proposed amendments was carried on in both Houses. There was at first some hesitation on the part of some of the members as to whether or not it would be necessary to call a new constitutional convention. Mr. Madison wisely pointed out that such a convention might pave the way to the reconsideration of the entire Constitution, which was undesirable. All that was necessary was for both Chambers to consider the proposed amendment. The House concluded its work on August 24 and sent the amendments which it had adopted to the Senate for consideration. The first week of September was devoted by the Senate almost entirely to these amendments. The proposal was then considered by a committee of conference, and on September 24 the House resolved that the President be requested to transmit copies of the proposed amendments to the States for ratification. On September 25 the Senate concurred. It is this action of the Congress which is today to be commemorated. For

2 years the amendments—there were 12 of them which had been approved, of which 2 failed of ratification—were discussed by the different States. New Jersey was the first to ratify them. Not until December 15, 1791, was the necessary majority obtained. This is why that date has been proclaimed by President Roosevelt as Bill of Rights Day and why celebrations will be held throughout the country on that occasion.

Never in the history of the world have the principles set forth in the Bill of Rights had greater significance. Throughout most of Europe they have been torn up. The totalitarian systems long ago tossed them on the scrap heap. In fact, it may be said that neither nazi-ism, fascism, nor communism can survive if these civil liberties continue to exist. This is why the dictators early in their careers abolished civil liberties. This is why there can be no real world freedom until the principles embodied in the Bill of Rights once more govern throughout Europe. They are the ramparts of liberty.

ADDRESS BY SENATOR CAPPER ON THE OBLIGATIONS OF CITIZENSHIP

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a radio address on the obligations of citizenship, delivered by him at Topeka, Kans., on September 21, 1941, which appears in the Appendix.]

ADDRESS BY SENATOR TAFT TO OHIO FEDERATION OF REPUBLICAN WOMEN'S ORGANIZATIONS

[Mr. TOBEY asked and obtained leave to have printed in the RECORD the address delivered by Senator TAFT to the Ohio Federation of Republican Women's Organizations on September 22, 1941, which appears in the Appendix.]

ADDRESS BY SENATOR TOBEY AT CARNEGIE HALL, NEW YORK

[Mr. TOBEY asked and obtained leave to have printed in the RECORD an address delivered by him at Carnegie Hall, New York, on September 17, 1941, which appears in the Appendix.]

ADDRESS BY SENATOR O'DANIEL ON CONSTITUTION DAY AT DALLAS, TEX.

[Mr. McFARLAND asked and obtained leave to have printed in the RECORD the address delivered by Senator O'DANIEL on Constitution Day, September 7, 1941, at Fair Park, Dallas, Tex., which appears in the Appendix.]

ADDRESS BY REPRESENTATIVE PLUMLEY ON ONE HUNDRED AND FIFTIETH ANNIVERSARY OF ADMISSION OF VERMONT INTO THE UNION

[Mr. AUSTIN asked and obtained leave to have printed in the RECORD the address delivered by Representative Charles A. Plumley, of Vermont, on the occasion of the celebration of the one hundred and fiftieth anniversary of the admission of Vermont into the Union, which appears in the Appendix.]

ADDRESS BY POSTMASTER GENERAL AT ANNUAL CONVENTION OF NATIONAL ASSOCIATION OF POSTMASTERS

[Mr. McKELLAR asked and obtained leave to have printed in the RECORD the address delivered by Hon. Frank C. Walker, Postmaster General, at the annual convention of the National Association of Postmasters at Boston, Mass., on September 18, 1941, which appears in the Appendix.]

ADDRESS BY THE POSTMASTER GENERAL BEFORE DEMOCRATIC EDITORIAL ASSOCIATION OF INDIANA

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD the address delivered by Hon. Frank C. Walker, Postmaster General, before the Democratic Editorial Association of Indiana at French Lick Springs, Ind., on September 20, 1941, which appears in the Appendix.]

ARTICLE BY SENATOR LA FOLLETTE ON THE ST. LAWRENCE SEAWAY AND NATIONAL DEFENSE

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD an article entitled "The St. Lawrence Seaway Is Vital to Our National Defense," written by him and published in the current issue of the magazine Look, which appears in the Appendix.]

ARTICLE BY SENATOR LA FOLLETTE ON EFFECT OF DEFENSE PROGRAM OF SMALL BUSINESS

[Mr. LA FOLLETTE asked and obtained leave to have printed in the RECORD an article entitled "Defense Program Threatens Extinction of Small Business," written by him and published in the Progressive of August 30, 1941, which appears in the Appendix.]

EXPLANATION OF PRIORITIES BY DONALD M. NELSON

[Mr. LUCAS asked and obtained leave to have printed in the RECORD a radio interview with Hon. Donald M. Nelson, executive director of Supply Priorities and Allocations Board, in explanation of the meaning of priorities, which appears in the Appendix.]

ARTICLE BY WALTER LIPPMANN ON THE NEUTRALITY ACT

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an article entitled "The Neutrality Act," written by Walter Lippmann, and published in the Washington Post of September 25, 1941, which appears in the Appendix.]

EDITORIAL FROM THE WYOMING EAGLE ON THE DAILY DRIFT

[Mr. SCHWARTZ asked and obtained leave to have printed in the RECORD an editorial entitled "The Daily Drift," published in the Wyoming Eagle of September 13, 1941, which appears in the Appendix.]

INFLUENCE OF RACIAL GROUPS ON ADMINISTRATION—ARTICLE BY DOROTHY THOMPSON

[Mr. SCHWARTZ asked and obtained leave to have printed in the RECORD an article entitled "Lindbergh's Claim That Jews Endanger United States by Control of Mediums Molding Thought Contradicted" written by Dorothy Thompson and published in the Washington Evening Star of September 17, 1941, which appears in the Appendix.)

RESOLUTION OF CONNECTICUT STATE INDUSTRIAL UNION COUNCIL

[Mr. MALONEY asked and obtained leave to have printed in the RECORD a letter from T. R. Molloy, president of the Connecticut State Industrial Union Council, C. I. O., and a resolution of the Connecticut State Industrial Union Council, which appear in the Appendix.]

ARTICLE BY JAMES L. HOWARD, JR.

[Mr. MALONEY asked and obtained leave to have printed in the RECORD an article by Pvt. James L. Howard, Jr., 1114 Corps Area Service Unit, which appears in the Appendix.]

ECONOMIC SUGGESTIONS BY ELBERT EASTMAN

[Mr. McNARY asked and obtained leave to have printed in the RECORD a letter addressed to him by Elbert Eastman, of Portland, Oreg., which appears in the Appendix.]

REQUISITION OF PROPERTY FOR DEFENSE PURPOSES

Mr. THOMAS of Utah. Mr. President, I ask unanimous consent that the Vice President be given authority to appoint an additional Senator as a member of the conference committee on Senate bill 1579, the requisition-of-property bill.

Mr. McNARY. Mr. President, I inquire of the very eminent Senator from Utah why he makes this unusual request.

Mr. THOMAS of Utah. It is made at the request of those handling the bill in conference. I believe one of the members of the Military Affairs Committee acted as a conferee in the conference in the place of an absentee member, and this request is made so that his name may be properly appended to the report as one of the conferees.

Mr. McNARY. That does not quite explain the unusual procedure. The conferees were appointed in the usual way some weeks ago, and were typically representative of the majority and the minority membership in the chamber. They have performed their function; have they not?

Mr. THOMAS of Utah. Yes, sir. The report is ready to be submitted to the Senate.

Mr. McNARY. Then why does the Senator desire to enlarge the conference committee? What is the peculiar function of the new member whom the Senator wishes to have appointed on the conference committee?

Mr. THOMAS of Utah. As I have stated, the action is proposed so that the Senator who acted in the place of another Senator may properly sign the conference report.

Mr. McNARY. The majority must have signed the report anyway; otherwise, it would not be received and accepted or acted upon by the Senate. The Senator does not state a situation that requires action at all. I have not any particular objection, though the procedure is one which I do not relish, and which is quite unnecessary. After a conference is had, and an agreement is reached on the bill which is the subject of the conference, then to propose to enlarge the number of conferees does not conform to the usual practice and does not conform to what, in my judgment, is a legitimate and fair way of legislating.

Mr. THOMAS of Utah. Mr. President, the Senator from Utah agrees with every sentence the Senator from Oregon has uttered, or else he would not at this time ask unanimous consent to do this rather irregular thing. That is the only reason I can give.

Mr. McNARY. Are the conferees ready to report?

Mr. THOMAS of Utah. Yes, sir; I think the conferees are ready.

Mr. McNARY. And the Senator whom the Senator from Utah desires to have on the conference committee has not participated in the conference in any way whatever?

Mr. THOMAS of Utah. The Senator whose name will be added as the result of the action of the Senate did participate in the conference.

Mr. McNARY. And the Senator from Utah wishes to ratify that which was done in an irregular and unorderly fashion?

Mr. THOMAS of Utah. The Senator from Oregon has very aptly stated the situation as I understand it.

Mr. McNARY. I consent, but I do not think I shall ever do so again.

Mr. AUSTIN. Mr. President, on behalf of the committee of conference to which reference has just been made, the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to Senate bill 1579, the so-called requisitioning bill, I submit the report agreed to by the conferees, and ask for its present consideration.

The VICE PRESIDENT. The Chair first will ask whether there is objection to the request of the Senator from Utah. If there is no objection to the request, the Chair appoints the Senator from Wyoming [Mr. SCHWARTZ] as one of the conferees.

Mr. AUSTIN. Mr. President, I will state what has occurred.

The conference report is signed by all the managers of the conference on behalf of the Senate, two of whom were absent, but who authorized me to sign their names to the conference report. They have had the text of the bill as agreed upon read to them, and I may say that in any event they were familiar with all that is contained in it prior to my reading it to them, and they authorized me to sign their names to the conference report; so the report on behalf of the managers for the Senate is signed by ROBERT R. REYNOLDS, LISTER HILL, H. H. SCHWARTZ, ALBERT B. CHANDLER, WARREN R. AUSTIN, and STYLES BRIDGES, all the managers having signed it.

If the Senate consents to the present consideration of the report, I shall make a brief explanation of what was done in the conference.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield to the Senator from Texas.

Mr. CONNALLY. I should like to propound a parliamentary inquiry as to what the precedents of the Senate are in regard to the signing by another Senator of the names of conferees to a conference report. As the Senator knows, I do not make any question of bona fides, but I do raise the question whether that is good practice.

The VICE PRESIDENT. The Senate has no official knowledge of anything of that sort unless it is stated on the floor of the Senate.

Mr. CONNALLY. The Senate has official knowledge of it now.

The VICE PRESIDENT. It is only now that the Senate has official knowledge of it.

Mr. CONNALLY. Now is what I am talking about.

The VICE PRESIDENT. Then it is a question of whether the Senate wishes, by unanimous consent, to ratify what was done.

Mr. CONNALLY. I do not want to object, and yet I think it is very bad practice. I am not the leader on this side; the Senator from Alabama [Mr. HILL] is acting in that capacity; but it seems to me there is a question as to the wisdom of such procedure. Of course, if the Senate should accept the conference report, that would validate the defective title, so to speak. It would be validated; but I question the wisdom of doing business in that way. The mails are open, and the report could very easily go to the absent Senators. I do not know who they are. I see that the Senator from North Carolina [Mr. REYNOLDS] is present. Was his name appended in his absence?

Mr. AUSTIN. No; Mr. President. A majority of the managers on the part of the Senate signed their own names.

Mr. CONNALLY. I think, then, the report ought to be submitted in exactly that form. That is legal; that is good. I do question the propriety and the parliamentary wisdom of permitting someone else to sign another Senator's name to the conference report.

Mr. AUSTIN. If I may be permitted a word in reply, the Senators whose names I have signed wished to have the RECORD show their accord with the agreement. It was not necessary to have their signatures to it in order to make the report admissible in the Senate as a report of the managers on the part of the Senate; but it was done in order to accommodate them, because of their interest in this proposed legislation, which happens to have had a long and interesting career. A conference report was submitted to the Senate once before. As a matter of fact, the Senator from Kentucky [Mr. CHANDLER] handled on the floor of the Senate the last conference report prior to this one, and it was to accommodate the conferees to whom I have referred that I signed their names to the report. It is not necessary to the validity of the report that their names should be on it.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. CONNALLY. In that situation, I suggest that the report be filed, as I think it should be, with the genuine signatures, and if the absent Senators wish to put a statement in the RECORD that they favor the report, that will be proper; indeed, the debate which has already taken place reveals their position.

The VICE PRESIDENT. Under unanimous consent, the other procedure has already been adopted.

Mr. CONNALLY. What procedure has been adopted by unanimous consent? I have been standing on the floor, and I did not know any unanimous-consent request was laid before the Senate.

The VICE PRESIDENT. The Chair asked if there was unanimous agreement to the request of the Senator from Utah [Mr. THOMAS] and the Chair heard no objection, and in view of that situation, the Chair appointed the Senator from Wyoming [Mr. SCHWARTZ] a member of the conference committee.

Mr. CONNALLY. There was no objection to the appointment of the conferees, but what I am objecting to is the filing of this report in the manner which has been revealed. Does the Chair hold now that I cannot make an objection?

The VICE PRESIDENT. In view of the fact that the Senator from Wyoming [Mr. SCHWARTZ], under the circumstances, was a member of the conference, it would seem that there could be no objection to filing the report in the present form, unless the matter were reopened.

Mr. CONNALLY. Will the Chair tell me what agreement he is talking about?

The VICE PRESIDENT. The agreement reached as a result of the request of the Senator from Utah.

Mr. CONNALLY. What was the request?

The VICE PRESIDENT. The Senator from Utah will state it.

Mr. THOMAS of Utah rose.

Mr. CONNALLY. The RECORD should show it.

Mr. McNARY. Mr. President, if the Senator from Utah will permit, I think the parliamentary situation is obvious. I raised the point in regard to the appointment of the Senator from Wyoming as a member of the conference. The request was agreed to because I did not press my objection, although I do deplore the practice. The question now recurs upon the request of the able Senator from Vermont to proceed to the consideration of the conference report. That has not been acted upon.

The VICE PRESIDENT. Does the Senator from Texas raise the question of the propriety of the Senator from Vermont signing the names of two absent Senators?

Mr. CONNALLY. That is the point raised.

Mr. McNARY. If I may continue for a moment, I am in accord with the criticism made by the able Senator from Texas. The rule of the Senate contemplates that each conferee shall sign the report in which he joins, but the practice has grown up, and is quite imbedded in the procedure of the Senate, that conferees not in attendance may designate a conferee who is in attendance to sign their names. In my opinion, that is contrary to the spirit of the rule, but it is the practice, an unfortunate practice, though, since I have indulged in it myself, or permitted it to become somewhat of a rule by acquiescence, I shall not raise the point at this time.

I am in accord with the criticism raised by the Senator from Texas that we should require conferees to attend the conferences and to sign their names in person. Awhile ago a request was made that the Senator from Wyoming [Mr. SCHWARTZ], who had attended a conference, should be appointed a conferee. I referred to that a few moments ago, and withheld my objection to the procedure. I have also withheld any objection to the request made by the Senator from Vermont. But it is a bad practice. It has grown up as a practice, but it should not be a practice followed in the future.

Mr. SCHWARTZ. Mr. President——

The VICE PRESIDENT. Does the Senator from Vermont yield to the Senator from Wyoming?

Mr. AUSTIN. I yield.

Mr. SCHWARTZ. I understand, from what the distinguished Senator from Oregon has just stated, that a practice has grown up in the Senate that regularly appointed conferees who are unable to attend a conference may authorize others on the conference to sign their names to the report. That has been

done in the case before the Senate. Conferees who have been unavoidably absent have authorized that their names be signed to the conference report. We were all quite familiar with the matter in issue. I will say that it was with a great deal of reluctance that I consented to act as a conferee at all, although, of course, I was very familiar with the bill, I was familiar with the differences between the two Houses, and had heard all the testimony offered on the witness stand.

Mr. CONNALLY. Mr. President, will the Senator from Vermont yield?

Mr. AUSTIN. I yield.

Mr. CONNALLY. I have assumed that, being a conferee, the Senator from Wyoming has in fact signed the conference report.

Mr. SCHWARTZ. May I finish my statement?

Mr. CONNALLY. I beg the Senator's pardon. I was asking him if that was not the fact. The Senator has already signed, and I am not objecting to his signature. I am objecting to the signatures of absent Senators being appended, Senators who have not in fact signed the report.

Mr. SCHWARTZ. Mr. President, if I may proceed, when I acted as I did in connection with the conference report, and for the reasons which have been stated to the Senate, it was with the understanding at the time that whether my action were brought into question or not, the question was to be presented to the Senate, and here confirmed.

In view of the established practice, and of the fact that practically all the regularly appointed conferees have now signed the conference report, it seems to me we can very happily end this whole controversy by striking my name from the conference report. Then we will not establish any precedent whatever which may rise in the future to confuse us.

Mr. CONNALLY. Mr. President, I wish to disabuse the mind of the Senator from Wyoming of any impression that I was objecting to his acting as a conferee. My objection was to the statement of the Senator from Vermont that other Senators, not the Senator from Wyoming at all, but other Senators, who were absent, had not signed the report, but someone else had signed it for them. I am glad the Senator from Wyoming is on the conference. I was not present when he was appointed. I have no objection to his acting as a conferee. The mails are open, and if the signatures of the absent Senators are desired, the United States Government has an air-mail service which could be utilized to get their signatures. If a majority of the conferees are in fact in Washington, and in fact signed the report, the signatures of the absent Senators are not needed. I do not even know what the bill is.

Mr. AUSTIN. The Senator is interested in it.

Mr. CONNALLY. I am interested in the practice which is adopted. I am interested in a practice, no matter how unimportant or important, which is adopted by the Senate. I am interested in the precedents we are setting. I am interested in constitutional parliamentary procedure. I am not in favor of shadow boxing, or remote control by absentees. I think the Senate's business should be transacted right in this Chamber, not out on the golf links somewhere.

Mr. AUSTIN. Mr. President, I merely wish to observe for the RECORD that it is not necessary for the Vice President to rule upon the quasi parliamentary issue in order to admit the report. Foundation for its admission is well laid by the signatures of four of the managers on the part of the Senate who signed manually, so that it is not necessary to pass upon the superficial question which has been discussed.

Mr. CONNALLY. Mr. President——

The VICE PRESIDENT. In response to the earlier question of the Senator from Texas, the Chair is informed that there are no precedents for this situation; so it would be a matter for the Senate itself to pass on, if it finds it necessary to pass upon it.

Mr. CONNALLY. If the Chair wishes to put it up to me, I shall have to object until the signatures of the absent Senators are removed from the conference report. If the Chair cares to put it up to me, I assume the responsibility. I am not seeking to dodge any responsibility. I have no objection to the report being admitted with the genuine signatures upon it, and if they represent a majority, the signatures of the absent Senators are not needed.

The VICE PRESIDENT. The clerk will read.

Mr. CONNALLY. The clerk will read what? If the Senator from Vermont wishes to submit the report with the genuine signatures, telling us who they are, and so on, I have no objection to its consideration. I am not trying to block his bill, but I am trying to stop what I say is a bad practice, and one violative of our high conception of what the Senate should do.

Mr. AUSTIN. Mr. President, I shall take a ruling on the question as it stands. I have no right to take the names in question off the conference report. I have been requested by the two Senators to sign their names, and those signatures, made by me, are exactly as good as if made by them manually. I shall not take them off the report. I have no power to take them off the report. I am under obligation not to take them off.

Mr. CONNALLY. Mr. President, will the Senator yield, or should I seek to take the floor in my own time?

Mr. AUSTIN. I yield.

Mr. CONNALLY. I should prefer to let the Senator conclude.

Mr. AUSTIN. I yield, Mr. President.

The VICE PRESIDENT. It is for the Senate itself to pass upon the question.

Mr. CONNALLY. Mr. President, I submit that in the power to affix the signatures is contained the power not to affix them. If the Senator from Vermont has the right to place a signature on the report he also has the right to take it off. So I will have to insist on my point. I do not wish to make an objection. I do not like to do it. It seems to me the matter is very simple. The situation could very easily be accommodated if the Senator from Vermont were not so obstinate about the matter, but when obstinacy challenges me I have to accept the challenge by being as obstinate as I can be; so I object.

Mr. McNARY. Mr. President will the Senator yield?

Mr. AUSTIN. I yield.

Mr. McNARY. From the statement made by the able Senator from Vermont I obtained the information that the majority of the conferees on the part of the Senate had signed the conference report. The objection on the part of the Senator from Texas is that the report should not be submitted because of the signatures of two conferees which were signed to the report by the Senator from Vermont. I think that is the parliamentary situation.

Mr. President, in view of the statement made by the Senator from Vermont, it is my judgment that because of a Senate rule we probably could not consider the objection of the able Senator from Texas. The rule to which I refer appears in the Senate Manual at page 225, under the subject of Conferees, paragraph 17:

When the report is made the signatures of a majority of each board of managers are sufficient.

If I am correctly informed, four of the Senate conferees have signed the conference report. The names of two have been attached, it is true, without conforming to the rule of the Senate. Therefore, in my judgment, in view of the rule of the Senate which I have just read, the conference report could properly be received at this time.

Mr. CONNALLY. Mr. President, will the Senator from Oregon yield to me?

Mr. McNARY. Mr. President, I am through. I yield the floor to my distinguished friend.

Mr. CONNALLY. In my time will the Senator yield?

Mr. McNARY. Yes, indeed.

Mr. CONNALLY. Does not the Senator from Oregon think that the Senate is entitled to know what signatures are genuine and what are not? I do not mean to question the good faith of the Senator from Vermont, but the Senator now says that there are four signatures which were appended by the Senators themselves.

Mr. McNARY. Yes.

Mr. CONNALLY. Whose signatures are they?

Mr. AUSTIN. I can answer that question.

Mr. McNARY. Mr. President, I am not on the conference.

Mr. CONNALLY. The Senator speaks with authority. He says there are four genuine signatures. I thought he knew.

Mr. McNARY. I am taking the statement of the Senator from Vermont [Mr. AUSTIN], which is satisfactory to me.

Mr. CONNALLY. Any statement the Senator from Vermont makes on the floor of the Senate or anywhere else is sufficient so far as the Senator from Texas is concerned.

Mr. McNARY. Mr. President, I think the Senator from Texas has probably acted prematurely. I think the report should be received and the signatures should be read. Then if the majority of signatures are found to have been signed

by the Senators themselves and constitute a majority of the conferees on the part of the Senate, I think the report is entitled to be received and acted upon by the Senate.

Mr. CONNALLY. Mr. President, I thought the Senator from Oregon had yielded. I was very much flattered a little while ago because he said he was in agreement with the attitude taken by the Senator from Texas. I expanded all around, both intellectually and physically, thinking I had received his agreement. Now I find that he has thrown the car into reverse. I do not object to the report, but I do want the RECORD to speak the truth.

Mr. McNARY. Mr. President, if the able Senator from Texas were more cognizant with the rules of the Senate probably he would better understand the attitude taken by the Senator from Oregon. I say that I do not approve of the practice of appending the signatures of absent conferees to a report, but that far, and only that far, do I go with the illustrious Senator from Texas.

Mr. CONNALLY. Mr. President, I withdraw the question I asked the Senator from Oregon.

Mr. McNARY. But, Mr. President, when the matter is finally reduced to the proper interpretation of the rule, and I am advised that a majority of the conferees signed their names in person, I invoke the rule.

Mr. AUSTIN. Mr. President, let me state, testifying as an eyewitness, who signed the report manually.

The VICE PRESIDENT. Perhaps the Senator might submit the report.

Mr. AUSTIN. Yes; I should like to do that.

The VICE PRESIDENT. And state who signed the report manually.

Mr. AUSTIN. That is what I ask to do. The report was signed manually by ROBERT R. REYNOLDS, H. H. SCHWARTZ, WARREN R. AUSTIN, and STYLES BRIDGES, and the other two names are signed to the report in accordance with their request. Those signatures are "LISTER HILL, by W. R. A.," and "ALBERT B. CHANDLER, by W. R. A." So the report will set forth the situation just as it is. If I am permitted now to do so, I should like to file the report.

The VICE PRESIDENT. The clerk will read the report.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by amendment numbered 1 insert the following: "for such property to be determined as hereinafter provided"; and the House agree to the same.

That the Senate recede from its disagreement to the amendment of House numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by amendment numbered 2 insert the following:

"The President shall determine the amount of the fair and just compensation to be paid for any property requisitioned and taken over pursuant to this Act and the fair value of any property returned under section 2 of this Act, but each such determination shall be made on the basis of the fair market value of the property at the time it is requisitioned or returned, as the case may be. If, upon any such requisition of property, the person entitled to receive the amount so determined by the President as the fair and just compensation for the property is unwilling to accept the same as full and complete compensation for such property he shall be paid 50 per centum of such amount and shall be entitled to sue the United States in the Court of Claims or in any district court of the United States in the manner provided by sections 24 (20) and 145 of the Judicial Code (U. S. C., 1934 ed., title 28, secs. 41 (20) and 250) for an additional amount which, when added to the amount so paid to him, he considers to be fair and just compensation for such property. Such courts shall also have power to determine in an appropriate proceeding any questions that may arise with respect to the amount of the fair value to be paid upon the return of any property under section 2 of this Act, regardless of the amount in controversy in any such proceeding.

"Nothing contained in this Act shall be construed—

"(1) to authorize the requisitioning or require the registration of any firearms possessed by any individual for his personal protection or sport (and the possession of which is not prohibited or the registration of which is not required by existing law),

"(2) to impair or infringe in any manner the right of any individual to keep and bear arms, or

"(3) to authorize the requisitioning of any machinery or equipment which is in actual use in connection with any operating factory or business and which is necessary to the operation of such factory or business."

And the House agree to the same.

ROBERT R. REYNOLDS,
LISTER HILL (by W. R. A.),
H. H. SCHWARTZ,
ALBERT B. CHANDLER (by W. R. A.),
WARREN R. AUSTIN,
STYLES BRIDGES,
Managers on the part of the Senate.

A. J. MAY,
R. E. THOMASON,
W. G. ANDREWS,
DEWEY SHORT,
Managers on the part of the House.

The VICE PRESIDENT. Is there objection to the present consideration of the report?

Mr. AUSTIN. Mr. President, I move that the Senate proceed to the consideration of the report.

The VICE PRESIDENT. The question is on the motion of the Senator from Vermont.

Mr. CONNALLY. Is the motion debatable?

The VICE PRESIDENT. The motion is not debatable.

Mr. CONNALLY. Is the report debatable?

The VICE PRESIDENT. The report is debatable, but the question on the motion to proceed with the consideration of the report is not debatable.

The question is on agreeing to the motion of the Senator from Vermont [Mr. AUSTIN].

The motion was agreed to.

Mr. CONNALLY. Mr. President, I wish to make it clear to the Senator from Vermont that there was nothing personal in my objection to the consideration of the conference report. I wish to assure the Senator from Wyoming [Mr. SCHWARTZ] that I had no objection to his serving as a conferee. When I raised the point with respect to the absentees I did not even know that the Senator from Wyoming was on the conference committee. I did not know he had been appointed. I am glad he was. I think we ought to have two other Senators appointed, in addition to the Senator from Wyoming. What I was objecting to was the practice which the Senate is now in a way initiating. The Senate is now giving quasi recognition to a new principle of procedure. I am succumbing only because there were a majority of signatures appended to the report by the Senators who themselves were on the conference. If that were not true, I should certainly resist as long as I know how to resist the consideration and the adoption of the report, but since there is a majority of genuine signatures attached to the report I shall not resist. I do not question the good faith of the Senator from Vermont. I would rather have his name on a note than that of almost any other Member of the Senate. [Laughter.] I do not question his good faith at all. I respect him. I have a high regard for him. I serve on the Committee on the Judiciary with him. I am not indulging in personalities. I am not objecting to the Senators who are concerned in this matter. I am objecting to what they do, or what they are undertaking to do. But, according to my view, the signatures of the two Senators who were not present may be treated as nullities, as though they never had been signed to the report. Since the majority in fact did sign the report, I shall not further object.

I wish the RECORD to show that I have made these observations and objections. Although in my charge I was deserted by the eminent Senator from Oregon [Mr. McNARY], I feel that it is purely a strategic retreat on his part, and that in fact he has not lost any of his original intention to observe the rules of the Senate.

The VICE PRESIDENT. The question is on agreeing to the conference report.

Mr. ADAMS. Mr. President, I wish to make a few observations on some collateral matters.

I think that a Member of the Senate is selected by the people of his State to represent the State. I do not think he can delegate his authority to any other Senator. I am not particularly concerned with this matter, except in this way.

It is perfectly proper, perhaps, for a Senator who has participated in a conference to have someone else do the mere manual act of signing his name. I think it would be entirely improper for a Senator to delegate to another Senator the right to exercise his judgment as to whether his name should be signed. I think the Senator's own judgment should be exercised. I think it would

be perfectly proper to delegate to another Senator the mere manual act of affixing his name.

The practice which has grown up in the Senate, and to which I wish to refer, is the delegation of authority in committees. I think it is totally wrong. On a roll call as to whether a certain bill shall be approved, we find one Senator saying, "I am authorized to vote for so-and-so." I think a Senator has no right to delegate his judgment upon the passage of a bill or the taking of a vote. It is a practice which has grown up. We have known of Senators asking other Senators if they might not have their vote at the committee meeting, when they do not know the questions which will arise. I have had it in mind at times to raise the question, and it is suggested to me by the question before us.

I wish to make plain my view that every Senator must exercise his own judgment. He has no right to delegate to some other Senator the representation of his State, either in regular committee, a conference report, or on the floor of the Senate. I have no right to say to another Senator, "I shall not be present when my name is called. You vote for me." I think the same question arises when my name is called in the committee or when I am asked to agree to a conference report.

Mr. AUSTIN. Mr. President, briefly I wish to say that, assuming that every word of criticism which has been raised against the general practice of the kind described is sound criticism, in which I myself could readily concur, yet it does not apply in this instance. Both the distinguished Senators whose names have been appended to the report in their absence were very familiar with every step and every detail of what the conferees on the part of the Senate had done. The record bears out this statement. It is a remarkable record. It covers many volumes. I have marked some of them. The two Senators whose names were signed in the manner described took a very active part in the passage of this important measure. I ask unanimous consent to have inserted in the RECORD at this point what appears at page 48 of the calendar of the Military Affairs Committee, showing the parliamentary procedure in connection with this bill, in order that the criticisms which have been leveled at the report may not hit the two distinguished Senators whose names I signed to the report for them at their request.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

[S. 1579, by Mr. REYNOLDS, June 2, 1941. To authorize the President of the United States to requisition certain property for the use of or disposition by the United States]

June 2, 1941: Recommendation from War Department.

June 3, 1941: Identical H. R. 4949, by Mr. MAY.

June 5 and 6, 1941: Considered and scheduled for hearings to begin June 16.

June 13, 1941: Hearings changed to June 18.

June 18, 19, 23, 30, and July 1, 1941: Hearings held by the committee.

June 21, 1941: Letter from President Franklin D. Roosevelt urging favorable action.

June 24, 1941: Committee print No. 1.

July 9, 1941: War Department suggested changes.

July 9, 1941: War and Navy Departments urged action.

July 12, 1941: Committee print No. 2.

July 16, 1941: Executive session on the bill. Under Secretary of War Patterson and Mr. Wayne Coy were heard (proceedings printed), and it was decided to meet on the bill again Thursday afternoon, July 17.

July 17, 1941: Second executive session on the bill, with Under Secretary of War Patterson, Mr. Wayne Coy, and Capt. Claude A. Jones and Commander O. S. Colclough, of the Navy Department, present (proceedings printed). Agreement was reached upon the new text of the bill.

July 18, 1941: Committee print No. 3, containing text agreed upon by committee.

July 18, 1941: Reported to the Senate (Rept. No. 565), amended by striking out all after the enacting clause and substituting the new text agreed upon by the committee.

July 21, 1941: Passed by the Senate, the committee amendment being accepted after being amended.

July 22, 1941: To House Military Affairs Committee.

August 4, 1941: Reported to House with amendments (Rept. No. 1120).

August 5, 1941: Passed by the House with amendments by a vote of 241 yeas and 136 nays.

August 6, 1941: Senate disagreed to House amendments, and appointed the following conferees: Senators REYNOLDS, HILL, CHANDLER, AUSTIN, and BRIDGES.

August 7, 1941: House appointed the following conferees: Messrs. MAY, THOMASON, HARTER, ANDREWS, and SHORT.

August 7, 1941: Conferees met and reached agreement.

August 12, 1941: Report of conferees filed in House (H. Rept. No. 1153).

August 13, 1941: Upon motion of Mr. SHORT and by a vote of 254 yeas and 51 nays, the conference report was recommitted to the conference committee.

August 19, 1941: Upon request of Mr. JOHNSON of Colorado, the text as agreed upon by the conferees was printed as Senate Document No. 109.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. AUSTIN. I yield.

Mr. CONNALLY. I wish to make it clear that I have the highest respect for the two absent Senators. However, the rule on page 223 of the Senate Manual says:

The managers of the two Houses while in conference vote separately, the majority determining the attitude to be taken toward the propositions of the other House. When the report is made—

That is what we are talking about. That is what is happening now. The report is being made.

When the report is made the signatures of a majority of each board of managers are sufficient.

That does not mean phony signatures. It means genuine signatures. It does not mean a certified copy or a photostat of a Senator's signature. It means his signature, his own act, the physical registration on a piece of paper of what his mind tells him to do.

I wish to make it clear that I do not question the absolute good faith of the Senator from Vermont. I know he would not have signed the names of absent Senators without being authorized so to do. However, I wish the RECORD to show that I protest against ignoring the rules of the Senate and against the loose practices which we are permitting to grow up in the Senate. This is only one of them.

With that statement, I submit the matter.

Mr. AUSTIN. Mr. President, I now wish briefly to state what was done in the final conference in which representatives of both Houses concurred with no debate whatever. The conference was concluded upon the reading of the text of the amendments which have been embodied in the report now on file. They so completely answered the questions at issue between the two Houses that a concurrence was readily arrived at.

Let me say for the information of the Senate—I think this is a clear way to state it—that all the text of Senate bill 1579 which was adopted by the Senate on July 21 has been left except the following:

We struck out the reference to the act of October 10, 1940, Public, No. 829, Seventy-sixth Congress, third session, which was referred to in the bill as we passed it as a method or manner of ascertainment of the value of the property seized. It was taken out because it seemed to be inappropriate and out of line with the method provided elsewhere in the law for similar judicial action. We substituted for those words the following language, which is the first thing contained in the report—

for such property to be determined as hereinafter provided.

We made all the issues of fact relating to fair value determinable in the same manner. The manner of determination was agreed to be as follows—and this constitutes the second part of the report:

The President shall determine the amount of the fair and just compensation to be paid for any property requisitioned and taken over pursuant to this act and the fair value of any property returned under section 2 of this act, but each such determination shall be made on the basis of the fair market value of the property at the time it is requisitioned or returned, as the case may be. If, upon any such requisition of property, the person entitled to receive the amount so determined by the President as the fair and just compensation for the property is unwilling to accept the same as full and complete compensation for such property he shall be paid 60 percent of such amount and shall be entitled to sue the United States in the Court of Claims or in any district court of the United States in the manner provided by sections 24 (20) and 145 of the Judicial Code (U. S. C., 1934 ed., title 28, secs. 41 (20) and 250) for an additional amount which, when added to the amount so paid to him, he considers to be fair and just compensation for such property.

Such courts shall also have power to determine in an appropriate proceeding any question that may arise with respect to the amount of the fair value to be paid upon the return of any property under section 2 of this act, regardless of the amount in controversy in any such proceeding.

The reference to section 145 of the Judicial Code, and so forth, is a reference to

the statute fixing the original jurisdiction of district courts of the United States as concurrent with the Court of Claims for claims up to the sum of $10,000; and the reference to other sections of the statute—namely, sections 41 (20) and 250—is a reference to the existing law which fixes the jurisdiction of the Court of Claims. In other words, this agreement in conference is to abide by the well-established and well-known process of judicial ascertainment of fair value and compensation under the Constitution for property which has been seized.

Those are the only two respects in which this agreement differs from the bill as passed on July 21 by the Senate; but the conferees added something to what the Senate passed; and what it added is the controversial matter which made the great collision between the two bodies of Congress. One of the matters added referred to the private right to bear arms under the Constitution and the privilege of owning and having firearms for sport or for self-defense, and the other related to shutting down arbitrarily, by sheer power, plants already in operation and using machinery which the Government might desire. I think the Members of the Senate may know these amendments better by particular name. One of them was called the Kilday amendment and the other was called the Taber amendment. I shall read them.

As agreed upon in conference, the Kilday amendment is as follows:

> Nothing contained in this act shall be construed—
>
> (1) to authorize the requisitioning or require the registration of any firearms possessed by any individual for his personal protection or sport (and the possession of which is not prohibited or the registration of which is not required by existing law);
>
> (2) to impair or infringe in any manner the right of any individual to keep and bear arms.

These two subsections constitute what was called the Kilday amendment. The Senate receded, and accepted that amendment, as to which the House expressed itself by means of a vote to recommit the report of the former conference to the committee of conference, largely by virtue of that amendment and the next one, which I am about to read.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. AUSTIN. Will the Senator from Colorado wait for a moment, please?

Mr. JOHNSON of Colorado. I should like to have the Senator from Vermont read again the second provision, if he will please do so. I did not quite understand it.

Mr. AUSTIN. Very well. I shall read the second provision, but first I believe I should read the covering clause preceding it. The covering clause is as follows:

> Nothing contained in this act shall be construed— * * *
>
> (2) to impair or infringe in any manner the right of any individual to keep and bear arms.

I am not certain, but my memory is that that is a literal quotation from the Constitution.

The other provision the absence of which caused a very large majority in the House to vote to recommit to the conference the conference report, is the one I am about to read, and which is known as the Taber amendment. First I read the covering clause:

> Nothing contained in this act shall be construed— * * *
>
> (3) to authorize the requisitioning of any machinery or equipment which is in actual use in connection with any operating factory or business and which is necessary to the operation of such factory or business.

The Senate receded and accepted the House amendment reading as I have stated. I am very glad to say that personally I believe in this particular amendment, the principle of which was embodied in an amendment which I offered on the floor of the Senate and which was defeated, and which I also offered in the committee and which was defeated there. There is not any personal triumph in my statement of this matter, but it is true that I think this provision in the act will give it vigor and strength rather than weaken it. We, as conferees, ascertained what was the attitude of the administration regarding it, and the War Department reported to us that they could operate under the act containing that limitation. So I think everyone who has studied this matter as closely as we have is satisfied now with these amendments.

The remainder of the bill, after putting into it these changes, is just as it was when passed by the Senate, namely:

> SEC. 3. The President from time to time, but not less frequently than once every 6 months, shall transmit to the Congress a report of operations under this act.
>
> SEC. 4. The President may issue such rules and regulations and require such information as may be necessary and proper to carry out the provisions of this act, and he may exercise any power or authority conferred on him by this act through such department, agency, board, or officer as he shall direct or appoint.

In closing, let me say that the powers granted by this act do not cover a man's watch; as was euphemistically charged when the bill first came out, they do not grant unlimited authority over all kinds of property. The powers to requisition are limited in the following way, as shown by the first sentence, which I read:

> That whenever the President, during the national emergency declared by the President on May 27, 1941, but not later than June 30, 1943, determines—

I emphasize that there are three things the President must determine before he can exercise this power, and he cannot exercise it beyond June 30, 1943—

> determines that (1) the use of any military or naval equipment, supplies, or munitions, or component parts thereof, or machinery, tools, or materials necessary for the manufacture, servicing, or operation of such equipment, supplies, or munitions is needed for the defense of the United States; (2) such need is immediate and impending and such as will not admit of delay or resort to any other source of supply; and (3) all other means of obtaining the use of such property for the defense of the United States upon fair and reasonable terms have been exhausted, he is authorized to requisition such property for the defense of the United States upon the payment of fair and just compensation for such property to be determined as hereinafter provided, and to dispose of such property in such manner as he may determine is necessary for the defense of the United States.

Now, Mr. President, I am done. The work on this bill I think has resulted in good. I believe it has preserved some fundamental principles. We have tried to conform the bill to the Constitution as interpreted by our courts, and it is my opinion that the proposed legislation is sound in the shape in which it is now presented. I move the adoption of the conference report.

The VICE PRESIDENT. The question is on agreeing to the conference report.

The report was agreed to.

FOOD FOR SMALL INVADED DEMOCRACIES

Mr. TAFT. Mr. President, on September 3 I had inserted in the CONGRESSIONAL RECORD a statement in support of the proposals of the National Committee on Food for the Small Democracies calling for the working out of a formula through which millions of helpless noncombatants in the small invaded democracies may be fed. This statement was issued by 62 prominent Jewish rabbis residing in 24 different States.

In their statement these distinguished religious leaders said:

> We cannot be indifferent to the suffering that in increasing measure is the lot of the innocent civilian population of western Europe. * * * The plan of supervised soup kitchens with attendant safeguards proposed by the National Committee on Food for the Small Democracies gives promise of finding the solution. This proposal should engage the sympathetic consideration of all who are in any way involved in this program and we especially urge our brethren to accord to the finding of the national committee the painstaking study which is merited by its efforts to preserve human values and to save human lives.

Mr. President, only 11 days after I inserted the statement from the Jewish rabbis in the CONGRESSIONAL RECORD an article appeared in the New York Times of the issue of Sunday, September 14, in which Dr. Henry Szoszkies, who was an executive member of the Jewish community in Warsaw through the siege of September 1939 and who served in that capacity for several months after German occupation, reciting the tragic condition existing among 3,000,000 helpless Jews in German-occupied Poland. I know that the New York Times, a reputable newspaper, carefully checked the authenticity of Dr. Szoszkies' statements before printing them.

This article recites a truly terrible condition which we as fellow humans cannot fail to view with the utmost compassion.

The facts are that unless something tangible and affirmative is done, and done without further delay on behalf of the helpless Jews in Poland, the tragic condition outlined in the New York Times article will be but the forerunner of a mass tragedy unparalleled in modern times.

The situation existing among the suffering Jewish folk in German-occupied Poland is duplicated in Belgium, in Greece, and in the other small countries of Europe, who are Great Britain's

friends and who have always lived at peace with the United States.

Something must be done on their behalf before it is too late. This body should take early and affirmative action on Senate Resolution 124, which seems to work out a formula through which the lives of millions of helpless and starving women, children, aged, and infirm may be saved.

Mr. President, at this time I ask unanimous consent to have the article from the New York Times of Sunday, September 14, to which I referred, printed in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of September 14, 1941]

DEATH RATE SOARS IN POLISH GHETTOS—RISES AS MUCH AS 15 TIMES THE NORMAL IN SOME PLACES, DR. HENRY SZOSZKIES REPORTS—MANY FACING STARVATION—SUFFERING INTENSIFIED BY UNITED STATES BAN ON REMITTANCES AND THE SOVIET ENTRY INTO WAR

The appalling conditions under which some 3,000,000 Polish Jews must struggle to live in 300 ghettos throughout Nazi-dominated Poland are revealed by authoritative statistics received in the United States and made public here yesterday by Dr. Henry Szoszkies.

Starvation stalks throughout the ghettos and the death rate has risen to three and in some places to fifteen times the normal mortality rate, according to Dr. Szoszkies, who was general manager of the Central Cooperative Bank in Poland until the outbreak of the war.

The sufferings of the Polish Jews have been increased by the restrictions the United States Treasury has imposed on the sending of remittances abroad and by the inability of the Commission for Polish Relief, Inc., to continue purchases of milk and other foods from war-torn Russia, according to Dr. Szoszkies, who said in a statement:

"In the Warsaw ghetto alone, which now has a population of 500,000, including several thousand Jews who have embraced the Roman Catholic or Protestant faiths, the number of registered deaths rose from 80 a day in the month of May 1941, to three times that number in July—and this without 'benefit' of epidemics. The July 1941 deaths were 15 times greater than those reported for the same district in the corresponding month of 1939."

BODIES LEFT IN STREETS

"Many families living in the Warsaw ghetto who are unable to provide for themselves, let alone bury their dead, have adopted the practice of leaving corpses in the streets and courtyards. This stark, ghastly fact is confirmed by an announcement which appeared recently in the newspaper published in the Warsaw ghetto under, of course, the most severe censorship.

"In this newspaper announcement the president of the Jewish community in Warsaw appealed to the population not to abandon unidentified corpses in streets and courtyards, because 'such action imposes a grave responsibility on the community,' which is compelled to bear the cost of burying them.

"A large proportion of the deaths in the Warsaw ghetto is now of young children between the ages of 1 to 5, who are no longer allowed a daily ration of milk. Only people suffering from tuberculosis and possessing a medical certificate to that effect, and children up to 1 year of age, obtain one glass of milk daily.

"Up to a few months ago there were in the Warsaw ghetto 88 kitchens where 115,420 persons received a bowl of soup daily, without bread. Beginning with the month of May of this year, however, the community was forced to close these kitchens for 3 days a week because of lack of funds.

"For the maintenance of these kitchens the Jewish community had levied a toll of 2 zlotys (about 40 cents at the official rate of exchange) monthly on every member of the community, but by July the community was obliged to exempt 122,138 persons from this tax because it had become absolutely impossible for them to pay even this insignificant amount.

"The daily bread ration for the Jews in Warsaw is now only 3 ounces, with occasional 'hand-outs' of a few potatoes and some saccharin. These so-called rations are obtained, when available, at the official prices. The latest prices for the 'free market' received here are: 90 zlotys a kilo for butter (about $8 a pound), 30 zlotys a kilo for bread, and 50 zlotys a kilo for sugar."

EARNINGS ONLY $3.50 WEEKLY

"The only source of earning for the great mass of Jews in Polish ghettos is the compulsory labor service enforced by the occupying authorities on all men and women from 16 to 60 years of age. For this compulsory work the present rate of pay is 18 zlotys (about $3.50) a week. This is equivalent, in other words, to about one and a half pounds of bread purchased on the free market.

"In the city of Radom, where the ghetto now houses about 7,000 Jews, practically all of them are destitute and starving.

"The latest restrictions imposed by the United States Treasury on the sending of remittances abroad have increased the plight of many Jewish families who were receiving regularly—via Portugal and other neutral countries—food parcels through the generosity of their relatives in the United States. This traffic has now almost entirely ceased, with the result that American Jews having relatives in Poland are receiving the most distressing appeals from the other side to do something to get relief to them in some way or other.

"The inability of the Commission for Polish Relief, Inc., because of the German-Soviet war, to continue the purchase of milk and other foods in the U. S. S. R., part of which was donated by the commission to Jewish relief organizations in Warsaw and Cracow, has further added to the distress of Poles and Jews alike."

Dr. Szoszkies, well known in European circles as a Jewish writer, was an executive member of the Jewish community in Warsaw through the seige of September 1939 and for a few months after German occupation.

COAST GUARD NOMINATIONS REPORTED AND CONFIRMED

Mrs. CARAWAY. Mr. President, as in executive session, from the Committee on Commerce, I report favorably certain nominations in the Coast Guard. It is very important that the nominations be confirmed today, and that the President be notified. I therefore ask that action be now taken.

The PRESIDING OFFICER (Mr. JOHNSON of Colorado in the chair). Is there objection to the consideration as in executive session of the nominations reported by the Senator from Arkansas? The Chair hears none, and, without objection, the nominations are confirmed, and the President will be notified.

PROTECTION OF THE DAIRY INDUSTRY

Mr. WILEY. Mr. President, the other day the radio and newspapers reported that a dangerous hurricane was blowing in from the Gulf, over Louisiana and other Gulf States. There are those who study the weather who claim to know just what causes hurricanes. Be the cause what it may, I shall not discuss that subject, but shall refer to a hurricane which may come from another direction. It has not yet reached any critical proportions and, by the use of a little common sense, its force can be dissipated and diverted and the damage which might result, if it were permitted to run its course, be averted. I mention this matter on the floor of the Senate because I believe it has far-reaching economic implications and sets a precedent which affects all sections of the country.

What is this hurricane? This afternoon we have seen a hurricane in the Senate. It did not amount to a great deal; merely a little misunderstanding, one Senator taking one position and another a different position. We have seen how newspapermen, interpreting what they want to see, see things differently; before a certain committee now investigating the movies we have heard a great group of newspapermen say that "the head of the table" was where the Senator from Arizona [Mr. MCFARLAND] sat, and others have said that he sat at the foot of the table. We see in life what we want to see.

But what is the hurricane I am talking about? It is stirring on the dairy farms of this Nation. There is no uncertainty as to what is causing it. The cause is the recent oleomargarine definition and standard as promulgated by Mr. McNutt of the Federal Security Agency, and the action of the Department of Agriculture in promoting the use of oleomargarine by means of the radio.

I believe the promulgation of this standard offers a great opportunity for Mr. McNutt and the oleomargarine manufacturers and the dairy farmers to get together and demonstrate some common sense.

What do I mean? Mr. President, the oleomargarine manufacturers produce approximately 300,000,000 pounds of oleomargarine annually. What is oleomargarine? Originally, it was an artificial butter made from pure beef fat, though in recent years it has been made from oleo oil, neutral lard, vegetable oils, milk and cream and pure butter, worked together, although butter is not used in all grades.

Mr. President, I ask at this time that Mr. McNutt's order be printed in the RECORD at the end of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit A.)

Mr. WILEY. The great dairy interests have asked Mr. McNutt to reopen that matter to let them be heard. Who are the dairy interests? The farmers who produce milk are the greatest segment of the farm industry, and all they have asked is that this matter be reopened so that they may present new evidence.

I bring this subject to the attention of the Senate and of the country because it involves an issue larger than the question of a food standard for oleomargarine. It involves the issue of bureaucracy arbitrarily promoting the sale of one product over another product of the farm; and I

am now referring to the activities of the Department of Agriculture.

The other night, here in Washington, a number of Senators and Representatives met as the guests of the United Dairy Committee. This committee represents the dairy industry of the Nation. What does it want for its industry? Just fair treatment. What is fair treatment? Just a little application of the Golden Rule.

Let us see just what the situation is.

Does the dairy industry want oleomargarine abolished? Decidedly not. Oleomargarine has its place, but that place is not as an imitation of butter, which is simply—and I am speaking of butter—the fatty constituent of milk separated by agitation after a lactic fermentation in the cream. Oleomargarine is not butter. It has its own characteristics, just as butter has its own characteristics and color.

Even under the new standards, oleomargarine will not contain certain fatty saturated acids which, according to a widely known biochemist of the University of Wisconsin, are exceedingly important to the growth of human beings. What the dairy industry wants is to see that oleomargarine is definitely sold on its own merits, that it does not masquerade as butter, and that its sales are not promoted by government—I repeat, promoted by government—to the detriment of the post-armament dairy market. In this age of synthetics and ersatz products, that is a problem which may confront other segments of agriculture; and that is why all agricultural interests are concerned with this precedent, and that is why the public is also concerned.

Mr. President, millions of persons are engaged in the dairy industry, producing milk and butter and cheese, and millions more are engaged in handling the products thereof; and government, which is supposed to lend a helping hand, instead employs such standards and promotional methods as this to interfere with the established right of this segment of the farm industry.

Nothing that I shall say today can be interpreted as a personal attack upon any other industry. It is an analysis of the activity of government which has so blindly carried on in this matter.

There is just one thing to do, and that is for Mr. McNutt to agree to reopen the question of a definition and standard for oleomargarine, and for the interests involved—and when I say "the interests involved" I mean the oleo interests, I mean the farmers—to think the situation through and find the solution.

Mr. President, we have our defense program, and it should be engaging our attention. We have heard much about unity, and yet here we have an arm of government interjecting an explosive element like this into the picture. Yes; this order should be set aside and a new hearing granted; but, Mr. President, this in itself will not solve the problem.

Therefore, I make this suggestion. I make it to the packers who are engaged in producing oleomargarine, I make it to Procter & Gamble, I make it to the other producers of oleomargarine, and I make it to those who represent the dairy industry, the dairy farmers of the Nation:

I suggest that they get together and agree on the form of an order which should be made. Let the producers of oleomargarine recognize that millions of our best citizens are directly dependent upon the dairy industry. Let them recognize that fair and equitable dealing requires that they start from this very point to cooperate with one another, and that oleomargarine producers stop simulating butter in their advertisements and in their sales. It may be necessary for the dairy industry to do now what should have been done away back in 1886, when the Oleomargarine Act was passed—namely, make it clear that oleomargarine is not butter, but is an entirely different product which must be sold on its own merits.

Just let any manufacturer attempt to mislead the purchaser by imitating the product of another manufacturer, and you will see how quickly a lawsuit is started to restrain such action as in violation, say, of a trade-mark or in violation of the Fair Trade Practices Act. Are not these millions of farmers and those employed with them entitled to the same right in relation to protecting their interest in Nature's food—butter?

Yes, Mr. President; a nation which is to be unified must be built on the basis of fair dealing, and no unfair trade practices within or without the law should obtain. I repeat that statement, because it is claimed that by virtue of the original law there is a right to imitate butter. But since those days, way back in 1886, much water has gone over the dam, and a great industry has been the subject of many impacts; and for over 20 or 30 years, in the dairy section of the country, from 80 to 85 percent of the farmers until just recently have been selling their products way below the cost of production.

You know, Mr. President, that for a number of years we have been operating under the fool notion that legislative enactments alone can correct our economic, social, and political ills. By this time, after the experiences of these 8 or 9 years, we ought to be aware of the falsity of that position. Right here is where we should start to use a little common sense. If I have a product and have a trade-mark established by long usage, and you make just as good a product but attempt to use my trade-mark, I can get relief in the courts. Here, in oleomargarine, we have what is known and conceded to be an inferior product as compared with butter. Now, government, which shoud be the servant of the people and not the autocrat, enters an order and employs—think of it—promotional methods which would operate to steal markets from the persons who produce butter.

Mr. President, I believe the suggestion I have made may bring constructive results. Three hundred million pounds of oleomargarine is a relatively small amount at present. I believe big business does not want the hurricane of which I spoke to be whipped up. We are living in a changed and a changing world. When the big show is over in Europe, business and the farmer should be working together so that the politicians cannot employ any of Hitler's technique of dividing groups.

The manufacturer and the farmer belong to the same team, and they should recognize that if a team is to get anywhere, all the members must pull in the same direction; they must work together and not pull in opposite directions. It is only a question of fair dealing, after all. It is a question merely of saying that oleomargarine shall be differentiated and sold and advertised by the makers thereof as something different from butter, and that it shall not by any means be placed in the position of butter. It is only a matter of trying to understand the other fellow's viewpoint, perhaps.

Mr. President, while I am about it I am going to pay my respects in no uncertain terms to the Department of Agriculture because of what it has done in this respect. Since I have come to the Senate of the United States I have not believed in mud slinging, nor have I practiced it, and I shall not start to do so now; but I shall call a spade a spade.

We are spending more than a billion dollars a year in this one Department. I wish the farmers got the benefit of it. If the proposal of the junior Senator from Virginia [Mr. BYRD], presented to the Senate a few weeks ago, bears fruit, it might be well to investigate the overhead of that Department. There is a long history to be looked into.

The theory originally, when the Department of Agriculture was created, just as in the case of the Department of Labor and the Department of Commerce, was that each department was a sort of a special pleader for its segment of American society. That was the original idea, namely, that it was the business of that Department to advance the interests of the people it was supposed to represent.

Apparently the Department of Agriculture has forgotten its original purpose in many respects. I repeat that the farmers engaged in dairying are the greatest segment in the farm industry, and yet, as we all know, this Department recently has indulged in cutthroat tactics against the dairy industry. In effect it has joined forces with the oleomargarine interests.

On July 5, 1941, the Consumers' Counsel Division of the United States Department of Agriculture, over the red network of the National Broadcasting Co., produced a radio skit dealing with the alleged advantages to the consumer of butter substitutes. It consisted of a dialog between three characters, and the dialog constituted a high-pressure sales talk for oleomargarine. Since that time copies of this radio skit have been printed by the thousands, and virtually circulated as a Government endorsement of oleomargarine.

I might add that in cases of correspondence recently inserted in the CONGRESSIONAL RECORD—correspondence between an Iowa State College professor and Miss Helen S. Mitchell, Director of Nutrition, Federal Security Agency—it was evident that she was unable to provide any authoritative confirmation of

the premise that oleomargarine made under the new regulation is just as nutritious as butter. That is what they were getting at, and that is what they promulgated. Yet some of these folks, who do not know the problem of the farmer or anything about it, are helping determine the policy of this Government in relation to farming.

I might also again point out that this broadcast under Government supervision does not tell that oleomargarine—whether it is fortified or not—does not contain certain specific saturated fatty acids which, according to a biochemist at the University of Wisconsin, are exceedingly important to growing individuals.

I repeat, it has not been demonstrated that vegetable oils, even in fortified oleomargarine, contain certain elements vital to growth. There is an attempt by these Government agencies to fool not only the dairy farmers but American consumers.

Being vitally concerned with the situation, on August 7, 1941, I wrote to Secretary of Agriculture Wickard with reference to the July 5, 1941, broadcast of the Consumers' Council of his Department.

On September 20, 1941, I received a reply to my letter of August 7. They must be very busy in the Department of Agriculture, doing just such things as those I have described.

In this reply the Acting Secretary of Agriculture assured me "that it was not the purpose of this broadcast to urge consumers to use oleomargarine instead of butter, though a disinterested reading of the radio program can only lead to the conclusion that the program was designed to sell oleomargarine in preference to butter, regardless of what the expressed policy of the Department may be. It is my hope that this expressed policy of the Department of Agriculture will in the future be borne out by the activity of the Department.

With reference to the relation of the farmer's income to the sales of oleomargarine and butter, the statistics division of the Wisconsin State department of agriculture has definitely demonstrated that the farmer receives more of the consumers' dollar in the case of butter than in the case of many other food articles.

Cotton and soybean producers receive relatively little for their product, since a large portion of the consumers' dollar goes to the oleomargarine interests, so that the farmers receive less money per pound than from any other fat.

When the Department of Agriculture refers to the benefits which have allegedly accrued to the dairy farmers from the administration's farm policies I should like to make the statement that when the farmer's labor is taken into consideration, butter prices, as well as the prices of other farm products, have been consistently below the cost of production.

In 1935 the price per hundred pounds of milk which went into butter was $1.23; in 1936, $1.45; in 1937, $1.51; in 1938, $1.21; in 1939, $1.13; and in 1940, $1.31. The cost for the production of 100 pounds of milk during this period was $1.72. Consequently, if the farmer's labor was taken into consideration, the farmer who produced butter was receiving prices consistently below the cost of operation.

References to the current price situation are hardly a fair criterion, because our concern is not so much with current prices as with the price situation in the post-armament period.

Mr. President, everywhere in the newspapers we read about the great concern shown with respect to the post-armament period. We read yesterday in the newspapers of a great conference being held in Britain at which representatives of some 28 nations were seated around the table planning for the post-armament period. So, Mr. President, having lived in a State which for 20 to 25 years has seen thousands of its farms taken over by government, which has seen thousands of its farms foreclosed upon because those living on the farms—and I am speaking of the 80 to 85 percent who live on those farm—did not receive the cost of production; having lived in such a State I do not want government to create a situation which will result in repeating such foreclosures.

Mr. President, incidentally, the entire discussion of oleomargarine is concerned not so much with the immediate market as with the future market after the present foreign markets may be eliminated.

Our State department of agriculture in Wisconsin has spent a great deal of money on educational programs designed to raise the per capita consumption of dairy products. From a purely selfish standpoint, that increased consumption, of course, would solve the dairy problem which we have in normal times. From another standpoint, however, it would also be of substantial economic benefit to other portions of the country, because the increased income of the dairy farmer reflects itself in more extensive purchases on the southern market and elsewhere.

Above all, Mr. President, this educational program is important to America, not simply to the dairy States, because through an increase in the consumption of dairy products our American standards of health can be materially raised. That is quite important when we consider what our experience has been in the Army, when we consider the percentage of men who have not been accepted for service.

Mr. President, bear in mind, as I say, that no one—the Federal Security Administrator, the Secretary of Agriculture, or any fair-haired "brain truster" in the Consumers' Division—can accurately make the statement that continued scientific experiments over a period of time have conclusively demonstrated that oleomargarine has precisely the same health value that butter has.

The recent increases in retail prices do not reflect the variations in the prices which have been paid the farmer. From an economic standpoint it cannot be denied that when the dairy farmer is prosperous his purchasing power is of tremendous importance to industry. This purchasing power is reflected in the cotton markets of the South, because a prosperous dairy industry will draw on southern products for ingredients to feed cattle.

Southern Senators are undoubtedly familiar with Wisconsin purchases of cottonseed oil for cottonseed meal and cake.

Southern Senators are also doubtlessly familiar with Wisconsin purchases of cotton goods. Economists have said that these purchases offset the benefits which the South may lose by reason of not selling some of its products for the manufacture of oleomargarine. Senators are conversant with the rise in the production of dairy products, which could be further increased if the price outlook were favorable for a considerable length of time in the future.

The problem which confronts the dairy farmer today is a simple one. He is expending his production to meet defense demands. He is a good soldier and he is doing his job. I might add that every member of his family is a good soldier.

Mr. President, it is only a week or two since I was back in the State of Wisconsin, and there I saw women and children in the fields responding to the call of country to produce more for the national-defense program.

However, in the interval, while the farmer is supplying Britain with dairy products, we must not permit government to sabotage the farmer's domestic market. When the present crisis is over and the foreign market no longer is available to our dairy farmer, he will have a tremendously expanded production, which will then require an American consumer market.

Mr. President, the businessmen in the small cities and in the towns throughout the Middle West, in that portion of this country which has not received directly any substantial number of defense contracts, now know that the present increase in the farmer's check creates a purchasing power in urban areas, and they want it maintained. It has put new vitality, new economic lifeblood into those communities.

Yes; when the present crisis is over and the foreign market is no longer available to the American dairy farmer, the dairy farmer will want the American market ready to take his products, and he is not willing now to let any agency of government sabotage that domestic market for him.

Mr. President, between 80 and 85 percent of the dairy farmers, as I said, have experienced over 20 lean years when they did not receive the cost of production for their products. We do not want the Government to hand us another package of that kind, and we do not think it is the business of any department of government to attempt to do so.

Mr. President, I ask that there be inserted in the CONGRESSIONAL RECORD at the conclusion of my remarks a letter which I received today from Mr. W. H. Hanchett, chairman of the Four State Dairy Protective Committee. The letter is self-explanatory and outlines in detail the effects of the new standard and the promotional activities of the Consumers Council Division on our great dairy industry.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit B.)

Mr. WILEY. Mr. President, I have stated that there was a hurricane in the offing. I said that if we use common sense, if we indulge in a little fair play and understanding, we could see to it that that hurricane did not destroy us. Now is the time for us to plan along the line I have suggested to protect one of the great industries of this country; now is the time for us to try to anticipate those problems that may come into being and find the solution to those problems. Thus, if we are wise, we will be planning post-armament projects, we will be creating in our communities, in our cities and towns and villages reserves to take care of those projects, so that when this post-armament period is over and the boys come back from the Army and the Navy, and when our great defense plants are shut down, we will have these projects to help absorb the shock. That is just horse sense. That is why we must now think in terms also of seeing that the unnecessary expenditures of Government are stopped. We have a defense program, a tremendous program, a program that is digging deep into the pocketbooks of this Nation, and so far as the present tax program is concerned, in the vernacular of the street, "You 'aint seen nothin' yet."

But in relation to this dairy situation, there is absolutely no reason on earth why any department or any agency of any department should reach out and do anything else but attempt to assist those men and women who produce the greatest foods of all—milk and butter and cheese.

EXHIBIT A

[From the Federal Register of June 7, 1941]

TITLE 21—FOOD AND DRUGS

CHAPTER I—FOOD AND DRUG ADMINISTRATION

[Docket No. FDC 25]

Part 45—Oleomargarine; definition and standard of identity

[In the matter of the public hearing for the purpose of receiving evidence upon the basis of which regulations may be promulgated fixing and establishing a definition and standard of identity for oleomargarine]

By virtue of the authority vested in the Federal Security Administrator by the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 401, 52 Stat. 1046; 21 U. S. C., Sup. V, 341; sec. 701, 52 Stat. 1055; 21 U. S. C., Sup. V, 371), the Reorganization Act of 1939 53 Stat. 561 ff.; 5 U. S. C., Sup. V, 133 ff.), and Reorganization Plan No. IV (5 F. R. 2421), and upon the basis of the evidence received at the above-entitled hearing, duly held pursuant to notice thereof issued by the Federal Security Administrator on October 11, 1940 (5 F. R. 4057-4058), and upon consideration of the exceptions filed to the proposed order issued by the Assistant Federal Security Administrator on April 17, 1941 (6 F. R. 1990-1992), the following order is hereby promulgated:

Findings of fact

1. Oleomargarine is a food, plastic in form, which commonly consists principally of one or more of the following fats: (a) rendered fat obtained from cattle, sheep, swine, or goats, or from two or more of such types of animals, (b) vegetable food fat or oil or both, (c) stearin or oil derived from any such fat or oil. Such ingredients are sometimes hydrogenated.

2. Oleomargarine sometimes contains a combination of two or more of the vegetable and animal fats named in paragraph 1, and the relative quantities of vegetable and animal fats used affect the properties of the product. Where such a combination is used, the product will retain some of the properties contributed by both the animal and vegetable fats if such fats are present in equal quantities by weight, or if the weight of neither fat exceeds the weight of the other by a ratio greater than 9 to 1. Such a combination in a ratio up to but not greater than 9 to 1 represents a common practice of the oleomargarine industry.

3. Oleomargarine is made by intimately mixing one of the five following articles with the fat ingredient or ingredients, after such article has been pasteurized and subjected to the action of harmless bacterial starters: (i) cream, (ii) milk, (iii) skim milk, (iv) any combination of dried skim milk and water in which the weight of the dried skim milk is not less than 10 percent of the weight of the water, or (v) any mixture of two or more of these. Congealing is effected, either with or without contact with water, and the congealed mixture is sometimes worked. The word "milk" as here used means cows' milk.

4. The artificial flavoring diacetyl is sometimes used in oleomargarine to enhance its butter-like flavor. The diacetyl is added as such, or as starter distillate, or is produced during the preparation of the product as a result of the addition of citric acid or harmless citrates. The artificial flavoring augments, and is not in substitution for, the diacteyl which is obtained by the use of bacterial starters in the milk ingredient described in paragraph 3 above.

5. Butter, salt, and artificial coloring are sometimes used in the preparation of oleomargarine.

6. The following sometimes also are added and are suitable ingredients of the product in the quantities hereinafter stated:

(a) (i) Lecithin, in an amount not exceeding 0.5 percent of the weight of the finished oleomargarine, for the purpose of aiding emulsification and improving the pan-frying quality of the product, or (ii) monoglycerides or diglycerides of fat-forming fatty acids, or both, in an amount not exceeding 0.5 percent of the weight of the finished oleomargarine, for the purpose of aiding emulsification, reducing leakage of moisture from the product, and improving its texture, or (iii) such monoglycerides and diglycerides in combination with the sodium sulfo-acetate derivatives thereof in a total amount not exceeding 0.5 percent of the weight of the finished oleomargarine, for the purpose of aiding emulsification, reducing leakage of moisture from the product, and improving its texture and pan-frying quality, or (iv) a combination of (i) and (ii) in which the amount of neither exceeds that above stated, or (v) a combination of (i) and (iii) in a total amount not exceeding 0.5 percent of the weight of the finished product. (The weight of diglycerides in each of ingredients (ii), (iii), (iv), and (v) is calculated at one-half actual weight.)

(b) Vitamin A, added as a fish liver oil or as a concentrate of vitamin A from fish liver oil (with any accompanying vitamin D and with or without added vitamin D concentrate), in such quantity that the finished oleomargarine contains not less than 9,000 United States Pharmacopoeia units per pound, in order that the oleomargarine, a product used by some consumers for the same purposes as butter, will have a vitamin A content comparable to that of butter, which is on the average, approximately 9,000 United States Pharmacopoeia units per pound.

7. Present conditions of retail distribution of oleomargarine do not afford adequate refrigeration for the product. Sodium benzoate, or benzoic acid, or a combination of these, in a quantity not exceeding 0.1 percent of the weight of the finished product, is therefore sometimes added as a chemical preservative to aid in retarding deterioration of the oleomargarine.

8. The fat content of oleomargarine, including any milk fat used, commonly constitutes not less than 80 percent of the finished product, and a minimum fat content of 80 percent is recognized in the industry as proper and desirable.

9. The fat content of oleomargarine can be determined by the method prescribed in Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists, fourth edition, 1935, page 289, or fifth edition, 1940, page 298, under Indirect Method—Official; and such method is recognized as an accurate and reliable method for determining the fat content of the product.

10. Consumers are interested in knowing whether the fat used in oleomargarine is animal or vegetable fat or oil. Some consumers prefer oleomargarine which is made with vegetable fat or oil, and it is the practice in the industry, where the fat ingredient is wholly vegetable, to so indicate on the label. Oleomargarine made from animal fat or oil, if subject to Federal inspection, bears the inspection label of the Bureau of Animal Industry of the United States Department of Agriculture. If a combination of animal and vegetable fats or oils is used, and both are declared on the label, consumers assume that the ingredient named first is present in the larger quantity.

11. Vitamin A, when added to oleomargarine, imparts nutritive properties to the product which are not otherwise present to an appreciable extent. It is not a universal practice to add vitamin A, and consumers are interested in knowing when vitamin A is contained in the product.

12. The evidence does not establish (a) that the aliphatic amino acids glycine, glutamic acid, and aspartic acid, or any of them, are common or usual ingredients of oleomargarine, or that there use in the preparation of the product would be suitable, or (b) that monoglycerides or diglycerides of fat-forming fatty acids, or the two in combination, are common or usual ingredients of the product in quantities greater than 0.5 percent of the weight of the finished product (calculating the weight of diglycerides as one-half actual weight), or that their use in larger quantities would be suitable.

Conclusion and Regulation

The evidence adduced at the hearing, and the findings of fact above set forth, do not provide an adequate basis for a determination that the recognition in the definition and standard of identity for oleomargarine of the use of any glycerine, glutamic acid, or aspartic acid, or of the use of any monoglycerides or diglycerides of fat-forming fatty acids in quantities larger than 0.5 percent of the weight of the finished product (calculating the weight of diglycerides at one-half actual weight), would promote honesty and fair dealing in the interest of consumers.

On the basis of the foregoing findings of fact, it is concluded that the following regulation fixing and establishing a definition and standard of identity for oleomargarine will promote honesty and fair dealing in the interest of consumers, and such regulation is therefore hereby promulgated:

SEC. 45.000. Oleomargarine; identity; label statement of optional ingredients: (a) Oleomargarine is the plastic food prepared with one or more of the optional fat ingredients named under one of the following subparagraphs (1), (2), (3), or (4):

(1) The rendered fat, or oil, or stearin derived therefrom (any or all of which may be hydrogenated), of cattle, sheep, swine, or

goats, or any combination of two or more of such articles.

(2) Any vegetable food fat or oil, or oil or stearin derived therefrom (any or all of which may be hydrogenated), or any combination of two or more of such articles.

(3) Any combination of ingredients named under subparagraphs (1) and (2) in such proportion that the weight of the ingredients named under (1) either equals the weight of the ingredients named under (2) or exceeds such weight by a ratio not greater than 9 to 1.

(4) Any combination of ingredients named under subparagraphs (1) and (2) in such proportion that the weight of the ingredients named under (2) exceeds the weight of the ingredients named under (1) by a ratio not greater than 9 to 1.

One of the five following articles is intimately mixed with the fat ingredient or ingredients, after such article has been pasteurized and subjected to the action of harmless bacterial starters: (i) cream, (ii) milk, (iii) skim milk, (iv) any combination of dried skim milk and water in which the weight of the dried skim milk is not less than 10 percent of the weight of the water, or (v) any mixture of two or more of these. (The term "milk" as used herein means cow's milk.) Congealing is effected, either with or without contact with water, and the congealed mixture may be worked. In the preparation of oleomargarine one or more of the following optional ingredients may also be used:

(5) Artificial coloring.

(6) Sodium benzoate, or benzoic acid, or a combination of these, in a quantity not to exceed 0.1 percent of the weight of the finished product.

(7) Vitamin A, added as fish-liver oil or as a concentrate of vitamin A from fish-liver oil (with any accompanying vitamin D and with or without added vitamin D concentrate), in such quantity that the finished oleomargarine contains not less than 9,000 United States Pharmacopoeia units of vitamin A per pound.

(8) The artificial flavoring diacetyl added as such, or as starter distillate, or produced during the preparation of the product as a result of the addition of citric acid or harmless citrates.

(9) (i) Lecithin, in an amount not exceeding 0.5 percent of the weight of the finished oleomargarine, or (ii) monoglycerides or diglycerides of fat-forming fatty acids, or a combination of these, in an amount not exceeding 0.5 percent of the weight of the finished oleomargarine, or (iii) such monoglycerides and diglycerides in combination with the sodium sulfo-acetate derivatives thereof in a total amount not exceeding 0.5 percent of the weight of the finished oleomargarine, or (iv) a combination of (i) and (ii) in which the amount of neither exceeds that above stated, or (v) a combination of (i) and (iii) in a total amount not exceeding 0.5 percent of the weight of the finished oleomargarine. (The weight of diglycerides in each ingredients (ii), (iii), (iv), and (v) is calculated at one-half actual weight.)

(10) Butter.

(11) Salt.

The finished oleomargarine contains not less than 80-percent fat, as determined by the method prescribed in Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists, fourth edition, 1935, page 289, or fifth edition, 1940, page 298, under Indirect Method—Official.

(b) When any ingredient named under one of the following specified subparagraphs of paragraph (a) is used, the label shall, except as hereinafter provided, bear the statement set forth below after the number of such subparagraph:

Subparagraph (1): "Prepared from animal fat," or "Made from animal fat."

Subparagraph (2): "Vegetable," or "Prepared from vegetable fat," or "Made from vegetable fat."

Subparagraph (3): "Prepared from animal and vegetable fats," or "Made from animal and vegetable fats."

Subparagraph (4): "Prepared from vegetable and animal fats," or "Made from vegetable and animal fats."

Subparagraph (5): "Artificially colored," or "Artificial coloring added," or "With added artificial coloring."

Subparagraph (6): "Sodium benzoate (or, as the case may be, 'Benzoic acid' or 'Sodium benzoate and benzoic acid') added as a preservative," or "With added sodium benzoate (or, as the case may be, 'Benzoic acid' or 'Sodium benzoate and benzoic acid') as a preservative."

Subparagraph (7): "Vitamin A added," or "With added vitamin A."

Subparagraph (8): "Artificially flavored," or "Artificial flavoring added," or "With added artificial flavoring."

Where oil is used, the word "oil" may be substituted for "fat" in the label statement. In lieu of the word "animal" or "vegetable" in any such statement, the common or usual name of the fat ingredient may be used. If two or more of the optional ingredients named in subparagraphs (5), (6), (7), and (8) are used, the words "added" or "with added" need appear only once, either at the beginning or end of the list of such ingredients declared. The declaration of vitamin A may include the number of United States Pharmacopoeia units which have been added.

Whenever the name "oleomargarine" appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the words and statements herein prescribed showing ingredients used shall immediately and conspicuously precede or follow, or in part precede and in part follow, such name, without intervening written, printed, or other graphic matter.

This section shall become effective on the ninetieth day after the date of its publication in the Federal Register.

Washington, D. C., June 5, 1941.

[SEAL] WATSON B. MILLER,
Acting Administrator.

[F. R. Doc. 41-4042; Filed June 6, 1941; 11:24 a. m.]

EXHIBIT B

SPARTA, WIS., *September 22, 1941.*

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SIR: We are submitting herewith some very pertinent reasons why we think the dairy interests of the United States are entitled to a congressional investigation of the recent action of Paul V. McNutt of the Federal Security Administration, and also of a recent broadcast of the Consumers' Division of the United States Department of Agriculture. The actual results already taken place in the creamery branch of the dairy industry are graphically outlined in a recent broadcast by Mr. J. E. Leverich, president of the Western Wisconsin Creamery Association, over radio station WKBH, from which we quote as follows:

"What does this all add up to? My friends, it is the most effective plan for complete destruction of the dairy industry that could be devised by man if a deliberate attempt were made to wreck this great and important industry."

"This is the way the scheme is working: Farmer patrons are rapidly quitting creameries and are taking their milk to condenseries and cheese factories because of the higher price for condensed milk and cheese which has been arbitrarily set by the Department of Agriculture. This will cause many creameries to close or face bankruptcy, and oleomargarine, made to look and taste like butter, according to the standards approved by Mr. McNutt's Federal Security Administration, and given free advertising by the United States Department of Agriculture, will take the place of the butter which has been produced by these closed creameries for the tables of America."

"When this emergency is over, England will have no further use for our condensed milk and cheese, and oleomargarine will have captured tomorrow's butter market. Our memories cannot be so short that we have forgotten the vast surpluses of dairy products which we recently had, and the low prices these surpluses caused, and the money taken from the farmers' milk checks to advertise dairy products in an attempt to increase our markets. If we had surpluses which caused low prices recently, and we all know we did, what will be the situation after the emergency, when oleomargarine has captured the butter market which now consumes 40 percent of our milk, and the creameries have all been wrecked? I have heard some farmers who are patrons of cheese factories and condenseries and fluid milk markets say, 'Why should I worry about the butter market, my milk is not made into butter.' The answer to this is that butter always has been the gold standard or price basis of the entire dairy industry, and it will undoubtedly be so again."

"After the emergency there will be approximately twice as much milk as can be used by condenseries, cheese factories, and the fluid milk market if our butter market is turned over to oleomargarine, lock, stock, and barrel, with free advertising thrown in. A 40 or 50 percent surplus means practically no market at all, and all dairy farmers will be in the same boat. The farmers' milk checks, no matter where they sell, will undoubtedly even be smaller than they were in 1933, and the consuming public had not been encouraged to eat oleomargarine by your United States Department of Agriculture at that time. If I remember correctly, most farmers thought the price of milk was awful low then, and it seems to me that I remember something about milk strikes at that time also.

"Someone may say, 'Why worry about this; everyone knows butter is better than oleomargarine, and we can start our creameries and make butter again when necessary. My answer to this is that we cannot start them fast enough to avoid catastrophe. It has taken 100 years to develop our creameries and butter market and it will take years to start our creameries again and recapture our butter market. It will be hard for farmers to spare the cash to start their cooperative creameries again during the depression which is sure to follow the present boom period caused by the war. The mistakes being made at this time, if not corrected immediately, are almost sure to cause the cooperative, farmer-owned creamery, one of the most American of all American institutions, to become a thing of the past."

It is our opinion that Mr. Leverich is right, and that the free and untruthful advertising of oleomargarine by the Consumers' Division of the Department of Agriculture, together with the new standards of oleomargarine approved by Paul V. McNutt and the poorly planned diversion of milk to cheese factories and condenseries does constitute a perfect plan to wreck the dairy industry.

If this plan is carried through to completion, we are certain that the American people will not only blame those who actually supported the plan, but will also hold responsible for the resulting ill health of the people and economic hardships caused by the substitution of oleomargarine for butter, those public officials who do not now actively attempt to stop the plan before it is too late.

We believe that the situation is so serious that a congressional investigation of the following points should be made at once:

Who prepared the McNutt standards?

What help, if any, did they receive from the oleomargarine industry?

Why wasn't the dairy industry given an opportunity to appear at the hearings?

Are any former employees of the Food and Drug Administration now employed by the oleomargarine industry or vice versa? If so, what influence did these people have on the standards?

Did any Government employees receive compensation from the oleomargarine industry for work well done?

Why should oleo be made in imitation of butter?

Why should oleo be given the right to use the natural color of butter?

If oleo is made to look and taste like butter, and is colored like butter, how can a person eating in a hotel or restaurant be sure that he is being served butter? Oleo must be colored differently or operators of public eating places will be forced by competition to defraud their customers by using oleo.

Why are the makers of oleo permitted a wide latitude in the fats they may use, while butter can be made only from butterfat? This latitude permits oleo manufacturers to vary the content of their product so as to use the cheapest fats at any time. Some of the fats they are permitted to use are undoubtedly poorer than others.

What prompted the Consumers' Counsel to advertise oleo?

Who wrote the radio program?

Why was it insinuated that oleo was equal to butter?

Why was it suggested that the housewife could save by using a cheaper product?

What influence did the oleo manufacturers have on the personnel of the Consumers' Counsel, either through financial help or otherwise?

Were any of the employees of the Consumers' Counsel who had anything to do with the advertising Communists, or Communist sympathizers? If so, ruining the dairy farmers, who are the backbone of democracy, would work nicely into their plans for the revolution.

This advertising was untruthful; why did they do it?

Mr. Montgomery, of the Consumers' Counsel, sets up the claim that nothing in the broadcast referred to was "in any respect untruthful." We are glad Mr. Montgomery made this claim in just these words. Let us make a study of that broadcast and point out to you the deceitful and untruthful inferences of that broadcast. He also states, "If it be called free advertising, then this same characterization could be given to all of the information on food products which this Division and other agencies of the Department are constantly giving to the public"—to the effect that southern cotton farmers have much at stake in the sale of oleomargarine, and that no attempt at persuasion or influence was made in the broadcast.

A study of the Consumers' Counsel broadcast of July 5 reveals to me quite definitely that it tried to convince American consumers that there is one essential difference between the two products—oleomargarine and butter—and the difference is price. In my opinion, they deliberately went out of their way to create a Nation-wide butter-price consciousness by emphasizing present butter-price trends with the words, "That's mighty important right now, with the price of butter what it is," and "It costs a lot of money for people like us who must watch our pennies," and "People are finding out they can save quite a bit of money by using margarine instead of butter." In my opinion, this broadcast not only attempted to make consumers butter-price conscious but offers a scare to consumers in an effort to dissuade them from using butter. Is not this an attempt at persuasion and influence?

In this broadcast this Department compared butter and oleo on a comparable basis, otherwise, by pointing out that both are chiefly fat, that the new standards set an 80-percent minimum for oleo comparable with butter, and that in either case fat is fuel and energy for the human body. In an effort to make the two identically comparable, they say they are "equally digestible" and "equally rich in fuel value." The Division further cites comparability of vitamin A content when vitamin A is synthetically added to oleomargarine. So the broadcast leads the consumer to believing that these products in every respect, other than price, are wholly comparable. I claim this is not true.

What are the facts? According to Dr. E. B. Hart, world famed biochemist at the University of Wisconsin:

"There lies in the constitution of the fats, either qualitatively or quantitatively or both, an inherent nutritive difference which can be demonstrated with young growing animals. This difference is not a vitamin A, D, or E difference but a difference in the chemical constitution of the fats. It is probably a difference in the constitution of the fatty acids of the saponifiable fraction, although it may be due to some unrecognized essential nutrient carried by the butterfat but not carried by the vegetable oils. The mammary gland has synthesized something special for which there is at present no substitute. The ingestion of this something is reflected in the growth rate, appearance, and eventually the reproductive cycle of young animals. Experimental data are at hand showing the superiority for growth in young animals of butterfat over such vegetable oils as corn oil, cottonseed oil, soybean oil, and coconut oil, although the known fat-soluble vitamins, such as A, D, and E, were adequately provided."

"Even the influence of the kind of fat ingested in the early life of the animal is felt in the later reproduction cycle. The kind of fat sets the life of the animal either for sterility or reproduction. Young rats 20 days old and grown to maturity with the vegetable oils as the principal source of the fatty acids failed to reproduce, although vitamin E was present. With butterfat the story was different—here reproduction occurred. Such data should be important in the education of the public to the use of milk as secreted by the mammary gland and in sustaining legislation aimed at the prevention of the substitution of some vegetable oil for the natural milk fat."

The broadcast in question, in my opinion, is further untruthful when it gives the impression that the consumer gains all information about oleo by reading the label. I cite the following: "Then we really can find out the facts by reading the labels?" I ask you, does anyone, by reading the label, gain a realization that the new standards permit so wide a latitude in the use of ingredients that he fully understands and appreciates the changeableness of the content of oleo? Certainly not. In the case of butter, the 80 percent is always butterfat. In the case of oleomargarine it may be all vegetable fat; it may be all animal fat; and the only restriction as to ratio, if both animal and vegetable fats are used, is that the balance of 9 to 1 either way shall be maintained. Perhaps today it is mostly soy oil; perhaps yesterday's was mostly coconut oil; and nobody, except the maufacturer, will know what it will be tomorrow. He will determine that on the basis of price, taking advantage of the lowest market which gives him an almost perfect selectivity of profits so long as he comes under the wire at 80-percent fat. Is there anything in the label that tells all with respect to that?

Had the broadcast given all the facts, not part of them; had it told of the lack of dependability of the content of oleo, and the program not urged, persuaded, and influenced, I might then agree that it was a factual exposition and not a bold piece of advertising. Because of this, it falls in the category of propaganda—not education.

Mr. Montgomery's letter indicates that he thinks the sale of oleomargarine means much to the welfare and wealth of the cotton farmers. Since they produce primarily for the sale of lint, since cotton oil is a by-product, since the percentage of cotton oil is small at best, and since the wide latitude of contents used in variable proportions leaves the cotton grower little to depend on, I submit that he has overemphasized the importance of oleo as a source of additional income to the cotton farmer.

I further call your attention to the fact that the margin of price difference is much wider between the compressor and the finished oleo than it is between the cost of cottonseed and the price of oil at the compressor.

Further, may I call your attention to the fact that oleo is sold as an imitation. Unless made in the image of butter, which is an accepted product that has come down through the ages, oleo would find it necessary at great cost to blaze new trails of consumer acceptance. Butter sells for what it is. Oleomargarine sells for what it isn't. Oleo is not made from positive sources of fat combined in fixed ratios. Butter is made from one fat—the milk fat from cows. With it, there is no problem of ratios.

Even in its lower price range, oleo's margin of profit is wide. The margin of profit in the case of butter is surprisingly low. The profit that accrues from the processing and selling of oleomargarine is retained in the hands of a few. What little profit accrues from butter is disseminated into the hands of many. The manufacture and sale of oleomargarine is concentrated. In the case of butter, it is widely decentralized.

Butter and the dairy industry contribute more than any other type of agriculture to the building of soil fertility, the retention of soil moisture, and this way are mighty factors to the upbuilding of national security for the future.

Also the Department should bear in mind that the dairy-farm capital investment in this country exceeds the investment in any other type of agriculture in America. Not only are more men and more millions of dollars involved directly in the butter industry than in the oleomargarine industry, even though we were to assume that the consumption of the two products were equal, but also to a far greater degree are more millions of men and more millions of dollars involved indirectly in the production of butter than in the development and manufacture of oleo.

In conclusion, may I say that I fear the Consumers' Counsel, like other groups, has lost sight of the vast economic, social, and health implications involved in this question of substituting butter. We believe that all the facts should be assembled—all the truths should be brought forward. We believe it is wrong to continue propaganda for a commodity when, on one hand, so much health and welfare is at stake while on the other, so much profit is involved to be turned into the hands of a few.

Is it necessary to supply England with cheese and condensed milk in such quantities that the people of the United States cannot have adequate dairy products? What will the effect be on the dairy industry after the war if production is increased and consumption at home curtailed?

Has any adequate investigation been made to determine the amount of cheese, condensed milk, etc., that England actually needs? If England were paying for these products, instead of getting them through the lend-lease program, would she demand the quantities she is now demanding? Are Canada and New Zealand diverting their milk from butter to cheese and condensed milk in order to help England? What is the oleo situation in Canada? Are the Canadians being urged to eat oleo by their government? Why not ship some more wheat to England

and some oleo to spread on the bread made from the wheat? Germany is doing a fairly good job of fighting, and from all reports they are not living on cheese and condensed milk.

Very truly yours,

W. H. HANCHETT,
Chairman, Four-State Dairy Protective Committee.

LABOR-UNION ACTIVITIES

Mr. O'DANIEL. Mr. President, I introduce a Senate joint resolution, and wish to offer a few words of explanation.

During the short period of time I have been permitted to sit in this Chamber, I have attentively listened to much talk pro and con about many important matters; but it appears to me that we are almost completely ignoring the most serious problem confronting the Nation. I concede that each and every matter discussed here is of prime importance to somebody, and I offer no objection to anything that has been discussed.

But there is a matter of supreme importance to everybody. It seems that few of us desire to discuss it or do anything about it. In my opinion—and, I may say, in the opinion of a vast majority of the clear-thinking citizens of the United States—the matter to which I refer is as dangerous to our Nation as is the inconspicuous cancer germ to the human body when it first begins to thrust its deadly tentacles into human tissues. The small cancer germ can be ignored. It can be covered with powder or paint or by our clothing, but unless it is eliminated at an early stage, sooner or later it will definitely and surely take a human life as its toll.

The ugly, dangerous factor in our body politic today to which I refer is the powerful, dominating labor-union-leader racketeers.

Nobody in the world is more sympathetic toward or more understanding of the laboring men and women than I am, for I have done almost every kind of hard, manual labor, and I know what it means to bring home the bacon by the sweat of your brow. So I want it distinctly understood that when I mention the unfairness of labor-leader racketeers bringing about strikes in our defense industries, I am in no way reflecting on the good, sound-minded, and dependable laboring men and women of this great Nation. I am talking about the blood-sucking, money-minded labor leader racketeer—the fellow who tries to make the laborer think he is his friend, when in reality he is the laborers' worst enemy in disguise. It is my opinion that the laboring men and women of this Nation are realizing that fact more each day. They are getting tired of paying exorbitant fees, then being led into strikes and suffering deprivation of the necessities of life for themselves and their families, in order to pay tribute to their big, racketeer leaders who desire to rule or ruin.

The war now raging is terrible and must have consideration, and I for one am in favor of doing everything we possibly can to keep this dreaded thing from our shores; but the thing of which I speak is even as great a menace as, if not greater than, the threat of war. If the threat of war should materialize—which God grant it may not—we would win it; and after our victory we could all return to our usual domestic affairs under the same form of democracy we have always enjoyed. But if labor-union-leader racketeeering is not stopped our democracy will perish. What will we gain if we win a world war and destroy dictatorship abroad, but permit a dictatorship of the A. F. of L. and the C. I. O. to be established in America? That is a question to be answered by the Congress. Millions of our citizens are asking the question, and asking it with justified alarm. But the question is being dodged in this Chamber. I dare say that there is not a person within the sound of my voice who does not positively know that in the United States there have been instances of free men being beaten over the head with a gun or a club or otherwise punished or threatened by force or violence by union-labor-leader racketeers or their thugs or cohorts, for no other reason than that those free men sought to work at lawful jobs of their own choosing. Such things have happened, and may be happening at this very moment so far as the Congress is concerned, because no sufficient effort has been exerted by Members of Congress to make such actions unlawful and punishable by adequate penalty.

In the State of Texas we passed a law which tends to stop force and violence in labor disputes, and it works so well that many citizens of Texas have asked that I introduce a similar bill in the Senate. I did my duty. I offered it as an amendment to a measure which was under consideration, but I was amazed at the poor reception it received. I cannot believe that the antiviolence amendment which I offered received the careful and serious consideration which Senators usually give to important matters. I want to do everything I possibly can to make sure that every Senator understands the amendment I introduced, and its significance. I do not want to neglect my duty in this matter.

I fully realize that it is not my duty individually to enact legislation; but I conceive it to be my duty to introduce, explain, and defend such proposed legislation as my people desire. I have no criticism to offer of another Senator's vote; the decision is for him alone to make; but I do want to make sure that proposed legislation introduced and sponsored by me is fully explained to each and every Member of the Senate.

The same amendment which received so little consideration in this Chamber has also been introduced as a bill by itself; and when it comes before this body for action I expect again to explain its merits and solicit support for its enactment. In the meantime I believe something else should be done to combat the deadly menace of labor-union leader racketeering which is so prevalent in this Nation. I now wish to invite attention to another measure which I propose to introduce.

Mr. President, the greatest problem facing America today is not that of winning a new World War, but of determining whether in the process of winning the war we shall allow a dictatorship to be set up within the Federal Government, controlled by the A. F. of L. and the C. I. O., which will say to American labor, "You either pay dues to some labor union or you do not work." If such a condition should become established in the United States, the freedom of our people would be at an end. There can be no freedom of the individual to live his own life unless such freedom is predicated on the right of the individual to earn a living. When a man is deprived of the right to earn a living he is automatically forced to accede to and accept whatever conditions may be imposed upon him in order that he and his family may have the money with which to pay their daily bills.

Mr. President, in my opinion it is a disgrace to the American people that we have a Government in Washington which have a government in Washington which permits what it has apparently permitted to be done in the shipbuilding yards in New Jersey. Governmental agencies have taken the position that if a man is a member of a labor union and does not pay his dues, he should lose his job. Under such a condition, no matter what racketeering element might get control of the labor union, no matter how much the membership of the labor union might disapprove such action, they still would be required each month to pay their dues whether they wanted to do so or not.

If we are to have in this Nation a dictatorship of organized labor, and if the Government is to take a position in favor of a 100-percent closed shop or is to become the agent to collect union dues or force their payment, certainly if the Government has such an obligation in an industry engaged in national defense, and if such action is legitimate in such an industry, then the Government has the same obligation in all other lines of business.

If we should follow this line of reasoning—which apparently now prevails in Washington—and if the idea should be sold to the American people, the result could be one thing and one thing only, and that is a universal closed shop in America, where no man could work if he did not belong to a labor union, where no man could join a labor union unless it wanted to take him, and where no man could remain in a labor union if the union officials wanted to kick him out.

In my opinion, the maintenance of "Freedom to Work" and the problem of protecting employees in America from violence in the exercise of this right mean more to the domestic affairs of this country and to the future of the Nation than the temporary decision on any matter concerned with the present World War.

Mr. President, letters have poured into my office, many of them written by caloused hands with a stub pencil on rough tablet paper, telling me of exorbitant fees demanded by power-crazed, wild-eyed union-labor-leader agitators for the right of free men to work on national-defense projects. Letters have advised me that after the exorbitant fees are extorted the victim is discharged without just cause as soon as full payment of the fee is made.

These are not isolated cases, Mr. President. If the Members of the Senate are not aware of these conditions, I assure them that thousands of our good private citizens are fully aware of them, and, let me add, enraged at such tactics and puzzled that Congress has taken no action to prevent such outrages.

I realize that the subject I am discussing is all important. It may be so weighty that the Members of this body will hesitate to take action. But, fortunately, on matters of grave importance to all the people of the Nation our forefathers wisely provided for the voice of the people to be heard. Surely no legislator who actually believed in true democracy would hesitate to submit any matter to the sovereign voters themselves for decision. So in this instance I am not going to ask the Senators to decide this momentous question. I am going to ask only that they do not stand in the way of the people deciding whether they want such legislation as that I am discussing. I ask permission, Mr. President, to introduce the following Senate joint resolution proposing an amendment to the Constitution:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is hereby proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE — —

"FREEDOM TO WORK

"SECTION 1. No person shall be denied employment because of membership in or affiliation with or resignation from a labor union, or because of refusal to join or affiliate with a labor union; nor shall any corporation or individual or association of any kind enter into any contract, written or oral, to exclude from employment members of a labor union or persons who refuse to join a labor union, or because of resignation from a labor union; nor shall any person against his will be compelled to pay dues to any labor organization as a prerequisite to or condition of employment.

"SEC. 2. The Congress shall have power to enforce this article by appropriate legislation.

The joint resolution (S. J. Res. 106) proposing an amendment to the Constitution of the United States relative to freedom to work was read twice by its title and referred to the Committee on the Judiciary.

EXECUTIVE SESSION

Mr. McNARY. Mr. President, I inquire if the morning business has been concluded?

The PRESIDING OFFICER. The morning business has been concluded.

Mr. McNARY. Then, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. JOHNSON of Colorado in the chair) laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination from the Committee on Education and Labor was submitted:

By Mr. THOMAS of Utah:

Gerard D. Reilly, of Massachusetts, to be a member of the National Labor Relations Board for the term of 5 years from August 27, 1941, vice Edwin S. Smith.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McNARY. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

ADJOURNMENT TO MONDAY

Mr. McNARY. I move that the Senate adjourn until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 1 o'clock and 53 minutes p. m.) the Senate adjourned until Monday, September 29, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 25, 1941:

WORK PROJECTS ADMINISTRATOR

George R. Stuntz, of Washington, to be work projects administrator for Washington, to be effective October 1, 1941.

UNITED STATES PUBLIC HEALTH SERVICE

The following-named senior surgeons to be medical directors in the United States Public Health Service, to rank as such from the dates set opposite their names:

William S. Bean, August 14, 1941.
Thomas B. H. Anderson, August 12, 1941.
Herbert A. Spencer, August 27, 1941.
Gleason C. Lake, August 16, 1941.

CONFIRMATIONS

Executive nominations confirmed by the Senate, September 25, 1941:

POSTMASTERS

COLORADO

Nelle M. King, Fountain.

LOUISIANA

Charles J. Slack, Maringouin.

NEW YORK

Edmund V. Shortt, Marlboro.

OKLAHOMA

LeRoy Parrish, Comanche.
Carrie M. Wynn, Fort Towson.
Riley T. Holbert, Sperry.
James A. Whelan, Yukon.

PENNSYLVANIA

Walter E. Russell, Christiana.
Abraham H. Scholl, Harleysville.
Henry C. Cresswell, Petersburg.
Athay E. Brenneman, Portersville.
Rose W. McDevitt, St. Benedict.
George S. McCurdy, Scottdale.
Ross E. Haney, Wheatland.

TEXAS

Garland M. Shelley, Rogers.

PROMOTIONS IN THE COAST GUARD OF THE UNITED STATES

TO BE CAPTAIN

Clarence H. Dench

TO BE COMMANDERS

John P. Murray, Jr.
Severt A. Olsen

TO BE LIEUTENANT COMMANDERS

Leslie D. Edwards
Frank K. Johnson
Carl B. Olsen
Edwin C. Whitfield
Anthony F. Glaza
Frederick G. Eastman

TO BE LIEUTENANTS

William B. Ellis
John W. MacIntosh, Jr.
George R. Reynolds
Fred J. Scheiber
Christian R. Couser

HOUSE OF REPRESENTATIVES

THURSDAY, SEPTEMBER 25, 1941

The House met at 12 o'clock noon.

Rev. Jacob S. Payton, D. D., executive secretary of the Methodist Commission on Camp Activities, Washington, D. C., offered the following prayer:

Eternal God, who dost continue immovable amidst so much that is being shaken, we acknowledge Thee to be our strength and our salvation. For Thy providential care written large across the pages of our Nation's history, we give Thee thanks.

Grant us such boldness in proclaiming that Thou art the Lord, and in walking in Thy ways that Thy divine favor may attend the Nation. If we have abandoned faith in the things in which our fathers trusted and were not discomfited, restore to us, their children, these lost treasures of the heart.

Grant to us this day, O Lord, a discernment of things honorable. May we be found on the side of those forces that strive to make our land strong in Thy righteousness. This we pray in the name of our Saviour, Jesus Christ. Amen.

The Journal of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by the President of Fordham University at the celebration of Fordham's centenary.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

THE HATCH ACT

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, after an intensive barrage by a chain of newspapers, the Hatch Act was passed by Congress and signed by President Roosevelt. This act was to be the solution of all the evils of the ballot box and the end of political intimidation of Government employees and other citizens by the so-called big shots holding Government jobs.

Because of the recent gross violations of the spirit of the Hatch Act by many of the persons who were pleading for the passage of the bill, I have, today, introduced H. R. 5716, which has for its object the repeal of the Hatch Act.

The only persons who now observe the provisions of this law are hundreds of thousands of Government employees in the low-salary brackets, while the folks receiving large salaries and occupying elaborate office suites and jobs with fancy titles have not only ignored the letter of the law but also the spirit of the law.

If the officers charged with the responsibility of enforcing the Hatch Act continue to close their eyes to the persistent and vicious political activities of these high-salaried officeholders, then Congress should repeal the law.

Last Wednesday, I brought to the attention of the House, a press release issued by a Republican job holder in New York City. The release inferred that the Hatch Act, previously interpreted in Washington as covering workers and volunteers in the administration of the Selective Service Act, had been reversed, except as to clerks and stenographers receiving salaries of not more than $100 per month. All others connected with the administration of the Selective Service Act were practically invited to get aboard the political band wagon.

Upon investigation I discovered that this announcement in reference to the selective-service attachés, which had been made by the Director in New York City, was not authorized by Brigadier General Hershey. As yet no action has been taken to correct this misstatement.

On September 19 the New York Herald Tribune, in a signed article, announced the formation of a new political party headed by Assistant Secretary of Sate Adolph A. Berle, Jr., and Henry Morgenthau, Jr., Secretary of the Treasury. At this moment there is some doubt as to whether or not the Morgenthau mentioned is young Henry or Henry's 80-year-old daddy. In the absence of a denial from the Secretary of the Treasury, or from the State Department, I presume the Tribune's statements are true.

There are many men filling key places in the Nation's Capital through political favor and not by the vote of the people. These men have been assigned to duties of the utmost importance and delicacy. It is difficult to rationalize the mental attitude of these men when they abandon their Washington desks at this juncture in world affairs and run around the streets of New York City organizing political parties and committees. Obtaining signatures to a nominating petition for the absent Fiorella is their chief concern.

Because of certain unfair exemptions in the existing law, Congress is helpless to discipline these pay-roll patriots who are now deliberately flaunting the spirit of the Hatch Act and making a mockery of the law.

Congress should take appropriate action as follows:

First. Ask President Roosevelt to shame his bad boys into obeying the Hatch Act.

Second. Congress should amend the law to specifically include the politically minded persons of the inner circle.

Third. Adopt my proposal to repeal the Hatch Act.

In my opinion, the Hatch Act is fundamentally wrong because it takes away the free exercise of political action from the rank and file and allows the "silk stocking" crowd of Washington to indulge in all sorts of political chicanery.

For these reasons and because of my desire to rid the statute books of a law observed only in the breach, I urge the immediate repeal of the Hatch Act.

Mr. BUCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BUCK. Mr. Speaker, I call the attention of the gentleman from New York to the fact that I presided over the Committee of the Whole House on the state of the Union when the Hatch Act passed this House. I also call his attention to the fact that I voted against it after having sat for 8 hours in the chair listening to the arguments that were introduced in its behalf. I am wholeheartedly in favor of anything that can be done to repeal this act.

THE NEUTRALITY ACT

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WOODRUFF of Michigan. Mr. Speaker, the declaration this week by President Roosevelt that he will ask the Congress to repeal or modify the Neutrality Act will not—or should not—come as any surprise to the American people. Mr. Roosevelt's intention to eliminate the Neutrality Act from the statute books was first discernible to careful observers in his proposal to modify the original Neutrality Act by the so-called Cash and Carry Act.

Mr. Roosevelt is, in fact, not going to ask Congress to repeal or modify the Neutrality Act. What he really is going to do is to give Congress an opportunity to agree with Mr. Roosevelt's repeal of the Neutrality Act and his modification of all other acts which stand in the way of his taking the Nation to war.

Every informed Member of Congress, and every informed observer in Washington, knows that President Roosevelt has not left a vestige of the Neutrality Act unviolated in spirit, if not in letter. It stands today the merest shell of an empty statute which the executive department of the Government does not want to enforce and has no intention of enforcing. Judging by Mr. Roosevelt's past performance, it would matter little to him whether the Congress did or did not modify or repeal the ragged remnants of the Neutrality Act, because Mr. Roosevelt, in effect, repeals and modifies and amends statutes to suit himself when he feels the occasion requires.

It is a mistake for the American people to be misled into believing that an issue confronts the Congress in the sense that the Neutrality Act, anemic as it is, has prevented the President and his administrators from proceeding as they pleased in the conduct of the national preparedness, the administration of the Lease Lend Act, and the so-called defense of the Western Hemisphere.

The Neutrality Act was, in effect, repealed by the passage of the Lease Lend Act. The American people ought to be told the truth about this matter. For them to be deceived by propaganda and a lot of talk in the two Houses of the Congress about repealing or modifying the Neutrality Act, because it is hampering the President and his administrators in their administration of foreign policies will merely result in causing the people to believe that the Neutrality Act, or the pale fragments of it, still left on the statute books, really may have stood in the way of the President and his administrators. To lead the people to believe this would lead them further to believe that the President and his administrators are studiously observing the letter of every law on the statute books in their administration of the Lease Lend Act, the building and manning of foreign bases, and the conduct of foreign policy generally.

The American people ought to understand—and most of them probably do understand—that when the President issued in a world-wide radio broadcast his famous order to the Navy to "shoot on sight" at any German or Italian submarine, surface or air craft, he himself shot the decrepit Neutrality Act right through the vitals. It has, of course, been as dead as the dodo ever since.

What the purpose of the administration may be in pretending that it does not feel like taking any steps which might be construed as a violation of our neutrality law without first having the Congress amend or repeal the remains of the act, or such portions of it as may be indicated by the administration, it would be difficult for anyone outside the inner circle of Presidential advisers to guess.

One effect of this proposed action would be, however, to build up a fiction that the President and his advisers are very carefully consulting Congress as each step is taken to drag this Nation into a shooting war. Such a fiction might have some political utility in the campaign of 1942 if it should become desirable from the White House standpoint to lay the blame for the United States getting into a shooting war on the Congress. However that may be, the proposed action would constitute an empty gesture at this time unless the Congress wants to make a real issue of it

and to call the President and his administrators to strict account for innumerable violations of the Neutrality Act. This, of course, is not what the administration wants; and it is not what the administration intends shall be done.

The technique of Mr. Roosevelt's administration, both in peace and in war, has been to give the country and the people one step at a time of what eventually was to be developed as a policy. Only Mr. Roosevelt and his closest advisers knew what the policy was. Their attitude toward Congress and the country was to take one step at a time, so to speak, and then when enough steps had been taken to make the policy plain, there remained nothing for the Congress and the country to do but go on stepping out the rest of the policy by congressional acts.

Mr. Roosevelt says he is going to arm merchant ships. This is a bit surprising. Not that Mr. Roosevelt is going to arm merchant ships but that he tells Congress and the country about it before he does it. Mr. Roosevelt's technique in the past has been not to say to Congress, "May I do thus and so?" but it has been to tell the Congress and the country "I have done thus and so." Neither the Constitution nor statutes have disturbed Mr. Roosevelt or his advisers much. They have ignored both constitutional and statutory limitations when it pleased them to do so. But Mr. Roosevelt is going to arm merchant ships. He is going to ask for the repeal or amendment of the Neutrality Act. Woodrow Wilson followed the same course, and in a very short time was asking Congress to declare war. It does not require a very wise Washington observer to foresee that such will be the course of Mr. Roosevelt. The American people are on notice. If they do not desire such a course to be followed, they should let their representatives in Congress know how they feel, in early and no uncertain terms.

PERMISSION TO ADDRESS THE HOUSE

Mr. CROWTHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include therein a short article from the Washington Daily Star by Frank R. Kent.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CROWTHER. Mr. Speaker, considerable criticism is being directed against the series of articles which are appearing in Collier's Weekly and of which the President is presumed to be the author. In an address previously delivered in the House I made the declaration that the President and his supporters did not want unity, but demanded submission to their policies not only from the minority but from the few courageous Members of the majority who on several occasions have exhibited real independence. The following article by Frank R. Kent is clear-cut in its analysis and conclusions, and also sounds a note of warning to Mr. "Me Too" Willkie that is timely and pertinent:

[From the Washington Evening Star]

THE GREAT GAME OF POLITICS—WILLKIE MAY FIND PURGE OF ISOLATIONISTS TO BE, AS IN OTHER ATTEMPTS, A BOOMERANG

(By Frank R. Kent)

There is considerable justification for the feeling, voiced by Arthur Krock in the New York Times, and others, that the current series of magazine articles by Mr. Roosevelt, in which he speaks in the highest terms of himself and explains all the least defensible acts of his earlier administrations on the noblest possible grounds, is an extraordinary exhibition of bad timing, bad taste, and bad judgment.

At a period such as this, when he is urging national unity and deploring partisanship and personalities in others, for the President publicly to start picking the scabs off the old wounds inflicted by his 1937 effort to pack the Supreme Court, and his 1938 attempt to "purge" from public life Democratic Senators who had opposed his domestic policies, seems both petty and pernicious. One wonders how he reconciles it with an appeal for unity. It is a puzzling performance.

SOUNDS VICTORY NOTE

It not only makes it more difficult for those who are in accord with his foreign policy to follow Mr. Roosevelt but it makes it impossible to believe in the high-mindedness of the man. Apparently he is unwilling himself to do what in the name of national unity he asks other people to do. In particular, this last article is calculated to create personal distrust, in that it disingenuously conveys the idea that the "purge" was successful, whereas the truth is it completely and humiliatingly failed. Nearly all those whom he sought to drive out of public life won their fights, are still in the Senate, and still oppose his kind of "liberalism." But no one possibly could get the idea from the article to which Mr. Roosevelt's name was signed last week that they had emerged victorious from the primaries. Quite the contrary.

It may serve a good purpose to refresh the memory—if it needs refreshing—of Wendell Willkie as to the result of that Roosevelt "purge." There is food for thought for him there. Recently Mr. Willkie has been reported as planning a purge of his own. Next year, it is said, he intends to oppose the renomination of the Republicans in Congress who have been on the isolation side and with whom he has so strongly differed. According to published reports, Mr. Willkie intends to take part in the 1942 primaries against the Republicans who have pulled back on the administration's foreign policies. In full agreement that Mr. Willkie's forthright endorsement of these policies has been of great value, it is still easy to question whether, if he attempts this planned purge, he may not help those whom he opposes more than he hurts them.

PROVED TOO ANXIOUS

Certainly it worked out that way in the Roosevelt purge. Not only were those whom Mr. Roosevelt sought to liquidate successful in the primaries but, in all probability, at least one of them would have been defeated had the President kept out of his State and left him to the voters there. In his effort to destroy these men, Mr. Roosevelt again demonstrated the soundness of two oft-tested political axioms. The first is that no man can deliver his personal following to someone else in an election in which he is not running. Machine strength can be delivered, but not personal strength. The second is that there always is resentment among the voters of a State when an outsider undertakes to tell them what they should or should not do in one of their own local elections. Invariably the reaction is against the candidate or cause thus endorsed. This has been proved over and over again.

As the earliest Republican primaries are scarcely 6 months off, it seems timely to remind Mr. Willkie of these things. It might also be of use to point out that while his endorsement of the Roosevelt foreign policy is greatly to his credit and has earned him a lot of well-deserved praise, it has not endeared him to the politicians of the party of which he is the titular leader. Strangely enough, he is not popular today even with those Republicans who agree with him on the foreign issue.

FUNCTIONS WEAKLY

It seems likely that Mr. Willkie would have commended himself to more party people had he distinguished more clearly between support of Mr. Roosevelt and support of Mr. Roosevelt's policy, which is easy to do. Also if he had been a little firmer and clearer in pointing out the inexcusable incompetency of the defense organization.

Support of the administration on foreign policy would have vastly enhanced his effectiveness along this line. And he could have rendered valuable service in the one direction fully equal to that he has rendered in the other. But Mr. Willkie has functioned weakly in this field. He has been right in pointing out the mistake of the Republican Party in leaning to the isolation side, but he has failed to furnish the kind of leadership which would have helped his party supply a really constructive opposition.

He has by no means utilized his chance to focus attention upon the administration sins of omission and commission being committed here in the name of defense. For example, little has been heard from him concerning the craven yielding to the labor and farm lobbies, or of the shocking waste and confusion which has characterized the job from the start, nor of the neglect to do the obvious things to avert a ruinous inflation.

The Republican Party has stupidly missed a great opportunity by arraying itself against the Roosevelt foreign policy, which is approved by 80 percent of the people. But Mr. Willkie, too, has muffed his opportunity to measure up to his titular leadership by failing to make the sort of attack for which the occasion called and which was expected of him. The net result is that among Republican leaders today he has more enemies than friends.

EXTENSION OF REMARKS

Mr. COX. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record and include therein a speech I made at Atlanta last Thursday.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief resolution.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

THE DIES COMMITTEE TOLD YOU SO

Mr. MASON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MASON. Mr. Speaker, on April 24, 1940, witnesses before the Dies committee testified that our merchant marine was honeycombed with "red" radio operators and that the American Communications Association was 90 percent under Communist party control. Today, one and one-half years later, Acting Secretary of the Navy Forrestal asks Congress to legislate these subversive operators out of their positions by providing for the revocation of their licenses. These "red" operators constitute a grave peril today because "fifth column" radio operators could reveal the position and course of convoys to enemy raiders and submarines. This is an illustration of the fact, the Dies committee told you so.

Mr. Speaker, on November 25, 1940, the Dies committee released a 500-page volume which was replete with exhibits showing the subversive activities of the German Library of Information, the German Railway Information Bureau, the Transocean News Service, and the German Consulates. Seven months later, the President ordered these four agencies to quit the soil of the United States. It is fair to assert that the Dies committee told you so.

Mr. Speaker, on occasions too numerous to catalog at this time, the Dies committee had shown that the Communist controlled Amtorg Trading Corporation has engaged in subversive activities. Now, Mr. Speaker, we are informed through the press that the President has ordered the advancement of $50,000,000 of credit to the Amtorg Trading Corporation for the purchase of supplies for Russia. I warn this House that the Dies committee has already told you so, and that one of these days the policy of collaboration with the totalitarian tyrant of Moscow is going to be revealed as one of the tragic mistakes of this era.

PERMISSION TO ADDRESS THE HOUSE

Mr. DITTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DITTER. Mr. Speaker, I have received by unanimous consent the privilege to address the House for an hour after the completion of other matters today. It had been my purpose to discuss at some length, and to afford the opportunity for interrogation thereon, the objectives and the achievements of the defense program However, upon reflection, and as a result of the hearings presently being held on the lease-lend bill and the close interrelationship of those problems with the other defense problems, I forego the privilege that was accorded me and put at ease the clerks of the House, who might otherwise have been detained unduly.

[Here the gavel fell.]

SUBVERSIVE ACTIVITIES OF GOVERNMENT EMPLOYEES

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I read with great interest a headline article in the Washington Post under date of September 24 with reference to the committee in the Argentine Government that would correpond to the Dies committee in our Government. I was struck with the difference in the results that were obtained by these two parallel committees.

The committee in Argentina makes a report of subversive activities and the Argentine Government takes out of government the subversive interests.

In our Dies committee, which I think has done good work, reports are consistently made of not only the subversive interests throughout the country, but of persons belonging to these groups who are actually in high governmental positions. I do not know of a single one of these persons who has been removed from government after their connection with subversive interests has been shown. The general statement is that these people no longer belong to these groups, and there is apparent lack of disposition on the part of this Government to remove the Socialists, the Communists, the Nazis, and the Fascists from our high governmental positions.

Why is this? Why, in the name of high heaven, cannot this Government pick, out of 130,000,000 Americans, people who have not changed their names, who have not formerly belonged to subversive groups? Does not this administration realize that the great majority of criminals deny their guilt when caught, the same as these subversive persons are taught to deny their membership in these organizations in order that they can still remain in government and tear the American form of government to pieces?

Is it not high time that this important committee was given the proper backing by those in authority, and at least an attempt made to protect the American form of government from these subversive groups, whose sole purpose is to destroy the American form of government and replace it with some form of European "isms," all of which are socialistic fundamentally?

I call upon the administration to get busy and investigate and remove every one of these guilty persons, and believe that this Congress will back me up in my statement that if this is not done we should ask the Dies committee for definite recommendations as to those who should be removed, and proper hearing be had for those charged, and, if found to come within the scope of subversive groups that are working against the interests of the United States, the Dies committee be backed up by this Congress, if necessary, by cutting off any salaries or wages for which they may be working.

Of course, the authority that Congress has as a body may be limited as to the appointment or removal of these subversive people, but its authority is not limited when it comes to passing the bills which pay their salaries. If we cannot get them removed by those in authority to do so, I suggest that this House cut off all money going to them and at least protect this country in that respect.

EXTENSION OF REMARKS

Mr. HENDRICKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief resolution.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from the American Molasses Co. correcting an error I made in a speech on the floor of the House on July 17. I also ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution adopted by the Louisiana Coalition of Patriotic Societies.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HILL of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article from the Times-Herald which shows the feasibility, the necessity, and the desirability of a separate air force in the United States.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. DONDERO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution adopted by the League of Michigan Municipalities urging the completion of the St. Lawrence seaway.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therewith an address recently given by the Honorable William G. Miller, formerly a Member of the House from Connecticut.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

THE ALLOTMENT ACT AND THE FARMER OF TODAY

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

A WHEAT FARMER SAVED BY TRIPLE A

Mr. PIERCE. Mr. Speaker, considerable criticism has been aimed at the Agricultural Committee of the House who are responsible for the change in the triple A act raising the parity payments from 56 percent of parity to 85 percent and providing that the penalty for "hot wheat" should be advanced from 15 cents a bushel to 49 cents. I have received

many letters from various places in the United States about this matter, but none more clearly describes the situation than one recently written me by a constituent, Mr. Homer I. Watts, of Athena, Oreg. At the time the triple A act was passed our whole country was on the verge of bankruptcy, including the farmers, the merchants, and the bankers. The act has brought prosperity to a large part of the farming world and those dependent upon farm trade and business.

Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include this letter of Mr. Watts, of Athena, Oreg.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

The letter referred to follows:

ATHENA, OREG., *August 15, 1941.*

HON. WALTER M. PIERCE,
House of Representatives,
Washington, D. C.

DEAR MR. PIERCE: I have read with a great deal of interest your speech made in Congress on Monday, July 20, 1941, relative to the Allotment Act and the farmer of today.

I, as a farmer, heartily agree with everything you say in this speech; possibly I would go a little further on some points than you do.

In the first place, I have spent my life in this farming vicinity, I have seen this country developed and know the ups and downs of the farming game. I have invested practically all of my life's earnings in a farm; I am now the owner of about 2,000 acres of farm land in this vicinity, and in this farm, together with equipment, I have invested a little over $175,000. In the years 1930, 1931, and 1932 I saw this farm gradually drifting away from me because of no farm prices. In 1930 I was able to pay my expenses. In 1931 I went behind about $7,500. In 1932 I went behind about $15,000. If these same conditions had continued for 2 or 3 years more I would have lost everything I had. It was not so much the matter of going behind in those years that was wrecking the farmer, but the value of his farm was shrinking. My farm shrank from a value of about $200,000 in 1929 to a value of nothing at the end of 1932, for the reason farm products had no value and farm property was not salable. I doubt that I could have sold my farm in 1932 for more than $40,000.

The Allotment Act of 1933 saved my property. It saved every farmer in this vicinity and I believe it saved 90 percent of the farmers throughout the United States.

Beginning with 1933 I have since then each year made a little on my farm, its value has now gone back to such an extent that I could possibly realize out of it about what I have put in the farm, should I offer it for sale.

I have been a consistent supporter of the Allotment Act, and believe that if we had not had assistance of this nature and kind that today American farmers would be nothing better than ordinary tramps. There may be better schemes, there may be better ways than the present Allotment Act, but, if so, I do not understand why some wise critic doesn't propose the measure. It is always easy enough to criticize, but the difficult point is, when you are criticizing to be able to offer something better as a remedy, otherwise you should be careful of your criticism. In other words constructive criticism is always valuable—destructive criticism injurious.

I feel and believe that it would be well to have a law whereby the Allotment Act would be self-supporting. The original act in my opinion was a very sane act and I believe that it should have been sustained by our Supreme Court, but that point, however, is water over the wheel. Had the original act been sustained the Allotment Act would have been self-supporting, no doubt, and the Treasurer of the United States would not have been called upon to assist the farmer. We believe that some plan should be devised to make the act self-supporting. Possibly the certificate plan would solve this problem.

Personally I have but little patience with farmers who are opposing the present plan. I have contacted some few who are opposed to the present plan, but I have found as a general rule these men belong to a type or class of people who are always willing to accept all the benefits coming to them, but never willing to take on any burdens. Most of these opposers even oppose paying county and State taxes; they oppose paying income taxes. In face they generally oppose all measures unless they inure to their benefit.

I believe that if the Government is going to help us it should restrict us in the production of grain to such an extent that we would not have an overproduction. I would rather the Government require me to cut out 50 percent of my farm land, if it becomes necessary to do so, in order to help the price of grain to such a point as would give us a decent rate upon our capital invested. I believe if the guaranteed price set by the Government was taken away from the grain entirely that we would be selling our wheat, or rather offering it for sale, at a price of around 25 cents per bushel.

I do not believe the penalty imposed by the Government in the sum of 49 cents per bushel on what is termed "hot wheat" is at all excessive.

I feel that it isn't enough under present conditions. As a matter of fact the Government could impose 100-percent penalty upon "hot wheat" and still the farmer in this vicinity would be ahead of what he realized last year even with the guaranteed price.

Take this example: A client of ours this year raised 5,440 bushels of wheat. He has 1,029 bushels of "hot wheat." This leaves him 4,411 bushels of free wheat. The guaranteed loan value of No. 1 wheat is 90.6 cents. The farmer this year can take his free wheat, 4,411 bushels, at the loan value and it will give him $3,996.36. Last year the loan value was right close to 60 cents a bushel and this really established a market at this point of 60 cents per bushel. If you take the total wheat produced this year by this man, 5,440 bushels, and multiply by 60 cents it gives him $3,264. Therefore on the present guaranteed price this man could give his "hot wheat," 1,029 bushels, to the Government, sell the balance, 4,411 bushels, and then have over $700 more than he got out of an equal amount of wheat last year.

It is neither common sense nor a point for argument to say that the Government guaranteed price does not establish our selling price.

I feel that as long as the Government is giving us the support it is, that it should compel us to comply with the requirements and cut down to such an extent that the overplus of the grain can easily be handled.

I do not believe that the present Allotment Act is perfect, but I know it is better than what we had in 1931 and 1932, and I know it is the very thing that is giving us a living price at this time. I feel that until some of our critics produce a program that is better suited for the general welfare of the farmer we had as well carry on the present system and let the discontented howlers continue to howl and criticize.

Very truly yours,

HOMER I. WATTS.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent at the close of other special orders today I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

DECLINE IN COMMERCIAL FISHING ON THE GREAT LAKES

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, and I also ask unanimous consent to extend my remarks and to include an article and an editorial from the Alpena (Mich.) News.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, commercial fishing was a sizable industry on the Great Lakes and particularly in my congressional district not very many years ago. In practically every harbor, large and small, along that tremendous shore line of the Great Lakes which is in my district, one could find one or more large fish tugs in operation and many men profitably employed.

For instance, in the city of Alpena, 15 years ago 8 tugs were in operation and 300 or 400 men were constantly employed in the commercial fishing industry. In my own city of Rogers City, there were 4 tugs in operation and about 100 men employed. A somewhat larger number were employed in Cheboygan, in Petoskey, in Charlevoix, in Harbor Springs, in Mackinac City, in St. Ignace, and so on around the Lakes.

One of the first economy measures introduced by the New Deal back in 1933 was to close down all of the Government operated commercial fish hatcheries on the Great Lakes. Today there is but one Federal hatchery in operation; that at Northville, Mich. Despite repeated protests on my part and on the part of my predecessors and other Members of the House and Senate interested in the welfare of this large industry on the Great Lakes, the Bureau of Fisheries has steadfastly refused to recommend the reopening or the reestablishment of the former Federal fish hatcheries.

Consequently there has been a steady decline in the amount of available commercial fish in the Great Lakes during the years of the New Deal until today the fishing industry is almost completely ruined. For instance, today in Alpena 4 small tugs are still operating and a scant 30 men find employment as fishermen. Before the hatcheries were closed 1 tug out of Alpena would take from four to eight thousand pounds of fish in a single lift while today a good lift for all the 4 tugs operating is less than 2,400 pounds. As a result, while this industry has been stifled and thousands of men, whose life work has been commercial fishing, thrown out of employment, many of them at an age in life in which they are incapable of adapting themselves to a new form of livelihood, the housewife has been compelled to pay a much higher price for this most delectable of all food. The retail price of fish in the local markets in my district has

risen from 15 to 40 cents or more per pound.

While we have seen little evidence of it since economy may have been the watchword in 1933, at least that was the reason advanced for the closing of these Federal fish hatcheries, but the results since then seem to indicate that it was a false economy. As I have previously stated, the Bureau of Fisheries has steadfastly refused to recommend the reopening of these fisheries. They have advanced various reasons to support their stand. The fishermen and I myself doubt the wisdom of their decision. Results speak louder than words; this the Bureau of Fisheries cannot deny. The burden of proof is on their head and to date they cannot by any wild stretch of imagination justify their position.

Mr. Speaker, we all make mistakes and it is about time that the Bureau of Fisheries acknowledges its mistake and stops trying to pass the buck back onto the commercial fishermen whom they have been successful in wrecking.

Mr. Speaker, under leave to extend my remarks in the RECORD, and under permission granted me by the House, I now wish to include as part of these remarks an editorial recently appearing in the Alpena (Mich.) News entitled "Fishing Industry Decline," and also to follow that with an article written by Mr. Phil Richards of the Alpena News staff. These two articles, well written, are typical of the feelings of all those in my district interested in the rehabilitation of the commercial fishing industry.

[From the Alpena (Mich.) News]

FISHING INDUSTRY DECLINE

Fifteen years ago commercial fishing was a sizable industry in Alpena; 8 tugs were in operation, and 300 to 400 men were employed. Today 4 small tugs are operating and a scant 30 men find employment as fishermen.

In the middle twenties, one tug would take 4,000 to 8,000 pounds of fish in a single lift. Today, a good lift for all the four tugs operating is 2,400 pounds.

Meanwhile, the retail price of fish in the local market has risen from 15 to 40 cents or more per pound.

Commercial fishermen blame the decline of their once thriving industry on the closing of the United States fish hatchery here in 1933. Natural breeding quite evidently fails to maintain the fish supply as was done when millions of trout and whitefish fry were placed in Lake Huron by the local hatchery each year.

Economy was assigned as the reason for closing the local hatchery. It was short-sighted economy.

Some people blame the closing on bureaucratic "experts" who held that the hatchery was not necessary to maintenance of the fish supply. Developments since the closing knock the legs from under that theory.

It would be a good service to the people of Michigan in general, and Alpena in particular, if the reopening of the hatchery could be brought about and the fish supply eventually restored to the comparative plenty of the 1920's.

FISHING, ONCE BIG INDUSTRY, AT LOW EBB

(By Phil Richards)

Alpena once had a thriving commercial fishing industry. In 1925, a representative year, eight tugs, much larger than those now operating, fished out of Alpena. The industry employed three to four hundred men.

Today, four small tugs which periodically suspend operations employ about 30 men.

A good catch at the peak of the season for one tug in 1925 ran from four to eight thousand pounds. Recently the total catch of the four tugs now fishing was 2,400 pounds. And that is considered good.

There is a very good reason for the sharp contrast: the closing of the United States fish hatchery here in the spring of 1933.

NO MORE PLANTING

In artificial breeding, as it was done in the hatchery, fertilization of 90 percent of eggs is possible, while in natural breeding only 15 percent of eggs are fertilized. And in the hatchery fish were protected from the tremendously high mortality rate of newly hatched fish.

Each year sixty to seventy million trout and whitefish fry were planted in the waters above the great reef which lies in central Lake Huron off Alpena.

Since the spring of 1933, this planting has not been done. The steep drop in commercial fishing here is the direct result of the hatchery's closing. And it is a decline that is continuing: this spring one more fisherman suspended operation—Senator Otto W. Bishop, who has already sold his tug *Lycora* and is arranging to sell his tug *Gertrude T.*

CHLORINE THEORY DISPROVED

An effort to close the hatchery here was made a number of years before its eventual final closing in 1933. The hatchery was shut down temporarily on the ground that chlorine in the water was injurious to fish and prevented effective operation of the hatchery. The argument was voided and the hatchery reopened when investigation of a hatchery in Toronto, where water with a higher chlorine content was used, proved that chlorine had no harmful effect on fish.

Then the hatchery was finally closed in 1933. The reason—it was an economy measure. But it is difficult to see the economy in a measure whose direct result is a drop in employment of fishermen from 300–400 to 30, and whose direct result is also a rise in the retail price of fish from 15 cents to 40 cents per pound.

NO FINES DUMPED NOW

Another possible reason for the hatchery's close has been eliminated. It may once have been charged that the dumping of limestone fines in Lake Huron off Alpena polluted the water and spoiled feeding grounds. Dumping of limestone fines has been discontinued.

Among the men who are closest to the problem and understand it best—the fishermen themselves—the belief is that a terrible mistake was made when the hatchery was closed. Two investigators sent out by the United States Bureau of Fisheries reported that 95 percent of the fishermen affected believed it a mistake and were ready to cooperate fully if the hitchery were reopened.

Why should the hatchery remain closed?

EXTENSION OF REMARKS

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a speech made by the Honorable CLARE HOFFMAN, of Michigan, in the good year 1938.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

THE RURAL ELECTRIFICATION PROGRAM

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

R. E. A. IN DANGER

Mr. GEHRMANN. Mr. Speaker, I want to read part of a letter I addressed to the President in behalf of rural electrification, which is threatened with extinction because of inability to receive supplies.

I addressed this letter to the President as a last resort in attempting to help this program, sponsored by this administration, and badly needed to assist in the increased production of agricultural commodities.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., September 25, 1941.

The PRESIDENT,
The White House, Washington, D. C.

DEAR MR. PRESIDENT: Inasmuch as very serious problems have arisen which threaten the existence and expansion of the rural-electrification program in which you have manifested deep personal interest and which will remain as a lasting monument to your foresight and social planning, I am constrained to direct this communication to you.

The greatest blessing and labor saver ever offered to the American farmer is in jeopardy because of the inability of the R. E. A. to obtain the necessary conductor for completing construction of allotted projects. Some of these orders for wire were placed nearly a year ago. Many of the cooperatives have placed miles of poles but now find themselves unable to complete the lines and offer energy to the subscribers. Meanwhile the organization is paying interest on their debt principal. This is made more alarming by the obvious fact that private competitors to the cooperatives have huge stocks of critical supplies such as wire and are now attempting to build lines in areas where the embarrassed cooperatives have partially completed their construction. This territory was legally preempted, protected by allotment, and is rightfully a service area for the cooperatives.

I would like to quote a short paragraph which is typical of the many letters I have received from managers and directors of R. E. A. cooperatives. "The R. E. A. competitors and enemies play up the lack of materials as a weakness of Government in pointing out that the R. E. A. will fold up along with all other Government activities."

Something must be done immediately. I am appealing to you to find an administrative solution before the empty poles of partially constructed lines mark the end of a great social project.

Believe me to be,
Faithfully yours,

B. J. GEHRMANN.

EXTENSION OF REMARKS

Mr. PLUMLEY. Mr. Speaker, I just cannot let the challenge of the gentleman from Pennsylvania [Mr. DITTER] with respect to establishing a record for compassion go unchallenged and therefore you will find what I have to say in the RECORD of today entitled "It Is Time for a Show-down, America."

Mr. BARRY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein an article from Army Ordnance entitled "Air Power and Coast Defense," written by Lt. Col. Thomas R. Phillips, of our general staff.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

A GREAT BUILDER OF THE WEST—THE LATE HONORABLE EDWARD T. TAYLOR

Mr. WHITE. Mr. Speaker, on September 3, this House lost one of its most

distinguished Members, Hon. Edward T. Taylor, of Colorado. The record of Edward T. Taylor as a Member of the House of Representatives of the United States and as chairman of the Appropriations Committee was brought to the attention of the House on September 4, 1941. Congressman Taylor's greatest service, in my opinion, was in the field of reclamation.

As chairman of the Committee on Irrigation and Reclamation of the House, I ask to have included as an extension of my remarks at this place in the RECORD a statement showing some of the achievements of Edward T. Taylor as a great builder of the West.

The SPEAKER. The Chair will entertain that request because there is no legislative program for today.

Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. WHITE. Mr. Speaker, the greatness of this Nation stems from the health and strength of its parts—the North and the South, the East and the West. Not so long ago the West was largely an empty undeveloped land. Today the 11 Mountain and Pacific States represent a multi-billion-dollar development with 14,000,000 people, half of whom live on irrigated farms or in the cities and towns these farms support. This development and these people form a large and important segment in the might of the Nation.

This was not an aimless evolution, Mr. Speaker. It was given direction by great men who helped build the West and make this country strong and mighty, a power in international affairs. Tribute must be paid to the foresight, the courage, and the patriotism of these men.

John Wesley Powell, Director of the United States Geological Survey from 1881 to 1894, the first scientific explorer of the Colorado River canyons, was one of them. John Powell pointed out that the streams of the arid West were its very lifeblood. The conservation and proper use of water through the construction of irrigation works by the Government was an absolute essential to the permanent development of the western half of the country, he insisted, and we know now how correct was his contention.

John Wesley Powell was only one of the great names connected with Federal reclamation. Others that occur to me at the moment were Charles D. Walcott, Director of the Geological Survey from 1894 to 1907; Senator Francis G. Newlands, of Nevada, who sponsored the Reclamation Act of 1902; President Theodore Roosevelt who gave the act his vigorous blessing; Frederick Haynes Newell, the first Chief Engineer and Director of Reclamation; Arthur Powell Davis, his successor; Dr. Elwood Mead, the first Commissioner of the Bureau of Reclamation—these were all great men, men of vision and of patriotic devotion. To men of this caliber must go the credit for building and developing the West and the entire Nation.

I rise today, Mr. Speaker, to include still another man in this list of great names—a man whom we all knew and loved, who only recently left us to become one of these historical figures—our friend, Ed Taylor, of Colorado.

When Edward T. Taylor was elected to the Congress in 1909 the first splendid step in this permanent development had already been taken—the Reclamation Act. But he had assumed his own role in this development even before that. Ed Taylor was only a youngster in 1887 but fate and circumstance had already allotted to him his chief role in life, that of a builder of the West.

Edward T. Taylor may be regarded as the father of water-right legislation. From 1887 to 1889 he adjudicated the water rights of more than a thousand Colorado ranchmen. He organized, systematized, and stabilized water-priority legislation in his State. He created the first real working model for such legislation.

He was only a young district attorney, but the work he did then laid the groundwork for the great development to follow. Not until years afterward did he realize the full import of the task he had set himself. He was conscious of its necessity at the time, no doubt, but I am sure that he never expected the legislation he created in Colorado would some day be recognized as a model. The decrees he made still stand more than half a century later.

Dr. Elwood Mead once testified before the Congress that Ed Taylor's work in this respect represented "the best and most systematic set of decrees on water rights anywhere in the West."

This was his first great service to this land, Mr. Speaker. It was accomplished before a great many of us were born. He was already hard at work, and it was his sincere belief that his greatest and most important contribution was his work in reclamation.

"Reclamation," declared Ed Taylor, "was a thousand times more essential to the West than any other governmental activity. It meant farms, homes, cities, industries," he said, "a stable, permanent growth, balancing and assisting the progress of the entire country." And Ed Taylor was right.

Reclamation has given the West its present strength. It has enabled the West to assume its rightful place in the Nation as a whole. And through the strength of the West combined with the East the Nation as a whole is assured of its rightful place in the future.

Throughout the West stand magnificent functioning monuments to American progress and civilization. Great names have been associated with the creation of these monuments, built to stand for a thousand years. It was Ed Taylor's destiny to join these great names. It meant long, grinding years of work in the Congress, but he was glad to remain harnessed to the job until the very last day of his life. His name goes down in history along with those other leaders in reclamation, those other builders of the West and of the Nation.

He knew from first-hand, personal experience how vital reclamation is to this entire arid and semiarid region west of the Mississippi. Irrigation is the sine qua non of such a land, and we today are practicing an art which is as old as civilization itself. China, India, and Egypt—ancient permanent civilizations still alive today—also based their life on this substitute for rainfall.

Inscribed on the tomb of Queen Semiramis, of ancient Assyria, which today is called Iraq, are these words:

> I constrained the mighty river to flow according to my will and led its waters to fertilize lands that had before been barren and without inhabitants.

This was apparently one of her proudests boasts, and one of her greatest accomplishments. And justifiedly. What, after all, is more important in life than making men by creating an opportunity for their livelihood? The strength of a nation depends on its manpower.

The Holy Lands were also acquainted with irrigation, Mr. Speaker. Genesis xi:10 says:

> And a river went out of Eden to water the garden.

And II Kings iii:16, 17 states:

> And he said, Thus saith the Lord, make this valley full of ditches. For thus saith the Lord, Ye shall not see wind, neither shall ye see rain; yet that valley shall be filled with water that ye may drink, both ye and your cattle and your beasts.

When the first white men came to this country they found irrigation already being practiced. The pueblo dwellers of the southwestern United States had dug ditches to use Colorado River water for irrigation of their maize, beans, and cotton.

We in the West have of necessity adopted this old Indian practice, but we have added the improved white man's technique of water storage. We accumulate water in time of flood for use in time of drought.

Hundreds of thousands of acres have since gone under irrigation in the West. In the early days the pioneers ditched their own lands. Later they banded together in partnerships and groups to build their little dams. Towns and cities also floated bond issues to back irrigation companies, and entrepreneurs started other companies for private profit. Hand in hand with irrigation the arid and semiarid West began to grow in strength and in population. Then difficulties appeared.

It seemed as if the splendid beginnings might be choked off. The easy diversions, the small dams, and the simple canal systems were becoming exhausted. There were vast acres of fertile dry land still crying for water, and powerful streams which still wasted their water into the sea, but these required larger structures and more complex systems and greater capitalization to convert a double waste into a multiple benefit and opportunity to American citizens.

The turn of the century was a critical period indeed for the country. Indifference to the situation on the part of its leaders would have meant virtual stagnation for most of the West. But these leaders were fully aware of the importance of water to that pioneer land, and the importance of developing that pioneer land to its full stature in the Nation. Their efforts eventually led to the Reclamation Act.

Life on a western ranch in those days was difficult enough, Mr. Speaker, without the plague of drought and the lack of water. Edward T. Taylor really knew western farm life and ranch life. He was born on a stock farm, and he herded stock when he was only 8 years old. He sat in a saddle from the age of 9 to 19. He knew the life first hand.

His father homesteaded 100 acres of raw prairie land on Ellen Creek in Kansas, in 1872. He drove the 3 yoke of oxen and the span of mules which hauled the plow that broke the soil. That very first year a grasshopper plague consumed every blade of his father's crops. It seemed disastrous. But his father borrowed or somehow collected enough backing to carry on.

This was in 1873. In February or March of the next spring, 1874, along came a blizzard. The Taylor cattle just drifted along with it. There were no fences in those days to confine cattle. When the blizzard was over Edward Taylor helped trail the cattle by the frozen carcasses of those which had fallen by the way. Only 1 out of every 20 was still alive when they were found. This time his father was hopelessly bankrupt, and had to give up. That summer he and young Edward shucked corn for the neighbors to keep from starving. There were 7 mouths to be fed—Edward's father and mother, his younger brother, and 3 small sisters, and himself—but it was done.

The Taylors worked hard, and they were frugal. Eventually they were able to start life anew on a rented farm. Existence in the West was a constant struggle, but they were not found wanting when they were tried.

Ed Taylor's schooling meanwhile had to fit in where it could. He was unable to enter high school until he was 19 years old, an age that boys ordinarily enter college. Most lads would have been ashamed to enter a class full of students years younger than themselves, but Ed Taylor was a determined boy. He applied himself to his education as he did to his other work in life. He covered the equivalent of 8 years of school in only 4, and missed being nominated class valedictorian by only three-quarters of 1 percent.

In order to save money to continue his education he slept on a bare cot in his uncle's law office when it was 30 degrees below zero, and he worked his way through the University of Michigan in order to get his law degree with the class of 1884. Edward Taylor, the boy, already showed the courage and energy that was revealed in Ed Taylor, the man.

His early life might be considered almost a reflection of western life in those days, Mr. Speaker. First, it was a struggle for existence, and second, the outcome of the struggle was successful.

We can thank men like Ed Taylor that the outcome of the struggle to permanently settle the arid lands of the West was also successful.

Genuine opportunity for a decent livelihood has been opened to Americans by this western development. Our development, I may say, is typically American. It does not imitate the feudal serfdom of Europe with huge baronial estates and peasant serfs. American homesteaders on irrigated farms are independent, self-supporting citizens. They hold their chins high because they know they are paying their own way. They are the stuff from which great nations are made. They are the first fruit of the Reclamation Act of 1902, that far-sighted piece of legislation which has so successfully set the course of future western development.

The Reclamation Act of 1902 is one of the most important laws ever adopted by the Congress, Mr. Speaker. The names of the Members of the Congress whose efforts led to its adoption will go down in history. I know that Ed Taylor would want them recorded for posterity. He always regretted the fact that their names were so little known.

From March 1898 to March 17, 1902, the date of the passage of the Reclamation Act, fully 70 bills and resolutions bearing on the subject of reclamation were introduced in the Congress. I shall ask to have the full list and the names of the authors included in my remarks when printed in the CONGRESSIONAL RECORD.

The matter follows:

LEGISLATIVE HISTORY OF THE RECLAMATION ACT

LIST OF VARIOUS BILLS INTRODUCED

S. 4017: March 2 1898; Senator Warren. A bill providing for the irrigation and reclamation of arid lands, for the protection of forests and utilization of pasturage, and for other purposes.

H. R. 9994: April 20, 1898; Mr. Shafroth; reported with amendments April 23. A bill for the reclamation of arid lands, and for other purposes.

Report 1161: April 23, 1898; Mr. Shafroth. To accompany H. R. 9994.

S. 4925: December 8, 1898; Senator Stewart. A bill granting 2,000,000 acres of land to the State of Nevada for irrigation purposes.

S. 4925: December 8, 1898; Senator Stewart; reported with amendments December 21.

H. R. 11795: February 4, 1899; Senator Carter. An amendment to the river and harbor bill providing for surveys for and construction of canals, reservoirs, etc.

H. R. 11795: February 10, 1899; Senator Warren. An amendment to the river and harbor bill providing for surveys of reservoir sites, etc.

S. 205: December 6, 1899; Senator Warren. A bill granting lands to the public-land States to aid them in the reclamation of the desert lands therein.

H. R. 3733: December 12, 1899; Mr. Wilson; committed to Committee of the Whole House February 21, 1901. A bill to authorize the construction of a reservoir near San Carlos, Ariz., to provide water for irrigating Sacaton Reservation, and for other purposes.

H. R. 4751: December 19, 1899; Mr. Newlands. A bill to promote the cause of irrigation in the State of Nevada by directing the Secretary of the Interior to make surveys for and determine and report on the cost of erecting reservoirs on certain rivers and their tributaries in the State of Nevada, and making appropriations therefor.

H. R. 5022: January 3, 1900; Mr. Shafroth. A bill for the reclamation of arid lands, and for other purposes.

S. 2341: January 11, 1900; Senator Allen. A bill directing the Secretary of the Interior to make surveys for and determine and report on the cost of erecting reservoirs on certain rivers in the United States and their tributaries, and making appropriation therefor, and for other purposes.

H. R. 7433: February 9, 1900; Senator Baker. An amendment to the Indian bill, providing for ascertaining the feasibility of a dam near San Carlos for the purpose of irrigating the Sacaton Reservation.

H. R. 9710: March 19, 1900; Mr. Stephens. A bill to provide for the equitable distribution of the waters of the Rio Grande between the United States and Mexico, and for the purpose of building a dam and reservoir at El Paso.

H. R. 9920: March 23, 1900; Mr. Stephens. A bill providing for leasing the arid public lands of the United States.

S. 3794: March 26, 1900; Senator Culberson. A bill to provide for the equitable distribution of the waters of the Rio Grande between the United States and Mexico.

H. R. 10967: April 24, 1900; Mr. Wilson. A bill to authorize the Arizona Water Co. to construct a power plant on the Pima Indian Reservation in Maricopa County, Ariz.

S. 5124: December 11, 1900; Senator Kyle. A bill for the survey and construction of reservoirs on the headwaters of the Big Sioux River, in the State of South Dakota.

H. R. 12835: December 15, 1900; Mr. Bell. A bill for the diversion of the Grand River in Mesa and Garfield Counties, Colo., and for other purposes.

H. R. 12836: December 15, 1900; Mr. Bell. A bill for the diversion of the Gunnison River into the Uncompahgre Valley, Colo., and other purposes.

H. R. 12844: December 17, 1900; Mr. Newlands. A bill for the disposition and settlement of arid lands, and for the construction of reservoirs and necessary hydraulic works for the storage of water on and near Humboldt River, Nev.

H. R. 13242: January 4, 1901; Mr. Sutherland. A bill to authorize the construction of artesian wells in Nebraska.

H. R. 13391: January 8, 1901; Mr. King. A bill ceding arid lands to the States and Territories.

H. R. 13779: January 23, 1901; Mr. Barham. A bill to authorize surveys of the arid lands of the United States, with a view to the irrigation thereof, and to estimate the cost of the irrigation of such lands.

H. R. 13846: January 26, 1901; Mr. Newlands. A bill to authorize the construction of reservoirs for the storage of water and for other hydraulic works for the reclamation of the public lands within the arid and semi-arid land States and Territories.

H. R. 13847: January 26, 1901; Mr. Mondell. A bill providing for survey, examination, and report, under the Secretary of the Interior, of the possibilities and cost of a comprehensive system of water storage in the arid region, and for other purposes, and making appropriations therefor.

S. 5833: January 31, 1901; Senator Hansbrough. A bill to authorize the construction of reservoirs for the storage of water and for other hydraulic works for the reclamation of the public lands within the arid and semiarid region of the United States, and for other purposes.

S. 5833: January 31, 1901; Senator Hansbrough; reported with amendments February 4.

Report 2308: February 14, 1901; Senator Hansbrough. To accompany S. 5833.

H. R. 13977: February 1, 1901; Mr. Mondell; committed to the Committee of the Whole House February 15, 1901. A bill to amend the provisions of section 4 of the act of August 18, 1894.

H. R. 13993: February 2, 1901; Mr. Mondell. A bill to authorize the expenditure of money received from the sale of public lands in the survey and construction of works for the prevention of flood destruction and the utilization of water that now runs to waste, with a view of making the same available for the irrigation and reclamation of arid lands.

H. R. 14072: February 6, 1901; Mr. Newlands. A bill for the construction of public works regulating the ow of the rivers of the arid region of the United States, storing the water, and continuing surveys.

H. R. 14088: February 6, 1901; Mr. Newlands. A bill to authorize the construction of reservoirs for the storage of water for the other hydraulic works for the reclamation of the arid public lands, and for other purposes.

H. R. 14165: February 12, 1901; Mr. Mondell. A bill dedicating the proceeds of the sales of public lands to the construction of works in the aid of irrigation, and for other purposes.

H. R. 14018: February 14, 1901; Senator Hansbrough. An amendment to the sundry civil bill providing for reclamation.

H. R. 14018: February 14, 1901; Senator Hansbrough; reported with amendments, February 18.

H. R. 14192: February 14, 1901; Mr. Wilson. A bill to authorize the construction of reservoirs for the storage of water and for other hydraulic works for the reclamation of the arid public lands, and for other purposes.

H. R. 14203: February 15, 1901; Mr. Wilson. A bill to authorize the construction of reservoirs for the storage of water and for other hydraulic works for the reclamation of the arid public lands, and for other purposes.

H. R. 14241: February 20, 1901; Mr. Reeder. A bill to authorize the construction of reservoirs for the storage of water and for other hydraulic works for the reclamation of the arid public lands, and for other purposes.

Report 2927: February 20, 1901, part 1; February 21, part 2; February 22, part 3. To accompany H. R. 14241.

H. R. 14250: February 21, 1901; Mr. Needham. A bill to authorize the construction of reservoirs for the storage of water and for other hydraulic works for the irrigation of arid public lands.

H. R. 14280: February 25, 1901; Mr. Mondell. A bill to authorize the construction of hydraulic works for the purpose of making the waters of the arid and semiarid region available for use in irrigation.

H. R. 14299: February 27, 1901; Mr. Kahn. A bill to authorize the revoking of approval of useless or obstructionary rights-of-way for canals, ditches, and reservoirs.

H. R. 14018: February 28, 1901; Senator Hansbrough. An amendment to the sundry civil bill relative to reclamation.

H. R. 14338: March 1, 1901; Mr. Newlands. A bill to provide for the disposal of the arid public lands and to authorize the construction of reservoirs for the storage of water and other necessary irrigation works for arid-land reclamation, and for other purposes.

H. R. 51: December 2, 1901; Mr. Newlands. A bill to authorize the construction of reservoirs, canals, and other works necessary for the irrigation of arid lands in the State of Nevada.

H. R. 52: December 2, 1901; Mr. Newlands. A bill to provide for the disposal of the arid public lands and to authorize the construction of reservoirs for the storage of water and other necessary irrigation works for arid-land reclamation, and for other purposes.

H. R. 63: December 2, 1901; Mr. Reeder. A bill to authorize the construction of reservoirs, diversion canals, artesian wells, and other works necessary for the irrigation of arid and semiarid lands of the United States.

H. R. 115: December 2, 1901; Mr. Stephens. A bill to provide for the equitable distribution of the waters of the Rio Grande between the United States and Mexico, and for the purpose of building an international dam and reservoir at El Paso.

H. R. 125: December 2, 1901; Mr. Shafroth. A bill to provide for the construction of storage reservoirs and other irrigation works for the reclamation of arid lands and for the disposal of the public lands reclaimed thereby.

H. R. 250: December 2, 1901; Mr. Grosvenor. A bill to apply a portion of proceeds of sale of public lands to the endowment of schools or departments of mining and metallurgy, etc.

S. J. Res. 5: December 4, 1901; Senator Rawlins. A joint resolution directing inquiry as to the practicability of diverting the waters from the Duchesne into the Provo River, in Utah, for irrigation purposes.

S. J. Res. 6: December 4, 1901; Senator Stewart. A joint resolution proposing an amendment to the Constitution conferring jurisdiction on the Federal courts in controversies respecting the use of water, except where the water and the use thereof are in the same State.

S. 453: December 4, 1901; Senator Culberson. A bill to provide for the equitable distribution of the waters of the Rio Grande between the United States and Mexico.

S. 595: December 4, 1901; Senator Hansbrough. A bill reserving, setting aside, and appropriating the receipts from the sales of public lands in the arid and semiarid regions of the United States as a special fund, to be known as the arid-land reclamation fund, for the construction of reservoirs and other necessary irrigation works for the reclamation of arid lands, and for other purposes.

S. 634: December 4, 1901; Senator Tillman; reported with amendments January 23, 1902. A bill to apply a portion of the proceeds of the sale of the public lands to the endowment, support, and maintenance of schools or departments of mining and metallurgy in the several States and Territories in connection with the colleges for the benefit of agriculture and the mechanic arts established in accordance with the provisions of an act of Congress approved July 2, 1862.

H. R. 3088: December 6, 1901; Mr. Martin; reported with amendments May 1, 1902. A bill to regulate the use by the public of reservoir sites located upon the public lands of the United States.

Rept. 1851: May 1, 1902; Mr. Sutherland. To accompany H. R. 3088.

H. R. 7212: December 18, 1901; Mr. Bowersock. A bill to provide for the leasing for grazing purposes of vacant public domain and reserving all rights of homestead and mineral entry, the rentals to be a special fund for irrigation.

S. Res. 36: December 18, 1901; Senator Stewart. A resolution directing the Secretary of the Interior to furnish information relative to the construction of a dam on the Truckee River.

S. 1969: December 18, 1901; Senator Stewart. A bill to conserve the floodwaters of Lake Tahoe, in the States of California and Nevada, and to regulate the outflow thereof.

S. 1969: December 18, 1901; Senator Stewart; reported with an amendment May 13, 1902.

Report No. 1499: May 13, 1902; Senator Simon. To accompany S. 1969.

Letter: December 20, 1901; Mr. Newlands. Transmitting copy of proposed bill appropriating the receipts from the disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands.

H. R. 7676: January 6, 1902; Mr. Lacey. A bill to provide for a national experiment in interstate or territorial irrigation and for disposing of arid lands.

Letter: January 18, 1902; Mr. Newlands. Transmitting copy of proposed bill appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands.

S. 3057: January 21, 1902; Senator Hansbrough. A bill appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands.

S. 3057: January 21, 1902; Senator Hansbrough; reported without amendment, January 28.

Report No. 254: January 28, 1902; Senator Hansbrough. To accompany S. 3057.

H. R. 9676: January 21, 1902; Mr. Newlands. A bill appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands. (The Reclamation Act, approved June 17, 1902.)

H. R. 9676: January 21, 1902; Mr. Newlands; reported with amendments March 8, 1902.

H. R. 9862: January 22, 1902; Mr. Moody. A bill for the disposal of the public lands of Oregon.

H. R. 11058: February 8, 1902; Mr. Smith. A bill for the construction of a reservoir on the Gila River, in Arizona, for irrigating certain lands thereunder.

H. R. 11353: February 14, 1902; Mr. Sherman. A bill making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the fiscal year ending June 30, 1903, and for other purposes.

H. R. 11480: February 18, 1902; Mr. Tongue. A bill appropriating the receipts from the sale and disposal of public lands in certain States and Territories to ascertain the extent to which charid lands may be reclaimed, and to authorize the taxation of public lands under certain conditions.

H. R. 11536: February 18, 1902; Mr. Lacey; reported with amendments March 15, 1902. A bill to transfer certain forest reserves to the control of the Department of Agriculture, to authorize game and fish protection in forest reserves, and for other purposes.

H. R. 11653: February 21, 1902; Mr. Bowersock. A bill granting the right-of-way for an irrigating canal, its adits, and its laterals, to William G. Holt, of Kansas City, Kans., his successors, heirs, and assigns, through the Yuma Indian Reservation, and for other purposes.

S. 3057: March 4, 1902; reported with amendments April 7. An act appropriating the receipts from the sale and disposal of public lands in certain States and Territories to the construction of irrigation works for the reclamation of arid lands (companion bill to the Reclamation Act.)

Mr. WHITE. Mr. Speaker, reclamation has been characterized as the most beneficient governmental work of all history. I agree with that characterization. The immeasurable benefits of reclamation have only begun to be materialized. They will increase and grow by bounds throughout the years. I know that Ed Taylor was proud to share the responsibility for this beneficient work and to collaborate with other men of vision in bringing it about.

Ed Taylor worked with John C. Bell, with John F. Shafroth, with Francis E. Warren, and with all the other Members of Congress who participated in this great service to posterity. He took up the torch where they left off when death called a halt to their labors. From the first year he entered the Congress, more than 30 years ago, reclamation called for his constant attention. He authored the Reclamation Extension Act of 1914, and he coauthored the Omnibus Adjustment Act and other reclamation laws. He was chairman of the Irrigation Committee and ranking member on the Public Lands Committee. The development of the West through reclamation was a major part of his work in the Congress. He was a member of the Appropriations Committee for two decades and chairman for the last 5 years. He was both father and mother to reclamation for more than two decades. His work in Congress definitely places him in the roster of western leaders who have helped the arid and semiarid West advance in strength and popu-

lation hand in hand with irrigation, rounding out the country's growth.

Reclamation has brought water, power, and light to western areas with a population of four and one-half million. One million American farmers and townspeople owe their livelihood to reclamation, and three and one-half million more obtain half their power and light needs from the low-cost hydroelectric developments which have accompanied reclamation as a byproduct. The completion of the Bureau of Reclamation's current program will double the number of people directly benefited, to 9,000,000.

There are more than a quarter of a thousand towns and cities on reclamation projects today and more than 50,000 irrigated farms. This development produces $100,000,000 worth of crops yearly; it provides a market for American industry worth $200,000,000 yearly.

All this is only the beginning. Only the future will reveal how great a contribution to the Nation's man, food, and power resources reclamation has made. and I repeat, Mr. Speaker, that Ed Taylor's name occupies a prominent place in this achievement. The West today is a most vital segment of the country's strength. We can thank men like Ed Taylor; his name goes down in history as a builder of the West and of his country.

Let us carry on the work he loved and emulate the example he has set us, gentlemen, to the best of our ability as patriotic Americans.

EXTENSION OF REMARKS

Mr. SAUTHOFF. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein an excerpt from one of my local papers.

The SPEAKER. Is there objection?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two particulars, and place in one extension quotations from Theodore Roosevelt, and in the other extension to include an editorial from the Aberdeen (S. Dak.) News.

The SPEAKER. Is there objection?

There was no objection.

REPORT OF UNITED STATES NEW YORK WORLD'S FAIR COMMISSION

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. WADSWORTH. Mr. Speaker, I bring glad tidings to the House of Representatives. I wish to call to the attention of the House the report of the United States New York World's Fair Commission, transmitted to the Clerk of the House on August 31, 1941, in compliance with the provisions of the act establishing the Commission. This report is a complete, detailed account of expenditures, and a description of the way in which the duties of the Commission were discharged. Some of the Members will recall that the first appropriation for Federal participation in the New York World's Fair was $3,000,000. This assumed a 1-year fair. When it was decided to extend the fair into 1940, an additional appropriation of $275,000 was made. It gives me great pleasure to be able to report that the United States New York World's Fair Commission has turned back into the Treasury $164,316.

FARM PRICES

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks, to be printed in the Appendix of the RECORD.

The SPEAKER. Is there objection?

There was no objection.

[Mr. RANKIN addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a newspaper clipping relative to East Texas iron ore.

The SPEAKER. Is there objection?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my remarks and include a brief statement appearing in the New York Post.

The SPEAKER. Is there objection?

There was no objection.

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. Under previous order of the House the gentleman from California [Mr. LEA] is recognized for 10 minutes.

TRANSPORTATION AND OUR PRESENT EMERGENCY

Mr. LEA. Mr. Speaker, during the World War the Government found it necessary to take over control of the railroads and continue that control for more than 1 year after the war was over. We are now engaged in a defense program which may place upon our transportation agencies burdens greater than those carried during the World War. Looking back to that precedent many are apprehensive as to whether or not our railroads are, under private management, equal to the job that would be placed upon them.

In December 1917 the roads were taken over accompanied by the declaration of the President that "transportation supplies are the arteries of mobilization," and that a single and unified direction was necessary. It was desired that the entire equipment of the rails "be fully and unreservedly thrown into a common service." The primary object sought by Government control was to break the congestion of traffic and move supplies, particularly for military needs.

In his first annual report as Director General of the Railroads, Mr. McAdoo assigned the principal reasons for the congestion of traffic that caused the roads to be taken over. One of the main, if not the principal reason for the congestion of traffic was the system of granting transportation priorities to traffic by different agencies without unified coordination and in disregard of whether or not there were facilities for unloading the cars when delivered. At one time 200,000 cars were on the tracks awaiting unloading at stations where there were insufficient warehouses, or facilities, to receive the freight. Thus 200,000 cars were tied up, standing idle on the tracks, serving as warehouses instead of as transportation equipment. In the meantime, other freight that could have been distributed to the advantage of the country was lying in warehouses and on platforms awaiting the arrival of these misused cars.

Further contribution was made to the congestion by panic buying by those who ordered in advance of need fearing further priority delay if they withheld orders until goods were needed.

The railroads had also been subjected to a severe service that left their motive power seriously crippled.

They operated under war conditions when labor and material costs were rapidly rising without a comparable rise in their regulated incomes.

The conditions under which the Government took over and operated the railroads were so abnormal that it is unsafe to attempt to draw dogmatic conclusions as to the merit of that operation. The practical concern of the country now is as to the ability of the railroads to do their part of the transportation job of the country in view of the great burdens being placed upon our public carriers.

Ralph Budd, Transportation Commissioner for the Advisory Commission to the Council of National Defense defines the vital function of our transportation system at this time in these words:

> If our industries as a whole may be considered as a vast factory, the various transportation agencies constitute the conveyors, and it is as necessary to maintain them as it is to keep the conveyors in good condition in the factory line.

Our transportation picture is radically different from that of 24 years ago. In 1917 we had practically no modern highways as contrasted with those of today. We had a limited number of trucks without serviceable pneumatic tires and incapable of speeds or loads comparable to those of the modern truck. Today we have 4,650,000 commercial trucks and 27,000,000 privately owned motor vehicles. We now have the Panama Canal carrying a great volume of cargo.

An approximate estimate is that 21 years ago the railroads represented an investment of $20,000,000,000, roads and streets $11,000,000,000, improved waterways four hundred million, oil pipe lines three hundred and fifty million, inland waterway boats several hundred million.

From 1920 to 1940 more money was spent in improving these transportation agencies than in all the rest of our history. In those two decades about twenty-one billion was spent on roads and streets and it is estimated that the total investment in our transportation system in that time amounted to as much as sixty-five billion. Eight hundred million was spent on harbors and canals; and billions on highway vehicles. The pipe-line investment was increased by six hundred and fifty million. Air transportation represents an investment of $500,000,000 in facilities and $40,000,000 in commercial planes.

The gross expenditures on railroads were $10,500,000,000, over five billion of

which was for improving tracks, gradings, sidings, terminals, and fixed railroad plants; and a net investment of new rolling stock over retirement, of a billion and a quarter.

It is a modernized transportation system that faces the carrier problems of 1941.

With these new investments our transportation system is unquestionably the best the world has produced.

The railroads have gone through a long period of reduced earnings. They have maintained a credit for equipment beyond that available for other purposes. In nearly all cases railroad betterment has been given first place over dividends and other desirable expenditures. They have frequently spent money not earned in order to keep up their equipment.

Twenty-one years have witnessed many changes in railroad management that have improved efficiency, economy, and service. Scarcely any of these changes were spectacular. They came as a result of hard-headed experience urged on by the necessities of their time. In the aggregate, the practical accomplishments growing out of these improvements represent a marvelous record. These things have been done with little fanfare and accomplished without any decoration of heroes.

Twenty years ago one tie out of every five was of treated timber which has two or three times the life of untreated ties. Now only one out of five is untreated.

Twenty years ago less than 2 percent of the rails of the country weighed as much as 110 pounds to the yard. Today, 22 percent of the rails are of that weight or heavier.

Twenty years ago there was less than one-half mile of sidings and terminal tracks per line mile where now there is two-thirds of a mile of such trackage.

Twenty years ago hot boxes were five times as frequent as today; and engine failures were seven times as frequent.

In the same time the average capacity of freight cars has increased over 7 tons, the pulling power of the locomotives 40 percent, the speed of trains 45 percent and the average transportation production per hour of each train has doubled.

For nearly a year the railroads have been delivering an average of 5,000 carloads of defense materials a day to widely scattered Government projects. There has been no delay due to failure of rail transportation. The roads made deliveries promptly and the Government agencies and contractors unloaded and released the cars in an average time of 1¾ days per car. There has been no shortage of cars for over 10 years.

In the first 5 months of 1941 the railroads transported a million and a half service men in trains, nearly 3,000 of which were special, without any substantial interference with regular traffic. In the first 5 months of this year the railroads moved 19,000,000 more tons of freight, as measured by ton-miles, than they moved during the same period in 1918. This has been accomplished without congestion or car shortage and with 625,000 less cars than in 1918.

In the first 6 months of 1939 the net ton-miles handled per freight car increased 57 percent over 1918 and 33 percent over 1929. This was a performance over 50 percent greater than in 1918 and 33 percent greater than in 1929.

A freight car spends nearly one-half of its life in the hands of the shipper, awaiting loading or unloading. A car ordered prematurely, or unduly delayed in loading or unloading, to that extent lowers transportation efficiency, increases costs and in times of peak loads creates what is called "car shortage." In a time of national emergency we should have no car shortage until we have the utmost efficiency in the maintenance and operation of rail facilities, the most direct routing, cars well loaded, and, through cooperation of shippers, ordered, loaded, and released with the greatest practical promptness.

A condition today of fine improvement over 20 years ago is the fine cooperation due to the creation of shippers' advisory boards and the aid of many other groups cooperating with the various railroads to expedite freight and reduce costs of operation.

A national emergency like the present places an unusual burden upon our transportation facilities. To accommodate railroad operation to a variable need is part of the experience of the ordinary railroad. In an ordinary year the demands for their services are seasonable and variable. Expansion and contraction of service is routine. One week in May 1939 the railroads carried 554,000 cars and 1 week in October, 5 months later, they carried 856,000 cars or 54 percent more than in May. To anticipate and prepare for the excessive demands of a great emergency, nevertheless requires a high degree of management efficiency.

Today the first problem as to possible car shortage is not the lack or condition of tracks, terminals, or rolling stock but rather the efficient use of the rolling stock available. Under normal conditions a freight car is actually engaged in transportation only about 2½ of the 24 hours of the day. If the average use could be stepped up one-half hour per day the increased transportation product would equal 30,000 freight cars. If national necessity should require it, with the full cooperation of shippers, full loading, direct routing, and 24-hour loading and unloading, the present service of these cars could be greatly increased.

Generally speaking, the situation of the railroads as to condition of their tracks and facilities and rolling stock is good. Their cooperative relation with shippers and the public is probably the best it has ever been. The roads are in condition to give good service within the limits of their physical properties. We have, however, a less favorable situation as to available equipment, particularly cars and locomotives.

We have a second problem of perhaps equal or greater importance, and that is as to the supply of new rolling stock and repair of equipment. In 1940 it was agreed that railroad-owned cars should be built up to 1,700,000 by October 1 of this year. In part, this program was aided by the increased repair of cars. Over 112,000 new cars were actually ordered. There has been an inability to secure materials to an extent that this program will be 20,000 cars short on the 1st of October.

An estimated need of 1,800,000 cars by October 1, 1942, will fall short by 100,000 cars unless needed construction materials can be provided in the near future.

It must not be forgotten that the transportation system of the country is the connecting link between production, distribution, manufacture, and use. It is the basic activity on which other defense successes must rest. It would seem every effort possible should be made to supply that deficiency in materials for which priorities have not been granted. There will always be the opportunity to improve the service by use of equipment in existence, but transportation cannot be increased through any degree of efficiency by equipment ordered but not in use.

Today we have a railroad management schooled in our transportation difficulties in the World War and trained in efficiency under the pressure of unfavorable economic conditions and keen competition of the last two decades. In all the world no job is being better done today than by the American railroads.

All I have said does not preclude the idea that there is still room for further efficiency and higher accomplishments by the industry.

I believe the Nation can allay any undue apprehension and look with confidence to the performance of our railroads even though their task may become very great. However great that task may become, it cannot be performed to the highest degree of satisfaction without friendly understanding, cooperation, and support of the shipping interests of the country. That support I believe the people will give, and with a better understanding of how essential their cooperation may be.

LEAVE TO ADDRESS THE HOUSE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that on Monday next after the disposition of matters on the Speaker's table I be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER pro tempore (Mr. BUCK). Under previous order of the House the gentleman from New York [Mr. REED] is recognized for 10 minutes.

THE DAIRY INDUSTRY

Mr. REED of New York. Mr. Speaker, I rise to make a few remarks today to the Members of the House and to address myself particularly to those who represent dairy districts. Quite a large portion of my district is devoted to the dairy business, and has been for many years. The dairy business has been the basis of civilization and culture far back into ancient times. Where the Tigris and the Euphrates Rivers join, after eons of time, a small area of fertile land was built up, near the Persian Gulf. Excavations made under the supervision of Prof. James Brested, of Chicago University, have disclosed some very interesting ancient developments. Among others, in excavating in the ancient city of Ur, he found there that the basis of the civilization of that country was the dairy

industry. He found a temple erected to the cow goddess. The people at that time attributed their prosperity to the dairy industry. That was 3,000 years before Christ. On the frieze of that temple there is shown the dairymen of that day at work.

There you can see a man milking a cow, not perhaps as is done now, because he is seated behind the cow rather than at the side. There you see the dairymen straining the milk. You also see them with their churns, agitating the cream to make butter. It was in that country that the first wheeled vehicle came into use. The Sumerians built up a most remarkable civilization, and as you check history through 60 centuries you find that the basic prosperity of many countries, their starting point, has been this basic industry.

What I wish to impress upon those present is that if you were to eliminate the dairy industry from the United States of America you would wreck the whole economic structure. I think you will find it worthy to think that over in connection with pending legislation. It is the leading branch of agriculture in the United States in the value of its products. The investment in this farm activity is extremely large in machinery in all the technical equipment that goes into making up this branch of agriculture.

One thing about the industry is that it does not destroy the soil but instead builds it up. The dairy farmers have not been calling upon the Government for large sums of money to build up the fertility of the soil. They have been enriching it for years, not depleting it. But what do we find now, Mr. Speaker? Do we find the Government cooperating with this great farm enterprise? No. Instead, we find the Department of Agriculture urging the public to purchase that substitute known as oleomargarine instead of butter. Coming down through the State of Pennsylvania I dropped into some stores and the first thing that met my gaze was a sign advertising oleomargarine. Would you want to replace the dairy industry with the industry of oleomargarine? Would it add to the economic structure and social well-being of the Nation?

Now, let us compare the two. We know that ordinary dairy products are health giving. The vitamins are there. The vitamins and the minerals in milk are essential to the health of the babies of the country. But let us take a little glance at oleomargarine. Let us get a little picture of this butter substitute. Over in the Philippines and in many other sections of the world from which copra is imported the natives climb trees, knock off the nuts, cut them open with their knives or hatchets, and the inside of the nut is thrown into a pile, later to be exposed to vermin and finally to become putrid and stinking under a tropical sun. It is later tramped into a solid mass by these half-stripped natives, with the sweat running and mingling freely with the product. It is finally packed into the holds of ships by naked natives, diseased and otherwise. This putrid product is shipped over here and piled out in the open, where it is exposed to vermin and other obnoxious foreign matter. Eventually it finds its way to the oleomargarine factory. Oh, they tell us that they purify it chemically. Well, there are other things quite as odious and nauseating which might be purified through chemical processes. The finished product is put upon the markets and people are urged by the Department of Agriculture to buy this oleomargarine instead of healthful dairy products.

As a part of my remarks I want to include this script used on the radio advertising oleomargarine. It is as follows:

[Excerpts from radio talk given by Consumers' Counsel Division of the United States Department of Agriculture, over the red network, National Broadcasting Co., on July 5, 1941]

CARL. I'm going to tell you a little about Mar-jar-een. Mar-gar-een, Mar-jar-in, Margar-in; you take your pick.

MILES. I always say Mar-jar-een, if that's what you're talking about.

CARL. That's what I'm trying to talk about.

MILES. Okay. Let's agree and call it Mar-jar-een. That sounds more natural to me. You know, just the other morning (fade) I was out in the kitchen, mixing——

(Pause.)

BARBARA (a little off mike). Mother.

MILES. Yes, dear. Out here in the kitchen.

BARBARA (on mike). Oh, mother, I wonder if—what's that?

MILES. What?

BARBARA. That stuff you're mixing in the bowl?

MILES. Didn't you ever see it before?

BARBARA. No; I don't think so.

MILES. Well, what's it look like?

BARBARA. Looks sorta like butter to me—but why are you——

MILES. It's something we're going to use instead of butter for awhile.

BARBARA. Instead of butter? Why, what's the matter with butter?

MILES. Nothing's the matter with it, Honey; only that it costs a lot of money for people like us who have to watch our pennies pretty closely.

BARBARA. But what is it, mother?

MILES. Margarine.

BARBARA. Margarine? But did you make it yourself?

MILES. Oh, no, dear. I bought it at the store.

BARBARA. But what are you doing with it in the bowl?

MILES. Just mixing in the color, Barbara; you see, you can buy uncolored margarine much cheaper and color it yourself.

BARBARA. That certainly is a new one on me, mother.

MILES. And it's probably a new idea for lots of people, isn't it, Carl?

CARL. Yes; it is, Mrs. Miles; many people are finding out that they can save quite a bit of money by using margarine instead of butter. It's quite a lot cheaper.

MILES. And that's mighty important right now, with the price of butter what it is.

CARL. Yes; some people who can't afford butter will find margarine will work very satisfactorily. Of course, there are people who prefer butter, but if they can't buy it, then margarine can be used.

MILES. Carl, just what is the difference between butter and margarine?

CARL. Of course, you know that both butter and margarine are chiefly fat. As a matter of fact, by law or Government rules both margarine and butter must be at least 80 percent fat. Of course, butter is made of butterfat, the fat from cream.

MILES. Yes.

CARL. And margarine, according to the new standards just set up by the Food and Drug Administration, can be made from animal fat or oil, or vegetable fat or oil, or a combination of animal and vegetable fats.

MILES. So the biggest part of both butter and margarine is just fat.

CARL. Of course. And fats are important in your food because of the large number of calories—you know, for fuel or energy.

MILES. Is there any difference between fat in butter and fat in margarine?

CARL. How do you mean, difference? You mean is one fat more digestible than the other?

MILES. Yes; that for one thing.

CARL. Well, there's very little to choose on that score between the various kinds of pure fats; they are all more or less equally digestible and equally rich in fuel value.

MILES. What is the difference, then?

CARL. Of course, some people think there is a difference in flavor.

MILES. But, I mean, is there a difference in other food values between butter and margarine?

CARL. That depends.

MILES. Depends on what?

CARL. Well, you know, butter has vitamin A in it. It has some vitamin D, but a very small amount. Over the year a pound of butter will average about 9,000 United States Pharmacopoeia units of vitamin A.

MILES. But I have seen margarine with vitamin A in it, too.

CARL. Yes; you have; and I understand you're going to see lots more margarine with vitamin A. Under the new standards, if manufacturers add vitamin A to margarine, they must add 9,000 United States Pharmacopoeia units to make it about the same as the average pound of butter.

MILES. Do you mean margarine doesn't naturally have any vitamin A in it?

CARL. Not when it's made from vegetable oils or fats; and if vitamin A is added, the label must tell you so. As a matter of fact, when these new Government standards go into effect this September, the labels will have to tell you lots of things.

MILES. What, for instance?

CARL. They'll have to say what the margarine was made from, whether a preservative was used, and what it was, whether vitamin A was added (if it was), and whether it was artificially flavored or colored (if it was).

MILES. In other words, we can find out practically all we need to know about the margarine just by reading the labels.

CARL. Just about. That's if the margarine was sold from one State to another. There's another check on the label, too.

MILES. What's that?

CARL. If the margarine is made from animal fat, it will have a statement on the package that the margarine was inspected and passed by the United States Department of Agriculture, if that margarine is made in one State and sold in another.

MILES. Then we really can find out the facts by reading the labels.

CARL. Right; and there's one other thing about margarine I'd like to mention.

MILES. What is that.

CARL. Laws and taxes on margarine. In many States and local places there are laws and taxes on making and selling margarine. In one way or another they raise the price to consumers and protect the makers and sellers of butter.

MILES. But that doesn't sound——

CARL. Well, one thing consumers can do is to find out what laws they have in their State, and why these laws were passed, and just what effect they do have on the price of margarine. It's a very interesting story.

I think it is about time, if we are appropriating millions and millions and millions of dollars to the Department of Agriculture to help the farming industry, that some pressure ought to be brought on that Department by the Members of Congress or by united action in the way of a resolution to stop the use of public

money to foist this product, made from this stinking, putrid mess, upon the public in place of wholesome dairy butter.

I appeal to you who come from other sections of the country, and who perhaps are not engaged in the dairy business to the extent that some of us are, to take a hand in this and help us see that the dairymen, the farmers of this country, have a fair deal.

SPECIAL ORDER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

Mr. HOFFMAN. Mr. Speaker, there no longer can be any doubt that the N. L. R. A. should be amended. As just one illustration of what some unions are doing by way of ignoring the law, I here quote a statement on the closing of the Shaw-Walker Co., of Muskegon, Mich., by strike:

A STATEMENT ON THE CLOSING OF THE SHAW-WALKER PLANT BY STRIKE

The plant of the Shaw-Walker Co. in Muskegon is closed by a strike promoted and fostered by the United Furniture Workers of America, Local No. 416.

The Shaw-Walker Co. has been an open shop for 40 years. Employment has been steady, wages good, working conditions good, and there has never before been a strike to enforce demands for anything.

Last fall Organizer August Bahr started to organize our workers into the above-named union. After some 6 months of organizing work the union felt that it had secured enough of our employees as members to demand exclusive bargaining rights for all of our eligible employees. This demand was refused by the company unless and until the union was certified by the National Labor Relations Board as such collective bargaining agent. A secret election to determine this issue was held on June 3, 1941, under the jurisdiction of the National Labor Relations Board and with the consent of both the union and the Shaw-Walker Co.

Before the election the union and the company signed the following agreement:

"Both United Furniture Workers of America, Local No. 416, affiliated with the C. I. O., and the Shaw-Walker Co. have signed a consent-election agreement, under the provisions of which the National Labor Relations Board is to hold a secret election in the plant of the company at Muskegon, Mich., on June 3, 1941, to determine whether or not the union represents a majority of the eligible employees of the company for the purpose of collective bargaining. It is agreed between the respective parties that both of such parties will be bound by the result of such election for a period of one (1) year from and after the date upon which such election is held.

"Dated at Muskegon, Mich., this 14th day of May, 1941.

"UNITED FURNITURE WORKERS OF AMERICA, LOCAL NO. 416, AFFILIATED WITH THE C. I. O.: By William M. Jewell, Cecil C. Piatt, Rodney Patterson, Fred Walters, William M. Price, Bargaining Committee; by August W. Bahr, International Representative. The Shaw-Walker Co., by A. B. Nevins."

At the election our employees rejected the union by a vote of 343 to 286. A meeting of union members was held immediately following the election—the same night in fact. We are informed that only a small number of our workers, far less than a majority, were present at this meeting. Bahr demanded a strike vote although no previous notice of such contemplated action had been given. A motion to strike was made and passed by the small group present at that time. Within a very few days the company received formal notice from the National Labor Relations Board that as a result of the election our employees had rejected the union as their collective-bargaining agent. The company at once posted the following notice on its bulletin boards:

"*To our employees:*

"The result of the recent election among our employees has been formally certified to us by the National Labor Relations Board.

"Our employees, by a substantial majority, rejected the union as their bargaining agent.

"As we have told you before, we will not discriminate against any employee because of his union or nonunion affiliation. We will continue to treat all of our employees fairly in all matters of wages, hours, and working conditions, and the management is always willing to talk with any employee on these subjects.

"The election is behind us and is a closed book so far as the company is concerned. We hope it may be forgotten by our employees and that we may continue to enjoy the pleasant and friendly relations that we have had for the past 40 years."

Following the posting of this notice one or two meetings were held between representatives of the union and the company at the request and in the presence of a member of the State mediation board. As a result of these meetings, the State mediation board closed its file on the entire matter.

Bahr left the city shortly after these meetings and the C. I. O. put John Malone on the job in his place. Malone and the bargaining committee for the union, in spite of the agreement between the company and the union to be bound by the result of the election for 1 year, have demanded that the company recognize the union as the bargaining agent for all the company employees, or at least for the members of the union; also recognize its stewards, and meet with Malone and the bargaining committee to discuss and settle grievances, wages, and all conditions of employment.

They continue to ask for their membership the things they would have gotten if they had won the election—bargaining rights, steward system, etc. The Wagner Act nor any other law does not require us to give the minority such rights when the majority have said they want something else. The minority, as represented by the union, not only ask these things, but demand them, and when we refuse they call a strike without regard to the hardship of 1,200 employees (in and out of Muskegon) who are thrown out of their jobs.

Agitation to incite our employees and to cause dissension among them has been kept up by the circulation of false statements and rumors.

On July 29, 1941, and after the State mediation board had closed the case, the union again filed with the State mediation board formal notice of intention to strike our plant. We are informed that this action was confirmed at a recent union meeting at which not more than 130 of our employees were present and voting. This resulted in the present strike.

THE ISSUE

Our workers, by a substantial majority, said they did not want the union to represent them, but did want the privilege of continuing their present bargaining relations with th company. The minority, as represented by the union, now say they don't care what the majority want, they are going to get their way by strike. If they can't rule by ballot, they are going to rule by force. That is not democracy, it's dictatorship. If all of us are going to subscribe to rule by the minority just because it hurts to resist, we are getting pretty soft. We ought to lose our liberties.

The company's position in this disagreeable situation is:

1. We are going to live up to the laws of this country on labor and everything else.

2. We are going to recognize the democratic legal right of a majority of our workers to say how they want to deal with us, and for 1 year they have said "no union."

3. Contract breakers have no responsibility, and nothing but trouble follows business relations with them.

4. We are not going to double cross our employees, who have told us by their ballots what they want.

5. We will reopen the plant whenever a sufficient number of our workers desire to return to their jobs and can do so with safety.

THE SHAW-WALKER CO.

MUSKEGON, MICH., *September 11, 1941.*

SOME FACTS ABOUT SHAW-WALKER LABOR RELATIONS

We have been employing labor for 41 years.

We have never had a strike before.

We try to be fair to labor and we believe in good wages, short hours, steady employment, excellent working conditions, and very human relationships with each other.

Our labor turn-over has always been small:

Thirty-seven percent of our men have worked for us 10 years or over.

Twenty-five percent of our men have worked for us 5 to 10 years.

Sixty-two percent of our men have been here over 5 years.

We give almost steady employment.

Our workers' annual earnings are high—probably the highest in the city over a period of years.

We are always interested in our men and their problems. For instance, not a man of ours went on relief during the past depression in 1932, 1933, 1934, and 1935.

We deal with each man on his own as an individual, not as a pair of pants or a clock number, and not all men as a mass or herd.

Our lowest-paid factory men today earn $1,425 a year.

The average earnings of all our men and women in the factory (factory only) is $1,950 a year.

We give vacations with pay to factory workers and were the first plant in the city to do so. This year was our fifth year.

Our men had the benefits of the 40-hour week with time and a half for overtime 3½ years ahead of the wage-and-hour law.

If our production is interrupted by fire, our workmen are paid until we get into production again, up to 90 days. We carry insurance for the purpose.

Life insurance and sick benefits are available through societies operated by our men with company financial assistance.

Dining room, library, free medical service daily, free hospital room for maternity cases, advice, and financial assistance when needed, are samples of human relations we believe in and practice.

These things are what we mean when we say we try to be fair to labor and believe in good wages, short hours, steady employment, excellent working conditions, and very human relationships with each other.

THE SHAW WALKER CO.

The SPEAKER pro tempore. Under previous order of the House the gentleman from California [Mr. VOORHIS] is recognized for 10 minutes.

The gentleman from California does not appear to be present.

PERMISSION TO ADDRESS THE HOUSE

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes.

Mr. HARE. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes.

The SPEAKER pro tempore. Without objection the gentleman from South

Carolina [Mr. HARE] is recognized for 10 minutes and at the conclusion of his remarks the gentleman from Georgia [Mr. RAMSPECK] will be recognized for 5 minutes.

There was no objection.

Mr. HARE. Mr. Speaker, I am very much interested in the remarks just made by the gentleman from New York [Mr. REED] and I do not rise for the purpose of taking issue with him but, on the contrary, I want to subscribe to his statement that the dairy business has contributed much to the civilization of mankind. We find in very early biblical history that Abraham, the man who walked and talked with God, was rich in cattle. We find that Jacob, another patriach, probably knew as much about the practical side of stock raising and the dairy business as any man of modern times. We find Pharaoh, the wicked King of Egypt, dreaming of seven fat cows coming up out of the river, and we find Moses, the meekest of the meek, singing of the butter of kine and the milk of goats. We could go on and give other instances in biblical history to support the conclusion that the dairy industry, or the livestock industry, comes nearer having the seal of approval placed on it by the Creator of the Universe than any industry on the face of the earth. I say, therefore, I can subscribe fully to the gentleman's philosophy, that the dairy business has made a very valuable contribution to civilization, but I cannot fully subscribe to the indictment he makes against oleomargarine. I do not know that I hold any particular brief for oleomargarine. It may be made largely out of copra coming from the Philippine Islands. I am not prepared to speak authoritatively on this, but I cannot think that oleomargarine is subjected to or contains the amount of filth he would have us believe from his remarks when he indicates that the copra entering into this food product is filled with vermin, saturated with the juice of rats and other almost indescribable items of filth. As a matter of fact, I believe if the gentleman from New York had taken time to investigate he would have found that copra is probably kept about as clean as some milk that comes from some of the dairy barns of the country. However, I would not be willing to say that any of it contains any impurities whatsoever, because, in the absence of definite information to this effect, it would be manifestly unfair, but if I were as resourceful in the capacity for description as the gentleman from New York I might describe the scene of a dairyman milking cows in a lot filled ankle deep with mud and the droppings from uncurried cattle, or I could describe the odor that rises from the mulch that covers many of the dairy lots, and if I had a more vivid imagination I could picture the bacteria that comes from this situation and then leave you to infer that such bacteria may be found in the milk, cream, and butter placed upon our tables and said to be so valuable as one of our indispensable food products. But my purpose in rising at this time was to say I am not prepared to subscribe to the suggestion that oleomargarine is subject to the filth the gentleman from New York would have us believe it contains.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. HARE. I yield.

Mr. MICHENER. Considering the section of the country from which the gentleman comes, where they produce cotton, I assume his solution is that cottonseed oil be substituted for copra and that oleomargarine take the place of butter.

Mr. HARE. I am glad to have that suggestion from the gentleman from Michigan, for it proves conclusively that he is the fair-minded, discriminating, and highly cultured gentleman I have always found him to be. In view of the statement made by the gentleman from New York with reference to copra and oleomargarine, and in view of a situation to which I have referred with reference to certain conditions under which cows sometimes may be milked, the gentleman from Michigan would naturally want to use something clean, pure, refreshing, and at the same time good for human consumption; and, of course, he can think of nothing better than oleomargarine made from cottonseed oil. I am glad to confess I find myself prepared to subscribe to the suggestion prompted by his culinary ideas, for there can be little or no doubt but what such a product, considered from the standpoint of sanitation, purity, and taste, would be just as satisfying, wholesome, and refreshing to a person who may be a little sensitive about odors, impurities, bacteria, and things like that.

Mr. PITTENGER. Mr. Speaker, will the gentleman yield?

Mr. HARE. I yield.

Mr. PITTENGER. I want to comment that the dairymen of Minnesota and one of our neighboring States are in a different class entirely from the dairymen the gentleman described.

Mr. HARE. I am glad to say that I can fully subscribe to that statement also.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. HARE. Yes; gladly.

Mr. STEFAN. The gentleman has mentioned cottonseed oil. I come from Nebraska where the cream check has kept the wolf from the farm door many and many a day. The Nebraska farmers who raise cattle are very, very appreciative of cottonseed cake. If the gentleman will look into the statistics he will find there is very little cottonseed oil made into oleo, but we in Nebraska are one of the South's best customers for cottonseed cake. We want the farmer of the South whom the gentleman is trying to protect on the floor of the House today, to get along just as well as the farmer in Nebraska is getting along. I believe the gentleman will agree with me that we are very good customers of the cotton farmers in that we buy cottonseed cake—and we like it; our cattle like it. But when it comes to the matter of bringing into the country a foreign substance and making a substitute out of that foreign substitute, calling it by another name, or even calling it butter, then I believe the farmers of the South and the farmers of Nebraska will walk hand in hand to fight against such competition. We are making great efforts to protect the dairy farmer. He should not be ruined by substitutes even though the substitutes are made from domestic products. We are fighting against the effort to break over State lines with substitutes that are not so good, whether they are called oleomargarine or butter.

Mr. HARE. I think I can subscribe thoroughly to every statement the gentleman from Nebraska has made. I would not want to leave the impression that I was in any way attacking the dairy industry, because, as I said at the outset, I agree with the gentleman from New York that the dairy industry has contributed as much toward civilization as any other one industry. However, I did not want to subscribe to the idea that oleomargarine is probably as filthy as he would indicate by his remarks.

I agree further with the gentleman from Nebraska that the dairy industry of his State is a wonderful enterprise. It was my privilege and pleasure about 1 year ago now to visit the great and progressive State of Nebraska and observe a number of your wonderful dairy farms. We congratulate your dairymen upon their discovery of cottonseed cake, or cottonseed meal, as we call it. I agree that you are one of our good customers, and I want to assure you we appreciate it. The use of cottonseed meal by the dairymen of the Midwest will add to their income not only from the standpoint of increased milk production but from increased demand due to the smooth, velvety, and a kind of aristocratic flavor it gives to milk and milk products. You will find the cotton farmer ready, willing, and anxious to cooperate with your dairy farmers, but if we ever get to the point we can grow cotton and "dairy grass" at the same time, then, instead of going to the right or to the left, as suggested to Lot by Abraham of old, I suggest to the gentleman from Nebraska that he and his neighbors would find wonderful opportunities by heading their dairy herds southward.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes after the other special orders of the House today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. DICKSTEIN]?

There was no objection.

EXTENSION OF REMARKS

Mr. HARNESS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech delivered by Oscar B. Smith, of Frankfort, Ind., on the injustice of the 49-cent wheat quota penalty.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana [Mr. HARNESS]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes at the conclusion of the address by the gentleman from New York [Mr. DICKSTEIN].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

SPECIAL ORDER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. RAMSPECK] is recognized for 5 minutes.

Mr. RAMSPECK. Mr. Speaker, on yesterday the gentleman from Michigan [Mr. HOFFMAN], in delivering his daily oration to the House, took occasion to single me out with a statement, which I wish to quote. He said:

> I see my good friend the gentleman from Georgia [Mr. RAMSPECK], advocate of the closed shop, with its un-American policy of denying to every patriotic American the right to work in the defense of his country.

As a matter of fact, I do not recall that I have ever advocated the closed shop. As a matter of policy for labor unions, I personally doubt the wisdom of the closed shop, because I have believed that the policy of the railroad brotherhoods, who do not ask for a closed shop, is a wiser policy for labor unions than the policy followed by some others.

Mr. HOFFMAN. Will the gentleman yield?

Mr. RAMSPECK. When I finish.

Mr. HOFFMAN. I think we can clear that up right now.

Mr. RAMSPECK. I yield to the gentleman.

Mr. HOFFMAN. I understood from the remarks of the gentleman that he was in favor of the closed shop. If I have done him an injustice by attributing to him a position which he does not take, I certainly want to apologize to him and to the House.

Mr. RAMSPECK. I accept the gentleman's apology, and I think when I get through he will understand my position.

Mr. Speaker, I have supported and still support the principles embodied in what is generally referred to as the Wagner Act or the National Labor Relations Act, under which employees have the right to organize and bargain collectively. I feel quite strongly that if as a result of that procedure they want and can get a closed shop, they are entitled to it. The gentleman from Michigan, I understand, is a lawyer as I am. I do not know whether this is true in Michigan or not, but in some States, at least, they have what they call the integrated bar or the incorporated bar. A lawyer must be a member of that bar before he can practice law in such a State; and if the bar declines him membership or dismisses him from membership, after once having been a member, he cannot practice law in that State. There is no difference between that type of legislation and the closed shop, which is oftentimes achieved under the procedure of the National Labor Relations Act.

As a matter of right, I feel that the workers of this country, if they can get a closed shop and want it, have the right to it, just the same as the manufacturer has the right to designate a retailer in a certain locality as exclusive sales agent for his product in that community.

What I rose to say to the gentleman from Michigan, however, is this: I have sat here many times and marveled at the assurance with which he expressed his opinions and his criticisms of this administration and of the Congress. As he was talking yesterday, I was reminded of a little article I read in a weekly paper which is published in my district by a brilliant woman, Mrs. Mildred Seydell. The title of the paper is "The Think Tank." I think it is a very fine thing to make people think. Under the title "Chins Up" is a subtitle, "Short Stories With Long Morals." The article reads as follows:

CHINS UP

SHORT STORIES WITH LONG MORALS

"Everybody seems to think they're right as they can be;
"Somebody's got to be all wrong;
"I'm glad it isn't me!"

So writes Chesta Holt Fulmer in her helpful little volume Far Pastures, thus aptly expressing modern thinking which has led to misunderstanding and war.

After your lips have curved in a smile at the four chirpy little lines, examine carefully the opinions and actions of those with whom you differ. Are you differing with them because your way is helping humanity while their way in harming it? Or are you differing because their attitude offends your prejudices, interferes with your profit and pleasure?

Dare to face the truth!

When you do, instead of sighing, "I'm glad it isn't me!" maybe like the old Negro before the fire awakened from his doze by the smell of something burning, you'll exclaim, "Bless Gawd ef hit ain't me!"

[Here the gavel fell.]

The SPEAKER pro tempore. Under a previous order of the House the gentleman from New York [Mr. DICKSTEIN] is recognized for 5 minutes.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks in the RECORD and that in my remarks I may be permitted to insert a brief statement from the New York Times of several days ago.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. DICKSTEIN]?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, since this war hysteria has crept into our democracy, there has grown up in this country hundreds of small, one-sheet newspapers that, in my opinion, are a menace to this country and to our defense program. They are fly-by-night newspapers, published by persons using fictitious names and giving post-office boxes as their addresses. They not only attack our Government but they attack outstanding American citizens. When you are about to pick them up and find out who they are, they disappear. They are using the post office as a means of transmitting certain vicious propaganda against our people. They are seeking to divide our people, to array American against American and brother against brother. This is a well-organized group existing throughout the country and is using the mails to distribute this one sheet of paper which is allegedly a newspaper. This newspaper is sponsored by certain groups who are absolutely irresponsible and, in my opinion, are not for the best interests of this country.

A year ago and 2 years ago I called the attention of the House to this fact. I also called the attention of the Committee on the Post Office and Post Roads to what is happening. I have had a bill before this committee to see if we can stop this continuous slander against democracies and against our people by these groups who are using the mails in this manner, but apparently the Committee on the Post Office and Post Roads is still giving the matter consideration, because I have not heard anything further about it.

It would seem to me, Mr. Speaker, that in times like these, when we are all seeking unity in the defense of our country and to keep our people together in one common cause, the defense of our country, that the Post Office Department and the House Committee on the Post Office and Post Roads ought to make some study and investigation of all of these hundreds, and perhaps thousands, of so-called fly-by-night, one-sheet newspapers sponsored by irresponsible persons whom we cannot locate when we seek to find them. In one particular instance in New York from three different mail-box addresses they are sending out these sheets by the thousands, allegedly as news of the world. In my opinion, they are representing Fascist governments for the purpose of spreading hate, intolerance, and bigotry in this country.

Mr. WHITE. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Idaho.

Mr. WHITE. Is there not a law now which prohibits anybody from putting matter in a mail box that does not have postage paid on it?

Mr. DICKSTEIN. There is nothing to prohibit them from doing it if they file an application for a second- or third-class permit, for which they pay about $3 or $4, and then they use a post-office box as a return address.

Mr. WHITE. But nobody is permitted to put mail in a rural box that does not have postage paid on it.

Mr. DICKSTEIN. If they get a second- or third-class mail permit, they send that publication out by the hundreds of thousands of sheets. If you will read some of that material, you will find that it is definitely and positively conceived in the minds of representatives of Fascist governments or persons in sympathy with Fascist governments, seeking to destroy this country and array and incite the people of America one against another. If we are spending millions of dollars for guns, our own internal affairs ought to be cleaned up.

Mr. CROWTHER. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from New York.

Mr. CROWTHER. Has the post office any set of standards or limitations which must be fulfilled before they grant a second-class mail authority?

Mr. DICKSTEIN. To my way of thinking, no, because when a group makes an application they give their names and addresses, and they say they are going to call themselves the "Washington Newsreel" or some such name. They file their application and pay their fee. There is no investigation properly made as to who they are or whom they represent, and sure enough, before you know it, you find in the mail dozens of sheets of paper, allegedly newspapers, telling you what they claim is going on in this country. All of this maligns and slanders certain persons, and it is weakening our people.

Mr. CROWTHER. I think the Post Office Department should realize that some sense of responsibility should be determined on the part of these people before a permit is granted.

[Here the gavel fell.]

Mr. McCORMACK. Mr. Speaker, the gentleman is discussing a very interesting matter. I ask unanimous consent that he be permitted to proceed for 10 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DICKSTEIN. During the investigation made by the McCormack-Dickstein committee, the first committee to investigate un-American activities, I counted at least 50 of such organizations. They fold up in 24 hours, and the following week they come back under another name.

Under section 600 of the Revised Postal Statutes, unless something appears on the face of the envelope the matter is not investigated. It is only when something appears on the face of the envelope that the authorities can go into it. As it is, the publisher just puts down as a return address a box number, such as No. 75, New York City Post Office. You find that these publications are maligning you, maligning the President, and maligning Congress, practically telling just what the dictators want to tell us, but when we go after them and look for them we find no one to pick up or arrest. They are using the post office as a means of carrying out fifth-columnist activities, to spread the gospel of hate and intolerance, and to spread the gospel of destruction of our defense program.

Mr. SHAFER of Michigan. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield to the distinguished gentleman from Michigan, who, I believe, is a member of the Committee on the Post Office and Post Roads. The gentleman will recall that I had a bill before his committee in which I sought to remedy at least part of this situation by preventing the mailing of documents and papers intended by certain groups in this country solely to destroy our unity and our form of government. I believe the gentleman was in sympathy with my objective when I appeared before the Committee on the Post Office and Post Roads, but nothing has been done about the bill.

Mr. SHAFER of Michigan. I believe the gentleman is misstating the facts in the case. I do not believe the gentleman just understands what second-class matter is. I have always understood, and I believe it is the law, that a newspaper must be in operation for at least 2 years before it can be admitted as second-class matter; therefore, if these newspapers are going through the mails as second-class matter, they certainly cannot be termed fly-by-night papers.

Mr. DICKSTEIN. Does that apply to third- and fourth-class mail?

Mr. SHAFER of Michigan. No; I do not suppose it does.

Mr. DICKSTEIN. I may be in error in stating that it is second-class mail, but I can take the gentleman to my office right now and show him two or three sheets of paper which, in my opinion, are absolutely dangerous to spread among the American people. They come through the mail with a box number in Michigan or Chicago or New York or some other post office, as the case may be.

Mr. SHAFER of Michigan. That is true, but they must obtain a permit to do that and they must establish responsibility in order to get a permit and then they must pay for sending these papers through the mail.

Mr. DICKSTEIN. I did not say they did not have to pay. They are glad to pay for it.

Mr. SHAFER of Michigan. And as to second-class matter, that is a subsidized proposition.

Mr. DICKSTEIN. I may be wrong and you may be correct so far as second-class mail is concerned, but it seems to me, Mr. Speaker, that in times like these when we are all striving to unite in defense of our country and to protect our people, irresponsible, overnight organizations or corporations that organize for the purpose of disseminating propaganda and for the purpose of arraying our American people against each other, should at least be investigated. Something should be done to prevent this practice. I think the Post Office ought to do something toward finding out more about these people before they permit any such mail to go through, whether it is second class, third class, fourth class, or even fifth class, if there is such a classification.

Mr. SHAFER of Michigan. Mr. Speaker, will the gentleman yield for me to make a brief statement for the RECORD?

Mr. DICKSTEIN. I yield to the gentleman.

Mr. SHAFER of Michigan. I think we all agree with the gentleman that something should be done to eliminate these fly-by-night or, if you want to call them that, these "fifth-column" papers that are being sent through the mails.

Mr. DICKSTEIN. Yes; and in answer to the gentleman's statement that some of them must have been organized at least 2 years, there are a number of them that have been in the business for many years. We have paid no attention to them during normal times and for that reason they are able to meet the provision with respect to second-class mail matter. But getting right down to cases, as has been pointed out by my colleague, investigation should be made by the Post Office Department to find out who is back of these papers and why they publish them. Of course, you understand they do not make any money. They are losing millions of dollars, but this is all done with the purpose in mind of dividing our people, and especially so at this time. I can present to you in actual exhibit form some of this stuff that is not fit to be read and yet the Post Office is distributing it by the carload every day.

Mr. WHITE. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield.

Mr. WHITE. Are there not other statutes that will reach such offenses as the gentleman is talking about and cannot these people be prosecuted under those statutes?

Mr. DICKSTEIN. I do not believe so. I think the Post Office laws have not been touched for many years.

Mr. WHITE. Does not the gentleman think he would be infringing on the right of free speech?

Mr. DICKSTEIN. That is the big point in the argument, that we are infringing on the right of free speech and I may say offhand, yes, to be honest with my colleague, but at the same time, if you will examine these documents, you will see it is not a matter of free speech. It is a matter of free abuse and slander of a nation and free abuse and slander of people to implant in their minds the philosophy of totalitarianism.

Mr. WHITE. That is the very point I have in mind. Is there not a question of libel involved there?

Mr. DICKSTEIN. Whom can you sue for libel? As I have pointed out to you, the whole outfit would not be worth anything and you could sue them day in and day out and you would not get 5 cents out of them because you would not be able to find them in order to serve them with a summons.

Mr. WHITE. We have criminal-libel statutes.

Mr. DICKSTEIN. Yes; that is true, and there is criminal libel committed every day, but they are not proceeded against. What I am pointing out now is that in view of our great defense program and in view of what we are all trying to do to defend our democracy and protect our people from propaganda from outside sources and paid for by foreign governments, we should take some action now because no decent American would think of trying to circulate these sheets of paper in which you will find line after line advocating a change in our form of government.

Mr. Speaker, as an illustration of the unreliability and libelous articles circulated in this type of publication, I called attention of this House to such an article attacking a group of citizens of Italian extraction, and particularly attacking one of the leading citizens of Italian nativity, Mr. Generoso Pope. At that time I defended not only the group referred to but Mr. Pope, and pointed out that he was a citizen that the country could be proud of as a great humanitarian and a leader in every movement in the fight for unity of our citizens and for the advancement of democracy. I called attention to the fact that he had been active in support of the defense program of the President. I pointed out that the citizens of Italian blood had demonstrated their loyalty and love for their adopted country and that they had a right to be proud of their racial origin, which did not in the least detract from their loyalty. For the defense of this group and for the defense of Generoso Pope, I received a great deal of criticism from these same sponsors of these libelous publications. It therefore affords me a great deal of satisfaction to quote from an article appearing in the New York

Times of September 23, 1941, which is as follows:

GENEROSO POPE ASSAILED—GAYDA SAYS NEW YORK EDITOR HAS JOINED WARMONGERS' RANKS

ROME, September 22.—In an editorial today Virginio Gayda angrily attacks Generoso Pope, whom he calls "the noted millionaire of Italian origin, proprietor of the Progreso Italo-Americano of New York."

Mr. Pope, Signor Gayda says, has "passed into the ranks of American warmongers, and has joined the truculent, rash anti-Fascists." "The Pope case is a new revelation of the corrupting influence of American business," Signor Gayda adds. 'Pope has ceased to be an Italian and has become an amorphous being at the service of international banking."

This attack on Mr. Pope coming from the source it does, should convince even the enemies of Mr. Pope of his loyalty to this country and the sincerity of his oath of allegiance.

Mr. Speaker, I am happy to have this article printed in the RECORD to correct the wrong done Mr. Pope by the publication of the libelous articles reflecting on his patriotism.

[Here the gavel fell.]

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Baldridge, one of its clerks, announced that the Senate had ordered that Mr. SCHWARTZ be appointed as an additional conferee on the part of the Senate to the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1579) entitled "An act to authorize the President of the United States to requisition property required for the defense of the United States."

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the foregoing bill.

THE REQUISITIONING OF PRIVATE PROPERTY

Mr. MAY. Mr. Speaker, I present a conference report upon the bill S. 1579, to authorize the President of the United States to requisition property required for the defense of the United States, which I send to the desk and ask to have read; and I ask unanimous consent for its present consideration.

Mr. HOFFMAN. Mr. Speaker, I understood that I am entitled to the floor under a special order.

The SPEAKER pro tempore. The gentleman has a special order.

Mr. MAY. Mr. Speaker, I yield to the gentleman, of course, if he has a special order.

Mr. TABER. Mr. Speaker, I think the regular business of the House should come ahead of a special order any way.

Mr. HOFFMAN. Then would the gentleman from Kentucky yield for a unanimous-consent request?

Mr. MAY. Certainly.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that the time allotted to me, 5 minutes, be extended to 20 minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. MAY. Mr. Speaker, I ask unanimous consent for the present consideration of the conference report which I have sent to the desk.

The SPEAKER pro tempore. The Clerk will report the title of the bill.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

Mr. HOFFMAN. Mr. Speaker, I make the point of order that a quorum is not present.

Mr. MICHENER. Mr. Speaker, I reserve the right to object to the request of the gentleman from Kentucky.

Mr. MAY. Mr. Speaker, I hope the gentleman from Michigan will withdraw the point of order.

The SPEAKER pro tempore. The gentleman from Michigan makes the point of order that a quorum is not present. The Chair will count.

Mr. McCORMACK. Mr. Speaker, will the gentleman from Michigan reserve his point of order?

Mr. HOFFMAN. Certainly.

Mr. McCORMACK. Mr. Speaker, it is my understanding that there is no objection to this conference report. The gentleman will remember when the conference report came up in the House before.

Mr. HOFFMAN. Oh, well, Mr. Speaker, I withdraw the point of no quorum.

Mr. PITTENGER. Mr. Speaker, I want an explanation of this bill. I think I opposed that bill when it was under consideration before, and I do not want it passed by unanimous consent.

Mr. McCORMACK. Of course, there will be an explanation because the two amendments that were discussed in the House at that time have been taken care of in this conference report—the Taber amendment and the Kilday amendment.

Mr. PITTENGER. Are they both in here?

Mr. MAY. They are.

Mr. McCORMACK. They are all taken care of. Under no conditions would I permit this matter to be brought up unless it was understood there would be no objection to it. I have conferred with the gentleman from New York [Mr. TABER] and the gentleman from Texas [Mr. KILDAY], and with the leadership on the Republican side. It has all been carefully considered, and all I can say to the Members of the House is that the Taber amendment, so far as I know, has been taken care of in this report, and also the Kilday amendment.

Mr. SHAFER of Michigan. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. Yes.

Mr. SHAFER of Michigan. Has this report been unanimously signed by the House conferees?

Mr. MAY. Mr. Speaker, I shall try to make a brief explanation of this matter.

Mr. TABER. Has someone reserved the right to object to the consideration of the conference report?

Mr. MICHENER. Yes; I have reserved that right. I withhold that until the matter has been explained and then I can determine whether or not I shall object to its consideration.

Mr. RANKIN of Mississippi. Mr. Speaker, I reserve the right to object. What was done about the Kilday amendment?

Mr. MAY. Mr. Speaker, when the bill was originally passed by the House and sent to the Senate, it contained what is commonly known as the Kilday amendment and the Taber amendment. The Kilday amendment related to the right of persons to own or have possession of firearms and to carry and hold them without registration. The Taber amendment provided that no equipment should be taken from any factory in operation where it would interfere with the operation or the continued operation of the plant. The Senate yielded on both amendments, outright, and the conference report contains both provisions, with added safeguards to make them clear and effective. I say further that of the conferees who were present in the Senate and in the House there was not one of them that did not ultimately agree that the Taber amendment ought to be in the bill. The Under Secretary of War agreed to it, and to the Kilday amendment likewise. They are both written into the bill.

In addition to that, we wrote into the bill a provision which provides that where property is requisitioned and ultimately offered to be returned to the owner, that owner may have the question of its value, of its changed condition, of all questions relating to it, determined in the district court of the United States in the district where he resides, or in the Court of Claims, at his election. Now, that is the conference report.

Mr. SHAFER of Michigan. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield.

Mr. SHAFER of Michigan. Will the gentleman answer my interrogation regarding whether all conferees signed this report?

Mr. MAY. All conferees on the part of the House signed except the gentleman from Ohio [Mr. HARTER], who was not present. The gentleman from Missouri [Mr. SHORT], who championed the Kilday amendment on the floor of the House, did sign the report, and it was very agreeable to him. The gentleman from New York [Mr. ANDREWS] signed the report.

Mr. DONDERO. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield.

Mr. DONDERO. I am interested in knowing whether or not a party can agree with the Government as to the value of any article, or is he forced to go into the district court?

Mr. MAY. Oh, no. He can agree. In the beginning the President may fix a valuation upon any property requisitioned and pay him 50 percent of the value, and he can litigate the remainder of the amount he thinks he is entitled to, or they can agree to it, of course.

Mr. TABER. Mr. Speaker, reserving the right to object, I think probably for the purpose of letting the House have a complete picture of what this situation is, the controversial amendments as they have been agreed upon by the conferees, should be read. As they are short I will proceed to read them.

Mr. MAY. May I say to the gentleman that the unanimous-consent request has not been agreed to, and if it is agreed to——

Mr. TABER. I appreciate that, but I think before it is agreed to, it would be fair to the membership of the House that they have this read to them so that they would know what is in it.

Mr. MAY. I yield to the gentleman for that purpose.

Mr. TABER—

Nothing contained in this act shall be construed, (1) to authorize the requisitioning or require the registration of any firearms possessed by any individual for his personal protection or sport, and the possession of which is not prohibited or the registration of which is not required by existing law.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield right there?

Mr. TABER. I yield.

Mr. McCORMACK. May I ask the gentleman from Texas [Mr. KILDAY], if he is satisfied with the action of the conference committee on that amendment?

Mr. KILDAY. That is the exact language contained in the amendment at the time it originally passed the House, in connection with the next exception which the gentleman is about to read, and I am satisfied with the provision.

Mr. TABER—

(2) to impair or infringe in any manner the right of any individual to keep and bear arms.

That is the rest of the Kilday amendment.

Or (3) to authorize the requisitioning of any machinery or equipment which is not actually used in connection with any operating factory or business and which is necessary to the operation of such factory or business.

That last part is the substance of the amendment that I offered, and after looking it over carefully I am satisfied with it.

Mr. SHANNON. Mr. Speaker, I would like to ask the gentleman from Massachusetts [Mr. McCORMACK] if he did not solemnly declare that nothing of this kind would come up this week; that nothing of the kind should be acted upon until next Monday?

Mr. MAY. I have not yielded to the gentleman for that purpose.

Mr. SHANNON. Then, Mr. Speaker, I move that we adjourn.

Mr. McCORMACK. Mr. Speaker, reserving the right to object, the gentleman does not have the floor in his own right. I reserve the right to object in order to answer the gentleman. The gentleman is an honorable Member of the House. I did state, I may say, that nothing controversial would be brought up this week or next week. I will never break my word.

Mr. SHANNON. Then why not stop it right here?

Mr. McCORMACK. Nothing will be brought up except that which could be brought up by unanimous consent. Of course, if anything can be passed by unanimous consent, that means there is nothing controversial about it. Now, both the amendments that the House is interested in are in this conference report.

Mr. SHANNON. Then, Mr. Speaker, I object. It is not agreeable to me.

The SPEAKER pro tempore. Objection is heard. The conference report will be printed.

PERMISSION TO ADDRESS THE HOUSE

The SPEAKER pro tempore. Under previous order of the House the gentleman from Michigan [Mr. HOFFMAN] is recognized for 20 minutes.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield to me for a unanimous-consent request?

Mr. HOFFMAN. I yield.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent that at the conclusion of the gentleman's remarks I may speak for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

EXTENSION OF REMARKS

Mr. MAGNUSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER pro tempore. Is there objection?

There was no objection.

SPECIAL ORDER

Mr. HOFFMAN. Mr. Speaker, on yesterday when I referred to the gentleman from Georgia [Mr. RAMSPECK] as being an advocate of the closed shop, I did it in the utmost good faith, because I had heard him on the floor several times—and I think several times he asked me questions when I was talking on the labor situation—that gave me that belief. As I stated before, if I misunderstood him, I want to apologize to him; but after listening to the gentleman here today I am still in doubt, because I understood him to say that if they could get a closed shop by agreement, that was all right. Am I wrong?

Mr. RAMSPECK. No; the gentleman is right.

Mr. HOFFMAN. Then the gentleman is an advocate of the closed shop if they can get it by agreement.

Mr. RAMSPECK. The gentleman is entitled to his own conclusions.

Mr. HOFFMAN. I want to be right.

Mr. RAMSPECK. There is a difference between being an advocate and believing in a right which I think is fundamental—the right of contract.

Mr. HOFFMAN. I take it, then, that if I had said that the gentleman believes in the closed shop I would have been correct. Is that right?

Mr. RAMSPECK. No.

Mr. HOFFMAN. Set me right; I want to be right, even if I cannot be president of the city council.

Mr. RAMSPECK. I believe an organization of workers has the right, the fundamental right, to make any legal contract they can get from their employer. If that includes a closed shop, then they would have a right to get it; but I cannot personally advocate that they follow that policy.

Mr. HOFFMAN. I see.

Mr. RAMSPECK. As a matter of fact, I think the policy followed by the railroad brotherhoods is a wiser policy.

Mr. HOFFMAN. I still do not know whether the gentleman favors the closed shop or not, but he apparently is in favor of the closed shop if such a contract can be legally made. Well, that is all right.

The gentleman then referred to the fact that I was an attorney and that in Michigan we had the integrated bar, and that before I could practice law in Michigan I had to pay $5. Now, the gentleman is right about that, and nothing ever griped me more than the payment of that $5 each year. That was put across by a group of lawyers I would refer to as the high-hat, silk-stocking lawyers down in Detroit. Unfortunately we have some lawyers down in Detroit who are crooked. Under the laws of Michigan, the circuit judges had all the power they needed to deal with those crooked lawyers, but they lacked either the inclination or the courage to do it; and the lawyers in Detroit thought it would be a fine thing to collect from all the lawyers in Michigan—the boys just starting out who had no library or anything else, the boys who worked their way through—they thought it would be a fine thing to collect the $5 each year from each one of them. They make every last one of them pay $5 a year. It is an outrage to require a man who has spent from 4 to 7 years in the university preparing himself to practice law to pay $5 each year to a group of lawyers to spend that money just as they wish to spend it—and they do have some wonderful banquets with their little black ties, white shirts, and dress clothes; but they do not contribute very much to either the honesty, the integrity, or the ethics of the boys who are practicing law. They have a good time, do not worry about that, on the $5 they collect on every lawyer throughout the State; and I do not favor it. I am in it because I cannot practice law without paying that $5, but I have not practiced law since I came to Congress. I have not made any money except what they pay me down here, and you know that does not go around by the time you pay for all these pamphlets, and these Washington prices for rent and food. It is a losing proposition; but, oh, how I love it. Think of all the controversy we can have—and perhaps some time we may be able to do some good by staying down here and bringing clear thinking to Washington.

Mr. WHITE. Mr. Speaker, will the gentleman yield for a question for information?

Mr. HOFFMAN. If the gentleman from Georgia will answer the question, I will yield. What is it?

Mr. WHITE. Do they in Michigan require a man to have a university degree before he can become a member of the bar?

Mr. HOFFMAN. Yes. They have an aristocracy of lawyers up there. They do not get any better law; it does not improve their honesty or anything of that kind. They just get a superficial knowledge perhaps of international law or something from this integrated bar.

Mr. WHITE. Under that plan Abraham Lincoln would have been barred from practicing law in the State of Michigan, would he not?

Mr. HOFFMAN. Yes; and maybe a large percentage of our judges of 10 or 15 years ago. There is no doubt about

it—the boost in what they call the standards, which is nothing more nor less than the closed shop. Now, let us get back to this closed-shop business because there is something to that.

Prior to 1935, if you will recall, the employers had an understanding—a requirement—that any man who wanted to work must sign a contract that he did not belong to a union, would not join a union, or, if he did belong to a union, he had to get out before they would take him on. That is what was known as the yellow-dog contract. So, in 1935, this Congress passed the Norris-LaGuardia Act abolishing or doing away with the yellow-dog contract. This closed-shop business is just that practice in reverse.

While prior to 1935 the employers could say that a man could not work in a shop if he was a union man, now the union says he cannot work there unless he is. What is fair about that?

Now, referring to this Kearny strike, the sole question, as I get it, is the closed shop. Sometimes they call it closed shop, sometimes they call it union security, but it all amounts to the same thing. Sometimes they make you join before you can go to work, sometimes the contract provides you cannot work unless you join within 30 or 60 days, and sometimes the contract provides that you cannot work unless you keep up your dues. Over at Kearny they wanted a closed shop or the check-off, which means, of course, that the company must pay the union dues. This is so in many cases.

Where is the justice in making the United States Government a collection agency? Here is a man who gets so much a week. He needs so much for rent, he needs so much for clothing, so much for food, so much for books in order that the kids may go to school, and so on. He does not have enough money to go around, so he does not pay his union dues. The union dues may be increased, as we have learned up here in Pennsylvania. One of the Members from Pennsylvania told me that this increase would hike union fees to $6,000,000 a year. Those union dues, by the way, are not fixed by a vote of the local union, but by someone higher up. They say, "Your union dues for this month, instead of being $1 will be $1.50." The pay check does not cover all of these items I have mentioned. The man has decided not to pay his union dues that month. He would rather pay the baker or the meat-market man or someone else for some of the necessities of life. Suppose a kid needs a schoolbook that costs $1.50? The union man cannot buy the schoolbook because he must pay this $1.50 to the union. Mark you, unless he pays that $1.50 to the union in preference to buying a schoolbook for the kid or shoes or stockings or something else for a member of the family, he is off the pay roll and the company must discharge him. That is what the union asked for up here at Kearny and when the company would not sell its men into slavery the Government took over and the Mediation Board advised them to do that. Now, I suppose the United States is going to take out the union dues from every worker's pay check or else he will go off the job. If that is not un-American, then I do not understand the definition of Americanism. That is a policy which I say should not prevail.

You can see where it will lead. It will lead to industrial strife. It will not promote industrial peace. Here in this town, for instance, the A. F. of L. wants the right to compel everyone in that town to belong to their union. Over in the next town you have the C. I. O., and I can give you instance after instance. They want all the A. F. of L. fellows to get out of the A. F. of L.; and, by the way, the C. I. O. is going to skin the hide off the A. F. of L. unless they watch their step and unless they get this Wagner law amended.

What do you have in the end? Do not forget that the last report showed that those two organizations had some $42,000,000 in assets, all tax exempt. In the end you are going to have the union, not the governmental agency, an outside organization, in the position of a taxing organization, able to impose upon and force their members to pay whatever charge they may levy. I repeat, is that Americanism? I cannot see it that way.

Mr. RAMSPECK. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Georgia.

Mr. RAMSPECK. About 2 years ago I wanted to buy a Chevrolet automobile from a dealer who lived in my district, but who did not have the agency in the particular city in which I lived. He told me that under his contract with General Motors if he sold me the car he would have to pay a part of his commisison to the dealer who lived in my city. What is the difference between making a contract of that sort for exclusive representation and making a closed-shop labor contract with the union? In principle I do not see any difference.

Mr. HOFFMAN. In the case the gentleman mentions, these dealers, who are both agents of the company which sells that particular make of car, have entered into a contract in consideration of which they got this agency. They agreed when they went in there; every one of them agreed to that proposition. But in the case of a closed shop the situation is different. I am living in this city, I am a patriotic American. There may be a defense project here. At Kearny, here is a vessel on the ways. I want to go help push it in the water. But I cannot do it until I pay some organization, which is neither municipal, State, or Federal, a fee for aiding in pushing into the water the ship that is going to take the supplies to Great Britain or to one of our defense associates. There is a vast difference in my mind.

If we are going to live, we must eat. Everybody knows that. If we are to eat, we must get work somewhere. Somebody has got to grow the food. But I cannot market it unless I pay the union when I put the products of the farm in the market in Detroit. I have a truck, the title to which stands in my own name, but my own son cannot drive that truck into Detroit with a load of farm produce until he pays this organization a fee of $25. What is right about that? And so it goes on down through all of our economic structure.

Mr. MAY. Will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Kentucky.

Mr. MAY. I may have misunderstood the gentleman, but I understood him to say awhile ago that the closed shop required the company to pay the dues.

Mr. HOFFMAN. The check-off.

Mr. MAY. That depends, of course, on whether or not the laborer has earned the money and has it due him in the office, does it not?

Mr. HOFFMAN. Oh, yes. It is deducted from his wages. They have not quite reached the point where they have required the employer to pay the union dues, although under a labor board decision, sustained by the Supreme Court, companies have been ordered to pay men, who were denied employment because of their union membership and who never worked a day with those companies, the wages they would have earned had they been employed. The Labor Board by one of its decisions has required an employer to pay two men who never even asked for work but who belonged to a union, other members of which had been denied employment because of their union membership, and the companies were ordered to pay these two who never even asked for a job the wages they would have earned during the preceding 2 years. In short, you go and apply to the employer for a job. You belong to the union, or you belong to the Methodist Church, or you are a Mason. The employer says, "No, I do not want you. You belong to that union. That union has a bad record for violence. I do not want you."

I belong to the same union. They would not give you a job even though you asked for it. Belonging to the same union, I do not ask for any job, but a year or so afterward I come along and file a complaint with the National Labor Relations Board—this is an actual case—and the Board orders the company to pay me, who never applied for a job, what I would have earned if I had asked for a job when you did.

Now, if I have misunderstood the gentleman from Georgia [Mr. RAMSPECK], if I have misinterpreted his views, I say again I want to apologize, and I hope he will set me right, because I still do not know that he does not believe in the closed shop.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. VOORHIS] is recognized for 10 minutes.

ST. LAWRENCE SEAWAY

Mr. VOORHIS of California. Mr. Speaker, there are two things I should like to speak about briefly this afternoon.

In the first place, when I was at home in my district during the recess, I took occasion to visit some of our schools which are carrying on defense-training work. Some of our schools there, which are so close to many of the aircraft plants, are, in my opinion, doing a very splendid job in training young men in welding and other types of work that are necessary to be done in the aircraft industry.

In order to do an effective job of this training, they must have aluminum so they can give the boys training in the work as they will have to do it in the aircraft factories. For a long time the school men had an arrangement with the aircraft plants whereby they got scrap aluminum from the aircraft plants, used that scrap in the training in the welding classes, and then returned the scrap after it had been so used to the aircraft factories in, of course, somewhat less usable condition than before, but still in such condition that it could be used by being processed again. The schools paid the airplane factories 10 cents a pound for the difference between the scrap they got at first and the scrap they returned.

A short time ago, as a result of action at the O. P. M., an order was sent out forbidding them to do this any longer and requiring that in all cases they buy sheet aluminum of various kinds. This order gave them a list of the places where they could buy it, which consists almost exclusively of the Aluminum Corporation of America, although there are a few places where they can buy it from Reynolds, and if they happen to be in one or two certain communities of the country they can buy from another company.

The trouble is that it costs 27½ cents a pound to get this aluminum, which is no more useful in the welding classes than was the other stock. While they do get 11 cents back when they return it as scrap, they still have to pay the freight, so it now costs them 16½ cents plus freight, whereas before they got it for 10 cents.

I merely present this for your information. I have made some inquiry about the matter and tried to find out any substantial reason for this action, and the only possible reason for it that I have been able to get is that there is some difference between the scrap that comes out of the aircraft plants and the sheet aluminum that is bought from the Aluminum Co., that there is some difference between these two kinds of aluminum. I am not in a position to judge about that, but I do know that it makes a lot of difference to our school districts. I do know the other arrangement was working very well and very satisfactorily. The old arrangement looks logical to me, and I wish they could go back to it, because I am sure the saving of approximately 7 cents a pound plus freight will be a very considerable item. And, furthermore, there is now delay in securing aluminum of any sort and some of the classes may have to be discontinued because of this.

A second thing I want to do in the few moments I have left is answer some of the arguments that have been presented here in the last few days with such great vigor against the St. Lawrence project.

Let me say at the outset that there are certain types of opposition to the St. Lawrence project that are going to be inevitable. They are perfectly understandable types of opposition. It is easy to understand why they are there, but I think we need to recognize these facts. One of these types of opposition is, of course, the opposition from rival forms of transportation to water. Another type of opposition is from certain other outlets, even water outlets, for the produce of certain sections of the Middlewest, which feel that possibly if this waterway is completed some of the traffic will go through the Great Lakes.

Another type of opposition naturally is the opposition that comes from the power interests, who do not want to see public power plants constructed.

We expect a fair fight on the proposition, but I think it should be a fair fight and not one in which people, like myself, for example, who live 3,000 miles away from the place where the project is to be constructed but who believe that it is an eminently worthy enterprise, should be accused of supporting it because of some supposed benefit that it will confer on us, which, of course, is nothing short of ridiculous.

I recall that one gentleman from New York State rose the other day and said that this was one of the most wasteful proposals for expenditure that had ever been brought before the Congress. I venture to say that the people of his State are not going to feel that way if this great dam at International Rapids is ever built and if the electric energy that can be generated there is once started over the wires to serve the people of New York State.

I speak as a Member who comes from a region in the country that is benefited by a public power yardstick, not one that is set up the most advantageously of those we have in the country, I may say, but the great power yardstick of Boulder Dam, coupled with the Los Angeles Municipal Light and Power Department.

In the northeastern section of this country there is nothing resembling a public-power yardstick. The proof of the pudding is in the eating, because the rates in that section of the country are the highest rates on the average anywhere in the whole Nation. The cities of New England today pay twice as much wholesale for electricity to light their streets as the residential consumer in the city of Chattanooga pays at retail for electricity to light his home.

Now that is only an illustration. The people in the State of New York in 1940 used 15,613,000,000 kilowatt-hours of electricity and paid private utility companies $349,872,000 for it. Had this same amount of electricity been used by the people of Ontario, Canada, a Province just across the St. Lawrence River from New York State, which owns its own public power system, it would have cost the consumers only $147,355,000, or a saving of $201,000,000. Taking into account the taxes that were actually paid by the utility companies in New York State, the saving is still $153,000,000.

This is only right across the river, and the difference is evidently the difference between public Ontario and private New York State power.

I said that I live in a region that is served by a great public-power yardstick, and I do; but I do not happen to live in the city of Los Angeles or in the area served by the municipal bureau of light and power. I live in an area served by a private power company, and yet in my boys' school, that I used to run before I was elected to Congress, we used to buy energy at 1 cent a kilowatt because we were in an area where there was an effective yardstick.

It is not so much a question of the St. Lawrence power being available to all the people in the New York and New England area as it is a case where once this power is established their power rates are going to come down, even if they continue to be served by private companies. The Federal Power Commission has compiled statistics ranking the various States of the Union according to rates charged consumers of various sorts for electricity. The State with the lowest rates is ranked No. 1, and the State with the highest rates is ranked forty-eighth. Let us see where New York State stands. It is twenty-fifth from the top of the list of the 48 States of the Union in the rates that are charged to residential consumers. It has the very highest rates of any State of the Union for commercial power. It ranks thirtieth as to rates for commercial light, and thirty-ninth for industrial power. Moreover, in the State of New York the spread of rural electrification cooperatives has been very slow indeed. It would be possible for them to go forward, under the circumstances, if this project is completed.

And may I say in conclusion that if there ever was a time in all the history of the United States when it was necessary for us to look forward to the future with some vision, that time is now. For whatever our fate may be in the next 2 or 3 years, one thing is certain—the old world of even 15 years ago is gone, and we cannot bring it back. We can only go forward determined to preserve the good and basic values and institutions of the past and build upon them the structure of a better future world. And we must be thinking with courage about that job now.

Believe me, I am convinced that it is possible for us to get that unity of our people which is the paramount necessity of our country today on the basis of two great things. On the basis, first, of a united determination that whatever the future may hold in store, America intends to stand her ground in resistance to any form of totalitarian power anywhere in the Western Hemisphere. And, second, that America, as a great democracy of the world, interprets democracy to mean an ever-increasing opportunity for all the people of the Nation, an ever-increasing economic and social justice for all the people of the Nation achieved by the methods of democracy. If we guide our course by these principles we will give the kind of leadership our people need and we shall have a nation united in spirit.

Mr. PITTENGER. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. PITTENGER. The gentleman is a member of the Rivers and Harbors Committee of the House?

Mr. VOORHIS of California. I am.

Mr. PITTENGER. And the gentleman is familiar with the hearings on the St. Lawrence seaway project?

Mr. VOORHIS of California. That is right.

Mr. PITTENGER. And the gentleman supported the motion to include that in the omnibus rivers and harbors bill?

Mr. VOORHIS of California. Yes.

Mr. PITTENGER. And the gentleman did that because of his belief that the projects in that bill will contribute to the general welfare of all the people of the United States?

Mr. VOORHIS of California. That is true, and I was informed by every person who came there from any national-defense agency to testify that this move was very, very important at this time.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein a statement from the Treasury Department on the total receipts and expenditures and the public debt, and also I ask unanimous consent to include the same statement from month to month as it becomes available following the custom heretofore followed by the chairman of the Committee on Appropriations, from the first of the year.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including a resolution to petition the Federal Reserve Board to give labor a voice in its regulation of consumer credits.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a statement entitled "Food to Small Democracies."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

ADJOURNMENT

Mr. MAGNUSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 51 minutes p. m.) the House adjourned to meet, in accordance with its previous order, on Monday, September 29, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on the following dates at 10 o'clock a. m. to consider the following bills:

Tuesday, September 30, 1941:

H. R. 5446, to establish a system of unemployment insurance for the maritime industry and for other purposes.

Tuesday, October 14, 1941:

H. R. 3254, to safeguard and protect further the lives of fishermen at sea and to place fishing boats under the supervision of the Department of Commerce, Bureau of Marine Inspection and Navigation, and for other purposes.

COMMITTEE ON AGRICULTURE

The Committee on Agriculture will hold hearings on Tuesday, September 30, 1941, at 10 o'clock a. m. on H. R. 5336, Farm Credit Act.

COMMITTEE ON RIVERS AND HARBORS

The Committee on Rivers and Harbors will meet on Tuesday, September 30, 1941, at 10:30 o'clock a. m., to begin hearings on the project for the improvement of the Beaver and Mahoning Rivers, Pennsylvania and Ohio.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

948. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to authorize the Commissioners of the District of Columbia to acquire, operate, and regulate public off-street parking facilities, and for other purposes; to the Committee on the District of Columbia.

949. A letter from the Secretary of War, transmitting a draft of a bill to amend section 602 (m) of the National Service Life Insurance Act of 1940 (Public, No. 801, 76th Cong.) to provide for a person in the military service to secure insurance, effective as of date of application, by payment of the first premium within 30 days thereof; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAY: Committee of conference on the disagreeing votes of the two Houses. S. 1579. An act to authorize the President of the United States to requisition property required for the defense of the United States (Rept. No. 1214). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MARTIN J KENNEDY:

H. R. 5716. A bill to repeal the Hatch Political Activities Act, as amended; to the Committee on the Judiciary.

By Mr. BLAND:

H. R. 5717. A bill to extend the time within which taxpayers shall be allowed a credit against certain taxes imposed by the Social Security Act and the Federal Unemployment Tax Act for contributions paid into unemployment funds under State laws, and for other purposes; to the Committee on Ways and Means.

By Mr. HILL of Washington:

H. R. 5718. A bill conferring jurisdiction upon the United States Court of Claims to hear, examine, adjudicate, and render final judgment on any and all claims which the Yakima Indian Tribes may have against the United States, and for other purposes; to the Committee on Indian Affairs.

By Mr. ROBINSON of Utah:

H. R. 5719. A bill to abolish the Guilford Courthouse National Military Park Commission, and for other purposes; to the Committee on the Public Lands.

H. R. 5720. A bill to add certain public land to the Uintah and Ouray Reservation in Utah, to establish a grazing unit within Utah grazing district No. 8, and for other purposes; to the Committee on the Public Lands.

By Mr. STEAGALL:

H. R. 5721. A bill to amend the United States Housing Act, as amended, and for other purposes; to the Committee on Banking and Currency.

By Mr. KOCIALKOWSKI:

H. R. 5722. A bill to amend section 19 (a) of the Philippine Independence Act of March 24, 1934, as amended by the act of August 7, 1939, and to amend the act approved June 19, 1934, so as to authorize certain sugar excise-tax funds and other funds to be used for military and naval defense purposes in the Philippine Islands; to the Committee on Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HENDRICKS:

H. R. 5723. A bill for the relief of Anna Danielson and Betty Tiedeman; to the Committee on Claims.

By Mr. SMITH of Ohio:

H. R. 5724. A bill granting a pension to Marjorie Johnson; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1837. By Mr. LAMBERTSON: Petition of Sabra M. Kuhn and 99 other citizens of Soldier Valley community in Kansas, requesting a just and adequate old-age pension system, urging that a uniform system in all the States would constitute our first line of defense; to the Committee on Ways and Means.

1838. By Mrs. ROGERS of Massachusetts: Petition of various citizens of Lexington, Mass., urging the enactment of Senate bill 860; to the Committee on Military Affairs.

1839. By the SPEAKER: Petition of the National Association of Coroners, Milwaukee, Wis., petitioning consideration of their resolution with reference to drugs to be included with the Harrison Narcotic Act; to the Committee on Interstate and Foreign Commerce.

1840. Also, petition of J. C. Pennington, Lake Wales, Fla., petitioning consideration of their resolution with reference to Senate bill 860, relative to liquor and commercialized vice affecting the men in the Army and Navy; to the Committee on Military Affairs.

SENATE

MONDAY, SEPTEMBER 29, 1941

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Thou who art infinite in power, transcendent in holiness, whose matchless love doth penetrate the silent depths of our own lives, where none save Thee can follow us: Help us to realize that in this place of secret fellowship our souls cast off their artificiality while its deep and tender quietude lays bare the oft concealed equivocation, the latent apostasy of each rebellious thought.

Into this abode of secret fellowship with Thee the Master oft-times went, nor remained there overlong, choosing rather to live and work among men than to abide on the heights of contemplation; and if a crisis find us unready and inadequate to its great demands because of our neglect of Thee, restore to us, we beseech Thee, in these moments of our prayer the consciousness of Thine indwelling in the heart of every one of us.

And do Thou send us forth armed with the courage to declare that right-

eousness and truth must needs prevail, for in the Master's eyes of flame no fervor of cloistered devotion can atone for the refusal to bear the Cross in the realm of public duty.

In His own dear name and for His own dear sake we offer our petitions. Amen.

THE JOURNAL

On request of Mr. GREEN, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, September 25, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

SENATOR FROM MISSISSIPPI

The VICE PRESIDENT laid before the Senate the credentials of WALL DOXEY, duly chosen by the qualified electors of the State of Mississippi a Senator from that State for the unexpired term of the late Senator Pat Harrison, which were read and ordered to be filed, as follows:

MISSISSIPPI,
EXECUTIVE DEPARTMENT,
Jackson.

TO THE PRESIDENT OF THE SENATE OF THE UNITED STATES:

This is to certify that on the 23d day of September 1941, Hon. WALL DOXEY was duly chosen by the qualified electors of the State of Mississippi, a Senator from said State to represent said State in the Senate of the United States for the unexpired term of the late Senator Pat Harrison beginning on the 27th day of September 1941.

Witness: His excellency our Governor Paul B. Johnson, and our seal hereto affixed at Jackson, this 27th day of September in the year of our Lord 1941.

By the Governor:

PAUL B. JOHNSON,
[SEAL] WALKER WOOD,
Secretary of State.

Mr. CONNALLY. Mr. President, in the absence of the senior Senator from Mississippi [Mr. BILBO], who would, of course, have been delighted to perform this very pleasant function, I desire to announce that Mr. DOXEY, the newly elected Senator from Mississippi, is present and prepared to take the oath of office.

The VICE PRESIDENT. If the Senator-elect will present himself at the desk, the oath of office will be administered to him.

Mr. DOXEY, escorted by Mr. CONNALLY, advanced to the desk, and, the oath prescribed by law having been administered to him by the Vice President, he took his seat in the Senate.

EXECUTIVE COMMUNICATION

The VICE PRESIDENT laid before the Senate the following letter, which was referred as indicated:

CLAIM OF LIBBY, MCNEILL & LIBBY

A letter from the Comptroller General of the United States, transmitting, pursuant to law, his report and recommendation concerning the claim of Libby, McNeill & Libby against the United States (with an accompanying report); to the Committee on Claims.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate or presented and referred as indicated:

By the VICE PRESIDENT:

A letter in the nature of a memorial from A. Ross, of the Newerking Cleaning Fluid Co., of New York City, N. Y., remonstrating against the imposition of taxes to cover all above 6 percent of the profits of a business; to the Committee on Finance.

The memorial of Leona Schriner, of Detroit, Mich., remonstrating against repeal of the Neutrality Act; to the Committee on Foreign Relations.

The petition of Eleanor F. Crosgriff, of Brooklyn, N. Y., praying that American ships keep out of war zones and that the United States keep out of war; to the Committee on Foreign Relations.

Letters from several citizens of the United States, relative to pending postal legislation; to the table.

By Mr. BURTON:

A petition signed by about 100 citizens of Ashtabula, Ohio, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. CAPPER:

Petitions of sundry citizens of Crawford and Stafford Counties, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

STANDARDS FOR OLEO IN COMPETITION WITH BUTTER—MEMORIALS

Mr. CAPPER. Mr. President, I present memorials from C. G. Steele, of Waterville, Kans.; H. E. Dodge, of Topeka, Kans.; and several thousand Kansas dairy farmers, who are members of the Kansas State Dairy Association, protesting against the standards for oleo, recently issued by Administrator Paul V. McNutt, as head of Food and Drug Administration. The memorials state that the standards so fixed "give manufacturers of oleo liberty to sell oleo in imitation of butter." The memorialists urge that Congress suspend these standards.

Mr. President, I desire to suggest that Administrator McNutt reopen this matter of changes in regulations covering the selling and labeling of oleomargarine, and see if some regulations fair to the dairy farmers, the oleomargarine interests, and the consumer cannot be worked out by agreement.

I appreciate the fact that the new regulations, at least on their face, merely attempt to strengthen the requirements so that a higher grade of oleo will be placed on the market. That is a legitimate function of the Food and Drug Administration.

A greater objection which I myself have to what is going on is that the Department of Agriculture apparently is lending its name to a Nation-wide campaign to encourage consumers to use oleo instead of butter, and by implication at least giving the impression that oleo has the same food value as butter. I do not believe such propaganda is a legitimate function of the Department of Agriculture.

Mr. President, I do not intend to go into the details of the long dispute over the marketing of oleo and butter, but I wish to say that I do not believe oleo should be regarded as butter nor marketed as butter. It has a place; indeed, there is a very legitimate use for it; but oleo should stand on its own merits and not be represented as a form of butter—certainly not by our own Department of Agriculture. It is not the function of that Department to build up one farm product at the expense of some other farm product, as I see the matter.

There is something else involved here. Right now the Government is engaged in a national-defense farm program that is diverting milk to the production of cheese for Britain. Much of it is going there instead of into butter. If during this war period, this war boom, the Government succeeds in what looks like a campaign to train the American consumer to use oleo instead of butter, on the ground that it has the same food values as butter, though oleo, I understand, does not have certain saturated fatty acids which are found in butter, what will happen to the dairy industry when the war is over? To the extent the American consumers have been propagandized by their own Government to use oleo, that market for butter will have disappeared; and no one believes that Britain will buy cheese from the United States after the lend-lease program is over.

Mr. President, I join in the protest against Government propaganda and Government programs directed against the dairy industry of this Nation, and express the hope that the question will be reopened by Administrator McNutt and some agreement fair to all may be worked out. I send the memorials to the desk for reference to the Committee on Agriculture and Forestry.

The VICE PRESIDENT. The memorials will be referred to the Committee on Agriculture and Forestry.

RESOLUTION OF IZAAK WALTON LEAGUE

Mr. GILLETTE. Mr. President, I have before me a resolution adopted by the Izaak Walton League of America at their annual convention, and, as it is very short, I shall read it. It is as follows:

Whereas the Izaak Walton League is committed to protection of public rights in natural resources; and

Whereas many bills now before Congress under the banner of national defense completely ignore these values while actually contributing nothing to valid defense: Therefore be it

Resolved, That the directors of the Izaak Walton League of America in meeting at Chicago on September 20, 1941, petition the President and the Congress to call a moratorium on these unessential projects as a serious sabotage of real national defense through their immense diversion of money, manpower, and material.

I ask that the resolution be referred to the Committee on Commerce.

The VICE PRESIDENT. The resolution will be referred to the Committee on Commerce, as requested by the Senator from Iowa.

AID TO BRITISH LABOR AND SUPPORT OF DEMOCRACY

Mr. WILEY presented two resolutions, which were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Whereas American labor is of the conviction that world domination by totalitarianism is the ultimate objective of the murderous, wanton, and unwarranted attacks upon the free nations of Europe and upon the British people by Nazi Germany, Fascist Italy, Communist Russia, and Imperialist Japan, with consequent enslavement of all the free people of the world; and

Whereas the American Federation of Labor has always had the most fraternal relations with the British Trades Union Congress; and

Whereas the American labor movement knows that the cause of labor is inextricably bound up with the cause of democracy: Now, therefore, be it

Resolved, That the Waukesha Trades and Labor Council declare its solidarity with and its sympathy for our British fellow workers; and be it further

Resolved, That the appeal of the American Labor Committee To Aid British Labor be endorsed by this body as our expression of solidarity, sympathy, and support; and be it further

Resolved, That a committee be appointed for the purpose of cooperating in every way with the American Labor Committee To Aid British Labor in its drive for money, clothing, bandages, medications, and other supplies sorely needed by our British fellow workers in their struggle against the totalitarian countries.

Adopted by the Waukesha Trades and Labor Council May 28, 1941.

Whereas the democratic principles upon which these great United States have been founded have enabled American citizens of south Slavic origin and their descendants to pursue and enjoy life, liberty, and happiness in a measure unknown to the peoples of any other part of the world; and

Whereas this country has embarked upon a vast program of defense to insure these principles and preserve them for them and their posterity; and

Whereas the South Slavic Benevolent Union "Sloga" is composed of American citizens of south Slavic birth and descent: Now, therefore, be it

Resolved, That the South Slavic Benevolent Union "Sloga," through the delegates of its membership at its eleventh regular convention duly assembled at Milwaukee, Wis., do hereby pledge their unequivocal allegiance and devotion to the policies of the Government of the United States in the present world crisis; be it further

Resolved, That a copy of this resolution be sent to the President of the United States and to the United States Senators from Wisconsin.

REPORTS OF A COMMITTEE

The following reports of the Committee on Pensions were submitted:

By Mr. SCHWARTZ:

H. R. 1782. A bill to provide Spanish War veterans wartime pension rates for service-connected disability or death of certain veterans of the Spanish-American War recognized by veterans' regulations as "veterans of any war," and for other purposes; without amendment (Rept. No. 685); and

H. R. 2310. A bill to amend section 2 of the act entitled "An act granting pensions and increase of pensions to certain soldiers and sailors of the War with Spain, the Philippine Insurrection, or the China Relief Expedition, to certain maimed soldiers, to certain widows, minor children, and helpless children of such soldiers and sailors, and for other purposes," approved May 1, 1926; with an amendment (Rept. No. 686).

ADDITIONAL FACILITIES AT UNION RAILROAD STATION—REPORT OF THE COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. BURTON. Mr. President, on behalf of the Committee on the District of Columbia I report back without amendment House bill 5682, to amend an act to provide for a Union Railroad Station in the District of Columbia, and for other purposes, and I submit a report (No. 687) thereon. I give notice that I shall ask for the early consideration of the bill by the Senate, inasmuch as it provides for additional track facilities at the Union Depot to care for the Christmas mail.

The VICE PRESIDENT. The bill will be placed on the calendar.

ASSISTANT CLERK, COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

Mr. LUCAS. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably, without amendment, Senate Resolution 170, and ask unanimous consent for its present consideration.

There being no objection, the resolution (S. Res. 170), submitted by Mr. MALONEY on September 25, 1941, was considered and agreed to as follows:

Resolved, That the Committee on Public Buildings and Grounds is hereby authorized to employ for the remainder of the Seventy-seventh Congress an assistant clerk, to be paid from the contingent fund of the Senate at the rate of $1,800 per annum.

BILL INTRODUCED

Mr. GUFFEY introduced a bill (S. 1933) for the relief of certain claimants to whom awards have been made under the act of May 18, 1936, supplementing the War Materials Relief Statutes, was read twice by its title and referred to the Committee on Claims.

ACTIVITIES AS ATTORNEYS OF FORMER GOVERNMENT EMPLOYEES

Mr. WILEY. I introduce a bill for appropriate reference and I ask at this time that I may be privileged to comment for about 2 minutes in relation to the purport of the bill.

The VICE PRESIDENT. Without objection, the Senator from Wisconsin may proceed.

Mr. WILEY. Mr. President, I rise to comment very briefly on recent newspaper accounts charging that former prominent Government employees are utilizing their influence and their former associations on behalf of their legal clients.

According to these accounts, fabulous fees have been paid to these men—not so much for the legal work involved but for the influence which they were presumably able to exert on Government officials.

I do not presume to comment on the accuracy of these newspaper stories. If the charges are true, they indicate, of course, a thoroughly undesirable situation which must be remedied. If they are not true, it is equally important that the fact be demonstrated.

At the present time, a subcommittee of the Senate Judiciary Committee has been considering the problem of a revision of administrative procedure. It is apparent that the questions raised with reference to the activities of former Government employees before administrative agencies and bureaus involve a problem which might well be considered in connection with any discussion of a revision of the set-up of our administrative agencies.

I am introducing today a bill which, if enacted, would provide publicity with respect to the compensation paid to attorneys and agencies handling matters before the executive and legislative branches of government.

I ask that the bill be referred to the Judiciary Committee so that it may be considered in connection with any discussion relative to administrative procedure.

I do not present this proposal as a final thought or even as an answer to the problem of former Government employees exerting influence before Government agencies. If it is demonstrated that such a problem actually exists, it is apparent a solution will call for considered, mature thought and will undoubtedly require correlation with other suggestions on the revision of administrative agencies.

I present this measure in an effort to stimulate comment and suggestions on this matter.

The VICE PRESIDENT. Without objection, the bill will be referred as requested by the Senator from Wisconsin.

The bill (S. 1934) to provide for publicity with respect to the compensation paid to attorneys or agents handling matters before the executive and legislative branches of the Government, was read twice by its title and referred to the Committee on the Judiciary.

POPPIES FOR SEED PURPOSES—BILL INDEFINITELY POSTPONED

Mr. McNARY. Mr. President, on May 23 last I introduced a bill known as Senate bill 1546, relating to the production of poppies for seed purposes only, which was referred to the Committee on Agriculture and Forestry. I ask unanimous consent that the committee be discharged from the further consideration of the bill and that it be indefinitely postponed.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

ASSISTANT CLERK, COMMITTEE ON FOREIGN RELATIONS

Mr. CONNALLY submitted the following resolution (S. Res. 172), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Foreign Relations is hereby authorized to employ for the remainder of the Seventy-seventh Congress an assistant clerk to be paid from the

contingent fund of the Senate at the rate of $3,000 per annum.

INVESTIGATION OF VIOLATIONS OF RIGHT OF FREE SPEECH AND ASSEMBLY, ETC.—LIMIT OF EXPENDITURES

Mr. LA FOLLETTE submitted the following resolution (S. Res. 173), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That, for the purpose of concluding the printing of hearings and reports, the limit of expenditures under Senate Resolution 266, Seventy-fourth Congress, second session, agreed to June 6, 1936, and under Senate Resolution 70, Seventy-fifth Congress, first session, agreed to February 19, 1937, and under Senate Resolution 154, Seventy-fifth Congress, first session, agreed to August 12, 1937, and under Senate Resolution 266, Seventy-fifth Congress, third session, agreed to May 18, 1938, and under Senate Resolution 126, Seventy-sixth Congress, first session, agreed to August 4, 1939, and under Senate Resolution 135, Seventy-seventh Congress, first session, agreed to June 28, 1941, to investigate violations of the right of free speech and assembly and interference with the right of labor to organize and bargain collectively is hereby increased by $500.

ADDRESS BY THE PRESIDENT ON LIBERTY FLEET DAY

Mr. GREEN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an address delivered by the President on Liberty Fleet Day, last Saturday, September 27, 1941.

There being no objection, the address and editorial were ordered to be printed in the RECORD, as follows:

My fellow Americans, this is a memorable day in the history of American shipbuilding—a memorable day in the emergency defense of the Nation. Today, from dawn to dark, 14 ships are being launched—on the Atlantic, on the Pacific, and on the Gulf—and among them is the first Liberty ship, the *Patrick Henry*.

While we are proud of what we are doing, this is certainly no time to be content. We must build more cargo ships and still more cargo ships—and we must speed the program until we achieve a launching each day, then two ships a day, fulfilling the building program undertaken by the Maritime Commission.

Our shipbuilding program—not only that of the Maritime Commission but of the Navy—is one of our answers to the aggressors who would strike at our liberty.

I am speaking today not only to the shipworkers in the building yards on our coasts, on our Great Lakes, and on our rivers—not only to the thousands who are present at today's launchings—but also to the men and women throughout the country who live far from salt water or shipbuilding.

I emphasize to all of you the simple, historic fact that throughout the period of our American life, going way back into colonial days, commerce on the high seas and freedom of the seas has been a major reason for our prosperity and the building up of our country.

To give you one simple example: It is a matter of history that a large part of the capital which in the middle of the past century went into the building of railways and spread like a network into the new undeveloped areas across the Mississippi River, across the Plains and up into the Northwest, was money which had been made by American traders whose ships had sailed the seas to the Baltic, to the Mediterranean, to Africa and South America, and to Singapore and China itself.

Through all the years after the American Revolution your Government reiterated and maintained the right of American ships to voyage hither and yon without hindrance from those who sought to keep them off the seas or drive them off the seas. As a nation we have realized that our export trade and our import trade had a definitely good effect on the life of families, not only on our coasts but on the farms and in the cities a hundred or a thousand miles from salt water.

Since 1936, when the Congress enacted the present merchant-marine law, we have been rehabilitating a merchant marine which had fallen to a low level. Today we are continuing that program at accelerated speed.

The ship workers of America are doing a great job. They have made a commendable record for efficiency and speed. With every new ship, they are striking a telling blow at the menace to our Nation and the liberty of the free peoples of the world. They struck 14 such blows today. They have caught the true spirit with which all this Nation must be imbued if Hitler and other aggressors of his ilk are to be prevented from crushing us.

We Americans as a whole cannot listen to those few Americans who preach the gospel of fear—who say in effect that they are still in favor of freedom of the seas but who would have the United States tie up our vessels in our ports. That attitude is neither truthful nor honest.

We propose that these ships sail the seas as they are intended to. We propose, to the best of our ability, to protect them from torpedo, from shell, or from bomb.

The *Patrick Henry*, as one of the "liberty" ships launched today, renews that great patriot's stirring demand:

"Give me liberty or give me death."

There shall be no death for America, for democracy, for freedom! There must be liberty, world-wide and eternal. That is our prayer—our pledge to all mankind.

[From the New York Herald Tribune of September 28, 1941]

THE PRICE OF FREEDOM

Yesterday 14 merchant ships were launched in American shipyards. It was an event. The President of the United States took advantage of the occasion to announce formally that "we propose that these ships sail the seas as they are intended to," and his words took on the air of a solemn dedication. Why? Why was it necessary in this year of 1941 for the Chief Executive of a great and powerful Nation to state so simple a proposition in such an atmosphere of grim resolve?

A hint—and more than a hint—of the answer may be found in yesterday's communique of the German high command, announcing the end of "the greatest destructive battle in world history," the "annihilation" of five Russian armies east of Kiev. Without taking the German claims literally, the action on the plains of the Ukraine has again demonstrated the power of German armed might, the skill, energy, and technical equipment which Hitler's forces employ in their warfare.

The Ukraine is far from those shipyards where the American ships took to the water; the Atlantic is broad and the Pacific broader still. Nevertheless, each German advance, each square mile of European territory that comes under the swastika banner, brings the threat of Hitlerism a little closer to these shores; gives added emphasis to the President's promise that to the best of America's ability the new ships will be protected from torpedo, from shell, or from bomb. The reason is simply that the Nazis, to an extent unprecedented in history, have made a business of war. Their campaigns are gigantic slave-catching expeditions, raids upon the industrial potential of a continent. The loot, the man-power of most of Europe have gone into the German war machine, even down to the woolen blankets of the Norwegians.

Out of this complex of power, built upon hatred, death, and the destruction of all that is fine and generous and good, the tentacles of Nazidom extend around the earth. Submarines and raiders haunt the seas; bombers are in the skies; lies and the subtle power of fear-distilling words poison the very air that free men breathe. From this expanding aura of peril there is no escape in flight. Congress passed the so-called Neutrality Act, but it did not save the *Robin Moor*. That act might be extended until every American merchant ship rusted in harbor, but the danger would not be exorcised; it would grow with each accession of German strength.

The earth is not large enough to permit the United States, even if it wished, to run away from Hitler. He has issued the challenge to the American way; that challenge must be met. The Russian losses must be made good, until Hitler staggers; Britain must be strengthened until she can strike the death blow. That will require American goods, in American ships, guarded by the American Navy. There is no easier alternative. We will be fortunate among the peoples of the world if no more is demanded of us as the price of freedom.

CHRONOLOGY OF UNITED STATES FOREIGN POLICY, 1935–41

Mr. WILEY. Mr. President, recently, because of the tremendous interest the country is sensing, and we here in Congress are feeling in relation to the suggestion that the Neutrality Act be repealed, I asked the Library of Congress to go back to 1935 and prepare, in chronological order, a list of the events which constitute the chronology of the foreign policy of the United States from 1935 to 1941. I think this instrument, which has been prepared by the Library of Congress, will serve a real public purpose, and I therefore ask that it be printed in the RECORD at this point.

The VICE PRESIDENT. Without objection, it is so ordered.

The matter referred to is as follows:

1935

January 16: President Roosevelt sent a message to the Senate urging ratification of the World Court protocols.

January 29: World Court resolution is defeated, 36 to 52.

January 31: Breakdown in negotiations between United States of America and Union of Soviet Socialist Republics concerning pre-Soviet debts and other financial claims.

February 2: Commercial treaty between Brazil and United States is signed.

April 9: Congress passed the McSwain war-profit bill except for the section dealing with conscription.

May 3: War-profits bill introduced in Senate by Senator NYE.

May 25: Commercial treaty with Sweden was signed by United States.

June 5: Bill on Government control of arms traffic introduced in the Senate by Senator Pope.

June 6: Senate ratified Geneva arms-traffic convention of June 17, 1925, with reservations.

June 24: Preliminary report issued by special committee of the Senate investigating the munitions industry.

July 12: Secretary Hull reaffirmed adhesion to the Kellogg Pact.

July 13: Reciprocal trade agreement signed with Union of Soviet Socialist Republics.

August 15: Panama won its sovereignty by the new treaty with the United States.

August 24: A neutrality resolution in the Italo-Ethiopian conflict was adopted by Congress.

August 25–31: Exchange of notes between Washington and Moscow on the former's charge that the transactions of the Third International violated the pledge given the United States, November 16, 1933.

August 31: President Roosevelt signed arms embargo and prohibition of travel in ships of belligerent nations.

September 12: Secretary Hull reminded both Italy and Ethiopia that they are bound by the Kellogg Pact.

September 16: The United States Government withdrew its tariff concessions to Germany.

October 26: Moral support was pledged to the League of Nations by Washington.

November 15: A commercial treaty is signed between Canada and United States. New constitution came into force for Philippine Islands.

December 5: Secretary Hull invoked the covenants guaranteeing the political and territorial entity of China.

December 9: Five-Power Naval Conference opened in London.

December 19: Toyokeko Kagawa, a Japanese Christian evangelist, was shut out by the immigration authorities of United States.

1936

February 15: President Roosevelt sent a proposal to the Latin-American states for an inter-American conference.

February 18: Senate passed the House temporary neutrality law extending it to May 1, 1937.

March 14: United States gave formal recognition to the new Government of Paraguay.

March 25: At London, Britain, United States, and France signed a naval treaty.

May 6: A reciprocal trade agreement is signed between United States and France.

July 11: United States and Russia extended their mutual trade agreement to July 3, 1937.

July 31: President Roosevelt conferred with Lord Tweedsmuir and Prime Minister Mackenzie King of Canada at Quebec.

August 3: The United States State Department warned all Americans to qui' Spain.

August 14: President Roosevelt, speaking at Chautauqua, N. Y., denounced war and those nations which raise the threat of it. The United States Treasury removed countervailing duties on imports from Germany following the official notification by the German Government that all subsidies on products exported to the United States had been abrogated.

August 25: President Roosevelt named William C. Bullitt Ambassador to France.

September 25: The United States Treasury announced it had joined France and Great Britain in a plan to link the franc, the pound, and the dollar on a stable basis of exchange.

November 16: President Roosevelt left Charleston, S. C., on the cruiser *Indianapolis*, for Buenos Aires to attend a peace conference.

November 27: President Roosevelt was welcomed to Brazil.

December 1: Opening of the Inter-American Conference for the Maintenance of Peace at Buenos Aires, Argentina.

December 28: At Washington the State Department issued a license for the shipment to the Spanish leftists of airplanes and engines. The neutrality law was held inapplicable to the civil war.

1937

January 8: United States embargo on the shipment of arms and munitions to Spain came into effect with President Roosevelt's signature to a joint congressional resolution.

April 13: Mexico and United States signed a treaty terminating article 8 of the Gadsden Treaty of December 30, 1853, regarding frontiers, cession of territory and transit of the Isthmus of Tehuantepec.

May 1: President Roosevelt signed the neutrality bill replacing the act of 1935.

May 8: United States together with other nations signed the convention which provided for the abolition of capitulations in Egypt.

June 29: United States Senate ratified two treaties, five conventions, and one protocol negotiated and signed by the representatives to the Inter-American Conference for the Maintenance of Peace.

July 9: The United States agreed to exchange gold for China's silver.

October 5: In Chicago, President Roosevelt pledged his administration to a concerted effort with other peace-loving nations to quarantine aggressor nations.

October 20: Secretary Hull and wife arrived at Ottawa, Canada, for a visit.

November 3: A conference called under the Nine Power Treaty, to consider the Japan-China warfare, opened at Brussels.

November 18: Preliminary announcement of the United States Government's intention to negotiate a reciprocal trade agreement with Great Britain.

December 12: Japanese bombed U. S. gunboat *Panay* in Yangtze River.

1938

January 7: Joseph P. Kennedy was appointed United States Ambassador to Britain.

January 10: United States House refused to take out of committee the Ludlow resolution.

February 5: United States, Britain, and France demanded Japan to reveal whether she was building beyond 35,000-ton treaty limit on battleships.

February 8: In response to a Congress resolution of inquiry, Secretary Hull wrote to Senator Pittman denying that there was any agreement, understanding, or other arrangement with any other government for the prosecution of a joint policy.

February 12: Japan declined to give information on her naval plans.

March 7: United States signed reciprocal trade treaty with Czechoslovakia.

March 18: Mexico expropriated property of 17 United States and British oil companies.

March 30: United States Department of State demanded compensation from Mexico for the seizure of American-owned oil properties.

June 9: The United States protested the bombing of Lingnan University by the Japanese on June 8.

July 6: The Refugee Conference, convoked by President Roosevelt opened in Evian, France, representing 32 countries.

August 6: Soviet Russia trade pact with the United States was renewed for another year.

August 9: United States Ambassador M. T. Johnson and staff arrived at Chungking and established headquarters there.

August 18: President Roosevelt, at Ivy Lea, Ontario, declared "the United States will not stand idly by" if Canada is attacked.

August 22: United States again asked Mexico to arrange to pay for seized American-owned land. Arbitration or prompt and adequate compensation was urged.

September 26: Roosevelt appealed to Hitler and President Benes, of Czechoslovakia, to settle their controversy peacefully.

October 6: United States notified Japan to preserve the "open door" in China and to cease any interference with American rights there.

October 7: The United States asked Italy not to discriminate against American Jews.

October 10: In South America the Chaco Paraguay-Bolivia boundaries were announced by the arbitration commission representing the President of the United States, Argentina, Brazil, Chile, Peru, and Uruguay.

November 14: United States called Berlin Ambassador home for "report and consultation."

November 17: Secretary Hull signed trade pacts with Great Britain and Canada.

December 9: Eighth Pan-American Conference opened in Lima, Peru.

December 24: Lima conference adopted declaration of American solidarity.

December 31: United States State Department rejected Japanese program for "new order in China."

1939

January 10: Ambassadors Kennedy and Bullitt warned joint congressional committee on military affairs of imminent European war.

January 27: President Roosevelt revealed that he had authorized purchase by France of a large number of most modern American fighting planes.

January 31: America's frontier is in France, President Roosevelt reputedly told Senate Military Affairs Committee.

February 1: Roosevelt's declaration of support for European democracies provoked bitter debate in the Senate.

February 3: President Roosevelt denied published reports that he had declared America's frontier to be in France. William Phillips, United States Ambassador to Italy, protested invective in Fascist press against President Roosevelt.

March 4: Laurence A. Steinhardt was appointed United States Ambassador to Russia.

March 9: United States-Brazilian commercial agreements concluded at Washington.

March 17: United States refused recognition of German protectorates over Bohemia, Moravia, and Slovakia.

April 1: United States recognized government of General Franco and lifted arms embargo against Spain.

April 8: Secretary Hull denounced Italian invasion of Albania as "threat to the peace of the world."

April 15: In identical notes to Hitler and Mussolini President Roosevelt asked for assurance that neither would invade the 31 independent nations of Europe and Asia for at least 10 years.

May 1: Cash and carry section of United States Neutrality Act of 1937 expired.

June 13: United States signed agreement to extend loans to Paraguay for 2 years.

June 20: United States Department of State announced additional protests to Japan over bombing of American property and the occupation of Ku-lang Su Island.

June 23: United States signed an agreement with Great Britain to barter 600,000 bales of surplus United States cotton for 85,000 tons of rubber to be used as a war reserve.

July 14: President Roosevelt asked arms embargo repeal.

July 26: United States denounced Japanese trade treaty of 1911, thus making possible application of arms embargo after expiration of 6 months' notice.

August 24: Roosevelt appealed to Hitler and President Moscicki of Poland to settle their controversies by direct negotiation, arbitration, or conciliation.

August 29: President Roosevelt repeated his belief that the failure of Congress to modify United States Neutrality Act encouraged Hitler to provoke the war crisis.

September 3: President Roosevelt pledged effort to keep America at peace.

September 5: Secretary Hull proclaimed American neutrality.

September 8: Limited national emergency was declared by President Roosevelt.

September 13: President Roosevelt called special session of Congress to meet September 21 to consider revision of neutrality bill.

September 14: United States warned all belligerents not to violate its rights as a neutral.

September 21: Repeal of United States arms embargo was asked by President Roosevelt in a message to special session of Congress.

September 28: Foreign Relations Committee of the Senate voted approval of the Pittman resolution to repeal arms embargo, 16 to 7.

October 2: United States did not recognize the Polish conquest but continued relations with the new Polish Government in France.

October 3: Conference of 21 American republics closed at Panama City after estab-

lishing "sea safety zones" for neutrals in Western Hemisphere.

October 11: President Roosevelt dispatched personal note to President Kalinin urging Union of Soviet Socialist Republics not to disrupt its friendly relations with Finland.

October 19: United States Ambassador J. C. Grew, in a speech at Tokyo, sharply criticized Japanese infringements of American rights in China.

October 26: Release of *City of Flint* demanded of Union of Soviet Socialist Republics by the United States State Department.

October 27: Repeal of arms embargo voted by Senate, 63 to 30.

November 2: House of Representatives voted repeal of arms embargo, 243 to 181.

November 4: Bill repealing United States arms embargo and substituting cash-and-carry trade with belligerents was signed by President Roosevelt. Proclamation forbade United States ships to enter waters around Great Britain and Ireland, English Channel, North Sea south and west of Gergen, Baltic Sea, and Bay of Biscay except northern coast of Spain.

City of Flint released to American crew by Norway.

November 7: Transfer of United States ships to Panamanian registry to evade provisions of new neutrality law upheld by Roosevelt.

November 10: Americans advised by United States consulate to leave the Netherlands.

December 1: President Roosevelt denounced Soviet invasion of Finland as wanton and lawless.

December 9: United States protested to Great Britain against seizure of German exports on American ships.

December 23: Roosevelt named Myron C. Taylor his personal representative at the Vatican with rank of Ambassador without portfolio.

December 28: All American republics protested jointly to France, Great Britain, and Germany against violation of 300-mile safety zone around the hemisphere.

1940

January 2, Secretary Hull made a formal protest to Great Britain against the removal from British and neutral vessels on the high seas of American mail addressed to neutral countries.

January 8: United States and Australia announced establishment of direct diplomatic relations.

January 26: United States-Japanese trade treaty expired at midnight.

February 4: United States entered into diplomatic relations with Saudi Arabia for the first time.

February 9: It was announced that Under Secretary of State Welles was going to Europe for the purpose of advising the President on conditions.

March 1: Congress increased the capital of the Export-Import Bank by $100,000,000 to enable it to make loans to friendly countries to buy nonmilitary supplies. Loans of $20,000,000 to Finland, $15,000,000 to Sweden, and $10,000,000 to Norway were authorized by the Federal Loan Administrator.

March 7: The Federal Loan Administrator authorized loans of $20,000,000 to China, $10,000,000 to Denmark, and $1,000,000 to Iceland.

March 20: Under Secretary of State Welles sailed for home from Italy with his report to the President on the state of affairs in Europe.

April 9: Secretary Hull published a note presented to the Mexican Ambassador April 3, proposing that all outstanding disputes between the two countries be settled by arbitration.

April 25: United States neutrality laws were applied to Norway by Presidential proclamation.

May 10: President Roosevelt denounced the invasion of Holland and Belgium.

May 11: President Roosevelt ordered the application to Belgium, Holland, and Luxemburg of all provisions of the neutrality law.

May 28: Council of National Defense established by the President.

June 3: Resolutions were introduced into both Houses of Congress declaring that the United States would not acquiesce in the transfer of any geographical region in the Western Hemisphere from one non-American power to another.

June 10: President Roosevelt, in an address at the University of Virginia, pledged the United States to give all possible material assistance to the Allies.

June 11: President Roosevelt extended the Neutrality Act to Italy.

June 22: Secretary Hull announced that 20 American nations had accepted the invitation of the United States to attend a conference to consider economic and political problems arising from the European war.

June 27: President Roosevelt declared the existence of a national emergency to enable the Government to control American and foreign shipping in United States territorial waters and around the Panama Canal.

June 29: The President signed a bill providing for the registration and finger printing of all aliens.

July 23: Under Secretary Welles announced that United States would continue to recognize the ministers of Lithuania, Latvia, and Estonia as envoys of sovereign government under duress.

July 25: The President placed an embargo on the export of scrap metal, petroleum, and petroleum products without a special license.

July 30: Pan-American Conference at Habana adjourned after adopting plans for dealing with European possessions in the New World, for combating "fifth column" activities, and for economic cooperation.

July 31: Embargo on export of United States aviation gasoline outside the Western Hemisphere proclaimed by President Roosevelt.

August 6: Annual trade agreement between Russia and the United States renewed.

August 10: The United States announced it would reopen its consulates in Dakar and on the French islands of St. Pierre and Miquelon, as listening posts.

August 18: President Roosevelt announced that a permanent joint board of defense for Canada and the United States would be established.

September 3: The President informed Congress that he had made an agreement with Great Britain under which the United States obtained the right to lease sites and build air and naval bases in the Bahamas, Jamaica, St. Lucia, etc., in return for 50 over-age destroyers.

September 4: Secretary Hull told Japanese that any change in the status of French Indo-China would have an unfortunate effect on American public opinion.

September 7: Secretary Hull announced that 20 Latin-American nations were free to use the naval and air bases which the United States obtained under lease from Great Britain.

September 14: United States Congress passed the selective-service bill providing for the registration of all men between the ages of 21 and 35.

September 16: President Roosevelt signed selective-service bill and called on all men within the prescribed age limits to register October 16.

September 25: United States loaned $25,000,000 to China to be secured by $30,000,000 worth of tungsten to be shipped to the United States of America.

September 26: President Roosevelt placed embargo on shipment of steel and iron scrap outside this hemisphere, except to Great Britain.

October 26: President Roosevelt notified Vichy government that close military cooperation with Germany would bring about the occupation of Martinique and French Guiana by the American nations.

November 15: President Roosevelt proclaimed the neutrality of the United States in the Italo-Greek war.

December 17: Plan to lend arms to Great Britain without immediate payment was announced by the President.

1941

January 6: President Roosevelt, in annual message to Congress, declared that the American people would not acquiesce in Axis-dictated peace; outlined peace based on four freedoms.

January 8: Mr. Roosevelt appointed four-man Office of Production Management to coordinate defense.

January 10: Lease-lend bill introduced in Congress.

March 11: President Roosevelt signed lease-lend bill.

April 10: United States announced it had taken over protection of Greenland.

May 21: American freighter *Robin Moor* sunk.

May 27: President Roosevelt proclaimed an unlimited state of national emergency.

June 16: United States ordered the closing of German consulates in this country.

July 7: The President announced American occupation of Iceland.

July 25: President Roosevelt ordered the "freezing" of Japanese assets in the United States.

July 26: Philippine armed forces are placed under United States military and naval control.

August 6: United States and Britain warned Japan to keep hands off of Thailand.

August 14: President Roosevelt and Prime Minister Churchill issued a declaration of peace aims evolved during a series of meetings aboard war vessels in the Atlantic.

August 15: Mr. Roosevelt and Mr. Churchill sent a message to Stalin proposing a meeting in the Kremlin with high Anglo-American officials.

August 16: It is announced that American civilian pilots would ferry war planes to British in Near East.

THE ENEMY IS HITLER—EDITORIAL BY RT. REV. JOHN A. RYAN, D. D.

Mr. GUFFEY. Mr. President, I ask to have printed in the RECORD at this point, as part of my remarks, a very able editorial from the magazine, the Voice of Austria, written by the Right Reverend John A. Ryan, D. D., head of the National Catholic welfare movement in the United States.

The VICE PRESIDENT. Without objection, it is so ordered.

The editorial is as follows:

[From the Voice of Austria of August 1941]

THE ENEMY IS HITLER

(By Rt. Rev. John A. Ryan, D. D.)

Immediately after the invasion of Russia June 22, the German news-propaganda agency, D. N. B., asserted that the bishops in Germany had notified their respective flocks that the new fight was for the salvation of Christianity throughout the world. The falsity of this report was sufficiently indicated July 6, when a joint pastoral was read in all the Catholic pulpits of the Reich, strongly condemning the continued persecution of the church by the Nazi Government but saying not a word about communism. On June 29 the Holy Father delivered a very important address on certain aspects of the war which has been raging since 1939, without even mentioning the new crusade for Christian civilization. No Catholic,

therefore, is under any obligation to support or sympathize with Hitler against Stalin.

May a Catholic desire that Stalin shall be victorious? Those American Catholics who answer this question in the negative seem to be divided into two classes, those who quote a statement by Pope Pius XI in his encyclical Atheistic Communism, and those who assert that we should be completely neutral between these two enemies of Christianity. The papal declaration reads thus:

"See to it, venerable brethren, that the faithful do not allow themselves to be deceived. Communism is intrinsically wrong, and no one who would save Christian civilization may collaborate with it in any undertaking whatsoever" (par. 58).

To construe these words of warning as forbidding sympathy with or support for the Russian Government and people in their resistance to the Nazi attack is to be guilty of unprecise, even slovenly thinking. Pius XI was speaking of communism, not of the Government nor of the people of Soviet Russia. In other words he had in mind a doctrine in which, as he said in an earlier paragraph of the same encyclical, "There is no room for the idea of God; there is no difference between matter and spirit, between soul and body; there is neither survival of the soul after death nor any hope in a future life" (par. 9).

To be sure, a doctrine is helpless and harmless unless it is professed and propagated by human beings. Therefore, the Pope forbade collaboration with men who are engaged in spreading the evil doctrine and who would utilize for that purpose the cooperation of Christians who might themselves be seeking ends that are entirely legitimate. The aid which such Christian collaboration gives to communism is the thing specifically forbidden by the Pope. He surely would not condemn a Christian for helping a Communist to put out the fire that threatened a neighbor's house, when this was the only end sought by both and the only effect produced.

The foregoing interpretation is confirmed by the sentence which immediately follows the one in question. Here it is:

"Those who permit themselves to be deceived into lending their aid toward the triumph of communism in their own country, will be the first to fall victims of their error" (par. 58).

Evidently the Holy Father had in mind the practical situation, not in Russia, but in any and every country where Christians might be tempted to collaborate with communism or Communists. Hence, his use of the phrase, "in their own country." It is significant that those Catholics who use—or rather misuse—the first sentence ignore entirely the second. To the intellectual defect of unprecise thinking, they add the moral fault of misrepresentation.

American Catholics are fully justified in adopting the formula employed by the Catholic Times of London: "Russia's enemy is our enemy, but Russia's cause is not our cause."

Those Catholics who hold that we ought to be neutral between Hitler and Stalin assert that nazi-ism and communism are equally reprehensible, consequently that we are not justified in favoring one above the other. This conclusion does not follow. If the outcome of the conflict involved nothing more than defeat for either Hitler or Stalin, or for either nazi-ism or communism, and if its effects were to be confined to Russia, this attitude of neutrality would be as reasonable as the detached indifference which a person might exhibit toward a contest between two unknown thugs. Unfortunately the present conflict in Russia holds issues of much greater importance than mere victory or defeat for one or the other contestant. The wider effects are the supreme consideration. From this point of view, let us try to evaluate the situation honestly and adequately.

If Hitler conquers Russia, his power will be immensely increased to carry through the devastating outrages which he has already planned: First, to defeat Britain and then inflict immense damages upon the United States; second, to continue in subjection the various peoples that he has already enslaved; third, to destroy Christianity and Christian civilization.

No intelligent and well-informed person can seriously doubt that, following his defeat of Britain, Hitler would continue to pursue the second and third of these purposes and would deliberately undertake the realization of the first. Would he be successful in an attack upon the United States? Probably he would not attempt to invade the country by armies in the near future. Undoubtedly he would promptly extend his economic penetration and domination to South America. Thus the Nazi government would be in a position to inflict upon our country enormous economic hardship by destroying most of our foreign commerce or compelling us to trade with the conquering tyrants on their terms. As a further consequence we should have to spend billions of dollars a year for the defense of our homeland. We should have become completely isolated in a hostile world.

Americans who look upon these injuries and calamities as of little or no importance so long as actual invasion is not imminent may consider themselves patriotic, but they are not intelligently patriotic. Americans who assert that we should await the near menace of invasion before we use military measures against Hitler may consider themselves patriotic. Americans who oppose military aid to Britain, even as a means of averting the danger of actual war on our own soil, may consider themselves patriotic, but they are not intelligently patriotic. American Catholics who assert that we have no moral obligation to use military measures outside the United States in order to prevent the destruction of the Christian religion and Christian civilization by Hitler in Europe are, wittingly or unwittingly, subscribing to one of the propositions condemned by Pope Pius IX in the Syllabus of Errors. Proposition 62 asserted that the doctrine of nonintervention was universally valid. Pius IX declared that proposition to be false.

Such Catholics, again unwittingly, no doubt repudiate Christ's gospel of universal love of the neighbor. They deny that the commandment of brotherly love applies between nations, even though our Lord never said that His commandment of love was confined within the boundaries of one's own country. "America first," as interpreted by the more vociferous exponents of the slogan, seems to mean "America only"—American indifference to all obligations of international charity.

Suppose that Stalin repels the Nazi invasion and remains completely victorious in his own country. What menace would that situation hold for the United States and for Christian civilization in Europe? The danger to the United States would obviously be very much less than that which would follow a victory by Hitler, mainly because of the differences of distance and of equipment for attack. For the same reasons, a Stalin victory would probably be considerably less threatening to Christianity than a Hitler victory.

Moreover, there are some reasons for thinking that Communist rule in western Europe would be less harmful to Christianity than Nazi rule: First, Stalin openly avows his hatred of religion; hence, Christians would not be deceived as they have been in Germany; their religion would not be stolen from them by the diabolically clever methods of Nazi deceitfulness. In the second place, Stalin has no religious substitute to offer the people whom he would deprive of their Christian faith. He could hold out to them only stark materialism, whereas the Nazis insinuate and set up a substitute creed which contains a certain mystical element adapted to satisfy in some measure the human craving for religion. In his encyclical on the church in Germany, Mit Brennender Sorge, Pope Pius XI exhorted the bishops of that country to be "especially alert when fundamental religious conceptions are robbed of their intrinsic content and made to mean something else in a profane sense" (par. 26).

On this question the judgment of the distinguished writer, Sigrid Undset, it worth quoting:

"Personally I think that communism is—or was, for the face of communism has changed considerably since it came into power over a great people—the least detestable form of this new religion. It tries to do away with the notion of divinity, but it does not attempt to bestow divine attributes to corrupted humanity or blabber sanctimonious blasphemy about the beautiful strength of criminals. This new religion becomes all the more revolting the more it dabbles in mysticism. When the Nazis speak of themselves as appointed by their God or by Providence to murder any nation that is numerically weaker or has possessions that they covet, one gets a shuddering sense that they are truly in communion with a spiritual reality, namely, the one we Christians call Satan." (America, December 28, 1940.)

NATIONAL UNITY—ADDRESS BY SENATOR MURRAY

[Mr. MURRAY asked and obtained leave to have printed in the RECORD a radio address delivered by him at Helena, Mont., on July 29, 1941, on the topic National Unity Is Essential to National Safety, which appears in the Appendix.]

ADDRESS BY SENATOR TAFT ON INFLATION, ITS DANGERS AND REMEDIES

[Mr. DAVIS asked and obtained leave to have printed in the RECORD an address delivered by Senator Taft to the Pennsylvania Savings and Loan League, Harrisburg, Pa., on September 26, 1941, on the subject Inflation, Its Dangers and Remedies, which appears in the Appendix.]

SMALLER BUSINESS LOOKS AHEAD—ADDRESS BY SENATOR BURTON

[Mr. AIKEN asked and obtained leave to have printed in the RECORD an address delivered by Senator BURTON at Cleveland, Ohio, on September 23, 1941, on the subject Smaller Business Looks Ahead, which appears in the Appendix.]

STATEMENT BY SENATOR BRIDGES ON CLOSED-SHOP DRIVE

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD a statement by him on the closed-shop drive, which appears in the Appendix.]

EDUCATION IN A DEMOCRACY—ARTICLE BY SENATOR ROSIER

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an article by Senator ROSIER, entitled "Education in a Democracy," published in the West Virginia School Journal of September 1941, which appears in the Appendix.]

STATEMENT BY HON. ADOLPH SABATH ANNOUNCING ACCEPTANCE OF COCHAIRMANSHIP OF NATIONAL "AMERICANS ALL" WEEK

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD the statement issued by Representative ADOLPH SABATH announcing his acceptance of the cochairmanship of the national "Americans All" Week, which appears in the Appendix.]

ADDRESS BY MR. JUSTICE DOUGLAS AT SOUTHEASTERN WORLD'S FAIR

[Mr. MALONEY asked and obtained leave to have printed in the RECORD the address

delivered by Mr. Justice William O. Douglas at the Southeastern World's Fair, Atlanta, Ga., September 26, 1941, which appears in the Appendix.]

ADDRESS BY HON. JOSEPHUS DANIELS ON CONTINENTAL SOLIDARITY

[Mr. CONNALLY asked and obtained leave to have printed in the RECORD an address on Continental Solidarity, delivered by Hon. Josephus Daniels, American Ambassador to Mexico, at the convention of the American Legion at Milwaukee, Wis., September 17, 1941, which appears in the Appendix.]

ADDRESS BY JOSEPHUS DANIELS AT CONVENTION OF WOMAN'S AUXILIARY, AMERICAN LEGION

[Mrs. CARAWAY asked and obtained leave to have printed in the RECORD the address delivered by the Honorable Josephus Daniels, American Ambassador to Mexico, at the convention of the Woman's Auxiliary of the American Legion, at Milwaukee, Wis., on September 17, 1941, which appears in the Appendix.]

ALL OUT FOR DEFENSE—ADDRESS BY WILLIAM S. KNUDSEN

[Mr. McKELLAR asked and obtained leave to have printed in the RECORD an address on the subject All Out for Defense, delivered by William S. Knudsen, Director General, Office of Production Management, before the Union League Club at Chicago, Ill., September 22, 1941, which appears in the Appendix.]

JOSEPH ROSIER, TEACHER-SENATOR—ARTICLE BY MEDORA MASON

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an article entitled "Joseph Rosier, Teacher-Senator," written by Medora Mason, head of the department of journalism, Fairmont State Teachers College, and published in the West Virginia School Journal of September 1941, which appears in the Appendix.]

FATHER OF PUBLIC POWER—EDITORIAL FROM WASHINGTON SENTINEL

[Mr. NORRIS asked and obtained leave to have printed in the RECORD an editorial from the Washington Sentinel of August 29, 1941, entitled "Father of Public Power," which appears in the Appendix.]

NEUTRALITY REPEAL—ARTICLE BY MARK SULLIVAN

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an article by Mark Sullivan, published in the Washington Post of September 26, 1941, entitled "Neutrality Repeal—Dodges Make Law Meaningless," which appears in the Appendix.]

EMERGENCY POWERS RELATING TO BUSINESS AND INDUSTRY—COMPILATION BY HON. HARRY B. HAWES

[Mr. TYDINGS asked and obtained leave to have printed in the RECORD a compilation of emergency powers relating to business and industry, prepared by Hon. Harry B. Hawes, which appears in the Appendix.]

ORDER DISPENSING WITH CALL OF CALENDAR

The VICE PRESIDENT. Morning business is closed. The calendar, under rule VIII, is in order.

Mr. GREEN. I ask unanimous consent that the call of the calendar be dispensed with.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

CERTIFICATION OF NATIONAL-DEFENSE FACILITIES AND CONTRACTS FOR AMORTIZATION PURPOSES

Mr. GEORGE. Mr. President, I ask unanimous consent to report during the day, from the Committee on Finance, House Joint Resolution 235, to amend section 124 of the Internal Revenue Code by extending the time for applications, and changing the procedure, for certification of national-defense facilities and contracts for amortization purposes. The report is not now ready, but will be ready and will be filed this afternoon if unanimous consent is given. In this connection, I should like to give notice that on Thursday the joint resolution will be taken up for consideration by the Senate, if it is agreeable to the leadership.

I now ask unanimous consent to file the report of the Finance Committee on the joint resolution, with certain amendments.

The VICE PRESIDENT. Is there objection?

Mr. McNARY. Just a moment, Mr. President, the Senator couples his request with the statement that he wants to take up the joint resolution for consideration on Thursday.

Mr. GEORGE. Yes.

Mr. McNARY. I am not sure that that conforms to the statement made by the able Senator from Kentucky [Mr. BARKLEY] before his departure from the city last week. At that time he implied that no important, substantial, or significant legislation would be considered during this week. I do not know how controversial the joint resolution is, nor do I know the nature of the proposal; but I shall not at this time consent to having it taken up on Thursday.

Mr. GEORGE. I was not asking for consent to take it up at that time. I gave notice of my intention to request its consideration then. I do not believe it will be highly controversial. The joint resolution has been approved by the Secretaries of War and Navy and other agencies of Government. It is an effort to make workable section 124 of the Internal Revenue Code relating to amortization of national-defense projects.

Mr. McNARY. Why will not that matter keep until Monday a week from today?

Mr. GEORGE. Probably it will, but I wanted to leave Washington Thursday. I can have some other Senator present the matter.

Mr. McNARY. Mr. President, I believe I am carrying out the spirit of the suggestion made by the able Democratic leader, the Senator from Kentucky [Mr. BARKLEY], which was made here in open session and which was carried home to many of the Senators who are absent. I think I would object to taking up the joint resolution this week. I should like to accommodate the Senator from Georgia, as he knows, but if he can trust the matter to some other Senator, as I am sure he can, I would prefer that the measure be postponed until a week from today.

Mr. GEORGE. Mr. President, I wish to say to the Senator from Oregon that I do not know of any agreement that no business would be taken up this week. I thought that agreement applied to last week. However, I am not desirous of raising any controversy.

Mr. McNARY. Mr. President, I do not want to imply that there was any such agreement. The statement was made by the Democratic leader that during the next 2 weeks no business of any substantial nature would be transacted. The matter in question may not fall within the category of substance. I do not know whether it does. If it does not, that is a different proposition. But I think we would have a cleaner slate if we would leave the transaction of business of that kind until a week from today and thereafter.

Mr. GEORGE. Mr. President, I believe that permission has been granted to file the report.

The VICE PRESIDENT. Without objection, the request of the Senator from Georgia is granted.

Mr. McNARY. Mr. President, I may add that I am willing to discuss the matter with the Senator from Georgia. It may be that we can take up the joint resolution on Thursday. I do not wish to consent to such action at this time.

The VICE PRESIDENT. The Senator from Georgia is not asking for consideration of the joint resolution at this time.

Mr. GEORGE. No; I am not at this time asking for such consent.

Mr. McNARY. I appreciate that. I appreciate what is going on now, but it is very apparent that it is the intent of the Senator to do so later, and I wish to apprise him of my position with respect to the matter.

Mr. GEORGE. Mr. President, the point is not worth arguing. The joint resolution ought to be considered at an early date, because it is well known to the whole country that certificates, both of necessity and of nonreimbursement, under section 124 of the Internal Revenue Code, have not generally been issued because of complications growing out of original provisions put into the law. The purpose of the joint resolution is to simplify and expedite procedure. However, I am not pressing the matter. I do not recall the suggestion made by the majority leader, and having in mind my departure from the city for 2 or 3 weeks, beginning on Thursday, I had hoped that I might have the joint resolution considered. But it can be left in the hands of some other Senator.

Mr. McNARY. I do not want to repeat, but I wish to say that I will be glad to confer with the Senator, and discuss the proposal, and see if the matter does not come within the rule.

Mr. GEORGE subsequently, from the Committee on Finance, to which was referred the joint resolution (H. J. Res. 235) to amend section 124 of the Internal Revenue Code by extending the time for applications, and changing the procedure, for certification of national-defense facilities and contracts for amortization purposes, reported it with amendments and submitted a report (No. 688) thereon.

APPORTIONMENT OF REPRESENTATIVES IN CONGRESS

Mr. VANDENBERG. Mr. President, may I ask the able Senator from Oregon whether the agreement, or the statement made by the able majority leader, to which the Senator from Oregon has referred, includes a postponement of any consideration of the unfinished business until at least 1 week from today?

Mr. McNARY. Answering the inquiry of the distinguished Senator from Michigan, I wish to say that no agreement was entered into. What I have reference to is a voluntary statement made by the Senator from Kentucky [Mr. BARKLEY] that no business of a substantial nature would be transacted last week or this week. I think the measure to which reference was made by the Senator from Georgia falls within that prohibited category. I do not think the matter should come up until another week.

Mr. VANDENBERG. The only point is that the measure to which I referred could not be taken up without a quorum call, and I do not want to be put in the position of suggesting the absence of a quorum and having a call of the roll some day to the embarrassment of Senators who might not know that the measure was to be taken up. So, as I understand the Senator from Oregon, it is his interpretation that the unfinished business could not be taken up sooner than 1 week from today?

Mr. McNARY. I think that interpretation is perfectly fair, Mr. President. I hope it does not discommode the Senator from Michigan.

Mr. VANDENBERG. It is quite agreeable to me to proceed at any time, only I want a quorum present when we do proceed.

Mr. McNARY. I think it is agreeable to the Senator from Arkansas [Mrs. CARAWAY] that we defer action on that matter until next Monday or some day thereafter.

EXECUTIVE SESSION

Mr. GREEN. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. GEORGE, from the Committee on Finance:

Several senior surgeons to be medical directors in the Public Health Service.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters.

By Mr. BURTON, from the Committee on the Judiciary:

Emerich B. Freed, of Ohio, to be judge of the District Court for the Northern District of Ohio, to fill a new position.

By Mr. McFARLAND, from the Committee on the Judiciary:

Archibald B. Lovett, of Georgia, to be district judge for the southern district of Georgia, vice William H. Barrett, deceased.

THE FOREIGN SERVICE

Mr. CONNALLY. Mr. President, from the Committee on Foreign Relations I report favorably a rather long list of promotions in the Foreign Service of the United States, and I ask unanimous consent that the nominations, which are all routine nominations in the career service, be confirmed at this time, and that the President be notified.

The VICE PRESIDENT. Is there objection? The Chair hears none. Without objection, the nominations are confirmed; and, without objection, the President will be notified.

COMPTROLLER OF CUSTOMS

Mr. GEORGE. Mr. President, from the Finance Committee I report favorably the nomination of Arthur A. Quinn, of Sewaren, N. J., to be comptroller of customs in customs collection district No. 10, with headquarters at New York, N. Y.—reappointment—and I ask unanimous consent for the present consideration of the nomination. The nomination has been approved not only by the Finance Committee but by the Senators both from New York and New Jersey.

The VICE PRESIDENT. Is there objection to the present consideration of the nomination? The Chair hears none; and, without objection, the nomination is confirmed.

NATIONAL LABOR RELATIONS BOARD

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nomination on the Executive Calendar.

The legislative clerk read the nomination of Gerard D. Reilly, of Massachusetts, to be a member of the National Labor Relations Board for the term of 5 years from August 27, 1941.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. GREEN. I ask unanimous consent that the President be immediately notified of all nominations confirmed this day.

The VICE PRESIDENT. Without objection, the President will be immediately notified of all the nominations confirmed this day.

That completes the calendar.

ADJOURNMENT TO THURSDAY

Mr. GREEN. I move that the Senate adjourn until Thursday next.

The motion was agreed to; and (at 12 o'clock and 28 minutes p. m.) the Senate adjourned until Thursday, October 2, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate September 29, 1941:

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO ADJUTANT GENERAL'S DEPARTMENT

Maj. Leo George Clarke, Infantry (temporary lieutenant colonel, Army of the United States), with rank from December 31, 1939.

TO QUARTERMASTER CORPS

Lt. Col. Jack Wesley Howard, Infantry, with rank from August 18, 1940.

Maj. William Daniel Schas, Infantry, with rank from July 1, 1940.

TO ORDNANCE DEPARTMENT

First Lt. John Bowen Nance, Cavalry (temporary captain, Army of the United States), with rank from June 12, 1940.

TO AIR CORPS

Second Lt. Willard Barber Atwell, Jr., Infantry (temporary first lieutenant, Army of the United States), with rank from June 12, 1939.

Second Lt. Robert William Strong, Jr., Cavalry, with rank from June 11, 1940.

PROMOTIONS IN THE REGULAR ARMY

(Those officers whose names are preceded by the symbol (×) are subject to the examination required by law. All others have been examined and found qualified for promotion.)

To be lieutenant colonels with rank from October 4, 1941

(All officers listed below hold rank as temporary lieutenant colonels.)

Maj. Arthur Dana Elliot, Ordnance Department.

Maj. Joseph Edward Schillo, Quartermaster Corps.

Maj. John Paul Richter, Air Corps.

Maj. Rene Raimond Studler, Ordnance Department.

Maj. Howard Burdette Nurse, Quartermaster Corps.

Maj. John Montgomery Heath, Signal Corps.

Maj. Robert George Howie, Infantry.

Maj. Ralph Wiltamuth, Infantry.

To be lieutenant colonel with rank from October 8, 1941

×Maj. Joseph Henry Burgheim, Quartermaster Corps (temporary lieutenant colonel).

To be lieutenant colonels with rank from October 15, 1941

(All officers listed below except Muir Stephen Fairchild, Air Corps, and Alfred Jefferson Lyon, Air Corps, hold rank as temporary lieutenant colonels.)

Maj. John William Irwin, Infantry.

×Maj. John Palmer Harris, Ordnance Department.

Maj. Joseph Kahler Evans, Infantry.

×Maj. Fred Thomson Bass, Corps of Engineers.

Maj. Rufus Alexander Byers, Infantry.

Maj. Lawrence Haley Caruthers, Field Artillery.

Maj. Frank LaRue, Infantry.

Maj. Julian Dayton, Infantry.

Maj. Michael Everett McHugo, Air Corps.

Maj. William Mason Wright, Jr., Adjutant General's Department.

Maj. Philip Whalley Allison, Field Artillery.

Maj. James Lionel Grisham, Air Corps.

Maj. Joseph Worthen Proctor, Ordnance Department.

Maj. Earl Seeley Hoag, Air Corps.

Maj. Vincent James Meloy, Air Corps.

×Maj. Charles Egbert Branshaw, Air Corps.

Maj. Edward Whiting Raley, Air Corps.

Maj. James Troy Hutchison, Air Corps.

Maj. Ivan Leon Foster, Field Artillery.

Maj. Edwin Randolph Page, Air Corps.

Maj. Harvey Hodges Holland, Air Corps.

Maj. Russell Lowell Maughan, Air Corps.

Maj. Charles Emile Stafford, Quartermaster Corps.

Maj. Eugene Benjamin Bayley, Air Corps.

Maj. Dache McClain Reeves, Air Corps.

Maj. Leo Fred Post, Air Corps.

×Maj. John Carroll Kennedy, Air Corps.

×Maj. Oscar George Fegan, Quartermaster Corps.

Maj. Thomas Jefferson Davis, Adjutant General's Department.

Maj. Charles Summer Reed, Ordnance Department.

Maj. Edmund Pendleton Gaines, Air Corps.

Maj. Harvey William Prosser, Air Corps.
Maj. Clayton Lawrence Bissell, Air Corps.
Maj. Horace Simpson Kenyon, Jr., Air Corps.
Maj. Eugene Robert Cowles, Infantry.
Maj. Philip Henry Kron, Infantry.
Maj. Raymond Clair Hildreth, Signal Corps.
Maj. David Emery Washburn, Signal Corps.
Maj. John Francis Alcure, Quartermaster Corps.
Maj. Bernard Edward McKeever, Quartermaster Corps.
Maj. Wallace Marmaduke Allison, Quartermaster Corps.
Maj. William George Muller, Infantry.
Maj. Leland Charles Hurd, Air Corps.
×Maj. Robert Victor Ignico, Air Corps.
Maj. Rutledge Maurice Lawson, Infantry.
Maj. Leland Ross Hewitt, Air Corps.
Maj. Clifford Cameron Nutt, Air Corps.
Maj. Will Vermilya Parker, Signal Corps.
Maj. Harry George Rennagel, Infantry.
Maj. Isaiah Davies, Air Corps.
×Maj. Arthur William Vanaman, Air Corps.
Maj. Franklin Otis Carroll, Air Corps.
Maj. Frederick William Evans, Air Corps.
Maj. Oliver Edward Cound, Quartermaster Corps.
Maj. David Nathaniel Hauseman, Ordnance Department.
Maj. George Lincoln Townsend, Signal Corps.
Maj. Edwin Yancey Argo, Field Artillery.
Maj. Harry Gage Montgomery, Air Corps.
Maj. Fred Cyrus Nelson, Air Corps.
Maj. Edward Moses Morris, Air Corps.
Maj. Everett Foster Rea, Finance Department.
Maj. James Elmer Boush, Quartermaster Corps.
Maj. Maybin Homes Wilson, Corps of Engineers.
Maj. Burton Frederick Lewis, Air Corps.
Maj. Elmer John Bowling, Air Corps.
Maj. Orin Jay Bushey, Air Corps.
Maj. Fred Sidney Borum, Air Corps.
Maj. Lawrence Carmel Jaynes, Infantry.
×Maj. George Washington Polk, Jr., Air Corps.
×Maj. Christopher William Ford, Air Corps.
Maj. Alfred Warrington Marriner, Air Corps.
Maj. Guy Harrison Gale, Air Corps.
Maj. Muir Stephen Fairchild, Air Corps (temporary brigadier general).
Maj. James Gradon Taylor, Air Corps.
Maj. Leland Wilbur Miller, Air Corps.
Maj. Edward Bates Blanchard, Chemical Warfare Service.
Maj. Raphael Baez, Jr., Air Corps.
Maj. Don Lee Hutchins, Air Corps.
Maj. Clarence Herbert Welch, Air Corps.
Maj. Ennis Clement Whitehead, Air Corps.
Maj. Joseph Lawrence Erickson, Quartermaster Corps.
Maj. Alfred Jefferson Lyon, Air Corps (temporary colonel).
Maj. Harold Lyman Clark, Air Corps.
Maj. Sam Love Ellis, Air Corps.
×Maj. George Godfrey Lundberg, Air Corps.
Maj. Eugene Lowry Eubank, Air Corps.
Maj. Floyd Lavinius Parks, Infantry.
Maj. Lawrence Augustus Lawson, Air Corps.
Maj. Albert William Stevens, Air Corps.
Maj. Bayard Johnson, Air Corps.

To be first lieutenants with rank from October 1, 1941

(All officers listed below hold rank as temporary first lieutenants.)

Second Lt. Francis Henry MacDuff, Air Corps.
Second Lt. Harold Lewis Jones, Air Corps.
Second Lt. Arman Peterson, Air Corps.
Second Lt. Herbert Madison West, Jr., Air Corps.
Second Lt. Francis Dodge Shoemaker, Air Corps.
Second Lt. Alvin Roubal Luedecke, Air Corps.
Second Lt. Henry Russell Spicer, Air Corps.
Second Lt. Willard Van Deman Brown, Air Corps.
Second Lt. William Ray Bouts, Air Corps.
Second Lt. William Haldane Councill, Air Corps.
Second Lt. Kenneth Ray Kreps, Air Corps.
Second Lt. Peter Havens Remington, Air Corps.
Second Lt. Patrick William McIntyre, Air Corps.
Second Lt. Donald William Haarman, Air Corps.
Second Lt. Blaine Ballif Campbell, Air Corps.
Second Lt. Morris Henry Shedd, Air Corps.
Second Lt. Kermit Arthur Tyler, Air Corps.
Second Lt. Mayhue Delbert Blaine, Air Corps.
Second Lt. Howard Fish Nichols, Air Corps.
Second Lt. Philip Beeton Klein, Air Corps.
Second Lt. Marion Malcolm, Air Corps.
Second Lt. Frederick Lawrance Moore, Air Corps.
Second Lt. Charles Emlen Marion, Air Corps.
Second Lt. Ben Ivan Funk, Air Corps.
Second Lt. Richard William Simons, Air Corps.
Second Lt. James Britt League, Jr., Air Corps.
Second Lt. John Spencer Hardy, Air Corps.
Second Lt. Thomas Scott Algert, Air Corps.
Second Lt. Harry Louis Donicht, Air Corps.
Second Lt. Charles Harold Stockdale, Air Corps.
Second Lt. Ladson Green Eskridge, Jr., Air Corps.
Second Lt. Francis Harry Matthews, Air Corps.
Second Lt. Ryder Waldo Finn, Air Corps.
Second Lt. Robert Franklin Hardy, Air Corps.
Second Lt. William Waring Miller, Air Corps.
Second Lt. Paul Wietzel Zehrung, Air Corps.
Second Lt. Arthur Jenkins Pierce, Air Corps.
Second Lt. Robert Francis Worden, Air Corps.
Second Lt. Roy William Osborn, Air Corps.
Second Lt. James Bradford Baker, Air Corps.
Second Lt. William Grover Benn, Air Corps.
Second Lt. Herbert Reed Volin, Air Corps.
Second Lt. Thomas Alan Bennett, Air Corps.
Second Lt. Henry Garfield Thorne, Jr., Air Corps.
Second Lt. William Albert Hatcher, Jr., Air Corps.
×Second Lt. Baskin Reid Lawrence, Jr., Air Corps.
Second Lt. Sam Philippe Triffy, Air Corps.
Second Lt. Earl Bernard Young, Air Corps.
Second Lt. Robert Alva Ping, Air Corps.
×Second Lt. William Mason Reid, Air Corps.
Second Lt. James Thomas Connally, Air Corps.
Second Lt. Bernard Adolf Schriever, Air Corps.
Second Lt. Harold Ernest Watson, Air Corps.
Second Lt. Cy Wilson, Air Corps.
Second Lt. Craven Clark Rogers, Air Corps.
Second Lt. William Lewis Curry, Air Corps.
Second Lt. Audrin Rotha Walker, Air Corps.
Second Lt. Calvin Ely Peeler, Air Corps.
Second Lt. James Oldham Ellis, Air Corps.
Second Lt. Sven Harold Ecklund, Air Corps.
Second Lt. Robert Kay Martin, Air Corps.
Second Lt. John Beverly Montgomery, Air Corps.
Second Lt. John Allen Way, Air Corps.
Second Lt. James Ferguson, Air Corps.
Second Lt. William Brewer Keese, Air Corps.
Second Lt. Joseph Frederick Hunker, Air Corps.
Second Lt. Martin Ansel Bateman, Air Corps.
Second Lt. Robert Curtis Sexton, Air Corps.
×Second Lt. William Bell David, Air Corps.
Second Lt. Robert Francis Burnham, Air Corps.
Second Lt. Clyde Box, Air Corps.
Second Lt. Chris Henry William Rueter, Air Corps.
Second Lt. Horace Armor Shepard, Air Corps.
Second Lt. Don Louis Wilhelm, Jr., Air Corps.
Second Lt. Herbert Morgan, Jr., Air Corps.
Second Lt. Franklin Kendall Paul, Air Corps.
Second Lt. Ben Allen Mason, Jr., Air Corps.
×Second Lt. Raleigh Hunter Macklin, Air Corps.
Second Lt. Graeme Stewart Bond, Air Corps.
Second Lt. Marcus Fleming Cooper, Air Corps.
Second Lt. Raymond Victor Schwanbeck, Air Corps.
Second Lt. Robert Melville Caldwell, Air Corps.
Second Lt. Joseph Abbott Thomas, Air Corps.
Second Lt. Elbert David Reynolds, Air Corps.
Second Lt. Ralph Sheldon Garman, Air Corps.
Second Lt. Ernest Frederick Wackwitz, Air Corps.
Second Lt. Marvin Christian Demler, Air Corps.
Second Lt. Cecil Hampton Childre, Air Corps.
Second Lt. Jacob Jerval Brogger, Air Corps.
Second Lt. Irvine Alfred Rendle, Air Corps.
×Second Lt. Junius Waldo Dennison, Jr., Air Corps.
Second Lt. James Linn Travis, Air Corps.
Second Lt. Frank Claveloux Parker, Jr., Air Corps.
Second Lt. Ernest Wilbur Keating, Air Corps.
Second Lt. George Sutton Brewer, Air Corps.
Second Lt. Irving Lewis Branch, Air Corps.
Second Lt. George Wilson Hazlett, Air Corps.
Second Lt. Roy Edward Warren, Air Corps.
Second Lt. James Rembert DuBose, Jr., Air Corps.
Second Lt. Arthur Charles Carlson, Jr., Air Corps.
Second Lt. William Eades, Air Corps.
Second Lt. Donald William Eisenhart, Air Corps.
Second Lt. Sam Maddux, Jr., Air Corps.
Second Lt. Karl Lewis Polifka, Air Corps.
Second Lt. Robert Reed Stewart, Air Corps.
Second Lt. William Klahr McNown, Air Corps.
Second Lt. Ted Sinclair Faulkner, Air Corps.
Second Lt. John Howard Payne, Air Corps.
Second Lt. Robert William Ryder, Air Corps.
Second Lt. Morris Pelham, Air Corps.
Second Lt. Avelin Paul Tacon, Jr., Air Corps.
Second Lt. Conrad Joe Herlick, Air Corps.
Second Lt. Evart Wilbur Hedlund, Air Corps.
Second Lt. Paul Franklin Helmick, Air Corps.
Second Lt. John Mark Ferris, Air Corps.
Second Lt. Robert Loughery Johnston, Air Corps.
Second Lt. James John Roberts, Jr., Air Corps.
Second Lt. Lloyd Atwood Walker, Jr., Air Corps.
Second Lt. Arthur William Schmitt, Jr., Air Corps.
Second Lt. Norris Perry, Air Corps.
Second Lt. Kenneth Ray Martin, Air Corps.
Second Lt. Maurice Edward Glaser, Air Corps.
Second Lt. Leroy Alex Rainey, Air Corps.
Second Lt. Francis Eastham Brenner, Air Corps.
Second Lt. Edgar Milton Wittan, Air Corps.
Second Lt. Robert Franklin Strickland, Air Corps.

Second Lt. Ansley Watson, Air Corps.
Second Lt. Edward Gerald Hillery, Air Corps.
×Second Lt. Thomas Ewing Margrave, Air Corps.
Second Lt. Bela Alan Harcos, Air Corps.
Second Lt. Henry Ovide Bordelon, Air Corps.
Second Lt. Edward Lewis Reid, Air Corps.
Second Lt. Clyde Charles Harris, Jr., Air Corps.
Second Lt. Jean Rogers Byerly, Air Corps.
Second Lt. Herman Francis Lowery, Air Corps.
Second Lt. Boyd David Wagner, Air Corps.
Second Lt. Edward George Kiehle, Air Corps.
Second Lt. Earl Eugene Bates, Jr., Air Corps.
Second Lt. Arch Graham Campbell, Jr., Air Corps.
Second Lt. David Wade, Air Corps.
Second Lt. J. Francis Taylor, Jr., Air Corps.
Second Lt. Edward Wilford Maschmeyer, Air Corps.
Second Lt. Neel Earnest Kearby, Air Corps.
Second Lt. Leonard Muir Rohrbough, Air Corps.
Second Lt. Ray Hamilton Martin, Air Corps.
Second Lt. Frederick John Sutterlin, Air Corps.
Second Lt. Murray Alston Bywater, Air Corps.
Second Lt. Delmar Edmond Wilson, Air Corps.
×Second Lt. Joshua Thomas Winstead, Jr., Air Corps.
Second Lt. Charles Duncan Jones, Air Corps.
Second Lt. Ernest Haywood Beverly, Air Corps.
Second Lt. George Edward Schaetzel, Air Corps.
Second Lt. Frederic Grenville Huish, Air Corps.
Second Lt. Claude Edwin Putnam, Jr., Air Corps.
Second Lt. Donald Root Strother, Air Corps.
Second Lt. Dale Leroy Anderson, Air Corps.
Second Lt. Eugene Carl Woltz, Air Corps.
Second Lt. Kenneth Wilbur Lawver, Air Corps.
Second Lt. Elliott Hartley Reed, Air Corps.
Second Lt. Frank Edwin Rouse, Air Corps.
Second Lt. Vernon Lake Stintzi, Air Corps.
Second Lt. Clarence Theodore Edwinson, Air Corps.
Second Lt. James Carroll Cochran, Air Corps.
Second Lt. Richard Powers Schumacher, Air Corps.
Second Lt. Arthur Harold Rogers, Air Corps.
Second Lt. Whitmell Tompkins Rison, Air Corps.
Second Lt. Donald Ellis Ridings, Air Corps.
Second Lt. Leslie Ethridge Martin, Air Corps.
Second Lt. Preston Patton Pender, Air Corps.
Second Lt. Gwen Grover Atkinson, Air Corps.
Second Lt. Harold Micheal Keeffe, Air Corps.
×Second Lt. Charles Wesseler Bicking, Air Corps.
Second Lt. Harry Willson Markey, Air Corps.
Second Lt. Henry Clay Godman, Air Corps.
Second Lt. Howell Galen Crank, Air Corps.
Second Lt. John Harold Cheatwood, Air Corps.
Second Lt. Thomas Kerns Hampton, Air Corps.
Second Lt. Francis Bernard Gallagher, Air Corps.
Second Lt. Clarence Kinney Longacre, Air Corps.
Second Lt. William Reynolds Stark, Air Corps.

Par. 3. I nominate the following-named officers for promotion in the Regular Army of the United States. All officers listed below are subject to the examination required by law.

MEDICAL CORPS

To be captains

First Lt. Alonzo Bee Christie, Jr., Medical Corps (temporary captain), with rank from October 1, 1941.

First Lt. Robert Farris Loughmiller, Medical Corps (temporary captain), with rank from October 1, 1941.

First Lt. John Beardsley Wallace, Medical Corps (temporary captain), with rank from October 22, 1941.

DENTAL CORPS

To be majors

Capt. Tyler James Walker, Dental Corps (temporary major), with rank from October 16, 1941.

Capt. Henry Richard Sydenham, Dental Corps (temporary major), with rank from October 17, 1941.

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

TO BE MAJOR GENERALS

Brig. Gen. Ernest Joseph Dawley (colonel, Field Artillery), Army of the United States.

Brig. Gen. William Hood Simpson (colonel, Infantry), Army of the United States.

Brig. Gen. Francis Bowditch Wilby (colonel, Corps of Engineers), Army of the United States.

TO BE BRIGADIER GENERALS

Col. Raymond Albert Wheeler, Corps of Engineers.

Col. William Middleton Grimes, Cavalry.

Col. James Lester Bradley (lieutenant colonel, Infantry), Army of the United States.

Col. Maxon Spafford Lough, Infantry.

Col. Robert Heber Van Volkenburgh (lieutenant colonel, Coast Artillery Corps), Army of the United States.

Col. Charles Harrison Corlett (lieutenant colonel, Infantry), Army of the United States.

Col. Dwight David Eisenhower (lieutenant colonel, Infantry), Army of the United States.

Col. Kenneth Prince Lord, Field Artillery.

Col. Alden George Strong, Coast Artillery Corps.

Col. Rollo Curtin Ditto, Chemical Warfare Service.

Col. Hubert Reilly Harmon (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Col. Archibald Vincent Arnold (lieutenant colonel, Field Artillery), Army of the United States.

Col. Julian Francis Barnes, Field Artillery.

Col. Franklin Cummings Sibert (lieutenant colonel, Infantry), Army of the United States.

Col. Thomas Jay Hayes (lieutenant colonel, Ordnance Department), Army of the United States.

Col. Arthur Hazelton Carter (inactive Reserve).

UNITED STATES PUBLIC HEALTH SERVICE

The following-named dental surgeons to be senior dental surgeons in the United States Public Health Service, to rank as such from the dates set opposite their names:

Stanmore P. Marshall, August 13, 1941.
William O. Boss, September 1, 1941.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 29, 1941:

NATIONAL LABOR RELATIONS BOARD

Gerard D. Reilly to be a member of the National Labor Relations Board.

COMPTROLLER OF CUSTOMS

Arthur A. Quinn to be comptroller of customs in customs collection district No. 10, with headquarters at New York, N. Y.

FOREIGN SERVICE OF THE UNITED STATES

To be Foreign Service officer of class 2:
Lloyd V. Steere

To be Foreign Service officers of class 3:

Don C. Bliss, Jr.	Harry P. Hawley
Austin C. Brady	William R. Langdon
Edward S. Crocker 2d	Alfred T. Nester
Walter J. Donnelly	Albert F. Nufer
Homer S. Fox	Frank S. Williams

To be Foreign Service officers of class 4:

Clayson W. Aldridge	Curtis C. Jordan
William H. Beach	David McK. Key
Donald F. Bigelow	Renwick S. McNiece
John Corrigan	Marcel E. Malige
Allan Dawson	Warwick Perkins
James Orr Denby	J. Bartlett Richards
Lynn W. Franklin	

To be Foreign Service officers of class 5:

H. Merrell Benninghoff	Vinton Chapin
Joseph F. Burt	William A. Smale
Prescott Childs	E. Talbot Smith
Clarence E. Macy	Francis H. Styles
Dale W. Maher	Howard F. Withey
Walter S. Reineck	William M. Gwynn
Thomas H. Robinson	Walter H. McKinney

To be Foreign Service officers of class 6:

George M. Abbott	John B. Ketcham
George D. Andrews	John H. Madonne
Lawrence S. Armstrong	James E. Parks
Roy W. Baker	James K. Penfield
Ellis A. Bonnet	Winfield H. Scott
Frederick W. Hinke	Arthur P. Tower
Charles A. Hutchinson	

To be Foreign Service officers of class 7:

Stephen E. Aguirre	Henry P. Leverich
Daniel V. Anderson	Raymond P. Ludden
Waldo E. Bailey	Patrick Mallon
Walworth Barbour	John Peabody Palmer
Jacob D. Beam	Troy L. Perkins
John Willard Carrigan	Paul J. Reveley
Bernard C. Connelly	W. Garland Richardson
Merritt N. Ccotes	Halleck L. Rose
Earl T. Crain	Livingston Satterthwai
Andrew E. Donovan 2d	Francis L. Spalding
Walter C. Dowling	John F. Stone
Daniel Gaudin, Jr.	Tyler Thompson
James E. Henderson	William C. Trimble
Fred W. Jandrey	Milton K. Wells
Douglas Jenkins, Jr.	

To be Foreign Service officers of class 8:

Hector C. Adam, Jr.	Elbert G. Mathews
Russell W. Benton	John Ordway
Roswell C. Beverstock	Marselis C. Parsons, Jr
William F. Busser	George F. Scherer
Richard W. Byrd	Earle C. Taylor
Glion Curtis, Jr.	Woodruff Wallner
Harry M. Donaldson	T. Eliot Weil
Owen W. Gaines	Ivan B. White

HOUSE OF REPRESENTATIVES

MONDAY, SEPTEMBER 29, 1941

The House met at 12 o'clock noon.

Rev. Jacob S. Payton, D. D., executive secretary of the Methodist Commission on Camp Activities, Washington, D. C., offered the following prayer:

Eternal Spirit, we acknowledge Thee to be the Lord of Life, and worthy of our fullest devotion and praise. We offer thanks to Thee for the constant renewal of Thy many mercies. Aid and sustain by Thy presence those who are called to serve in difficult and responsible places. To the multitudes of Thy children who have known frustration through the visitation of injustice and suffering, impart Thy saving strength, O Lord, that with patient endurance they may trust in Thee.

May we be numbered among those who hunger and thirst after righteousness, O God, and may courage, faith, and charity dominate our conduct this day. We offer our prayer in the name of Jesus, our Lord. Amen.

The Journal of the proceedings of Thursday, September 25, 1941, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On September 18, 1941:

H. J. Res. 196. Joint resolution authorizing the printing, with illustrations, of the proceedings of the national encampments of various veterans' organizations in the United States as separate House documents.

On September 20, 1941 (12:15 p. m., eastern standard time):

H. R. 5417. An act to provide revenue, and for other purposes.

On September 22, 1941:

H. R. 4835. An act to extend the times for commencing and completing the construction of a dam and dike for preventing the flow of tidal waters into North Slough in Coos County, Oreg.; and

H. J. Res. 199. Joint resolution to authorize temporary appointments of officers in the Army of the United States.

On September 24, 1941:

H. R. 2381. An act authorizing the transfer of land owned by the United States back to the Spring Park Club, of Richfield Springs, N. Y.;

H. R. 3864. An act to amend the act entitled "An act to provide for the registry of pursers and surgeons as staff officers on vessels of the United States, and for other purposes," approved August 1, 1939;

H. R. 4100. An act for the relief of the legal guardian of Louise Holcombe, a minor, and George Holcombe;

H. R. 4446. An act relating to the manning of vessels; and

H. R. 5146. An act to amend an act entitled "An act to authorize the Secretary of War to proceed with the construction of certain public works in connection with the War Department in the District of Columbia," approved June 15, 1938.

On September 25, 1941:

H. R. 4826. An act to amend section 8 of the Copyright Act of March 4, 1909, as amended, so as to preserve the rights of authors during the present emergency, and for other purposes;

H. R. 4946. An act relating to the manning of certain seagoing barges;

H. R. 5289. An act to dispense with the requirement of clearance and entry for certain United States vessels on the Great Lakes which touch at Canadian ports for bunker fuel only; and

H. R. 5425. An act to permit the steamship *Port Saunders*, official No. 220150, and steamship *Hawk*, official No. 220149, to engage in the fisheries.

On September 26, 1941:

H. R. 3484. An act to provide retirement pay and hospital benefits to certain Reserve officers, Army of the United States, disabled while on active duty;

H. R. 4520. An act to ratify and confirm certain right of purchase leases, special homestead agreements, cash freehold agreements, certificates of occupation, homestead leases, and patents issued under or in purported compliance with section 73 of the Hawaiian Organic Act and the laws of the Territory of Hawaii; and

H. R. 4865. An act to increase the amount authorized by the act of July 11, 1940, for the construction of a building for the office of the recorder of deeds of the District of Columbia.

THE REQUISITION OF PRIVATE PROPERTY

Mr. MAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the conference report upon the bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States, and ask unanimous consent that it be considered at this time.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. MICHENER. Mr. Speaker, I reserve the right to object. Which report is that?

Mr. MAY. That is the one upon the bill providing for the requisition of private property by the War Department, in which the two amendments, one known as the Kilday amendment and the other as the Taber amendment, were under discussion.

Mr. MICHENER. Is that the one that was up the other day, on Thursday last?

Mr. MAY. Yes.

Mr. MICHENER. Mr. Speaker, there was a lot of objection here to that bill. For one, the gentleman from Missouri [Mr. SHANNON] said that he was very much opposed to it, and that he would object, because nothing was to come before the House except by unanimous consent before October 6. Therefore I hope the gentleman will withdraw his request.

Mr. MAY. Mr. Speaker, of course, if there is to be objection to it, I shall have to withdraw my request; but my recollection is that the gentleman from Missouri [Mr. SHANNON], who did object to it, did not understand that it was agreed to by both sides—that is, by the conferees of the Senate and the House—and that both of the amendments that had been controversial in the past had been retained in the bill by the conferees.

Mr. MICHENER. But the gentleman from Kentucky speaks upon the false assumption that there is not anything controversial in this bill except those two amendments. The bill was one of the most controversial bills that has been before the Congress in this session. Two amendments were put in the bill on the floor of the House. Most of the Members voted for those two amendments, but by voting for those two amendments they did not give their approval to the entire bill. That the bill is controversial has been demonstrated here, and I do not think the gentleman ought to call it up today.

Mr. MAY. As I stated a moment ago, the only controversial features of the bill were those two amendments, and they have been retained in the bill by the conferees. They were strengthened in conference, and additional means of enforcement of the rights of those who might have lost any right under them are preserved. I do not think there is any objection to it. This is an urgent matter in the national defense, and if the gentleman does not object, I shall have to insist upon the request.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MAY. Yes.

Mr. McCORMACK. Mr. Speaker, of course my position is very clear, and I want to repeat it. It is that unless matters can go through by unanimous consent, we have a gentleman's agreement that until next Monday nothing shall be called up. In connection with this bill, it is a matter of extreme importance. Before it came up last Thursday I made as careful a survey as I could to see if it was agreeable to have the matter come up. I think my friend the gentleman from Michigan [Mr. MICHENER], the acting leader on the other side, will agree that I was very careful. The two amendments that Members are particularly interested in have been retained in the conference report. The bill as originally introduced has been changed. I think there was considerable objection to the bill as originally introduced, but in the course of legislative process, committee hearings, and so forth, the main basic objections were removed. The House adopted the Taber amendment, which I think was a good amendment, and also the Kilday amendment. I did not care one way or the other about that, to be quite frank, though I could see no harm in that amendment. I doubted very much if they would take small arms. I think the amendment is a good one. When the first conference came back, I took the liberty of making the suggestion that I thought both amendments should be retained in the bill by the conferees, and they are.

Now we have the original bill toned down. We have those two amendments in the bill. We have legislation now in a condition where, without regard to one's consideration of other questions of foreign policy, certainly the passage of this bill is of extreme importance at this time. I hope there will be no objection, because the only way that I, in accordance with my promise, can permit the bill to come up is that it come up by unanimous consent. I hope there will be no objection, in view of the present situation. I can assure you that the objection from the source of last Thursday, so far as I have been able to ascertain, would not exist today.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

Mr. MICHENER. Mr. Speaker, reserving the right to object, I agree with what the distinguished majority leader has stated. As a practical matter, I realize that there were enough votes in the House to pass the bill once. I realize that there are enough votes in the House to pass the bill with these amendments if there were a roll call and every Member were here today. If that is true, an objection simply delays the matter, regardless of how one feels about the bill. I have been here long enough to appreciate the practicability of legislation. I told the distinguished majority leader the other day that personally I would not object if the minority members of the Military Affairs Committee favored it. I understand the gentleman from Missouri [Mr. SHORT] and other minority members, who were conferees, have signed the conference report and are favorable to the passage of the bill under the present

conditions. If that is true—not being a member of the committee—I do not wish to assume the responsibility of delaying legislation which is claimed important and which I believe would pass on a roll call. Therefore I shall not object. However, that does not mean that members of the committee or anyone else should not make objection.

Mr. McCORMACK. I hope there will be no objection, in view of the present situation.

Mr. LELAND M. FORD. Mr. Speaker, reserving the right to object, this is the bill that permits the Government to take over industry, and so forth?

Mr. McCORMACK. Take over what?

Mr. LELAND M. FORD. Certain industries where it is claimed they were not cooperating.

Mr. McCORMACK. This is the so-called property-seizure bill.

Mr. LELAND M. FORD. I think I will object to that.

Mr. McCORMACK. With the Taber amendment in there.

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. MAY. May I say to the gentleman from California that when this bill was originaly introduced by me it will be recalled that I introduced it and marked it "by request", and that I said to the press at that time that I did not like it; and I did not. But after the Senate had restricted it solely to essential military and naval equipment, after it had provided three different steps that must be taken; that is, first, it must be essential to the national defense; second, that there was no other way to obtain it; and third, that they had exhausted all efforts to procure it by means of contract with the owner; and then provision for the proper return and the price to be paid upon its return; and then after it came from the Senate and the Military Affairs Committee considered it at length and wrote other protective provisions in it; and then after the House had voted 300 to 50 and had said they would not consider it unless it contained the Kilday and Taber amendments, and they have been included in this report, I do not know what else a committee of Congress could do to make legislation satisfactory to this body. It is of vital importance that it be enacted. There is no effort on the part of the War Department to grab anybody's property. I hope the gentleman will not object, because I do not want my colleague to be placed in the attitude of objecting just for the sake of objecting.

Mr. LELAND M. FORD. There seems to be a determined effort to take business, but I have never seen anybody on this floor go after the C. I. O. with their destructive, communistic activities, about hurting our program of defense. I am against this bill. You will go out and take a thousand concerns. Perhaps one is not cooperating and you penalize 999 for the sake of the 1. I am against this bill, and I will object to it on this floor or any place else, because I think it has all been a one-sided affair. I have the greatest respect for the gentleman from Kentucky [Mr. MAY], and I do this reluctantly. Nevertheless, I am against this on the ground that nothing has been done against the C. I. O. to check them. I object, Mr. Speaker.

The SPEAKER. Objection is heard.

RESIGNATION OF A MEMBER

The SPEAKER laid before the House the following communication:

SEPTEMBER 29, 1941.

Hon. SAM RAYBURN,
Speaker, House of Representatives,
Washington, D. C.

MY DEAR MR. SPEAKER: I hereby inform you that I have today transmitted to the Governor of Mississippi my resignation as a Member of the House of Representatives from the Second District of Mississippi.

With high esteem, I am,
Cordially yours,

WALL DOXEY.

PERMISSION TO ADDRESS THE HOUSE

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. REED of New York. Mr. Speaker, the membership of the House may recall that on May 16, 1939, a report of the Special Committee on National Debt Policy, of which I had the honor to be chairman, dealt with the national debt and the loose fiscal policies of the Roosevelt administration. In this report the committee called attention to the inevitable inflation that would result if the wasteful spending program of the New Deal were continued.

The administration and the New Deal majority under its control disregarded the warning and instead poured the taxpayers' money into every political boondoggling project which human ingenuity could devise. It is still doing so.

Mr. Speaker, here is what the report of the Special Committee on National Debt Policy had to say on the subject of inflation:

> We refer here to the threat of inflation. The administration earnestly professes to promote the welfare of all, but at the same time adopts a program which has always, without fail, led to enslavement and to moral and financial bankruptcy. Our study convinces us that there is no essential difference in our current financial situation and that which finally led to runaway inflation in post-war Europe. Inflation in every instance that we have examined has been the result of a government spending more than it collected in taxes, and this is true whether the inflation was generated by a currency or credit expansion. Inherent in the very nature of inflation is its irresistible tendency to burst the bounds of all control through public panic.
>
> We are further convinced that there are no greater hardships to be suffered by a people than induced by such inflation. If we continue following the line of least resistance, we shall reach the limit of our credit.
>
> When this happens, all will fall before us. Savings, big and little, will lose most of their value. Insurance companies and banks will go to the wall. The endowments of our charitable, fraternal, social, religious, and educational institutions, endowments which have taken years to create, will be reduced to a mere pittance. The increase in the cost of living will put even the essentials of life—adequate food and shelter—beyond the reach of a majority of the population. Even those yet unborn will pay the price for our folly.

Mr. Speaker, our committee further pointed out that:

> No person or group of persons will escape. Wage earners will see the purchasing power of their pay envelopes shrink as inflation brings a ruinous rise in prices. As a result the worker's standard of living will be reduced to the barest subsistence level. Salary workers will be hit even more quickly, for salaries are relatively fixed and adjustments are not made as rapidly. Those who live on pensions, annuities, or interest from lifetime savings will meet a like fate. Farmers will suffer even more than other groups, for though they might seem to gain temporarily while prices are moving up, this in the end will be an illusive gain.
>
> Recall that the source of present farm problems lies in war inflation. Should we embark upon a similar inflation, the farmer can look forward to only more of the same troubles he has been fighting for 20 years.
>
> Furthermore, it is doubtful if our system of free government and free private enterprise could withstand this shock.

Mr. Speaker, the New Deal majority in this House knows that the Republicans have protested the wasteful political boondoggling methods of the administration by voice and by vote, but all resistance to the wild and reckless wasters has proved fruitless. The ghastly specter of inflation has dogged the steps of every citizen from the day President Roosevelt surrounded himself with a horde of Socialists and Communists and with impecunious idlers, seeking high places. Many of these hold key positions in the Government structure and hope for the day when a totalitarianism will be forced upon a free people by inflation, by participation in a foreign war, or both.

I suggest to those who believe in free government that when pork-barrel bills come in here and other nondefense measures, even though labeled "national defense," the New Deal membership of the House, for once, take stock of the disastrous inflationary effect that further extravagance and waste will inflict upon the people.

I ask to insert at this point a succinct statement of the Nation's finances. Keep in mind as you examine the cold facts submitted that another lease-lend bill will soon be here for consideration; that other tax bills are to follow:

Expenditures, July 1, 1941–Sept. 19, 1941	$4,410,420,000
Receipts, July 1, 1941–Sept. 19, 1941	1,949,712,000
Deficit, Sept. 19, 1941	2,460,708,000
Gross public debt, Sept. 19, 1941	51,073,620,000
Obligations of Government-owned corporations and agencies fully guaranteed by the Federal Government	6,929,600,000
Estimate of receipts and expenditures for the fiscal year 1942, revised, as contained in the Bulletin of the Treasury Department, August 1941:	
Total receipts	10,114,000,000
(This, of course, does not include any taxes to be levied under the revenue bill signed by the President several days ago.)	
Estimated total expenditures for the fiscal year 1942	22,169,000,000
Net estimated deficit	12,767,000,000

Of the expenditures, $15,900,000,000 supposedly will be for defense purposes.

It is estimated that the new tax bill will yield about $1,800,000,000 during the current fiscal year.

With this added revenue, the total estimated revenue in the fiscal year 1942 would be $11,914,000,000.

On the basis of revised revenue estimates, the total estimated deficit for the fiscal year 1942 would be $10,967,000,000.

If all the expenditures for the fiscal year 1942 were to be financed from taxes or revenue sources, this would mean taxes would have to be increased almost 90 percent.

On June 30, 1941, the public debt of the United States stood at $48,961,000,000.

The Treasury Bulletin for August 1941 estimated that the increase in the public debt that would occur during the fiscal year 1942 would be $12,066,000,000.

On that basis, the public debt as of June 30, 1942, would be $62,027,000,000.

With the increase in revenue of $1,800,000,000, the revised figure of the public debt at the end of the fiscal year 1942 would be $60,227,000,000.

This figure does not include the proposed new lend-lease request for $6,000,000,000.

Approximately $56,000,000,000 has been appropriated in direct appropriations or contract authorizations for national defense since June 1940. During the fiscal year 1941, $6,048,000,000 of this was spent. During the fiscal year 1942 the Treasury estimates that $15,900,000,000 will be spent. Thus, at the end of the fiscal year 1942 there will have been expended $21,948,000,000 of the $56,000,000,000 that has been appropriated for or for which contract authorizations have been provided since June 1940. That would leave about $35,000,000,000 of this sum unexpended at the end of the current fiscal year.

There is practically no evidence of any reduction in nondefense expenditures during the current fiscal year. During the fiscal year 1941, $6,662,000,000 was spent, and the estimate for 1942 is $6,269,000,000. This is only $400,000,000 less than was spent in the fiscal year 1941, and it is $268,000,000 more than was spent during the fiscal year 1940 for nondefense. Most of the reduction in nondefense expenditures in the fiscal year 1942 over 1941 is accounted for by a reduction in expenditures for relief. Expenditures in 1941 for this purpose amounted to $1,740,000,000; for 1942 it is estimated that $1,303,000,000 will be spent for relief. It is interesting to note that during the fiscal year 1940 expenditures for relief amounted to $1,919,000,000.

There is an increase in the cost of interest on the public debt. In the fiscal year 1941 it was $1,111,000,000 and in the fiscal year 1942 it is estimated to be $1,275,000,000.

There is a decline to take place in expenditures for public works. In the fiscal year 1941, $725,000,000 was spent for public works. In 1942 the estimate is for $640,000,000 for this purpose. It is quite possible that this estimate is more apparent than real, for in a number of cases specific public works have been transferred from nondefense to defense expenditures.

It should be noted that the Senate Finance Committee has requested the Bureau of the Budget to submit proposals on how expenditures for the fiscal year 1942 can be reduced by $1,000,000,000, $1,500,000,000, and $2,000,000,000, respectively. These estimates are supposedly to be submitted to the Senate committee not later than October 15. The Bureau of the Budget showed great reluctance in promising delivery of such figures, although the Budget and Accounting Act requires that the Bureau of the Budget furnish such figures to any committee of the House or Senate dealing with finances or appropriations.

These figures which I have submitted ought to cause men to reflect that at the end of the pork-barrel spree stands disaster.

What is our responsibility? Does it appear now that our first responsibility is to our own country, our own people and their security, or in the face of the facts is our first duty to ignore the plight of 130,000,000 home people and bleed them white to scatter billions abroad?

Are our soldiers armed? What is the state of our national defense? Must we crucify small business, destroy the security of the insured, pauperize the rank and file of the people, neglect our own national defense, destroy our national credit to face two devastating and demoralizing enemies—inflation and participation in a foreign war?

I say conserve our credit, our resources to build, without delay, our own national defense and preserve our form of government by keeping out of this foreign war.

CONTRASTING SYSTEMS OF ECONOMY

Mr. CROWTHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to extend my remarks and to include an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CROWTHER. Mr. Speaker, under leave to extend my remarks, I offer an editorial printed in the August 18 issue of the Journal-World of Lawrence, Kans. The message is of particular interest to the younger generation of the country. As a record of "what was," and an analysis of "what is"; it is a masterpiece.

Those of us who have served in Congress under both systems will recognize the warning in the closing sentence which reads as follows: "To paraphrase, the power to govern, is the power to destroy."

HOW DID IT HAPPEN?

It is becoming more apparent, that no matter what the form of government, the character and stability of the men selected for public office is of greatest importance.

In 1932 there were many voters so nonpartisan in their outlook, that to them it was relatively unimportant which political party was victorious at the polls, and to such it mattered not whether Hoover was reelected, or Roosevelt should be chosen. No matter who was elected the people had expressed their preference and the majority could not be wrong.

At that time everyone believed so fully in the soundness of government, and in its balanced control between Executive, Senate, House, and courts, that it was inconceivable that one man, or any small group of men, could seriously change or injure it. True, a small group had taken control of Russia, but that was a semibarbaric nation, and nothing like that could happen here.

On the whole, we were living in a civilized world where life and property were respected, where there was little poverty and where few suffered real privation. Treaties, pacts, and international agreements had led to the outlawing of war and the scrapping of a good part of our Navy.

We really had freedom of thought, action, and opportunity. Certainly there were laws and agencies to protect the public from fraud or exploitation but the merchant could buy and sell, the farmer operated his own farm as he thought best, and while now and then world markets might be glutted and prices would be too low to permit a normal profit, on the whole the farmer prospered, and his life was the happiest of that of any tiller of the soil in the whole round world.

Our national wealth was great and our national indebtedness small. We felt secure in our position as a nation and our Army was small in numbers and cost us but little for maintenance.

All of these things and many others of similar import are well known to those of middle age and older, but may not be so well understood by the younger folk who have been educated in schools where it was considered smart to belittle our ramparts of strength, while dwelling on the beautiful features of foreign governments, where the iron hand of civilized control was veiled by the subtile fringe of social legislation.

These few years ago, everyone had opportunity for hope and ambition. Today we are almost living in a concentration camp, guarded and orderd about by a vast horde of New Deal functionaries, representing the countless bureaus, committees, and agencies; all ordering us about, and backed by the decisions of sympathetic courts.

While Congress, which under the Constitution has the sole right to do so, has not declared war, we are in war, and our rights as freemen and citizens have been circumvented by decree.

Books have already been written covering all or certain of these conditions, but we have been slow to comprehend the grave danger to a democracy when it elects men, who choose for their advisers and henchmen those whose desire to remake our form of government permits them to destroy our entire manner of living. Where we were independent, where we formerly looked to ourselves to prepare for the future, now we are becoming more and more dependent on a Government which is sapping its own strength through extravagant and uncontrolled expenditures.

We should have learned by this time that it does make a vital difference what political party is in charge, and who its leaders are. To paraphrase, the power to govern is the power to destroy.

EXTENSION OF REMARKS

Mr. MANSFIELD asked and was given permission to extend his own remarks in the RECORD.

INFLATION

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, while everyone is considering the problem of inflation I submit that as long as it is possible for the private banking system of the Nation to create and loan out bank-deposit money at the rate of five times the amount of cash reserves which they possess it is going to be very

difficult to control an inflationary situation. If you want to look at the thing fundamentally, you have got to consider the necessity for monetary measures which will prevent the possibility at any moment of a multiple expansion of bank credit in this fashion. It was such a bank-credit inflation that was primarily responsible even for the great German inflation after the World War. Excess reserves have already been reduced from $6,000,000,000 to $4,000,000,000, which means that $10,000,000,000 of new checkbook money has been created by the banks and put into circulation by means of loans. This is a matter you do not hear much about because it has to do with the greatest economic power there is anywhere, the power to create money, a power that ought to be exclusively exercised by the Congress itself. The question is whether we really want to prevent inflation or whether we only want to do so if we can accomplish it without taking away the present unconstitutional exercise of the money-creating power by the private banks of the country.

[Here the gavel fell.]

OIL PRODUCTION IN THE STATE OF ILLINOIS

Mr. ARNOLD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ARNOLD. Mr. Speaker, for well over a century the great plains of Illinois have been known as a rich farming area. Only during the last 4 years has the State become famous for its oil production. This oil is produced, for the most part, in two congressional districts in southern Illinois which is known as Egypt—the Twenty-fourth District, represented by the gentleman from Illinois [Mr. HEIDINGER], and the Twenty-third District, which I have the distinguished honor to represent.

I am sure you will be interested in a comparison of the value of the oil production, in view of national-defense needs, and agricultural production. I read the following item from an Illinois newspaper:

ILLINOIS OIL RIVAL TO CORN BELT FOR CASH

CENTRALIA, ILL.—Sassafras groves, river bottoms, and equally unfertile areas of Egypt vied with Illinois' rich Corn Belt as a source of revenue during 1940.

Egypt's harvest was not grain but oil—$157,063,000 worth—against the State's revenue of $199,663,000 from farm crops.

The latter figure did not include $336,211,000 from livestock and livestock products, nor $35,750,000 in Government payments, but the comparison between the revenue from oil and crops showed the economic importance of Illinois' expanding petroleum industry.

The information was revealed by the Independent Petroleum Association of America in a report on the oil industry in each State.

It showed the Illinois oil output jumped to 146,788,000 barrels in 1940 from 94,302,000 in 1939, and the increase—52,486,000 barrels—was the greatest in any of the Nation's oil-producing States. At the beginning of 1941 the State had 20,836 producing wells.

EXTENSION OF REMARKS

Mr. PITTENGER. Mr. Speaker, I desire to submit two unanimous-consent requests: First, I ask that the gentleman from New York [Mr. CULKIN] may extend his remarks on the St. Lawrence power development and include therein a letter dated September 25, 1941, from the Federal Power Commission, addressed to the chairman of the Committee on Rivers and Harbors, the gentleman from Texas [Mr. MANSFIELD].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PITTENGER. I also ask unanimous consent, Mr. Speaker, to extend my own remarks in the RECORD and to include therein excerpts taken from the hearings of the Rivers and Harbors Committee of September 22.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE LATE EDWARD T. TAYLOR

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, the other day the gentleman from Idaho [Mr. WHITE] placed in the body of the RECORD one of the most remarkable tributes to a Member of this House that it has been my privilege to read. It was a tribute to the life and work of the Honorable Edward T. Taylor, late chairman of the Appropriations Committee. I hope every Member of the House will read this tribute, because it is a typical American success story.

Also I want to call attention to a statement on the neutrality law made by Raymond Clapper in the Washington News the other day. It seems to me that Mr. Clapper, in analyzing the proposal to revise or repeal the neutrality law has made a clear-cut statement of the issues, and I ask unanimous consent to extend it in the Appendix of the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. THOMASON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a speech made by my friend and constituent, Mr. Adolph A. Stoy, of El Paso, Tex., at a recent flag raising at the Southern Pacific shops in that city. Mr. Stoy has been an employee in the shops there for many years and this is one of the finest tributes to the flag I have ever read.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include an editorial from the Milwaukee Journal of September 28, entitled "Inflation Menaces Everybody."

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. WASIELEWSKI]?

There was no objection.

Mr. NELSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. NELSON]?

There was no objection.

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include a statement from the St. Joseph News Press.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. DUNCAN]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that on Wednesday next the gentleman from Michigan [Mr. HOFFMAN] may address the House for 10 minutes, after the regular order of business has been disposed of and at the conclusion of any special orders heretofore entered and that he may also have permission to address the House for 10 minutes on Thursday.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. MICHENER]?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and to include an editorial from the Natural Gas Magazine.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. LELAND M. FORD]?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I wish to draw the attention of the House to an editorial in Gas, the natural-gas magazine. I think that every Member of this House should read this editorial and read it with interest.

Briefly, in this 1 minute allotted to me, it does not seem reasonable that the manufacturers of gas-equipment appliances in this country should be threatened with the necessity of closing their stores and forfeiting their business while the English are going ahead with their business of manufacturing, not only for themselves, but for their export business. It seems to me that this country might be destroying its own foreign trade, and while the English are hollering for help they are grabbing our business.

In addition to this, I have been told on the Pacific coast, with reference to the matter of steel, that if the politicians, the Federal officials, and members of commissions would leave the steel companies alone and let them produce, they could produce every ounce of iron and steel that the Government needs in all its ramifications of defense, and could fill every order of their private business.

It is high time that some of this mismanagement ceases before our businesses are entirely wrecked. This may, however, come under the nationalization of business, which, in the final result, will accomplish the purpose of changing this form of government over to one of socialism. Those of you who are not Socialists, Nazis, Fascists, or Communists, certainly should pay attention to the things that are going on if you want to retain the American form of government under which we have such a thing known as private business.

[From the magazine Gas for August 1941]

THERMALLY SPEAKING—WITH JUSTICE FOR ALL

Within the next 6 months will 5,000 or more small factories close their doors? Will there be widespread unemployment? A shortage of consumers' goods? A national curtailment of purchasing power?

Such concepts in this day of all-out business activity seem far removed, yet that these conditions may become actual—and soon—has been prophesied by not a few top-ranking industrialists and Government officials.

Why? Essential materials, sheet steel, scrap iron, and zinc are not available in sufficient quantities to supply the national-defense program, provide exports to those countries to whom the United States is rendering all-out aid, and leave enough to produce items essential to the public health, safety, and morale.

Concrete evidence of this condition is seen in a telegram sent last month by Leon Henderson, Administrator of Price Administration and Civilian Supply, to gas-appliance manufacturers through which he called a meeting in Washington to discuss the problems of material shortage and curtailed production now facing the industry.

Yet in the midst of this impending industrial chaos in America there stands revealed a most interesting fact.

In England the manufacturers of gas appliances and equipment—in spite of their actual embroilment in war, in spite of their more dire need for essential defense materials—are able, according to advertisements published in recent issues of a British gas journal, not only to supply their domestic market but to build up their export trade as well.

In 1940 [1] the exports of steel, particularly to England and South American countries, were 45,851,000 net tons, or 17.7 percent of United States' total production. This was more than the tonnage taken by any one domestic steel-using industry. Figures on nonagricultural exports for the first 4 months of 1941, as compared with 1940, are found in Business Week for June 28:

Exports	Value (millions of dollars) 4 months ending April—		Percent change
	1940	1941	
Nonagricultural	1,073.1	1,238.9	+15.5
Machinery	212.6	241.0	+13.4
Iron and steel mill products	140.9	155.2	+10.1
Aircraft, parts and accessories	88.2	190.6	+116.1
Petroleum and products	117.5	65.0	−44.7
Automobiles, parts and accessories	96.1	107.1	+11.4
Chemicals and related products	68.1	79.9	+17.3
Nonferrous metals	76.4	43.3	−43.3
Iron and steel, advanced manufactures	20.0	29.4	+47.0
Firearms and ammunition	3.9	47.9	+1,128.2
Rubber and manufactures	12.9	18.6	+44.2

[1] Steel Facts, June 1941, published by the American Iron and Steel Institute.

With such evidence in hand, the publisher of Gas sent the following telegram to Congressman LELAND M. FORD:

LOS ANGELES, CALIF.,
July 15, 1941.

Hon. LELAND M. FORD,
House of Representatives,
Washington, D. C.:

Manufacturers of gas equipment and appliances are threatened with the necessity of closing their doors and forfeiting their business because of inability to procure steel and other materials. Some manufacturers are working with only a 2 or 3 weeks' supply of steel with no assurance of future deliveries. In spite of this precarious domestic situation British manufacturers seem able to continue to supply not only their domestic but their export trade. Please refer to advertisement, page 16 of the Gas Times of June 21, published in London, which reads "Despite the demands made upon us by the war the output of our patent gas water heaters and storage sets is fully maintained for both home and export markets." An English manufacturer of meters, in a full-page advertisement in the Gas Times, May 24, page 15, states, "Now we are once again able to give delivery that is as good as the meters themselves." Photostats of advertisements are being air-mailed. The seriousness of this situation cannot be overestimated. I hope your colleagues will be able to secure approval for supplies to our manufacturers for normal trade at least equal to that being received by British manufacturers.

JAY JENKINS,
Publisher, Gas.

Action by Congressman LELAND M. FORD and E. R. Stettinius, Jr., director of O. P. M.'s Division of Priorities, has resulted in referring this matter to Charles Holcomb of the iron and steel group.

The gas industry believes that the manufacture and distribution of its products are essential in this period of defense emergency to the health, welfare, and safety of the entire civilian population, and particularly to the millions of men employed on defense orders. Certainly a 50-percent cut in the industry's production would seriously impair the industry's ability to fulfill its important task, and neither the factories shut down, which are small and decentralized, nor the men who work in them could be easily converted to defense work.

In the matter of priorities, it is the duty of the officials in Washington to appraise each industry on its own merits, and to administer justly. But this judgment must be made not only on facts found in the United States, but on conditions that exist between the United States and the other friendly world powers and their effect on the ability of American industry to protect the health and morale of our people.

EXTENSION OF REMARKS

Mr. DAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein copy of a radio address.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. DAY]?

There was no objection.

Mr. ROBERTSON of North Dakota. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address made by Commissioner John C. Page, of the Bureau of Reclamation, on the subject Reclamation in the Great Plains.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota [Mr. ROBERTSON]?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a magazine article written by myself entitled "A Congressman Looks at Congress."

The SPEAKER. Is there objection to the request of the gentleman from South Dakota [Mr. MUNDT]?

There was no objection.

Mr. BEITER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an editorial appearing in the Montreal Daily Star entitled "No Seaway Now." My second request is that I be permitted to extend my remarks on the subject of Niagara Falls power development and the St. Lawrence seaway, and to include a letter I sent to Chairman Olds, of the Federal Power Commission, and also a press release from the Buffalo Courier Express of September 28, 1941, in the same connection.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. BEITER]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. PATRICK]?

There was no objection.

Mr. PATRICK. Mr. Speaker, I would not have said a word about it, but the gentleman from Michigan [Mr. HOFFMAN] called attention to the fact that in Birmingham, Ala., we had a strike or, at least, a threatened strike at the Birmingham steel mills.

I am glad to be able to state that the folks have gone back to work and the strike has been called off. It was not carried out at all. Now we in Congress certainly do not want to do or to say a thing to encourage wrongful strikes, but with the rise in prices and with the rise in the cost of living some workmen do have to sort of look after themselves, and I do not think we ought to be as exercised as some people are every time a strike comes about, especially when it is something that can be worked out. They have gone back to work in Alabama. Every time there is a strike in the Nation it does not mean that we are on the rocks and that there are subversive influences back of it.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, to revise and extend my own remarks in the RECORD and to include a letter from William E. Kane, mayor of the city of Woburn, Mass., and also an article written by a letter carrier at the Woburn post office.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts [Mrs. ROGERS]?

There was no objection.

PHILIP J. GALLAGHER

Mrs. ROGERS of Massachusetts. Mr. Speaker, recently at the convention of the National Association of Postmasters held at Boston, Mass., Philip J. Gallagher, postmaster of Woburn, Mass., was elected president of that association.

Mr. Gallagher richly deserved this honor, because by his progressive work at the Woburn post office, and his courtesy, as well as an unfailing desire to improve Woburn, he has earned the high regard of the people of that city. He richly deserves the honor that has been bestowed upon him by his colleagues, the postmasters of the Nation, because as vice president of that association, Mr. Gallagher has worked untiringly to improve the lot of the postmaster and also to make the standard of the postmastership extremely high.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. GWYNNE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a short letter.

The SPEAKER. Is there objection to the request of the gentleman from Iowa [Mr. GWYNNE]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 7 minutes after disposition of the business of the day and any other special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. RICH]?

There was no objection.

EXTENSION OF REMARKS

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on three subjects and to include short excerpts in each.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD under the title of "The Duty of Members of Congress in the Present International Crisis," and to insert therein a short letter from a constituent of mine.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. WHITE. Mr. Speaker, I further ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from a constituent on war policies.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

VAGRANCY IN THE DISTRICT OF COLUMBIA—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 392)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, a bill (H. R. 5448) "to define and punish vagrancy in the District of Columbia, and for other purposes."

The purpose of the legislation is highly commendable. It seeks to strengthen the vagrancy laws prevailing in the national capital. I am informed that legislation on this subject is necessary in order to enable the local authorities properly to cope with crime in the District of Columbia. The bill contains many provisions that constitute an improvement over existing law. Unfortunately, however, there are two provisions in the bill that appear objectionable.

Section 1 of the bill contains a number of clauses defining a "vagrant." Clause 6 of this section would include within that category "any able-bodied person who lives in idleness upon the wages, earnings, or property of any person having no legal obligation to support him." This definition is so broadly and loosely drawn that in many cases it would make a vagrant of an adult daughter or son of a well-to-do family who, though amply provided for and not guilty of any improper or unlawful conduct, has no occupation and is dependent upon parental support.

Under clause 9 of said section "any person leading an idle life * * * and not giving a good account of himself" would incur guilt and liability to punishment unless he could prove, as required by Section 2, that he has lawful means of support realized from a lawful occupation or source. What constitutes "leading an idle life" and "not giving a good account of oneself" is not indicated by the statute but is left to the determination in the first place of a police officer and eventually of a judge of the police court, subject to further review in proper cases. While this phraseology may be suitable for general purposes as a definition of a vagrant, it does not conform with accepted standards of legislative practice as a definition of a criminal offense. I am not willing to agree that a person without lawful means of support, temporarily or otherwise, should be subject to the risk of arrest and punishment under provisions as indefinite and uncertain in their meaning and application as those employed in this clause.

It would hardly be a satisfactory answer to say that the sound judgment and decisions of the police and prosecuting officers must be trusted to invoke the law only in proper cases. The law itself should be so drawn as not to make it applicable to cases which obviously should not be comprised within its terms.

For these reasons I feel that it would be well if this legislation received further consideration at the hands of the Congress and, therefore, feel constrained to return the bill without my approval.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *September 29, 1941.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Without objection, the message and the bill will be referred to the Committee on the District of Columbia and ordered to be printed.

There was no objection.

EXTENSION OF REMARKS

Mr. SAUTHOFF. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

QUESTION OF PERSONAL PRIVILEGE

Mr. FISH. Mr. Speaker, I rise to a question of personal privilege, and send to the Speaker's desk extracts from an attack that has been made upon me by certain newspapers.

The SPEAKER. The Chair sees here what seems to be the front page of some newspaper, but it is not identified here.

Mr. FISH. It is PM, a newspaper in New York. The Chair can see it on the front of the page.

The SPEAKER. Does this paper circulate through the mails?

Mr. FISH. It does circulate through the mails, Mr. Speaker.

The SPEAKER. In large headlines covering more than half of the front page appear these words:

HAM FISH snatches evidence wanted in U. S. Nazi hunt.

The Chair thinks the gentleman states a question of personal privilege.

Mr. FISH. Mr. Speaker, I hope it will not be necessary to take the whole hour to answer these contemptible, dastardly, and lying charges that have been made against me, not only by PM, a New York newspaper, but by the Washington Post. These smear charges from beginning to end are based on a series or tissue of lies.

It is a disagreeable duty for me to take the floor before my fellow Members of Congress, with some of whom I have served for 21 years, and have to defend myself from such scurrilous and lying charges to the effect that I was guilty of going to Mr. Dennett's office, where I have never been, and of snatching papers described as evidence needed by the Government, and bringing them to the House Office Building or somewhere else.

I think that possibly at the outset of my remarks I had better read the telegram I sent to the PM newspaper after it published its flarehead which the Speaker just read:

Statement in your paper that I "snatched evidence wanted in United States Nazi hunt" is an outrageous lie. The further statement that "the Congressman himself was said to have been in the propagandist's office while the truck was loaded" is equally untrue. I have not seen Mr. Dennett for a year or more, do not know where his office is, and have never been there. There are no mail bags in my office. None have been delivered there, as my secretary refused to accept any. If any were left at any place in the Capitol in my name, it is without my knowledge and the Government can have them for the asking.

This is the second time within a few weeks that you have published grossly misleading, unsubstantiated statements that are malicious and aimed to smear me because of my fight to represent more than 80 percent of the American people who want to stay out of war, and believe if we are involved in war, too, it will bankrupt and ruin America and destroy its institutions and only succeed in spreading communism in Europe and poverty, chaos, and revolution at home.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Georgia.

Mr. COX. In order to have a better identification of PM, may I inquire of the gentleman if that is the sheet that is commonly referred to and known as the uptown edition of the Daily Worker?

Mr. FISH. I believe that is a fair definition of it. PM started out as a conservative newspaper, but it is today one of the most radical newspapers in America. The stock is controlled by Marshall Field, a charming and distinguished American, who has a right to his views.

I want to make clear at the outset of these remarks that I do not challenge anybody's views. I think the 15 or 20 percent who want to go to war have an absolute right to express their views and give their reasons publicly without being challenged in any respect whatever, but by the same token the other 85 percent have the same right to express their

views and give their reasons why they want to keep this country out of war and why they believe involvement in the present war would ruin and bankrupt our country and literally destroy it. Those of us who hold such views actually believe we are trying to save America. There is no sacrifice I would not make in this fight, none whatever, because I believe it is above party, above family, above all political considerations or ambitions. It is an issue that affects my country and the very existence and destiny of America.

I have no quarrel with Marshall Field for wanting to take this country into war. I have no quarrel with him if he uses millions upon millions of dollars to ease this country into war. That is his right. But those of us who are sincere on the other side should not be smeared every day by those newspapers which want to take us into war because we oppose their efforts. We do not question the right of those newspapers to hold any views they want about going to war, but what we resent is these continual smear attacks based upon a tissue of lies in order to undermine and discredit Members of Congress and others with the American public.

That is the reason I am taking the floor today. It is an attack on Congress and particularly upon all the Members—Republicans and Democrats—who want to stay out of European or Asiatic wars. I am an American citizen, one of 130,000,000, and this false and abusive attack on me is not important as directed against one individual.

But it is not simply an attack on me; it is an attack on 100,000,000 other Americans who hold identically the same views that I entertain and insist on their rights as free sovereign Americans to express those views. I say here to my fellow Members that no matter how many vicious attacks are made upon me and no matter how abusive and how contemptible and dastardly is the lying, I shall continue just the same to the bitter end to exert every effort I can to keep this country out of war. But if this country should go into war in a constitutional way, in an American way, by an act of Congress even by 1 majority, then I shall back the administration to the bitter end in the conduct of that war.

Mr. BALDWIN. Mr. Speaker, will the gentleman yield for a question?

Mr. FISH. I yield.

Mr. BALDWIN. Is it a fact that your secretary refused to receive these documents or mail bags or whatever they were?

Mr. FISH. That is a fact, and I will proceed to state those facts in order.

Mr. BALDWIN. Can the gentleman give the House any information as to why Mr. Dennett ever thought his secretary would receive such documents?

Mr. FISH. Yes; I am going to give all the facts. That is what I propose to do, stating them accurately, chronologically, and in detail. Perhaps, we had better begin at the very beginning so we will have the true story of these mysterious mail bags, none of which I have ever seen yet—not one—and none of which I have ever received or has been delivered to me or that any of my secretaries agreed to take at any time.

The story goes back 10 days or 2 weeks ago when Mr. Dennett, whom I told you I have had no contact with for a year, called up my secretary and said he had 500 copies of a speech of mine entitled "No Convoys, No War," which is a part of the CONGRESSIONAL RECORD.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The origin is that there was a grand jury investigation under way investigating persons who are alleged to be German propagandists in this country?

Mr. FISH. That is correct.

Mr. McCORMACK. Under the McCormack Act.

Mr. FISH. What was the date of that act?

Mr. McCORMACK. I think the act was passed 3 or 4 years ago and there has been an amendment to it. So, the origin is in the grand jury. I do not want to inject myself except we do want to get the correct origin for the RECORD, that this is a grand-jury investigation and everything that emanated from it was from the grand jury and the courts.

Mr. FISH. That is correct.

So Mr. Dennett rang up one of my secretaries and said he had 500 copies of my speech, delivered back on April 30, entitled "No Convoys, No War." The speech was delivered almost 6 months ago. My secretary said that he would like to have those speeches, that he had many demands for them now and he would like to send them out. My secretary then volunteered to call up the House Post Office and have them called for and sent down in the ordinary way.

As a matter of fact, I think, if my memory serves me right, Mr. Dennett offered to send them himself—my speeches—and my secretary informed him that that could not be done legally; that under the law he had no right to refrank speeches. So my secretary said he would ask the House post-office truck to stop and pick up those speeches, only 500, as I am told, and did so within a couple of days. The next thing he knew, about 20 bags or mail sacks were brought into my office, and he refused to take any of them. He said, "All I want are the 500 speeches of Congressman FISH, and I do not know what these speeches are; they are not from this office, and you were instructed to pick up only Mr. FISH's speeches. Just take them away. They do not belong to us and we do not want them."

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. PATRICK. Does the gentleman know now what was contained in the rest of those 20 bags?

Mr. FISH. Only what I see in the newspapers, but I will come to all that. I want to go into every detail, and I will be very glad to have anybody ask any question at any time if I do not make myself clear.

So my secretary said, "I refuse to take any of these mail bags. They are not for Mr. FISH and they do not belong to Mr. FISH; take them wherever you want." The truckman asked, "Where will I take them," and further said Dennett or someone at his office told him to take them to America First. Why they were to be sent to America First I have not the faintest idea, but my secretary insisted, "I will not take any of them. I did not ask you to pick them up, and I do not want them, and do not bother me with them." So he left the office with all the sacks, and, according to the newspapers, he took 10 or 12 of the bags to the America First Committee. Whether they were addressed there by anyone or not I do not know, and that is not my business. Evidently he left 8 or 10 of them in the corridor outside of a locked door of a storage room that I have, which is locked and has been locked and never has been opened to admit these speeches. I have not the faintest idea, and neither has any secretary of mine any idea, why they were put there. They do not belong to me. These are speeches of someone else. Newspapermen have examined and even took photographs of the mail bags, but I have no control of these mail bags and have never seen them. Nobody in my office has ever accepted them. I have no control over those mail bags any more than any other Member of Congress, and therefore when somebody asked me about them, some reporter, I said, "I know nothing about those bags and they are not in my possession. The Department of Justice can have those mail bags any time they want them."

They can take them away any time they want to. They learned from the driver of the mail truck that he delivered some of them to the America First Committee and they could have easily learned from him where he left the remainder. I have not seen them, and I do not propose to examine them, but I find from the press that some newspaper reporter did go—on what authority or right I do not know—and invaded the sanctity of the House, or of the House Office Building, apparently without any authority to do so, and perhaps in contempt of court, since the newspaper claims these bags are under subpena. I do not know anything about it because I had no power to give him any such authority. It appears he tore them open, took a lot of pictures, and spread them in the newspapers. These photographs show them to be speeches of various Members of Congress. In those bags there were apparently no speeches of mine. Anybody can see, if he will but reason for a moment, that I was not particularly interested in having a lot of speeches of other Members of Congress, both Democrats and Republicans, thrust on my office or in my storeroom or anywhere else. My secretary, fortunately, had the intelligence to refuse to accept or take in his possession any of the mail sacks. He was only interested in my 500 speeches because he wanted to send them out.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes.

Mr. O'CONNOR. I wish to ask the gentleman this question, and I know the gentleman can tell us: How did it happen that the 500 speeches on "No Convoys and No War," which was heard by all of us

when the gentleman delivered it on the floor of the House, get to the committee?

Mr. FISH. I asked my secretaries, of course, when I got back, how Mr. Dennett and his committee got those speeches, and they told me—both the secretaries, because I interviewed them both in detail—that they were never sent there. The only way that they can imagine they got there was that either Mr. Dennett or some members of his staff came into my office, where I have certain speeches when they may given them to him to send out, or he may have taken them or got them near the public storeroom—because when there is a large supply piled in the corridor, when the folding room is crowded, anybody can come in and take speeches of any Member of Congress, Republican or Democratic. Five hundred speeches make a rather small bundle. I do not know definitely how my speeches got to Mr. Dennett's office, but my secretaries state that they did not send them, and I am very glad that the gentleman has raised that point.

Mr. BALDWIN. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes.

Mr. BALDWIN. I thought the gentleman said that he did send 500 speeches there.

Mr. FISH. Oh, no. I would not know myself, of course, I never sent them, and I would have to find out from my secretaries, and they say that they did not. But this was some time ago, and I believe from reading the press—and that is all the information I get outside of my office on the details—that these speeches are from 6 months to a year or more old. But I want to make it clear that I am not responsible for any of these mail bags, that I had never seen the mail bags, and nobody ever succeeded in delivering them to my office. There are now, I believe, 10 mail bags, according to the press, that are in the corridor of a storage room on the sixth floor of the House Office Building. A Mr. Maloney, of the Department of Justice, called me about a half an hour ago and asked me if I would send him the mail bags. I replied that I would be delighted to give him the mail bags if I had the power to do so, but I said that I have never accepted or received them, and I have no control over them whatever; that they are not my speeches; that they belong to other Members of Congress, and that they are up there in the storage room, and that all I can do is to inform the superintendent of the House Office Building and the head of the House post office that I have no objection whatever if they will pick them up and deliver them to Mr. Maloney at the Department of Justice. I can only tell them that I have no objection. I cannot give them the authority, because I have no such power. I would be glad to have them take them, and I would like to have them take them away immediately. When I finish speaking I will get in touch with those men and say to them that I cannot give them any written authority, because the mail sacks are not under my control, but I will say that I wish they would take all those mail bags up there and do anything they want with them and reiterate to them that I disclaim any control or jurisdiction over them.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes.

Mr. RICH. If the gentleman made a speech with the idea of trying to keep this country out of war, and somebody asked for 500 copies of that speech, who wanted to send them out and stamp them, there would not be anything wrong about that, would there?

Mr. FISH. I do not think so. Furthermore, I do not suppose that anybody who may have given the speeches to the organization or individual involved knew that they were even under suspicion, and if any Member of Congress gave them the speeches, I think he had a right to do so. Certainly my secretaries knew nothing about it. When they tried to get the 500 back they did not know that Mr. Dennett was subpenaed and had no knowledge or suspicion of it. As far as I am concerned, I find, by looking at my engagements, that I was away on the 17th of September. I was speaking in the city of St. Louis at that time to a large gathering there under the auspices of the America First Committee. On the 18th I was on the train returning to New York. On the 19th I was debating with Professor Elliott, of the O. P. M., up in my district. The 18th and 19th are the days on which this thing is reported to have occurred. I was out of town, but these papers said I had authorized it. Why, even the judge in his order said, "Congressman FISH ordered these bags taken to the America First Committee." I never even heard of the bags.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Georgia.

Mr. COX. On the point raised by the gentleman from Pennsylvania [Mr. RICH], the statement of the gentleman thus far would indicate that he really has some doubt as to the propriety of having furnished some other person with a number of copies of his speech to be sent out. I do not understand that that is the point at issue. I do not think there is any impropriety in that, where it is not overindulged. As I get the point at issue, it is that some inference has been made that would indicate a tie-up as between the gentleman from New York [Mr. FISH] and some individual or some association who is serving in the nature of agent of a foreign government—in this instance the German Government.

Mr. FISH. And that I had snatched evidence.

Mr. COX. I think it would be well for the gentleman to direct his remarks to that point. In other words, the question of some close association or some kind of a tie-up or working arrangement or understanding as between the gentleman and some agency or some individual in the service of the German Government.

Mr. FISH. That is the point. I will be very glad to do it, but in answer to the definite question, I think if the organization had been under suspicion, then there might be some impropriety in turning over your speeches. I have made it very clear that I have not seen Mr. Dennett, as far as I know, for over a year. I do not belong to his organization. I do not know where his organization had its headquarters. I have never been there; yet two newspapers definitely said I was there, the one from which I read and the Washington Post also said—I am a little bashful about reading what they said—"A tall, well-dressed, distinguished"—"well-dressed"; I want the Members to get that; I am sure that must be me—"A tall, well-dressed, distinguished-looking man resembling FISH came to the place"—that is, 1430 Rhode Island Avenue—"and stayed there about an hour." That is reported as on September 19, the day the mail bags were taken away. Of course, it was so reported to make the public believe it was I. There is not any Member of Congress who does not know that. It was put there to make the public believe that I had some hook-up with that organization. The other paper, the PM, just mentions me to make it clearer. I repeat, I have never even been there and I do not know where the place is. To make the point clear that there is no hook-up, I do not belong to the organization; I did not know where it was; had never been there, in spite of these definite charges. It is pretty definite when it describes me as a well-dressed Member of Congress. I am sure every Member of Congress will recognize that.

How can anybody do more than to say about this organization that I did not know where it was; never had been there; was not there on dates referred to; in fact, was not even in Washington on that date or had not, so far as I know, sent any speeches; and, furthermore, have had no communication with Mr. Dennett or his organization for over a year.

Mr. RICH. They could not have meant you.

Mr. COFFEE of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Nebraska.

Mr. COFFEE of Nebraska. I am sure there is no Member of this House who would question the integrity or patriotism of the gentleman from New York [Mr. FISH]. I am just wondering if this is not the beginning of a smear campaign to be carried on by this PM newspaper against all who oppose intervention.

Mr. FISH. Let me answer that. It is not only PM but the Washington Post as well. They are the ones that started this thing, based on a series of lies. Before I get through here I am going to answer another smear charge that appeared in PM that I think is far more outrageous than these damnable charges I am now discussing—and I think every Member of Congress will agree with me when I discuss that in a few minutes—another charge made about 10 days ago in PM that has to do with the franking of envelopes.

Mr. COFFEE of Nebraska. Will the gentleman also include in the RECORD the name of the editor of PM?

Mr. FISH. I am not trying to attack any individual. I think this issue is so great that I do not believe simply because some editor abuses me that I should abuse him back. I think if anybody wants to go to war that is his business, but if the gentleman wants me to insert his name it is all right with me. His name is Robert Ingersoll.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. ROBSION of Kentucky. What is the date of the statement, or what day did they say you appeared at this office and remained an hour?

Mr. FISH. The day that they took away these mail bags.

Mr. ROBSION of Kentucky. What day of the month was it?

Mr. FISH. That was the 18th of September.

Mr. ROBSION of Kentucky. And where was the gentleman on the 18th?

Mr. FISH. I was on a train returning to New York from St. Louis to fill a speaking engagement in my district on September 19.

Mr. ROBSION of Kentucky. You were not in the city of Washington?

Mr. FISH. No. I did not get here until the 21st.

Mr. PATRICK. Mr. Speaker, will the gentleman yield to me?

Mr. FISH. I will yield a little later. I want to go ahead now. I have presented to you most of the facts answering these charges in detail. Before I get through, however, I want also to take up what I think is the most outrageous smear charge which has ever been made against any public official in the history of the country, made by the same PM.

Someone took or stole one of my franked envelopes which I think contained a speech entitled "The American People Are Getting Weary of Broken Promises"—one of these long envelopes with my frank on it—and addressed it to the address of the Fight for Freedom Committee, the committee that wants to get us into war. They have a perfect right to hold those views if they want to; that is their business, and I have no criticism or quarrel with them on that. Instead, however, of addressing the envelope to the Fight for Freedom Committee, they addressed it to the Fight for Jewdom Committee—the Fight for Jewdom Committee—at the same address as the Fight for Freedom Committee. What do you think they had in it? They had inserted a mass of anti-Semitic literature: Leaflets on the Protocols of Zion, and literature that the Pelley associates send out. They had put that stuff in my congressional envelope, addressed it to the Fight for Jewdom Committee, and mailed it from New York. It bears the New York postmark. I never sent out any franked speeches from New York City, as far as I know, in my life.

The Fight for Freedom Committee very properly called me up and said, "We have this congressional envelope of yours."

"Well," I said, "why do you call me up? You know my record; you know I have never sent out any anti-Semitic literature. You know it was done by some enemy—some political enemy; some Communist; or someone who wants to smear me with the Jewish voters of New York, and others. It is," I said, "a complete frame-up, and I advise you not to publish it, because if you do publish it or if any paper is so low as to publish it, I am going to answer it immediately."

No paper in New York published it except PM. They published it and published photostatic copies not only once but reprinted part of it only a day or two ago—the addressed envelope. Originally they printed photostatic copies of the Pelley leaflets and everything else.

I happen to have made more speeches probably than anybody else in this country against intolerance and persecution of Jews, whether it is in Germany, Rumania, or elsewhere. I am the author of the Zionist resolution that passed the House of Representatives back in 1923 in support of a homeland for the Jewish people in Palestine. I went abroad in 1939, and one of the main reasons for my going abroad then was to try to secure a larger homeland for the persecuted people of central Europe, Jews and gentiles. I saw all the leading men. I went into the details of it and had it more or less agreed to. Then the war came along.

Yet this dastardly thing, this smear attack that was sent out by some enemy, was published in this newspaper PM, and therefore I propose to take this occasion to answer on the floor this scurrilous and false charge, as I did publicly on August 27 in a public speech in New York City:

The Fight for Freedom Committee has publicly accused me of sending out over my congressional frank anti-Semitic literature. This dastardly and lying accusation was published in today's newspaper PM.

The American people, irrespective of party affiliations or views on the war issue, are entitled to the facts regarding this vicious falsehood and smear attack made by the Fight for Freedom Committee.

As God is my judge, I had no knowledge of the use of my frank for any other purpose except to send out my speeches of August 8 and 12 entitled "The American People Are Weary of Broken Promises," made in connection with the 18-month draft-extension bill.

I have never sent out any anti-Semitic literature or authorized anyone to do so. No American in public life has made more speeches against religious and racial persecution in Germany, Rumania, and at home than I have. I was the author of the Zionist resolution for a homeland for the Jewish people in Palestine that passed Congress in 1923. I challenge anyone to show one single utterance of mine that was anti-Semitic during the 21 years that I have been in Congress.

When the Fight for Freedom Committee telephoned my New York office several days ago about anti-Semitic enclosures being inserted in my franked envelope, I told its spokesman that he should not waste his time or mine calling me, as he knew perfectly well that I knew nothing about it, that no friend of mine could have sent it, and that it was as false as hell and just another smear attack against me for doing everything within my power to keep this country out of war unless attacked.

I told him that if he made this false and scurrilous charge public after my denial and repudiation that it was apt to spread anti-Semitism like wildfire. I further told him that I believed some member of the Fight for Freedom Committee framed up the whole incident to smear me, but that in view of my record against religious and racial persecution that it would backfire and be a boomerang against the war makers.

Such a contemptible and false attack might have come from any enemy, Communist, hysterical refugee, fanatical Jew, or Christian war maker, but whoever is responsible has only succeeded in spreading the flames of anti-Semitism in America.

I hold the Fight for Freedom Committee responsible for publishing this damnable lie after my denial and warning of the result.

The Fight for Freedom Committee seems to believe that they have a mission to attempt to smear every spokesman of the 85 percent of American people who want to stay out of war unless attacked.

I am now serving notice on the Fight for Freedom Committee, Jews and gentiles, that the 85 percent of the American people have just begun to fight and don't ask any quarter. They can take it and hand it back with interest.

I want to repeat now that these attacks made upon me and other Members of the House and Senate, whether it is Senator WHEELER or others, will not in any way stop this fight to keep America out of war. I give this pledge to this body: That as long as I have the power and the opportunity to try to save America I will never gamble with its destiny. Everything I have received, and my ancestors before me—two members of my immediate family, my father and grandfather of the same name, served in this House of Representatives—everything we have ever received here for the last 300 years came from America, and I shall never gamble it away and destroy it by putting it into war, as Senator PEPPER says, a war that may last 5, 10, or 20 years, and will cost $100,000,000,000 a year. This alone is enough to those who think it through; and that is all I am asking, that you think this issue through on this one yardstick: What is best for America? Senator PEPPER said the war will cost $100,000,000,000 a year and may last 5, 10, or maybe 20 years. It would bankrupt America within 2 years, and if it lasts 10, 15, or 20 years it will result in communism abroad and chaos, revolution, bankruptcy, and poverty at home.

That is why I feel so strongly about the war issue. There is nothing that can stop me in this fight to save America. All the smear attacks combined, no matter whether in my district or outside of my district, will stop me from trying to keep America out of war, not because of myself but because I want to save America. I believe it will mean the end of the United States as we know it if we are involved in this war. If we are in the war, it will be too late. However, if we become involved in the war by a vote of Congress then I am going along with the administration.

Mr. O'CONNOR. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Montana.

Mr. O'CONNOR. In the first place, there has never been a suggestion so far as I know against the America First Committee with reference to its loyalty or patriotism. No one has ever questioned its loyalty to the United States so far as I know.

In the second place, we all have absolute faith in the gentleman now speaking. I know that what the gentleman has said is true from an incident that happened in Montana. The gentleman referred to Senator WHEELER. It has been advertised all over the country by radio, newspapers, and otherwise, that Senator WHEELER, while making a speech at Billings, Mont., had been egged by the audience. Nothing is further from the truth, because I have looked into the matter.

WHEELER talked to an audience of 2,500 people in a city of 25,000 population. The crowd was mostly with him. It is

now generally established that a few hoodlums were put into the crowd and 1 or 2 threw a couple of eggs upon the platform. The action was condemned by the people there just as much as it was condemned by those persons on the platform with Senator WHEELER. I know the smear campaign that has been conducted against Senator WHEELER, whose patriotism and sincerity, in my opinion, is not excelled by any man in the United States. The people of Montana all respect Senator WHEELER though many of them do not always agree with his views.

Mr. FISH. Let me state to the gentleman an experience I had in speaking in St. Louis on the 17th to 4,000 American citizens. Before going on the stage, I was at the back of the stage and a newspaper photographer came up to me and asked to take my picture. He wanted me to hold something in my hand, either a letter or telegram. So he brought out of his pocket a yellow slip. He evidently gave me the wrong slip, because on the slip it said, "A picture of Congressman FISH being egged at the St. Louis meeting." I unfortunately gave it back to him. He grabbed it quickly and gave me another one.

I went before that audience and told them this story. I found out it was all true. This fellow had gone out and seen some of the Communists who were picketing the place and tried to get them to throw eggs. I told them this story and said that I knew perfectly well the people of St. Louis believed in freedom of speech, that I did not believe anybody in St. Louis would interfere with freedom of speech or would throw an egg; but, that after all, I did fight in the last war and faced bullets and I was not afraid of all the eggs in St. Louis so far as this cause was concerned. The net result was this audience went wild. If anybody had dared to throw an egg I think they would have maimed or killed that person on the spot.

That is another type of smear attack. They frame up these things. They probably did it with the Senator from Montana just the same way as they attempted to do it with me. If I had not called attention to it they would have thrown eggs, but nobody would have dared to throw an egg after that.

Mr. McCORMACK. Will the gentleman yield?

Mr. FISH. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The word "smear" has been used a lot in the discussion and the gentleman has gone pretty far afield. I want to clear up one thing. The gentleman is not including in the word "smear" the grand jury?

Mr. FISH. Certainly not.

Mr. McCORMACK. Nor the judge?

Mr. FISH. No. I want to read, though, what the judge said. He is just mistaken.

Mr. McCORMACK. The gentleman is not including the judge as a part of any smear campaign?

Mr. FISH. No; only the newspapers.

Mr. McCORMACK. The newspapers.

Mr. FISH. Those two newspapers, the PM and the Washington Post, that is all.

Mr. McCORMACK. I simply want it for the RECORD.

Mr. FISH. The gentleman is quite right. I am glad he asked that. I want the facts presented. I am not attacking the grand jury, the judge, or anyone else.

Mr. McCORMACK. In all fairness, so there will be no misunderstanding, the gentleman is confining it to two newspapers, and no one else so far as his charge of smear is concerned?

Mr. FISH. As far as this particular charge is concerned; yes. I think it is the beginning of a general smear campaign, and the pro-war newspapers may attempt to smear everybody. I am only confining my remarks to the Washington Post and the PM.

There is what the judge had to say, according to the press, and all my information of this kind comes from the press:

> Justice Adkins commanded the two mail sacks containing printed and written matter, envelopes, and other materials delivered at the request of HAMILTON FISH, a Member of Congress, to the America First Committee, by mail truck of the House of Representatives on Friday, September 19.

And so forth. That order uses my name. In the first place, I was not in Washington on the 19th. I was up in my district debating with Professor Elliott and did not get back until the following Sunday. I never gave any order to any mail truck to deliver these mail sacks to the America First Committee.

The second thing is, my secretary did not authorize the delivery of any of these bags to the America First Committee. He would not accept any of these mail bags. The mail truck driver took them because some were either addressed there or because someone at Dennett's office told him to. But here is what the judge says in black and white—

> that at the request of HAMILTON FISH, a Member of Congress—

And so forth. That is an error. That is the most kindly thing I can say about it. Being a judge I will let it go at that.

Mr. BALDWIN. Will the gentleman yield?

Mr. FISH. If there is anyone who has any questions on anything I have not cleared up, I want you to just ask them.

Mr. BALDWIN. There is nobody in this House who doubts the sincerity and patriotism of the gentleman. But the gentleman made a statement a short while ago that his secretaries in their effort to get back his 500 speeches from Mr. Dennett's committee may have made some mistake, or something to that effect. What is the story of the 500 speeches? I do not understand that yet.

Mr. FISH. If the gentleman had listened to what I have said, he would have understood. I said that Mr. Dennett called my second secretary, a man by the name of Hill, and said, "I have 500 speeches of Mr. FISH here." My secretary said, "What speech is it?" He said, "No Convoys, No War." My secretary said, "Send them back, I should like to have them. Send them back to me, because I want to send them out right away.

Mr. Dennett then said, "I was going to send them to you myself, to frank them, with one of the franked envelopes I have." My secretary said, "You have no right to frank them. I will have the truck in the ordinary way to stop and pick them up."

The 500 speeches would fill only a small bag.

That is exactly what happened, nothing less or nothing more. I have not received the 500 speeches yet, not one of them. I believe they are probably up at the America First headquarters, or somewhere else, but I have never seen one, and I have never seen one of these mail bags. I have never had one delivered to me. Certainly, if I had snatched evidence wanted by the grand jury I would not have used a Government truck or had the evidence dumped, as it was, in a hallway without lock or key.

Mr. COFFEE of Washington. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Washington.

Mr. COFFEE of Washington. I direct the gentleman's attention to the issue of the Post of Sunday, September 28. On page 12 of that issue appears a significant expression purporting to quote the gentleman to the effect that he had invited the Post reporters to go in and open the mail bags and take whatever they wanted and do whatever they pleased with them. Then the article stated that when the Post accepted the invitation it was found that one of the bags had a tag with this address on it, "Congressman FISH, attention of Mr. Hill."

Mr. FISH. That is partly right. I never told any reporter to examine the bags, although I did say that, as far as I was concerned, the Department of Justice could take them at any time and do whatever they wanted with them.

Mr. COFFEE of Washington. What I want to ask the gentleman is, What right has any newspaper reporter of the city of Washington or anywhere else to go into a storeroom owned by any Member of this Congress, open a locked door, open a mail bag, and take things out and photograph them, whether they came from Mr. Dennett's committee or anywhere else? My God, do we have no protection here from burglary? What is the matter with the manager of the House Office Building? What is the matter with the captain of police? Here is a statement in the Washington Post admitting burglary on the part of one of their own men.

Mr. FISH. That is absolutely right, except that the outer door to the hallway leading to these private storerooms was not locked, although the storerooms themselves are locked.

Mr. COFFEE of Washington. He went into the storeroom.

Mr. FISH. That is absolutely right. The gentleman has the facts. When he called me up and told me about these bags I said, "I have not seen any bags and none has been delivered. I have no responsibility and no power and cannot authorize you to do anything with these bags, or anybody else. I do not care what is done with the bags. I do not care whether you take them to the Department of Justice or anybody else. They are not under my control."

When he did that, of course, he did it on his own authority, and then published those pictures, as I have never

assumed jurisdiction over these speeches and have no authority over the hallways of the House Office Building.

Mr. ARNOLD. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Illinois.

Mr. ARNOLD. So that the RECORD may be clear, were not these bags outside of the storeroom door in the hall?

Mr. COFFEE of Washington. Inside.

Mr. FISH. My storeroom—and I have not been there for a year—has a locked door. It is completely locked, and it had not been unlocked when they left these bags, but the bags were left in a hallway from which the storeroom door opened and which had an unlocked door leading to the sixth-floor corridor. No one in my office or anybody else knew they were there until they said that these bags had been left around the Capitol, and these bags were located and seemed to conform to the description given in the newspapers.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. We hear a lot about the freedom of the press. Does the gentleman believe the Washington Post under the circumstances will be big enough and man enough to see to it that the gentleman's vindication receives the same amount of space in that paper as did that smear attack the other day?

Mr. FISH. The gentleman is asking me my opinion. I certainly think they ought to.

Mr. H. CARL ANDERSEN. I do, too.

Mr. FISH. I think in all justice they ought to make it very clear that from the beginning the thing was based on a pack of lies. From the very beginning the story indicating that I was there or that described me as being there and another one that spoke as if I had been present at the loading of the trucks was a series of lies. I have never received any one of these bags, I have never seen them, and I have no contact with the organization involved. I hope they will do that, and if they do I shall be satisfied. I shall be satisfied if PM does it, too. What I ought to do is sue them, of course, but I know what that means. It means years of time and thousands of dollars.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Alabama.

Mr. PATRICK. There is one thing I am sure the gentleman wants to clear up right there. We did not get it clear, or at least I did not. I believe the gentleman stated that those bags were left outside, but when this reporter came up to get them they were in the locker. They had to go in. How did they get from the outside in?

Mr. FISH. No; they never were in the locker. They have never been in my locked storeroom at all. It is a locked door and has never been opened for these bags. They never were in my locker and they could not get in, because it was locked, and were simply dumped on the floor outside my locked storeroom in a sort of anteroom or hallway which opens onto the corridor.

Mr. PATRICK. What door did the reporter have to unlock, as referred to by the gentleman from Washington [Mr. COFFEE]?

Mr. FISH. I believe I have explained it clearly. I have not been there, so I could not give the gentleman more details, but they certainly did not unlock my door because they were not in there. It had never been opened. They were outside in the hallway off the corridor.

Mr. PATRICK. In the dialogue between the gentleman and the gentleman from Washington [Mr. COFFEE] the gentleman from Washington stated that he understood the fact to be that the reporter had to commit burglary to get in there, and I had understood the gentleman to say that the bags were not in there at all, they were left outside.

Mr. FISH. That is right. He meant it was burglary to go into the House Office Building and into a semiprivate chamber reserved for the use of designated Members of Congress, although not locked. What right has he to go into the House Office Building or rooms maintained for Members of Congress and to tamper with property which did not belong to them, and which I could not authorize since I have never accepted the bags, although I certainly have no objections to anyone with the proper authority taking them away?

Mr. COFFEE of Washington. Mr. Speaker, will the gentleman yield just there?

Mr. FISH. I yield to the gentleman.

Mr. COFFEE of Washington. The evidence offered by the reporter for the Washington Post, Mr. Dillard Stokes, was to the effect that he had been invited by Mr. FISH or his secretary to go into this storeroom, open the mail sacks and do whatever he wished with the contents. He says that in his own article right here. Now, in the first place the storerooms in the new House Office Building have a door in front of them and that door had to be opened and a photograph of the door is offered in the Washington Post of Sunday, the door through which the reporter went.

After he went through the door he found mail sacks, and he opens the mail sacks, which are property of the United States Government. He withdraws therefrom a series of envelopes purportedly once in the possession of Mr. Dennett, but which I can state categorically as regards some of them at least, were never in the possession of Mr. Dennett. He helps himself to these so-called envelopes and photographs them and spreads them across the press of the United States. That is the kind of stuff that was pulled by a reporter, and I am interested in knowing what attempts will be made to prosecute anyone for breaking in and opening the mail of the United States Government.

Mr. PATRICK. All I am trying to get at are the facts, and I know the gentleman from New York is anxious to give the facts, and I want to help vindicate the gentleman, because I am sure we all feel just as I do, that he is a man of integrity and honor and sincerity, and is entitled to express himself without fear of intimidation from any outside influence. I want the gentleman to understand that, but I also want to know what this is that is being assailed. If the gentleman from the press, whether you wish to call him a gentleman or not, was invited up there and was allowed to take this matter, where is the burglary?

Mr. FISH. He was not invited up there, because I told him they were not in my possession. None of these bags had been in my possession, and I had no authority at all, and whatever he did was at his own risk, because I told him they did not belong to me. I would be glad to have the House post office or superintendent take charge of the these bags and turn them over to the Department of Justice, but I have no authority over them. Furthermore, my secretary definitely warned this newspaper correspondent that these papers were supposed to be wanted by the Government, and he would not tell him the exact location of the bags until a representative of the Department of Justice was present and they could be definitely identified as the missing evidence by the driver who put them there. The reporter obtained the information as to the exact location of my storeroom from some other source.

Mr. O'CONNOR. Mr. Speaker, I would like to ask the gentleman just one question.

Mr. FISH. Go ahead.

Mr. O'CONNOR. There seems to be the intimation on the part of someone that there is something wrong with this America First Committee, and I would like to have the gentleman cover that point.

Mr. FISH. As I told you, my secretary had nothing whatever to do with sending these bags or these sacks, whatever they were, down to the America First Committee. But I want to go on record as saying that, although I do not belong to the America First Committee, I believe the America First Committee is rendering a great service to this country, and that I am in entire accord with the two fundamental principles for which America First stands, that of national defense and keeping America out of war.

I may go on further to say that I believe if it had not been for America First Committee, which was only organized a year ago—giving the American people an opportunity to get together and realize that a lot of others wanted to do the same thing—have national defense and stay out of war—I believe we would have been in this war long ago. I am not a member of it because I do not want to belong to any organizations where my hands might be tied, or where I would not be free to vote on these issues as I would want.

Mr. O'CONNOR. Is it not a fact that this committee was organized primarily for the purpose of offsetting the influence and work being done by the White committee to get us into the war?

Mr. FISH. The America First Committee was organized because the White committee or the Committee to Defend America by Aiding the Allies got a big

start and made a lot of noise in the press and the people back home thought everybody, more or less, wanted to go to war, and they had no medium of expression. But when the America First Committee came along and American people found that others were thinking the same way, they have been holding meetings all over the country. I have talked to dozens of them, and I have never talked to an audience of America First where the room was not full. Only within the last week or 10 days I talked to 8,000 in Milwaukee and 4,000 in St. Louis. Everywhere else I spoke the halls were packed, and there was an overflow audience. Why? Because the American people want some medium of expression, and they want to have some organization that is for America first and that wants to keep us out of war. They had a meeting in Philadelphia about 2 weeks ago, and not a single paper carried any item that I was to be there. All the large newspapers, 9 or 10 of them, are interventionists, and the smaller and rural papers are about equally divided.

None of the Philadelphia newspapers mentioned my coming there. It was held in an old Masonic auditorium, which had gone bankrupt and now is called the Forum of the City of Philadelphia—a perfectly beautiful building, a great forum, with three tiers of seats. In spite of the press, the building was packed with over 3,000 people, with an overflow audience, and it was held under the auspices of the America First Committee. It was packed because they wanted to hear this issue discussed, and what price war means to the American people. That was what I discussed with them, and yet when the interventionists speak, Senator PEPPER and others, they have only three or four hundred people. When the America First Committee holds a meeting the whole building is packed, because the people want a chance to hear that side of the issue. I am for this committee on two grounds, one of national defense, and the other keeping America out of war.

Mr. SAUTHOFF. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes.

Mr. SAUTHOFF. I merely want to interject here into the gentleman's remarks, that General Wood, the head of the America First Committee, is a veteran of two of our wars, while the gentleman who is speaking went through the first World War and served in France as a captain, and has now recently come back from camp, where he served in the Reserves and is ready to serve again. I wonder if Mr. Ingersoll of the PM can show the record either of General Wood or of the gentleman who now has the floor?

Mr. FISH. Mr. Speaker, may I add to that that among the other directors of the America First Committee is Mr. Hanford McNider, of Iowa, a past national commander of the American Legion, a veteran with a distinguished war record, who was decorated by practically all the Allied governments during the last war for gallantry in action, and there is also General Hammond and several others on the executive committee.

In conclusion I asked permission to speak on this matter of personal privilege because of what was published in the Washington Post and PM—"HAM FISH snatches evidence wanted in United States Nazi hunt." That is what was circulated all around New York, and that is what I wanted to answer. I have tried to present to this House a detailed, categorical answer to the effect that I never snatched any evidence, that I have never received any of these bags, nor have I ever heard from these parties concerned; that I know nothing about it, except what I have read in the press and heard from my secretaries, who refused to accept the bags of speeches. Yet they deliberately say that I have snatched evidence that the United States wants in a Nazi hunt. Of course, I was required after those charges to come here and answer them, but, as far as I am concerned, they can put all the Nazis in the country on a ship and send them back to Germany on a one-way ticket, and at the same time they can send all of the Communists away on another boat to Soviet Russia, and let them fight for their respective countries. I shall do everything that I can to help deport these Nazis and Communists and to stop all Nazi and Communist activities in America, but I do hope from now on that these pro-war newspapers will not rush into print and try to have some Members of Congress pilloried or smeared simply because they are trying in accordance with their convictions to keep the United States out of war unless attacked by some foreign power.

EXTENSION OF REMARKS

Mr. BLOOM. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by insertion of a speech delivered by Dr. Nicholas Murray Butler.

The SPEAKER. Is there objection?

There was no objection.

THE NATIONAL DEBT

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 15 minutes.

WILL COST GOVERNMENT $100,000,000,000 TO PAY DEBT OF $50,000,000,000

Mr. PATMAN. Mr. Speaker, our Government debt at this time is approximately $50,000,000,000. By the time that is paid it will aggregate $100,000,000,000. When we talk about a debt of a certain size we should double the amount if we want to keep in mind what will actually have to be paid before the debt is liquidated. This amount of 100 percent is due to the interest charges. I am not opposed to individuals and corporations paying interest. They should pay interest for the use of money that they hire from other people, but when our Federal Government, that has the exclusive power to create money, creates that money and then goes into the open market and borrows it and pays interest for the use of its own money, it occurs to me that that is going too far. I have never yet had anyone who could, through the use of logic and reason, justify the Federal Government borrowing the use of its own money.

For the first 125 years of our country's existence the national debt was small. It was only about $3,000,000 a year—very small. The interest charges amounted to a very insignificant sum, excepting during the War between the States, when the national debt ran up to twenty-five or thirty million dollars. But that was only for 2 or 3 years, and it was small in comparison. However, since the World War in 1917–18, our national debt has been large, and today we are paying at the rate of $1,300,000,000 a year interest on our Government obligations.

GOVERNMENT SHOULD NOT ISSUE INTEREST-BEARING BONDS

It is true that if we contract a debt we should pay it. If the Government sells bonds, the Government should pay those bonds. If the Government promises to pay interest at a certain rate on those bonds, the Government should carry out its obligation. But I am saying to you in all sincerity and with all the earnestness that I possess, it is absolutely wrong for the Government to issue interest-bearing obligations. It is not only wrong; it is extravagant. It is not only extravagant, it is wasteful. It is absolutely unnecessary.

Two days ago Mr. Henry Morgenthau, Secretary of the Treasury, was on the witness stand before the Committee on Banking and Currency on the price control bill. I asked him questions about this. It is in the hearings, commencing at page 1005. Mr. Morgenthau admitted in this testimony that if the Government were to issue $1,000,000 in bonds and sell those bonds which are non-interest-bearing and delivered those bonds to the 12 Federal Reserve banks and received credit for them, that he, as Secretary of the Treasury, could then issue the same kind of checks against that money, and the people receiving the checks would receive the same kind of money as if he had issued a million dollars in bonds and sold them to the commercial banks of the country and agreed to pay the commercial banks a certain rate of interest. It would not increase the money supply one penny. Anyone who argues that it is inflationary does not know what he is talking about. It is not inflationary. It is not nearly as inflationary as our present system of selling bonds and paying interest as much as you pay principal.

I have in my possession a letter from the Secretary of the Treasury, Mr. Morgenthau, in reply to a letter I had written to him. I asked him how much the Government would pay in interest charges on the $758,900,000 4¼-percent Treasury bonds that are payable in 1947 to 1952. His reply was that the amount would be about $967,700,000. Now, mind you, that is where we issued those bonds during the World War, amounting to $758,000,000, and we are paying in interest on those bonds, in addition to the principal, $967,700,000.

Now, take the Panama Canal bonds. They amounted to a little less than $50,000,000—$49,800,000. By the time they are paid the Government will have paid $75,000,000 in interest on bonds of less than $50,000,000. So the Government is paying out $125,000,000 to obtain the use of $49,800,000. That is the way it has

worked all along. That is our policy. That is our system. The question is, Should that policy be continued? Is it sane? Is it reasonable? Is it right or is it wrong? If it is wrong, it should be changed.

Mr. VOORHIS of California. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I would rather the gentleman wait until I have finished.

Now, I believe the system should be changed. The Constitution of the United States does not give the banks the power to create money. The Constitution says that Congress shall have the power to create money, but now under our system we will sell bonds to commercial banks and obtain credit from those banks. We do not receive money for the bonds. The bank creates credit, and, as Mr. Morgenthau said in reply to my question, they create the money in that way, and they have already created $20,000,000,000 and bought $20,000,000,000 of Government bonds. Therefore, if we do not change that system we are, in effect, farming out the credit of this Nation and paying a bonus or tribute to people who do not have anything in the world to offer us. They have nothing of value. They have nothing to give us that we do not already have, and yet here we are paying over a billion dollars a year for the use of it.

IDIOTIC SYSTEM

I believe the time will come when people will demand that this be changed. I believe the time will come in this country when they will actually blame you and me and everyone else connected with this Congress for sitting idly by and permitting such an idiotic system to continue. I make that statement after years of study. I have talked to the Secretary of the Treasury and members of the Federal Reserve Board and other people who are supposed to know about the money system of our country. They know this can be done easily and conveniently, and it will save money; but their one reply is, "It will have a bad psychological effect." Well, I do not think it would have a bad psychological effect to save the people 50 percent of their national debt. I do not think it would have a bad psychological effect to save the people over a billion dollars a year in interest. I do not think it would. It would certainly have a bad effect on the people who are collecting interest on the Government's money.

FEDERAL RESERVE PRIVATELY OWNED

We have what is known as the Federal Reserve Bank System. That system is not owned by the Government. Many people think that it is, because it says "Federal Reserve."

It belongs to the private banks, private corporations. So we have farmed out to the Federal Reserve Banking System that is owned exclusively, wholly, 100 percent by the private banks—we have farmed out to them the privilege of issuing the Government's money. If we were to take this privilege back from them we could save the amount of money that I have indicated in enormous interest charges.

We have today about $23,000,000,000 in gold. This gold is, of course, owned by the Government—title to it is in the Government. Many people say the Federal Reserve banks own it, but they do not own it. Congress passed a law saying that the right, title, and interest in and to that gold is in the Government, but for convenience and in order to carry out this present monetary policy, the Treasury has issued what is known as gold certificates and has turned over to the Federal Reserve banks these gold certificates. So today we hold about $23,000,000,000 in gold. Under the old system of issuing $2.50 in currency to every $1 of gold on the theory that a 40-percent gold base would always be safe, you could take that $23,000,000,000 of gold and issue two and one-half times that much money under our present system. This would amount to fifty-seven or fifty-eight billions of dollars that could be issued on that gold; and then the banks receiving the money could issue all the way from 7 to 10 to 1. You can thus see what a great potential threat of inflation is there if it were exercised, but it will not be exercised, because the people who have charge of the monetary system will not permit it to be exercised.

The point I want to try to make is that the 12 Federal Reserve banks have in their custody these gold certificates which are used the same as gold, which are sufficient to more than pay off the entire national debt. I am not advocating that this be done quickly or suddenly. I am not advocating that any change like this be made quickly, for it would probably be disturbing to the country; but if the Government owned these 12 Federal Reserve banks, as it should—they should be just as much a part of this Government as the Treasury itself—then eventually the national debt could be absorbed by them and this interest burden could be taken off our shoulders.

Mr. WHITE. Mr. Speaker, will the gentleman yield?

Mr. PATMAN. I yield.

Mr. WHITE. The gentleman states that the $23,000,000,000 in gold which is stored in Kentucky, or wherever it may be stored, is owned solely by the Government. How does the gentleman classify the $17,000,000,000 of gold certificates to the credit of the Board of Governors of the Federal Reserve bank? What class do they fall into? What are they?

Mr. PATMAN. They can be used in international transactions. The Federal Reserve banks cannot get gold unless the gold is needed for one of the purposes specified in the law, and one of those purposes is to settle balances with foreign countries.

Mr. WHITE. Under the gentleman's own statement, then, those very gold certificates are a draft when properly exercised on the gold that is now in the possession of the Federal Government.

Mr. PATMAN. A limited draft, a draft only for the purposes specified by the law.

Mr. WHITE. If we assume there are enough foreign balances to drain off the $23,000,000,000 in gold then it is no longer the property of the Government but must flow out to redeem those gold certificates.

Mr. PATMAN. That is right regardless of whether the Federal Reserve claimed the gold or whether the Treasury claimed it. If our balances were so unfavorable as to drain that gold off that is what would happen.

Mr. WHITE. The gentleman knows that hundreds of millions of dollars' worth of foreign gold has been brought over into this country for storage, for safekeeping; and when this emergency of war is over this gold will flow out again.

Mr. PATMAN. That will depend on trade balances.

Mr. WHITE. It is possible that it may flow out. Those gold certificates will then be a demand on that gold which must be honored. Am I right?

Mr. PATMAN. Yes; and they expect to honor them if they go to settle international balances, because the law says gold cannot be released except to use in the arts, trades, sciences, to settle international balances and possibly other reasons but these are the principle ones.

Mr. WHITE. I am talking now of the gold that is in storage supposed to be owned by the Federal Government. The law as I understand it requires that the issuance of Federal Reserve currency must be backed by 40 percent gold. How is the currency now in circulation backed? I think it is $7,000,000,000, is it not?

Mr. PATMAN. Nine billion dollars.

Mr. WHITE. Is that backed by 40-percent gold?

Mr. PATMAN. It is backed by much more than 40 percent; it is backed by 200 percent.

Mr. WHITE. The gentleman has just stated that the gold was not owned by the Federal Government.

Mr. PATMAN. The title to it is in the Federal Government. The same Government that owns the gold issues the money, and the Government that issues the money has $23,000,000,000 in gold. So there is more than 200-percent reserve behind the outstanding currency.

Mr. WHITE. I must have misunderstood the gentleman because he said the banks were exercising the prerogative of the Government in issuing money.

Mr. PATMAN. They are issuing it for the Government on the Government's credit; yes.

I suggest that this matter should receive the attention of the Members of the House.

[Here the gavel fell.]

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ORDER OF BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that on Monday next, after the call of bills on the Unanimous Consent Calendar, that bills on the Private Calendar, which would ordinarily be called on Tuesday unless dispensed with be called after the call of the Consent Calendar on Monday.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

PROGRAM FOR NEXT WEEK

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. MICHENER]?

There was no objection.

Mr. MICHENER. Mr. Speaker, will the gentleman from Massachusetts tell us what the program will be for next week?

Mr. McCORMACK. I will be glad to. On Monday the bills on the Consent Calendar and the Private Calendar will be called. Of course, the conference report on the property-seizure bill will come up for consideration on that day. There is also an R. F. C. bill out of the Banking and Currency Committee pending. It can only be acted on this week by unanimous consent. There is one provision in it there is serious objection to, as I understand it. Many of the Members from the copper districts are interested. Unless this bill is taken up and acted upon by unanimous consent it will come up on either Monday or Tuesday.

Then the so-called Hobbs bill is in order. Of course, Calendar Wednesday, unless dispensed with, will be in order. With the exception of Monday, which is definite, and the conference report on the property-seizure bill, as well as disposition of bills on the Consent Calendar and the Private Calendar, all the rest is dependent on an appropriation bill coming out of the Subcommittee on Deficiency. My information as of today, just prior to noon, from the chairman of the subcommittee, is that the committee has agreed to write up that bill at the end of this week. They expect that the bill will be in the early part of next week, either Tuesday or Wednesday, but not before Tuesday.

Mr. MICHENER. That is the lend-lease bill?

Mr. McCORMACK. Yes. If it is ready on Tuesday, it will be the order of business on that day. That is one of the main reasons I asked unanimous consent for consideration of bills on the Private Calendar on Monday, and I think that calendar should be called because Members are interested in bills on that calendar.

Mr. MICHENER. The gentleman referred to the Hobbs bill. Which Hobbs bill is that?

Mr. McCORMACK. That is H. R. 3. Some call it the concentration bill. I call it a great American bill. Some people who oppose it call it most anything.

Mr. MICHENER. That is the bill that has to do with immigration?

Mr. McCORMACK. Yes.

Mr. MICHENER. Is it the bill which, if enacted into law, would permit the Department of Labor to rewrite and nullify the quota provisions of the present immigration bill?

Mr. McCORMACK. Far be it from me to take issue with my distinguished friend from Michigan. He may have his views as expressed, and my views may or may not be different. I think the main objectives of the bill are very desirable. Whether I will subscribe to all provisions in the bill, I do not know, but I think the bill in its main features is a good bill. But we do not want to discuss the merits of it now.

Mr. MICHENER. There are a great many good things in the Hobbs bill, but I am just wondering how the majority leader—knowing him as I do—can advocate a bill that would remove from the Congress the right to fix the number of foreigners who shall come into this country under the immigration law and give that discretionary power to any individual who happens for the moment to be the Secretary of Labor.

Mr. McCORMACK. Of course, the gentleman from Michigan asks a question based upon wondering about my state of mind. The gentleman has been in Congress much longer than I have. I am one of those who sit at his knee, I always have, so far as his learning is concerned, and particularly with respect to his knowledge of parliamentary law. The gentleman from Michigan knows that when a bill comes up it is subject to debate and amendment. This bill will be subject to debate and amendment, and if there are amendments that appeal to me I will support them. The bill in the main is a very desirable one. My friend has admitted that. I think we have a reasonable meeting of minds on this occasion.

Mr. MICHENER. Then we may have hopes of converting the gentleman, but little prospects.

Mr. McCORMACK. I do not know as we need to convert each other. We may agree or disagree, but we both agree that in the main the bill is a good one.

Mr. MICHENER. Right—with some amendments.

Mr. RICH. Will the gentleman yield?

Mr. MICHENER. I yield to the gentleman.

Mr. RICH. Four, five, or six weeks ago the gentleman from Massachusetts stated that we were going to get legislation on the floor of the House to regulate strikes that were going on in the country.

Mr. McCORMACK. Does the gentleman from Pennsylvania quote the gentleman from Massachusetts correctly?

Mr. RICH. Not word for word, but I was under the impression the gentleman was going to permit certain legislation of that kind to come on the floor for consideration.

Mr. McCORMACK. I permit it to come in? Where does the gentleman get the idea I can permit anything to come in here?

Mr. RICH. The gentleman can stop legislation from coming in by authority of the office which he holds.

Mr. McCORMACK. The gentleman has an exaggerated idea of the office I hold.

Mr. RICH. If we do not get the gentleman's cooperation, we cannot get it in here for consideration.

Mr. McCORMACK. What is the question? The gentleman is wrong in his understanding, to begin with. It is an honest error.

Mr. RICH. Suppose I am wrong in my understanding, yet I was under the impression that the administration was going to bring up some legislation that would permit a cooling-off period as to strikes in defense industries, but nothing of the kind has been brought in and you let the strikes go on all the time and hinder national defense.

Mr. McCORMACK. Is the gentleman asking a question or making a speech?

Mr. RICH. The gentleman can take it any way at all. I am asking what the gentleman is going to do to prohibit that, or what he is going to permit the Congress to do.

Mr. McCORMACK. I voted for the Connally amendment. Did the gentleman from Pennsylvania vote for it?

Mr. RICH. The Connally amendment?

Mr. McCORMACK. The gentleman does not remember, does he? The gentleman does not know what it is.

Mr. RICH. The gentleman is speaking of the Senate?

Mr. McCORMACK. No; the Connally amendment was voted on in this body.

Mr. RICH. I am not familiar with everything that goes on in the Senate.

Mr. McCORMACK. I shall not embarrass my friend any more.

Mr. RICH. The gentleman is not embarrassing me because I am interested in trying to get that legislation on the floor, and the gentleman from Massachusetts can do it.

EXTENSION OF REMARKS

Mr. SHORT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein two editorials, one from the Alma Record, of Alma, Mich., and the other from the St. Cloud News, of St. Cloud, Minn.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

(Mr. WHEAT asked and was given permission to extend his own remarks in the RECORD.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Kansas [Mr. CARLSON] is recognized for 6 minutes.

PROFIT LIMITATION

Mr. CARLSON. Mr. Speaker, is it any wonder that the average citizen is confused and perplexed in his thinking?

Last Thursday Secretary Henry Morgenthau informed the press that his staff was working out a bill providing for a 6-percent profit limitation. Just 1 year ago Secretary Morgenthau appeared before the Ways and Means Committee and urged that Congress repeal the Vinson-Trammell Act. This act provided for an 8- to 12-percent profit limitation on the manufacture of aircraft, warships, and some other war supplies. This act was passed by Congress several years ago when the world was at peace and at a time when Members of Congress had time to think and act with deliberation. This act was designed and passed with the avowed purpose of protecting the American taxpayer. One can hardly believe that it is just a year ago that Secre-

tary Morgenthau and other officials high in the administration urged repeal of the profit limitation. Those of us who were opposed to its repeal were advised by these same officials that the act must be repealed in the interests of national defense. Now that the repeal of the act has cost the taxpayers hundreds of millions of dollars, the Secretary comes before Congress and the country with an ill-conceived and half-baked proposal to limit the development and growth of business and industry in the United States. Had Mr. Morgenthau and his associates urged Congress to not only continue the Vinson-Trammell Act but to extend its provisions to war contracts it would have saved the taxpayers hundreds of millions of dollars. What are the facts regarding the repeal of this act? They are these.

The manufacturers of our Nation had large contracts for aircraft and war supplies with foreign countries at a profit of 20 to 25 percent. When France capitulated, our Government was urged to take over some of the aircraft contracts but were unable to do so because of the 8- to 12-percent profit limitation. It was then that these Government officials appeared before our committee and urged Congress to repeal the act. Congress acquiesced because we were advised this was necessary in the interests of national defense. No one wanted to oppose it and be accused of strangling our national-defense efforts. It now develops that we made a serious mistake. It is not my intention to discuss the merits or demerits of the 6-percent profit limitation at this time, but I think it might be well to mention that its enactment into law would not only further regiment small business and industry but it would destroy it. This 6-percent profit limitation would have no effect on the income of the highly overcapitalized concerns such as railroads, utilities, and other mammoth corporations, but it means death to the small business and industry of our Nation. It is this group that we must depend upon for caring for our unemployment problem in the future. This same group of small businessmen are now suffering seriously because of priorities, and we are advised that we may have as many as 3,000,000 men unemployed in small business and industry within the next 3 months. We are spending billions of dollars on a national-defense and lease-lend program. It may interest you to know that 75 percent of the orders for these large expenditures have been placed with 56 firms.

Mr. Speaker, in conclusion I wish to state that in my opinion this last proposal of the Secretary is about as ill-conceived as his recent statement on the importation of wheat. It was only 15 days ago that the Secretary suggested that it might be well to make arrangements for the importation of Canadian wheat. Certainly no informed person believes we should import any wheat into the United States at a time when we have about 1,320,000,000 bushels in our own granaries. With a normal consumption of about 700,000,000 bushels per year we have sufficient wheat for at least 2 years. Think of suggesting the importation of wheat at a time when the American farmer is asked to take out of production from 30 to 50 percent of his acreage. Not only that, we are actually voting several hundred million dollars subsidy for taking farm lands in the United States out of production. These and many other suggestions are what upset the thinking of the American people. I fully realize that every effort is being made to bring about a war consciousness, but certainly it is not necessary to go to these extremes.

Would it be asking too much to suggest that the administration think these problems through before throwing them before the public?

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. CARLSON. I yield to the gentleman from Pennsylvania.

Mr. RICH. Would it not be better if the administration would permit the farmers who have raised more than their quota and now are being asked to pay 49 cents a bushel penalty thereon to use this wheat or even keep it for the future, rather than have the Secretary asking for wheat to come in from Canada?

Mr. CARLSON. There is no doubt in my mind but that several changes ought to be made.

[Here the gavel fell.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. RICH] is recognized for 7 minutes.

KEEP AMERICA OUT OF WAR

Mr. RICH. Mr. Speaker, one of the great subjects before the Members of Congress today, probably the one that affects the American people more than anything else, is, Keep America Out of War. We have heard a great deal about that subject, and what the advocates of going into the war are trying to do to those who are heart and soul interested in keeping America out of the terrible war that is going on in Europe and Asia. The gentleman from New York [Mr. FISH], who had the floor a few minutes ago, showed how certain people were trying to smear him because he is doing everything he can to keep this country from becoming embroiled in the terrible wars that are going on in Europe and Asia.

I, too, am one of those who are going to use every ounce of energy and everything at my command to try to preserve American liberty and American freedom. The best way to do so is keep out of war. I personally do not know of anything that would destroy America more completely than to get into the World War now going on in Europe and Asia. It is not America's war. It is not our war. So it behooves me and every other Member of Congress to do everything within our power to prevent us getting into war.

The thing which grieves me is that we have men in high public office or men who would like to have been in high public office—I refer to Mr. Willkie—who go out now and say they are going to do everything they can to prevent the reelection of a Member of Congress unless he follows the administration in the program they have set out in order, as they say, to defend America and American liberty and American independence.

I do not believe in their program. I think they are wrong. Therefore, I have the right to do what I believe to be the best for America and for the American public, and to use my office to the end that we preserve the freedom of America. That is the greatest thing we have in America today, the freedom the American people have enjoyed ever since the Revolutionary War in 1776. In order to gain that freedom we had to fight a war with Great Britain. If there is any country in the world I would want to help today it is Great Britain, but I want Great Britain to help herself and not depend altogether on America. We have done much for Great Britain but she has not shown her appreciation for our great efforts.

I have asked the question not once or twice, but hundreds of times, and of more than thousands of people, to name one thing that Great Britain ever did for America, and I have yet to receive the first reply. So I do not believe in wrecking America to save Great Britain, notwithstanding the fact that I would want to help her.

Two or three years ago we passed the Neutrality Act. At that time every Member of Congress and the administration wanted to do everything they could to keep America out of any foreign entanglements. Have you followed the course of events since that time? Have you witnessed what has taken place in legislation and what is now being proposed, that the Neutrality Act be repealed? That we convoy war materials, that we do all the financing, that we furnish ships, airplanes, TNT, powder, all implements of war. Not for a price. No; for nothing. It is a gift, so do not let the American people be fooled on that point. Twelve billions of dollars as a gift when Great Britain repudiated her former debts; billions. Do not forget; some of those important things; think some of the American people. Here is one who is not going to vote to repeal the Neutrality Act. I do not know how many votes there are going to be for that in the House, but I am not going to let this administration do what it said it would not do and did not want to do a year ago. Why the change? Why does the President want now to send our ships into the zone which he himself declared American ships should not enter? Now he would not only take those ships into such zones, but he wants to take the American Navy, and protect those ships while they go into such danger zones. He has the power to do that because the Congress gave him that power. I am one of those who did not give him that power and I want you to understand that. I do not intend to give that power to the Chief Executive. I want to assume the responsibility that comes to me from the 300,000 people whom I represent in the Sixteenth Congressional District of Pennsylvania, and whenever the time comes that those people speak up and say they want this country to send ships into these danger zones and to arm the merchant marine and to assume all the dangers that are encountered in a war, that will be a different matter; but when the President says that to convoy means

shooting and shooting means war, I thoroughly agree with him in that statement, and I am not going to be one who will permit him to get us into war that way by any of my votes or acts, if I can help it. If you do that after he has made such a statement, then you are one who is interested in his getting us into war. That is your responsibility. I think this is a responsibility that is on the Congress and should remain on the Congress and should never be given up to the Chief Executive or to anybody else.

[Here the gavel fell.]

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 2 additional minutes.

The SPEAKER pro tempore (Mr. PATMAN). Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. You are going to be asked next Monday, so the majority leader has said, to pass another appropriation under the lease-lend bill. I want you to think these figures over. You voted $7,000,000,000 to the President on March 11 and he says he has contracted for that $7,000,000,000 to aid the British and others. Now, he asked last week for $5,985,000,000 more. That $7,000,000,000 means for 130,000,000 people in America $53.07 apiece, for every man, woman, and child in the United States. This $5,985,000,000 is going to mean for every man, woman, and child in the United States $46.78. This means $99.85 per capita for these two lease-lend bills. Suppose you went to every man, woman, and child in your district and said, "Now, I want $99.85 from you and I want you to cough it up so I can give it to the President of the United States and let him in turn give it away." How many people in your districts would give to you that $99.85? I think there would be mighty few of them.

If you had a family of five, this would mean just about $500 for the family. How many families in your district that have five in the family want to give $500 to the President of the United States to give away in warships and TNT and other munitions to destroy people over in some foreign country where America said, under the Monroe Doctrine, America would not interfere in their European affairs, at the same time saying to them that we did not want them to interfere with the affairs in America. Now, we do not want them to interfere with affairs in America and I will be one of the first to get up here and fight if they ever do, but I do not want to take the American people over to Europe and interfere in their affairs. I think that is none of our business and I am firmly convinced about that—I am going to do everything I can to keep America out of war, and I hope the Congress will do the same thing. And if we are not careful you will bankrupt America, you will socialize America, you will set up a dictator in America. If you do that, what have you? What kind of a country will it be? I warn you, Members of Congress, to act wisely. Act judiciously. Use your heads. Do not let any one stampede you into doing the wrong thing for our beloved country. I say to you, keep America out of war.

[Here the gavel fell.]

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD at this point.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

THE CONGRESSMAN PERMITS CROSS-EXAMINATION

Mr. BENNETT. Mr. Speaker, I am sure that during these critical days every Member of Congress is, as I am, besieged with hundreds of inquiries from his constituents concerning the international situation. Anxious fathers and mothers are deeply concerned about the future effects of the international razzle-dazzle and power politics being played by their elected leaders who are neglecting our pressing and unsolved domestic problems. They are immediately concerned about the President's orders to convoy war supplies and his orders to the Navy to fire upon any Axis ships found in "defense waters," the boundaries of which he alone appears to know. I have received my share of these questions from the folks back home and have given answers which should leave no doubt as to where I stand on these critical issues. When future historians search the CONGRESSIONAL RECORD of these hours and the people lament the high cost of a lower standard of living and decry those responsible for a perpetual war economy necessary if we are to police this wide world, I want no doubt to exist in their minds as to the stand taken by the Congressman from the Sixth Missouri Congressional District. We were elected to represent the people and not to serve as rubber stamps. I may, Mr. Speaker, at the moment be in the minority so far as my views are concerned. But, Mr. Speaker, God helping me, I shall stand for those things which I deem to be for my country's welfare even though I stand alone.

I ask unanimous consent, therefore, to extend in the RECORD at this point some of the searching questions asked by my employers and the replies which seem to me to constitute a policy which will best serve my country's needs in these dark and trying days:

Question. Are you an isolationist?

Answer. No; because I have done and am doing everything in my power for adequate Western Hemisphere defense. In the public mind the labels "isolationist" and "interventionist" are roughly applied as follows: Those who are pro-American are labeled "isolationists," "appeasers," or "pro-Nazi," while those who favor England are termed "interventionist" or "pro-English." This is unfair and inaccurate. Most isolationists and interventionists who are United States citizens are at heart only pro-American. I think the majority of our people are united, as they should be, on the necessity of national defense. I think the majority sympathize with England and hate Hitler. I do. The difference seems to lie in sincere beliefs held by some that Uncle Sam can stand on his own feet and others who feel we should forget about the American Revolution, cling to Britain's apron strings, and replace the Declaration of Independence with a declaration of interdependence. Both think their course of action is essential to the best defense of our Nation. Of course, there are those in both camps who have a personal ax to grind, who are unreasoning and intolerant. But name calling will not produce an intelligent solution to our difficulties.

Question. Do you think England can win? Lindbergh says she can't.

Answer. I do not fully agree with Colonel Lindbergh in his attitude of silence on the question of military aggression by the Axis. He prefers to see neither side win. I sincerely hope England can win, but cannot foretell the future. I think her chances are temporarily improved by reason of alliance with bloody Joe Stalin, dictator of Communist Russia, unless he again makes a sudden, secret, separate peace with Adolf the Assassin, and leaves England holding the bag and being shot at with American-made weapons. He made such a deal once before, you know, and although it didn't work out just as planned, look at what American guns in Russian hands are doing to our friend, Finland. Then, too, we must not overlook the fact that the Commander in Chief of the English Army has said England will need American manpower to win in the end on European battlefields. Our own Commander in Chief, the President, said in a public address at Boston, October 30, 1940, "Your boys are not going to be sent into any foreign wars." Over 80 percent of the people, including myself, want to help our President to keep his pledged word.

Question. The President says England is fighting our war. Do you agree?

Answer. No. If I did agree, I would favor immediate passage of a resolution by Congress declaring war. This is still a foreign war until Congress declares it ours. Americans are not such cowards as to permit others to do their fighting.

Question. Do you think there is danger of war with Japan?

Answer. There is danger, but it is decreasing at present. The President and Secretary Hull should, on the whole, be commended for their handling of Pacific matters thus far.

Question. What is your stand on strikes in defense industries?

Answer. If I had my way, there would be no strikes in defense industries. Right now we are being urged to unite in the fight against foreign dictators. Yet we have here at home alien dictators so powerful they won't let ships out of some of our ports to deliver aid to those resisting aggression and dictatorships abroad. When any pressure group becomes more powerful than our Government, our system becomes a failure. It will not fail, however, if public officials put country instead of the next election first in their hearts. Strikes and sit-downs that hamper and delay production may be the turning factor in this war. I do not want your son, nor mine, to go into battle inadequately prepared. Our soldiers cannot sit down on the job, and those in defense industries are just as vital to the preparedness program as the soldier. Intelligent, patriotic labor leaders know that under dictatorship there are no labor unions. The majority of organized labor, I believe, is willing to cooperate fully in this emergency. Only a comparatively few outlaws are holding up production by strike sabotage. Against those individuals the time is overripe for action.

Question. Do you favor convoys, such as now being used by the United States?

Answer. No. The President has said, "Convoys mean shooting, and shooting means war." The administration, by ordering convoys without authority of Congress, has not only broken its word to keep us out of war but has violated the law. Paragraph D of section

3 of the lease-lend law (H. R. 1776), now Public Act, No. 11, says: "Nothing in this act shall be construed to authorize or permit authorization of convoying vessels by naval vessels of the United States." If the law is to be changed, let Congress change it. The President took an oath to enforce the law.

Question. How does it happen that in spite of the Neutrality Act prohibiting American ships from entering combat zones, that they are doing so and being sunk?

Answer. Again we have here a violation of the law. The law has been evaded by permitting American ships carrying munitions of war to fly the flag of Panama and thus enter combat zones. This fools nobody. If an individual tried such an evasion of the income-tax collector, he would be brought to the bar of judgment in short order. The law is violated in spirit and abused in administration when our Government says that an area where fighting is taking place, such as the Red Sea, Mediterranean, and other places, is not a combat area and then lets American ships enter. Congress should either repeal this law outright or insist that the President enforce it.

Question. Do you favor freedom of the seas?

Answer. Yes; under international law. Freedom of the seas is a slogan we have thrilled to and rallied around in America ever since the days of John Paul Jones and Stephen Decatur. However, when we passed the Neutrality Act, and the lease-lend law we, with recommendation of the President, surrendered our right to full freedom of the seas for the sake of peace. By this I mean we agreed not to send our ships into combat zones and to insist that combatants come and get their munitions of war from our shores, "cash and carry." That decision was reached in a time when we were at peace and, in light of experience, could look at the problem objectively. Freedom of the seas is the asserted right of nonbelligerents to carry on nonbelligerent commerce with both sides. This right, under international law, can thus be claimed only by neutrals. The United States is not a neutral and is not acting as a neutral. We are favoring only one side. We are insisting on rights of a neutral for ourselves but denying them to others. We are being asked to fight for freedom of the seas but for whom? Do not forget that Britain is interfering with our freedom of the seas by her blockade which prevents our merchants from selling farm produce to the needy, starving countries, Holland, Norway, France, Poland, Belgium, and many others. Beware of catchy slogans.

Question. The President has ordered the Navy to shoot German vessels in our defense waters. Where are those waters?

Answer. The President gave no definition other than that to be implied in his statement that we must deliver the weapons (in spite of the Neutrality Act) to every port where they are needed. Thus, I take it that German and Italian vessels are to be shot at on sight wherever seen.

Question. Does not such a shoot-first order constitute a declaration of war?

Answer. As a practical matter perhaps it does. However, the Constitution, article I, section 8, provides that only the duly elected Representatives of the people in Congress can declare war. Hitler, of course, doesn't care what our Constitution says. That is why we are placed in such jeopardy by this order which short circuits the Constitution.

Question. Would Congress declare war if the President requested it today?

Answer. No. Not more than 20 percent of the Members favor such a step and that is the reason the administration seeks to provoke incidents which will inflame public opinion and thus perhaps influence Congress to change its stand.

Question. Since the President has declared war and the Congress won't, doesn't this leave the United States in quite a dilemma?

Answer. Yes, indeed. We are not being honest with the people unless we either declare war and thus get into it through the front door or insist that our President enforce the neutrality law. Request at this time for repeal or drastic modification of this law is but another step to get us into a shooting war through the back door without congressional declaration. Why fight to preserve our form of government if we don't think it is good enough to practice ourselves?

Question. Do you think the United States in danger of successful invasion by Hitler?

Answer. Not if we are adequately prepared. I am in favor of adequate defense of the Western Hemisphere. The threat of invasion is the kind of propaganda always used by those planning wars for others to fight because people will only support what appears a defensive war. This scheme was first used in this country in 1810 by Fisher Ames, a Member of Congress, who proposed the first A. E. F. Mr. Ames said, among other things, "Let no man in America deceive himself. If Napoleon prevails in Europe we will be his vassals and be reduced to slavery." "Britain fights our battles." "Our one single hope of security is the English Navy." I believe we have as much to fear from forces within our country as from without. Economic collapse caused by the first World War hatched the rotten eggs of fascism. Our Government with a debt approaching $100,000,000,000, widespread unemployment, and other unsolved domestic difficulties, would not survive another major war and loss of perhaps millions of our best young men in foreign slaughter pens.

Question. What will you do, since you oppose involvement in this foreign war, if Congress does declare it "our war"?

Answer. In that event I will loyally support the administration and urge unity until victory. Until such declaration I shall continue to oppose steps which are taking us into the war a step (or an incident) at a time through the back door, contrary to wishes of a majority of the people and the pledged word of their elected leaders. President Lincoln said, "There is an important sense in which the Government is distinct from the administration. One is perpetual, the other temporary and changeable. A man may be loyal to his Government and yet oppose the peculiar principles and methods of the administration." I intend to keep my oath to be loyal to our Government at all times, in peace and war. In time of war I will even support the administration. Our country, may she always be right, but our country right or wrong. When right to be kept right. When wrong to be put right.

Question. Are you not risking your political life by taking a stand on these questions when you could safely keep quiet to see which way the wind will finally blow?

Answer. Yes; according to rules of the political fence-sitter. However, I think my employers, the voters of my congressional district, are entitled to a frank and honest statement of my stand on issues vital to them. They know I hate Hitler and all he stands for. They know I was for adequate defense of the Western Hemisphere even years before elected to Congress. They also know I love my country more than this job. These times call for political courage. If the people are not willing to support a few men of political courage, even though they may differ in details, they are soon going to have opportunity to support only a government by rubber stamps and "yes" men. Under such a government, in which if the leader is wrong all are wrong, we will have lost what we are being asked to "shoot first" and shed our blood for—a free and representative form of government in which the collective judgment of the people, as expressed through their Representatives in Congress, is the law of the land, which the President takes an oath to enforce and administer.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. GREGORY, for 1 week, on account of official business.

ADJOURNMENT

Mr. COOPER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 8 minutes p. m.) the House adjourned to meet, in accordance with its previous order, on Thursday, October 2, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on the following dates at 10 o'clock a. m. to consider the following bills:

Tuesday, September 30, 1941:

H. R. 5446, to establish a system of unemployment insurance for the maritime industry and for other purposes.

Tuesday, October 14, 1941:

H. R. 3254, to safeguard and protect further the lives of fishermen at sea and to place fishing boats under the supervision of the Department of Commerce, Bureau of Marine Inspection and Navigation, and for other purposes.

COMMITTEE ON AGRICULTURE

The Committee on Agriculture will hold hearings on Tuesday, September 30, 1941, at 10 o'clock a. m. on H. R. 5336, Farm Credit Act.

COMMITTEE ON RIVERS AND HARBORS

The Committee on Rivers and Harbors will meet on Tuesday, September 30, 1941, at 10:30 o'clock a. m., to begin hearings on the project for the improvement of the Beaver and Mahoning Rivers, Pennsylvania and Ohio.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

950. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to establish the naval procurement fund, and for other purposes; to the Committee on Naval Affairs.

951. A letter from the Comptroller General of the United States, transmitting a report and recommendation concerning the claim of Libby, McNeill & Libby against the United States; to the Committee on Claims.

952. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 20, 1941, submitting a report, together with accompanying papers and an illustration, on reexamination of Toms River, N. J., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted July 18, 1939 (H. Doc. No. 393); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

953. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 19,

1941, submitting a report, together with accompanying papers and an illustration, on reexamination of Dorchester Bay and Neponset River, Mass., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 1, 1939 (H. Doc. No. 394); to the Committee on Rivers and Harbors and ordered to be printed, with an illustration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 5120. A bill to authorize the Secretary of the Treasury to dispose of the remaining portion of the Grosse Point Lighthouse Reservation by deed to the city of Evanston, Ill.; with amendments (Rept. No. 1215). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 4226. A bill to provide for the construction of a Coast Guard cutter designed for ice-breaking and assistance work on the Great Lakes; with amendment (Rept. No. 1216). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 5725. A bill to authorize the Secretary of the Treasury to purchase or accept as gifts motorboats, yachts, and similar vessels for Coast Guard use; to the Committee on the Merchant Marine and Fisheries.

By Mr. FULMER:

H. R. 5726. A bill to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture.

By Mr. MAY:

H. R. 5727. A bill to provide protection of persons and property from bombing attacks in the United States, its Territories, and possessions, to authorize the procurement of materials and supplies, and for other purposes; to the Committee on Military Affairs.

By Mr. RANDOLPH:

H. R. 5728. A bill to authorize the Commissioners of the District of Columbia to acquire, operate, and regulate public off-street parking facilities, and for other purposes; to the Committee on the District of Columbia.

By Mr. SATTERFIELD:

H. R. 5729. A bill to amend section 2100 (a) (1) of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. SHERIDAN:

H. R. 5730. A bill to increase the compensation of employees in the Federal service and to establish a minimum annual rate of pay of $1,500; to the Committee on the Civil Service.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States to consider their House Concurrent Resolution No. 8, relative to Federal Social Security Act; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States to consider their House Simple Resolution No. 40, relative to un-American and subversive activities in America; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BISHOP:

H. R. 5731. A bill granting a pension to Emma Lee; to the Committee on Pensions.

By Mr. GATHINGS:

H. R. 5732. A bill for the relief of Florence Consler; to the Committee on Claims.

By Mr. HOFFMAN:

H. R. 5733. A bill for the relief of Donald Boyle; to the Committee on Claims.

By Mr. McGREGOR:

H. R. 5734. A bill granting an increase of pension to Martha J. Pristoe; to the Committee on Invalid Pensions.

By Mr. PACE:

H. R. 5735. A bill for the relief of the Williams Lumber Co.; to the Committee on Claims.

By Mr. PETERSON of Florida:

H. R. 5736. A bill adjusting the military record of Capt. Sam Bucklew, deceased; to the Committee on Military Affairs.

By Mr. THOMASON:

H. R. 5737. A bill for the relief of Gloria Yee; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk, and referred as follows:

1841. By Mr. MARTIN J. KENNEDY: Petition of the New York Board of Trade, Inc., opposing that portion of the rivers and harbors bill which provides for the improvement of the Great Lakes-St. Lawrence Basin; to the Committee on Rivers and Harbors.

1842. Also, petition of the Commerce and Industry Association of New York, opposing House Joint Resolution 226 as proposed; to the Committee on Interstate and Foreign Commerce.

1843. By Mr. KEOGH: Petition of the Junior Chamber of Commerce of Woodhaven, N. Y., favoring legislation calling for a decrease in the present prices, and a stationary ceiling, Government controlled and enforced, on all future prices; to the Committee on Banking and Currency.

1844. By the SPEAKER: Petition of the Mobile Chamber of Commerce, Mobile, Ala., petitioning consideration of their resolution with reference to Federal expenditures for nondefense purposes; to the Committee on Rivers and Harbors.

1845. Also, petition of the Associated Portuguese Welfare Association of Hawaii, Honolulu, T. H., petitioning consideration of their resolution with reference to national defense; to the Committee on Military Affairs.

1846. Also, petition of the International Typographical Union, Indianapolis, Ind., petitioning consideration of their resolution with reference to the social-security law; to the Committee on Ways and Means.

1847. Also, petition of the National Council, Sons and Daughters of Liberty, Philadelphia, Pa., petitioning consideration of their resolution with reference to un-American activities of various groups within our country; to the Committee on Rules.

SENATE

THURSDAY, OCTOBER 2, 1941

Rev. William E. Skadden, pastor of the First Baptist Church of Rantoul, Ill., offered the following prayer:

Our Father, Thou giver of every good and perfect gift, unto whom all hearts are open, all desires known, look down upon Thy children with compassionate love and so endow us with a sense of insufficiency that we may be completely conscious of our utter need for Divine fellowship.

Give unto us such understanding of heart and clarity of mind that we shall see the problems and duties of our day and generation in the light of Thy holy will.

Grant unto this Nation, and particularly its leaders in this time of crisis, those faculties which make for good steersmanship in troubled waters. Grant us a clear eye, so that we may be able to see danger. Give us steady hands that we may steer safely. Give us stout hearts of courage to do the right according to Thy will. Above all, we pray that Thou wilt grant unto us that peace which passeth all understanding.

In the name of Him who brought peace upon the troubled waters of Galilee with the command, "Peace be still." Amen.

NAMING A PRESIDING OFFICER

The Secretary, Edwin A. Halsey, read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., October 2, 1941.

To the SENATE:

Being temporarily absent from the Senate, I appoint Hon. KENNETH MCKELLAR, a Senator from the State of Tennessee, to perform the duties of the Chair during my absence.

CARTER GLASS,
President pro tempore.

Mr. McKELLAR thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. HATCH, and by unanimous consent, the reading of the Journal of the proceedings of Monday, September 29, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

INVESTIGATION OF SCARCITY OF RAW MATERIALS—PRIORITIES

The ACTING PRESIDENT pro tempore. Petitions and memorials are in order.

Mr. VANDENBERG. Mr. President, I should like to address a petition verbally to the distinguished Senator from Illinois [Mr. LUCAS]. I am speaking to him in his capacity as chairman of the Committee to Audit and Control the Contingent Expenses of the Senate. I should like to be advised, if I may, what is the status of the so-called Maloney resolution, Senate Resolution 157, which was submitted 4 or 5 weeks ago and which seeks

an investigation of priorities. It is a matter which, I think, is of vital, progressive, and sinister concern to the United States.

Mr. LUCAS. Mr. President, I will say, in answer to the distinguished Senator from Michigan, that, as I recall, the resolution referred to was submitted by the able Senator from Connecticut before I became chairman of the Committee to Audit and Control the Contingent Expenses of the Senate. I ask the Senator from Connecticut if I am correct in that statement.

Mr. MALONEY. I am not quite certain. It is possible that the resolution was submitted before the Senator became chairman of the committee.

Mr. LUCAS. I think I am correct in my conclusion upon that point.

I may say, with the Senator's permission, that quite a number of resolutions have been submitted from time to time and are pending before the Committee to Audit and Control the Contingent Expenses of the Senate. Being the new chairman of that committee, and attempting to examine all such resolutions from time to time to see just what they contain from the standpoint of merit or otherwise, with all the other duties I have as a United States Senator, there may be some of the resolutions which have been slightly neglected.

I will say for the Senator from Connecticut that he has requested a couple of times that I look into this matter, but, frankly, I have not done so up to this day. In view, however, of the request made by the Senator from Michigan, as well as that made by the Senator from Connecticut upon two different occasions, I promise both Senators now that at the earliest opportunity I shall call the committee together for the purpose of making final determination as to what shall be done in the premises.

Mr. VANDENBERG. I thank the Senator for his statement. Of course, he will understand that I was not imputing to him any lack of diligence. I was simply trying tangibly to express an interest in what I believe to be a desperately important inquiry unless the domestic economy of the United States is to be substantially ruined.

Mr. LUCAS. I am glad that my answer satisfies the Senator, for the moment at least.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate or presented and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A letter in the nature of a memorial from Frank M. Zeth, of Hopewell, Pa., remonstrating against the prices for consumer commodities and the high cost of living; to the Committee on Banking and Currency.

Letters in the nature of petitions from several citizens of the United States, praying that the United States keep out of war; to the Committee on Foreign Relations.

By Mr. TYDINGS:

A petition of sundry citizens of Harford County, Md., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. VANDENBERG:

A resolution of the Michigan Municipal League in convention assembled at Traverse City, Mich., favoring the enactment of legislation for the development of the St. Lawrence River; to the Committee on Commerce.

A resolution of the Detroit (Mich.) Association of Insurance Agents, favoring equality of taxation on stock and participating insurance companies (other than life); to the Committee on Finance.

A petition of sundry citizens of Cass City and vicinity, in the State of Michigan, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. CAPPER:

A petition, numerously signed, of sundry citizens of Little River, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

WHEAT MARKETING PENALTY IN KANSAS—MEMORIAL

Mr. CAPPER. Mr. President, I ask consent to have printed in the RECORD at this point, copy of a memorial from about 1,000 farmers of Coffey County, Kans., protesting against the marketing quota amendments to the Agricultural Adjustment Act, and asking for immediate relief. I ask that the memorial be referred to the Committee on Agriculture and Forestry.

The memorial reads as follows:

A PROTEST

Hon. ARTHUR CAPPER,
United States Senator from Kansas:

We, the undersigned farm owners and farm operators of Coffey County, hereby protest the drastic actions and regulations of the wheat-marketing law under the Agricultural Adjustment Act, and strongly insist that the penalty assessed against overquota wheat be removed, thereby permitting farmers to either sell their surplus wheat or feed it to their own livestock without payment of any penalty whatsoever.

Following are the reasons for this protest:

Confiscation of personal property without due process of law, contrary to the fifth amendment of the Constitution of the United States.

Wheat-marketing law was voted on the acreage basis after the crop had been planted and was almost ready for harvest.

Law was voted in to affect many who, due to the fact they had only a small quota, were not permitted to vote.

Partiality and favoritism in the fixing of quotas.

Mr. President, I desire to say that, in my judgment, these farmers have a just ground of complaint, and I hope that before this session of Congress ends, legislation to correct the injustices and alleviate the hardships caused by this law will be enacted into law.

The ACTING PRESIDENT pro tempore. The memorial presented by the Senator from Kansas will be referred to the Committee on Agriculture and Forestry.

RESOLUTION OF MILWAUKEE COUNTY, WIS., BOARD OF SUPERVISORS

Mr. WILEY presented a resolution of the Board of Supervisors of Milwaukee County, Wis., which was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

Hon. ALEXANDER WILEY,
State of Wisconsin:

Whereas it has been represented to the county board of supervisors of Milwaukee County that the consumers' purchase price of several necessities of life has been unduly raised within the last 5 months; and

Whereas interested bodies have predicted that unless this situation is placed under proper control there is great likelihood that unnecessary hardship will be caused to the people: Now, therefore, be it

Resolved, That the county board of supervisors of Milwaukee County in regular meeting assembled this 9th day of September 1941 hereby urge Congress and the President to exercise all proper means as soon as possible to prevent the continuance of such practices.

RESOLUTION OF MILWAUKEE JEWISH PEOPLE'S CHORAL SOCIETY

Mr. WILEY also presented a letter and an accompanying resolution of the Milwaukee, Wis., Jewish People's Choral Society, which were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

JEWISH PEOPLE'S CHORAL SOCIETY,
Milwaukee, Wis., September 20, 1941.

Senator A. WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: At the last meeting of the Jewish People's Choral Society the enclosed resolution was passed.

Today, when the world is engaged in a bloody battle to defeat Hitlerism, we must do everything in our power to extend and preserve democracy. We urge you, therefore, in the name of preserving democracy and defeating Hitlerism, to act promptly on the enclosed resolution.

Respectfully yours,
JEWISH PEOPLE'S CHORAL SOCIETY,
GEORGE M. LIFSHITZ, *Secretary.*

Whereas in order to defend the national independence and security of the United States of America from the imminent danger of attack by Nazi Germany and its allies, President Roosevelt and the national administration have adopted a policy of giving full aid to Great Britain, the Soviet Union, China, and all countries who are fighting against Hitler fascism; and

Whereas Americans, of Jewish origin particularly, are concerned that the menace of Hitler fascism be completely destroyed in order that peace may come to the world and the fountainhead of persecution and discrimination against national and religious minorities be removed: Therefore be it

Resolved, That the Milwaukee Jewish People's Chorus hereby go on record wholeheartedly and completely supporting the announced foreign policy of President Roosevelt and the national administration, of fullest strengthening of America's defense forces and production, and complete aid to Great

Britain, the Soviet Union, China, and all peoples fighting Hitler fascism; and be it further

Resolved, That every member and friend of our organization be urged to do all in his power to further these policies, and as a step in this direction that copies of this resolution be forwarded to President Roosevelt, Senators WILEY and LA FOLLETTE, Congressmen THILL and WASIELEWSKI, and the Jewish and English press.

REPORTS OF A COMMITTEE

The following reports of the Committee on Pensions were submitted:

By Mr. TUNNELL:

H. R. 181. A bill granting an increase of pension to Mary W. Osterhaus; without amendment (Rept. No. 689);

H. R. 341. A bill granting an increase of pension to Inez Clair Bandholtz; without amendment (Rept. No. 690);

H. R. 492. A bill granting an increase of pension to Rosalie C. Hood; without amendment (Rept. No. 691);

H. R. 902. A bill granting an increase of pension to Elizabeth Painter Menoher; without amendment (Rept. No. 692);

H. R. 1493. A bill granting an increase of pension to Florence Sharp Grant; without amendment (Rept. No. 693);

H. R. 2190. A bill granting an increase of pension to Nellie J. Merriman; without amendment (Rept. No. 694);

H. R. 2787. A bill granting an increase of pension to Ethel Wise; without amendment (Rept. No. 695);

S. 1263. A bill granting an increase of pension to Grizelda Hull Hobson; without amendment (Rept. No. 696); and

S. 1647. A bill granting an increase of pension to Jeannette W. Moffett; without amendment (Rept. No. 697).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. REYNOLDS:

S. 1935. A bill to amend section 602 (m) of the National Service Life Insurance Act of 1940 (Public, No. 801, 76th Cong.), to provide for a person in the military service to secure insurance effective as of date of application by payment of the first premium within 30 days thereof (with an accompanying paper); and

S. 1936 (by request). A bill to provide protection of persons and property from bombing attacks in the United States, and for other purposes; to the Committee on Military Affairs.

By Mr. CLARK of Missouri:

S. 1937. A bill for the relief of Henry William Sieker; to the Committee on Military Affairs.

S. 1938. A bill granting jurisdiction to the Court of Claims to hear, determine, and render judgment upon the claim of Thomas N. Dysart, trustee of the estate of Alexander H. Handlan, deceased; to the Committee on Claims.

By Mr. CHAVEZ:

S. 1939. A bill for the relief of William H. Harvey; to the Committee on Claims.

By Mr. CHAVEZ (for himself and Mr. HATCH):

S. 1940. A bill for the relief of Dimitrios Karamouzis (known as James C. Karamouzis or James C. Kar); to the Committee on Immigration.

By Mr. McNARY:

S. 1941. A bill for the relief of Philip Kleinman; to the Committee on Claims.

By Mr. BARBOUR:

S. 1942. A bill conferring jurisdiction upon the United States District Court for the District of Columbia to hear and determine the claim of Norman D. Mattison for a patent; to the Committee on Claims.

S. 1943. A bill to authorize the presentation of a Distinguished Service Cross to Thomas Orgo; to the Committee on Naval Affairs.

By Mr. GILLETTE:

S. 1944. A bill for the relief of Thomas Samuel Wuriu; to the Committee on Immigration.

By Mr. CAPPER (for Mr. MCCARRAN):

S. 1945. A bill to authorize the Commissioners of the District of Columbia to acquire, operate, and regulate public off-street parking facilities, and for other purposes; to the Committee on the District of Columbia.

By Mr. CLARK of Missouri:

S. J. Res. 107. Joint resolution for the relief of Benton Wilson; to the Committee on Claims.

AUDIT OF SENATE ACCOUNTS

Mr. BYRD submitted the following resolution (S. Res. 174), which was referred to the Committee on Rules:

Resolved, That the Comptroller General of the United States is requested in accordance with section 312 (b) of the Budget and Accounting Act, 1921 (42 Stat. 26) to make a complete audit for the fiscal year 1941, and at least once during each fiscal year thereafter, of all purchasing made with Senate funds, and the encumbering, receiving, or disbursing of such funds, which are made available by appropriations or which otherwise come under the control of the Senate. The Comptroller General is further requested to make a similar audit for such prior fiscal years as he may deem to be necessary to satisfy himself of the accuracy of the accounts under audit. At the completion of any such audit the Comptroller General shall render a complete report, in writing, to the President of the Senate.

All officers and employees of the Senate shall give the Comptroller General or his representatives free access to the books, records, and data under their control and their full cooperation.

The Comptroller General in such reports shall make recommendations toward the improvement of the methods of purchasing with Senate funds, or of encumbering, receiving, or disbursing such funds by such officers and employees so as to increase the efficiency and economy of their operations.

INCREASE IN MEMBERSHIP OF SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL-DEFENSE PROGRAM

Mr. MEAD submitted the following resolution (S. Res. 175), which was referred to the Committee on Military Affairs:

Resolved, That the membership of the special committee authorized and directed to make an investigation of the national-defense program, pursuant to the provisions of Senate Resolution 71, Seventy-seventh Congress, first session, agreed to on March 1, 1941, is hereby increased by three additional Senators, not more than two of whom shall be from the same political party. Such additional Senators shall be appointed by the President of the Senate and shall have the same powers and functions as the Senators originally appointed under the authority of such resolution.

AMERICAN NEWSPAPER WEEK

Mr. CAPPER. Mr. President, this week, October 1 to October 8, the United States, the one Nation with a free press left in the world, is observing newspaper week. Twenty-six American newspaper associations are sponsoring the program. I take advantage of the occasion to pay a brief tribute to the small country weeklies and the small-town daily newspapers, and their editors.

Without disparaging in the least the huge metropolitan dailies, with circulations running into the hundreds of thousands and occasionally into the millions—and I say they are the best daily newspapers in the world—it is to the weekly newspapers and the small-town daily newspapers that I, myself, turn for information, guidance, and inspiration, especially in the case of problems and questions affecting the public welfare.

Sometimes I think that the editors of these small newspapers have a wider grasp of fundamentals, greater knowledge of things worth while, and a better understanding of the people for whom they write, than have their more sophisticated cousins on the metropolitan dailies. The small-town editor knows John Smith and Bill Jones, and writes for and about John Jones and Bill Smith. To the small-town and weekly editor John Jones and Bill Smith are flesh-and-blood persons, human individuals.

But the editors of a huge metropolitan daily, writing for a mass circulation, cannot write for John Smith and Bill Jones. They generally do not know John Smith or Bill Jones—at least not as subscribers. They write for John Doe and Richard Roe—not flesh-and-blood, individual persons at all, but a sort of composite per capita unit of mass production, or mass imagination. One deals with men and women as such; the other deals with the mob that is mass circulation.

The editor of a small-town daily, or a country weekly, cannot write from an ivory tower, nor from a cloistered sanctum. He does not live in an ivory tower; nor does he work in seclusion, insulated from his readers. He lives their lives; he feels their feelings; their problems are his problems; they are human beings, and he has to be a human being himself to get along with them.

So, Mr. President, if you want to know what America thinks, how America feels, what America does, keep in touch with the small-town dailies and the county weeklies that carry on through good times and bad, through booms and depressions, throughout the land. These newspapers constitute the real free press of America; their editors the real and realistic voice of America. These newspapers, these editors, are the permanent expression of the lives of a free people. I am proud to pay them this tribute today, while the Nation is observing newspaper week.

In this connection, I ask unanimous consent to have printed as a part of my remarks an article from the Eunice (La.) New Era, which includes statements by a number of Members of this body commenting favorably upon the services and value of the country newspaper editors.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The article referred to is as follows:

[From the Eunice (La.) New Era of September 9, 1941]

In recent years there has been unceasing efforts to belittle the worth of the weekly and semiweekly newspapers of America and their editorial page. This has been especially true wherever and whenever "the country weekly" has pursued a fearless editorial policy. In view of the hostile attitude which has

been manifested toward weekly and semi-weekly newspapers whose editors have "guts" and a backbone instead of wishbone, we here reprint the views expressed by a number of our United States Senators in Washington, D. C., as follows:

Senator CHARLES L. MCNARY, of Oregon: "Bring together the men who publish the papers for the small town, read their editorials, and you will know what America thinks and wants."

Senator PRENTISS M. BROWN, of Michigan: "It has been truly said that he 'who does not know America's small-town newspapers does not know rural America.'"

Senator ALEXANDER WILEY, of Wisconsin: "The still small voice of the county newspaper editor in his tree-shaded office swells into the articulate voice of an informed public opinion throughout the country."

Senator D. WORTH CLARK, of Idaho: "The independence and integrity of the small-town newspaper has been a vital factor in preserving our democracy."

Senator MILLARD E. TYDINGS, of Maryland: "I believe the editorials in the small town and city newspapers have more influence, as a rule, than do the editorials in many of the larger papers of the Nation."

Senator ALBERT B. CHANDLER, of Kentucky: "The small newspapers of the country more correctly express the opinion of the average American than any other medium of expression which the people possess."

Senator GUY M. GILLETTE, of Iowa: "The coming year will bring to the small-town newspaper field its greatest opportunity for real national service."

Senator JOHN THOMAS, of Idaho: "No section of the press is more important in the upholding of the American way of life than the thousands of small country papers."

Senator BURTON K. WHEELER, of Montana: "The weekly newspaper guides sentiment and its editorials express the views and philosophies of America."

Senator ARTHUR CAPPER, of Kansas: "Without the small-town newspapers the high standards of civilization we know could not be maintained."

Senator HUGH BUTLER, of Nebraska: "The small-town and country newspapers are the formulators of public thought and action for over 18,000,000 families."

Senator JAMES M. TUNNELL, of Delaware: "Take from America its local newspapers and you remove one of the greatest aids to education and refinement as well as to national business solidity."

ADDRESS BY SENATOR CAPPER ON HELP FOR SMALL BUSINESS

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a radio address on the subject Help for Small Business, delivered by him at Topeka, Kans., on September 28, 1941, which appears in the Appendix.]

ADDRESS BY SENATOR TYDINGS BEFORE GOLD STAR MOTHERS

[Mr. GEORGE asked and obtained leave to have printed in the RECORD the address delivered by Senator TYDINGS in honor of Gold Star Mothers' day at the Army War College, Washington, D. C., on Sunday, September 28, 1941, which appears in the Appendix.]

ADDRESS BY SENATOR CONNALLY ON AMENDMENT OF THE NEUTRALITY ACT

[Mr. PEPPER asked and obtained leave to have printed in the RECORD a radio address delivered by Senator CONNALLY on Monday, September 29, 1941, on the subject Freedom of the Seas: The So-Called Neutrality Act Must Be Amended, which appears in the Appendix.]

ADDRESS BY SENATOR SCHWARTZ ON AMERICAN FOREIGN POLICY

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD a radio address on American foreign policy delivered by Senator SCHWARTZ in Washington, D. C., on October 1, 1941, which appears in the Appendix.]

ADDRESS BY SENATOR SMATHERS BEFORE NEW JERSEY STATE DEMOCRATIC CONVENTION

[Mr. HILL asked and obtained leave to have printed in the RECORD the address delivered by Senator SMATHERS before the New Jersey State Democratic Convention at Trenton, N. J., on September 30, 1941, which appears in the Appendix.]

ADDRESS BY AMOS J. PEASLEE ON INTERNATIONAL CONSTITUTIONAL LAW

[Mr. TUNNELL asked and obtained leave to have printed in the Appendix of the RECORD an address on international constitutional law, delivered by Amos J. Peaslee before the American Society of International Law at Washington, D. C., on April 25, 1941, which appears in the Appendix.]

EDITORIAL BY JOHN P. LEWIS ON AMERICAN HELP TO RUSSIA

[Mr. HILL asked and obtained leave to have printed in the RECORD an editorial by John P. Lewis, published in PM of September 30, 1941, entitled "You Don't Have To Love the Communists To Help Russia Stop the Nazis," which appears in the Appendix.]

ADDITIONAL FACILITIES AT UNION RAILROAD STATION

Mr. BURTON. Mr. President, last Monday, at the request of the chairman of the Committee on the District of Columbia, the Senator from Nevada [Mr. MCCARRAN], who could not be here, I reported House bill 5682, to amend an act to provide for a union railroad station in the District of Columbia, and for other purposes, and gave notice that because of the urgency of the matter involved I should like to call up the bill by unanimous consent for action at an early date. Therefore, if there is not objection, I should like to ask at this time for the consideration of the bill.

Mr. MCNARY. Mr. President, I desire to cooperate with the able Senator from Ohio, and shall do so at the proper time; but under the rule it is necessary for the Senate to complete the routine morning business before anything of that kind is done. I therefore ask the Senator to bide his time.

The ACTING PRESIDENT pro tempore. The Senator from Oregon is correct. The Senator from Ohio may bring up the bill at a later time in the session.

INVESTIGATION OF SUBVERSIVE GROUP ACTIVITIES

Mr. GILLETTE. Mr. President, I have in mind submitting at this time a resolution concerning which I wish to make a very few prefatory remarks.

In all the history of warfare a very vital and important element and factor in success has been securing, by undercover or espionage methods and agents, information concerning the resources, forces, dispositions, and plans of the enemy. This was true in savage warfare, and it is true in civilized warfare if there is such a thing as civilized warfare. So there is nothing new in the widespread use of these methods in connection with the wars which are being waged so generally throughout the world today; but there has been refinement of method and activity in the way these enterprises have been conducted, particularly with reference to the subversive use of agencies to distort or control or direct public opinion behind the lines.

Our agencies of investigation have been uniformly very alert, very diligent, and very acute in uncovering such activities so far as they relate to Communist, Nazi, or Fascist elements, and our official circles have been commendably active in support; but there has been a singularly obtuse attitude, not on the part of agencies of investigation but on the part of some official circles, in connection with alleged activities of the third member of the tripartite agreement, Japan.

I could, if it would serve any useful purpose at this time, recount startling situations which I believe are true in connection with some of these matters; but it would serve no good purpose. I am constrained, however, to submit this resolution in conjunction with the junior Senator from Colorado [Mr. JOHNSON], and I wish to make a further brief statement in connection with the reasons for presenting it.

In the western portion of the United States there are some groups of American citizens of Japanese ancestry who are doing their earnest best to prove their loyalty to America by exposing un-American Japanese-governed, Japanese-inspired, and Japanese-controlled activities looking to possible hostilities conducted against the United States. The work of these loyal American citizens of Japanese ancestry has been tremendously handicapped, not only because of the extreme difficulty of their close personal association with and relationship to the members of non-American groups but also due to lack of active interest on the part of American officials in the information they have made available from time to time. These young American citizens have been left practically alone to face the united and tremendously powerful force of pro-Japanese organizations, composed of nonquota aliens and so-called dual citizens who prefer allegiance to Japan, and the so-called Kibei, or United States citizens returned from Japan, and all these groups combined with the Japanese consulor agents who have been ceaseless in their activities in organizing and increasing the membership of these hostile or potentially hostile groups.

In an issue of the publication Doho Sha, published in Los Angeles, dated September 1, 1941, the editor, Mr. Shuji Fuji, who is an American citizen of Japanese derivation, urged "immediate action to root out, by publicly denouncing every sign of organization, activity, policy, and propaganda that inclines to promote the pro-Nazi elements in Japan among us, such as the Japanese Military Service Men's League."

The same fearless editor in the same publication, September 1, 1941, demanded the dissolution of the Japanese Military Service Men's League, and decried the denials of Fred Toyania, president of the league, that such a league existed as "deplorable ignorance; an asinine attempt at concealment of facts," and further states that "due to the character of its membership, it has often been regarded as a

potential 'fifth columnist' organization against the United States of America."

It is publicly and definitely charged, and there seems to be reason to believe the charges can be substantiated, that Mr. Tadaaiki Iizuka, assistant chief of the Japanese Foreign Office Information Bureau, was sent to Hawaii in 1936 for the purpose of organizing subversive groups against the United States of America, and remained there until April 1937, when he came to Los Angeles, reporting to the Japanese consulate there, and became active in the following enterprises:

First. Organized the Japanese Military Servicemen's League, an organization with headquarters in San Francisco, formed in 1937, one month after Japan's undeclared war with China; that it has 7,200 members consisting of Japanese subjects and dual-citizens of Japanese ancestry who annually apply for deferment of military service in Japan through the Japanese consulates. As of May 1941, it is alleged that this organization sent 650,000 yen to the Japanese funds; that they have branches in Washington, Oregon, Utah, and northern California, and it is alleged that each member is pledged to die for Japan. This organization is stated to have close connection with the Imperial Comradeship Society of Los Angeles.

This Imperial Comradeship Society has been in existence for many years, but with Mr. Iizuka's arrival in Los Angeles at the Japanese consulate, it has been strengthened, reorganized, and made to include patriotic Japanese of the second generation.

The leader, Mr. Sakutaro Kubota, is a retired Japanese officer. His son, Takashi Kubota, an American citizen, is one of the active leaders in the Japanese American Citizens League of Los Angeles, and an able assistant.

Last year the elder Kubota was sent to Japan to attend the Oversea Japanese Congress as delegate, and is said to have completed the final preparations for any emergency.

The total members are 4,800, spread throughout southern California, Arizona, and Texas.

The Japanese Military Servicemen's League and the Japanese Imperial Comradeship Society operate in 65 localities with 74 branches. These two organizations also exert strong influence over the Japanese American Citizens League.

This third organization, the Japanese American Citizens League, is stated to have branches all over the Western States and with headquarters in San Francisco. For the past several years Mr. Takashi Kubota has taken an unusually active part in the Japanese American Citizens League in Los Angeles. He was for some time the editor of a Japanese monthly called the Citizens' Friend. He succeeded in bringing about the cooperation and collaboration of the Japanese American Citizens League with the Japanese Imperial Comradeship Society and the Japanese Military Servicemen's League in the campaign to sell Japanese war bonds to the Japanese in the Western States.

Second. The Japanese War Ministry sent 100 war propaganda films to this group to be shown throughout America.

Third. The Japanese Finance Minister, Seinen Ikeda, requested of the Japanese American Citizens League to raise 1,000,000 yen and designated the Yokohama Specie Bank of Japan, with branch in San Francisco, as agent to receive the money.

In connection with the activities of these organizations, it is interesting to note the following allegations of fact:

On June 10, 1941, two Japanese spies were apprehended by the Federal agents in California. Toraichi Kono, 56, the major domo in the home of the famous movie star Charles Chaplin, was released on $25,000 bond. Lt. Comdr. Itaru Tatibana, age 39, of the Japanese Imperial Navy, who was posing as a student in the University of Southern California, was released on $50,000 bail, furnished by the Los Angeles Japanese consulate.

On June 22, Lieutenant Commander Tatibana was released because of his diplomatic status, his diplomatic immunity, and allowed to leave the United States.

I have this information, Mr. President, on the direct statement of the Federal Bureau of Investigation.

It is specifically alleged that these subversive activities and others are largely due to the activities of Japanese consular officials in Hawaii and in the Western States. If the allegations are supported by facts developed on investigation, it would seem to be high time that these Japanese consular officials be accorded the same treatment that has been accorded by our State Department to German and Italian officials under similar conditions. Certainly these alleged un-American activities can be checked, and if verified can be largely eliminated and a very serious possible danger and threat to American future security in the Pacific can be removed.

Mr. President, I could speak for some time with respect to the resolution submitted by me in conjunction with my colleague the junior Senator from Colorado [Mr. JOHNSON]. Nothing is further from my mind than to inject anything at any time which might be a factor to create disunity or discord in the effort which this Nation is making. But, after consultation with the Department of Justice, the Federal Bureau of Investigation, and the intelligence units of the Army and Navy, I may say that they express themselves as being anxious that such a resolution be submitted so as to supplement the efforts they are making, and, if possible, to correct the impossible situation which results when they uncover facts but are unable to secure action because of lack of statutory provisions or administrative regulatory authority. It is with their approval and after conference with them that my distinguished colleague and I offer the resolution at this time, and ask that it be referred to the Foreign Relations Committee.

The ACTING PRESIDENT pro tempore. Without objection, the resolution will be referred as requested by the Senator from Iowa.

The resolution (S. Res. 176) was referred to the Committee on Foreign Relations, as follows:

Resolved, That there is hereby created a special committee of five Members of the Senate to be appointed by the President of the Senate. The committee shall select a chairman from among its members. It shall be the duty of the committee to make a full and complete investigation with respect to the character of and the extent to which the so-called Axis Powers, or countries aiding the Axis Powers, or their agents or representatives, have organized, are organizing, or are planning to organize, groups of nonquota aliens residing within the United States, or groups of so-called dual citizens holding American citizenship and at the same time eligibility to citizenship in pro-Axis nations, or similar groups, for the purpose of conducting or now engaged in conducting activities, policies, enterprises, and propaganda dissemination tending to extend within the United States pro-Axis support, or to increase pro-Axis elements, or to raise funds for Axis or pro-Axis support, or to engender, create, increase, or disseminate sentiments of hostility to the United States and her institutions, or to encourage and promote adherence and support to pro-Axis governments, or their war efforts and philosophies, or are hindering or have hindered the national-defense program of the United States. The committee shall report to the Senate, at the earliest practicable time, the results of its study and investigation, together with its recommendations, if any, for necessary legislation.

For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-seventh and succeeding Congresses, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The committee shall have power to employ and fix the compensation of such officers, experts, and employees as it deems necessary for the performance of its duties. The committee is authorized to utilize the services, information, facilities, and personnel of the departments and agencies of the Government. The expenses of the committee, which shall not exceed $20,000, shall be paid from the contingent fund of the Senate, upon vouchers approved by the chairman.

All hearings for the reception of testimony which involves evidence of facts which would be useful in a military sense to so-called Axis Powers shall be closed hearings, under rules determined by the committee, prior to such hearings.

The ACTING PRESIDENT pro tempore. Morning business is closed.

CERTIFICATION FOR AMORTIZATION PURPOSES OF NATIONAL-DEFENSE FACILITIES AND CONTRACTS

Mr. GEORGE. Mr. President, on Monday there was favorably reported from the Finance Committee, with certain amendments, House Joint Resolution 235, at which time I gave notice that I would desire to bring the matter up today if no objections were made. Some discussion ensued between the chairman of the committee and the minority leader, the Senator from Oregon [Mr. MCNARY]. Since that time I have had conversations with the minority leader on the subject.

Mr. McNARY. Mr. President, on Monday I objected to the consideration of this measure, as stated by the able Senator from Georgia, because I thought it collided somewhat with the statement made by the Senator from Kentucky [Mr. BARKLEY]. I have had the views of the Senator from Kentucky on the matter since that time, and he thinks the proposed legislation should be considered. I have discussed the matter with the Senator from Georgia, and I find that the proposed legislation affects the procedure rather than the substance of the act now on the statute books. I am advised that the Finance Committee unanimously reported the joint resolution. Under those circumstances, Mr. President, I have no objection to the present consideration of the measure.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution (H. J. Res. 235) to amend section 124 of the Internal Revenue Code by extending the time for applications, and changing the procedure, for certification of national-defense facilities and contracts for amortization purposes, which had been reported from the Committee on Finance with amendments.

Mr. GEORGE. Mr. President, before proceeding with the amendments I wish to make a very brief explanation, and to file for the RECORD a supplemental statement.

The joint resolution relates entirely to procedure. It does not deal with any substantial change in the existing revenue law. It deals only with section 124 of the Internal Revenue Code, which was inserted in the second Revenue Act of 1940, and which provided for certificates of necessity, of non-reimbursement, and of Government protection. Such certificates are necessary to enable taxpayers installing or constructing or acquiring facilities for national-defense purposes, to obtain the amortization which was provided in the second Revenue Act of 1941. The amortization provided under that act was recommended to the Finance Committee and to the Ways and Means Committee by the War Department, by the Navy Department and by other agencies of Government having to do with the national-defense program.

Subsequently it has developed that section 124 has been very difficult to administer. Over 45,000 applications have been made for certificates, but only a handful of certificates of necessity have been granted, due to the administrative difficulties which arose under this section of the Act.

The changes made in the text of the joint resolution by the Finance Committee, which were recommended by the War Department, the Navy Department, and other agencies of the Government having to do with national defense, relate principally to two or three matters. The first principal change relates to certificates of necessity. Under the law as it stands a certificate of necessity is required in order to enable the taxpayer to obtain the benefits of the amortization provisions of the Act. Under the House measure, a certificate of necessity was required to be issued by the Secretary of War or the Secretary of the Navy, as the case may be, under regulations prescribed by the Secretary of War and the Secretary of the Navy "and subject to such policies and procedures as may be prescribed from time to time by the President, or by such agency or officer as he may designate." The Finance Committee struck out the language "and subject to such policies and procedures as may be prescribed from time to time by the President, or by such agency or officer as he may designate" and inserted in lieu thereof "with the approval of the Presirent" so as to read:

Which certification shall be under such regulations as may be prescribed from time to time by the Secretary of War and the Secretary of the Navy, with the approval of the President.

Under the Finance Committee amendment, the President would have the approval of the rules and regulations under which such certificates could be issued.

Of course, the President might call upon any agency or officer of the Government to provide him with such information and recommendations as to that matter as the President might desire. That is the principal change.

That change occurs twice in the joint resolution because under the amortization provision both certificates of necessity, certificates of nonreimbursement, and certificates of Government protection are required.

Under a provision of the House measure, which was not changed by the Finance Committee, amortization may be granted, whether or not there has been reimbursement, if the taxpayer grants to the Government control over the future use and disposition of the facility. So the taxpayer could not dismantle or abandon his facility immediately after the emergency passed if the Government had any interest in its future use, operation, or control.

The other amendments relate to the time of filing applications for certificates. The House changed from 60 days to 6 months the time for filing certificates. The Senate further amended that provision by striking out "February 6, 1941," which is the alternate date in the present law, and inserting in lieu thereof "December 1, 1941." The extensions of time made by the House and by the Senate committee were entirely agreeable to the officials of the Government.

There are one or two other minor amendments in the joint resolution. However, I believe that the two amendments to which I have called attention are the principal ones. A slight amendment is made in the provision for indirect reimbursement certificates, which provision has given rise to the administrative difficulties which this measure is designed primarily to correct.

I ask unanimous consent that the formal reading of the joint resolution be dispensed with, that it be read for amendment, and that the committee amendments be first considered.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The first committee amendment will be stated.

The first amendment of the Committee on Finance was, in section 1, on page 2, line 4, after the word "Navy", to strike out "and subject to such policies and procedures as may be prescribed from time to time by the President, or by such agency or officer as he may designate," and insert "with the approval of the President."

The amendment was agreed to.

The next amendment was, in section 2, on page 2, line 10, after the words "six months", to insert "and by striking out 'February 6, 1941', and inserting in lieu thereof 'December 1, 1941'."

The amendment was agreed to.

The next amendment was, in section 3, on page 2, line 19, after the word "behalf", to insert "after December 31, 1939"; on page 4, line 3, after the word "before", to strike out "February 6, 1941", and insert in lieu thereof "December 1, 1941"; and in line 13, after the words "Secretary of the", to strike out "Navy which regulations shall be subject to such policies and procedures as may be prescribed from time to time by the President, or by such agency or officer as he may designate" and insert in lieu thereof "Navy, with the approval of the President."

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. That completes the committee amendments. The joint resolution is still before the Senate and open to further amendment. If there be no further amendment to be offered, the question is on the engrossment of the amendments and the third reading of the joint resolution.

The amendments were ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

Mr. GEORGE. Mr. President, I desire to add to the statement which I have made a very brief statement with reference to the measure.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT (H. J. RES. 235)

In order to protect their right to amortization, taxpayers who have Government contracts must obtain either certificates of nonreimbursement, certifying that those contracts do not directly or indirectly reimburse the taxpayer for the cost of the facilities, or certificates of Government protection, certifying that the interest of the Government in the future use and disposition of the facilities is adequately protected. Direct reimbursement presents no real problem. The contrary is true of indirect reimbursement. It is anticipated that the joint resolution will improve this situation.

Indirect reimbursement, as that term is used in section 124 (i), has reference to a return of cost greater than the amount which would normally be recovered on account of exhaustion, wear and tear, and obsolescence. Thus it is permissible to provide for a return of cost not exceeding the allowance (under section 23 (l)) for depreciation which, in the absence of the amortization allowance, would be proper under all the circumstances. In other words, the return of any actual depreciation occurring by reason of excessive use and similar factors does not constitute

reimbursement. No change is being made in the provisions of section 124 (i) in this respect.

The principal difficulty to date has arisen out of the lack of a satisfactory test of the existence of indirect reimbursement. In the course of the past year applications have been filed with respect to over 45,000 contracts, but only a bare handful of certificates has been issued. Much uncertainty and confusion has existed, not only among taxpayers but also in the Government agencies charged with administration of the law. The joint resolution represents an effort to eliminate this confusion. It rewrites section 124 (i) so as to provide a workable test of whether taxpayers are being indirectly reimbused through Government contracts for the cost of emergency facilities. This test, the only practicable one, is whether the Government's contracting officers intended the taxpayer to be reimbursed.

If there is no intention on the part of the Government to reimburse the taxpayer, certificates are to be issued under regulations prescribed by the service departments with the approval of the President. The committee has in its files a draft of regulations relating to this subject. This draft was prepared some time ago, when a somewhat different proposal for amending subsection (i) was pending. That proposal required the submission and examination of cost estimates in connection with applications for nonreimbursement certificates. Since the subsection as revised will make the taxpayer's intention wholly immaterial, there will be no basis for any such requirement, and the regulations should so provide.

In extraordinary cases, of course, it will be proper for the contracting officers to call for cost estimates and similar data prior to executing contracts, but any such demand should be made only when compliance will not impose an unreasonable burden, when it will not result in delay, and when it is adequately safeguarded against the abuses which might result, for example, if the information became available to competitors.

Another change in subsection (i) is the insertion of language which will permit the issuance of certificates of Government protection whether or not the taxpayer is being reimbursed. This has obvious advantages for the Government, and will greatly simplify administration whenever taxpayers are willing to give the Government such control over the future use and disposition of an emergency facility as may be commensurate in degree and duration with the Government's estimate of the extent of the reimbursement for the facility.

ADDITIONAL FACILITIES FOR UNION RAILROAD STATION

Mr. BURTON. Mr. President, I ask unanimous consent for the present consideration of House bill 5682, calendar No. 718, concerning which I gave notice last Monday.

The ACTING PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 5682) to amend an act to provide for a union railroad station in the District of Columbia, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. McNARY. Mr. President, the objection which I lodged a few moments ago was because it did not come in the proper place in the morning's procedure. I am familiar with the bill. I have discussed it with the able Senator from Ohio, and I have no objection to its consideration.

Mr. HATCH. Mr. President, I understand there is no controversy about the bill.

Mr. McNARY. That is true.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. McNARY. Mr. President, in view of the record we have tried to make, I think an explanation of the bill should be made. An understanding was had with the able majority leader that no business of any particular substance would be transacted during the time specified. I am sure this measure comes without the prohibition, but I think the Senator should make a brief explanation of the bill.

Mr. BURTON. Mr. President, merely for the record and because the bill is being brought up at the request of the chairman of the District of Columbia Committee, who is not present, I wish to say a few words in explanation.

This bill is designed to break the bottleneck which occurs at Washington through the congestion of the mail service at Christmas time. Such congestion occurred last year, and in previous years. The bill makes it possible to provide five additional tracks of standard construction in the terminal building. It would not involve any expenditure by the Federal Government or the District of Columbia. The $500,000 involved will be paid by the Washington Terminal Company; and if the work is to be completed by December 1 it will be necessary to begin it immediately. In order to make that possible it is necessary to amend the act authorizing the establishment of a Union Terminal so as to permit building over the additional area. It is for that reason that the Senate is urged to act upon the bill at this time so that the work may be completed in time for the Christmas mail.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 5682) was considered, ordered to a third reading, read the third time, and passed.

AUTHORIZATION FOR SIGNING JOINT RESOLUTION AND BILL

Mr. GEORGE subsequently said: Mr. President, referring to House Joint Resolution 235, which passed the Senate today, I ask unanimous consent that the Vice President may be permitted in recess to sign the joint resolution in the event the amendments made by the Senate are accepted by the House.

The ACTING PRESIDENT pro tempore. Is there objection?

Mr. McNARY. Mr. President, I think the Senator's request should include the bill brought up and passed at the instance of the junior Senator from Ohio [Mr. BURTON].

Mr. GEORGE. I shall be very glad to include both measures in my request.

Mr. McNARY. If the request includes both of them, I certainly join the Senator from Georgia in his request.

Mr. GEORGE. I make the request with reference to both measures.

The ACTING PRESIDENT pro tempore. Without objection, both measures will be included in the request; and, without objection, the request is granted.

A "FIFTH COLUMN" IN THE FOURTH ESTATE

Mr. GUFFEY. Mr. President, today the chief concern of most of us is the defense of the Nation. That is one thing about which we should be unanimous. We may differ on ways and means to insure a successful defense; but most of us are convinced that this Nation is in jeopardy, that our democratic way of life is endangered, and therefore that we must do everything in our power now to remove any and all threats to the safety of the Nation.

Accordingly, we have voted huge sums for national defense. We have conscripted our manpower and our machine power to provide an army, a navy, and an air force whose responsibility it is to render actual invasion impossible.

Within our borders we are dealing with would-be saboteurs, "fifth columnists," and other subversive agents. But these are not the only foes of democratic institutions and popular government with whom we have to be concerned during this crisis. There are men in this Nation—men of wealth, men of power, men of influence—who, with a rifle in one hand and an American flag in the other, would fight to the death to prevent physical invasion of this Nation by Nazis or Fascists. These men became wealthy, powerful, and influential because of the opportunities afforded, and only afforded, under a democratic government. They are creatures of democracy; and yet, now that they have achieved wealth, power, and influence, they have become as bitter foes of true democracy and those seeking to maintain democracy as any of the totalitarian dictators. Through the use of money and influence they have attained positions of tremendous power in the affairs of this Nation—too much power to be permitted to remain in their hands during the present crisis.

These men would, as I have said, face death to prevent physical invasion of this Nation by Fascists or Nazis; but some of them would welcome, aid, and promote by propaganda an invasion of Fascist and Nazi ideologies to be substituted for democratic ideals and democratic institutions.

After France fell there were many postmortems. In my opinion, the decadence and final destruction of this once great nation was wrought by venal, power-mad, money-mad, traitorous newspaper publishers. While the flower of French youth was being sacrificed on the battlefields in World War No. 1, venal newspaper publishers in the pay of the enemy undertook to destroy the morale of the French people. They preached defeatism. "What's the use of fighting any longer?" they cried. "We're beaten and had better make peace now than later."

After the war, French newspapers became notorious the world over as outstanding examples of venal journalism. It was these newspapers, not French labor, that split and weakened the nation and paved the way for its easy conquest by the Germans.

We have the same brand of journalism right here in this country. Power-

seeking men have acquired ownership or control of newspapers with large circulations in important metropolitan centers, and have welded these units into chains that stretch from coast to coast.

If the sole result of the establishment of these chains had been more efficient operation, we could have little quarrel with their promoters; but the results and effects of some chain-newspaper publishing in the United States goes far beyond a mere matter of increased profits for their owners. Chain-newspaper publishing has become a menace to democratic institutions and, therefore, has no place in a democracy at any time; least of all when this country is facing the opposition and enmity of a rapidly expanding totalitarian world.

When I talk of chain-newspaper publishers, I do not mean real newspaper publishers and editors owning and themselves publishing two or three daily or weekly newspapers. The type of newspaper-chain publisher I am opposed to is the absentee, Wall Street promoter type who has acquired a string of powerful and important newspapers throughout the country, and who uses these newspapers not for the public good but to achieve personal power for himself—the power to influence lawmaking or achieve immunity to the penalties for lawbreaking, the power to essay the role of a western Warwick, the power to talk to foreign dictators and potentates with a voice of assumed authority, the power to hamstring and embarrass this Government in its dealings with foreign governments, the power to destroy the morale of a nation when facing a crisis or when its sons may be facing death on the battlefield, the power to convince millions of readers at some dark hour for democracy, that democracy is not worth fighting for, not worth saving, and that we should substitute the tenets of fascism or nazi-ism for the Constitution and the Bill of Rights.

This country of ours long ago recognized the menace of chain banking and chain public utilities. We banned them in the public interest; and the public interest now demands that we ban the big-time chain-newspaper publisher.

"But we are honest, patriotic citizens, and should be allowed to go on building up our newspaper chains so that we can save the people from the politicians," cry the owners of these newspaper chains.

Let me give a few examples to prove how patriotic and how honest some of these gentlemen are, and how safe is the custody of democracy in their hands. I shall cite the case of Mr. Roy W. Howard, head of the Scripps-Howard newspaper outfit operating a chain of newspapers in principal cities in the United States. He also controls the United Press, a news-collecting and news-selling agency which operates all over the world, and with influential connections in South America.

If an attack, military or economic, is launched against this Nation, almost all experts agree that it will come through South America. Today, south of the Panama Canal a great battle is being waged by the propaganda agents of the Axis Powers, the aim of which is to establish governments in the many South American nations that would be friendly to the totalitarian dictators. Many persons think they are succeeding and that if and when Hitler turns to the Western Hemisphere the way they will have been paved for his coming.

One of the chief and paramount concerns of this Government is the improvement of our relations with the South American republics; and after long deliberation the President asked Mr. Roy W. Howard to assume charge of this important undertaking. He asked Howard to do this job because Howard's United Press Service was functioning in every capital in South America, because through this organization and his personal contacts with South American statesmen there was, in the opinion of the President, no man better fitted than Howard to undertake this task successfully.

If we could be assured of the friendship and cooperation of these sister republics, our own safety and immunity to attack would be greatly increased. But Roy W. Howard refused the President's request. He was too busy, he said. Too busy doing what? Too busy traveling to the capitals of the world, where he had never had any difficulty in obtaining immediate access to the presence of the dictators—Hitler, Mussolini, and the rest of them.

God only knows what the important Mr. Howard told these foes of democracy. It is not beyond the bounds of possibility that he gave them assurance that the United States would never interfere with their plans to carve up the civilized world and divide it among themselves.

That is the kind of a patriot this particular chain-newspaper publisher reveals himself to be—the only man called by the President, the Commander in Chief of our forces, to service during this crisis who refused to serve.

Now let us consider the honesty and the honorable dealings of this superpatriot with his own Government.

In the city of Pittsburgh the Scripps-Howard outfit publishes the Pittsburgh Press, whose editorial page, like that of all Scripps-Howard sheets, emits an odor of supermorality, supercivic righteousness, and superconcern for labor and the taxpaying public—especially the latter. Let Roy Howard's Pittsburgh Press discover that some politician or public official has an unpaid balance with the collector of internal revenue and immediately on front pages and in editorial pages the scoundrel is exposed and piloried as a crook and cheat, deserving only of public contempt. I know, because during my campaign for reelection last year someone told them that I owed the United States Treasury some $4,000. Then, and at every subsequent opportunity since, they have denounced me as a tax evader.

What are the facts? Earlier in my life I was a fairly wealthy man, although never in the financial class of Roy W. Howard, the millionaire many times over. At about the time the Honorable Warren Harding was inaugurated President of the United States 14 banks called the loans of myself and my partner. At that time I was indebted to the extent of approximately $3,000,000. Eighty-five percent of this obligation was paid within 4 months. The remaining 15 percent of this indebtedness has since been paid down to less than $100,000. At about the time I was having this financial difficulty the Government presented a claim against me for income tax in an amount slightly in excess of $1,800,000. This claim, as well as all other income-tax claims against me, has been adjudicated or paid, with the exception of $4,000. That $4,000 was assessed when I was financially broke, and later became outlawed by existing law. I refer to these personal financial affairs with reluctance, and do so only because I think the public is entitled to know the facts and because the facts emphasize the brand of hypocritical journalism that is being palmed off by the Roy W. Howard newspaper chain.

To read these newspapers, one would think that their publishers and owners were indeed a race of supermen, more honest, more patriotic, more intelligent, better versed on domestic and foreign affairs than anyone else. And yet what are the facts? What do they show? We have shown what a great patriot this Roy Howard is. Now here is what the CONGRESSIONAL RECORD reveals about the honesty and the honorable dealings of this man with his Government.

This RECORD shows that in 1937 a committee was set up by the Congress called the Joint Committee on Tax Evasion and Avoidance. Its purpose was to discover how men with huge incomes escaped paying taxes on their incomes—to find out how the Howards and the Scrippses managed to pass on to the dear readers of the Scripps-Howard newspapers the Scripps-Howard share of the cost of maintaining the Government of these United States.

The testimony before that committee revealed that Howard and the Scrippses evaded and avoided payment of income taxes by the device of forming personal holding corporations. And here are some choice examples showing how the schemes utilized by Howard and the Scrippses successfully worked and allowed them to escape the payment of income taxes on huge personal incomes.

Roy Howard set up the Roy W. Howard Co., a corporation organized in the State of Delaware. The E. W. Scripps estate—E. W. Scripps having died in 1926—and Robert P. Scripps also formed similar corporations.

Commenting on the formation of these personal holding corporations, Internal Revenue Commissioner Guy Helvering said: "These individuals did it with the single, unadulterated purpose of avoiding payment of taxes."

Now let us look at the record and see to what extent this patriotic Mr. Howard and his Scripps associates, champions of the people, defrauded the United States Government. Let us take the report of just 1 year, covering the operations of these superpatriots, Howard and the Scrippses.

Take the year 1934. In this year the Roy W. Howard Co. enjoyed an income of $501,904, which income represented

Howard's salary and profits from his publishing interests. Yet on this huge income this superpatriot, this protector of the people from tax evaders, paid not 1 cent in taxes. Had he not used the holding-company subterfuge he would have had to pay $167,000. The formation of the Roy W. Howard Co. had provided him the loophole through which to escape the payment of this tax on this huge income. But there was no such loophole for the millions of readers of the Scripps-Howard newspapers. They paid.

Now let us take the case of one of Roy Howard's partners in the great chain-newspaper publishing business—the estate of Mr. E. W. Scripps. In 1934 the E. W. Scripps Co. had a net income of $1,705,405 upon which was paid the tremendous tax of $67.04.

Likewise did the Robert P. Scripps Co. provide a loophole for the gentleman bearing that name. Its income was $173,599.63, upon which it paid no tax whatsoever.

Thus the record shows that in 1 year this Scripps-Howard outfit, which owns the Pittsburgh Press, the New York World-Telegram, the Washington (D. C.) News, and many other powerful newspapers throughout this Nation, paid a tax of $67.04 on a combined net income of $2,380,908.63.

This is the outfit that blackguards and vilifies every public official wrongfully accused of having an unpaid balance due the United States Treasury.

The $4,000 tax claimed by Roy Howard's newspapers as being due from me is, as I stated before, outlawed by the taxing statutes. I am advised that the Internal Revenue Bureau could not accept payment of that tax now. Nevertheless, a way will be found by me to pay into the Treasury of the United States the amount of that tax. Roy W. Howard evaded the payment of $167,000 in taxes on the tremendous income of $501,904 in 1934 through the subterfuge of a holding company. The subterfuge, it is true, was legal. However, it would be considered immoral and base by any patriotic citizen. I doubt that Roy Howard, with his record what it is, will let his conscience bother him to the extent of paying the $167,000 tax which he by legal subterfuge evaded. I challenge him to pay this $167,000 now, at a time when the country is making such huge expenditures for defense purposes.

Roy Howard typifies the kind of patriot that dominates the chain newspaper publishing business in the United States. He represents the type of men who assume to select and elect Presidents, confer with foreign dictators, and hamstring the duly elected representatives of the people in formulating and carrying out vital national policies.

He represents the type of men that cannot and should not any longer be allowed to exercise the power and influence that goes with the ownership and operation of great newspaper chains.

No man or set of men should have such power in peacetime, in times of national emergency, or in times of war. We do not want the Government of this Nation stood up against the wall or blackjacked by the Roy W. Howards or others of his ilk.

We should be a nation wherein the voice of the people as expressed through the press should be the voice of the people and not the voice of some Wall Street promoter seeking domination in national and international affairs.

Let us put these newspapers back in the hands of independent, God-fearing American editors whose opinions spring from daily contact with the men and women of the crossroads, the villages, the towns, and the cities of this Nation.

I know of no better way to insure democracy and the freedom of the press, and I think that the time has come when legislation should be introduced and considered looking to the curtailment of the chain-newspaper industry, for an industry is what this kind of journalism has become. It is no longer a profession.

Let us take steps now to see to it that what happened to France can never happen in this Nation.

Let us see to it that when the men and women who are the elected representatives of this Nation are facing a crisis in national or international affairs, or when our boys may be facing death on the battlefield there will be no journalistic Benedict Arnolds lying in wait to stab them in the back.

Let us make it impossible to have a "fifth column" in the fourth estate.

REVOKE THE NEUTRALITY PROCLAMATION

Mr. PEPPER. Mr. President, I am thoroughly and decisively opposed to the restrictions of the Neutrality Act.

The proclamation which the President issued on November 4, 1939, prohibits the privately owned merchant vessels of the United States from carrying needed cargoes through combat zones into the ports of Britain. It prevents the President from arming any American merchant vessels anywhere; it makes them open game for Hitler's rattlesnakes.

These restrictions thwart the congressional policy of all-out aid to Hitler's enemies. Thus, they help Hitler. If they help Hitler, they endanger the security and the peace of the United States, and the lives and the liberty of its citizens.

I think, however, that even those who want to clear the pathways of the seas for our ships have been too ready to assume that our only relief from these restrictions lies in the repeal of the Neutrality Act. I believe there is another and more appropriate avenue of relief. That is provided in the Neutrality Act itself.

The President's proclamation was issued under authority conferred by section 1 (a) of the Neutrality Act of 1939. This section provides that—

> Whenever the President, or the Congress by concurrent resolution, shall find that there exists a state of war between foreign states, and that it is necessary to promote the security or preserve the peace of the United States, or to protect the lives of citizens of the United States, the President shall issue a proclamation naming the states involved; and shall from time to time, by proclamation, name other states if and when they may become involved in the war.

Thus, the provisions of the Neutrality Act apply only if the President finds two things: First, that a state of war exists; second, that the restrictions of the Neutrality Act will promote the security or preserve the peace of the United States or protect the lives of its citizens.

The provisions of the Neutrality Act are discretionary rather than mandatory. The old Neutrality Act of 1937 compelled the President to issue a proclamation whenever a state of war existed. Upon the issuance of this mandatory proclamation the prohibition of the old statute against the movement of American vessels and against the arming of American vessels came immediately into operation.

But the Neutrality Act of 1939 is vitally different. The President need not issue a proclamation, even if he finds that a state of war exists, unless he finds, in addition, that the imposition of those restrictions is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States.

Thus the President must, in exercising this broad discretion, look foremost to the security and peace of the United States and the lives of its citizens; and only when he determines that it is necessary for the protection of those great interests is he required to issue a proclamation under the Neutrality Act.

When Germany declared war on Russia the administration deliberately refrained from issuing a proclamation under the Neutrality Act. It was explained that the issuance of such a proclamation would not be in the interest of the peace and security of the United States. The people and the Congress accepted that explanation. If that explanation holds true in the case of Russia, it holds equally true in the case of Britain.

If the proclamations heretofore issued under the Neutrality Act do not protect the peace and security of the United States, why should not those proclamations be revoked? What possible reason can there be for permitting restrictions, believed at the time they were imposed to be helpful to the defense of the United States, to continue after it has become clear that those restrictions are inimical to the defense of the United States?

It would be absurd to conclude that though the President must find that "it is necessary to promote the security, to preserve the peace, or to protect the lives of citizens of the United States" before he can issue such a proclamation, he is compelled to continue it in effect once it is issued, even though he may conclude that its continuance is dangerous to those very interests which it was designed to protect.

Indeed, section 1 (b) of the Neutrality Act provides:

> Whenever the state of war which has caused the President to issue a proclamation under the authority of this section has ceased to exist, he shall revoke same.

It is clear that the purpose of this provision was to give the President the power to revoke a proclamation when the conditions which caused its proclamation ceased to exist. It is plain that "the state of war which has caused the President to issue a proclamation under the

authority of this section" refers not to the cessation of hostilities but to the cessation of the kind of state of war defined in the statute which caused the President to exercise his statutory powers.

If the President possesses this power to revoke, as I most emphatically believe he does, then the question becomes one of fact. What are the facts?

Do the restrictions imposed by the President's proclamation, under present circumstances, promote the security and the peace of the United States and the lives of its citizens?

I believe that the restrictions of the President's proclamation not only fail to promote these objectives but, insofar as they help Hitler in his campaign to dominate the seas, seriously threaten them.

The Congress of the United States, by its enactment of the Lend Lease Act, has irrevocably declared that the safety and defense of the nations which are resisting Nazi aggression are vital to the defense of the United States. The Congress declared this policy, and enacted legislation to effectuate it, because of profound conviction among our people that the triumph of Hitler would present an imminent peril to our national security, the imminent proximity of war for our people, and an imminent danger to the lives and liberty of our citizens.

In an attempt to frustrate this policy Hitler has undertaken to sink our ships and to attack our naval vessels. He has done this despite the provisions of the Neutrality Act which were in operation.

Acting in support of this declared policy of the Congress, the President of the United States has taken a firm and decisive step to protect its effectiveness against Hitler's assaults.

If Hitler is able to achieve a final and decisive victory over the nations which now resist him, he will then be in a position to prey upon the commerce and the shipping of the United States without any hindrance except that which we by force are able to put in his path. Reinforced and strengthened by these factors, Hitler would intensify with unbridled fury the aggressions which he has already committed against our Navy and merchant vessels and against the sovereignty and integrity of the Western Hemisphere.

We would be forced to face this menace alone.

If we resisted, the result would be war, and thus the peace of the United States would be endangered. If we failed to resist, the result would be capitulation and surrender, and the security of the United States would be endangered. The necessity of either alternative would endanger the lives of hundreds of thousands of our citizens.

I am convinced, as I believe an overwhelming majority of the American people are convinced, that the only sure bulwark for the safety, the security, and the peace of the United States, and for the liberty and freedom of its citizens, lies in those policies which will keep open every important line of supply from the arsenals of the United States to the battlefields and the ports where gallant men are now holding Hitler at bay.

Likewise, I am convinced, as I believe the American people are convinced, that the security and peace of the United States, and the lives of its citizens are not protected by permitting American naval vessels to face the menace of Nazi rattlesnakes without every protection which arms can afford.

I believe that the President of the United States, if he considers these matters, will come to the same conclusion I have reached. That conclusion is that the security and the peace of the United States, together with the lives of its citizens, will be best protected by permitting American merchant ships to go any place where the enemies of Hitler need our supplies, and by permitting the President to arm such ships against the Nazi peril.

There is, to put it bluntly, not the slightest justification for continuing the effectiveness of the existing proclamations under the Neutrality Act. Since the war, which started out as a European war, has spread into Africa and in Asia, and we have been obliged as a matter of self-defense to alter our policy of strict neutrality to one of all-out aid to the countries resisting Hitler, those proclamations have lost all their purpose and their meaning. The present application of the neutrality law is wholly arbitrary and illogical. Our vessels can go to Vladivostok but not to Cobh or Liverpool. Our ships can go through the dangerous waters of the Red Sea to Suez but cannot stop for military supplies at relatively safe ports in the Union of South Africa. Our ships can brave the threats of piracy as far as Iceland and Greenland but dare not accept consignments for Halifax in Canada. No one can defend the present absurd position of the United States under the Neutrality Act.

Hence it is my firm belief that the President should revoke the proclamation which he issued on November 4, 1939, and that the repeal of the Neutrality Act is unnecessary.

One further point. You will note, Mr. President, that section 1 (a) of the Neutrality Act obliges the President to issue a proclamation whenever he himself shall find, or whenever the Congress shall by concurrent resolution find that a state of war exists, and that it is necessary for the peace and security of the United States or the lives of its citizens.

So if the President revokes his proclamation, and the Congress disagrees with his conclusion, it may always, by the device of a simple majority vote, make an independent finding of its own and thus compel the President to issue a new proclamation.

On behalf of millions of our people who desire to remove every vestige of an obstacle to all-out aid to those who face Hitler in the front ranks, I urge our great Chief Magistrate to revoke these restrictrictions. He may thus give greater vitality and effectiveness to the lend-lease policy adopted by the Congress. As for obstructionists and appeasers who profess such great fears of Presidential absolutism, let them bring forward a concurrent resolution to stop Roosevelt and help Hitler, if they dare.

EXECUTIVE SESSION

Mr. HATCH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

WORK PROJECTS ADMINISTRATOR

The ACTING PRESIDENT pro tempore. The present occupant of the Chair, in his capacity as a member of the Appropriations Committee, reports favorably the nomination of George R. Stuntz, of Washington, to be work projects administrator for Washington, to be effective October 1, 1941, and asks unanimous consent for the immediate confirmation of the nomination, and that the President be immediately notified.

Mr. McNARY. Does that nomination apply to the State of Washington or to the District of Columbia?

The ACTING PRESIDENT pro tempore. It applies to the State of Washington. The nomination has been approved by the two Senators from the State of Washington.

Mr. McNARY. What is the urgent necessity for considering the nomination at this time out of order?

The ACTING PRESIDENT pro tempore. If there is any objection at all, the Chair will withdraw the request for immediate consideration of the nomination. Let the nomination go to the calendar.

Mr. McNARY. Mr. President, just a moment. Some Senator should be able to state what the need is for urgent action on the nomination. I wish to have routine nominations go to the calendar. However, I have just been informed by Mr. Biffle, the efficient clerk to the majority of the Senate, that the present encumbent will go out of office today, so I wish to supplement the RECORD by saying that, in view of that fact, the situation is one in which I have no objection to action being taken on the nomination at this time.

Mr. President, I ask that the nomination be confirmed and that the President be immediately notified.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed; and, without objection, the President will be immediately notified.

THE ARMY

Mr. REYNOLDS. Mr. President, from the Committee on Military Affairs I report favorably sundry routine nominations in the Army, and ask for their consideration and confirmation, and that the President be immediately notified.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from North Carolina for

the immediate consideration of certain routine nominations in the Army which he has favorably reported from the Committee on Military Affairs? The Chair hears none. Without objection, the nominations are confirmed, and, without objection, the President will be immediately notified.

If there be no further reports of committees, the clerk will state the nominations on the calendar.

THE JUDICIARY

The legislative clerk read the nomination of Archibald B. Lovett to be United States district judge for the southern district of Georgia.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Emerich B. Freed to be United States district judge for the northern district of Ohio.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

UNITED STATES PUBLIC HEALTH SERVICE

The legislative clerk read the nomination of William S. Bean to be Medical Director, United States Public Health Service.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Thomas B. H. Anderson, to be Medical Director, United States Public Health Service.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Herbert A. Spencer, to be Medical Director, United States Public Health Service.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Gleason C. Lake, to be Medical Director, United States Public Health Service.

The ACTING PRESIDENT pro tempore. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. HATCH. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the nominations of postmasters on the calendar are confirmed en bloc.

Mr. HATCH. I ask that the President be immediately notified of all nominations which have been confirmed today.

The ACTING PRESIDENT pro tempore. Without objection, the President will be immediately notified of all nominations which have this day been confirmed.

That completes the calendar.

ADJOURNMENT TO MONDAY

Mr. HATCH. As in legislative session, I move that the Senate adjourn until Monday next.

The motion was agreed to; and (at 1 o'clock and 20 minutes p. m.) the Senate adjourned until Monday, October 6, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate October 2, 1941:

ENVOY EXTRAORDINARY AND MINISTER PLENIPOTENTIARY

Arthur Bliss Lane, of New York, lately Envoy Extraordinary and Minister Plenipotentiary to Yugoslavia, to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Costa Rica.

UNITED STATES PUBLIC HEALTH SERVICE

The following-named surgeons to be senior surgeons in the United States Public Health Service, to rank as such from the dates set opposite their names:

Lieuen M. Rogers, October 5, 1941.
Milton V. Veldee, October 10, 1941.
Le Grand B. Byington, October 15, 1941.

The following-named passed assistant surgeons to be surgeons in the United States Public Health Service, to rank as such from the dates set opposite their names:

Harold D. Lyman, September 25, 1941.
Frederick W. Kratz, October 29, 1941.
John D. Lane, Jr., November 1, 1941.

The following-named assistant surgeons to be passed assistant surgeons in the United States Public Health Service, to rank as such from the dates set opposite their names:

Waldron M. Sennott, September 17, 1941.
Kenneth M. Joye, September 26, 1941.
John B. Holt, September 30, 1941.

PROMOTIONS IN THE NAVY

Commander William G. B. Hatch to be a captain in the Navy from the 1st day of April 1941.

The following-named lieutenant commanders to be commanders in the Navy from the date stated opposite their names:

Drayton Harrison, April 1, 1941.
Maurice E. Hatch, April 1, 1941.
Harold A. Carlisle, September 14, 1941.

The following-named lieutenants to be lieutenant commanders in the Navy from the date stated opposite their names:

John Shoemaker, April 1, 1941.
Jack Maginnis, July 1, 1941.
Sylvius Gazze, July 1, 1941.
Edwin W. Herron, September 1, 1941.
Thomas O. Oberrender, Jr., September 1, 1941.
Arnold W. McKechnie, September 1, 1941.
Harold M. Zemmer, September 2, 1941.
Theodore O. Dahl, September 14, 1941.

The following-named lieutenants (junior grade) to be lieutenants in the Navy from the date stated opposite their names:

John B. Smith, April 1, 1941.
Edward H. C. Fredericks, April 1, 1941.
Eric L. Barr, Jr., July 1, 1941.
Walter H. Baumberger, July 1, 1941.
James E. Smith, July 1, 1941.
Statton R. Ours, Jr., July 1, 1941.
James M. Clute, July 1, 1941.
Ronald Q. Rankin, July 1, 1941.
Martin H. Ray, Jr., July 1, 1941.
Frank M. Whitaker, July 1, 1941.
Robert B. Crowell, July 1, 1941.
Henry L. Miller, July 1, 1941.
Eugene W. Davis, July 1, 1941.
James C. Bentley, July 1, 1941.
Lawrence R. Neville, July 1, 1941.
William L. Guthrie, July 1, 1941.
Keith E. Taylor, July 1, 1941.
Thomas W. South 2d, July 1, 1941.
Easton B. Noble, August 1, 1941.
Joseph O. Christian, August 1, 1941.
John J. Fee, August 1, 1941.
Blake B. Booth, September 1, 1941.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 2d day of June 1941:

Joseph W. Frorath	Fred E. McEntire, Jr.
James Douglas	Daniel E. Henry
Jack E. Mansfield	Herbert S. Graves
Edwin T. Barrett	William J. Collum, Jr.
Preston B. Haines, Jr.	Guy F. Gugliotta
Henry C. Lauerman	John S. Dalton
Donald W. Hamilton, Jr.	Frank B. Quady
	Charles O'N. Akers
Joseph P. Fitz-Patrick	Charles A. Marinke
Richard M. Marsh	Charles C. Hartigan, Jr.
John T. Ready, Jr.	
Walter A. Hering	Homer E. Conrad
Monroe Kelly, Jr.	Rubin H. Konig
Morton Harvey	William G. Brown
Charles H. Holt	Thomas M. Foster
William N. Leonard	David N. Inbusch
Herman T. Krol	Charles S. Hart
Charles R. Calhoun	Timothy J. Guinan

The following-named passed assistant surgeons to be surgeons in the Navy with the rank of lieutenant commander from the 1st day of July 1941:

Irving J. Warmolts	Thenton D. Boas
Louis E. Gilje	William L. Berkley
O. Henry Alexander	Warren E. Klein
Herman A. Gross	Norris M. Hardisty
Edward S. Lowe	Thomas Q. Harbour
Frank P. Gilmore	Craig B. Johnson
Paul Vaughan	Clarence L. Blew
Oscar D. Yarbrough	William P. Stephens
Warren G. Wieand	Ferrell H. Johnson
Omar J. Brown	Edward C. Kenney
George W. Dickinson	Garland A. Gray
John R. Weisser	Wade S. Rizk
Kenneth H. Vinnedge	

The following-named assistant surgeons to be passed assistant surgeons in the Navy with the rank of lieutenant, from the 1st day of April 1941:

John F. McMullin	Gordon K. Lambert
James B. Shuler	Herbert H. Eighmy
Gordon M. Perisho	Stephen J. Ryan
Jerome F. Smith	James G. Bulgrin
Robert S. Poos	Roy R. Powell
John L. Hatch	

The following-named assistant surgeons to be passed assistant surgeons in the Navy with the rank of lieutenant, from the 1st day of August 1941:

Philip J. McNamara	Shakeeb Ede
Landes H. Bell	Charles F. Gell
Clifford P. Phoebus	Alexander S. Angel
Richard W. Garrity	Arthur L. Lawler
Russell H. Walker	Charles F. McCaffrey
William S. Francis	Earle E. Metcalfe

The following-named passed assistant dental surgeons to be dental surgeons in the Navy with the rank of lieutenant commander, from the 1st day of July 1941:

Lyman R. Vaughan
George H. Mills

The following-named assistant dental surgeons to be passed assistant dental surgeons in the Navy with the rank of lieutenant, from the 1st day of April 1941:

John C. Allen	Jesse V. Westerman
Edward C. Raffetto	Daryl S. McClung
James A. English	John J. Hilt
Frank E. Frates, Jr.	Vernon S. Robinson
Karl V. L. Berglund	Frank I. Gonzalez, Jr.
Wendell Naish	Maurice S. Shortridge
LeRoy B. Nagel	

The following to be assistant dental surgeons in the Navy with the rank of lieutenant (junior grade) from the 8th day of September 1941:

Louis S. Hansen	Carl E. Abbey
Harvey S. Johnson	Samstone Holmes
James F. Webert	Carl W. Rasmussen
Morgan F. McAfee, Jr.	William E. Ludwick
John P. Arthur	Vernon L. Anderson
Meredith H. Mead	John B. Stoll
Wesley B. Jones	Harold G. Green
George C. Rader	Irvin M. Blue
Edward J. Sullivan	Donald M. Taylor
Ralph W. Ludwick, Jr.	Earl A. Goldsmith
Daniel E. LaMothe	William R. Curry, Jr.

Raymond F. Huebsch	George J. LeClaire
Glen Koonce	Ronald W. Lange
Robert B. Lytle	Charles H. Bercier
Edward N. Gardner	Norman B. Shipley
Frederick T. Wigand	Lorenz G. Hopfer
Joseph E. Josephson	Lester H. Mosson
Frederick W. E. Buechner	John N. Boege
	Richard D. Calhoun
Raymond L. Cullen	Mack L. Parker
William A. McLennan	Winder J. Edwards
Charles E. Meyers	Hugh D. Ryan
William M. Thomas	Leslie J. Luallen
Robert F. Erdman	Robert C. Millard

The following-named passed assistant paymasters to be paymasters in the Navy with the rank of lieutenant commander from the 1st day of July 1941:

Frederic W. Hesser
Joel D. Parks

Assistant Paymaster Thomas A. Long to be a passed assistant paymaster in the Navy with the rank of lieutenant from the 1st day of July 1941.

Boatswain Avery V. Swarthout to be a chief boatswain in the Navy, to rank with but after ensign, from the 1st day of July 1941.

Gunner Magnus D. Olavsen to be a chief gunner in the Navy, to rank with but after ensign, from the 1st day of July 1941.

Electrician James E. Teague to be a chief electrician in the Navy, to rank with but after ensign, from the 1st day of August 1941.

Radio Electrician Albert P. Hilar to be a chief radio electrician in the Navy, to rank with but after ensign, from the 1st day of July 1941.

Machinist Albert V. Kerr to be a chief machinist in the Navy, to rank with but after ensign, from the 15th day of August 1941.

Carpenter John A. Austin to a be a chief carpenter in the Navy, to rank with but after ensign, from the 1st day of July 1941.

The following-named commanders to be commanders in the Navy, to rank from the date stated opposite their names, to correct the date of rank as previously nominated and confirmed:

Richard P. Glass, April 1, 1941.
John V. McElduff, April 1, 1941.
Joseph J. Rochefort, April 1, 1941.
Herbert C. Behner, April 1, 1941.
Roland E. Krause, April 1, 1941.
Campbell Keene, April 1, 1941.
William R. Millis, May 1, 1941.
William B. Fletcher, Jr., May 1, 1941.
Gilbert B. Myers, May 1, 1941.
Kenneth C. Caldwell, May 1, 1941.
Francis J. McKenna, May 1, 1941.
Edward C. Ewen, July 1, 1941.

The following-named lieutenant commanders to be lieutenant commanders in the Navy, to rank from the date stated opposite their names, to correct the date of rank as previously nominated and confirmed:

Hamilton Hains, April 1, 1941.
Morton K. Fleming, Jr., April 1, 1941.
Theodore H. Kobey, April 1, 1941.
Erasmus W. Armentrout, Jr., April 1, 1941.
Paul M. Curran, April 1, 1941.
Digge Logan, April 1, 1941.
Douthey G. McMillan, April 1, 1941.
Frederick C. Stelter, Jr., April 1, 1941.
Louis Shane, Jr., April 1, 1941.
Otho P. Smoot, April 1, 1941.
Thomas F. Conley, Jr., April 1, 1941.
Thomas R. Langley, April 1, 1941.
Ralph E. Westbrook, April 1, 1941.
Donald McGregor, May 1, 1941.
Solomon D. Willingham, May 1, 1941.
Hugh D. Black, May 1, 1941.
Benjamin S. Custer, May 1, 1941.
Harry D. Johnston, May 1, 1941.
William T. Kenny, May 1, 1941.
John D. Sweeney, May 1, 1941.
Howard W. Gordon, Jr., July 1, 1941.
Paul R. Drouilhet, July 1, 1941.
Creed C. Burlingame, July 1, 1941.
Robert H. Speck, July 1, 1941.

The following-named lieutenants to be lieutenants in the Navy from the date stated opposite their names, to correct the date of rank as previously nominated and confirmed:

Philip W. Winston, April 1, 1941.
George T. McCutchan, April 1, 1941.
Hilary C. Rowe, April 1, 1941.
Francis O. Iffrig, April 1, 1941.
George P. Koch, April 1, 1941.
Carl R. Tellefsen, April 1, 1941.
James R. Reedy, April 1, 1941.
John C. Morgan, April 1, 1941.
Robert S. Camera, April 1, 1941.
Jamie E. Jones, April 1, 1941.
Albert G. Pelling, April 1, 1941.
Edward E. Grimm, April 1, 1941.
Glover T. Ferguson, April 1, 1941.
Frederick W. Sheppard, April 1, 1941.
Robert M. Lee, July 1, 1941.
Edward H. Worthington, July 1, 1941.
Dewey G. Johnston, July 1, 1941.

Lt. (Jr. Gr.) Dewitt A. Harrell to be a lieutenant in the Navy from the 1st day of August 1941.

The following-named passed assistant surgeons to be surgeons in the Navy with the rank of lieutenant commander from the 1st day of July 1941:

John D. Foley
Charles M. Parker

CONFIRMATIONS

Executive nominations confirmed by the Senate October 2, 1941:

UNITED STATES DISTRICT JUDGES

Archibald B. Lovett to be United States district judge for the southern district of Georgia.

Emerich B. Freed to be United States district judge for the northern district of Ohio.

UNITED STATES PUBLIC HEALTH SERVICE

TO BE MEDICAL DIRECTORS

William S. Bean	Herbert A. Spencer
Thomas B. H. Anderson	Gleason C. Lake

WORK PROJECTS ADMINISTRATOR

George R. Stuntz to be work projects administrator for Washington.

POSTMASTERS

TEXAS

Robert L. Hight, Grand Prairie.
Arthur J. Endres, Muenster.
Gladys M. Kyle, Velasco.
William Patrick Campbell, Wilson.

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

TO BE MAJOR GENERALS

Ernest Joseph Dawley
William Hood Simpson
Francis Bowditch Wilby

TO BE BRIGADIER GENERALS

Raymond Albert Wheeler
William Middleton Grimes
James Lester Bradley
Maxon Spafford Lough
Robert Heber Van Volkenburgh
Charles Harrison Corlett
Dwight David Eisenhower
Kenneth Prince Lord
Alden George Strong
Rollo Curtin Ditto
Hubert Reilly Harmon
Archibald Vincent Arnold
Julian Francis Barnes
Franklin Cummings Sibert
Thomas Jay Hayes
Arthur Hazelton Carter

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

TO ADJUTANT GENERAL'S DEPARTMENT

Maj. Leo George Clarke

TO QUARTERMASTER CORPS

Lt. Col. Jack Wesley Howard
Maj. William Daniel Schas

TO ORDNANCE DEPARTMENT

First Lt. John Bowen Nance

TO AIR CORPS

Second Lt. Willard Barber Atwell, Jr.
Second Lt. Robert William Strong, Jr.

PROMOTIONS IN THE REGULAR ARMY

The nominations of Arthur Dana Elliot et al., which appear in the CONGRESSIONAL RECORD for September 29, 1941, under the caption "Nominations," beginning on page 7568.

HOUSE OF REPRESENTATIVES

THURSDAY, OCTOBER 2, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, Thy Fatherhood is the overarching and the undergirding reality of our fondest hopes. Through mercy divine we are still treading our ways through the wandering paths of Thy Providence; hear us as we breathe our prayer of praise and gratitude and give us the vision of eternal goodness which quickens existence into life, flashing out of the invisible. Enable us to sow the seed of labor, thought, and Goodness into the living furrows of our country's life, lifting upward the finest fruits of patriotic devotion. With balanced and unprejudiced minds, let there be revealed to us a deeper unfolding of our present duty. Grant that we may learn in sacrifice the supreme worth of the individual, thus extending the frontiers of religious freedom, liberty, and genuine culture. We beseech Thee to unify all worthy deeds, harmonize all sincere speech, helping along this creeping world and keeping it encompassed by the faithful guardians of Him who is the everliving inspiration of the Golden Rule. In His Holy Name. Amen.

The Journal of the proceedings of Monday, September 29, 1941, was read and approved.

ORDER OF BUSINESS

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection?

Mr. HOFFMAN. I object.

NATIONAL FOREST RESERVATION COMMISSION

The SPEAKER. Pursuant to the provisions of title 16, section 513, United States Code, the Chair appoints as a member of the National Forest Reservation Commission the gentleman from Mississippi [Mr. COLMER] to fill the vacancy thereon.

LEAVE TO ADDRESS THE HOUSE

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent that after all other business and special orders

have been disposed of today, I be permitted to address the House for 5 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. MARTIN J. KENNEDY. Mr. Speaker, also I ask unanimous consent that my colleague from New York [Mr. KEOGH] be permitted to extend his remarks in the RECORD and include therein an address delivered in Brooklyn by the president of Notre Dame University.

The SPEAKER. Is there objection?

There was no objection.

Mr. MARTIN J. KENNEDY. Also, Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial appearing in the Daily Mirror of today.

The SPEAKER. Is there objection?

There was no objection.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent, on behalf of the majority leader, the gentleman from Massachusetts [Mr. MCCORMACK] that he may be permitted to extend his remarks and include a speech delivered by Mr. Edward H. Foley, Jr., before the American Bar Association at Indianapolis. The cost of the insertion exceeds the usual amount under the rules, and I ask unanimous consent that it may be inserted in the RECORD notwithstanding.

The SPEAKER. Is there objection?

There was no objection.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by the inclusion of a brief article appearing in the Star of September 29 with regard to the fight on the Gestapo launched by the Catholic Bishop in Germany.

The SPEAKER. Is there objection?

There was no objection.

Mr. ENGLEBRIGHT. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. WOODRUFF] be permitted to extend his remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. ENGLEBRIGHT. Also, Mr. Speaker, that the gentleman from California [Mr. ANDERSON], be granted permission to extend his remarks in the RECORD and include a short editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. ENGLEBRIGHT. Also, Mr. Speaker, that the gentleman from Nebraska [Mr. CURTIS] be given permission to extend his remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. ENGLEBRIGHT. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. MASON], at the conclusion of business and other special orders next Monday, be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. ROLPH. Mr. Speaker, I ask unanimous consent that I may be permitted to extend my remarks in the RECORD and include an editorial captioned "Real badge of honor," appearing in the San Francisco Call-Bulletin, of September 29, 1941.

The SPEAKER. Is there objection?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. ROLPH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. ROLPH. Mr. Speaker, thank you for permission to include in today's CONGRESSIONAL RECORD an editorial from the San Francisco Call-Bulletin, dated September 29, 1941, and under the heading "Real badge of honor."

The editorial suggests some mark of distinction, in the form of an inexpensive small badge, or bronze button, or a lapel ribbon, be given to those boys who loyally and patriotically complete their term of service in the selective-service classes.

The idea set forth seems an excellent one, and I ask the Members to read the editorial. I intend to bring it to the attention of the War Department and the Selective Service Board.

It seems the least we can do for these fine young Americans.

TOILET-SEAT TAX

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. HINSHAW. Mr. Speaker, I hesitate to read into the RECORD this clipping from the Pasadena (Calif.) Star-News, as it might be suggestive to the Secretary of the Treasury and the Ways and Means Committee of something new in the way of taxes. Certainly nearly everything else taxable has been covered. This is date lined Muskogee, Okla., September 25, by the Associated Press. I read it with all due respect for my esteemed colleagues from Oklahoma.

A committee to confer with the city council on other means of raising revenue has been appointed as the result of a meeting called by hotel operators to protest a pending city tax on toilet seats.

A. Carlisle Young, hotel manager, told the protest meeting the proposed 25 cents per month tax would be "vicious, because it would place the greatest percentage of the burden on hotels, apartment houses, and the like. Many merchants would pay little or nothing."

A council committee estimated the tax, collected with monthly water bills, would raise $45,000 a year.

I hope the Secretary of the Treasury does not take that suggestion and urge a toilet-seat tax in the United States tax bill; but it would be a worthy companion to some of the other taxes that have been approved. To go from the ridiculous to the sublime, the worthy constituent who forwarded this clipping, being a city person, urges that if any such tax is being considered by the Federal tax experts that the facilities available to country people be included to make the tax equitable to all.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. HINSHAW. Mr. Speaker, I ask unanimous consent that after the completion of all legislative business and any other special orders I may address the House for 10 minutes today.

The SPEAKER. Is there objection?

There was no objection.

INCREASED LOANING POWER OF RECONSTRUCTION FINANCE CORPORATION

Mr. STEAGALL. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 5667) to exempt strategic and critical materials from customs duties in certain cases, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I understand that section 2 of the bill, which has to do with the exemption from tariff duties of strategic materials, will be deleted by an amendment which the gentleman from Alabama expects to offer.

Mr. STEAGALL. That is correct. The bill provides for increasing the borrowing and lending power of the Reconstruction Finance Corporation by $1,500,000,000. There is another section of the bill which exempts from duty all imported strategic and critical materials, certified as such and to be used in the defense program, purchased out of funds carried in this bill. Because that section was objectionable to some Members of the House, it is my purpose to ask unanimous consent to strike that provision from the bill. So that what we are asking to pass is simply a general authorization to increase the borrowing and lending power of the Reconstruction Finance Corporation $1,500,000,000.

Mr. WOLCOTT. So that what the gentleman proposes is simply an increase in the authorization to allow the Reconstruction Finance Corporation to purchase $1,500,000,000 more of strategic materials which it is now storing under four corporations which have been set up?

Mr. STEAGALL. That is correct. In that connection let me say that the desire for expedition in connection with the passage of this bill is that the Reconstruction Finance Corporation now finds itself with its lending funds exhausted. So their operations cannot proceed until there is further authorization for loans made by the Congress.

Mr. FISH. Mr. Speaker, reserving the right to object——

Mr. WOLCOTT. Mr. Speaker, further reserving the right to object, I do this for the purpose of clarifying some of these questions. I will be through in a moment. Will the gentleman from Alabama inform the House how much the Reconstruction Finance Corporation now has left of the original authorization? I believe the testimony is to the effect that they have committed $3,902,952,578 of authorizations.

Mr. STEAGALL. That was the fact at the time the bill was under consideration by the committee, but at that time there remained loan funds in the amount

of about three hundred or three hundred and fifty million dollars, which has been exhausted since that time.

Mr. WOLCOTT. At the time of the hearings, which were held on September 16, I understand there was then available only $345,000,000.

Mr. STEAGALL. That is correct.

Mr. WOLCOTT. And some of that has been already committed?

Mr. STEAGALL. I am informed by Mr. Jones that they are out of funds now.

Mr. HINSHAW. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from California.

Mr. HINSHAW. Do I understand from the gentleman that in the proposed amendment the tax will not be removed? That is, the import duty will not be removed?

Mr. WOLCOTT. The gentleman from Alabama [Mr. STEAGALL] expects to offer an amendment, which is satisfactory to the minority, striking out section 2 of the bill. That is the only controversial section. The amendment will eliminate section 2, which has to do with the elimination of the collection of tariffs on strategic materials. So the bill, as the gentleman from Alabama [Mr. STEAGALL] expects it to pass, will be simply section 1, which increases the authorization of the Reconstruction Finance Corporation by $1,500,000,000.

Mr. HINSHAW. Will the gentleman explain how the suppliers of these materials that are mined in the United States can meet this foreign competition, if there is no tariff on the imported materials?

Mr. WOLCOTT. That is the controversial part which we will strike out. That is why we have insisted it be stricken out, until that question can be given further consideration. The gentleman is right in assuming that we will have difficulty in meeting the competition, but we will take that up at a later date in a separate bill.

Mr. STEAGALL. There will be nothing in this bill. We are not asking to pass anything except the additional authorization of $1,500,000,000.

Mr. GIFFORD. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. GIFFORD. I shall not object, of course, if the ranking minority member on our side does not object, but this is the character of legislation we understood would not come up for discussion until next week. As I say, if the House is willing to pass this bill by consent I shall not object, but there is a lot of information that ought to be given to the House relating to the operations of the R. F. C. Time after time we are asked to extend their lending power and then they, in turn, lend to their defense subsidiary corporations they have set up.

It is a little frightening, is it not? The plant construction alone that the R. F. C. is entering upon for the wealthiest corporations of the country, like the Du Ponts and others—plant construction alone is taking a vast amount of these funds; and the public ought to be informed. And when the R. F. C. disposes of these securities the money realized goes into a revolving fund. The public should know of the tremendous possibilities in the authority now granted, the lending power now granted the R. F. C. It will perhaps be greater than the appropriations made by the Congress itself. With this statement I shall not, if the gentleman from Michigan does not think it necessary to inform the House, I shall not; but I think the situation should be thoroughly understood.

Mr. WOLCOTT. I think it is necessary that the House be fully informed of the operations, and I would call the attention of the House to the break-down of the loans and purchases which have already been made, and to Mr. Jones' testimony which appears in the hearings beginning at page 5.

I have considered that instead of the Congress appropriating this money and giving it to industry, granting it to industry and to foreign countries, that if we lend it with security through the R. F. C., then it becomes a contingent liability and there is some possibility of our getting some of this money back. In many of the industries as I understand it where the R. F. C. have made loans for plant expansion, it is expected following the emergency that the industry operating the plant will convert that plant to peacetime uses and that finally a deal will be worked out between the industry and the Reconstruction Finance Corporation in respect to the price which the industry will pay for the plant following the emergency when it is converted to peacetime operation. In this category fall many of the automobile companies, many of the steel companies and so forth. They have expanded their plants with Government loans because they were not justified in using their private capital for plant expansion without the assurance of profit from plant expansion. We have got to take the attitude that nobody can determine and set a date on when this war is going to end. If industry could be assured that the war were going to continue for 3, 5, or 10 years, we might expect industry then to take its own private capital and expand these plants and be reasonably assured of a fair return on their capital investment; but in this case the Government it is true is assuming the risk in the hope that when these plants are converted to peacetime industry following the emergency, that the industries will see the advisability of raising the private capital to purchase the plants from the Government; and although there undoubtedly will be some loss on this contingent liability of the Reconstruction Finance Corporation, I personally think this is the better way to handle the situation which has got to be handled, because after all we are confronted with a condition. Whether we are in this situation through the mistakes of individuals or groups of individuals is now purely an academic question. We are confronted with a condition and if the country assumes the responsibility of being the arsenal for democracy, then it is going to cost us some money, and we should protect ourselves by setting up such machinery as will return to the Government the greatest possible amount of money following the emergency. This is my personal attitude in respect to it. If the job has got to be done I personally would rather see it done through the Reconstruction Finance Corporation than through any other Federal agency.

Mr. JONES. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. JONES. Mr. Speaker, a question occurs to my mind. We are appropriating many billions of dollars for national defense and for lease-lend material. This fund has not been spent and cannot be spent within the fiscal year. I am wondering if the effect of an objection to this legislation at this time will not require full discussion of the subject under regular legislative procedure that can be had next week when the full membership is back? My point is that if we are to allow the R. F. C. to impound a billion and a half more dollars' worth of materials at this time that cannot possibly be fabricated into worthwhile national-defense articles between now and the next fiscal year, we are disrupting and tearing up our internal economy by such procedure in this House by unanimous consent. And I want to express my objection to passing this sort of legislation in this manner.

Mr. WOLCOTT. That would be true if it were not for the fact that this money is being invested in strategic materials little of which is produced in this country and that the Reconstruction Finance Corporation, if it continues to invest its capital in rubber, tin, zinc, nickel, chromium, manganese and all the other materials we do not produce, stands not only to get out from under this without losing a penny but, because there will always be a market for these materials, there is a probability, more so in these than in many other respects, that the Reconstruction Finance Corporation will return a profit on their loans.

Mr. JONES. But the point is you put in charge of one man by this sort of unanimous consent legislation, without full discussion on the floor, the possibility of impounding materials that will scuttle and ruin the small business man without any further argument, or without presenting full argument on the floor, and for these reasons I shall object. I withdraw the objection for the moment, however.

Mr. O'CONNOR. Will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Montana.

Mr. O'CONNOR. I gave notice to the majority leader that I would object to this bill being passed by unanimous consent for the reason that the hearings show that copper and other commodities bearing duty have been purchased by the R. F. C. and brought into this country free of duty. We have a tariff of 4 cents per pound on copper, yet copper has been purchased and brought in here free of tariff, and this same situation, I think, applies to wool, hides, and other commodities. The farmers or the producers of this country are entitled to protection of the duties that now exist, and under the policy heretofore adopted and under the policy heretofore practiced by the R. F. C. this tariff does not amount to anything.

I have no objection to increasing the powers of the R. F. C. for the purchase of strategic metals. I favor the purchase of anything we need that we do not have for our defense.

Mr. STEAGALL. May I say to the gentleman that that is all we intend to do by this bill.

Mr. O'CONNOR. Let me finish. Provided he does not set aside the tariff laws of this country. They are still in existence, and when the R. F. C. or anybody else purchases any commodity subject to tariff they should be required to pay the tariff the same as anybody else in order to protect our own industries and in order to protect our farmers, sheep and cattle growers.

Mr. STEAGALL. Let me say to the gentleman that there is no thought of disregarding the tariff laws of the Nation.

Mr. O'CONNOR. The gentleman will have to admit it has been done.

Mr. STEAGALL. No. I beg the gentleman's pardon.

Mr. O'CONNOR. The hearings show it. On page 18 Mr. Jones so says.

Mr. STEAGALL. Under this bill, if passed without the amendment which it is contemplated will be adopted, there would be relief to the Reconstruction Finance Corporation for any purchases of critical and strategic materials certified by the loan administrator to be such out of funds authorized by this bill; but we propose to strike that from the bill, leaving nothing in the measure to be passed except the general authorization which will not change any existing law whatsoever. It writes no new law; it does nothing except authorize an additional lending and borrowing power to the amount of $1,500,000,000. Any duty that may not have been paid on any materials that may have been imported up to this time is a matter of settlement, of course, and there is not the slightest thought that the law will be disregarded in connection with these transactions. That is the reason the suggestion was made that we incorporate in this bill a provision dispensing with the requirement of duty to be paid by the Reconstruction Finance Corporation.

Mr. O'CONNOR. Let us make this clear. If the gentleman's amendment is adopted by this House and the bill is passed, the bill in no wise interferes then with importing into this country of any commodity, strategic metal or other metal that is subject to a tariff, without paying the tariff?

Mr. STEAGALL. No. The law requiring the payment of tariff would be undisturbed. We propose to strike that provision from this bill, and leave the law as it is. We do not propose to write any law except an authorization for an additional amount of money. Let me say for the record that there is no thought of importing any materials except in cases where there is a shortage in the United States, so that no manufacturer here could suffer by the importation of these strategic, essential, and indispensable materials to the defense program. There is no thought of striking down the protection that is carried to any farmer or anyone engaged in manufacturing.

Mr. O'CONNOR. As I gather the Defense Plant Corporation has purchased millions of pounds of Australian wool and brought it into this country free of tariff.

Mr. STEAGALL. No; they cannot under the law.

Mr. O'CONNOR. I know they should not under the law, but I am afraid they do it.

Mr. STEAGALL. They have not paid it, but that does not mean they are not going to pay it. There is no thought of disregarding the law.

Mr. O'CONNOR. I do not want to object to the gentleman's bill. I have a mighty high regard for the gentleman and for the purposes of the bill if the amendment is satisfactory; but on the other hand I do not want to see a practice indulged in by the R. F. C. or any other corporation of purchasing materials and commodities subject to a tariff without paying the duties to protect the people of this country, the producers, the miners, and all of our people. We are the ones who are going to have to pay this enormous tax bill—not the South Americans.

The SPEAKER. Is there objection to the request of the gentleman from Alabama [Mr. STEAGALL]?

Mr. FISH. Mr. Speaker, reserving the right to object——

The SPEAKER. The Chair understands one Member has already served notice he is going to object to consideration of the bill.

Mr. FISH. Mr. Speaker, reserving the right to object, I have the utmost faith and confidence in Jesse Jones, the Administrator. I think he is an extremely honorable and honest man. But this bill was slated to come up in the House next Tuesday or Wednesday. Notice has gone out to all Members, at least on our side, to that effect. Many of the Members are away today attending at Fort Belvoir. In fairness to those Members I do not think this important legislation should come up today by unanimous consent. Further, I do not believe a bill involving $1,500,000,000 should go through this Congress by unanimous consent without debate.

I am also opposed to this bill because I wanted to discuss it to find out whether Mr. Jesse Jones, as the Administrator, can take these funds and lend them to democratic Soviet Russia, or to Soviet Russia in the name of democracy.

Mr. THOMAS F. FORD. Mr. Speaker, I demand the regular order.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. JONES. I object, Mr. Speaker.

EXTENSION OF REMARKS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Journal Press, of Brainerd, Minn.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent that my colleague, the gentleman from New Jersey [Mr. VREELAND], be permitted to extend his own remarks in the RECORD and include therein a radio address delivered by himself.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I further ask unanimous consent to extend my own remarks in the RECORD and include therein a brief editorial.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief tribute in verse to Senator GEORGE W. NORRIS by Mr. Richard W. Hogue.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PACE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a speech the Secretary of Agriculture delivered at Memphis on Monday.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. THOMAS F. FORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter by Robert P. Vanderpoel, financial editor of the Chicago Herald-American.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

RECONSTRUCTION FINANCE CORPORATION

Mr. CROWTHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CROWTHER. Mr. Speaker, in connection with the discussion on the bill which has just been before the House, the item, which the chairman of the committee the gentleman from Alabama [Mr. STEAGALL] stated it was intended to strike out is of interest to members of the Ways and Means Committee as we had some doubt as to whether or not proper reference was made of another bill that contained the same language. Personally, I felt that it was a revenue matter, and thought there had been an incorrect reference of the bill. However, our chairman the gentlemen from North Carolina [Mr. DOUGHTON] and the gentleman from Tennessee [Mr. COOPER] discussed the matter with the Parliamentarian, Mr. Deschler, and were apparently satisfied that it had been properly referred. However, there is still a lingering suspicion among some members of the committee that the reference was not correct, and a belief that, involving the revenue as it did, the bill certainly should have been referred to the Committee on Ways and Means.

EXTENSION OF REMARKS

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short excerpt.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. THOMAS of New Jersey. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter written by our colleague the gentleman from Texas [Mr. DIES] to the President of the United States.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution from a Missouri organization, and again to extend my remarks and include therein another resolution from a Missouri organization.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on two topics, in one to include a poem written by a constituent, and in the other to include an article from the Negro History Bulletin, written by a constituent.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD with regard to the Pan-American Highway and to include therein an address delivered by our colleague the gentleman from Texas [Mr. LUTHER A. JOHNSON] before the Chamber of Deputies of the Republic of Mexico.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JONES. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short editorial by the city editor of the Lima News.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

(Mr. DITTER asked and was given permission to extend his own remarks in the RECORD.)

PERMISSION TO ADDRESS THE HOUSE

Mr. GIFFORD. Mr. Speaker, I ask unanimous consent that today at the conclusion of the special orders heretofore entered I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. FISH. Mr. Speaker, I ask unanimous consent that after the special orders previously entered have been disposed of today I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

INCREASES IN PENSIONS TO CERTAIN PERSONS

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. GEHRMANN. Mr. Speaker, I believe this is a matter that should be of interest to most Members of the House. It has to do with the last pension bill that was signed by the President on August 21, 1941. I have received many inquiries about it, and evidently there is some misinterpretation of the terms of the bill in news releases.

This bill pertains to pensions of widows and dependents of persons who served in the military and naval forces of the United States during the War with Spain, the Boxer Rebellion, or the Philippine Insurrection. I have made a study of this matter and spent considerable time on it because there are many Spanish-American War veterans in my district. I have checked with the Veterans' Administration and have here a statement that I believe will answer some of the questions that are being asked about this bill. I believe you can depend on this information as being reliable because I have checked it very carefully.

Mr. Speaker, I ask unanimous consent to include this statement in my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

The statement referred to as is follows:

To Veterans Service Officers:

A great deal of interest has been displayed by veterans service officers and widows and dependents of veterans of the Spanish-American War, the Philippine Insurrection, and the Boxer Rebellion, who are entitled to service-connected pensions, in the new law, Public, 242, signed by the President on August 21, 1941. This is an act granting increases in pensions to certain widows and dependents of persons who served in the military or naval forces of the United States during the War with Spain, the Boxer Rebellion, or the Philippine Insurrection.

This new law does not change in any respect the previous entitlement provisions. Under old regulations, widows of the Spanish-American War, the Philippine Insurrection, and the Boxer Rebellion were allowed a flat pension of $30 per month under so-called general laws. If the veteran died of disease which was service connected, provisions were made for an increase of $5 when the widow became 60 years of age, making a total of $35, and another $5 at the age of 65, making the total amount allowable $40 per month.

Public, 242, provides that pensions granted to widows of veterans who died of service-connected disease shall be the same as pensions now awarded to widows of veterans of the World War, which are as follows:

To a widow under 50 years of age, $38.

To a widow 50 years of age or over, $45.

Widow with one child, $10 additional for such child up to 10 years of age, increased to $15 from age 10 (with $8 for each additional child up to 10 years of age, increased to $13 from age 10).

No widow but one child, $20.

No widow but two children, $33 (equally divided).

No widow but three children, $46 (equally divided) (with $8 for each additional child; total amount to be equally divided).

Please note that the total compensation payable cannot exceed $83.

Under existing regulations, the term "widow" of a veteran of the Spanish-American War, the Boxer Rebellion, or the Philippine Insurrection for the payments of benefits means a person who was married to the veteran prior to September 1, 1922. For pension purposes, the term "child" means a legitimate child or child legally adopted, unmarried, and under the age of 18 years unless prior to reaching the age of 18 the child becomes permanently incapable of self-support by reason of mental or physical defects, except that a payment of a pension may further continue after the age of 18 and until completion of education or training in an approved school but in no case after such child reaches 21 years of age.

In proving service connection, it is necessary for the widow to submit a certified copy of the death certificate showing the immediate and direct cause of death. When this is filed, it is compared with the medical record, during service, of the veteran and, if the facts show that he had suffered with an organic involvement of the same type that caused his death, her claim will be established. It should be remembered that service-connected pensions are granted to all veterans of all wars and of peacetime who have become ill and incapacitated because of their service or who have had some illness aggravated by service resulting in incapacitation, providing it was not a result of their own misconduct.

This law was originated by George Washington, who secured legislation in order to pay his incapacitated soldiers, and has remained on the statute books since that time.

Those now receiving pensions need not make an application for new benefits. All cases are being reviewed in numerical order and the annuities automatically increased for those who are eligible.

EXTENSION OF REMARKS

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a brief petition of the Indianapolis Association of Credit Men.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an editorial from the Fresno Bee.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I also ask unanimous consent to address the House for 10 minutes at the conclusion of other special orders today.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

EXTENSION OF REMARKS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. WOODRUFF] may be

permitted to extend his own remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

O. P. M. SKINS THE WORKINGMAN, DEPRIVES HIM OF HOMES; HIKES THE COST OF NATIONAL DEFENSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a letter and a newspaper article by David Lawrence.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I also ask unanimous consent, if the other gentlemen do not object, that I may be permitted to have 5 additional minutes.

The SPEAKER. Without objection, the gentleman may proceed for 15 minutes.

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I want to call attention to the way in which the O. P. M. is skinning the American workingmen, depriving them of homes, and hiking the cost of defense. I am speaking today in behalf of the C. I. O., the Congress of Industrial Organizations, for the members of that organization are being deprived of employment which justly belongs to them.

In Detroit we have a lumber firm, the Currier Lumber Co. For months that firm, in behalf of its employees, fought the organization of its plant by the C. I. O. and the A. F. of L. The management of that concern believed, erroneously, it now appears, that in this country a man had the right to work without paying tribute to any organization. They were denied protection by the State authorities and by the Federal authorities, although a Federal statute requires the President, in case of denial of civil rights by the States, as a matter of law, to lend aid. They had strikes there in the city of Detroit which held up the employees of this company. The company at one time had 10 men in the first-aid station in their plant. They had 30 men in the hospital who had been beaten up by the pickets or organizers, and one man, not one of their employees, but a man outside, a picket, was killed by a piece of board, and violence was the order of the day. Finally, the management, learning that the State and the Federal Government would not protect its men, that this administration was just talking when it said there should be freedom from fear; learning to its sorrow that there was fear, justified fear of violence to its men; knowing from its experience that its men were beaten and sent to the hospital if they sought to work without joining a union, the Currier Co. finally threw up its hands and said to its men, "You might just as well sign up; now, you men go ahead and sign up with one of these organizations. Give up your right to work. We cannot protect you. We have tried to protect you."

The company found it could not get material. It did not try to do any interstate business. It tried to do business in the city of Detroit and the surrounding territory. It learned that it could not get material because the unions would not let it be delivered. Truckers would not bring it in. No matter where they had a contract they found either in the factories fabricating the material it needed or in the delivery of the material which it needed, one or the other of the unions, the C. I. O. or the A. F. of L., was defeating its efforts and preventing it from proceeding.

So, as I stated a moment ago, it said to its men, "Now, you make your choice of a labor organization that you want to join and we will go ahead and sign up." The men talked it over. They considered the merits of the A. F. of L. and of the C. I. O., and they finally decided that in the city of Detroit and in the State of Michigan the best thing to do was to sign up with the Congress of Industrial Organizations, the C. I. O. At not a little expense to its treasury, the company and its officers had exposed it and themselves to the abuse and vilification of union racketeers and union organizers. It had endeavored to secure for its employees "freedom from fear," the right to a job, which neither municipality, State, nor Federal Government would protect. Finding itself handicapped by the failure of its municipal, State, and Federal Government to assist it in protecting the rights of its workers, it threw up its hands, for there was no other course for it to follow.

So the men, having no other course open to them, joined and paid their dues and are in good standing at the present time. The company then signed a contract with the C. I. O., which brings us down to date. The Currier Lumber Co. and the C. I. O. have a written, signed contract.

Mr. COX. The officials did not have much choice, did they?

Mr. HOFFMAN. The company had no choice. It could either go out of business or sign up with the union, either the A. F. of L. or the C. I. O. It signed with the C. I. O. because it thought that that organization believed in mass industrial production, while the craft unions historically have believed in limiting production.

Apparently they made a bad choice, I will say to the gentleman from Georgia, because the Government does not know from day to day where it can get the most political support. The administration flirts with Bill Green and then with Lewis. It has Sidney Hillman, paid official of the C. I. O., on its staff all the time, representing that organization, apparently, rather than the Government. In any event, the administration has two—I do not know what you call them, sweethearts, though there is another name for it in history which I would not want to use here—in any event, it has two of them—should I say mistresses?—and one day it favors one and the next day it favors the other. So these people thought, from what they had seen of Mr. Sidney Hillman's activities and the activities of the National Defense Mediation Board, that it would be all right to sign up with the C. I. O. They did so, and here is a letter that I received yesterday. Many of you have similar letters.

Mr. COX. The gentleman you refer to in the Government functions as an organizer for the C. I. O., does he not?

Mr. HOFFMAN. Yes; I thought he did, and he has used his official position to aid the C. I. O., and in times past the administration has gone all-out for the C. I. O. It did up at Kearny in the shipbuilding plant there, and required the company to fire all of the fellows who had not paid their dues to the C. I. O.; but I want you to listen to this letter which is dated September 30, 1941. The gentleman who writes it does not come from my district. He comes from the city of Detroit, represented by the gentleman from Michigan [Mr. DINGELL] and the gentleman from Michigan [Mr. LESINSKI], or at least he comes from their city. The letter is as follows:

CURRIER LUMBER CO.,
Detroit, September 30, 1941.

Hon. CLARE E. HOFFMAN,
House Office Building,
Washington, D. C.

DEAR MR. HOFFMAN: This is to acquaint you with a strange state of circumstances that has confronted me in dealing with Federal officials with regard to a defense-housing project at Wayne, Mich., on which I have submitted a bid $431,000 lower than any of my competitors.

For many years I have been doing business in the city of Detroit, Mich., where I operate one of the largest building supply and home-building concerns. My financial standing and my ability to perform any contract that I undertake are not in question as Federal officials readily admit.

However, despite the fact that my bid of $979,000 on this project is low by $431,000, and although I pay higher wages and comply with the same set of specifications as other contractors, I am told that this contract is being withheld from me due to "a question of national labor policy."

I wish also to inform you that I employ union labor and that all of my employees are members of the United Construction Workers Organizing Committee, an affiliate of the Congress of Industrial Organizations. This is an industrial union which is particularly adapted to the type of plant and field work that I carry on and with which I recently signed a wage agreement. The reason I entered into this wage agreement is because all of my employees had advised me that it was their choice of a union to serve as their collective-bargaining agent.

Now, I am advised by the Federal Works Agency, which awards the contracts, that the Office of Production Management has intervened with the recommendation that this contract be refused to my company. The sole ground of this refusal, I am advised, is that my employees happen to belong to the United Construction Workers Organizing Committee of the C. I. O.

It is about time that some committee of the House got some of these gentlemen up here and learn for whom they are working, whether for the C. I. O., the A. F. of L., or the American citizen, and whether they, in making their choice, prefer a union organization, and which organization, to national defense.

This raises squarely the question whether the Federal Government has entered into an

agreement under which everybody concerned with construction of defense projects must pay tribute to the craft unions of the American Federation of Labor. So far as I am aware, this policy, if it is the policy, has never been revealed to the public and I am, therefore, asking that you, as a representative of the public, demand that the Office of Production Management explain its labor policy.

The taxpayers of the Nation have a stake in this matter far beyond my own. On this one job alone the taxpayers stand to lose about half a million dollars if my bid is rejected; and, further, if the next lowest bid is accepted, it means that the workers who will live in the housing project and who plan to buy the homes will pay installments 12 years longer before they will completely own their homes. The difference between the two bids of $421,000 means 12 years of payments at $10 per month per unit.

As an American citizen and a responsible businessman I am amazed that anyone should question my right to participate in the defense program in view of the fact that in fair competition I have underbid this job by so substantial an amount. Especially am I amazed since there is no question about my financial standing or ability to complete the job. I stand ready to post bonds and have so informed the Federal Works Agency.

Indeed, I have already begun work on this job and I am prepared to rush it to completion during the good weather if I am not further delayed by O. P. M. officials.

It may interest you also to know I am advised that the same question about the awarding of this contract would have been raised if I had been, as I was until recently, a nonunion contractor.

In other words, so far as I am able to learn, the policy is that no contract will be awarded, regardless of cost, efficiency, or any other factor, to a builder unless his employees are affiliated with the craft unions of the building trades department of the A. F. of L.

This is a reversal of long-standing Government policy which requires awarding of contracts to the lowest responsible bidder without discrimination. I have always complied with Federal law regarding wage rates, working conditions, and similar matters, and stand ready to do so on this job.

It was my understanding that my employees had the right to join whatever union they chose, and even though the Wagner Act did not prevail in the construction industry its principles are recognized by the Government. But now I learn that in the construction industry there is a contrary policy dictated from Washington which curtails this right.

When I received reports that the awarding of this contract was being questioned by the O. P. M., I came to Washington immediately to discover, if I could, the real reasons for O. P. M. interference. I am still attempting to find out just what the Government's policy is, and I should appreciate very much any assistance that you may be able to give me.

Respectfully yours,

P. J. CURRIER, *President*.

There you have the story—the Federal Government throwing all of its power—the power of its various agencies—behind the organized drive of the C. I. O. for the last 2 or 3 years. The N. L. R. B., later the National Defense Mediation Board, and now the O. P. M., in violation of the National Labor Relations Act, forcing employees and employers into contracts with a union. You have the result, in that this man and his employees were forced to give up their unqualified right to work for the national defense and join the C. I. O., and then, after they have given up and after they have joined the C. I. O. and complied with every demand, and when they bid on a housing project where their bid is $431,000 less than the next highest, and under which the cost to the workingman—the national-defense worker who buys those homes—would be $10 per month less over a period of 12 years than it would have been or will be if the contract goes through, you find the O. P. M., traitors to our national-defense program, telling this contractor and his men that they cannot build those houses at that place—at that saving of a half million dollars to the Government—because they guessed wrong as to which union they should join.

For the good of the country let the O. P. M. and this administration tell the workingmen and the employers, if they are going to hold them up, who they should let go through their pockets. Is there anything that is any more wicked, is there anything that is any more vicious, is there anything that smacks more of double dealing than that policy on the part of this Government?

This administration has long and loudly proclaimed its desire to aid the workingman. It is now apparent that this administration is playing the workingman for a sucker; that it is double-crossing him; that it is bartering away, for political support, his freedom—his right to earn a livelihood.

In the present case, let me repeat, the bid of the Currier Lumber Co. was $3,265 for a 5-room house, regulation full construction, full basement, 6-inch siding, everything contained in other homes, all standard specifications; and it was $1,440 per house less than the next lowest bidder.

That bid meant that those houses, which are needed by American workingmen who are engaged in defense production, in a locality where there is a shortage of homes, where American workingmen are living in tents and trailers and in shacks, would each, because of the action of the O. P. M., cost $1,440 more; or, if bought on the Government plan, $10 more per month for 12 years.

Now, do not forget, these homes were to be built 30 miles out of the city, at the site of a defense plant. Colonel Westbrook, Carmody's representative, gave the company to understand that of course their bid would be accepted, and the company has gone to several thousand dollars expense getting ready for the performance of that contract. The company is ready to construct those homes this fall, so that the men can get into them before winter closes down.

But the contract has been held up. Why? Where is the loose screw in the administration's program?

Bids for some 2,000 more houses are to be asked in the immediate future. If the bids of Currier and others, which are in the same ratio, are accepted, there will be a saving to the Government in the first instance, to the workingman eventually, of some $3,000,000 on these 2,000 homes.

The F. W. A. and other governmental agencies are planning on constructing 7,000 houses for defense workers. If those houses are constructed on the basis figured by Currier, if Currier was given the contract, they would be constructed for $115,000,000 less than the Government has contemplated paying.

While the Currier bid was $3,265 per unit, or $1,440 below the next lowest bid, the Currier Lumber Co. feels that unless there are some great changes in commodity prices that they do not at present foresee, if their methods are adopted and followed, they can, on mass production, lower their bid to $2,900 per house. With the effect that large orders would have upon the industry, there is a prospect that, before the year is over, or not later than next spring, the price would go down to $2,500 for the same type of house that now costs $3,265, which still is, as stated, $1,440 less than has been bid by anyone else.

Just why is it that the O. P. M. wants to hike the cost of these homes for workingmen? Is it because they want to preserve the A. F. of L. craft union? Is it because some working arrangement has been made within the ranks of the O. P. M. whereby certain unions are to have a monopoly of labor in certain trades or professions or industries, while other unions are to have a like monopoly in other industries and trades?

Or are we to have one big industrial union, with a head who has a monopoly of all labor, so that men may be sold, as cattle are now sold, to the highest bidder?

It happens in this instance that the C. I. O. and its members, who have organized the Currier Lumber Co., are entitled, as a matter of right, to these jobs. They and the company have complied with the provisions of the National Labor Relations Act. The company has complied with every requirement of the wage-hour law. The company and the union have agreed in writing upon a method of operation, upon the amount of compensation which shall be paid to the members of the C. I. O.

The bid of the company on these few homes is, as stated, lower by almost a half million dollars than the bid of any other company. The C. I. O. men are entitled to the work. The country is entitled to have the homes built by the lowest financially responsible, competent bidder. The law so provides. The Currier Co. is that bidder.

Just what sort of a game is the O. P. M. playing? Just what kind of a political deal has been made and with whom has it been made? To ascertain that fact and to have the O. P. M. explain why it is that the members of this union, which men throughout the country have by this administration been urged to join are denied the right to work, I have introduced a resolution asking for an investigation of the situation. Will it get anywhere? Oh, no. The deal is so dirty that this administration will never let the inside of it be known to the public.

Now is the time for the O. P. M. to let us know who is running the national-defense program, who is overseeing and determining the manner in which the appropriations made under the lend-lease bills are to be spent and wasted.

Let the C. I. O., let the American worker, let the American employer who has complied with every provision of every municipal, State, and Federal law, be

given a square deal here at headquarters in Washington.

That the public is being advised of the torpedoing of national defense by the administration itself is apparent from the article by David Lawrence in the press of October 1. Others have pointed out, as have I time and again pointed out to the Congress, the existence of this evil. That you may have it once more I include this article by Lawrence. It is as follows:

ARMS EFFORT TORPEDOED ALSO IN SHOPS—TEMPORIZING WITH LABOR ISSUE CHARGED TO ADMINISTRATION

(By David Lawrence)

While President Roosevelt is justifiably worrying about the fact that lease-lend goods are being torpedoed on the Atlantic, he is not as much concerned as he might be about the torpedoing of America's defense program at home.

Thus it has become known that propellers for 2,000 single-engine fighter planes or about 1,000 bombers have been lost to the defense program as a consequence of jurisdictional strikes in which the employer is the innocent bystander.

This does not mean that this actual number of propellers is not available but that the whole schedule has been set back by at least 2,000 propellers.

The direct cause of the loss of propellers is the unionizing drive and strike weapon carried out in defiance of pleas of governmental agencies. The administration has temporized with the issue and, in one instance, the National Defense Mediation Board has allowed itself to become the unwitting instrument of production delays and strikes.

It would appear that unions now have the impression that when a collective bargaining election has been held and they lose out, they can carry the case in some fashion to the National Defense Mediation Board. It is true that the latter agency has dismissed all cases to date where the National Labor Relations Board has certified a union as the legal bargaining agent of the majority, but unfortunately the Mediation Board has allowed time to elapse during which it took cases under advisement.

UNION POLITICS SEEN

Also it is apparent that the Office of Production Management's Labor Division, under Sidney Hillman, is playing union politics.

A case in point is the propeller strike at Caldwell, N. J., in the plant of the Curtiss-Wright Corporation. The history shows that the Wagner Labor Relations Act means nothing and the machinery of the Labor Board means nothing when a labor union inside the A. F. of L. wants to disregard it.

Despite the fact that a hearing was scheduled by the National Labor Relations Board, the A. F. of L. union at Caldwell announced it would strike on June 9. This was averted and hearings begun. After the testimony was taken and all parties awaited the ruling by the Board at Washington, the A. F. of L. on June 15 again voted to strike. Again the union was persuaded to defer action, and did.

On July 17 the Labor Board certified the proper unit for collective bargaining and ordered an election held on August 7. It resulted in a victory for the independent union by a vote of 1,094 to 526 for the A. F. of L.

DEPARTMENT WALKS OUT

The next day—August 8—the entire steel-blade department, comprising 200 employees, at Caldwell walked out. At first the A. F. of L. said the walk-out was unauthorized, and then stepped in and put picket lines around the plant. Mrs. Elinore M. Herrick, regional director at New York for the National Labor Relations Board, commented, "It is unfortunate that they should take this method of protesting a decision they don't like."

Conciliators from the O. P. M. and the New Jersey Mediation Board tried to settle the dispute, but to no avail. On August 13, Secretary Perkins certified the controversy to the National Defense Mediation Board, and the next day the strikers went back to work. Having accomplished their aim—to transfer the matter from the Labor Board, which had decided against them, to the Mediation Board, which might possibly issue some other decision—the striking minority went back on the job to await developments. Efforts were made to switch the issue to wage matters and meantime a membership drive was carried on with the hope of getting prestige.

Delaying tactics were having a serious effect on morale at the plant but the A. F. of L. union's officers and the National Defense Mediation Board started hearings on August 22 and then adjourned until September 5. The A. F. of L. insisted on another hearing on August 28 and again the matter was postponed by the Mediation Board. The Mediation Board, after hearings on September 5, adjourned with the statement that a final recommendation would be issued in a week or 10 days. Instead of a recommendation, the Board notified all parties that the whole matter had been adjourned.

AGITATION CONTINUES

Thus it will be observed that maneuvers behind the scenes in Washington kept up the agitation opportunities for the defeated union.

Here is a case in which the company has scrupulously obeyed the law of collective bargaining and has been given a clean bill of health by the Labor Relations Board and by implication also now by the Defense Board, but the trouble continues.

It is doubtful whether the minorities tied up with national unions would continue to ignore the letter and spirit of the Wagner law if the President ventured to say as much publicly about these mistakes on the part of labor as he is so ready and anxious to say in blaming employers.

[Here the gavel fell.]

SPECIAL ORDER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. MARTIN J. KENNEDY] is recognized for 5 minutes.

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to read at this time a letter addressed to me by the Secretary of the Treasury, Mr. Morgenthau, and my reply to his letter.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. MARTIN J. KENNEDY. Mr. Speaker, on September 25 I introduced a bill known as H. R. 5716, which has for its purpose the outright repeal of the Hatch Act. When I introduced that bill I made a statement on the floor, in which I deplored the fact that hundreds of thousands of Government employees in the low-salary brackets were bound by the Hatch Act, while those holding swivel-chair jobs and getting the large salaries were not bound by the Hatch Act. Congress excluded certain officials when the act was passed. I am sure that when we excluded these officials in the upper brackets, we at least hoped that the high-salary boys would obey the spirit of the law.

In connection with my bill I inserted in the RECORD a statement which appeared in the New York Herald Tribune. It was a signed article by one of the feature writers of that newspaper. As a result of my talk in the House on September 25, I received by special messenger on September 26, from the Secretary of the Treasury, the following letter, in connection with his activity in forming a new political party in New York City:

THE SECRETARY OF THE TREASURY,
Washington, September 26, 1941.

Hon. MARTIN J. KENNEDY,
House of Representatives.

DEAR MR. KENNEDY: The CONGRESSIONAL RECORD for September 25, 1941, shows that in a statement concerning the Hatch Act, which you made on the floor of the House on that date, you referred to an article from the New York Herald Tribune announcing "the formation of a new political party headed by Adolph A. Berle, Jr., and Henry Morgenthau, Jr., Secretary of the Treasury."

The RECORD also shows that while you stated that there was some doubt at the moment whether my father or I was the Morgenthau mentioned, you presumed in the absence of a denial from me that the Tribune's statements were true.

I wish to advise you that I did not participate in any way in the formation of the political party to which you refer, and that I have never had any connection with that party.

With respect to the Hatch Act, I should like to state that I have consistently followed its provisions in the administration of the Treasury Department.

I will appreciate your having this letter inserted in the CONGRESSIONAL RECORD as an extension of your remarks.

With best wishes, I am,

Sincerely yours,

(Signed) HENRY MORGENTHAU, JR.,
Secretary of the Treasury.

In reply to that I sent Mr. Morgenthau the following letter:

HOUSE OF REPRESENTATIVES,
Washington, D. C., September 30, 1941.

Hon. HENRY MORGENTHAU, JR.,
Secretary of the Treasury,
Washington, D. C.

DEAR MR. SECRETARY: This is to acknowledge your letter of September 26 in reply to a speech I made in the House of Representatives on September 25, in connection with the introduction of H. R. 5716, a bill to repeal the Hatch Act.

As requested by you, I shall ask the House for permission to insert your letter in the CONGRESSIONAL RECORD.

I was glad to have your assurances that the statements contained in the New York Herald Tribune of September 19, in which it was alleged that you were aiding in the organization of a new political party in New York City, were false and misleading.

With my kind regards, I am,

Cordially yours,

MARTIN J. KENNEDY, M. C.

Since that time it has come to my attention that the New York Herald-Tribune evidently intended to say that the gentleman who was so busy organizing this new political party in New York City was the father of Mr. Morgenthau.

As we all know, Mr. Morgenthau, senior, is now 85 years of age, and I want to congratulate him on his energy and interest in civic affairs. Mr. Morgenthau, senior, was chairman of the finance committee of the Democratic National Committee in 1912 and 1916, and on many occasions was honored by appointment to important positions in the diplomatic service and otherwise under various Democratic Presidents.

I am sorry that Mr. Morgenthau, senior, has decided to leave the Democratic Party, the party of Governor Lehman and President Franklin D. Roosevelt.

ADJOURNMENT OVER

Mr. DINGELL. Mr. Speaker, I again ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER pro tempore (Mr. SHEPPARD). Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER pro tempore. At this time, under previous order of the House, the gentleman from California [Mr. HINSHAW] is recognized for 10 minutes.

FIRST TRANSCONTINENTAL AIR FLIGHT

Mr. HINSHAW. Mr. Speaker, so accustomed are we to seeing aircraft flying through the air that we are not likely to realize how short a span of time it has been since the first transcontinental flight by airplane.

Thirty years ago today there was in flight across the United States one Calbraith Rodgers. He had left Sheepshead Bay, L. I., on the 17th day of September 1911, on a transcontinental flight, which finally arrived at his terminal destination in Pasadena, Calif., on the 5th day of November 1911. It took him 49 days to cross the United States, and in the course of that journey he made 69 stops, and nearly every stop was a crack-up. His flight time was 82 hours. For that distance, not knowing the exact route, I assume that his average speed was about 35 miles an hour. Thirty-five miles an hour was cruising speed in an aircraft in 1911. Today our fighting planes are doing 350 miles an hour, or 10 times that speed.

I would like to read from The Slipstream, published in June 1928:

[From the Slipstream for June 1928]

THE FIRST TRANSCONTINENTAL FLIGHT—49-DAY AIR JOURNEY RECALLS PERSEVERANCE AND COURAGE OF EARLY FLYERS

(By Charles E. Taylor, world's first airplane mechanic)

Calbraith Rodgers had learned to fly under the tutelage of the Wright brothers in June 1911, and he progressed so rapidly that he went to Chicago 2 months later and carried away $11,000 in prize money at the aviation meet. So it was that when he came to the boys in September of the same year and asked for a plane to use in a flight across the continent, no one had any doubt that if such a flight could be made, Rodgers could do it.

The New York American had offered $50,000 to the first man to fly across the continent in 30 days. As I say, none of us had any doubt that he could do it, but we did doubt if any airplane was capable of it. When he came down, Orv (Orville Wright) told him they'd build the job for him, but didn't think it would stand the trip.

There weren't so many mechanics around at that time who understood the Wright motor and plane thoroughly, and since I had built the first engine and helped with the ships, Rodgers wanted me to act as chief mechanic. I referred him to Orv and Will, and they consented to give me leave of absence for the trip.

A special train was obtained to follow the plane. It carried a Pullman, in which were the men who were backing the flight financially, Rodger's mother and wife, and two other mechanics beside myself. We also carried a day coach. The most unique part of the train was the hangar car, which contained spare parts, and such accessories as we thought we might need, and also the old plane which Rodgers had used in Chicago. We also carried oil, gasoline, and a big Palmer-Singer racing car to use in reaching the plane quickly.

The plane he used was the only one of its kind the Wrights ever built. It was called the model EX, and was smaller and faster than the model B.

The start was made on September 17 from Sheepshead Bay, and Rodgers circled New York City, and then started out over the tracks of the Erie Railroad, over which the special train was to go. We, on the train, always did our best to keep up with him, but it was difficult, although at times we would lose him and get ahead, and find out later he had been forced down in some pasture miles back along the route.

It was late in the afternoon when he started, between 4 and 5 o'clock, I believe. Middletown, N. Y., slightly more than a hundred miles distant, was the stopping place for the night. We were all very jubilant that night, for a hundred miles in less than 3 hours made us think Rodgers would average at least 200 miles per day and would only need about half of the 30 days in which to win the $50,000. But right there is where we were kidding ourselves.

The next morning a tree top very inconsiderately got in the way at the take-off, the plane dropped about 50 feet on top of a chicken house. Several chickens were killed, and Rodgers was badly bruised and cut. He should have gone to bed for a couple days at least, but he almost immediately started to repair the plane.

It took us 3 days to repair the ship, and he then flew to Hancock, N. Y., and broke his skids in landing there. We also experienced much trouble with sightseers who insisted on taking parts of the plane home for souvenirs.

Twice Rodgers saved the special train from a wreck. One of these was at Elmira when a freight-train's crew became so interested in the plane that they failed to clear the track. Rodgers warned them barely in time; and our last car sideswiped them as they backed onto a siding. The other time was in Indiana when he warned a group of railroad hands on a hand car of the approach of the train.

Almost every evening after a hop had been made we had to completely overhaul the engine. One of the great difficulties was that the magneto plugs were constantly coming loose, and on several occasions Rodgers had to hold the warping lever with his knee while he tightened the plugs with his right hand, which was an extremely risky procedure.

We completely lost him on the hop into Akron. It was getting dark as we approached the city, and we saw Rodgers far to our right, apparently confused as to direction, and unable to locate us or the town. He disappeared in almost the opposite direction of Akron, so we had the train run back to Kent, and we got out the automobile and started to hunt for him. We found a lot of people who had heard him, but no two of them pointed in the same direction. We finally found him in a pasture surrounded by a lot of wondering cows.

High winds and bad weather held us over in one town for 2 and 3 days on several occasions. At Huntington, Ind., he tried to take off in a high wind, but couldn't make it, and tried to land again. But the spectators had crowded the field in the meantime and he cracked up in order to avoid killing anyone. So we spent another 3 days rebuilding the machine.

On his flight into Springfield, Ill., Rodgers broke the record for distance on cross-country flying which Atwood had previously held. Nothing very eventful happened between there and Kansas City, except that he gave the spectators in the latter city the thrill of their lives by putting the plane in a tight spiral and perpendicular bank to celebrate the completion of half his journey.

Things went from bad to worse after leaving Kansas City, and we were constantly repairing something about the ship. Oil lines broke; cracked cylinders, and crystallized intake valves endangered Rodgers' life. These were everyday occurrences while we were passing through Texas. We had three bad crashes in Texas, and several minor ones, and a baby jackrabbit that some of the boys had picked up as a mascot after getting into Texas was discarded as being bad luck instead of good.

Rodgers didn't seem to mind the fact that the motor was getting worse and worse, and the plane itself was in none too good condition. I kept telling him he should lay over for several days to go over it completely, and that it was dangerous to go on without doing so. He would only laugh at my pessimistic opinions, and seemed to handle the plane really better than ever.

On the hop out of Arizona to Banning, Calif., however, a real catastrophe and near tragedy happened. He had passed Imperial Junction at an altitude of about 5,000 feet and was over the Salton Sea. The No. 1 cylinder blew out and almost tore the right wing off. Rodgers' right arm was badly injured, and the plane plunged downward. He soon regained control, handling the warping lever with his knee, and glided the 6 miles back to Imperial Junction. We took the engine out of the old model B plane which was in the hangar car, used two cylinders out of it, and practically built a new engine. We were only 178 miles from Pasadena, the official destination of the flight, but at this point I was forced to leave the party because of the illness of my wife. Had I stayed, we had planned to spend an extra day making sure everything was all right; but when I was forced to leave, Rodgers decided to make the additional 178 miles the next day, and took off with that intention. It is here that my personal contact with the flight ended, but, of course, I heard all the details of its completion later. Rodgers left Imperial Junction about 10 o'clock that morning, and about 6 miles from Banning was flying through the San Gorgonia Pass. There is a steady trade wind through this narrow pass, and you might almost call it a natural wind tunnel. The improvised engine labored hard on the pull, the magneto plugs again came loose, the radiator began to leak, and then a connecting rod broke. A landing in the pass was impossible, so Rodgers once more resorted to using his knee on one control and made adjustments and coaxed the motor along with his right hand, and succeeded in landing at Banning, not even neglecting to do his usual hair-raising stunt of a sharp dive, straightening out just in time to land.

One of the writers who covered the arrival in Pasadena, French Strother, gave a very graphic description of the event. It was always a disappointment to me not to have been able to witness the event, after having gotten within 178 miles of the goal. But it was not to be. Strother said of the arrival:

"Ten thousand of us waited for him in the warm afternoon sun at Tournament Park, where the glorious Tournament of Roses celebrates the New Year's Day. A few miles to the east the almost sheer cliff-like walls of Mount Lowe and Mount Wilson towered upward 6,000 feet overhead. As a group of men laid out a white sheet in the center of the field to mark the landing place, the local manager of the telephone company was talking from the special telephone at the edge of the field, asking the scientists in the observatory on the summit of Mount Wilson to keep watch through telescopes and to flash us word when the aviator should be sighted on the last lap of his epoch-making journey. The band played stirring music for us as we fidgeted about and

watched the blue haze southward down the pass. Then a bar of white light shot across the field from the crest of Mount Wilson, and we knew he was on his way. The band broke into a quickstep, and the 10,000 rose to their feet. A small boy on the roof of the judges stand by the race track saw him first.

"'There he comes,' he screamed, and began madly ringing the starting bell.

"A yell broke from the crowd; sure enough, there he came, a great way off, growing larger and larger, seeming about to pass by the city altogether, when suddenly he turned with the wind behind him and came rushing toward us like the gigantic roc of the Arabian Nights, while a roar rose from the crowd that was really terrifying in its mixture of triumph and savage joy in the sight of danger. Just as he swept over us, he tilted forward suddenly and seemed to lose control. Two men who had been with him all the way from New York turned their heads away—they thought he was gone. Down toward us, 1,500 feet he swooped, till he seemed about to drive into the ground, when he shifted his planes and swept grandly in spirals down to earth, alighting within 25 feet of the marked landing place.

"Then suddenly the barriers that had held the crowd melted away, policemen disappeared and fences were not, while thousands swept upon the field and mobbed him. The next moment a telephone transmitter was thrust into his hands and he told the Associated Press that he had completed his journey. Then a flying wedge was formed that hurled him through the crowd, and he was landed safely in an automobile. After circling the track twice so everybody could see him, and after being introduced to Roy Knabenshue, who first sailed a dirigible balloon in this country, and to Mrs. Hoxsey, the mother of the aviator who was killed a few months ago, he was carried to the hotel. When he had received the congratulations of his party and the reception committee, and had registered as an evidence of the successful termination of his transcontinental journey, the chairman of the day asked him, in tones that implied that he might have the fullness of the earth if he wanted it:

"'And now, Mr. Rodgers, what can we do for you?'

"'I'd like some crackers and a glass of cream' was Rodgers' reply.

"That reply was in tune with his whole character and with the traditions that have come down in his family for generations. Rodgers is a grandson of Commodore Calbraith Perry, who in 1854 opened the ports of Japan to the world. He is a grand nephew of Oliver Hazard Perry, who won the battle of Lake Erie. His father was Capt. C. P. Rodgers, who was killed fighting Indians in Arizona in the early eighties. He is a first cousin of Capt. John Rodgers, the naval aeronautical expert and aviator. Nearly all his male relations for several generations have been in either the Army or Navy, and he would have tried to enter Annapolis if he had not been left almost completely deaf by an attack of scarlet fever in boyhood. That same illness also affected his speech, so that he talks with an effort, and very slowly.

"It is doubtful if any aviator has ever taken the chances that he has taken and lived through them. Orville Wright said of him, 'He was born with four horseshoes in his pocket.'"

Rodgers realized very little money from the flight. He received about $20,000 from the backers whose products he advertised on the plane, and picked up two or three thousand dollars in lap purses, but since the flight required a total of 49 days rather than 30, he failed to win the New York American's $50,000 award.

The plane had cost him about $5,000 and repairs had cost more than $17,000, so that he had little left after paying the expenses. But he was not dissatisfied, but felt well repaid by the mere knowledge that he had accomplished a feat performed by no man before.

Before his death Rodgers performed many other noteworthy feats, and I saw him many times. We would always talk over that memorable flight, and it was always his opinion that it had been his greatest achievement. Mere failure to win a monetary prize did not rob him of the feeling of triumph which was rightly his after seven weeks of the greatest strain possible. I am almost as proud of my association with him on this project as I am of the fact that I built the first airplane motor and helped Orv and Will with that first ship.

Mr. Speaker, this intrepid flyer made that journey across the country under the impetus of a prize that was offered by a newspaper of the United States of $50,000 to the first man to fly across the continent of the United States in 30 days. No one had any doubt that this man could do it for he had learned to fly under the tutelage of the Wright brothers in June 1911, and he progressed so rapidly that he went to Chicago 2 months later and carried away $11,000 in prize money. And so it was that when he went to the Wright brothers shortly thereafter and asked them for the use of an airplane he not only got it but also got the first airplane mechanic and ground crew in history, Charles E. Taylor, who wrote the article to which I have referred in Slip Stream.

In the Washington Post of December 3, 1936, there appears an article stating:

BATTERED PLANE, FIRST TO SPAN CONTINENT, ON EXHIBITION HERE; CRUDE HULK OF RODGERS' CRAFT, VICTIM OF 15 CRACK-UPS IN NEW YORK-CALIFORNIA TRIP OF 84 DAYS, IS AT SMITHSONIAN

A battered hulk of wood, canvas, and metal was on display yesterday at the Smithsonian Institution, a newly added testimonial and monument to man's determination and courage.

It is—or was—an airplane, the first airplane to span a continent. It is the airplane in which Galbraith Perry Rodgers flew from Sheepshead Bay, Long Island, to Long Beach, Calif., in 84 days.

The adversity conquered by Rodgers, who perished in a crack-up 6 months after putting down his "crate" at Long Beach on December 10, 1911, places him in the same class with Robert Fulton, Frances Willard, and other pioneers with a purpose whose efforts ultimately were crowned by success, despite the jeers of skeptics.

Now on permanent exhibition in the Smithsonian's arts and industries building, near Lindbergh's famous Spirit of St. Louis, the Rodgers ship was roundly ridiculed when its 32-year-old pilot launched his coast-to-coast flight at Sheepshead Bay on September 17, 1911.

They called it "a fool's plaything" and its operator "an impractical dreamer."

But Rodgers lived to see the scoffers moderate their opinions, even though his transcontinental time was little better than a covered wagon's He cracked up 15 times en route and his longest continuous flight lasted only 2 hours and 40 minutes, but he reached his goal, though Long Beach found both him and his plane considerably the worse for wear.

Soon after the initial take-off Rodgers struck a tree near Middletown, N. Y., and fell 75 feet. He was slightly injured, the plane badly damaged. The next mishap was at Salamanca, N. Y., where there was an encounter with a barbed-wire fence.

The crash in Huntington, Ind., left the plane almost a complete wreck. But the indomitable flier somehow succeeded in taking her aloft again, only to be forced down again in Texas when a piston bearing broke 2,500 feet aloft, wrecking the engine. A few days later there was a startling crash. Repairs were made within 24 hours and soon Rodgers was California-bound once more.

When a piston bearing broke 3,000 feet above the Imperial Valley of California, Rodgers volplaned 4 miles to land. At Pasadena there was a 200-foot fall which reduced the craft to a mass of shattered wood and twisted wires and sent the pilot to a hospital.

When he taxied to the final stop in Long Beach, 69 landings out of New York, all that was left of the Wright biplane in which Rodgers had started the epochal flight were the vertical rudder and 2 wing struts. A freight train loaded with extra parts had followed him all the way.

Hence, it is more accurate to state that the ship on exhibit at the Smithsonian is the one in which Rodgers finished his aerial journey.

Rodgers was taught to fly by the Wright brothers. He soloed in his historic plane after 90 minutes' instruction. Killed in an exhibition flight at Long Beach in 1912, he has been virtually forgotten and his name is barely recorded in the annals of aviation.

Yet it was only 3 years after his precedent-setting venture that airplanes were flying over the western front in combat. Less than a decade after Rodgers' laborious contribution to science an airplane had crossed the North Atlantic Ocean.

I might say that when he landed in Pasadena, Calif., on the 5th of November the plane was so badly cracked up that it was hardly possible for him to go the full distance to the Pacific Ocean, but he decided to get there, decided that he would patch the crate up and make the last few miles to the city of Long Beach, which he did several days later.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks to include these articles I have quoted from.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. HINSHAW. Mr. Speaker, I should like to submit to the aviation world of the United States, and especially to those in Sheepshead Bay, Long Island, and in my home town of Pasadena, Calif., that they mark this period 30 years from the time of the first transcontinental flight and remember that today there are many, many transcontinental trips being made daily by air transport carrying passengers, mail, and express; and their flying time from coast to coast is in the neighborhood of 15 hours for the transcontinental trip. Just think of that, 15 hours for the transcontinental trip. And that is 15 consecutive hours, against 49 days for the first transcontinental trip. In 30 years the United States has seen such a marvelous advance in aviation that we stand and wonder, but when we contemplate the aircraft of the future and recall to our minds that there is in process of being designed today civil aircraft which will cruise at speeds of 300 and 350 miles an hour, carry passengers, mail, and express to the weight of 14 to 20 tons and more in addition to the weight of the airplane itself, we can see a marvelous future that even these people long ago could not have envisioned. I have seen mocked up in aircraft factories planes that are designed to carry 54 passengers sleeping or 75 passengers sitting up for distances of 3,000 miles. These

planes will not be in service this year. A few may be in service in 1942. More will be in service in 1943 and still more thereafter.

The air commerce of the world was started by Calbraith Rodgers in 1911. One can hardly estimate what 50 years of progress will bring to this Nation when in 1961 our children view the aircraft of the future.

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Massachusetts [Mr. GIFFORD] is recognized for 10 minutes.

THE PRICE CONTROL LEGISLATION

Mr. GIFFORD. Mr. Speaker, these remarks are for the CONGRESSIONAL RECORD. The absentees undoubtedly note what is said in the CONGRESSIONAL RECORD these days, and I hope these suggestions may be helpful. I am to mention the price-fixing bill. Hearings on this bill, held daily for many weeks before the Committee on Banking and Currency, are available every morning in unrevised form, which is better for you to read than revised hearings after witnesses delete their testimony.

The price-fixing bill is one of the most serious proposals that has ever come before the Congress. It is another dangerous delegation of power. We have delegated great powers heretofore, none of which have yet been surrendered, and have made confused conditions in many walks of life in this country. I have not time to refer to many of these delegations of power, but we should consider results and perhaps curb this tendency. I want the Members of Congress to understand that this delegation of power may be of very serious consequence to them. This bill contemplates rather a long future, even after the war scare is ended. It amazes me that your mail contains very little relating to this price-fixing matter. The attempt of the administration to create a war hysteria on all fronts seems to have failed in this instance and while seemingly everybody should be stirred after the startling announcements before this committee, the mail does not seem to indicate that the public are greatly disturbed at present. Inflation, of course, is serious.

Four or five years ago when Governor Eccles came before the Banking and Currency Committee he told us that if we would give him power over open-market operations to buy or sell bonds and allow him to freeze reserves he could control inflation. If you will read that former testimony you will find that statement. Now he comes before our committee and tells us that is only one phase of control; that it is worthless unless many other agencies are called into action. He says we must have price fixing and we must have taxation nearly sufficient to recover or retake profits and excess wages. That all these things must be mopped up by taxation or forced savings. When Mr. Morgenthau declared that all profits over 6 percent should be taken, even then the Congressman's mail does not indicate any particular fear.

Mr. HINSHAW. Will the gentleman yield?

Mr. GIFFORD. I yield to the gentleman from California.

Mr. HINSHAW. I had occasion to discuss that very subject when I was home recently with my people, and I came to the conclusion after talking with them that they are very greatly concerned over this thing, but they do not understand it. They think it may be necessary, but they hate to see it come, and they are relying more or less on the judgment of the Members of Congress.

Mr. GIFFORD. That is the answer I expected. Of course, every man is interested. It affects every person. He is confused, and I should think he would be confused. The speakers who appeared before the Banking and Currency Committee are confused.

What I want to tell this House is that these witnesses say this thing ought to be done, but that it is a political question meaning that "You fellows in Congress don't dare do it." They are putting it on the doorstep of Congress. Whoever you appoint to administer such a law will be unpopular. However, this will be a bill that the Congress will be responsible for and its Members will be held accountable by their constituents.

We are taking a very great responsibility when we pass a price-fixing bill. We will probably have a price-fixing bill on commodities. But first, "Take care of the farmer." Put in the bill that there shall be a floor on him, 110-percent parity prices, and this being a farmers' Congress, fully controlled by the farmers, he will be taken care of, of course. But food prices must go up. Parity is now based on prices of 1909 to 1914. That is not now parity. As other prices go up, parity prices must go up. There will probably be no limitation. Then labor must not be touched, because we have so many agencies set up in favor of labor. However, some of the witnesses declared, "You should appoint a man who, after all these boards, has the final say, but we do not dare give him that power." So we are asked to build a one-legged stool, and if anybody can sit on a one-legged stool I want to watch him wiggle to balance himself. But we find very little interest in the matter as far as letter writing goes, and that worries me. The gentleman from California has answered it pretty well, I think. The people do not know what to think of these startling suggestions. We must take the full responsibility, whether it is Mr. Henderson or someone else who may be selected as administrator.

If he failed he would be kicked upstairs, but Congressmen will be kicked out. It is our responsibility. Consider the remarkable statement made by Mr. Morgenthau that we should take all profits over 6 percent. Take a little company with a small invested capital and another one with a large invested capital, much of it obsolete at that, one allowed very small profits and the other allowed too much, based on that plan. Let us look at the company that has owed money for years. It cannot pay in a profitable year—the Government should take it.

Watch Mr. Morgenthau. Anything to replenish his Treasury. There is the suggested increase in social-security payments—6 percent, as the President recommends. Take from the employers and employees 6 percent more than they are paying with the hope that they will get it back later in lean years. But that good money goes into the Treasury. It is only a matter of bookkeeping, and we will spend it although some day it is supposed to be paid back. Let us hope it is good money at the time it is paid back; as good money as at the time it was taken in.

Then, again, make all these wage earners getting extra money buy United States bonds that are nonnegotiable. If they get them they cannot long pay their creditors with those bonds. We all know that after these many years these people receiving higher wages wish to pay their bills. But force them to buy bonds, anything to take care of the Treasury of the United States. Watch Mr. Morgenthau. Such proposals ought to be to his liking.

The administration has tried so hard to get inflation these past years. Now they are running in great fear in the opposite direction. The various instrumentalities they have set up are now the chief dangers. They are struggling to escape from their own instruments of danger. Always before in depressions money was scarce. In the recent depression years money has been so plentiful that billions upon billions are available for credit purposes. They are now fearful that people will want to borrow it and spend. We have a limited amount of processed goods in the market. The people now want these goods and are able to pay. But the Government also is a huge buyer and even hoarding for the future under plea of defense. Something should be done, but on many fronts.

Mr. HINSHAW. Will the gentleman yield?

Mr. GIFFORD. I regret that I have not the time. It is now exhausted. I am trying to draw attention to this subject of price fixing. Nobody, I think, has talked about it on the floor of the Congress.

It is one of the greatest responsibilities we have ahead of us and we must have courage to meet the situation and do more than price fixing on commodities. Food prices and wages must also be regulated. Some of us do not expect to stay here long. But a younger Congressman with a future in front of him is taking one of the greatest of risks if he attempts to pass a price-fixing bill on commodities and lacks courage to go the whole distance. I warn that we will set up a bureau which will not be temporary but probably everlasting, like all of them are.

[Here the gavel fell.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. FISH] is recognized for 10 minutes.

THE FRANKING PRIVILEGE

Mr. FISH. Mr. Speaker, before discussing the matter I desire to take up today, I should like to make an observation with regard to the President's recent statement in connection with the religious situation in Soviet Russia.

I was very much interested to know that Communist Soviet Russia had at last "got religion," and, that being the fact, I would suggest that the President

invite our comrade and ally, "Palsy-Walsy" Joe Stalin, to fly over here to Washington so that he might be baptized in the swimming pool at the White House. That would be the next logical step. Now that the President has brought religion to Soviet Russia, he ought to do the kindly thing and ask him over here and in a big ceremony baptize our comrade, Joe Stalin, and invite all the Members of Congress to come and see that the baptism is correct, and that it is done in a proper, orderly, and ecclesiastical manner. Then I would suggest that after that has been consummated, all the Members of Congress, Cabinet, and Supreme Court join in forming Stalin Sunday schools throughout America.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Michigan.

Mr. DINGELL. Would the gentleman recognize the proper form of baptism?

Mr. FISH. It is a long time ago that I was christened, I shall have to admit that, and I do not know just how I behaved, but I should like to have this ceremony performed in the proper way, and have the Congress, President, and Supreme Court act as sponsors and witnesses.

Mr. DINGELL. Then as a witness the gentleman would not know whether it was proper or not.

Mr. FISH. I have seen it done a number of times, but I have never performed the ceremony.

Mr. DINGELL. Then the gentleman would have to brush up on it.

Mr. FISH. I suppose I would not even be invited to the White House to see the ceremony.

Mr. Speaker, a few days ago I took the floor and nailed certain lies that had appeared in the Washington Post, emanating from one of their reporters—one of their smart-aleck reporters—who seems to be adept at twisting the truth. Apparently he has no regard for facts or the truth.

I do not care to become entangled with any reporters of that character who do not hesitate to attack and attempt to smear men in public life. That is one thing. But when those same untruths are carried in an editorial in the Washington Post, that is an entirely different matter.

I want to answer some of those lies that have been repeated in an editorial of the Washington Post, the editor and publisher of which, according to the headline here, is Mr. Eugene Meyer. It is stated here in this newspaper, "Eugene Meyer, editor and publisher."

I had expected to make some remarks about Mr. Eugene Meyer himself and hold him strictly responsible for this editorial, but I found on ringing up the Washington Post that Mr. Meyer is now in England. I believe that he flew over in a Canadian plane on August 29 and is apparently still in England, if he has not flown over to Soviet Russia since. This being the case, I believe I had better wait until Mr. Meyer comes back and gives the same reasons that have appeared so many times in the Post as to why we should gamble with the destiny of America.

It seems to me the time has come to put the interests of America first and not the interests of the British Empire or the Communists or the Chinese. There is one issue before the American people, and that is what is best for America—not what is best for the English or the Communists or the Chinese. I do not believe it is asking too much of any American to put the interests of America first.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. FISH. I cannot yield just now, but will later on.

Mr. Meyer, of course, has a perfect right to express his views if he wants to go into the war, but he has no right to smear in his editorials anybody who wants to stay out of the war. After all, he is the owner and editor of that paper, and when he comes back I shall have something to say.

I am not seeking to protect myself because I have answered these malicious charges, but I am trying to protect every Member of Congress, and, as I go along, I am going to show you why this editorial is a direct attack on every Member of Congress—not specifically me; very far from it, as a matter of fact.

This is a part of the editorial:

> A few of these facts may be summarized as follows: Ten mail bags of material were taken from the House Office Building to Dennett's headquarters by a House truck last summer. One of the bags taken away from Dennett's office after he was called by the grand jury bore a tag indicating it was "from" Representative FISH "to" Dennett.

I have already stated, and I repeat it, that no bag from my office went to Dennett last August or within the last 6 months. A bag might have gone to him a year or 2 years or 3 years ago, or long before the war. I would not know that, and I doubt that even members of my office force would know it. There is no reason why it should not have gone. The inference is that one of the 10 mail bags that went to Dennett's office last summer was mine, and it was specified in the news columns that it occurred in August. There is not a word of truth to it. No mail bag was sent to Dennett's office last August or for a very long time if ever.

Now, there is no reason why Members should not have sent their mail down there, none whatever, if they wanted to. Mr. Dennett was not under suspicion with them or the public or anybody else, so far as I know. Even if our comrade, Joe Stalin, wanted to send out our speeches there is no reason why he should not send them out because the speeches speak for themselves and give the views of individual Members of Congress. It has been the practice from time immemorial to have different groups or organizations send out speeches. I suppose the Fight for Freedom Committee is sending out any number of speeches of different Members of Congress and I do not see anything improper in it.

Mr. PATRICK. Mr. Speaker, will the gentleman yield for just a minute?

Mr. FISH. No. I think I know what the gentleman is going to ask and I am going to talk about that and then the gentleman can ask me questions.

I want to read the law. I am trying to protect other Members of Congress. These 10 mail bags referred to contain no mail or speeches of mine. They were mail bags of other Members and I want to go on record as saying they had an absolute right to send those speeches out. It has been done ever since I have been in Congress and, probably, many years before that, and will be continued, I believe, because nobody proposes to curtail the rights of Members of Congress to have their own speeches sent out and addressed by anybody they want to. I do not think any Member of Congress even advocates any change in the law or proceedure.

There has been a lot of twisting of the law in the press. Now, here is the law for the Post's edification:

Section 612 (3) reads as follows:

> A bulk package of franked articles may be sent by a person entitled to the franking privilege, to one addressee, who, on receiving and opening the package, may, on behalf of such person, place addresses on the franked articles and remail them for carriage and delivery to the respective addresses.

That is the law.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I ask unanimous consent to proceed for 10 minutes more.

The SPEAKER pro tempore (Mr. SHEPPARD). Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FISH. Members of Congress have the right to address them, and that is exactly what they have done. They mailed them in bulk, or sent them in bulk, either by trucks or mail, to be addressed by an organization or an individual to other people throughout the country. That is exactly what the law prescribes. But the law says that a person who has not the franking privilege cannot refrank them back again. This is why Mr. Dennett could not refrank in bulk these so-called 500 speeches that have been lost and that I have not yet received. He could not, under the law or without violating the law, put on a tag and refrank them back, because the law says you cannot do that. That is the wording of the law, and the Washington Post has tried to twist it around to make out that Members of Congress had no right to send a single bag full of mail to be addressed by someone else. The law specifically says that you have that right, but the man who receives it, if he has not the franking privilege, cannot send it back in the mail.

I trust this is clear, and if it is not clear I hope Members will ask questions about it, because I am trying to protect the individual rights of Republicans and Democrats and all Members of Congress, and in this case I am not protecting myself at all, because my mail was not involved.

Now, this Post editorial repeats that lie that Mr. Dillard Stokes carried in his article to the effect that when the 20

mail bags from Dennett's office were disposed of, "8 of them were stored at the request of his secretary"—that is, my secretary—"in the House Office Building storeroom."

That is right in this editorial, and as I told you last week, my secretary never told anyone to take them to any storeroom. My secretary told them, "I will have nothing to do with them; I did not ask for those bags, and I have no authority to take them, and I do not want them and will not accept them."

As a matter of fact, in all of those bags there was not a speech of mine, so far as I can find out, and my secretary was dead right in refusing to take them. Some of them were left in a hallway near my locked storeroom. My storeroom is a locked room, as I explained before, and this is just a repetition of that misstatement in this editorial that my secretary sent these mail bags to any storeroom or anywhere else. In all fairness to my secretary, I want to repeat that it is a lie. He did not instruct, order, or advise this truckman to take any of these bags to my storeroom, and, furthermore, he could not have put them in my storeroom anyhow, because my storeroom is locked, and if my secretary had intended for him to put them in there he would have unlocked it and instructed him as to exactly where they were to go.

Now, what I do not understand in all this is the fact how this Post reporter gets hold of evidence in the possession of the grand jury. The grand jury proceedings are supposed to be confidential, sacred, and secret. Yet he has stated in his column that the mail bags which they—the grand jury—have in their possession has a tag from Dennett to me and vice versa.

In the first place, I do not believe it, because I do not think bags are sent in that way. Whether it is a frame-up, I do not know or care. It might have been possible many years ago; but, anyhow, how did he get hold of it except through the grand jury? And if he did that, he is violating the law, and there must be a leak on the part of some of the witnesses, or on the part of the grand jurors, or the officials, and it may be necessary for the House to call this reporter before the bar of the House and ask him why and how he got this information from the grand jury. Then he writes an article in today's Washington Post in which he says that Dennett is linked up with a Nazi agent for $10,000. How did he get that information, when Dennett is before the grand jury? Is the grand jury or any official a part of this smear campaign? I do not want to believe that, as I said the last time I spoke in detail on all these charges, but here it is in black and white. It says that the grand jury presses questions for 7 days, that Dennett is linked with a Nazi agent for $10,000. I believe the gentleman from Washington [Mr. COFFEE] is to take the floor later on in regard to this reporter entering the House Office Building and taking possession temporarily of certain sacks of mail, opening them, and taking photographs of mail in the House Office Building belonging to Members of Congress, and, according to his own statements, under subpena by the court, in violation of the law. If that is true, then it is the duty of the Congress to call him before the bar of the House and try him for violation of the law, a double offense, in this case of taking these papers in the House Office Building and using them, and, secondly, because of the testimony that has leaked out from the grand jury. I am suggesting this to the gentleman from Washington [Mr. COFFEE], because I am not interested in getting after some little reporter of that type, even though he does spread grand-jury proceedings in the newspaper and distort the truth. I think the court should take the necessary steps to investigate the leak in the grand-jury proceedings and that action is taken against the guilty persons. I am interested, however, in correcting an editorial in a daily newspaper, owned by Eugene Meyer, that reflects on my secretary and on many Members of Congress.

Mr. PATRICK rose.

Mr. FISH. I yield.

Mr. PATRICK. When the word "lie" is used, that is not a very nice word.

Mr. FISH. It is not strong enough in this case.

Mr. PATRICK. Of course, I have heard adjectives put on that, but at least when used in a lawmaking body, it opens the door for the closest scrutiny of the fact involved, and it seems that one of the things, the most serious inquiry I have heard in this has been why it is necessary to get such a strong carrier to convey only 500 speeches.

Mr. FISH. I am very glad that the gentleman asked that question because it is so easy to answer. The gentleman was evidently not paying attention. The reason is simply this. Mr. Dennett proposed to frank those 500 speeches back and my secretary, knowing the law, told him over the telephone, "You must not frank them back, because you would be violating the law." Therefore, as there was no hurry about it, my secretary did not pay any immediate attention to it—he had been in the post-office service in the good days of the Republican Party, and he knows the officials and in a day or so told whoever has charge of such matters, "Anytime you are down with your truck, stop in and get 500 speeches for me and bring them back to me from this address." I do not remember what the address was, but it was Mr. Dennett's office address, wherever it is. That is all there was to it. He did not ask to have a truck sent down. That is the customary procedure as they use a truck for such pick-ups and deliveries. He did not ask to have a truck sent in any specific way, or at any specific time, but he simply said, "Stop in at your convenience and get these 500 speeches." That is how it was done, because it would be violating the law if Dennett attempted to frank them back.

Mr. PATRICK. Yet it seems these 500 speeches have not yet shown up.

Mr. FISH. No. Twenty bags came back to my office, and not one was accepted. I am glad the gentleman has asked that question, because I want the matter cleared up in every respect. If anybody has any question in his mind at all, I want him to ask it.

Mr. PATRICK. I am not speaking because I have any doubt in my own mind.

Mr. FISH. The truck was sent because that is the way usually they get those speeches. You cannot send out anything but a truck. He did not ask for any specific method. He saw this fellow and he said, "When you go around, pick up the speeches for Mr. FISH at this address." He came back with 20 bags, and with none of my speeches, but suppose my Secretary made the mistake of accepting them, then I would have been on the spot. Suppose he had accepted those 20 bags? I would have been placed in an awkward position and explanations would have been difficult, simply because of circumstances that might have been misconstrued. As I said, I was out of town at the time. My secretary absolutely refused to take any. To this day I have not got any of the 500 speeches the truck driver was instructed to pick up. But other Members of Congress did have speeches in these mail bags. I want to say that they had a perfect right to send their speeches to anyone at any time. I do not think anybody denies that. I do not think you or anybody who had read the law will deny that. Does the gentleman understand that?

Mr. PATRICK. I think I understand that.

The SPEAKER pro tempore. The time of the gentleman from New York [Mr. FISH] has expired.

Mr. PATRICK. I had one or two other questions.

Mr. FISH. Mr. Speaker, I ask unanimous consent to proceed for 2 additional minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. PATRICK. Will the gentleman yield?

Mr. FISH. I yield.

Mr. PATRICK. As a comparatively new Member, I want to know just how far a man may go on this franking business. It was always my understanding that a frank was something which a Member could use himself. As long as it was being sent as a part of his activity it was all right, but I have never understood that a man was expected to release that which was going out from him, further than under his own guidance and direction as to what was being done.

Mr. FISH. I think everybody in this House understands it and everybody in the country. You are only responsible for what you say in this House. When you say it and it goes in the RECORD, that can be franked all over the country. You can address it from your own office or you can send it out in bagfuls, not 500 but 50,000, to an organization, and they can readdress them and send them out. I suppose even Joe Stalin could send them out. You are only responsible for what you say. That is your speech. If there is anything in any of those speeches that anybody objects to, that is their right. That is the right of your constituents or anybody in the country to object to what you say. They have no right to object

to sending out your speeches. If anybody thinks there is something wrong about the law that they can be sent out, then change the law. I believe in sending them out. Of course, the majority side naturally has sent out a great many more than the minority, probably by the truckload and trainload. The law prohibits refranking in bulk and the enclosure of any matter that has not actually appeared in the RECORD. An individual who is not entitled to the franking privilege has no right to use that frank to send material around in bulk.

The SPEAKER pro tempore. The time of the gentleman from New York [Mr. FISH] has again expired.

Under previous order of the House, the gentleman from California [Mr. VOORHIS] is recognized for 10 minutes.

PRICE CONTROL

Mr. VOORHIS of California. Mr. Speaker, I am not going to use all my time. I have some things of great importance that I want to say about this proposed price-control bill, and I have sufficient respect for the things I want to say to believe that perhaps it is better to postpone speaking on them until another time when there is more attendance in the House.

For the benefit of those who are here I merely want to lay this groundwork. I think it is time that we began to realize and tell the American people the truth, which is that when this international conflict is over we are not going to be able to go back to the old world of 1926 or 1929. We are going to have to build the groundwork of a better, truer, more just, and American new world. Our job is to see to it that it is American. Our job is to see to it that in the world of tomorrow the basic institutions of our country are preserved. Therefore it disturbs me sometime when I find Members of Congress simply bewailing the fact that Congress is losing its place in our National Government and not seeing what the clear and obvious thing is that must be done to prevent this. At a time like this it is perfectly inevitable that a very considerable amount of power has to be concentrated in the Executive, because we are in a tight spot internationally. But that should not continue after this crisis is over. The thing that will keep it from continuing and the thing upon which the future of the legislative branch of our Government depends is that the initiative of Congress and its sense of responsibility shall be expressed not simply in being against things but in presenting a constructive program upon which the structure of an American new world can be built. The things that we do about this proposed price-control legislation can be things that will be of permanent importance and help to our country, or they can be things which will be merely the most temporary sort of measures and will simply be in the nature of a delegation of power which will not accomplish the purpose it is supposed to accomplish.

I want to speak about what the real fundamental problem of inflation, deflation, and all the rest is and to point out to you that it is the relationship between goods being produced for the market and the supply of purchasing power to meet those goods, which is the all-important matter. But, as I say, I do not think today is the right time for me to do it, in view of the very small attendance.

Therefore, Mr. Speaker, I yield back the balance of my time.

ADJOURNMENT

Mr. DINGELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 40 minutes p. m.), the House, pursuant to its order heretofore entered, adjourned until Monday, October 6, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INSULAR AFFAIRS

There will be a meeting of the Committee on Insular Affairs, on Monday, October 6, at 10:30 a. m., for the consideration of H. R. 5722, to amend section 19 (a) of the Philippine Independence Act of March 24, 1934, as amended by the act of August 7, 1939, and to amend the act approved June 19, 1934, so as to authorize certain sugar excise-tax funds and other funds to be used for military and naval-defense purposes in the Philippine Islands.

COMMITTEE ON AGRICULTURE

The Committee on Agriculture will hold hearings on Tuesday, October 7, 1941, at 10 o'clock a. m. on H. R. 5336, Farm Credit Act.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m., Wednesday, October 8, 1941, to consider certain private bills.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on Tuesday, October 14, 1941, at 10 o'clock a. m. to consider H. R. 3254, to safeguard and protect further the lives of fishermen at sea and to place fishing boats under the supervision of the Department of Commerce, Bureau of Marine Inspection and Navigation, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

954. A letter from the Secretary of War, transmitting a letter from the Acting Chief of Engineers, United States Army, dated September 15, 1941, submitting a report, together with accompanying papers and illustrations, on review of reports on, and preliminary examination and survey of, Louisiana and Texas Intracoastal Waterway from Corpus Christi to the Rio Grande, and Arroyo Colorado, Tex., from Llano Grande Lake to its mouth, thence south to Port Isabel, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted April 1, 1935, and authorized by the River and Harbor Acts approved August 30, 1935, and August 26, 1937 (H. Doc. No. 402); to the Committee on Rivers and Harbors and ordered to be printed, with four illustrations.

955. A communication from the President of the United States, transmitting two supplemental estimates of appropriations, totaling $1,424,000, for the fiscal year ending June 30, 1942, for the National Advisory Committee for Aeronautics, together with a draft of a proposed provision pertaining to an existing appropriation of that agency (H. Doc. No. 395); to the Committee on Appropriations and ordered to be printed.

956. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the National Mediation Board, for the fiscal year 1942, amounting to $55,000 (H. Doc. No. 396); to the Committee on Appropriations and ordered to be printed.

957. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the administrative expenses of the Federal Housing Administration in the amount of $1,500,000, and a supplemental estimate of appropriation in the amount of $2,410,000 for the payment of losses under insurance granted under section 2 and section 6, title I, of the National Housing Act for the fiscal year 1942 (H. Doc. No. 397); to the Committee on Appropriations and ordered to be printed.

958. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment, Library of Congress, for the fiscal year 1942, in the amount of $152,679 (H. Doc. No. 398); to the Committee on Appropriations and ordered to be printed.

959. A communication from the President of the United States, transmitting 15 supplemental estimates of appropriation, totaling $5,241,500, for the Department of Agriculture, for the fiscal year 1942 (H. Doc. No. 399); to the Committee on Appropriations and ordered to be printed.

960. A letter from the Joint Committee on Internal Revenue Taxation, transmitting a report of refunds and credits of internal-revenue taxes, 6-month period, January 1 to June 30, 1939, and fiscal year ended June 30, 1940 (H. Doc. No. 400); to the Committee on Ways and Means and ordered to be printed.

961. A letter from the Acting Secretary of the Navy, transmitting the draft of a proposed bill to amend the act of March 2, 1933, relating to the Navy ration so as to include therein oleomargarine or butter substitute when climatic or other conditions render the use of butter impracticable; to the Committee on Naval Affairs.

962. A letter from the Secretary of War, transmitting draft of a proposed bill to authorize the Secretary of War to sell to the Embry-Riddle Co. the military reservations of Carlstrom and Dorr Fields, Fla., which the War Department presents for the consideration of the Congress with a view to its enactment into law; to the Committee on Military Affairs.

963. A letter from the Acting Secretary of the Reconstruction Finance Corporation, transmitting a report of the activities and expenditures of the Reconstruction Finance Corporation for the month of July 1941 (H. Doc. No. 401); to the Committee on Banking and Currency and ordered to be printed.

964. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated September 4, 1941, submitting a report, together with accompanying papers and illustrations, on a preliminary examination and survey of, and review of reports on, Trinity River and tributaries, Texas, authorized by the River and Harbor Acts approved July 27, 1916, and July 3, 1930, and by the Flood Control Acts approved May 31, 1924, and June 22, 1936, and requested by resolution of the Committee on Commerce, United States Senate, adopted December 10, 1929 (H. Doc. No. 403); to the Committee on Rivers and Harbors and ordered to be printed, with 12 illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FULMER: Committee on Agriculture. H. R. 5726. A bill to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended; without amendment (Rept. No. 1222). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALTER: Committee on the Judiciary. House Joint Resolution 225. Joint resolution to declare October 28, 1941, Statue of Liberty Day; with amendment (Rept. No. 1223). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FENTON: Committee on Claims. H. R. 4773. A bill for the relief of Brooks Equipment & Manufacturing Co.; with amendments (Rept. No. 1217). Referred to the Committee of the Whole House.

Mr. SAUTHOFF: Committee on Claims. H. R. 4918. A bill for the relief of Anna J. Krogoll; without amendment (Rept. No. 1218). Referred to the Committee of the Whole House.

Mr. HARRIS of Arkansas: Committee on Claims. H. R. 5584. A bill for the relief of Fred Pierce, Sr., and Mary Pierce; with amendments (Rept. No. 1219). Referred to the Committee of the Whole House.

Mr. McGEHEE: Committee on Claims. H. R. 5632. A bill for the relief of Edith M. Powell; with amendments (Rept. No. 1220). Referred to the Committee of the Whole House.

Mr. WICKERSHAM: Committee on Claims. S. 807. An act for the relief of Eva Mueller; with amendments (Rept. No. 1221). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HOFFMAN:

H. R. 5738. A bill to promote national defense; to the Committee on the Judiciary.

By Mr. PACE:

H. R. 5739. A bill amending the Department of Agriculture Appropriation Act, 1942, so as to provide for agricultural conservation program payments to farmers whose crops have been acquired under the national-defense program; to the Committee on Agriculture.

By Mr. PETERSON of Florida:

H. R. 5740. A bill providing for a preliminary examination and survey of Peace River, Fla.; to the Committee on Rivers and Harbors.

H. R. 5741. A bill providing for a preliminary examination and survey of Okeechobee-Caloosahatchee drainage area to include Fish-eating Creek, Fla., and to straighten, widen, and deepen said creek; to the Committee on Rivers and Harbors.

By Mr. SPENCE:

H. R. 5742. A bill to amend the National Housing Act; to the Committee on Banking and Currency.

By Mr. WHELCHEL:

H. R. 5743. A bill to provide for the issuance of a special postage stamp in honor of the poet, Sidney Lanier, to commemorate his illustrious contribution to American poetry, in the year of the centennial celebration of his birth; to the Committee on the Post Office and Post Roads.

By Mr. McMILLAN:

H. R. 5744. A bill making it unlawful for certain persons to profiteer in the sale of agricultural commodities; to the Committee on Agriculture.

By Mr. SIKES:

H. R. 5745. A bill to provide for the establishment and operation of an aviation academy for training persons for service as commissioned officers in the aviation branches of the military and naval forces; to the Committee on Military Affairs.

By Mr. HOFFMAN:

H. Res. 307. Resolution for appointment of investigating committee; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. THILL:

H. R. 5746. A bill to provide for the bestowal of the silver star decoration upon Carl W. Heiden; to the Committee on Military Affairs.

By Mr. THOMAS of New Jersey:

H. R. 5747. A bill granting a pension to Mary Thompson; to the Committee on Invalid Pensions.

By Mr. PLOESER:

H. R. 5748. A bill for the relief of Mrs. William Meister; to the Committee on Claims.

By Mr. SHORT:

H. J. Res. 236. Joint resolution for the relief of Benton Wilson; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1848. By Mr. HALLECK: Petition of sundry citizens of Carroll and Cass Counties, Ind., demanding that the penalty on excess wheat be revoked, and for other purposes; to the Committee on Agriculture.

1849. By Mr. LUTHER A. JOHNSON: Petition of Maude B. Davis, president of the Ellis County Branch of the American Association of University Women, and Dean of Women of Trinity University, Waxahachie, Tex., favoring House bill 5479; to the Committee on Banking and Currency.

1850. By the SPEAKER: Petition of the International Union United Automobile Workers of America, Detroit, Mich., petitioning consideration of their resolution with reference to the national-defense program priorities and the curtailment of production; to the Committee on Banking and Currency.

SENATE

MONDAY, OCTOBER 6, 1941

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Thou who art Eternal Love, of Whom we dream, for Whom we sigh, and in Whom we delight once we have been found of Thee: Deepen and ennoble our devotion toward Thee by the holy constraints of reverence, that we may be awed not by terror but by Thy goodness; that we may marvel not at Thy transcendent wisdom but at the imminence of Thy grace; that we may delight not merely in Thy works but chiefly in Thee by whom and for whom we were created.

In these momentous days when our deliberations are and shall continue to be of such vital import to our country and the world at large, grant to us such instinct for moral refinement and spiritual aristocracy as shall reveal penetrative discernment, lofty intelligence, ideal sagacity, and such a swift and adoring recognition of the ways of God as shall increase in us a deep and sympathetic interest in all human joys and sorrows.

In moments of low impulse strengthen us that we may overcome every temptation to compromise with our highest ideals of conduct, and raise us far above whate'er may be depressing into the calm serenity of some high thought or holy vision and above any lingering darkness into the light of Him who lighteth every man that cometh into the world, even Jesus Christ Thy Son our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, October 2, 1941, was dispensed with, and the Journal was approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

EXECUTIVE COMMUNICATION

The VICE PRESIDENT laid before the Senate the following letter, which was referred as indicated.

JULY REPORT OF THE R. F. C.

A letter from the acting secretary of the Reconstruction Finance Corporation, reporting, pursuant to law, relative to the activities and expenditures of the Corporation for the month of July 1941, including statement of loan and other authorizations made during the month, etc. (with accompanying papers); to the Committee on Banking and Currency.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate or presented, and referred as indicated:

By the VICE PRESIDENT:

A letter from Mrs. Aurelia A. Bethlen, of St. Louis, Mo., relative to proposed taxes and high cost of living; to the Committee on Finance.

A letter in the nature of a petition from the postmaster at Hare, Ky., praying for the enactment of the bill (H. R. 965) to place postmasters at fourth-class offices on an annual-salary basis, and fix their rate of pay; and provide allowances for rent, fuel, light, and equipment, and fix the rates thereof to the Committee on Post Offices and Post Roads.

By Mr. CAPPER:

A memorial, numerously signed, of sundry citizens of Horace and Tribune, Kans., remonstrating against the enactment of the bill (S. 983) to amend the act to regulate barbers in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

A petition, numerously signed, of sundry citizens of Greeley County, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military

camps and naval establishments; to the table.

RESOLUTION OF BRIDGEPORT (CONN.) INDUSTRIAL UNION COUNCIL

Mr. MALONEY. Mr. President, I present and ask unanimous consent to have printed in the RECORD and appropriately referred a resolution adopted by the Bridgeport Industrial Union Council, of Bridgeport, Conn., endorsing "the present moves of President Franklin D. Roosevelt, and of the Congress, in their joint efforts to provide, England, Russia, and China with all the aid necessary to resist further Nazi aggression."

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Whereas it is generally recognized and admitted that the Americas face an economic and military war with Nazi Germany if it emerges victorious from its present wars in Europe; and

Whereas such an eventuality is very imminent particularly if the Far East is brought under the influence and control of the Nazi, because of its wealth in minerals and oils, essential to a continuance of a war of conquest such as that being waged by Nazi Germany; and

Whereas a Nazi attack would imperil the future of the Americas, and particularly the United States, with an abolishment of our democratic way of life, our individual freedoms, and a destruction of our powerful labor unions; and

Whereas Nazi domination of our Western Hemisphere would create chaos and confusion to a degree that our present civilization would be destroyed, our standard of living reduced to nought, our rights and freedoms and privileges wiped out, and our labor considered similar to slavery, with an overlord ruling us with supreme powers; and

Whereas these possibilities will become realities unless labor in America is aroused to a full realization of our danger, and made cognizant of the truths about this war, that Nazi Germany and its satellites are enemies of democracy, seeking to subdue and destroy organization of workers, and any and all nations where the people are self-governed, without dictatorship and military control, and that America with its tremendous wealth and democratic influence in the world must be destroyed before Nazi Germany's dream of world conquest and domination is made a reality: Therefore be it

Resolved, That we, members of the C. I. O., in the city of Bridgeport, Conn., endorse the present moves of our President, Franklin D. Roosevelt, and of our Congress in their joint efforts to provide England, Russia, and China with all the aid necessary to resist further Nazi aggression, and that we urge our membership to a greater effort in our national-defense program, that we formulate policies, call conferences and consult with members of our local administration, our manufacturers and our businessmen, toward the end that with a mighty joint and unified effort we shall have done our part to destroy nazi-ism and preserve for the future benefit of America our present free and democratic way of life; and be it further

Resolved, That copies of this resolution be submitted to our President, our Connecticut Senators and Congressmen, to our local and national press, to our State council and national C. I. O., and that we seek the cooperation of all peoples in this broad program of complete cooperation.

FOREIGN RELATIONS OF THE UNITED STATES

Mr. REYNOLDS. Mr. President, I present for printing in the RECORD and appropriate reference a statement of certain ministers of the Gospel in North Carolina and a resolution of the Allied Patriotic Societies of New York City.

There being no objection, the statement and resolution were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

"To serve the present age,
My calling to fulfill;
O may it all my powers engage
To do my Master's will."

As ministers of Christ, deeply concerned both for our country and for the future welfare of all men, we are impelled to cry out a warning against a growing danger:

We believe that, in the name of national defense, our Nation is being swiftly led along a path that leads directly to involvement in a foreign war.

This war is represented as a fight to save democracy and establish freedom "everywhere in the world." But this, we believe, is not true. Granted the sincerity of those who call us to such a crusade, the conditions make such an ideal impossible of fulfillment. Britain is now allied with Soviet Russia, and the United States has pledged its support to Stalin's government. If the war issues in an early victory for Britain and her Allies, the only result that can be is a Europe largely dominated by Stalin. To talk of freedom in such a Europe will be nothing more than a mockery. If, as seems more likely, the war drags on indefinitely and America enters the lists, the exhausting struggle will tear down what remains of economic and political stability in this country as in the rest of the world. The result will be world-wide depression and chaos, probably accompanied by waves of anarchy and new dictatorships. This war to save democracy will come to the same end as the last, with the evil results multiplied manifold.

Because of these things, we believe that for America to enter this war would be disastrous for itself and for the world. Our conviction is not that of isolationists nor defeatists nor appeasers; we believe that America ought to take its full share of responsibility for the peace and security of mankind. But we are convinced that America can contribute to this ideal only if in this crisis we conserve our resources for rehabilitation after the war, if we hold aloft in our own land a torch of freedom for all men to see and desire, if we use our great influence to bring about a peace of justice now, before the resources and the hopes of the world are exhausted.

We therefore call upon our people to stop now while there is yet time, to seek a way for our Nation that will really contribute to the security and freedom of men "everywhere in the world." And we warn them against those who would lead them into this war, for "their throat is an open sepulcher."

We call upon those who share this belief to feel this same sense of responsibility and to use every opportunity and contact to express these convictions, to the end that public opinion may be aroused to direct American policy along a new and hopeful line.

HENRY G. RUARK,
Red Spring, N. C.
W. C. GOLDSTON,
Stantonsburg, N. C.
E. C. CRAWFORD,
Raeford, N. C.

ALLIED PATRIOTIC SOCIETIES, INC.,
New York, N. Y.

To the Members of the Congress of the United States:

The board of directors of the Allied Patriotic Societies, Inc., have authorized the following:

"Resolved, That the Allied Patriotic Societies, Inc., are opposed to any alliance of the United States Government with, or to sending aid to, the Soviet Government of Russia."

This society is an alliance of over 40 patriotic societies organized in 1919 to help meet the aftermath of the World War. Its three main objectives are adequate security for the United States, resistance to the subversive activities of Communists against the Government of the United States, and restrictive immigration with a rigid enforcement of the immigration laws.

We respectfully submit the following in support of our resolution:

Opposition to any aid through a new lend-lease bill, or otherwise.

When the present lend-lease bill became law, Russia was acting with the Axis Powers against the Allies.

We are allies with our good neighbors in South America, and of these 21 republics only the United States has official diplomatic relations with Russia. Any United States aid to Russia will further complicate our Pacific problems with Japan.

There is ample evidence now before the Congress of communistic activities in the United States, gathered by the F. B. I. and the official committees of the Congress.

The millions of American citizens, organized in various patriotic groups, trust the Congress to use its exclusive constitutional war powers to keep the United States out of a foreign war, with ample defense preparations to keep war out of the United States.

The Government of the United States has never associated the communistic government of Russia with the cooperating democracies of the world. Why, then, should we defend the tomb of Lenin, in Moscow, upon which is carved a declaration for the destruction of all governments and the substitution of communism?

Respectfully submitted.

ANDREW B. HUMPHREY,
President.
JOHN M. BERRY,
Secretary.

OCTOBER 2, 1941.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CONNALLY:

S. 1946. A bill to amend the Social Security Act by providing for special Federal aid to certain States, and for other purposes; to the Committee on Finance.

By Mr. SCHWARTZ:

S. 1947. A bill to authorize pensions for certain physically or mentally helpless children, and for other purposes; to the Committee on Pensions.

By Mr. PEPPER:

S. 1948. A bill to provide for the establishment and operation of an aviation academy for training persons for service as commissioned officers in the aviation branches of the military and naval forces; to the Committee on Military Affairs.

Mr. REYNOLDS. Mr. President, at this time I wish to introduce a bill by request of the War Department to amend the Nationality Act of 1940, approved October 14, 1940, for the clarification of the dual citizenship status of certain persons, and for other purposes, and request that it be referred to the Committee on Immigration.

The VICE PRESIDENT. The bill will be referred as requested by the Senator from North Carolina.

By Mr. REYNOLDS:

S. 1949. A bill to amend the Nationality Act of 1940, approved October 14, 1940, for the clarification of the dual citizenship status of certain persons, and for other purposes; to the Committee on Immigration.

S. 1950. A bill to authorize the Secretary of War to sell to the Embry-Riddle Co. the military reservations of Carlstrom and Dorr Fields, Fla.; to the Committee on Military Affairs.

By Mr. CAPPER (for Mr. McCARRAN):

S. 1951. A bill to define and punish vagrancy in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

(Mr. JOHNSON of Colorado introduced Senate bill 1952, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. SMITH:

S. 1953. A bill for the relief of James B. Shuler; to the Committee on Claims.

By Mr. THOMAS of Oklahoma:

S. 1954. A bill granting a pension to Minnie M. Keyes; to the Committee on Pensions.

(Mr. THOMAS of Oklahoma also introduced Senate bill 1955, which was referred to the Committee on Agriculture and Forestry, and appears under a separate heading.)

By Mr. VAN NUYS:

S. 1956. A bill to amend the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," as amended; to the Committee on the Judiciary.

Mr. WALSH. I introduce for appropriate reference several bills presented at the request of the Navy Department.

The VICE PRESIDENT. The bills will be received and referred to the Committee on Naval Affairs.

By Mr. WALSH:

S. 1957. A bill to establish the Naval Procurement Fund, and for other purposes; and

S. 1958. A bill to authorize the transfer of jurisdiction of a portion of the Colonial National Historical Park, Yorktown, Va., from the Department of the Interior to the Department of the Navy; to the Committee on Naval Affairs.

(Mr. WALSH also introduced Senate bill 1959, which was referred to the Committee on Naval Affairs, and appears under a separate heading.)

PARITY PRICES FOR FARM COMMODITIES

Mr. THOMAS of Oklahoma. Mr. President, I introduce a bill providing a formula for arriving at parity prices for farm commodities. I ask that the bill be referred to the Committee on Agriculture and Forestry and that the text of the bill be printed in the RECORD in full.

There being no objection, the bill (S. 1955) providing a formula for arriving at parity prices on farm commodities, was read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That section 301 of title III of Public, No. 430, Seventy-fifth Congress, approved February 16, 1938, is hereby amended to read as follows:

"SEC. 301. General definitions: For the purposes of this title and the declaration of policy—

"(1) 'Parity', as applied to the price for any agricultural commodity is that price which will give to such commodity a value or purchasing power with respect to articles that farmers buy equivalent to the purchasing power of such commodity in the base period as adjusted and provided herein:

"(a) The base period for the purposes of this title is the 10-year period from July 1, 1919, to June 30, 1929, inclusive.

"(b) In calculating the 'parity' price for any agricultural commodity, such price with respect to value or purchasing power shall be determined at any given time on the basis of the price relationship existing between such commodity and the articles that farmers buy as such relationship existed during the base period and as provided in this section.

"(c) For the purpose of calculating the 'parity' price and the adjusted 'parity' price for any agricultural commodity, the index number of 100 as determined by the Bureau of Labor Statistics for the year 1926 shall equal the base price for all articles that farmers buy.

"(2) All 'parity' prices for farm commodities shall be calculated as nearly as possible on the formula provided for cotton, as provided herein, and the base price for cotton shall be calculated on the following formula:

"(a) The base price for cotton shall be the average price of spot seven-eighths-inch Middling cotton as such price was current at the 10 southern concentration and tender points at the close of such markets on the first and fifteenth days of each month during each fiscal year of the base period and the average of such semimonthly prices shall be considered the average price for cotton during such year: *Provided*, That if either the first or fifteenth day of any month falls on Sunday or a legal holiday when any or all of the selected market places are closed, then the market close on the first succeeding market day shall be considered: *And provided further*, That the base price for wheat shall be the average price of No. 1 wheat as such price was current at not to exceed 10 general wheat markets or wheat concentration points on the first and fifteenth days of each month during each fiscal year of the base period, and then the average of such semimonthly prices shall be considered the average price for wheat during such year and the average price for No. 1 wheat at such points during each year of such base period shall be considered the average or base price for wheat for the purposes of this act: *And provided further*, That the base price for corn, rice, tobacco, and any other farm commodity shall be calculated on the same formula as is provided for cotton and wheat: *And provided further*, That the Department of Agriculture is herein authorized to select not to exceed 10 general market concentration points for any such farm commodity and to calculate the average or base price of such commodity as provided herein.

"(b) The average price of cotton, wheat, corn, rice, tobacco, or any other farm commodity during the base period, as provided in (2a) above, shall be the base price for any such farm commodity.

"(3) The 'parity' price for cotton, wheat, corn, rice, tobacco, or any other farm commodity as provided herein shall be calculated at any given time by using the all-commodity index number of 100 as ascertained by the Bureau of Labor Statistics, and if such index number is below 100, then the difference between said index number and 100 will be the percentage below 'parity' of the things that farmers buy, and by subtracting such percentage from the base price the adjusted 'parity' price for cotton will be determined.

"(4) If the all-commodity index number of the Bureau of Labor Statistics at any given time is above 100, then the amount of such excess is the percentage the price of things the farmer buys is above the 'parity' price of any given agricultural commodity as determined herein, and to ascertain and determine the adjusted 'parity' price for any agricultural commodity the amount of such excess percentage shall be added to the 'parity' price of such commodity as is herein ascertained and determined."

SEC. 2. The provisions of said section 301 as amended herein shall be administered by the Department of Agriculture and the parity price for the base agricultural products shall be calculated and publicly announced at least once during each calendar month of each year.

SEC. 3. This act shall be referred to as the "Parity Price Formula Act."

Mr. THOMAS of Oklahoma. Mr. President, in connection with the bill which I have just introduced, I should like to say that on August 11, 1941, I sent to the Bureau of Agricultural Economics in the Department of Agriculture a copy of the formula embraced in the bill and requested Dr. H. R. Tolley, Chief of such Bureau, to consider the formula and to advise me his reaction thereto.

On August 18 the Chief of the Bureau advised me, as follows:

Using these local market or farm prices, we have computed parity prices for July according to the other terms of the bill by multiplying the average price for the period July 1919–June 1929 by the July index of wholesale prices of all commodities (1926=100) reported by the Bureau of Labor Statistics. These computed parity prices are shown in the second column of the enclosed table, and the parity prices published by the Department for July 15 are shown in the last column for purposes of comparison. Also for purposes of comparison we have included the parity price of cotton computed in the same way.

You will observe that in some cases parity is raised by application of the general formula contained in the bill, whereas in other cases it is lowered.

Dr. Tolley, Chief of the Department, attached to his communication a sheet showing the computed parity prices under the proposed formula embraced in the bill just introduced, and the parity prices computed by the formula prepared by the Agricultural Department, both sets of prices being of date July 15, 1941. I ask unanimous consent that the sheet containing the tabulation be printed in the RECORD at the conclusion of my remarks.

The VICE PRESIDENT. Without objection, it is so ordered.

(See exhibit A.)

Mr. THOMAS of Oklahoma. Mr. President, heretofore the Congress has set forth in general terms provisions for arriving at parity prices, yet to date the Congress has not adopted a definite formula regarding parity prices for agricultural commodities. The suggested formula is definite and simple. The data to be used is taken from governmental and official records.

The base price for any agricultural commodity is the average price of such commodity during the base period of 1919 to 1929 as same is registered at the main market places for such commodity, and the parity price is arrived at by multiplying the average or base price by the all-commodity index number as computed and published by the Bureau of Labor Statistics.

For example, the average or base price for cotton during such base period is stated to be 21.47, hence to ascertain the present parity price for cotton we have only to multiply the said average price of 21.47 by the latest all-commodity index figure which, on September 27, 1941, was 91.2. The Computation shows that on said date the parity price for cotton was 19.58.

A similar computation with respect to any agricultural product will give the parity price of such commodity on any mentioned date.

EXHIBIT A

"Parity prices" computed by multiplying the July 1919 to June 1929 average price received by farmers by the July 1941 Bureau of Labor Statistics' index of all-commodity prices (1926=100)

Commodity	Unit	Average price July 1919 to June 1929	Computed parity price July 15, 1941 [1]	Published parity price July 15, 1941
Potatoes, per bushel	Cents	124.5	110.4	92.2
Apples, per bushel	Dollars	1.46	1.30	1.28
Sugar beets, per ton	Dollars	[2]8.34	7.40	7.32
Butterfat, per pound	Cents	44.0	[3]36.3	[3]32.6
Chickens, per pound	Cents	21.1	18.7	15.2
Turkeys, per pound	Cents	[4]28.8	25.5	19.2
Eggs, per dozen	Cents	33.2	[3]26.5	[3]25.7
Hogs, per 100 pounds	Dollars	9.77	8.67	9.60
Beef cattle, per 100 pounds	Dollars	7.18	6.37	6.93
Lambs, per 100 pounds	Dollars	11.12	9.86	7.81
Sheep, per 100 pounds	Dollars	7.07	6.27	
Wheat, per bushel	Cents	132.5	117.5	117.6
Corn, per bushel	Cents	88.9	78.9	85.4
Oats, per bushel	Cents	47.4	42.0	53.1
Dry beans, per 100 pounds	Dollars	5.77	5.12	4.43
Rice (rough), per bushel	Cents	127.0	112.6	109.1
Cotton, per pound [5]	Cents	21.47	19.04	16.49
Hay, per ton	Dollars	13.53	12.00	15.79
Wool, per pound [6]	Cents	34.1	30.2	24.3

Bureau of Agricultural Economics. Compiled from reports of Agricultural Marketing Service.

[1] Average price in base period multiplied by 88.7, the Bureau of Labor Statistics' index of wholesale prices of all commodities (1926=100) for July 1941, preliminary.

[2] Seasonal average.

[3] Adjusted for seasonal variation.

[4] October to January average.

[5] Average spot price per pound of 7/8-inch Middling at 10 spot Southern markets on the 1st and 15th of each month or nearest date, July 1, 1919, to June 30, 1929, is 22.72 cents. Multiplied by 88.7=20.15.

[6] Price per pound of wool (scoured basis) at Boston, average July 1919–June 1929: Territory fine (64's, 70's, 80's)=128.3 cents; multiplied by 88.7=113.8. Territory 3/8 blood (56's)=97.4 cents; multiplied by 88.7=86.4.

OLEOMARGARINE IN THE NAVY RATION

Mr. WALSH. Mr. President, I introduce, for appropriate reference, a bill to amend the act of March 2, 1933, relating to the Navy ration so as to include therein oleomargarine or butter substitute when climatic or other conditions render the use of butter impracticable. I ask that a letter from the Navy Department explanatory of the measure be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The bill (S. 1959) to amend the act of March 2, 1933, relating to the Navy ration so as to include therein oleomargarine or butter substitute when climatic or other conditions render the use of butter impracticable was read twice by its title and referred to the Committee on Naval Affairs.

The letter presented by Mr. WALSH in relation to the bill is as follows:

DEPARTMENT OF THE NAVY,
Washington, October 1, 1941.

The SPEAKER OF THE
HOUSE OF REPRESENTATIVES,
Washington, D. C.

MY DEAR MR. SPEAKER: There is transmitted herewith a draft of a proposed bill "to amend the act of March 2, 1933, relating to the Navy ration so as to include therein oleomargarine or butter substitute when climatic or other conditions render the use of butter impracticable."

The purpose of the proposed legislation is as stated in its title.

The act of March 2, 1933 (47 Stat. 1423; U. S. C., title 34, sec. 902a), in prescribing the composition of the Navy ration includes the item of butter in the amount of 1.6 ounces. Substitutes are authorized for many of the items that go to make up the Navy ration, as defined in this act, but no provision is made with respect to a substitute for butter.

The Navy Department contemplates the possibility of personnel operating under conditions which would make the use of butter impracticable. This, together with the lack of authority to use a substitute therefor, would result in rendering it difficult, if not impossible, to furnish the personnel concerned with well-balanced meals. It is desired to point out in this connection that enactment of the proposed legislation, which is designed to remedy this situation, would, in so doing, place the Navy ration on a parity with the Army ration regarding authority to use a substitute for butter.

The Navy Department recommends enactment of the proposed legislation.

The Navy Department has been advised by the Bureau of the Budget that there would be no objection to the submission of this proposed legislation.

Sincerely yours,

FORRESTAL, *Acting.*

COVERAGE OF PUBLIC-SCHOOL EMPLOYEES UNDER SOCIAL SECURITY ACT

Mr. JOHNSON of Colorado. Mr. President, I introduce a bill on a subject which is very controversial, and which requires further study and consideration by those affected by it; in fact, my object in introducing the bill is to facilitate study and consideration of the subject. I ask that the bill be referred to the Finance Committee.

The VICE PRESIDENT. The bill will be received and referred, as requested by the Senator from Colorado.

The bill (S. 1952) to provide that old-age and survivors' insurance benefits under the Social Security Act, as amended, may be made available to teachers and other employees in the public schools of the several States or political subdivisions or instrumentalities thereof was read twice by its title and referred to the Committee on Finance.

Mr. JOHNSON of Colorado. Mr. President, the purpose of the bill I have just introduced is to permit the coverage of teachers and other employees of the public schools under the old-age and survivors' insurance provisions of the Social Security Act. Service rendered in such a capacity by any individual after December 31, 1941, would be credited to him under the Social Security Act as covering employment entitling him to the benefits of title II of such act, if the State or political subdivision or instrumentality by which he was employed did the following things: First, paid to the Federal Government a contribution equal to the tax which is collected with respect to service in private employment which is covered under the Social Security Act; and, second, furnished such information with respect to age and compensation of the employee and similar matters as is necessary to enable the Social Security Board to keep proper records for computing the benefits to which the employee would be entitled under the Social Security Act.

A careful study of my bill will disclose that it proposes merely permissive legislation, and that it does not pretend arbitrarily to blanket in or bring under the Social Security Act by compulsion teachers and school employees. As I understand the Supreme Court's interpretation of the Federal Constitution, the Congress cannot levy any kind of tax, social security or otherwise, upon States or local subdivisions thereof, and so has no power to compel States and school districts to contribute to the social-security insurance fund. Therefore, Federal legislation on the subject must be an enabling act only, insofar as Congress is concerned, leaving State and local cooperation in the security program strictly upon a voluntary basis.

It would be left to each State, or its political subdivisions or other instrumentalities, also to determine whether to make contributions with respect to all its teachers and other public-school employees, or some of them, or none of them. If the contribution were made and the information furnished, the Federal Government would take the contribution and give credit for the service; if no contribution were made with respect to any particular employee, the employee would get no credit under the Social Security Act for his service. Thus, for example, a State could make contributions for those employees in school districts where no other retirement system was in effect, and not make contributions for employees in other school districts who were covered by another retirement system, or, if the State took no action, each school district could decide for itself, unless State law prevented, whether its school teachers should be covered. If it decided that they should, the school district could make the payments to the Federal Government and the school teachers would be covered.

I understand that teachers and other employees now covered by local retirement plans are opposed to the benefits of social security being made available to school employees by the Federal Government. I feel certain that this attitude results from a misunderstanding of the legislation contemplated by Congress on the subject. Congress merely opens the door of social-security retirement service to districts and States desiring to participate. If school districts have adopted a retirement plan that is satisfactory to them, certainly their State legislature will not compel them to abandon it for

the Federal plan or compel them to support two retirement plans.

Although the payments would have to be made to the Federal Government by the State, or a political subdivision or instrumentality thereof, the money for making the payments could be taken in part from the salaries of the covered employees. That would be a matter to be determined by the State or municipality or school district making the payments and by the employees concerned.

Mr. President, I ask unanimous consent that in connection with my remarks the bill be printed as part of the RECORD at this point.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That section 201 (a) of the Social Security Act, as amended, is amended by inserting before the period at the end thereof the following: "and amounts received pursuant to the provisions of section 210 of this title and covered into the Treasury."

SEC. 2. Section 209 (b) (7) of the Social Security Act, as amended, is amended by inserting before the semicolon at the end thereof a colon and the following: "*Provided*, That service of the character described in this paragraph shall be deemed to be employment to the extent provided in section 210 of this title."

SEC. 3. Title II of the Social Security Act, as amended, is amended by adding at the end thereof the following new section:

"COVERAGE FOR STATE EMPLOYEES

"SEC. 210. (a) In addition to the service included within the meaning of the term 'employment' under the provisions of section 209 (b), the term 'employment,' when used in this title, means (except as provided in subsection (b)) any service as a teacher or other employee in a public school performed by an individual after December 31, 1941, in the employ of a State, or any political subdivision or any instrumentality thereof, if the State, political subdivision, or instrumentality has—

"(1) Paid to the Commissioner of Internal Revenue, in accordance with such regulations as may be prescribed by such Commissioner, with the approval of the Secretary of the Treasury, a contribution with respect to such service equal in amount to the sum of the taxes which would have been payable under sections 1400 and 1410 of the Internal Revenue Code with respect to such service if it were 'employment' within the meaning of section 209 (b); and

"(2) Furnished to the Commissioner of Internal Revenue and the Board, in accordance with such regulations as may be prescribed by the Commissioner or the Board, such information and data with respect to such individual and his service and remuneration as may be required by the Board for the proper administration of this title.

"(b) If in any case the Board finds that a State, political subdivision, or instrumentality is making contributions under subsection (a) with respect to only a part of the employees with respect to whom it may make such contributions, and that the manner of selecting the employees with respect to whom such contributions are made is such that an undue burden is or is likely to be imposed upon the trust fund, the Board shall notify such State, political subdivision, or instrumentality to that effect; and no service performed in the employ of such State, political subdivision, or instrumentality within any period after the beginning of the quarter immediately following the quarter within which the notice is given shall be deemed to be employment for the purposes of this title until the Board finds that the method of selecting employees with respect to whose services contributions will be made under this section by such State, political subdivision, or instrumentality has been so changed that an undue burden is not likely to be imposed upon the trust fund.

"(c) Contributions made under this section shall be covered into the Treasury as miscellaneous receipts. No refund of any contribution received under this section shall be made, except in cases of overpayment or erroneous payments and cases in which the service with respect to which such contribution is made may not be deemed to be employment for the purposes of this title. Refunds in such cases shall be made only in accordance with such regulations as the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, shall prescribe for such purpose."

SEC. 4. Section 1402 of the Internal Revenue Code is amended by inserting before the period at the end thereof a comma and the following: "and no deduction to a taxpayer in computing his net income shall be allowed on account of any amount deducted or paid from his compensation with respect to a contribution made under section 210 of the Social Security Act."

Mr. JOHNSON of Colorado. Mr. President, I ask unanimous consent that a letter from Mr. A. J. Altmeyer to me concerning the bill be printed in the RECORD at this point in connection with my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FEDERAL SECURITY AGENCY,
SOCIAL SECURITY BOARD,
Washington, September 29, 1941.

HON. EDWIN C. JOHNSON,
United States Senate,
Washington, D. C.

DEAR SENATOR JOHNSON: This is in reply to your letters of September 24 and 27 with respect to the extension of the Federal old-age and survivors' insurance program to teachers and other employees of public-school systems.

As you know, the Social Security Board, in its report to the President and to Congress in 1939 on proposed changes in the Social Security Act, stated as follows:

"The Social Security Board is of the opinion that it is sound social policy to extend old-age insurance to as many of the Nation's workers as possible. It believes that it is administratively feasible to provide this protection for large numbers of people who are not yet covered."

Moreover, the Board, in its fifth annual report to Congress, stated as follows:

"The Board believes also that coverage should be extended to * * * public employees not now covered by survivors' insurance and retirement provisions, and that there would be important advantages to public employees and public agencies in a coordination of the provisions of Federal old-age and survivors' insurance with those of other systems for * * * employees of the States and localities. Under such a coordination, the social security benefits could supply a basic protection supplemented by the provisions of the special systems for persons who qualify under those provisions. Such an arrangement would afford increased protection to public employees and remove the penalties now incurred, in terms of loss of previously acquired protection under the various * * * systems, by individuals who enter or leave public employment or transfer from one field of public service to another."

Sincerely yours,

A. J. ALTMEYER,
Chairman.

Mr. JOHNSON of Colorado. Mr. President, I also ask that an article to be published in Labor of Tuesday, October 7, be printed in the RECORD at this point as part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Labor of October 7, 1941]

PRESIDENT TO ASK LIBERALIZATION OF SOCIAL SECURITY—WILL URGE CONGRESS TO EXTEND BENEFITS TO 40,000,000 ADDITIONAL WORKERS

Sweeping liberalization of the Social Security System, forecast by Labor several months ago, is shortly to be recommended to Congress by President Roosevelt. He disclosed at a press conference that prolonged studies on which legislation will be based have been completed.

More than 40,000,000 additional workers will be brought into the system. They include farm laborers, domestic servants, seamen, and Government employees not in the Federal pension system.

Old-age pensions are to be increased and made uniform throughout the country. This is to be accomplished by increasing Federal grants to the poorer States, the President said.

PREDICTS HIGHER TAXES

Of course, the President asserted, it is going to be necessary to increase taxes on pay rolls, and he thought that would be a good thing, as it would have a tendency to curb inflation.

He has another object in mind: The extra money collected for social security will be invested in Government bonds, and will, therefore, be available for financing national defense.

Marriner S. Eccles, chairman of the Federal Reserve Board, told Congress this week that he felt a total of $3,000,000,000 in pay-roll taxes for social security should be collected annually. Present taxes bring in about $1,000,000,000 and are paid equally by employer and employee.

Eccles also emphasized that a higher tax on pay envelopes would curb inflation.

The President did not indicate how high he is willing to go in boosting pensions. Under the contributory system, to which workers contribute, the maximum pension is $84 a month, but that figure can be reached only by workers who start payments at the age of 21 and keep them up until they are 65.

PENSIONS ARE SMALL

Most of those now getting pensions under this plan average only $15 or $16 a month, and the President regards this as too low.

Mr. JOHNSON of Colorado. Mr. President, I also ask that several articles dealing with the subject matter covered by the bill be printed in the RECORD at this point as part of my remarks.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

STATUS OF TEACHER RETIREMENT

Materials in the foregoing sections may be compared with similar data under the Federal social-security program from which teachers have been so far excluded. Section IV describes the provisions of title II of the Federal Social Security Act, estimates the benefits which might be payable to teachers if they were included under the act as it is now written, and discusses the advantages and disadvantages of coverage of public employees under the Federal act. Acknowledgment is made to the Social Security Board for advice and assistance on the technical aspects of this section.

DESCRIPTION OF SOCIAL SECURITY ACT

Ever since the Social Security Act was passed in 1935 there have been proposals to extend its coverage to groups originally excluded. It should be kept in mind that the present Federal law contains seven main sections dealing with:

(a) Grants to States for old-age assistance, whereby the Federal Government joins States in providing financial aid to needy persons over age 65. The only individual qualifications for these provisions are age and financial need—type of occupation is immaterial.

(b) Old-age insurance benefits. In these provisions persons employed in certain types of occupations are excluded. The proposal to extend social security to public employees, including teachers, refers to this section only. It provides for benefits from $10 to $85 a month, depending on average salary earned, to be paid to workers at age 65 or to their families if the worker dies even before age 65.

(c) Grants to States for unemployment-compensation administration. Teachers are not included under this section nor is there any proposal to extend unemployment benefits to teachers.

(d) Grants to States for aid to dependent children.

(e) Grants to States for maternal and child welfare.

(f) Public-health work.

(g) Grants to States for aid to the blind.

Occupation and employment by private or public employers have no bearing on eligibility for any benefits under the Social Security Act except (b) and (c) above. The exclusion of public employees from (c) will continue indefinitely, perhaps permanently, as there are many reasons why these provisions are inapplicable to public employments.

It is title II of the act, (b) above, which has been discussed in relation to public employees. Often it is discussed as "the extension of social security to teachers." The provisions under title II will be described briefly.

Employees pay into the Federal Old-Age and Survivors' Insurance Trust Fund 1 percent of annual salary up to $3,000; this percent is to be increased gradually until January 1, 1949, when it will thereafter be 3 percent. Employers are taxed at the same rates as employees.

Old-age and survivors' insurance benefits are based on the worker's "primary insurance benefit," which is computed as follows:

"(a) Forty percent of the average monthly wage up to $50 and, in addition, 10 percent of the wages over $50 up to $250.

"(b) One percent of the total amount computed under (a) multiplied by the number of years in which $200 or more was paid to the worker as wages in covered employment."

The sum of (a) and (b) is the worker's primary insurance benefit which is paid monthly to the worker when he becomes 65 years of age. If he is a married man he gets in addition a sum equal to half his primary insurance benefit for the support of his wife, if and when she becomes 65. If he has a dependent child under age 16, or 18 if still in school, he gets another 50 percent of his primary insurance benefit for the support of his child. If the worker dies even before age 65, a widow with children gets three-fourths of his primary insurance benefit, and for each child one-half his primary insurance benefit until each child is 16, or 18 if he remains in school. If he dies without wife or child, his dependent parents each get one-half of his primary insurance benefit if and when they are age 65. If he dies without wife, child, or dependent parents, his estate is paid a lump-sum death benefit. Minimum and maximum benefits payable are $10 and $85 a month, respectively.

After contributing to social security for 40 calendar quarters (less is required for those reaching 65 before 1957), in which the worker has earned at least $50 a quarter, he is permanently qualified for benefits even if he never again works in a covered employment (that is, an occupation covered by the social-security law).

For the past few months the discussion has centered around a bill introduced into Congress in August 1940. This so-called Wagner bill (S. 4269 and its companion bill, H. R. 10384) would have extended the old-age and survivors' insurance benefits to certain groups, including public employees. Before discussing the advantages, disadvantages, and the constitutional problems involved in extending these provisions to public employees, it might be well to determine just what teachers would have to contribute and what they would get out of coverage under title II.

RETIREMENT BENEFITS

The average salary of teachers, supervisors, and principals in continental United States was $1,374 in 1937–38. If teachers were covered under title II of the Social Security Act immediately, a hypothetical teacher earning the average salary of ¢1,374 would have to contribute at the rate of 1 percent of salary during 1941 and 1942 ($13.74 each year); during the next 3 years he would have to contribute at the rate of 2 percent of salary ($27.48 each year). In 1946, 1947, and 1948 the annual contributions would be on a 2½-percent basis, or $34.35 each year. After December 31, 1948, the rate of contribution stabilizes at 3 percent of salary. Therefore the average teacher's contribution would be $41.22 annually so long as he remains teaching at the average salary of $1,374 a year. If this hypothetical average teacher were to remain in teaching until age 65, if it were in 1971, or 30 years after he began contributing under the Social Security Act, he would receive an old-age benefit on the basis of the formula outlined of $412.68 a year. If he is a married man he would expect to receive additional benefits for wife at age 65 and for eligible children.

This hypothetical teacher would have contributed to social security during a 30-year period of covered employment, from 1941 onward, $1,119.81. When he began to draw benefits at age 65 he would at $412.68 a year have his contributions returned as benefits during the first 3 years.

The benefit of $412.68 comprises 30 percent of the salary of $1,374.

DEATH BENEFITS

Death benefits in the form of annuity payments to qualified dependents are also based on the primary insurance benefits. For an example of the death benefits payable under the Social Security Act, figure XXV makes the comparison with the benefits due under the Michigan teachers' retirement law.

Michigan teachers contribute to the teachers' retirement fund 3 percent of salary, maximum $90 a year. At age 60 after 30 years of service, the teacher may retire on one-half salary, maximum $1,200, minimum $600. The average salary for male teachers in villages and cities outside Detroit was $1,670 in 1937–38.

Assume that a male teacher in Michigan has an average level annual salary of $1,670. He began teaching in Michigan in September 1930. He was 35 on January 1, 1941, when the social-security provisions were, let us say, extended to cover teachers. He is married and has three children, ages 7, 4, and 2 at that time. The figure shows the value of survivors' benefits at the teacher's death at various ages. Under the present State teachers' retirement plan a lump-sum death benefit is payable. Under the Social Security Act, the widow and children under 18 would receive monthly benefits until all children are 18; the widow would also receive an old-age pension when she is 65.

WITHDRAWAL BENEFITS

Most retirement systems refund the member's contributions if the member withdraws from teaching under the system. Many individuals who are now members of existing teacher-retirement systems have opposed extension of social security because under the Federal plan they could not get their money back. This feature, apparently a disadvantage imputed to the social-security provisions, may be in reality an advantage. When a teacher withdraws his money from a teacher retirement fund upon leaving the system, what becomes of the money? Is it spent for current needs, is it invested, or is it turned into an old-age annuity insurance policy with a reliable commercial insurance company? Contributions to the social-security fund are not returned if the individual leaves a covered employment but are kept for him in the Federal Old-Age and Survivors' Insurance Trust Fund, where they provide him an old-age benefit when he is 65 or pay benefits to his survivors if he dies before 65.

Wisconsin provides for a deferred annuity payable after age 50 to members who withdraw from teaching but who leave their contributions in the retirement fund. Pennsylvania also gives the option of a cash refund at time of withdrawal or a deferred annuity. Comparison of the deferred annuity value under the Pennsylvania system and under the Social Security Act has been worked out for a hypothetical teacher as follows:

The Pennsylvania minimum-salary law specifies for elementary teachers in first-class districts a minimum annual salary of $1,200 with 10 annual increments. After $2,200 no further increments are legally required. It is probable that many teachers remain at this level. A large proportion of elementary teachers are unmarried women. Assume that a woman teacher began in September 1940 at the lowest salary, at age 22, and does not marry.

What is the insurance value at permanent withdrawal from the Federal old-age and survivors' insurance system and from the Pennsylvania school-employees' retirement system? The latter provides that a teacher may withdraw all deposits with interest (4 percent) or may elect to receive as a deferred annuity the actuarial equivalent. Pennsylvania teachers contribute such percent of their salary as is computed to be sufficient with regular interest to provide at age 62 an annuity equal to one one-hundred-and-sixtieth final salary for each year of service after June 30, 1919; but if more than 5 percent, the teacher may elect to contribute 5 percent.

Figure 24 shows deferred annuity value of this teacher's old-age benefits under social security and under the Pennsylvania public-school employees' retirement fund. Up to age 45 the value of the social-security benefits is greater than the insurance value of the benefits under the retirement fund. After age 45 there is an advantage to the retirement fund. At age 62, when the teacher may retire voluntarily, the insurance value of her benefits under the retirement fund jumps from approximately $5,400 to $11,000. The retirement benefits in Pennsylvania are far superior in the typical case to those under social security, but the insurance value at withdrawal before retirement is about equivalent.

MIGRATORY TEACHERS

One problem which the teacher-retirement systems have not been able to solve is that of the migratory teacher. Tables 9 and 10 in section III of this bulletin showed the large numbers of members withdrawing prior to retirement. Certainly not all of these members are leaving the teaching field; some are leaving to take positions in other States. The localities to which they move may or may not have retirement systems; they may or may not get credit in the new retirement system, if there is one, for the years of service in the former system; their final employment may or may not be in a school which has a retirement system; or they may or may not be able to meet the retirement service qualifications in order to draw a benefit at time of retirement. An interchange of credit for amount of deposits in teacher retirement systems is impracticable as long as there are some States having no systems and other States having financially unreliable systems.

Those who withdraw in order to go into business or some other professional work are penalized by most existing teacher-retirement systems since credits toward an old-age pension are not kept for them but the money they have contributed is merely returned, with or without interest.

The Social Security Act, knowing no State boundaries, serves as a backlog so that, regardless of where one works, regardless of how many moves are made, and regardless of the type of employment (just so it is covered under social security), the contributions are continued and the benefits paid.

NO CONFLICT IN BENEFITS

The Social Security Act does not provide for disability benefits; all but one State-wide joint-contributory teacher retirement plan make provision for disability retirement. No State-wide teacher-retirement system provides for benefits payable to dependents in case the member dies before retirement. This provision is one of the strong points of the Social Security Act. There are, therefore, features of the Social Security Act which are not available to members of teacher-retirement systems; and there are provisions under most teacher-retirement systems which are not found in the Social Security Act. It would appear on the surface then that the reasonable thing to do is to seek to acquire benefits under both social security and teacher-retirement systems.

DIFFICULTIES INVOLVED

The future is not, however, as simple as it would appear on the surface. There is, first of all, the question of whether or not school districts or individual teachers could afford to contribute both to the retirement fund and to the social-security fund out of money already inadequate. It has been suggested that school districts would pay their employer's contributions out of the funds budgeted for payment of teachers' salaries; then, running short of funds, they might cut salaries of teachers. In such an event, the teachers would be paying the employee and the employer taxes. Few teachers could afford to do this and, even if they could, it would be an unfair situation.

It has been argued that if social security is made compulsory local pressure would force State legislatures and local school boards to abolish or radically reduce payments to and benefits of existing teacher-retirement funds. It is practically certain that there would be a constant attempt to do just this by politicians and taxpayers who wish to gain prestige through an economy program. This is one of the difficulties which may be expected if teachers are covered by the Social Security Act and also by a State or local retirement system.

There is, in addition, the problem of whether taxation on public employers is constitutional. There is no express prohibition in the Constitution which would prevent Federal taxation of public employees or public employers. The restriction throughout the years has been based on case law. It started when Chief Justice Marshall, in 1819, announced that "the power to tax involves the power to destroy." He held that a State law taxing Federal bank notes was unconstitutional. When in 1871, a Federal income-tax law was applied to a State employee, it was held to be unconstitutional. Although Marshall had recognized the supremacy of the Federal Government, the court in 1871 did not: "If the powers granted the Federal Government are exempt for the sake of self-preservation, then the powers of the States should be exempt from taxation for the same reason—self-preservation. Any Government subject to the control of any other Government is at the mercy of that government." From that time on Federal taxation of States and their instrumentalities was considered unconstitutional. Through a misapplication of Marshall's pronouncement, the tradition was set and few remembered that there was, actually, no constitutional provision.

In 1905, a Federal tax on all persons selling intoxicating liquor retail was upheld when applied to the State of South Carolina (State agents were appointed for the retail sale of liquor). The distinction between the constitutionality and unconstitutionality of a Federal tax on a State agency was said to depend on the function being performed by the governmental agency. The sale of intoxicating liquor was not considered indispensable to the maintenance of a State government. Operations of a municipal water works was considered a governmental function and the Federal income tax could not be applied to an employee of the municipal water works.

In a more recent case the court laid down two principles of distinction: activities not essential to the preservation of State government are not immune from taxation by the Federal Government even though the tax be collected from the State treasury; and even though the activity be thought important enough to demand immunity from a tax upon the State itself it is not necessarily immune from a tax which may be substantially or entirely absorbed by private persons.

On the basis of this decision it seems likely that in the future courts would hold constitutional a social-security tax on public employees. The constitutionality of the employer's tax for social security, when the employer is a public corporation, is more problematic. Since there is no constitutional provision for advisory judicial opinion the question cannot be answered in advance of enactment. Only the courts can decide and they cannot speak until a test case is taken to them.

SUGGESTED SOLUTIONS

To meet the various problems a number of proposals have been made. The four leading plans at this time are (a) the original Wagner proposal of compulsory Nation-wide social-security coverage of all local and State employees; (b) the amended Wagner bill exempting areas where retirement systems exist, but requiring social security in the "have not" areas; (c) a Nation-wide voluntary plan leaving all States free to adopt social security or to ignore it; and (d) a partly voluntary plan wherein existing systems would be exempted but all other areas might voluntarily accept the Federal program.

The last two of these alternatives deserve further discussion. Under a wholly voluntary plan each State, acting as a whole through its legislature or possibly through each of its instrumentalities, would decide whether or not to place local and State employees under the Federal system. It would be necessary probably for State legislatures to pass enabling legislation authorizing the compacts which would be drawn up between the Social Security Board and the local or State governments.

Obviously any voluntary plan would precipitate many battles in State legislatures, city and county councils, and school boards. Many existing retirement systems would have to fight to protect what they have, but undoubtedly the strong ones would have little difficulty in avoiding social security. Undoubtedly some weaker systems would be replaced by social security.

In areas where there is no old-age protection the way would be open for them to obtain social security. Unlike the fights for teacher retirement, the opportunity would be available under the voluntary plan for cooperative action by police, firemen, teachers, and other public employees. This united action should be powerful enough to produce results in areas where social security seems necessary.

A variation of this Nation-wide permissive or voluntary plan would be to exempt existing systems and, in all other areas, to permit local or State governmental units voluntarily to place their employees under Federal social security. This plan also would require contracts between the "have not" areas and the Social Security Board. Present retirement systems would continue without molestation. The possible disadvantage of this scheme would be that States where systems now exist would find it as difficult to add social security to their systems for teacher retirement as to substitute it for their existing plans. It is assumed that some areas would want to make some adjustment in order to carry both plans.

As this bulletin goes to press there are many individuals and groups considering the present Social Security Act and the possibility of its extension. A new bill, probably many different bills, will be proposed to the Seventy-seventh Congress. Public hearings will be held and all points of view will have opportunity of expression. The situation is somewhat complicated by the attention being given to various other plans such as "ham and eggs," Townsend, Mankind United, and the General Welfare Act. These plans are similar in part; they propose to give all citizens old-age pensions with little or no direct money contribution from the individual.

HIGHER EDUCATIONAL INSTITUTIONS AND THE SOCIAL SECURITY ACT

(Merrill G. Murray and Ilse M. Smith)

Large numbers of employees in institutions of higher education are today without definite protection against dependency due to old age. There are approximately 1,120 such institutions which, as far as could be ascertained, do not have formal retirement plans providing benefits in event of old age, death, or disability; this group employs some 43 percent of the total professional staffs in institutions of higher education. Within some 580 institutions which have formal plans, a fourth or more of all employees, both professional and nonprofessional, may possibly remain outside the scope of the plan. It seems likely, therefore, that a considerable proportion of the professional staff and a larger proportion of all nonacademic employees of these institutions lack systematic provisions for retirement.

Members of formal retirement plans, moreover, may desire the additional protection afforded by the Social Security Act. The Social Security Board has found that a much greater number of workers move in and out of covered employments than was anticipated at the time the act was passed. It is likely that many of the persons now employed by higher institutions will spend part of their working life in other occupations. They may also accumulate Federal old-age insurance credits through intermittent employment—during the summer, after hours, or on weekends—in private schools operated for profit. If employment in both public and private schools could be covered by some comprehensive plan, a more rational program of old-age protection would result for such individuals.

Accordingly, when reporting to President Roosevelt on December 30, 1938, the Social Security Board recommended, among many other proposals, that nonprofit educational institutions be included under the old-age and survivors' insurance provisions of the Social Security Act. Even before the Board made its recommendations to the President and the Congress, an amendment (H. R. 101) was introduced in the House on January 3, 1939, by Representative CAROLINE O'DAY to remove from title VIII (now part of the Internal Revenue Code) and title II those sections that exclude from coverage certain types of nonprofit organizations. The House Ways and Means Committee, to whom the bill was referred, subsequently decided not to recommend any immediate action for extension of

coverage to employment in nonprofit institutions. With respect to the exclusion of employment by States and their political subdivisions, the Board declared in its report that a number of State and municipal officials had indicated a desire for coverage, but the Board felt that further study was necessary of the constitutional and actuarial problems involved. No legislative action was taken.

The Social Security Board has continued to assemble data on these and other excepted employments in order that future proposals or action toward extending coverage may be based upon adequate knowledge of the current situation. This article summarizes information now available.

Several bills were introduced in 1940 to extend coverage to nonprofit institutions in general. These bills were H. R. 8118 (O'DAY, January 24), S. 3579 (WALSH, March 14, S. 4269 (WAGNER, August 14), and H. R. 10384 (MCCORMACK, August 20). The Walsh bill would confine the proposed extension to coverage under old-age and survivors' insurance only, and would not attempt to extend unemployment compensation to nonprofit institutions. The Wagner and McCormack bills would remove the exclusion of State and local governmental employment from old-age and survivors' insurance coverage. A subcommittee of the Senate Finance Committee has been created to study provisions of the Social Security Act, as amended, and other bills or proposals on this general subject.

INSTITUTIONS IN THE FIELD OF HIGHER EDUCATION

Approximately how many higher educational institutions are now in operation? Differences are apparent among classifications of educational institutions, according to whether or not certain schools were counted as institutions of higher education. This article uses the classification provided by the United States Office of Education. It is reported that in 1939 there were 1,700 institutions of higher learning. The geographic distribution of these institutions, which include colleges and universities, professional schools, teachers' colleges, normal schools, junior colleges, and Negro colleges, is shown in table 1. A little less than one-third of these were under Federal, State, district, or city control; more than two-thirds were under private, including denominational, control.

The only reasonably complete data on employment in higher institutions relate to personnel employed in a professional capacity. During the academic year 1938–39, it is estimated, the professional staffs of the 1,700 institutions numbered approximately 130,000. These include administrative officers, teachers (rank of instructor and above), extension and research workers, and other groups of professional employees. This figure does not include the clerical and maintenance employees counted among the nonprofessional staff members in subsequent paragraphs. Public institutions probably employed about 47 percent of these 130,000 staff members; private institutions about 53 percent.

There is little information available for any year, in either published or unpublished form, to indicate other than roughly, the number of nonprofessional staff members (clerks, maintenance workers, custodians, and administrative employees not in executive positions) or the proportion which this group forms of the entire staff in the various institutions. Tentatively, it may be estimated that these nonprofessional employees represent slightly less than 30 percent of the total staff in all higher institutions, public and private, taken as a group. In public institutions nonprofessional employees probably represent about one-fourth the total employees; in private institutions, however, the proportion is well over one-third.

Data are also incomplete with regard to the total number of staff members. In the 1,700 institutions, the 1938–39 total for both professional and nonprofessional staff was probably about 185,000.

Women constituted 23.6 percent of the professional staff in universities, colleges, and professional schools (excluding teachers colleges, normal schools, and junior colleges), in 1937–38. On the staffs of teachers colleges and normal schools, women outnumber the men by 33 percent. They represent 52 percent of the professional staff in the nondegree-granting institutions (normal schools and junior colleges).

LEGAL CONSIDERATIONS

Extension of coverage to higher educational organizations cannot be considered fully without first recognizing the possible legal obstacles to such inclusion. Principles of constitutional law have been applied to exempt from Federal taxation salaries or wages received from State governments and their political subdivisions and instrumentalities. Recent decisions have upheld the power of the Federal Government to levy a nondiscriminatory tax upon income derived from employment by a State-owned corporation which does not discharge a function essential to the continued existence of the State government. Although the doctrines of intergovernmental immunity from taxation are undergoing a process of limitation, it is as yet unsettled or undecided whether governments (or governmental agencies or instrumentalities) are subject to direct tax as employers. If the exception of nonprofit educational organizations were eliminated by amendment, difficulties would still be presented by proposed coverage for public educational institutions.

The Board has studies in progress on possible methods of extending the provisions of old-age and survivors insurance to public employees, including educational employees. The simplest method, if legally possible, would be compulsory coverage. Alternative plans under consideration include the use of voluntary compacts between the Federal Government and individual States or even with political subdivisions.

Extension of coverage to employees of private institutions is complicated by the fact that Federal revenue acts customarily exempt from Federal taxation those nonprofit organizations which are operated chiefly for educational, religious, and other purposes, as specified. Fear has been expressed that extension of social-security taxes to them would set a precedent for taxation for other purposes in the future. Establishment of such a precedent seems unlikely, however, especially since Congress, in 1939, adopted the recommendations of the Advisory Council and the Secretary of the Treasury in transforming the old-age reserve account into a trust fund under a board of trustees, and in providing that taxes received under the Federal Insurance Contributions Act and covered into the Treasury shall be automatically appropriated to the trust fund. The Walsh bill would provide a further guaranty, by requiring that taxes collected from groups to which the bill would extend coverage should be paid directly into this trust fund, without being previously covered into the Treasury. Nonprofit organizations are already required to assist their employees in the event of injury on the job, through payments to State workmen's compensation funds, a requirement which may be considered a form of taxation for special social purposes.

COORDINATION WITH EXISTING RETIREMENT PLANS

The effect upon present retirement systems for college and university staff members is perhaps the most important consideration in contemplating coverage of such institutions by Federal old-age and survivors' insurance. The prior existence of these systems constituted an important reason, next to the legal barriers, for the initial exclusion of educational institutions.

This article does not attempt to outline the features of the various systems. Their general characteristics have already been described in a survey by the Office of Education in 1937, and in two studies by Rainard B. Robbins. The recently published study by Robbins outlines the present status and evolution of college plans, describes briefly selected plans, and tabulates variations among plans at institutions using contracts of the Teachers Insurance and Annuity Association.

Payments may be made under group-annuity contracts with commercial insurance companies or under the various arrangements possible with the T. I. A. A. The payments may represent retiring allowances still available to a limited group of teachers from the Carnegie Foundation for the Advancement of Teaching or allowances under general State retirement systems and certain retirement systems for teachers. Again, they may represent pensions from funds accumulated by religious organizations or payments under special plans administered entirely by the employing institution. In many institutions, where none or only part of the professional staff are protected by some formal plan, each person retiring may be voted a special pension. The large extent to which such informal arrangements are in effect is not always realized.

At present about 580 institutions of higher education operate formal retirement plans. These institutions employ on the aggregate about 74,000 teachers and other professional staff members. This number represents approximately 57 percent of the professional staff in all higher institutions, or about 66 percent of the professional staff in 350 public institutions, 48 percent in 230 private institutions. The number of teachers who are members of the retirement plans is somewhat lower. This differential may be partly offset by informal plans in certain of the private institutions. About 180 of these 580 institutions, which in some cases also have other retirement arrangements, participate in deferred annuities under the T. I. A. A. plan. In several hundred additional institutions teachers deposit with this association annual contributions toward retirement, which, however, are not supplemented by amounts from the employing institutions.

Publicly controlled institutions with formal retirement plans, numbering 350 of the 580 institutions, employ about 40,000 professional staff members. More than a fourth of these are employed by institutions which help their teachers pay premiums for deferred annuities under contracts with the T. I. A. A. Many of the others are employed by institutions in which the staff are members of State and municipal retirement systems. Some of them, however, are employed by institutions which provide retirement benefits through other means, such as group annuities from commercial insurance companies. The 230 private institutions with formal retirement plans have on their staff, it is estimated, about 34,000 professional employees. Of this number, more than half have annuities with the T. I. A. A., purchased by joint premiums paid by the individual and the institutions. The others are protected by church pension plans, by commercial group annuity contracts, special funding plans, scheduled payments by the institution out of current income, or by some other method.

General State retirement systems and some State and municipal plans for teachers apply to all persons on the pay roll. Likewise, church pension funds frequently protect all employees of affiliated institutions. Group life insurance and group health and accident insurance plans generally include both the

professional and nonprofessional staff. The old-age retirement plans, however, were adopted primarily for faculty members and usually include administrative officers along with teachers. On the other hand, instructors are not included with the faculty of some institutions, and administrative employees other than officers are sometimes counted as maintenance workers.

Eighty-two percent of the institutions reporting to the Office of Education in 1937 as having such plans, provided only for the faculty. Of course, a few retirement plans have for years covered nonfaculty members, and a few plans have been adopted especially for them. Robbins distinguishes 3 groups of staff members—teachers, administrative officers, and maintenance workers—and reports that public institutions more generally than private institutions have provided for the maintenance employees. He found that 27 institutions using T. I. A. A. contracts provide old-age income for maintenance workers; an additional 53 institutions with other plans (of which 33 were public institutions) cover this latter group. At least 5 private institutions without T. I. A. A. contracts have separate retirement plans for such workers. Interest in extending old-age retirement provisions to custodians, clerks, and other nonprofessional employees is widespread at the present time.

The existing retirement plans could be adjusted to make them supplementary to the Federal system. This should be the normal procedure rather than abandonment of existing plans, if coverage were extended to higher educational institutions. The Social Security Act aims to provide only basic protection to employees. Benefits are relatively larger for lower-salaried employees than for those receiving higher incomes. Earnings in excess of $3,000 are excluded from consideration. Undoubtedly, institutions would wish to continue existing plans to provide supplementary benefits for the academic staff, who would be likely to find benefits inadequate under the Federal plan. In addition, the nonprofessional staff, less regularly protected by existing pension provisions, would have at least the protection of Federal old-age and survivors' insurance. The T. I. A. A. has pointed out that "the annuity contracts of this association will lend themselves conveniently to whatever adjustments may be appropriate if it is desired to use them to supplement the provisions of an amended Social Security Act." The association also suggests that, because of the apparent longevity of annuitants and also on account of decreasing returns on investments of institutions, extension of the act might seem to offer alleviating provisions to some institutions.

If past experience with private industrial pension plans is a guide, extension of the act to higher educational institutions would probably give rise to additional private plans or supplementation of such plans, rather than elimination. Very few industrial concerns have abandoned their previous retirement plans since 1935, when the Social Security Act was passed. A number of companies have rewritten their pension plans or inaugurated new ones; included among these are the International Harvester Co., the American Telephone & Telegraph Co., the Standard Oil Co. of New Jersey, the Western Union Telegraph Co., the Public Service Corporation of New Jersey, and the United States Steel Corporation. In some measure, revision in private industrial plans have consisted of providing supplementary benefits for employees with salaries of $3,000 or more, a development which, in the case of educational institutions, would safeguard the equities of higher-paid faculty members who are already members of retirement plans. Payments under such plans are not subject to social-security taxes, since the 1939 amendments exclude from the definition of wages all payments made by an employer to or on behalf of an employee under a plan or system providing for retirement, for sickness, or accident disability, or for medical and hospitalization expenses in connection with such disability. Dismissal payments and, with certain reservations, death payments, are also excluded from the definition.

ADMINISTRATIVE PROBLEMS

From the Government's standpoint, administration of old-age and survivors insurance might be simplified in some respects if coverage were extended to educational institutions. Questions have arisen as to whether certain educational institutions are nonprofit organizations "no part of the net earnings of which inures to the benefit of any private shareholder or individual," within the meaning of sections 209 (b) (8) and 1607 (c) (8) of the Social Security Act amendments of 1939. The necessity for specific rulings differentiating between profitmaking and nonprofitmaking higher educational organizations would disappear if the act were extended to nonprofit colleges and universities. However, in some instances, the question might still remain whether some institution, because of money received from public funds, might be considered an instrumentality of either the Federal or local government. Simultaneous extension of coverage to both private and public institutions, however, would remove this problem.

On the other hand, questions may arise as to whether certain individuals on the staffs of educational institutions are "employees" within the meaning of the act. On at least one occasion, a profit-making college covered by the act has asked the Bureau of Internal Revenue to decide whether certain instructors and substitutes were employed on a contractual basis and hence excluded from coverage, or were in the requisite employer-employee relationship for old-age insurance purposes. Furthermore, as amended, the act now does not cover service performed for an organization exempt from income tax (under sec. 101 of the Internal Revenue Code), if performed by a student enrolled and regularly attending classes at a school, college, or university, or service performed in any calendar quarter for a school, college, or university not exempt from income tax, under section 101, if performed by a student enrolled and regularly attending such school and if the remuneration does not exceed $45, exclusive of room, board, and tuition. The continuance of such exemptions would complicate the auditing by the Bureau of Internal Revenue of tax reports from institutions of higher education.

An additional problem is created by the fact that the institutions sometimes provide remuneration in the form of rent, board, and lodging to certain employees. The value of perquisites granted in 10 Negro land-grant colleges in 1936, for example, varied from $240 to $1,200 per year. Problems involved in evaluating wages in kind are not peculiar to this employment and are already being handled successfully by the Bureau of Internal Revenue, in other employment situations.

ECONOMIC CONSIDERATIONS

Salary data compiled for 25,530 full-time faculty members in 252 colleges and universities showed that, in 1936, typical (median) salaries for full professors hired on a 9-month or 12-month basis in public institutions, varied from $1,562 to $3,951, and from $1,662 to $5,733 in the case of full professors in private institutions (table 3). No comprehensive report is available of changes occurring over the past 3 or 4 years in the distribution of staff members by salary.

Few institutions take the position that payment of salary relieves them of all further financial responsibility for employees. The necessity of assisting, at some time or other, individual faculty members or their families who are in financial difficulty is a present or potential charge upon college funds. Because of professional requirements and the circumstances of their employment, faculty members, like employees in other occupations, are frequently unable to prepare for financial emergencies created by illness, disablement, or death. In almost every rank, expenditures absorb practically the entire salary, allowing slight opportunity for saving.

Protection against death, sickness, and old age was long considered the personal responsibility of the employee. Nevertheless, the institutions found that aged and disabled faculty members required some assistance, if only in the form of payments in kind; that jobs, special pensions, and gratuities were needed and sought by dependent survivors. Some data bearing on this point have been reported by the Office of Education, for a sample representing 266 higher institutions which, in 1937, had no formal plans for retirement or survivors' payments. Half these institutions paid no benefits; 18 percent paid as much as half salary to the retiring staff member for the rest of his life; a considerable proportion paid the widow a month's full salary. In these institutions, payments were ordinarily made on the basis of individual need. Fifty-three institutions were definitely of the opinion that some form of group insurance or annuity, administered outside the institution, would be a better means of solving the problem than debating each case as it occurred. Most of the institutions without definite plans have made various attempts to solve the problem by supporting legislative proposals or obtaining the services of special agencies.

Under the Federal old-age and survivors' insurance provisions, workers who are now old and will soon retire will receive a considerable bonus over the actuarial equivalent of their contributions. The individual who regularly earns $2,000 a year in covered employment would be entitled to a monthly benefit if he attained age 65 after 5 years in such employment—or $33.25. This benefit would be increased by 50 percent if he had a dependent wife aged 65 or over, with additional amounts payable with respect to unmarried children under age 18. Thus the married man with a wife 65 or over would receive a total monthly benefit of $49.88. Had he earned $3,000 a year instead of $2,000 a year, he himself would be eligible to receive $42 a month, while an additional $21 a month would be paid to his wife aged 65 or over—making a total of $63 a month payable to the family. Under the amended Social Security Act, monthly benefits are payable not only to insured workers who retire at age 65 or later, their wives and children, but to widows, surviving children, or surviving dependent parents who qualify for benefits.

Extension of the Social Security Act to higher educational institutions would meet many present problems of colleges and universities which have no retirement plan or an inadequate plan, since a large part of the accrued burden by caring for aged staff members would be shouldered by the Federal old-age survivors' insurance program.

The colleges confront the need of providing a retirement plan for members of the nonacademic staff, such as mechanics, janitors, and domestic employees. At the present time, a commercial college, a barber college, a correspondence school, and other educational, profit-making organizations are covered by the Federal act; their employees are therefore building up wage credits under the act toward retirement benefits and protection for their survivors. If the Social Security Act continues to exempt nonprofitmaking private and public institutions, these institutions may find it desirable to provide some system of retirement benefits for their nonacademic employees which will yield

benefits at least equal to those under the act. Otherwise, institutions without a satisfactory retirement plan may find it increasingly difficult to compete in the labor market for qualified employees. One college president has concluded that, "Wrestling with such problems, a constantly growing number of college executives are coming to the belief that inclusion under Federal social security is both necessary and inevitable."

Extension of the Social Security Act would also assist in meeting problems of the colleges in relation to the retirement of employees who have rendered service in many different institutions or in colleges and in nonacademic pursuits. State retirement plans sometimes make special provision for transfer between public institutions within a single State. According to the various provisions of the Teachers Insurance and Annuity Association, several alternatives are available to persons leaving active service temporarily or transferring to another institution. Most educational employees, however, would be seriously affected by frequent shifts between institutions within or without the boundaries of a single State. This situation would result from loss of employers' contributions, service credits, and interest accumulations under retirement plans, and also from ill-advised exercise of cash-settlement privileges which these plans offer an employee upon separation. Extension of the Federal plan would render it less likely that equities established under the institutional retirement plans would have the effect of deterring employees from making a shift for the better. In addition, the institutions might more readily add to their staff older professors of established reputation and in this and other ways might find the retirement program a more effective adjunct to the maintenance of academic standards.

At the present time many professional and other employees of institutions of higher education are without systematic protection of the types provided by the Federal old-age and survivors' insurance system. Extension of coverage under the Social Security Act could make provision for such persons and their families and could supplement the present provision made by private retirement plans. While such an extension would entail certain legal, administrative, and financial problems, it is believed that it would also promote solution of present problems of at least equal magnitude.

Old-Age and Survivors' Insurance in Its Relation to Public Employees

(D. C. Bronson)

During 1940, it is estimated, some 4,000,000 persons will be employed by the Federal Government, States, and localities in services which are excluded from coverage under the Federal system of old-age and survivors' insurance. Except for agriculture and self-employment, such services constitute the largest area of employment excluded from this program. Some of these 4,000,000 individuals—probably less than two-thirds of the total—are in employment covered by special Federal retirement programs or by similar programs of States, counties, and municipalities; many of these persons may expect to qualify for retirement benefits under such plans. Others doubtless will engage in employment covered by title II of the Social Security Act at some time in their lives to an extent sufficient to qualify for benefits under that program. Still others may have considerable periods of employment under one or more of the special plans for public employees and also under the general social-security system without being able to fulfill the qualifications for benefits under any of them. It is the purpose of this article to explore the advantages to public employers and others of coordination of the special systems with the general social-security program.

In a report made to the President and the Congress in December 1938, the Social Security Board recommended that the Federal old-age insurance program be broadened to include services performed in the employ of the United States or its instrumentalities, adding that in such an extension "it would be necessary to give consideration to the effect on other retirement systems for Federal employees, with a view either to excluding employees already covered by these systems or to adapting these systems so that they would take account of the basic protection afforded by the old-age insurance system." At the same time the Board expressed the hope that further study might develop some method of extending coverage under the Federal system to employment by State and local governments under circumstances "mutually advantageous to the States, their employees, and the old-age insurance system."

From the standpoint of public employees who are not now protected by any type of retirement plan the advantages of an extension of the social-security program to public employment are obvious. From the standpoint of the others it should be noted that the recommendations of the Board did not envisage abolition of any existing systems but merely an adjustment of them, either by excluding from the Federal system public services covered by other plans or by coordinating the general and special systems, with adaptation of the latter to take account of a basic protection afforded under the Social Security Act.

It is with this second possibility—coordination—that the present article is concerned. For the purposes of this discussion it is proposed that the Federal old-age and survivors' insurance system be made a "floor of protection," with provisions for a materially higher level of benefits for employees who stay through to retirement under the civil-service or other public retirement plans, just as is done by many private employers. No effort is made in the present article to outline a specific plan or to discuss various types of coordination plans. The purpose is, rather to indicate problems which arise because of the existence of these unrelated plans and principles which might be used in a coordination of the general and special systems.

Among the large number of existing retirement plans for Federal, State, and local employees, there is anything but uniformity. In qualifying requirements they range from liberality to harshness; in financing, from fully reserved systems to those with shaky structures; in scope of benefits, from retirement allowances alone to provisions which include payments to survivors and disability benefits. The Federal plans comprise about a dozen contributory systems and about the same number of noncontributory ones. The latter represent mainly the "retired pay" available to commissioned officers and men of the Army and Navy. Among the contributory systems by far the largest—comprising about 600,000 persons—is that for employees in the classified civil service of the United States. Other contributory Federal systems are administered for civil-service employees of the Canal Zone and the Alaska Railroad and for the Foreign Service, and there are special systems for employees of the Federal Reserve Board and the Tennessee Valley Authority, for public-school teachers in the District of Columbia, and others.

In any specific proposal to adjust other Federal plans to take into account the system of old-age and survivors' insurance it would obviously be necessary to consider the variations in existing provisions. Similar variations and additional factors would have to be taken into consideration if it were found feasible to propose an extension to public employment by States and localities.

Anomalies under separate systems

The anomalies in the present situation of public employees are not unlike those which confronted many persons in private employment at the time the Social Security Act was passed. Then some business concerns—a relatively small number and, in general, only large concerns—had established retirement plans for their own employees. In some instances these plans provided soundly financed and liberal benefits for retiring workers, though the number of persons they covered was very limited in relation to the total working population. Under any individual plan, moreover, a worker ordinarily could qualify for benefits only after a considerable period of employment, which might be as much as 30 years or more with the given employer.

Mobility in employment

A worker who was dropped or quit before he had served the number of years required by the plan and had reached the age specified for retirement ordinarily did not retain any right to a deferred pension on reaching retirement age. When the plan was contributory the worker usually received some agreed refund of his own contributions on leaving the employer, and the employer retained the amount he had contributed in behalf of that worker. A cash refund is likely to be spent quickly, especially if the worker has lost or left his job and is delayed in finding another. An individual could work for many years in concerns which had individual retirement plans, yet reach retirement age without pension rights and with little or nothing to represent contributions he himself had made. Because of the mobility which characterizes employment in industry and commerce, relatively few of the individuals covered by the private plans could count on remaining with a particular concern for a sufficient number of years and until the age which qualifies them for retirement benefits.

When Congress was considering the social-security legislation in 1935 a proposal was made to exempt employers who had adequate private retirement programs for their own workers. In the discussion of this proposal (the Clark amendment) it was pointed out that such exclusions would be detrimental to the broad objectives of the Social Security Act, since large numbers of employees would, in the course of their working life, pass through one or more of such exempted employments. Thus they would carry no retirement credits for such employments, and unless they were in one of those employments at time of retirement and with enough years of service to qualify under that plan, would have no old-age protection representing those periods. A remedy to this situation, involving a transfer of funds, was subsequently proposed but was thought to be too cumbersome. In view of this and other considerations brought forward in the discussion, this proposed amendment was rejected. Many concerns which have retirement plans for their employees have adjusted their programs so as to provide additional benefits to those of their employees who fulfill its conditions while at the same time, of course, all their employees have the basic protection afforded under the Social Security Act, whether they remain with the same concern or obtain jobs elsewhere in covered employment.

A situation similar to that which previously existed under the plans of private employers now obtains for many persons covered by public retirement systems. These systems are likely to require a long period of service and employment up to the specified retirement age. An individual who leaves public

service may receive a refund based on the contributions he has paid under the plan, but ordinarily he retains no right to the contributions that the public agency has made in his behalf or to a deferred pension when he reaches retirement age. In this respect his situation is wholly different from that of the worker covered by the Federal system of old-age and survivors' insurance. Under the old-age and survivors' insurance program all wages received by an individual in covered employment at any time in his life and at any place are considered in determining his qualifications for benefits.

FAMILY PROTECTION

Moreover, practically all the contributory systems for public employees, like the plans of private employers, fail to give the broad protection of family security that has been established through the 1939 amendments to the Social Security Act. Under most of these plans the amount payable in the event of death prior to retirement is geared to the amount of the employee's contributions, often with the addition of accumulated interest. This form of death benefit provides, of course, an amount increasing with length of participation, which reaches its maximum just before the individual's retirement. For many individuals the need for insurance protection is less acute at that period of life than in earlier years, when family responsibilities are likely to be heavier. Under the usual staff-pension plan, therefore, the death benefit is in inverse direction to presumptive need.

The provisions of survivors' insurance in the 1939 amendments to the Social Security Act introduced a volume of protection that is not fully realized. Private companies now provide life insurance protection estimated at $110,000,000,000. The amendments to the act in 1939 provided protection amounting at the start to perhaps $40,000,000,000 in insurance value. Exclusion of public employment from the old-age and survivors' insurance system keeps public employees from sharing in the protection afforded by this system, which would represent values of many millions of dollars for those who have wives and children.

ILLUSTRATIONS OF COORDINATION

In the following pages illustrations are given of amounts payable and of insurance values, in specified circumstances, under separate retirement systems and under one possible plan which would coordinate special provisions for public employees with the general system of Federal old-age and survivors' insurance. For purposes of illustration, certain of the basic provisions of the present Federal civil-service retirement system are used to represent a special plan for public employees. It must be emphasized that any one of many other plans might have been used for illustration and that amounts cited would vary with choice of the plan and with characteristics of an individual (age, salary level, marital status, and the like) assumed for the examples cited, as well as with the specific coordination plan adopted. It is believed, however, that the situations here assumed give a valid indication of the patterns and general relationships that would obtain under a coordination plan which used the social-security system as a "floor of protection."

EXAMPLES OF RETIREMENT BENEFITS

Table 1 presents examples of the monthly retirement benefits that would be payable, in the given circumstances, under the Federal old-age and survivors' insurance system, under an independent system for public employees, and under a plan coordinating these two systems. In the examples, the amounts developed under certain of the existing civil-service retirement provisions assume a level annual salary of $1,800, on which contributions are made at 3½ percent, with the $1 per month tontine deduction. For those reaching retirement age the total so accumulated to the employee's credit, with 4-percent interest, is used to purchase such annuity as develops, on a nonforfeiture basis, from the tables now in use under this system. Added to this amount is the present Government share, amounting to $30 a year for each year of service (up to a maximum of 30 years). The appropriate minimums, as established by the present Civil Service Retirement Act, are taken into account in the figures cited.

It has been assumed further in the examples cited in table 1 that the employee has a wife of the same age as his own and that the experience covers the years from age 30 to retirement at age 65. The benefits under the Social Security Act indicated in table 1 would be lower if the individual did not have a wife of an age which entitled her to the wife's supplementary benefit provided in that program. Farming and State employment are used as examples of employment not covered by the Social Security Act; their inclusion, or other alterations in either program, would, of course, alter the amounts payable.

It will be observed that in the examples cited in table 1 there is no change, under the coordination plan and the circumstances assumed, in the monthly retirement benefits payable with respect to persons whose whole period of service is in employment covered by the provisions of either the Civil Service Retirement Act or the Social Security Act (examples 1 and 2). There is likewise no change in the instance (example 6) in which an individual is assumed to have had at least the minimum period of service needed to qualify for monthly retirement benefits under each program and is in a job covered by the civil-service plan when he reaches age 65.

The changes which would result from use of the proposed principles arise in circumstances in which an individual is in the Federal civil service for considerable periods in his life but not at the time he reaches retirement age (examples 3, 5, 7, 9, 10, 11) and in which the duration of his employment under the one system or the other is insufficient (examples 4, 10, 12) to meet the requirement for retirement under one or both. Under the conditions assumed in example 12, an individual might spend all the years from age 30 to age 65 in alternating periods of employment covered by either the civil-service system or the retirement provisions of the Social Security Act, yet reach old age with no rights to monthly benefits under either. In this instance and in the circumstances assumed in examples 7 and 10, use of a plan which provides a mechanism for crediting all employment covered by either plan toward the coordinated benefit would result in a substantial monthly benefit in cases in which at present nothing is payable; in all other instances cited in which the proposed coordination would effect a change, the result would be to increase the monthly amount payable under present provisions.

EXAMPLES OF SURVIVORS' BENEFITS

Consideration should be given also to the relative merits of a coordination plan which would enable public employees to receive the family protection afforded to workers under the Federal old-age and survivors' insurance program rather than the lump sum death payments generally made under staff-retirement systems. Such a comparison is made in chart I, which takes as an example a family with husband and wife both aged 30 in 1937 and two children aged 1 and 3 in that year; it is assumed that the husband has a level annual salary of $1,800.

The solid line, using the civil-service retirement plan as an illustration, indicates the amount of the lump sum payable to the family at the husband's death at a given age. This sum is almost negligible in the early years, when the children are young, but increases to more than $4,000 in the later years. Since the amount is payable in a lump sum, the widow or others are faced with difficult problems of administering it wisely and at best probably only rarely is it translated into old-age protection.

The broken line indicates the "insurance" value, at the time of the husband's death, of the monthly benefits payable under the general Federal system to the surviving members of an insured worker's family. This value starts out (in the example at age 33, since survivors' benefits were not payable until January 1, 1940) at more than $9,000. It gradually decreases at later ages of the worker, as the children approach age 18, when benefits no longer are payable on their behalf or to the widow. Because of the deferred benefit payable to the widow of a fully insured worker at age 65, the broken line starts upward again in later years and rises until age 65, when it is not far below the value of the civil-service lump-sum death benefit.

If the nonforfeiture option under the civil-service provisions was chosen, a lump-sum amount may be payable in the event of the husband's death after his retirement at age 65. This amount decreases steadily by the amount of "purchasable annuity" received prior to his death until it reaches zero. The broken line, representing values under the social-security system, does not reduce to zero as long as the wife lives, since it represents the value of the life income continued to the widow after her husband's death.

Under the present provisions, the family of the civil-service employee represented by the example is losing in insurance protection the area at the left between the solid line and the broken line and also the area at the right, representing the period after retirement. Between ages 50 and 65 there is a rather small area in which the insurance values for a family protected by the civil-service provisions are higher than those which would obtain if the family had the social-security protection, though the differences in the nature of the benefits must be recognized.

VALUES AT WITHDRAWAL FROM BOTH PLANS

Doubtless some individuals may drop out of either the general insurance system or a special system for public employees without reentering employment covered by either. One may consider, therefore, the equity involved in these relatively rare cases. For the civil-service or the usual staff-retirement plan, this equity is measurable by the lump-sum cash value paid. For the social-security system it is measurable by the actuarial value of any protection which may continue after permanent withdrawal from covered employment.

Under a contributory staff-pension plan the usual surrender value to the terminating employee, like the death benefit, is geared either to his contributions or contributions plus interest, and is payable in a lump sum. Some of the plans provide that if the terminating employee has had a certain period of service, such as 10 or 15 years, he may leave his cash value in the system to provide an annuity at a specified retirement age; in such cases it is usual that the employer also recognizes service rendered and vests in the terminating employee a deferred annuity to augment that provided by his own contributions. The civil-service plan does not provide such an arrangement for a deferred annuity. There is only the privilege of cash withdrawal of the amount of the employee's contributions (usually less the so-called tontine) accumulated at interest.

Under the Federal old-age and survivors' insurance system no cash withdrawal is permitted; the employee who permanently leaves all employment covered by the program receives his value in the form of continued eligibility to benefits. This continuation may exist for only a limited period, during which survivors' benefits would be payable in the event of his death; or his qualifications may entitle him to a permanent status under which, in addition to continued eligibility of his dependents for survivors' benefits, he retains eligibility to old-age benefits upon reaching age 65 and such benefits are also payable to his wife or widow at that age.

Whether the value thus granted under the Social Security Act is temporary or permanent depends upon the amount of the taxable wages the individual has received and the incidence of his covered employment. In general it may be said that the period or periods during which an individual continues to have protection for his survivors is equal to the period or periods during which he has paid contributions; and that if he attains, whether in continuous or intermittent covered employment, 10 years (40 quarters) of such active participation, he then becomes permanently insured with respect to both survivors' and old-age benefits. In either case, whether the insurance is temporary or permanent, the amount of the benefits is determined from his legally defined average wage.

Chart II shows an example of the civil-service cash value at various ages of assumed withdrawal and the discounted or "present value" of the continuing deferred protection to an insured worker and/or his wife at age 65 under the social-security system. The solid line on the chart indicates the cash value payable under civil service upon withdrawal at any given age. The broken line gives the social security withdrawal equity expressed as "present value" at time of withdrawal.

The individual in this illustration, for example, who withdraws at age 45, after 15 years of service, would receive a lump sum of a little more than $1,000 under the civil-service retirement system. Several possible benefits would have to be evaluated under social security, and this evaluation results at withdrawal at age 45 in a "present value" of a little less than $2,000. The benefits evaluated by such figure are the old-age benefit commencing at age 65, if both the man and his wife attain that age; the benefit at age 65 in the event that only the husband is alive; and the benefit to the widow at age 65 if the husband does not survive to that age. Thus for this particular example the chart shows the considerably larger value of the potential social-security benefit against the lump-sum cash-surrender value of the civil-service retirement plan. Even so it is an understatement of the social-security value, for in many cases children will also be present and will be protected for survivors' benefits after the termination of covered employment. It may be pointed out also that the benefits under the social-security plan are available to the employee and his wife or to his widow at the time—old age—when they are likely to be most needed.

Under a program of coordination, it would seem reasonable to reduce values paid in cash and place emphasis on the continued protection of the terminating employee for benefits to his survivors and for his own old age. The full value of benefits shown by the broken line in chart II would be available to this terminating civil-service employee in addition to such cash value as the particular plan of coordination would produce.

CONCLUSION

Until some plan is worked out for coordination of the various retirement programs for public employees and coverage of those now not included in any program, anomalous situations such as those exemplified in this article will increase greatly as individuals move in and out of the coverage of the separate systems. Among persons working side by side in Government service, some will have had periods of coverage under the general Federal old-age and survivors' system so that their survivors would be protected in the event of the employee's death by thousands of dollars in "insurance" value, while the survivors of others, who have not been so covered, would be entitled to only a small cash death payment. The longer the independent functioning of the separate plans, the greater in number and degree will be the disparities.

The concept of coordination used in the present discussion is that of a social security "floor of protection" with a materially higher level of benefits for individuals who stay through to retirement under the civil-service or other retirement plan. As responsible employers in industry have continued their contributory retirement plans, generally modified to produce larger combined benefits than were in effect before the establishment of the social-security program, so the civil-service plan and others affected would continue under a coordinated system, and would provide greater aggregate protection.

AMENDMENT OF NATIONAL SERVICE LIFE INSURANCE ACT—CHANGE OF REFERENCE

Mr. REYNOLDS. Mr. President, at the request of the Committee on Military Affairs, I ask unanimous consent that that committee be discharged from the further consideration of the bill (S. 1935) to amend section 602 (m) of the National Service Life Insurance Act of 1940 (Public, No. 801, 76th Cong.) to provide for a person in the military service to secure insurance effective as of date of application by payment of the first premium within 30 days thereof, and that the bill be referred to the Committee on Finance. The Committee on Finance considered the original act and now has pending before it several other amendments to the act. In view of the circumstance I ask consent for the change of reference of the bill.

The VICE PRESIDENT. Without objection, it is so ordered.

AWARD OF GUGGENHEIM MEDAL TO J. T. TRIPPE

Mr. REYNOLDS. Mr. President, I take the liberty of reading an article from the New York Times of September 22, 1941, entitled:

GUGGENHEIM MEDAL GOES TO J. T. TRIPPE—HEAD OF PAN AMERICAN AIRWAYS CHOSEN FOR 1941 AWARD

The Daniel Guggenheim Medal, created to honor persons who make notable achievements in the advancement of aeronautics, has been awarded for 1941 to Juan T. Trippe, president of the Pan American Airways System, it was announced yesterday.

The award was made to Mr. Trippe "for the development and successful operation of oceanic air transport."

The medal will be presented to him on January 27, 1942, at a dinner to be given by the Institute of Aeronautical Sciences.

Mr. Trippe, a pioneer of American transport aviation, is the founder of the Pan American Airways System, which today links the United States with 55 foreign countries and colonies.

Mr. Trippe began his aviation career during the last war, when he became an ensign in the Naval Air Service. He returned to Yale to complete his studies at the Sheffield Scientific School, from which he was graduated in 1920. At Yale he organized the country's first student-flying club.

After his graduation Mr. Trippe organized Colonial Airways, the first commercial air transport company in the United States. Awarded the first domestic air-mail contract, Colonial Airways operated a route between New York and New England.

In 1928 Mr. Trippe organized a group of former pilots who combined to finance the first American international aerial transport service. Under the name of Pan American Airways he established the first American foreign route between Key West and Habana in 1927.

ADDRESS BY THE PRESIDENT ON MOBILIZATION FOR HUMAN NEEDS

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD the radio address delivered by the President in connection with the 1941 community mobilization for human needs on October 3, 1941, which appears in the Appendix.]

TRIBUTE TO THE LATE SENATOR HARRISON

[Mr. PEPPER asked and obtained leave to have printed in the Appendix a tribute to the late Senator Pat Harrison, published in the Jackson (Miss.) Daily News of June 23, 1941, which appears in the Appendix.]

LAUNCHING OF THE "PATRICK HENRY"—ADDRESS BY SENATOR RADCLIFFE

[Mr. ADAMS asked and obtained leave to have printed in the RECORD the address delivered by Senator RADCLIFFE on the occasion of the launching of the *Patrick Henry*, which appears in the Appendix.]

OUR FOREIGN POLICY—ADDRESS BY SENATOR SCHWARTZ

[Mr. SCHWARTZ asked and obtained leave to have printed in the RECORD an address delivered by him on October 4 to the people of Norway, and broadcast to Norway by short wave, from station WRUL, Boston, Mass., which appears in the Appendix.]

ADDRESS BY SENATOR CHANDLER ON REPEAL OF NEUTRALITY ACT

[Mr. HILL asked and obtained leave to have printed in the RECORD a radio address on the subject Shall We Repeal the Neutrality Act? delivered by Senator CHANDLER on October 5, 1941, which appears in the Appendix.]

LABOR DAY ADDRESS BY SENATOR BUNKER AT LAS VEGAS, NEV.

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD the address delivered by Senator BUNKER at Las Vegas, Nev., on September 1, 1941, which appears in the Appendix.]

ADDRESS BY HON. JAMES P. POPE AT SANTIAGO, CHILE

[Mr. McKELLAR asked and obtained leave to have printed in the RECORD the address entitled "American Solidarity Through Resources Development," delivered by Hon. James P. Pope, Director, Tennessee Valley Authority, before the Second Inter-American Congress of Municipalities held at Santiago, Chile, September 15–21, 1941, which appears in the Appendix.]

ADDRESS BY ELROY NEWTON CLARK AT DEDICATION OF WATERMAN MEMORIAL BUILDING

[Mr. AUSTIN asked and obtained leave to have printed in the RECORD the address delivered by Elroy Newton Clark on the occasion of the dedication of the Charles Winfield Waterman and Anna Rankin Waterman Memorial Building on the campus of the University of Vermont at Burlington, Vt., on

October 4, 1941, which appears in the Appendix.]

ADDRESS BY WALTER P. ARMSTRONG, PRESIDENT, AMERICAN BAR ASSOCIATION

[Mr. NORRIS asked and obtained leave to have printed in the RECORD the address delivered by Walter P. Armstrong, incoming president of the American Bar Association, on October 3, 1941, which appears in the Appendix.]

STATEMENT BY SENATOR BONE AND REPRESENTATIVE MARTIN SMITH ON PACIFIC NORTHWEST POWER RESOURCES

[Mr. NORRIS asked and obtained leave to have printed in the RECORD a statement by Senator BONE and Representative MARTIN SMITH entitled "Pacific Northwest Power Resources Must Not Be Run by Political Bureau With Headquarters 3,000 Miles Away," which appears in the Appendix.]

ATTITUDE OF AMERICAN LEGION TOWARD SENATOR CLARK OF MISSOURI

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a letter from John J. Wicker, Jr., of Richmond, Va., correcting a statement as to the attitude of the American Legion convention in Milwaukee toward Senator CLARK of Missouri, which appears in the Appendix.]

ADDRESS ON GLIDERS BY MAJ. GEN. HENRY H. ARNOLD

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article on the subject of gliders by Maj. Gen. Henry H. Arnold, published in Soaring for July-August 1941, which appears in the Appendix.]

WINGS ABOVE THE WORLD—ARTICLE BY ARTHUR BARTLETT

[Mr. REYNOLDS asked and obtained leave to have printed in the RECORD an article by Arthur Bartlett, entitled "Wings Above the World," published in This Week of September 21, 1941, which appears in the Appendix.]

NATIONAL UNITY, NOW OR NEVER—ADDRESS BY FRED RIZK

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an address delivered by Mr. Fred Rizk, of Jacksonville, Fla., on the subject National Unity, Now or Never, which appears in the Appendix.]

THE ATTITUDE OF COLONEL LINDBERGH TOWARD HITLER—EDITORIAL FROM TAMPA (FLA.) SUNDAY TRIBUNE

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an editorial from the Tampa (Fla.) Sunday Tribune of September 7, 1941, entitled "Here's Lindbergh's Answer," which appears in the Appendix.]

THE GREAT SALMON MYSTERY—ARTICLE BY RICHARD L. NEUBERGER

[Mr. MCNARY asked and obtained leave to have printed in the Appendix an article by Richard L. Neuberger entitled "The Great Salmon Mystery," published in the September 13, 1941, issue of the Saturday Evening Post, which appears in the Appendix.]

THE NATIONAL-DEFENSE PROGRAM

[Mr. MEAD asked and obtained leave to have printed in the RECORD a radio program prepared for broadcast on September 18, 1941, on Station WINX, Washington, D. C., dealing with the national-defense program, which appears in the Appendix.]

THE POLES IN AMERICA—ARTICLE BY ROMAN DYBOSKI

[Mr. MEAD asked and obtained leave to have printed in the Appendix an article by Roman Dyboski, Ph. D., professor of the University of Cracow, entitled "The Poles in America," which appears in the Appendix.]

OIL MONOPOLY—EDITORIAL BY A. H. WHEELER

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an editorial written by A. H. Wheeler, editor of the Texas Citizen, Fort Worth, Tex., on the subject of oil monopoly, which appears in the Appendix.]

FREEDOM OF THE PRESS—EDITORIAL FROM PITTSBURGH PRESS

[Mr. DAVIS asked and obtained leave to have printed in the RECORD an editorial from the Pittsburgh Press of October 4, 1941, entitled "Newspapers and Freedom," which appears in the Appendix.]

EXTENSION OF SOCIAL SECURITY—EDITORIAL FROM PHILADELPHIA INQUIRER

[Mr. DAVIS asked and obtained leave to have printed in the RECORD an editorial from the Philadelphia Inquirer of October 3, 1941, entitled "For Social Benefits, Not Revenue," which appears in the Appendix.]

ARTICLE BY RAYMOND CLAPPER ON AID TO BRITAIN

[Mr. BYRD asked and obtained leave to have printed in the RECORD an article by Raymond Clapper regarding aid to Great Britain, which appears in the Appendix.]

ARTICLE BY JOHN T. WHITAKER ON ATTITUDE OF AXIS POWERS TOWARD UNITED STATES

[Mr. SMATHERS asked and obtained leave to have printed in the RECORD an article, under the heading "Cynical contempt shown by Axis toward United States," written by John T. Whitaker and published in the Philadelphia Evening Bulletin of September 18, 1941, which appears in the Appendix.]

POSITION OF SENATOR NYE ON FOREIGN POLICY—PERSONAL EXPLANATION

Mr. NYE. Mr. President, the weekly newspapers in my State are being flooded with paid advertisements announcing that "Berlin appreciates your work, Senator NYE," the advertisements questioning the sincerity of my Americanism, charging me with introducing racial bias into the debate on foreign policy.

Some free publicity appears in conjunction with some of the paid advertisements, representing keen local displeasure with my having recently addressed the Steuben Society of America at their annual dinner in New York City. The publicity further declares that "hundreds of citizens send telegrams to Washington denouncing NYE's position * * *."

This effort to break down the resolve of the people of my State to avoid involvement in the war now going on is not a surprise. It was to be expected. But these advertisements in the press of my State are deceptive, in that they represent the existence of an active local organization of people opposed to the nonintervention cause. The advertisements all carry the names of local people as sponsors. Because of this deception I am under compulsion to take a few minutes of the time of the Senate, only long enough to reveal the origin of these advertisements.

First, I deny that there has been anything resembling hundreds of telegrams or even letters from my home State protesting my position on foreign policy. If, as the publicity declares, there have been such protests, they have not come to my office or to my home. The paid advertisements appearing over the names of local people in the communities of the newspapers publishing the advertisements are ordered and paid for by Fight for Freedom, Inc., of 1270 Sixth Avenue, New York City. The newspaper receiving the advertisement ordered is under the requirement of holding the advertisement from publication until the names of 10 local sponsors are available.

How are these names secured? I have before me letters addressed to constituents by the director of organization for the Fight for Freedom Committee. One of those letters, which I am sure is like many others which have been mailed to persons in my State, is as follows:

FIGHT FOR FREEDOM, INC.,
New York, N. Y., September 20, 1941.

DEAR MEMBER: The enclosed advertisement is to appear in the following North Dakota papers:

Aneta Panorama, Beach News, Bismarck Capital, Dickinson Press, Fessenden Free Press, Harvey Herald, Minot (Ward County) Independent, Hunter Times, Leeds News, Selfridge Journal, Sheyenne Star, Wishek News, Grafton News and Times, Mott Pioneer Press, Napoleon Homestead, Park River Press, Hettinger Record, Valley City Peoples Opinion, and Williston Farmers Press.

It speaks for itself. You would be a great help to us in this crusade of which you are a part if you contact any of these papers which are near you, requesting that the editor put your name on it as a sponsor, thereby backing up the work of your national headquarters. Urge upon him also to insert the news release and to make editorial comment on the fight for freedom. I am enclosing a copy of the news release that is going to all of the newspapers along with the advertisement.

If possible, I wish that you would write a letter, backing up the stand of the editor and the sentiment as expressed in the advertisement as a "letter to the editor" of at least four or five of the newspapers which are nearest your community.

If you can induce upon your local newspaper editor, if he is not already on the list, to run this ad and give us this cooperation, kindly let us know immediately by telegraph and we will do our very best to see that this ad is run in your community.

This is a very definite job for you as a fighter for freedom to do at once. We feel sure that you will respond most heartily.

Sincerely yours,

A. LIDDON GRAHAM,
Director of Organization.

Mr. President, these letters, hundreds of which must have been sent out, are sent by air mail, special delivery. Across the face of one of the envelopes the constituent receiving it has written to me this:

Who furnishes all this trash? I am pestered with this trash every week. Never reply to any of it.

Mr. President, I have no fear whatsoever of the ultimate verdict of the people of my State respecting my position on foreign policy. The well-financed "fight for freedom" interventionist organization may spend its money as it wishes in North Dakota. I do not believe it can long fool any of the people of that State, however violent may be its bought-and-paid-for publicity.

STEUBEN SOCIETY SPEECH

In this connection I ask unanimous consent that the address to which this publicity has referred, my own remarks before the Steuben Society of America, on September 20, 1941, broadcast over the Columbia Broadcasting System, be printed at this point in my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

LOYALTY AND UNITY

A President, seeking reelection in 1936, praising our laws of neutrality which would prevent our easy involvement in another foreign war, predicted that if strife came abroad there would be selfish Americans who would want to evade the laws of neutrality in order that they might win the "fool's gold" to be had from other people's wars.

In fulfillment of that prophecy the same President, a few months later, asked Congress to repeal the arms-embargo chapter of the neutrality law. After final accomplishment of this repeal, as if to reassure the American people, the President said, "With the repeal of the embargo, this Government clearly and definitely will insist that American citizens and American ships keep away from the immediate perils of the actual zones of conflict."

What the President meant by "insist" was defined by the President in his fireside chat of a week ago. It was something quite different from what he caused the American people to believe he meant by "insist" at the time. One week ago the President ordered the Navy to shoot at and destroy the ships of one side engaged in the European war. He likewise ordered further activity by "American citizens and American ships in the immediate perils of the actual zones of conflict."

There are those, in the name of "unity" and "loyalty," who demand the resignation of every American to anything and everything that might be implied by anything and everything that the President of the United States may say or do. That demand would, though we are at peace with all the world, have us keep closed not only our mouths but our eyes and our minds to the faintest suggestion of criticism or fear of consequences.

I insist that the manner in which the President has brought our country to the peril of involvement in war is not a thing inviting of "unity," however great may be the desire to afford loyalty to one's government. There is a thing to which none can shut his eyes, namely, that so long as the present situation in the world remains only what it is today, never, never, never can there be unity in America on the issue of asking ourselves into these foreign wars.

The President's speech may to some minds have demonstrated that we have a right to shoot in order to defend our right to give our property away, but it definitely does not prove that we must have our sons killed in order to defend that right.

Let us not confuse the meaning of these words "unity" and "loyalty." There is here tonight, and all over this land, a unity of desire to provide our country with a defense so adequate as to be equal to any emergency that might grow out of these prevailing foreign wars. But there need not necessarily be "unity" on the thought that our defense is dependent upon giving that defense to other foreign powers that might one day use them, or surrender them, to those who, in turn, would use them, against us.

Unity can hardly be expected on the issue of aiding the thieves, human butchers, and murderers of religion in Russia in the name of defending democracy.

Men may cry that our defense is jeopardized by reason of a shortage of aluminum and win a united response in solution of that shortage, but that unity is sadly impaired when in the same hour we find our own naval establishments selling scrap aluminum to junk dealers and Great Britain advertising aluminum for sale.

There can and will be unity in meeting gasoline shortages, but that unity is bound to be interrupted when it is proven there is no shortage.

There is certain to be disunity when our Government borrows of the ways of dictators, disrupts millions of young American lives with peacetime conscription—and this while we are at peace with the world, in an hour when Canada at war indulges in wartime conscription, but provides compulsory training for only 4 months, while we at peace demand 30 months.

There can never be this thing called unity on the act of a President who dispossesses our Navy of 50 destroyers at the very time when our Navy is pleading the need for more ships in our own defense, and when such acts are undertaken in utter violation of law.

How could there be unity in support of a program like the lend-lease policy, which finds us giving, giving, giving to Great Britain before she has begun to utilize such resources as she has right here in America with which to buy her defense requirements.

No one has the right to expect unity on the part of all of our people in a program which finds us laying down $7,000,000,000 and then $6,000,000,000 more, for aid to a foreign cause, in an hour when we cannot begin to find those billions.

The most loyal kind of American can honestly withhold his contribution to the cause of unity when he finds his Government placing a construction upon the Monroe Doctrine which would seem to have us believe that that doctrine is that instrument which forbids non-Americans any interference on the American continent, but which at the same time permits America to interfere anywhere and everywhere in the world.

In light of experiences in the past, however much an American might wish to lend himself to the cause of unity, it is exceedingly difficult to contribute to that cause when it is proven that deception is resorted to in winning that unity. For example, we once heard it said by our leadership that "there might be Nazis in Greenland" when there were no Nazis in Greenland. Again, for months we have been told that the Nazis were infesting South America and especially Colombia; that they had secret air landing fields in Colombia. Recently a delegation of Congressmen visited Colombia and returned with the word that there wasn't even Nazi sympathy in Colombia; that there were no hidden airfields in Colombia.

In the 9 years since 1933 our Government has authorized for expending, very near to $75,000,000,000. How many Americans are aware of the fact that the cost of running our Government for the 152 years preceding 1933 totaled only $71,000,000,000? How can there be unity in this prevalent wish to instill thought that there is no depth to this well of monetary resources? How can there be unity in the thought that we can preserve our own American way, preserve our own American democracy, if we keep enlarging upon this terrific burden of debt which must one day be met by ourselves, our children, their children, and even their children?

Americans, when America is at stake, will give every ounce and every measure of unity that an intelligent people can and will afford. But that unity can be invited only by frankness, that unity can never be won on the issue of hunting for and building for a war for America.

Woodrow Wilson went to Versailles with 14 points which he prayerfully urged in the name of writing an enduring peace. Point No. 2 in his program was freedom of the seas. His effort in support of this point was hatcheted at every turn of the road, not by disciples of Kaiserism, or Hitlerism, but by the disciples of imperialism, representing Great Britain at the peace table at Versailles. David Lloyd George would not even reconsider his opposition to freedom of the seas when Colonel House, speaking for the President, threatened the possibility of a separate peace by the United States with Germany, unless this point were accepted by Britain. Winston Churchill sat and observed at the time of this denial to the accomplishment of freedom of the seas, and in later years wrote that David Lloyd George and his emissaries were wholly right when they declined to adopt freedom of the seas. What Britain wanted then, what Britain has had for centuries, what Britain wants now is not freedom of the seas but domination of the seas, sovereignty of the seas, by and for Great Britain.

Why deceive ourselves on this score in the light of past experience? Who has right, in light of these facts, to demand that we give united approval to Winston Churchill and our own President, when they take a boat-ride together and promise to a waiting world that when this war is done we shall have freedom of the seas? Instead of unity such barefaced representation invites the response: "Applesauce—the same kind of applesauce that was dished us once before by an Empire bent upon preserving itself at the expense of American dollars and American blood."

There is no denying the existence of an emergency. But there can be honest lack of unity in opinion as to the degree of that emergency. The conduct of our foreign policy in the last few years has been such as to challenge virtually every power upon this earth; that policy requires a greater defense than we have ever dreamed a necessity before. But it does not follow that we must go to other ends of the world with invitations for a chance to use that defense before any challenge involves our American welfare or future.

Why, if the danger to America is as great as some would have us believe, we ought not let loose of a single ounce of power, a shell, a ship, a gun, or a plane. When, if ever, war is declared by the Congress of the United States, whenever we are constitutionally involved in a war, not a war which is by Presidential proclamation or utterance, when that time comes America will stand again united in the conduct of that war. But until that time, I repeat, there cannot be, there must not be, unity in inviting involvement in war.

Today is still the day for Americans to courageously bespeak their honest thoughts respecting what is best for Americans. Experience has taught us that we gain nothing for ourselves or those whom we would help when we engage in other peoples' wars. Experience tells us that if we would do well by our country and its future, we will do everything possible to avoid involvements in other peoples' wars.

It may be hard for some to speak their convictions. Some, and they the finest kind of Americans, may find it embarrassing to speak in an hour like this. Here are you, who pay annual tribute to the memory of one who contributed so largely to the divorcement of America from the hates, the intrigues, the jealousies, the politics, and the wars of Europe. But you who continue year in and year out that tribute—you are under suspicion. Those who spring from a race that contributed General Von Steuben to the winning of independence for America, you are under suspicion.

Oh, what a sad day this is. A day when we are still at peace with all the world. Yet a day which finds fingers of suspicion pointed to this, that, and other races which are part of our American being as under question—doubtful supporters of this land they all love. Nothing is so destructive of the grandest ideals of Americanism as this will to instill racial strife, racial prejudice.

I was born of British ancestors. I speak lightly, of course, when I say that my ancestry

was so much more fortunate than the ancestry of you Americans of the Steuben Society of America. I can go to the theaters without seeing my race portrayed and paraded before my eyes as a murderous, inhuman, beastlike race of people. But it does not follow, as every sane mind knows, that I or others like me can be any more tenacious in love of America than you of another race.

I am delighted at this opportunity to join with you of the Steuben Society of America once again in this evening of tribute to General Von Steuben, whose service, in the most critical period of all American history, brought to George Washington a hand and an intelligence that contributed no end to America's winning of independence.

And while I pay this brief tribute to the memory of that man without whose service there might have been no United States of America, I want to pay tribute to you and to your splendid record of Americanism. With all my heart and soul I detest the planting of foreign "isms" in our land and among its people. I detest communism as the vilest ideology conceived; I detest fascism; I detest nazi-ism; and here and now I want to thank and praise your fine people, your fine society, for the way you rose up 2 years ago and struck boldly and forcefully at that thing called "bundism." Your record has been clearly made. Your record is one from which there need be no shrinking by those who love their America.

I know how your hearts must bleed as they see the awful consequences brought to dear ones back in the old country, consequences that will one day be much more unbearable even than they are today. They bleed just as bleed the hearts of those who have near ones and loved ones back in Britain, back in France, in Poland, in Norway, or anywhere else. But I also know that whatever human sympathies may rest in your hearts, there is a sympathy that all but drowns the others, a sympathy for your own country, for America, for the cause of preserving America and making a stronger America, to the end that one day we can lend that real and genuine helping hand that all the rest of the world is going to want and need if it is to be saved from that which is even worse than war. I know from my contacts through many years with many of you that should this thing called nazi-ism, or Hitlerism, ever indulge itself in an attack against the United States, or any portion of this hemisphere that might seem to threaten our future interests, I know that out front and leading the cause of destruction of Hitlerism or nazi-ism will be you and your sons and their sons, fighting with every ounce of energy you and they possess for preservation of the one land that wins your first and undying allegiance, your country—America. For in your hearts, however lacking they may be in unity on this business of getting into war, there is loyalty of the highest order to America, and loyalty to America alone, the America to whose birth the man your society honors contributed so greatly, the America freed of tyranny and oppression. May God bless you as He may choose to bless America.

TESTIMONY BEFORE SENATE COMMITTEE ON CAUSE FOR PROPAGANDA INVESTIGATION

Mr. NYE. Mr. President, reference also has been made in this publicity to my so-called racial prejudice. That places me under the necessity of asking unanimous consent to have printed in the RECORD the statement, in part, which I made before the subcommittee of the Senate Committee on Interstate Commerce investigating moving pictures and radio propaganda. I ask unanimous consent that my statement may appear in the RECORD at this point.

The VICE PRESIDENT. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

Senator NYE. At the outset, I should like to point out that no contention can validly be raised that any investigation of propaganda in the movies, amounts to censorship of freedom of speech or freedom of the press. The fact is, and the law is, that the movies are not part of the press of this country, and are not protected by the first amendment to our Constitution. This has been held by the Supreme Court of the United States. In 1915, the Court was faced with the problem whether a State law censoring movies amounted to a violation of freedom of speech or of the press. The State which enacted that law had a constitutional provision similar to the first amendment to the United States Constitution, so far as freedom of speech and of the press are concerned. The Supreme Court held flatly that movies were not part of our press, and stated—I quote from the opinion in *Mutual Film Corp.* v. *Ohio Industrial Commission* (236 U. S. 230):

"It cannot be put out of view that the exhibition of moving pictures is a business pure and simple, originated and conducted for profit, like other spectacles, not to be regarded, nor intended by the Ohio constitution, we think, as part of the press of the country or as organs of public opinion. They are mere representations of events, of ideas and sentiments published and known, vivid, useful, and entertaining, no doubt, but, as we have said, capable of evil, having power for it, the greater because of their attractiveness and manner of exhibition."

NO CHALLENGE TO FREEDOM

Laying aside this opinion and decision, let me say I am not asking for any governmental interference with the freedom of the movies. I entertain no desire for moving-picture censorship. That is quite as undesirable as is press censorship. I entertain no sympathy toward any idea which would have the Government take over the movies or have the Government dictate what should be run in the pictures.

I do hope, however, that the industry will more largely recognize the obligation it owes our country and its people, and that in times of peace for our country that the industry will entertain that American courage which will boldly resist any effort by administration agents of our Government to dictate what kind of picture it shall or shall not make. The American public can afford the degree of censorship necessary to keep any semi-public agency functioning properly.

WHO INJECTS ANTI-SEMITISM

Mr. Chairman, I am sure that you and members of your committee are quite aware of the determined effort that has been put forth to convey to the public that the investigation asked is the result of a desire to serve the un-American, narrow cause of anti-Semitism.

Speaking of what has been done to inject, in a deliberate way, misleading thoughts into the minds of the people at the present time, I would like to refer first to Dr. John H. Sherman, president of Webber College, a college in Florida, who was made responsible for a nasty colored news release dated August 9 and published in at least one interventionist newspaper, this release having to do with my address at St. Louis dealing with moving-picture propaganda. I am quoting now Dr. Sherman:

"Sixteen years ago Adolf Hitler wrote in Mein Kampf that the paralysis of America preliminary to conquest would easily be accomplished. He went on to outline the means and the method by which, through utilizing the prejudices and hatreds of antagonistic groups within our heterogeneous population, he would destroy unity and paralyze governmental action. He particularly mentioned the probable power of a propaganda campaign of race hatred among us.

"On Friday, August 1, 1941, the America First Committee threw off the last shred of disguise (except its misleading name) as it presented GERALD NYE to a howling mob in St. Louis. The crowd mob-howled at every slur upon American foreign policy, cheered reference to democratic nonsuccesses, and particularly shouted approval of NYE's principal effort of the evening.

"It would be wrong to use NYE's official title here because that principal effort was so low and un-American as to be a disgrace to the Senate of the United States, or to any Senator. His principal effort of the evening was a Hitleresque attack upon the American Jews. Deliberately, adroitly, with every trick of timing and inflection of voice, NYE accused the motion-picture industry of fostering pro-British sentiment, and then called a list of Jewish names associated with the motion-picture industry, drolly exaggerating their most Hebraic-sounding syllables, with pauses to encourage his inflamed hearers to shout and hiss."

I happened to be there, Mr. Chairman. I do not recall the slightest foundation for any such contention as this president of a college offers in this news story.

Continuing to quote him:

"He did not use a complete list, which would have included many honored gentiles. Nor did he mention the fact that some of our best and most convincing motion-picture appeals for peace have been produced by the men he named."

May I comment at this point to the extent of remarking that, had I continued with the names of those in the motion-picture industry, using those of lesser consequence in the industry, the proportion of Jewish names would, if anything, have increased.

I continue reading from Dr. Sherman's article:

"His attack thus was not truly an attack on the motion-picture industry as such, and not an attack on war advocates within the industry, but merely an attack upon Jews because they were Jews, in typical Nazi style.

"Any person who has doubted that the America First Committee has a definite place and part to play in the Hitler campaign to disrupt America must surely have found the full answer in the Nye speech. That un-American appeal to anti-Semitic prejudice was in the pattern of Goebbels and shrewdly calculated to do maximum damage to the internal peace of our American people.

"That is exactly what Hitler, 16 years ago, promised to accomplish among us."

Senator TOBEY. I am very much impressed with the statement you read, especially in view of the fact that you say the gentleman who made the statement was not present. So I say to you, Mr. Chairman, before this subcommittee concludes its deliberations, we should appeal to this gentleman to come before us in order that we may find out the source and the motivation of this comment of his.

Senator NYE. Might I suggest, in that connection, a thing I wish the subcommittee might do. It appears that a transcription of a part of that speech at St. Louis is available. I understand the moving-picture industry possesses such transcription, and that a portion of my address is transcribed, that portion that was on the air, and that they have played it again and again and again. And that from their testimony comes that information which is basic to a contention that mine was a pleading for this Jew baiting, if I may use the best-known expression. I myself

would like to hear that transcription. I only remember that as I proceeded that evening, while there was in the audience some wanting to interrupt, I fought against any demonstration that would indicate, certainly approval on my part, of any anti-Semitic demonstration, because I was not naming those names because they might seem to be Jewish names for the moment. I hope the subcommittee will avail itself of that transcription and know for itself better what was said and how it was said. Those who would have that impression hope, of course, that there will follow the next natural step of thought, namely, that we would serve the Hitler cause, which cause the sponsors of this resolution detest as thoroughly as we detest any other cause foreign to the concepts which gave America birth and nourishment through all these generations of freedom from association with purely foreign causes.

COVERING PROPAGANDA TRACKS

I bitterly resent, Mr. Chairman, this effort to misrepresent our purpose and to prejudice the public mind and your mind by dragging this racial issue to the front. I will not consent to its being used to cover the tracks of those who have been pushing our country on the way to war with their propaganda intended to inflame the American mind with hatred for one foreign cause and magnified respect and glorification for another foreign cause, until we shall come to feel that wars elsewhere in the world are, really after all, our wars.

Those primarily responsible for the propaganda pictures have a peculiar though natural interest prompting them in their work. They themselves may not be mindful of what they are doing, but this is not true of all of them.

Those primarily responsible for the propaganda pictures are born abroad. They came to our land and took citizenship here entertaining violent animosities toward certain causes abroad. Quite natural is their feeling and desire to aid those who are at war against the causes which so naturally antagonize them. If they lose sight of what some Americans might call the first interests of America in times like these, I can excuse them. But their prejudices by no means necessitate our closing our eyes to these interests and refraining from any undertaking to correct their error.

It was in this spirit that I acted on August 1 of this year when, after joining with Senator CLARK of Missouri in introducing the pending resolution, I spoke at St. Louis. It was this action which brought down upon me the condemnation of many Jewish and other writers who were, no doubt, getting their cue from the moving-picture heads against whom my effort was extended and whom I had named in that address.

There would have been no differing approach by me to the subject had those primarily responsible for propaganda in the movies been in the main Methodists, Episcopalians, Catholics, or Mohammedans. The fact is that of those I named, not all were Jews as has been so often insinuated. However, if I had it to do over and were I determined to name those primarily responsible for propaganda in the moving-picture field, I would, in light of what I have since learned, confine myself to four names, each that of one of the Jewish faith, each except only one foreign-born. But I would do that without any spirit of prejudice and without prompting by any cause as foreign to my thinking as is anti-Semitism.

Mr. Chairman, such Jewish constituency as I have in my State can best testify to my mental make-up on this issue of anti-Semitism. They could reveal how I have rallied to their aid in their many efforts to free and bring loved ones from the horrible results of rampant anti-Semitism abroad. They could best afford the information concerning my activities in opening and trying to open the doors of medical schools to their sons who found university and college doors closed to Jewish medical students. They could best reveal my unqualified opposition to those who would let political decision and choice rest upon whether a candidate were a Jew or a Gentile.

However much my patience may be tried by such of the faith as would invite an anti-Semitic mind, I remain, as yet at least, bitterly opposed to the injection of anti-Semitism as a cause or issue in our American thinking and acting. It should have no place in our way of life. Opportunity for all, irrespective of faith, has been one of the foundation stones which has made our country both strong and great.

WHO RAISES ISSUE?

If the anti-Semitic issue is now raised for the moment, it is raised by those of the Jewish faith and those who would prejudice the issues in these studies; not by me, not by this committee. I shall not disguise the fact that it angers me no end, and since it is raised, I feel it must be met head-on, answered, then thrown aside to the end that there may be proceeding here in keeping with the spirit entertained by the authors of the pending resolution and the spirit of your committee.

I am not unmindful of the fact that there are those who would cast the suspicion of anti-Semitism upon some members of this committee as well as upon its authors. If even mere suspicion endures then this investigation cannot have the favor of such beneficial results as I believe can flow from it if it can be known that there is only broad, clean, and American interest involved in the study. We must not permit selfish causes to confuse the facts by dragging any "red herring" into the scene.

There is justification for my anger toward those who would disguise and prejudice the real purpose of this investigation. My anger is mitigated somewhat, however, by knowledge of the tenseness with which some people feel the pain of brothers abroad. But not all those guilty of what has been and is being done to prejudice this study of propaganda are with that cause. With some the cause is pure desire to deliberately mislead the people and destroy one and all who would dare speak in criticism of hate propaganda.

It must of necessity be noted, considering Dr. Sherman's release, how quick is the want to make any criticism of our foreign policy, of desire to stay out of war, of criticism of propaganda to get us into war—how quick is the will to label it the work of Hitler, the evidence of love of the detestable Nazi cause, the obvious proof of an attack upon and hatred of the Jews. I wonder if this outburst of its president is a sample of the broadness and freedom dominating education at Webber College.

TRADE JOURNALS CHARGE "BOTTLENECK OF BLURRED JUDGMENT"

Moving picture trade papers have had their day of borrowing reasons to charge as the ones which were prompting this investigation. Mo Wax, its editor, signs a front-page featured editorial in Film Bulletin for August 23 under the headline "A patriotic industry is being smeared." Editor WAX goes on to say:

"A Senate committee packed with isolationists is going to put the film industry 'on trial' starting September 3. * * * Stand up to them, film men! Yours is the righteous cause this time. It's the cause of our elected Government. The cause of bishops and writers and philosophers and scientists and businessmen. It's the cause of the overwhelming majority of the American people."

Then here comes the publication Boxoffice with its subtitle "The pulse of the motion-picture industry," in an editorial signed by its editor-in-chief, Maurice Kann, talking about those who favor an investigation of motion-picture propaganda as appeasers and as approving the Nazi way. But what interests me most about the Kann editorial is the excuse borrowed for the propaganda which the movies have dispensed. He said that at the time when the President declared the unlimited national emergency he, Mr. Kann, sought to learn what this might mean to the film industry. Just who in Washington gave him the information is not clear, but his editorial quotes what Washington reported at the time, as follows:

"The country from now on will live under something approximating war conditions, but without the terrors of war. It will be called upon to make sacrifices of luxuries, to pay high taxes, to work diligently and long for preparedness, but it will not yet face the black-out and the bomb."

This Washington voice also advises Mr. Kann:

"The motion-picture industry will be called upon for service under the unlimited emergency. Its task will be to carry the messages of defense to the vast audience, to help cement the solidarity of the Nation, help suppress the 'fifth columnist,' saboteur, and appeaser. For the time at least, that appears to be the extent to which it will be affected by the President's proclamation."

And this Washington voice continues to advise the motion-picture spokesman:

"Washington interpreters attributed to the speech—"

Meaning the speech of the President—

"the definite purpose of bringing films into the family of defense industries, not in the form of an invitation because help had been offered voluntarily. Rather did they view it as official notification to the Nation that motion pictures have their own essential part to play in defense along with armament, oil, and others of the vital industries."

Obviously this publisher's Washington advisers had made the field of defense the broadest kind of thing, had told him that those who some might choose to call "appeasuers," just as other writers previously quoted have labeled some of us appeasers, must be made the target of the films. It would follow, of course, that the films must portray the agents of foreign causes as vile souls engaged in sabotage, but I wonder if the orders were accepted as meaning the agents of all foreign causes, excepting, perhaps, certain causes, of course.

In any event, Editor Kann, after quoting Washington, went on to warn that the film industry might overdo itself in its part of the defense program. He writes:

"If the natural flow of entertainment films dealing with defense and its sidearms stands in danger of becoming a flood—and there is such a danger—let this be attributed to a bottleneck of blurred judgment, not intent * * *."

Assuming that the sidearms of defense are pictures portraying hate and glorifying one side at war, perhaps we are to now understand that the 15 or 20 propaganda pictures which have been loosed on the American people who seek entertainment at the theater are only the result of a "bottleneck of blurred judgment."

But let me return to the subject of how publications have sought to smear the authors of this resolution and the purpose of your committee.

Senator CLARK of Idaho. I do not know much about the Hollywood Weekly, to which you refer, but certain clippings from that estimable publication have been sent to me, as I presume they have been sent to other members of this subcommittee, and very likely to yourself and to Senator CLARK of

Missouri, and I have been advised on authority I consider to be absolutely reliable that the Hollywood Weekly has sent to Washington and there are here now at least 10 agents of one kind and another. My information might be exaggerated, but I have every reason to believe it is correct. That, of course, is entirely within the province of the Hollywood Weekly or any other weekly or daily paper. However, I find that the Hollywood Weekly, which has been extremely vicious in its attacks upon not only the purpose but the motive of this subcommittee and on yourself, has a circulation of approximately 8,000. It has very little advertising. And it is going to be a matter for inquiry, I might say, later as to how such a weekly can undertake to send such an extensive staff to Washington. I do not know the publisher of the Hollywood Weekly, but I think he is a man named Wilkerson. In view of your statement and in view of matters which have been brought to the attention of the subcommittee, it is my present intention to request the presence—and if a request is refused, to subpena the presence—of Mr. Wilkerson to explain some of the things which have been undertaken by that magazine. Now, they may be perfectly proper. I withhold judgment for the present; in fact, I think if everybody interested in this inquiry had withheld judgment for a little while, a great deal more would have been accomplished by all.

Senator NYE. How true that is. I am delighted at this prospect, however, Mr. Chairman, of a study of what is behind some of this propaganda. I would caution the chairman of the subcommittee, however, to be a little careful, because, after all, there is the possibility that this paper, with a circulation of 8,000 subscribers, might simply be here to see what they can do to supervise this "bottleneck of blurred judgment" to which one of the papers has so eloquently referred.

TRADE PAPER CHARGES ANTI-SEMITIC PURPOSE

The Hollywood Reporter to which you just referred slurringly refers to "doors that inspired" this investigation, and goes on to insinuate rather broadly that our real purpose is that of "controlling all communications to the public," to "strangle the agencies of democratic expression." This paper also reports the contention that we serve the purpose of "building up a backlog of anti-Semitic, anti-American, and pro-Hitler feeling to the south of us," meaning Latin America. The Hollywood Reporter would convince its readers that this whole effort was nothing more than a "vicious," "scurrilous" attack upon the moving-picture industry with hidden, small, un-American motives behind it.

Only yesterday the press carried stories concerning the opening plans of the hearings, under headlines in some papers intended to convey the thought that this investigation was an anti-Roosevelt program. In this connection the press reported the Fight for Freedom news release charging this investigation as "the most barefaced attempt at censorship and racial persecution which has ever been tried in this country." Knowing the source of so large a part of the Fight for Freedom backing, I'm driven again to observe an intent to smear this study with the anti-Semitic rag. It is but doing what for weeks some have been trying to do to blind the public to the possibility of a finding that war propaganda is finding an outlet in both motion pictures and radio.

PERSECUTION COMPLEX

The Sentinel is a publication for the Jewish people published in Chicago. Only pages 9, 10, 15, and 16 of its August 14 issue have been available to my eyes but they are enough to reveal that the paper is quite devoted to reporting that which can be termed Jew-baiting. One article delights in quoting from Italian sources a matter that reflects upon Cardinal O'Connell, making the cardinal appear as the friend of "Jew-baiters," a term the publication uses in its own headlines. The paper feeds its readers this and more of articles which can only give the readers a greater persecution complex and plant deeper the hates toward causes foreign to the United States.

Milton Persitz in his column of the Sentinel entitled "Washington Letter," goes far out of his way to plant hate and distrust with his readers, refers to my charge against the motion-picture industry as being "in a strain reminiscent of the language of Nazi-ism." "Pity the 'Patriots,'" pleads Persitz in his misleading and wrongful article.

Then, in the same trouble-inviting issue of the Sentinel, at page 9, I find the column entitled "From the Watch Tower," by Dr. G. George Fox, and under that head I read about as vicious a review of the purpose allegedly mine in this propaganda study as I can imagine possible.

Dr. Fox of necessity had to want to believe that my purposes were anti-Semitic before he undertook the writing of this particular article, though he says in one moment that "We cannot believe that NYE, WHEELER, and even REYNOLDS are anti-Semitic," his article is a demonstration of conviction that we, and particularly myself, are just that.

Dr. Fox feeds his readers this:

"Senator NYE deliberately descends to the tactics of the demagogue—and the German demagog at that. * * * We resent the use of Nazi and Fascist methods by the opposition when they make the Jews the scapegoats. And that is what NYE did. * * * Unjust, demagogic, Goebbel-like. * * * We believe that Senator NYE deliberately named the Jews. * * * They (meaning WHEELER, REYNOLDS, and NYE) have said things which every respectable bundist and Nazi accepts as being anti-Jewish * * * We have never heard a denial from NYE as to his anti-Semitism."

Dr. Fox hides away in his column this line:

"We shall be glad to hear from Senator NYE."

Perhaps Dr. Fox and his Sentinel staff will hear what I say here today, but I should never honor with a direct response to the Sentinel or Dr. Fox, so deliberate, so wanton, so brazen, so unfair an effort as they extend to establish me as an anti-Semitic, a Goebbels, a Nazi, a Fascist, a German demogogue. If ever there was need for outstanding proof of how a persecution complex seems uneasy in its search for more persecution upon which to sharpen its complex, I should refer to this August 14 issue of the Sentinel from which I have quoted.

FORMER BRITISH SUBJECT KINGDON JOINS CHORUS

A few evenings ago Dr. Frank Kingdon in a radio program rallied to the defense of those who seem charged with responsibility for taking this country more largely to the aid of Great Britain, even to the extent of war. Of my speech charging propaganda in the movies, Mr. Kingdon said:

"There ought to be some basis on which there can be decent control of freedom of speech. A United States Senator stood up in a certain place the other evening and made a speech in which he accused the moving pictures of being in the propaganda business, and then said: 'Who are the owners of these moving pictures?' and then read a list of names which was deliberately aimed at creating anti-Semitism. Any United States Senator who does that is unfit for office in the United States Senate, as a man who is developing that kind of antagonism. Now, isn't there some way in which a presumably responsible person can be controlled in that kind of an utterance, or isn't there some response to that which the community can make with is adequate? When Senator NYE says that, Senator NYE says it, and it is front-page news."

Another on the radio program, Roger W. Straus, thereupon remarked:

"I think that will be answered by his constituents. It usually is in the United States." I don't know just what this means. If it is a threat, well and good. But another on this radio panel asked Dr. Kingdon if he was "going to muzzle a Senator of the United States," to which Dr. Kingdon replied: "I'd like to." Mr. Dewey, also on the program, casually remarked, incidentally: "That has been tried by experts, Dr. Kingdon."

Dr. Kingdon very directly charges that mine was a performance deliberately aimed at creating anti-Semitism. He reaches out to help blind people to the existence of propaganda in the movies by resort to the anti-Semitism herring. Perhaps I should not be too concerned about Dr. Kingdon, since he is so recent an American after birth and citizenship in England. There are many like him parading our land these days, so sure of their theory of what is best for America in this hour.

FEEDING A COMPLEX

I can bear these attacks myself, Mr. Chairman. However disconcerting it is to have truth so twisted as it has been by these prejudicial minds I have quoted, I shall expect that truth will rise again minus the twists some day. But what does give me most genuine concern is not at all personal. My concern is with the fact that the would-be victims of anti-Semitism would feed the minds of their own people with such folderol as can only breed new distrusts in minds that ought, instead, be purged of some of the persecution complex that so oppresses.

I most emphatically deny, though this committee will not need this denial to know the truth, that there is any anti-Semitic cause served in the request which Senator CLARK and I make for this investigation of propaganda.

I have splendid Jewish friends in and out of the moving-picture business. I dare to hope that I shall keep them as friends.

But let me say in conclusion of this question of anti-Semitism, while apologizing to the committee for taking so much of its time upon this score, let us not disguise the facts or fool ourselves about the sericusness of this general anti-Semitic nightmare. Everyone of us is hearing more and more every day of the growth of anti-Semitism here in our own country. We all encounter evidence of it from time to time in our own States and elsewhere.

Much of this growing spirit, I believe, traces to the quite natural Jewish sympathy for and support of such foreign-policy conduct as appears to be unfriendly to such forces abroad as are oppressing and persecuting the people of their faith. Jewish radio commentators, columnists, and publications have afforded in so many instances a consistent opposition to those who have fought what they believe were steps of intervention, steps to involvement in war, that many people seem to assume that our Jewish citizenry would willingly have our country and its sons taken into this foreign war.

It is quite true, and the fact ought to be driven home again and again, that these few spokesmen do not speak for all those who entertain the same religious faith. Indeed, it is quite true that there are people of the Jewish faith as ardent in support of the non-intervention cause as I count myself to be. But the fact nevertheless remains that the voices of those who occupy places of leadership are accepted as the voice of all their people, that they entertain solicitation about causes abroad that blind them to American causes and that bring burdens of terrible weight upon all Americans.

Shall we not speak of it at all? Isn't it better that we bring these whisperings out into the open and give ourselves, where we can, a perspective that will let us more adequately prepare for the future? In that

spirit I venture to say that, whether we get in or stay out of war, when the full burden of these very costly months come to rest upon the people of our country, it is but natural to expect that a perplexed, angry, burdened, unemployed people will be ready to respond to the agitators who will want to help them find the scapegoat responsible for it all, someone upon whom to place the blame for every misery that grows out of this present world madness. Organized forces and their leaders will find a goat. Who that goat will most likely be we have good reason to recognize from what we are hearing and seeing every day.

DETEST RACE PREJUDICE

I have been speaking of this hour that is in prospect. I dread it. I detest that hour bringing this race prejudice into our politics and into our thinking. I wish those who would be its victims would sense the possibilities and afford a conduct that would not lend itself to fanning later on. But when that hour comes, and if it comes, I shall be found in the very front lines of those who give battle to race prejudice, to anti-Semitism, to those who would bring into our house the woe and the horror that racial prejudice has brought to other lands. I know that every member of this committee entertains an equally stern determination against anti-Semitism. My hope is that our Jewish people will so conduct themselves as to invite more of such spirit as is ours. Unfortunately, certain of them are not doing that.

Now, having met this anti-Semitic talk, I believe, head-on, I hope that as a consideration in this investigation it can be tossed into the ashcan and that we can proceed unmolested by such "red herring" in an honest search for the facts concerning propaganda in the movies and in the radio world.

REAPPORTIONMENT OF REPRESENTATIVES IN CONGRESS

Mr. VANDENBERG. Mr. President, if I may address an inquiry to the able Senator from Kentucky [Mr. BARKLEY], the majority leader, I should like to ask whether there is a new plan in mind respecting the handling of the unfinished business.

Mr. BARKLEY. Categorically, there is no new plan.

Mr. VANDENBERG. Is any new date being considered in respect to its consideration?

Mr. BARKLEY. No. I have conferred with the senior Senator from Arkansas [Mrs. CARAWAY] about the matter, and it is our understanding that the apportionment measure will be taken up some time immediately preceding or immediately following the consideration of the lend-lease bill, when most Senators will be present. Just when that will be, I do not know; but in all likelihood it will not be before week after next.

Mr. VANDENBERG. At any rate, we may assume that it is agreed that there will be nothing done in respect to the unfinished business prior to a week from today?

Mr. BARKLEY. That is correct.

AUTHORIZATION FOR REPORTING OF CERTAIN BILLS

Mr. NORRIS. Mr. President, I notice that the Senator from South Carolina [Mr. SMITH] is not present. He is chairman of the Senate Committee on Agriculture and Forestry. On Saturday the committee held a meeting at which two bills were unanimously ordered to be favorably reported. The chairman of the committee was directed to report the bills today. I do not know whether he has been called out of the city.

Mr. President, I ask unanimous consent that at any time during the day the chairman of the committee, or any other Senator whom he may designate, may report those bills to the Senate, so they can be placed on the calendar.

Mr. BARKLEY. Mr. President, I suggest that the Senator from Nebraska make his request cover more than today, because in all likelihood the Senate will adjourn today until Thursday. If the Senator from Nebraska will make such a request, and it is granted, the chairman of the committee may report the bills at any time during the adjournment of the Senate, so that the bills will then go on the calendar.

Mr. NORRIS. Mr. President, as a matter of fact, when the bills were acted on the chairman of the committee asked me to report them, but as I felt at the moment that I was not able to do so, and also because I had not followed the bills very closely, I asked the chairman to report them, and he said he would. It may be that the chairman of the committee has been called out of the city since Saturday. Does the Senator from Kentucky know anything about that?

Mr. BARKLEY. I do not know about that. I made the suggestion which I did to the Senator from Nebraska because, if for any reason the bills should not be reported today, then, under the Senator's original request, the bills could not be reported tomorrow or Wednesday before the Senate meets again on Thursday.

Mr. NORRIS. Mr. President, I will modify my request. I ask unanimous consent that the bills in question may be reported any time today, tomorrow, or Wednesday.

The VICE PRESIDENT. Without objection, it is so ordered.

Morning business is closed.

SUPPRESSION OF FREEDOM OF RELIGION IN GERMANY

Mr. MEAD. Mr. President, today I wish to present to the United States Senate—and to the people of the United States—concrete, documentary evidence that Hitler and the Nazi secret police are plundering and destroying the Catholic Church in Germany.

From time to time there has seeped through the Nazi's iron dikes of censorship some faint hints of systematic, pagan destruction of religious institutions in Hitler's Europe. These whispers have been like flashes of light in a dark and fearful room.

Last week I heard on the radio, and read in the newspapers, that the Bishop of Münster, in Westphalia, Germany, has been placed under what the Gestapo politely calls house arrest.

The 63-year-old Bishop of Münster, before he was ordained, was Count Clemens August Von Galen, a member of a famous family of German nobility. Consecrated Bishop of Münster in 1933, he stoutly defended the church against the earliest attacks of Hitlerism, and is now regarded as perhaps the most active defender of Catholicism in the Third Reich.

Battling the pagan philosophy of Arthur Rosenberg, he fought for the retention of the crucifix in the schools, and was denounced by Hitler's newspaper as well as by the Nazi-controlled church minister of the Reich.

Once a great crowd of the citizens of Münster gathered together to do him honor, and he told them he was prepared to go to prison rather than disobey his conscience.

Last week it was reported on the radio that the Bishop of Münster had been arrested. Subsequently, a story in the Washington Evening Star revealed that on July 13 the bishop had called to account in a sermon all members of the Nazi high council, including Hitler, for the continued suppression of the church in Germany. Later he delivered two other sermons in which he denounced Himmler and the Gestapo by name. In one of these, according to the Evening Star, he assailed one of the most barbaric practices of the unchristian Nazi rulers. He charged that the cold-blooded killing of the demented, the ill, and the very old by order of Hitler's superstate was on the increase. He said that this slaughter of the innocents—this compulsory euthanasia—was being used to put to death those who were neither ill nor old.

Can you imagine, Mr. President, what such a practice means? It means, under that pagan rule, that Himmler's Gestapo can point to any man whom they do not happen to like and say, "He doesn't look very well. Put him in a gas chamber."

This news naturally interested me. It is so seldom that the truth escapes Germany that each nugget of real news should be traced to the mother lode. This I attempted to do, and I was successful.

The full story—the documents attesting which I will read to the Senate in a moment—reveals that the Bishop of Münster was seized because he dared protest against the systematic despoiling and looting of the Catholic Church by the Nazi secret police. The section of Himmler's Gestapo which was kept at home did not want to be deprived of their share of the loot. Unable to plunder the inhabitants of the occupied nations, they plundered the Catholic Church, and their own people at home. When one brave old bishop dared to protest they arrested him.

Because it would endanger the lives of other brave men, one cannot give the source of these documents. But I assure Senators on my responsibility as a United States Senator, that these documents are genuine.

On July 14, after declaring himself before his own people in a sermon, the Bishop sent a telegram to Dr. Hans Heinrich Lammers, head of the Reich Chancelry.

He informed Hitler's minister that 2 days previously Himmler's secret police had begun to "confiscate the monasteries and houses of religious orders in the city and to take possession of them, with furnishings, for the benefit of the government of the district."

The Bishop of Münster told Lammers that blameless men and women were being robbed of their homes and property and thrown into the street.

The Bishop of Münster sent similar telegrams to Hermann Goering, and to the Reichminister of the Church and the

Reichminister of Justice. From them he received no reply. He did receive a reply from Dr. Lammers. Dr. Lammers told the bishop that he had turned the telegram over to Himmler.

So the Bishop of Münster, knowing that his judgment would be in the hands of Himmler, the chief of the plunderbund, nevertheless sat down and wrote a letter to Lammers—a letter which, he must have known would be his last will and testament.

This German bishop said that German men and women, solely because they belonged to the Catholic Church, were being robbed of their modest possessions by the secret state police, without investigation or court decision.

He denounced Himmler's "rule of terror, which bears upon all fellow countrymen as a frightful burden." He denounced the Gestapo for "shattering the home front of the German people."

What this brave German citizen had to say has been suppressed, of course, in Germany, but his message, his revelation, is as clear to the Senate and the people of the United States as it would be to Germany if the Germans were allowed to hear it.

His message is that Hitler intends to wipe out all religion; that he has set himself up as the murderous Baal of a new paganism which he would inflict upon all the world.

I feel that the documents, which I now read, will prove that no man who believes in God will be safe until Hitlerism and its anti-God crusade are destroyed.

I read first a telegram addressed to Dr. Lammers:

JULY 14, 1941.

DR. LAMMERS,
Minister of the Reich,
Reich Chancelry, Berlin:

Because the enemy has been attempting to destroy the city of Münster since July 6 by frightful night attacks—

I presume he is referring to the British air raids—

the secret state police began on July 12 to confiscate the monasteries and houses of (religious) orders in the city and environs and to take possession of them, with furnishings, for the benefit of the government of the district (Gauleitung). The inmates, blameless German men and women, honorable members of German families, some of whose relatives are fighting for Germany as soldiers, are being robbed of their homes and their property, thrown into the street, and banished from their home province. I beg the Führer and Chancelor of the Reich, for the sake of justice and the solidarity of the home front, for protection of the freedom and the property of Germans from the arbitrary action of the secret state police and from robbery for the benefit of the district government.

COUNT GALEN,
Bishop of Münster.

The second document is the reply of Dr. Lammers to that telegram:

Berlin, Temporary Headquarers of the Führer, July 17, 1941.

THE MINISTER OF THE REICH AND CHIEF OF THE REICH CHANCELRY, COUNT GALEN,
Bishop of Münster, Münster, Westfalen.

Re Seizure of Monasteries.

I have turned over your telegram of July 14 of this year to the commander of the S. S. in the Reich and the chief of the German police in the Reich Ministry of the Interior for further action.

DR. LAMMERS.

He turned the telegram over to those who were molesting and destroying the German people and their property.

On July 22, 1941, the Bishop of Münster dispatched the following letter to the Minister of the Reich:

THE BISHOP OF MÜNSTER,
Münster, Westfalen, July 22, 1941.

HIGHLY HONORED MR. MINISTER OF THE REICH:

I express the most humble thanks for the reply (Rk 10451 B) made on July 17, 1941, to my telegram of July 14, 1941. I had also informed Reich Marshal Hermann Goering, Reich Governor of Prussia, and also the Reich Minister of the Church, and the Reich Minister of Justice in the same way of the unjustified acts of violence of the secret state police and had asked for legal protection of the freedom and property of innocent German people and chivalrous protection for defenseless German women. So far I have not received from any of them even an acknowledgment of receipt.

In the meantime the secret state police has continued to rob of their modest possessions blameless and highly regarded German men and women, members of the best German families, without investigation and court decision, solely because they belong to Catholic orders, and to drive them away from home within a few hours, without means, and to expel them from their home province and also from the Rhine Province. I will refrain from submitting to you details which would cast more light on the roughness and peremptoriness of this procedure. But I can assure you, our Westfalian people would have been untrue to themselves and would not have been worthy of their noble ancestors if they had not been gripped by the greatest indignation and the deepest bitterness against the enforcing officials and those who gave them the orders, and also against those who benefited by these acts of violence. As far as I can judge, the consciousness of the "national community of interest" with those circles has been destroyed for most of us beyond restoration and this has become impossible for any upright person.

When I say, "as far as I can judge," I venture at the same time to remind you that I am not only a son of this state, German to the core, and of a family that has lived here for centuries, but also, as pastor and bishop, very closely conversant with the mentality of the local population. As head of a diocese and bishopric containing almost two million German Catholics, I believe that I have a right to speak in their name and to petition the highest officials and be heard by them.

Therefore, I am taking the liberty of stating to you, honored Mr. Minister of the Reich, with manly frankness, that the content of the reply of July 17, 1941, not only has gravely disappointed me, but has filled me with the greatest anxiety over our people and fatherland.

In my telegram of July 14, 1941, I asked the Führer and Chancelor of the Reich, through you, for protection of the liberty and property of German fellow-countrymen against the arbitrary action of the secret state police and against robbery for the benefit of the district government, referring to very definite acts of the secret state police and to the weakening of the home front produced thereby.

I must assume that my telegram was "turned over to the Commander of the SS in the Reich and the Chief of the German Police for further action" by direction of the Führer.

It was just this secret state police under the leadership of Mr. Himmler against which I had asked for protection for the freedom and property of innocent German fellow countrymen. Now if the same Mr. Himmler is to pass on the fate of the complaint made to the fuhrer and Chancelor of the Reich against the action of the secret state police, it is certain, to start with, that my interposition for liberty and justice, my efforts for maintenance of the home front, will remain without any result. For in that case the person who gave the orders to the secret state police—that is, the one who is chiefly responsible for their acts, is made judge in his own case. In that case, then the rule of terror of the secret state police will also continue to bear upon all fellow countrymen as a frightful burden. In that case it will also in future arbitrarily dispose of the freedom and property, as well as the physical safety or even the life of German fellow countrymen; in that case it will not be prevented in future either from taking the property of honorable German men and women whom it dislikes and who perhaps have been calumniated by some cowardly informer, from banishing them from home, keeping them prisoner in its cellars and concentration camps, or even killing them, for "reasons of state policy," which are never explained more in detail. In that case that will also remain unfulfilled in future, which Dr. Frank, Minister of the Reich, declared to be the indispensable requirement for every national socialist defender of the law: "The law must afford to the individual the legal possibility for defense, for clearing up the facts, and hence for protection against despotism and wrong. * * * It is impossible to combine the legal structure with condemnation entirely without defense," etc.

Highly honored Mr. Minister of the Reich, it must be clear to every intelligent person that the fuhrer, Chancellor of the Reich and commander in chief of the armed forces, is so engaged with matters of foreign policy and war that he is not in a position to act on and settle himself all petitions and pleas that are addressed to him. On this assumption I was not able to decide in the past to give my vote at the election held for the purpose for the two offices of President of the Reich and Chancelor of the Reich. I knew that Adolf Hitler is not a divine being who, exalted above any carnal limitations, would be capable of keeping everything in mind at once and directing everything. To the duties assumed by him at that time there was later added the post of commander in chief of the armed forces, which alone would today fully engage and keep busy beyond measure the most talented general. But when, in consequence of this heaping up of work for the responsible fuhrer matters go so far that the secret state police without hindrance shatters the home front of the German people now, in the midst of the war, by the secret state police winning danger-free victories in the German fatherland over unarmed German men and unprotected German women, while our soldiers are fighting for Germany, and by the district government enriching itself with the easily acquired property of German fellow countrymen; when in this way, without interference from the officials obligated to protect the legal order, safety under the law is destroyed, consciousness of right is buried, and confidence in the national government is destroyed, then I feel myself called and in duty bound as a German man, as a chosen representative and defender of German law and German freedom, as the responsible bishop over almost 2,000,000 German Catholics, to raise my voice aloud, regardless of the consequences that may ensue for me personally, complaining against the domestic enemies who are ruining people and fatherland, giving warning in order to recall the people and its Government from a course which, according to the experience of history and its necessary consequences, will lead to "our German people and fatherland being ruined by inner rottenness and decay, despite the heroism of our soldiers and their glorious victories."

I take the liberty, highly honored Mr. Minister of the Reich, of enclosing herewith carbon copies of the two sermons which I, impelled by the need of our people and the sense of responsibility of my conscience, delivered the past two Sundays here in the city of Münster, most of which has been destroyed by enemy air attacks, with a most humble request for attention and consideration.

With the expression of distinguished consideration,

Most faithfully,

CLEMENS AUGUST,
Count of Galen.

Dr. LAMMERS,
Chief of the Reich Chancelry,
Minister of the Reich, Berlin.

Mr. President, I ask to have made a part of my statement an article taken from the Evening Star bearing directly upon the same subject.

The PRESIDING OFFICER (Mr. BUNKER in the chair). Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington Evening Star]

FIGHT ON GESTAPO LAUNCHED BY CATHOLIC BISHOP IN GERMANY—PROTEST ON PERSECUTIONS SENT TO NAZI LEADERS, INCLUDING HITLER

SOMEWHERE IN EUROPE, September 29.—The Roman Catholic Church once again has collided head-on with the S. S. (Hitler elite guard) and the Gestapo in the conflict which may develop into a showdown in the Reich.

It must immediately be emphasized that the dispute involves no church pronouncement on Nazi foreign policy or the war with Russia and England, but is confined exclusively to internal affairs. It has the most far-reaching implications, however.

Continued persecutions of chuch institutions form the background. Convents, monasteries, and schools have been closed and their membership scattered, and restrictions have been placed on religious festivals. The church, for a long time relatively silent, is now striking back.

The leader is Count von Galen, Bishop of Münster and representative of an old, aristocratic Westfalian family. Whether the movement stems from a joint decision of German church leaders or the individual determination of the bishop to accept martyrdom is unknown. It is believed hardly possible that he is acting without the sanction of his superiors.

BOMBING SEEN AS PUNISHMENT

An historical accident contributed to make Muenster the center of the outbreak. During the Thirty Years' War the city was threatened with destruction by fire, but saved by a fortuitous wind. The anniversary, celebrated annually with solemn religious festival, was banned this year. That night British bombers again fired the city. The devout saw this as divine punishment for failure to observe the rites.

Bishop Galen subsequently preached three powerful sermons and addressed personal protests to ranking members of the Nazi regime, including Hitler. Only Dr. Hans Heinrich Lammers, head of the Reich Chancelry, replied, saying merely that the protest had been referred to the "competent official"—Gestapo Chief Heinrich Himmler. The bishop returned to Dr. Lammers a full report on Gestapo and S. S. activities, insisting that they be called to account.

His first sermon on July 13 likewise dealt with Gestapo persecutions and mentioned the dread secret police by name. Its directness astounded listeners. The bishop noted the large part the church had played in the historical development of Germany and accused Himmler's organizations of disrupting the national community (the volksgemeinschaft).

CHURCH EXISTENCE CALLED ISSUE

Bishop Galen drew heavily from the so-called fuldaer, or pastoral letter, dated 1 week earlier, in which the German bishops, without specific reference to the Nazis, had said that forces in the Reich were again attacking the church. They had hoped, said the letter, that the crusade against Russia would mean a respite for German churches, but "with great sorrow" they found this to be untrue. The issues involved, said the letter, included the very existence of the church.

"Recently," the letter continued, "a book has been prepared in hundreds of thousands of copies which expresses the opinion that we Germans today must elect between Christ and the German volk. With flaming indignation, we German Catholics deny that any such choice is necessary. We love our German people and serve them, if necessary, to death. But at the same time we live and die for Christ and will remain bound to Him now and for all eternity."

Bishop Galen's second sermon, July 27, is reported to have been a beautifully worded, powerful elaboration on a similar theme, again mentioning names which few clergymen previously had dared.

"We Christians," said Bishop Galen, "are the anvil, the others are the hammer, and the anvil never yet gave out first."

KILLING OF INSANE ASSAILED

His third sermon, on August 3, opened one of the sorest spots in internal German affairs, the killing of the insane, hopelessly ill, and crippled. This practice, which first became known in the Reich years ago, apparently has no legal foundation beyond the theories of the most extreme party elements, and has at least the tacit approval of Hitler.

Bishop Galen cited the law against murder and the statute making guilty any person knowing in advance of a crime and failing to report to the authorities. Reciting the number of persons taken away "the day before yesterday" in Westphalia, the bishop said, in effect:

"I am now reporting to the competent authorities that these people have been taken away with intent to dispose of them. I am jointly guilty if I fail in this duty."

Bishop Galen said the victims were determined by irresponsible groups, a practice which might lead to untold excesses. He argued that the German people would soon distrust their own doctors, a weapon which might be used to wipe out whole elements of the population. Most of the victims, he said, had relatives on the Russian front, fighting to preserve the nation.

"Where," he asked, "is our national community?"

SERMONS MIMEOGRAPHED

These sermons were mimeographed in thousands and circulated throughout the entire Reich, according to reports. Many have been sent in the Army post to soldiers at the front, where they have been widely read. They have created a sensation unlike any similar occurrence within the Reich in years.

The bishop's stand was supported by a second pastoral letter which, in more moderate and general language, without names or references to the Nazis or Germany, condemned unauthorized killings of invalids and the insane.

The church so far appears to hold the temporary advantage.

Persecutions of church institutions are reported to have been halted early in August. Bishop Galen was at first officially urged to travel "for his health," preferably outside the Reich. He replied that his health was good and that he required no vacation. He is now said to be under house arrest though otherwise unharmed to the amazement of parishioners in the rest of Germany.

This coincides with the new report that Dr. Martin Niemoeller is no longer in solitary confinement at Sachsenhausen but has been transferred to Dachau, where he shares three cells with two Catholic priests, giving him the opportunity for the first time in 4 years to speak to others except during the rare visits of his wife.

Münster, an ancient Hanseatic city, has long been the scene of religious turmoil. Bishop Galen's forebears played an active role. Bishop Benhard von Galen seized the city forcibly in 1661.

Mr. MEAD. Mr. President, I shall not take up the time of the Senate with further details, but I should like to make a few additional observations about the hypocrisy of Hitler in this particular. If one were to attempt to cover the field of this egomaniac's hypocrisies, double-dealings, and evil intentions, one could fill a considerable volume without scratching the surface of the truth. So much is patently true that we need not resort to rumor and hearsay in indicting this germ carrier of human misery.

I have just made reference to one phase of Adolf Hitler's scandalous, contemptible, and indefensible assault on the sanctity of religious liberty.

As I make these comments, I ask Senators to consider the hypocrisy of this abnormal creature who wants us to believe that his attack on Russia is a crusade for Christianity.

Catholics, Protestants, and Jews have all suffered alike from the pogroms of Hitler. The broom of religious intolerance has swept clean in all the domain dominated by this perverted leader. He has sought to displace established orders of religion with the fanaticism of the Nazi creed. He yields to none, not even to God, in his demand for supreme power. That men subscribe to his temporal leadership is no longer sufficient. He must be the complete master of their destinies and captain of their souls. To worship a higher being is treason to the Nazi code. Hitler's ambition is to snuff out the freedom of man's conscience; to enslave not only the body but the soul of his subject people.

These are strong accusations, but they will stand up in the light of truth. There is adequate proof to substantiate them. They cannot be dismissed as fragments of wishful thinking or as shreds of misleading propaganda.

Most of the world has shuddered at the persecution of the Jews under Hitler. It is one of the bloodiest and saddest chapters in modern history. It is cruelty, sadism, and bigotry at its worst.

The treatment of Protestants has been hardly less refined. The incarceration of the Reverend Niemoeller, leader of the Lutheran Church in Germany, comes immediately to mind. Clergymen of all churches and all denominations have been subjected to unspeakable indignities, to imprisonment, and frequently—and perhaps most mercifully—to death.

This antireligious tyrant has vented his spleen on all groups and all classes who have insisted on their right to worship their God as they see fit. It is barely possible that we, as Americans, accus-

tomed to the violence of European politics, might somehow, under certain conditions, come to tolerate or become resigned to the military conquests of this ridiculous monster who climbs to victory over the mutilated bodies of his weaker neighbors. I personally doubt that we ever could go that far. But this I know: That Americans, to whom personal liberty and freedom of conscience are prized above all else, will never condone the barbaric cruelty of this man who would make a commodity of souls for his own diabolical purpose.

Mr. SCHWARTZ. Before the Senator from New York resumes his seat, will he yield for an observation?

Mr. MEAD. I am glad to yield.

Mr. SCHWARTZ. Mr. President, I am very much impressed by the eloquent speech of the Senator from New York and the factual matter presented by him. I think the American people should not forget the letter of Pope Pius, in 1937, to the people of Germany wherein he stated that religious freedom in that unhappy country was beset on all sides, and "intrigues had been laid bare which aim at nothing less than a war of extermination."

On Christmas Eve of 1937 Pope Pius declared:

> We will call things by their real names. In Germany there is a real religious persecution, a persecution so terrible and so grave as has rarely been seen before, a persecution in which we are lacking neither brutality nor violence nor the snares of falsehood and lies.

I thank the Senator from New York for yielding to me.

Mr. MEAD. I thank the Senator for his contribution.

CIVILIAN MORALE AND OPPORTUNITIES FOR SMALL BUSINESS

Mr. SCHWARTZ. Mr. President, I wish to make a few remarks this morning on the question of civilian morale. I shall be brief.

Civilian morale is as important to us as Army morale. Civilian prosperity, Nation-wide, is equally important if we expect our taxes to meet a necessary part of the cost of national defense. I realize the absolute necessity for speed and more speed if Hitler is to be crushed in Europe, and destroyed in America if he should ever be foolish enough to come here in the event he should defeat the British. It is, of course, necessary that our great industrial plants be given every encouragement in mass production of tanks, guns, aircraft, and certain other essentials in our defense program. In such mass production of original units many of our small business houses, machine shops, iron works, woolen and cotton mills, food canneries, miners, and other manufacturers are not equipped to compete. I lay emphasis on complete original units.

But there is a place where these small businessmen can aid in our national defense in scope as wide as the Nation itself, and at the same time give us more speed in our defense program. To each of these different units now being turned out for the Navy, the Army, and their Air Corps, and for every other branch of the Regular Establishment, it is necessary to manufacture and accumulate stores of new parts, and reserves for repairs, and for future needs. The small businessmen can manufacture such parts and reserve supplies with precision accuracy, using the identical steel, iron, or other material used by those who make the original unit. They can supply foods in required quality, in bulk or in containers where specified and produce and deliver critical minerals. Many small plants now manufacture such parts and other material, but only under subcontracts or lettings from original or the larger subcontractors. These small plants must now get orders under competitive bidding. The result is that the business of supplying parts is largely confined to small plants located nearest the great industrial centers. Freight differentials preclude small businessmen located farther away from participating in this business. Let me say again that these widely distributed businessmen and their communities are eager to aid in our national defense; and I repeat that their prosperity is of first importance for many reasons.

Through a Government corporation a solution may be found. To create such a corporation requires no additional legislation. Such a corporation could readily receive from Navy, Army, Air Corps, and other defense units information and specifications of needed parts, minerals, fabrics, and foods necessary to build up our reserve supplies. The Government and these units know quite well what are, and from time to time what will be, fair prices for all this reserve supply material. Reserve-supply depots already exist in different sections of the United States. Somewhat conforming to our Army Corps areas and to these supply bases and others to be established, the country can be divided into suitable districts wherein small businessmen can contribute to our defense program. The flat prices to be paid everywhere in one district may differ from those of another area when factors make such differences advisable. But in a single district the price should be the same, and businessmen in a particular district should have preference in filling orders for delivery in such district, except where lack of facilities or necessary speed in deliveries warrants the Government in placing orders elsewhere. The fair flat price should be paid the manufacturer or producers at the point where transportation from plant to destination begins. There are two reasons for this: The flat price will avoid the evils of competition in present bidding. The f. o. b. uniform price at the point where transportation begins will do away with prohibitive freight differentials which now centralize business in favored limited areas.

All this would be neither socialism nor subsidy. It would measurably meet a serious emergency in our present out-of-balance economy due to the defense program. It would, of course, skim off some excessive-profit cream being gathered by those who realize that they are not now confronted with real competition. There is no real economy in enriching some sections of the United States while impoverishing or ruining business in other sections. Competition is the basis of normal capitalism, and I am not quarreling with that fact; I approve of it. But times are not normal.

Some may fear or assert that the adoption of my propositions would result in added expense to the Government. It is the considered judgment of qualified persons that the increased cost, if any, would be small, even from a dollar-and-cents standpoint. The proposals, if adopted, would also result in keeping alive many small business concerns necessary to supply the civilian needs of their surrounding territories. Especially would that be true if the Government should adopt a more liberal policy toward civil needs in its priorities between civil and defense raw-product supplies. Even small increased allotments to civilian uses would greatly encourage the civilian population now suffering from shortages. There is, for one thing, an acute need for supplies to keep in repair farm machinery and existing household equipment.

No one wants to delay or cripple our defense program. But some plan can surely be devised which will relieve some unnecessary burdens now suffered by the great mass of our people not now able to participate in defense production and defense prosperity. If some plan better than the one suggested by me exists, let it be presented quickly and be put into operation promptly. In normal times we can return to normal practices. Many of our businessmen and towns and cities still hope to be able to participate in normal business pursuits when normal times return.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. BUNKER in the chair) laid before the Senate a message from the President of the United States submitting sundry nominations in the Marine Corps, which was referred to the Committee on Naval Affairs.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. GEORGE, from the Committee on Finance:

Sundry surgeons, assistant surgeons, passed assistant surgeons, and dental surgeons for promotion in the Public Health Service.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

THE NAVY

Mr. WALSH. From the Committee on Naval Affairs I submit two reports recommending the confirmation of various promotions in the Navy. The promotions are routine, and the highest rank is that of captain. To save the space of publishing in the RECORD the reports and the confirmations, I ask unanimous consent that the reports be received and

that the nominations as recommended by the committee be confirmed.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

If there be no further reports of committees, the clerk will state the nominations on the Executive Calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTIFICATION TO THE PRESIDENT

Mr. BARKLEY. I ask that all nominations confirmed today, or that have heretofore been confirmed, be immediately transmitted to the President.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. BARKLEY. I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

DEATH OF ASSOCIATE JUSTICE LOUIS D. BRANDEIS

Mr. WALSH. Mr. President, I rise to announce to the Senate the death last evening of a great American, a citizen of Massachusetts and a former Justice of the United States Supreme Court, Louis D. Brandeis. His passing removes from life a much esteemed and greatly respected statesman. Through his long and honorable years of service in the Supreme Court from 1916 to 1939—retiring at the age of 82, he stood for social and economic ideals that won for him a position and distinction in the public life of America that time cannot obliterate. On all sides, he was recognized as an able, conscientious, and humane judge. He was a crusader during all his long years against selfishness, corruption, and class distinction. His judicial aim was to establish a larger measure of fairness, honesty, and social justice within the provisions of the American Constitution. His scholarly career as a justice can be briefly summed up in the headlines used in one of the metropolitan newspapers announcing his death: "Great liberal—defended men against money."

Justice Brandeis was an outstanding public-spirited citizen and spoke for the inarticulate millions even before he became a member of the Supreme Court. He was for years recognized as the people's lawyer in Massachusetts where he practiced law after graduating from Harvard Law School. Through all of his years at the bar, he was a crusader without compensation for the rights of the majority against the powerful and noisy minorities that too often control the course of government. Again and again before the Massachusetts Legislature he opposed monopolies and the concentration of political and economic power. He was a liberal in the best sense of that word because he was a protector and defender of life's human values.

I remember distinctly when I was entering public life in Massachusetts, before he was nominated by President Wilson, his effective and powerful opposition to special interests. He had no political affiliations, he stood and fought for great principles regardless of party.

One of his greatest achievements while a private citizen was his successful efforts to establish the Massachusetts savings bank life-insurance plan. He accomplished this by advocating legislation to extend the functions of the savings banks to the provisions of life insurance, so that the people could buy policies and deposit their premiums at the teller's window just as they did their savings. The banks that adopted his plan became competitors of the insurance companies which were forced to reduce their rates to the poor because of the greatly reduced rates established under this plan. All during his life, he kept his interest in this praiseworthy and outstanding social reform and on many occasions, not only when I was Governor of Massachusetts, but since then, he conferred and cooperated with me and others in Massachusetts for the strengthening and enlargement of this form of insurance.

He fought, without compensation, the gas companies and the railroads in their efforts to obtain complete control of the transportation system of New England. He rendered able and brilliant service to the public in his desire to protect the public against exploitation and to preserve equal opportunity for all. His voice and talent never failed to respond to the support of great humane causes. Massachusetts was proud to give to the Nation such an able jurist and outstanding public servant. Incidentally, Massachusetts rejoiced in the fact that at the same time that Mr. Justice Brandeis served so ably as a member of the Supreme Court, another son of Massachusetts, Justice Oliver Wendell Holmes, was an outstanding member of the Supreme Court, and together they became the two great liberal judges of our generation.

Mr. President, the Members of the Senate join with Americans of every shade of political thought in extending sympathy to the family and in paying tribute to a distinguished American whose death has brought national sorrow to the Nation.

Mr. BARKLEY. Mr. President, I deeply appreciate the remarks made by the Senator from Massachusetts [Mr. WALSH] concerning the late Justice Brandeis.

Mr. Brandeis was born in the State which I in part represent. He was born in the city of Louisville, where his family was then prominent, and where other members of his family attained prominence in later years, after he had left the city and had gone to New England.

My first personal contact with Justice Brandeis was in the House of Representatives. In my early days in that body I was made chairman of a subcommittee of the Interstate and Foreign Commerce Committee appointed to hold investigations with regard to certain legislation then pending and which had long been pending in both Houses of Congress.

Mr. Brandeis, then a practicing attorney in Boston, as I recall, appeared before the subcommittee in advocacy of the proposal then being considered. I did not agree with the position he took in that controversial matter, but I was impressed with the sincerity, with the ability, and with the clarity of statement of Mr. Brandeis as an attorney at that time, as he spoke before the subcommittee of which I happened to be chairman.

Aside from his ability as a lawyer, he was a great humanitarian. He performed vastly more service for no compensation whatever than he ever performed for compensation. He became a sort of people's lawyer, and represented great causes, not only for the masses of the people but no man was so humble or insignificant that he would be turned aside by Mr. Brandeis, as a lawyer, if he had a just cause.

When he was appointed to the Supreme Court by President Wilson, his appointment aroused a great controversy in the Senate, and a considerable number of votes was cast against the confirmation of his nomination, which, as I recall, was held up for some time. The same statement applies to the nomination of Chief Justice Hughes. Both these men lived to confound their opponents in this body, as many others have done who have served on the Supreme Court and in other capacities in public life.

I join the Senator from Massachusetts in paying tribute, in my feeble way, to this great American. I think he has been a sort of gulf stream in the judicial history of this country, pursuing his course through controversial waters always with the goal before him of serving the social, economic, and political freedom and liberty of the American people.

Justice Brandeis combined fitness of mind and body and spirit. He looked like the old judges of another period of our history and of the world's history. One could not gaze upon his classic face without being profoundly impressed that, somehow or other, God had chiseled out of human marble, as it were, a face and head worthy of any great master of the art of sculpture. It will be a long time before a greater man is appointed to the Supreme Court of the United States, and I join in the expressions of sympathy to his family, who have been my warm personal friends ever since Justice Brandeis was appointed. It has been my privilege to visit him, and to be entertained in the quiet and unobtrusive way in which he received his friends. I express my sympathy, and I am glad to pay this tribute to a native Kentuckian, who found his great field of activity and of achievement in other parts of the United States, but whose life was devoted to all America, and to all the things for which America stands.

Mr. NORRIS. Mr. President, I wish I had the ability to express the feeling in my heart in regard to the passing of Justice Brandeis. As he passes from earth into eternal life we lose one of the greatest philosophers of all the ages, one

of the greatest lawgivers, one of the greatest lovers of humanity, a Christian gentleman in the highest sense of the term, one of the ablest lawyers who ever sat on the Bench of the Supreme Court of the United States.

Justice Brandeis was indeed the people's lawyer. He represented all that was noble and good in humanity. He did not strive for preference or for money. It satisfied him to do his duty from day to day, as questions arose and were presented to him, and he always added luster and glory to any cause which he undertook to serve.

Mr. President, I was in the Senate when Justice Brandeis was nominated to a place on the Supreme Court, and there followed one of the bitterest contests I ever saw waged in the Senate. In those days the proceedings with reference to nominations were secret, and there was no exception, but I recall that some of the greatest men in the country lined up together in an attempt to defeat his confirmation. I know I was fearful that they might succeed. I speak only from memory, but if the roll call on the nomination were available it would be found that when the vote was taken there were absent a large number of Senators who, for one reason or another, did not desire to be recorded. While a majority of those present—and it was a liberal majority—were in favor of confirmation, I sometimes tremble when I think of what might have been the result if all Senators had been present.

Among the Senators who were here at that time was Senator Kenyon, of Iowa, now deceased, who was my personal friend. I loved him as a brother. We usually found ourselves working together shoulder to shoulder, whether right or wrong, in the performance of our duty in the Senate. A short time before Senator Kenyon, then a judge, passed away, I had a visit with him, and on that occasion he told me that the incident in his public life which he regretted more than any other was that he had been carried away by the bitter, relentless fight that was made on Brandeis, and that he had voted against his confirmation.

Justice Brandeis went on to the Court almost under a cloud. Yet I believed then, and I believe now, and I think the whole country believes now, that the opposition was the result of manufactured propaganda, and was unjustified, and that the effort to defeat the confirmation was an attempt to injure one who possessed a mind and heart devoted to the service of his fellowmen.

On the Supreme Court he was a shining light. His dissenting opinions have become in most cases the law of the land. His idea of justice and of jurisprudence prevails now over the entire country.

What was said during the bitter, relentless attack made upon him at the time he was appointed, an attack founded upon injustice, misrepresentation, and somewhat on falsehood, is now believed by no one who has any knowledge of the history of those days.

Mr. President, in the passing of Justice Brandeis all liberty-loving people the world over have lost one of their best friends, one of their best advocates, one of the most logical of lawyers, one who always met the difficulties of his situation with an idea of doing justice, of construing a statute or the Constitution in the light of present-day existing circumstances rather than in the light of entirely different circumstances existing in the dim past.

Mr. President, in the passing of Mr. Justice Brandeis I think we have lost one of the greatest, one of the best, one of the most lovable characters that ever lived under the American flag.

Mr. PEPPER. Mr. President, I join most heartily in what has been said in recognition of a great and good American, the late Mr. Justice Brandeis, and in paying my tribute to his memory.

Of no man could it be more justly said that he deserved the rare tribute which once I heard Dean Roscoe Pound, who labored in the same field, the law, which Justice Brandeis adorned, pay to another:

He left a stone in the edifice of the law bearing his own craftsman's mark.

Mr. CHANDLER. Mr. President, I should like to add a few words to those of my colleague [Mr. BARKLEY] and the Senator from Nebraska [Mr. NORRIS] on the occasion of the passing of my fellow Kentuckian, Mr. Justice Brandeis. The eloquent tributes which have been paid to him were very richly deserved. I am very glad that during the last 2 years I had an opportunity to see him occasionally, and that I told him face to face of the great value I thought his services had been to all the people of the country.

His benefactions to his people are too numerous to mention. His especial interest in the University of Louisville, the oldest municipal university in the State, is well known by all our people.

No word of praise I could say would add anything to the luster of his great career, and no word of criticism that could be spoken by his critics could take anything away from him.

The country as a whole is much poorer because of the loss of this great and good man. Up until the time of his death he had an active mind and a keen interest in the welfare of the people of his country.

I shall say a prayer, as I hope all of us will, that his soul may rest in peace, and that perpetual life in God's sunshine shall be his forever.

Mr. CONNALLY. Mr. President, it had not been my purpose to make any remarks on this occasion, more than to say that I am personally very greatly grieved at the passing of Mr. Justice Brandeis. As a member of the committee appointed by the Senate to establish a memorial to Mr. Justice Oliver Wendell Holmes, I came into quite intimate personal contact with Mr. Justice Brandeis. That personal acquaintance confirmed the high esteem in which I held his official and judicial services. He was a great judge.

I remember on one occasion in the old courtroom here I heard him deliver—not extemporaneously, because no doubt he had prepared his opinion, though he did not read from the manuscript—one of the most splendid expositions of the right of trial by jury it has ever been my good fortune to hear or to read. The case before the Court was one in which an alien, I think a Chinese, was under deportation proceedings. I probably cannot quote all the details accurately. The alien's counsel had asked for a jury trial. The opponents had resisted the alien's right to a trial by jury. Mr. Justice Brandeis in upholding the alien's right to have the issue of facts involved submitted to a jury delivered one of the most clear and illuminating discussions of the fundamental principles of the right of trial by jury that has ever come to my notice. I simply cite that as an incident and as an evidence of his fundamental concept of our constitutional guaranties, and the clarity and convincing manner in which he gave his exposition of those guaranties.

Mr. Justice Brandeis was a very great citizen, a very great judge, and the country will be the poorer for his passing.

Mr. LODGE. Mr. President, like the distinguished Senator from Texas [Mr. CONNALLY] I had the pleasure of seeing Mr. Justice Brandeis in the last few years, and I came to have the greatest admiration for the keenness and clarity of his mind. He was a man who fought fiercely and passionately for the rights of the individual, average citizen. He was endowed as few men are with the power of expressing emotion and with greatness of intellect, and it was a rare combination which he placed at the disposal of his country.

Mr. Justice Brandeis has certainly left his mark upon the life of his time. No man can ask for more than that. I sincerely mourn his passing.

Mr. HILL. Mr. President, I am sure that the eloquent and just tributes which have been paid the late Mr. Justice Brandeis have struck a responsive chord in the hearts of all of us. Whatever may have been the disagreements of the past, I think every American realizes today that in the death of Mr. Justice Brandeis our country has lost a great and noble liberal, a great and noble citizen of our country, and a great and noble citizen of the world.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives by Mr. Swanson, one of its clerks, announced that the Speaker had affixed his signature to the enrolled bill (H. R. 5682) to amend an act to provide for a union railroad station in the District of Columbia, and for other purposes, and it was signed by the Vice President.

TRIBUTE TO SENATOR GREEN

Mr. HILL. Mr. President, as we pay tribute to Mr. Justice Brandeis I am reminded that on last Thursday evening tribute was paid to another great liberal of these United States, a colleague of ours in the Senate, the Senator from Rhode Island [Mr. GREEN].

Last Thursday was the seventy-fourth anniversary of the birth of the Senator from Rhode Island, and on that evening the citizens of the State of Rhode Island attended a banquet, nonpartisan in character, as a testimonial to him. I have before me an editorial from the Rhode

Island Free Press referring to that testimonial and paying what I believe to be a beautiful and much deserved tribute to this fighting liberal from New England, Senator GREEN. I ask unanimous consent that the editorial may be printed in the RECORD as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Rhode Island Free Press of October 3, 1941]

SENATOR GREEN AT 74

The testimonial given Senator THEODORE FRANCIS GREEN on his seventy-fourth birthday being nonpartisan in character, was proof of the position in statesmanship he has attained in public affairs, first during his 4 years as Governor of Rhode Island and succeeding that period as a Member of the Congress.

A proper appraisal of the value of Senator GREEN's contributions cannot be limited to his service in these two positions, the highest within the gift of the voters of Rhode Island. For three generations he has stood as the symbol of a New England liberalism, which remained in the minority until he himself was elected to the governorship in 1932.

Persistence has been the principal strength of Senator GREEN in writing indelibly into the history of Rhode Island his own views on social justice. Equipped with a culture and tradition and a family background without a peer in Rhode Island, Senator GREEN by that persistence, has put into practice the views he expressed three generations ago—that capitalism, to survive under a democratic form of government, must bend to the will of the majority and be so tempered with social justice that it will be accepted in modified form by the masses.

Like President Roosevelt, Senator GREEN, because of his standing and wealth, long ago was looked upon as a traitor by that class of people who believe that property rights should supersede human rights. At the risk of ostracism, Senator GREEN led a bold and daring fight for the liberation of the masses from a peculiar type of un-American domination which had denied them until his ascendency to the governorship a deserved measure in the fruits and blessings of democracy.

At 74 Senator GREEN remains young in vision and vitality, still persisting in behalf of the principles of government which cannot be preserved without a continuous fight in their defense. The Rhode Island Free Press joins in wishing him well as he enters his seventy-fifth year.

ADJOURNMENT TO THURSDAY

Mr. BARKLEY. I move that the Senate adjourn until Thursday next.

The motion was agreed to; and (at 1 o'clock and 41 minutes p. m.) the Senate adjourned until Thursday, October 9, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate October 6, 1941:

APPOINTMENTS AND PROMOTIONS IN THE NAVY

MARINE CORPS

Brig. Gen. Holland M. Smith to be a major general in the Marine Corps from the 1st day of October 1941.

Col. Roy S. Geiger to be a brigadier general in the Marine Corps from the 1st day of October 1941.

Lt. Col. Louis E. Woods to be a colonel in the Marine Corps from the 1st day of October 1941.

Maj. Gordon Hall to be a lieutenant colonel in the Marine Corps from the 1st day of October 1941.

Capt. Roger T. Carleson to be a major in the Marine Corps from the 1st day of October 1941.

The following-named first lieutenants to be captains in the Marine Corps from the 8th day of July 1940:

Frederick P. Henderson	Robert D. Moser
Gordon A. Bell	Joseph N. Renner
James M. Clark	William R. Collins
Peter J. Speckman	Norman Van Dam
Roy L. Kline	John C. Miller, Jr.
Louis C. Reinberg	Dwight M. Guillotte
John W. Easley	Loren S. Fraser
	Harry O. Smith, Jr.

The following-named first lieutenants to be captains in the Marine Corps from the 1st day of March 1941:

Wendell H. Duplantis	Robert C. McGlashan
Joseph R. Little, Jr.	Harold J. Mitchener
Paul R. Tyler	Joseph P. Sayers
Jean W. Moreau	Zane Thompson, Jr.
Andrew B. Galatian, Jr.	Daniel J. Hennessy
Richard W. Wallace	John L. Smith
Wilfrid H. Stiles	James S. Blais
William K. Davenport, Jr.	Henry H. Crockett
	David W. Stonecliff
Donald C. Merker	Gene S. Neely
Harrison Brent, Jr.	Stuart M. Charlesworth
James W. Ferguson	Robert F. Scott
William F. Kramer	Thomas C. Moore, Jr.
Louis B. Robertshaw	Paul J. Fontana
Ralph Haas	George S. Bowman, Jr.
Ben F. Prewitt	James G. Bishop, Jr.
Maynard M. Nohrden	Thornton M. Hinkle
Richard Rothwell	Ronald K. Miller
DeWolf Schatzel	Edward W. Johnston
John H. Earle, Jr.	Louis A. Ennis
William T. Wingo, Jr.	Charles L. Banks
Edwin L. Hamilton	James L. Neefus
Noah J. Rodeheffer	

First Lt. James C. Murray, Jr., to be a captain in the Marine Corps from the 1st day of May 1941.

The following-named first lieutenants to be captains in the Marine Corps from the 1st day of July 1941:

Wade H. Britt, Jr.	Noah P. Wood, Jr.
Tom C. Loomis	Jean H. Buckner
George F. Britt	Frederic H. Lemmer
Otis B. Brown	George T. Skinner
August F. Penzold, Jr.	

First Lt. Oscar K. LaRoque, Jr., to be a captain in the Marine Corps from the 1st day of October 1941.

Andrew I. Lyman, a citizen of California, to be a second lieutenant in the Marine Corps from the 28th day of May 1941.

Arthur C. Lowell, a citizen of California, to be a second lieutenant in the Marine Corps from the 29th day of May 1941.

John D. Jones, a citizen of Oregon, to be a second lieutenant in the Marine Corps from the 1st day of September 1941.

CONFIRMATIONS

Executive nominations confirmed by the Senate, October 6, 1941:

POSTMASTERS

ILLINOIS

Henry J. Cheze, Schiller Park.

KENTUCKY

Simon B. Smith, Owensboro.

MONTANA

Amy P. Bartley, Fort Benton.

NEVADA

Mildred Robison, Overton.

NEW JERSEY

Harold B. Hofford, Hohokus.

PROMOTIONS IN THE NAVY

The nominations of John M. Creighton et al., which appear in the CONGRESSIONAL RECORD for September 15, 1941, under the caption "Nominations," beginning on page 7410; and the nominations of William G. B. Hatch et al., which appear in the CONGRESSIONAL RECORD for October 2, 1941, under the caption "Nominations," beginning on page 7598.

HOUSE OF REPRESENTATIVES

MONDAY, OCTOBER 6, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou who art all in all more than heart can dream or tongue can tell, consider and hear us. We would not pray for deliverance from toil nor for material gifts but for that unbroken fellowship with our Heavenly Father in which our Master lived. We beseech Thee that we may turn away from the easy paths of the lowlands and take the difficult and at times the forbidding way which leads to the heights above the storm clouds, nearer the stars of light and promise. There, blessed Lord, give us the vision of a life fraught with mighty meaning, caught from the mountain peaks of rapture and consecration, clothing us with the power of an all-conquering faith. May we be possessed and dominated by the spirit that seeks deliverance from terror to loveliness and from tragedy to peace. O God, as the world is bending with shame at night, grant that the voices of truth may be like the sounds of the seas with the ministering spirit of God. O Thou to whom ascends the feebliest prayer of dawning faith and the mighty appeal of the hero's heart, guide us through the hours of this day, and Thine shall be the praise forever. Through Christ, our Saviour. Amen.

The Journal of the proceedings of Thursday, October 2, 1941, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 5682. An act to amend an act to provide for a Union Railroad Station in the District of Columbia, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H. J. Res. 235. Joint resolution to amend section 124 of the Internal Revenue Code by extending the time for applications, and changing the procedure, for certification of national-defense facilities and contracts for amortization purposes.

THE LATE JUSTICE LOUIS D. BRANDEIS

The SPEAKER. The Chair recognizes the gentleman from Massachusetts [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, the death of the late Justice Louis D. Brandeis is a great shock to his many admirers and a great loss to our country. I know I speak the sentiments of my colleagues of the House in expressing to the members of his family our deep sympathy in their bereavement.

During his entire life he devoted his great talents to the best interests of our country and in the cause of constructive progress and of liberalism, always fighting the battle of the weak and the suffering. A man of tolerance, a man of vision, he devoted his brilliant talents to the confirmation of our way of life and of life's human values. The New York Times well stated in its editorial of today:

He had faith in little men because he had seen little men grow, and in countless instances had helped them grow. Democracy as he saw it was not a sullen, leveled-down man; it was a multitude of separate persons working, hoping, striving, willingly cooperating.

The late Justice Louis D. Brandeis will occupy a place in our history as one of the greatest Americans of all time.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COCHRAN. Mr. Speaker, little can be added to what the gentleman from Massachusetts has just said concerning Justice Louis D. Brandeis. While Massachusetts undoubtedly claimed Justice Brandeis as its leading citizen, my city, St. Louis, was his home part of his lifetime. His passing brings to an end the career of a truly great man whose name will be inscribed at the top of the honor roll of the greatest of all tribunals along with Chief Justice Marshall and Justice Holmes.

The late Justice Brandeis was the most outstanding liberal who ever sat in the United States Supreme Court.

It so happens I was here when President Wilson nominated him to be a member of the United States Supreme Court. There immediately went up the cry from members of the bar and others, urging his rejection because they felt he did not possess the judicial temperament necessary for one to have in occupying such a high position. For 6 long months the Senate investigated and debated his fitness but on the final roll call, at which time 27 Senators were absent, his nomination was confirmed by a vote of 47 to 22.

We all know it was not the so-called judicial temperament that was responsible for the movement to defeat Justice Brandeis' nomination, but it was the fact that he was classified as the workingman's friend, and above all, those opposed felt he possessed views entirely too liberal for a Justice in the highest tribunal of our country. Time vindicated the wisdom of naming Mr. Brandeis to the Court and he lived to see the day that his views were not only approved by the great majority of the people of the country, but by the Congress of the United States enacting them into law for the benefit of mankind.

In St. Louis there is a plaque on the site where Louis D. Brandeis, as a young man, practiced law.

The country at large, or I might say the whole world, has suffered a great loss in the passing of Justice Brandeis but the progressive ideas he has left us will live forever as a tribute to his wisdom and greatness.

THE LATE HONORABLE E. W. MARLAND

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CARTWRIGHT. Mr. Speaker, it is with sorrow that I rise to announce the passing of a former colleague, ex-Gov. E. W. Marland, of Oklahoma.

Governor Marland came to the new State of Oklahoma from Pennsylvania in 1912, with a dinner bucket in his hand and an ambition in his heart. He entered the oil business and gradually rose to prominence and leadership in that field. He controlled holdings in several nations valued at $85,000,000. His personal fortune reached $30,000,000.

He introduced geology to the oil industry as a regular method of determining the location of oil fields. He introduced core drilling and did many things to improve the business.

Many thousand employees bespeak their high esteem and personal regard for him, as evidenced by their activity when he later entered politics. He was always solicitous of the comforts and general welfare of his employees.

He established an estate of over $5,000,000 on which he erected The Pioneer Woman, at a cost of $100,000, which he dedicated to the pioneer mothers of America. This is a well-known statue and is often seen in pictures. The late Will Rogers delivered the dedication speech.

Later he lost his huge fortune and turned to politics. He was elected to Congress from the normally Republican Eighth District of Oklahoma. In Congress he took much interest in legislation regulating the oil industry. Then, running on a New Deal Democratic platform, he was elected Governor. When his term expired in 1938, he retired to private life at Ponca City, Okla. Here his colorful career was closed last Friday, October 3.

He leaves a widow to mourn, and our hearts go out in sympathy and sorrow to her. He was a lovable, kindly, delightful man.

May the breezes of summer blow softly where the remains of my friend lie buried; may the snows of winter be light on his grave; and over his last resting place may the birds sing their sweetest songs.

While his body is gone from us, yet he will remain—

A memory, a goal, a high example,
A thought of honor in some noble heart,
Part of his country's treasure and renown,
Oft giving courage unto souls that strive.

Mr. RANKIN of Mississippi. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. RANKIN of Mississippi. Mr. Speaker, on behalf of the Mississippi delegation I want to join the distinguished gentleman from Oklahoma in mourning the passing of E. W. Marland. He at one time had considerable holdings in one of the counties I have the honor to represent. I served with him here back about the time this administration came into power. He joined those of us who were struggling for a readjustment of our monetary system, which, if it had been carried out, in my opinion, would have saved much of the troubles through which we have passed and would have avoided the piling up of the vast debt the American people now have to bear.

A more conscientious, a more worthy citizen, a more worthy representative, a man more sincerely devoted to the cause of his country never served in this House.

EXTENSION OF REMARKS

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD in two places and include in each one certain newspaper articles.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address of Senator E. E. Patton, of Knoxville, Tenn., on the celebration of the one hundred and fiftieth anniversary of the founding of the city of Knoxville.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a quotation and also an editorial from the Saturday Evening Post.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a pamphlet published by the National Farm and Home Association.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address on national defense delivered by Miss Stella Akin, assistant to the Attorney General of the United States.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee [Mr. PRIEST]?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a resolution.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. WICKERSHAM]?

There was no objection.

THE LATE E. W. MARLAND

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. WICKERSHAM]?

There was no objection.

Mr. WICKERSHAM. Mr. Speaker, I regret to announce the death of the Honorable E. W. Marland, who ably served the State of Oklahoma, both as a Congressman and as a Governor.

I extend my sympathy to his good widow and his friends.

Governor Marland had his ups and downs but he had the determination to come back. Sometimes he was down but never out.

The State of Oklahoma owes much of its wealth to E. W. Marland, who pioneered the oil industry, in fact much of the oil development in the United States has been done as a result of E. W. Marland's foresight.

Governor Marland was an honest man, a friend to the laborer, a pal to the ex-service men, a father to thousands of homeless and crippled children, as well as an adviser to the geologist.

The monument The Pioneer Woman was erected by Governor Marland near his estate at Ponca City, stands not only as a memorial to those who pioneered Oklahoma, but to the memory of E. W. Marland who developed Oklahoma.

EXTENSION OF REMARKS

Mr. TARVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD by printing a short editorial from the Rome (Ga.) News Tribune relative to the discovery of the anesthetic power of sulfuric ether.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. TARVER]?

There was no objection.

Mr. JARRETT. Mr. Speaker, I ask unanimous consent to insert in the RECORD an editorial in the News-Herald of Franklin, Pa., on Let's Have Some Economy.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. JARRETT]?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article on the Topeka State Capitol.

The SPEAKER. Is there objection to the request of the gentleman from Kansas [Mr. REES]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my own remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. JONKMAN]?

There was no objection.

[Mr. JONKMAN addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article from the Washington Post and also to extend my remarks and to include some resolutions.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. MICHENER]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent that after the business of today is concluded and following any special orders heretofore entered I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Montana [Mr. O'CONNOR]?

There was no objection.

EXTENSION OF REMARKS

Mr. MAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address on the subject How the Court Martial Works Today, delivered by Maj. Gen. Allen W. Gullion, Judge Advocate General and Provost Marshal General, United States Army, before the Junior Bar Conference of the American Bar Association on Sunday, September 28, 1941.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. MAY]?

There was no objection.

THE ECONOMY OF AMERICA

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I am sure all of us join with the gentlemen who have spoken of the passing of two great Americans. So far as Justice Brandeis is concerned, in my judgment, he was a liberal in the best tradition of that word. He understood what it meant. He dedicated his life to combating concentration of power and to defense of the small individual and the small-business enterprise. We should honor his memory not only with words but by our deeds as well.

If we want to practically honor the memory of a man like this, we will, in my judgment, support today certain efforts being made, for example, in the antimonopoly work of the Antitrust Division of the Department of Justice and by the office of Mr. Floyd Odlum, in the Office of Production Management, which is called the Office of Contract Distribution, and whose job it is to see that small businesses receive their share of defense contracts. The work of agencies like this is all-important today if we are to prevent the defense program from producing a worse monopoly situation than we have ever seen before.

Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an address by Thurman Arnold before the Southern Farm Bureau Training School, Hot Springs, Ark.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

EXTENSION OF REMARKS

Mr. WIGGLESWORTH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter by Oswald Garrison Villard on the life, character, and career of the late Alanson B. Houghton.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. WIGGLESWORTH]?

There was no objection.

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a letter I have received from the American Mothers' Organization, United States of America, with headquarters at Mount Pleasant, N. Y.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. O'BRIEN]?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MURRAY. Mr. Speaker, I ask unanimous consent that after the regular business of the day has been disposed of and at the conclusion of any previous orders heretofore entered I may be allowed to proceed for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. MURRAY]?

There was no objection.

THE LATE E. W. MARLAND

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. RIZLEY]?

There was no objection.

Mr. RIZLEY. Mr. Speaker, it is with profound sorrow and regret I announce to the House that on last Friday, October 3, the death angel knocked at the door of a former Member of this body and claimed Ernest Whitworth Marland, of Ponca City, Okla.

As a Member of the Seventy-third Congress, Governor Marland represented the Eighth Congressional District of Oklahoma, which I now have the honor to represent. Before the expiration of his term in Congress he became a candidate for Governor of the State of Oklahoma to which office he was elected in November 1934 for a term of 4 years. Retiring from the Governor's office in ill health he returned to his home in Ponca City where he was residing at the time of his passing.

Sensational oil explorations which belong to the romantic past of the oil industry in Oklahoma brought millions of dollars to Ernest Marland, although at his death his once vast fortune was gone. He established his oil enterprises in Ponca City, near the scene of his first great strikes, and during that decade and for a few years previous everything he touched seemed to produce wealth.

He was inordinately generous to his friends, likewise loyal to his adopted State of Oklahoma and to his home town of Ponca City.

Many of the principal churches in that city owe their present beautiful and adequate structures in some measure to his gifts. The $250,000 Ponca City

Hospital was built on land he gave to the Sisters of St. Joseph in addition to his direct building-fund contribution.

In 1927 and 1928 he headed the State committee which raised funds and started the Oklahoma American Legion Home School, in which children of dependent veterans of the World War find a home and an education. He gave the land for this institution and built one of the first two billets with which the home was opened.

His outstanding gift to Oklahoma and one which will serve as his memorial as the years roll on is the now nationally famous statue of the Pioneer Woman. This effort alone brought him Nation-wide fame. Twelve of the country's leading sculptors were asked to submit models of their conceptions of the pioneer mothers who helped settle and build the West. These models, paid for by Marland, were taken on a Nation-wide tour of principal cities and by popular vote the Bryant Baker model was selected. It was cast in heroic bronze and was dedicated on April 22, 1930, with President Herbert Hoover, Secretary of War Pat Hurley, the late Will Rogers, and other nationally known figures either in attendance or reading radio messages on the dedication program.

Since that date hundreds of thousands of visitors have paid their tribute to the Pioneer Mother by visiting the statue.

Although previously a Republican, when he became a candidate for Congress in 1932 he switched to the Democratic Party and the New Deal campaign of Franklin D. Roosevelt.

In his congressional, gubernatorial, and two senatorial races he remained an ardent New Deal supporter. One of his principal campaign slogans in the Governor's race was "Bring the New Deal to Oklahoma."

During his last few years, however, in private conversation with his most intimate friends, he said the New Deal had found itself caught in a flood which swept it far past its original goals and that pressure groups had carried the doctrine of governmental relief to extremes and had penalized business by excessive taxation and had jeopardized the future of business enterprise.

This may have been his reason in 1940 in announcing his candidacy for Congress as a constitutional Democrat. Due to ill health and business affairs, he did not make a campaign and lost the nomination.

Oil executive, philanthropist, Congressman, and Governor in turn, his busy and useful life is now ended. But the Nation and more especially his adopted State of Oklahoma are the beneficiaries of a rich legacy, a lasting memorial to his generosity and service.

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MONRONEY. Mr. Speaker, it is with deepest regret that we of Oklahoma learned of the death Friday of Hon. Ernest W. Marland at his home in Ponca City, Okla.

Governor, Member of the House of Representatives, pioneer oilman, founder and builder of one of the great oil companies of the State, Governor Marland led a full and useful life. Known throughout the Southwest for his many great charities, his love for the underprivileged, the helping hand that he always held out to youth, Oklahoma and the Nation will miss this kindly American.

Coming to Oklahoma in the early days in search for a fortune in oil, he remained to succeed as the head of the gigantic $100,000,000 Marland Oil Co., which he founded and managed to its growth. It was while president of this great company, whose distributing system and gathering lines extended over almost every State in the Union, that he earned the reputation as a liberal employer.

His labor policies were recognized as advanced; his benefits and systems of promotion were acclaimed as models of liberalism. He sought always to help educate and promote those who worked with him. Hundreds of young men owe their college education, their first training in the oil business, and even their later success, to Marland's interest in youth.

Unlike most men who sometimes are broken by financial reverses, Marland, when he lost his fortune and his company, did not go into seclusion and retirement. Realizing the necessity for reform, not only in labor but in breaking the powerful grip of Wall Street, Marland ran for Congress from the Eighth Congressional District in 1931. This traditionally Republican district never before had sent a Democrat to Congress. But due to faith and respect for Marland, they elected him. One term in the House found him progressive. He helped to write the famous Securities and Exchange Act. Through his monumental work he aided in correcting many of the abuses that he had experienced in his struggle and loss to Wall Street.

His service here was marked through its liberalism and progressive legislation.

Finishing his term in Congress, he ran for Governor of Oklahoma and was elected there. His term as Governor was marked by social legislation. He wrote and put through the old-age pension law, the unemployment-insurance law, and the wage-and-hour act for the State. Enabling legislation to permit Oklahoma to parallel the social gains that the present administration had brought about was passed at his insistence. He always considered that the advancement of social security were the highlights of his term as Governor.

Almost immediately after completing his term as Governor he became ill and for the past many months has been forced to forego his usual active career because of his health.

Oklahoma and the Nation have lost a great man, a real humanitarian, in the death of Governor Marland.

EXTENSION OF REMARKS

Mr. BARNES asked and was given permission to extend his remarks in the RECORD.

Mr. FULMER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by me over the radio, and I further ask unanimous consent to extend my own remarks in the RECORD and include therein a short letter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

GRAND COULEE DAM

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

[Mr. LEAVY addressed the House. His remarks appear in the Appendix of the RECORD.]

DEMONSTRATION OF ARMY ACTIVITIES AT FORT BELVOIR

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, on last Thursday the Seventy-seventh Congressional Regiment made a frontal assault on Fort Belvoir. Immediately upon alighting from our fiery busses we were not only captured but completely captivated by the fine and intelligent plans which had been worked out by the War Department, in conjunction with the officers and men of Belvoir, and of other Army stations for our edification and enjoyment. The program of interesting and thrilling demonstrations of modern war equipment and matériel and of training schedules and combat problems was not allowed to lag for a single moment. Everything clicked beautifully. All of it gave us a new and vivid concept of the completeness and efficacy of the effort being made in our training camps to mold raw recruits into top-flight fighting men. If the work being done at Fort Belvoir is typical of the activities of our other training camps, it may be confidently asserted that it will not be many months before our new Army will be a real Army without peer.

I am sure, Mr. Speaker, that I bespeak the sentiments of every Member who made the trip to Belvoir when I say that the royal treatment accorded us is highly appreciated. Gen. Alexander D. Surles, of the Bureau of Public Relations of the War Department, Gen. Edwin M. Marks, in command at Fort Belvoir, and all of their fellow officers and the men in the

ranks are entitled to praise and commendation for the outstanding success of this undertaking, which I give them, without stint.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, along with the gentleman from New York [Mr. WILLIAM T. PHEIFFER] and many other Members of the Congress, it was my privilege last Thursday to attend the maneuvers at Fort Belvoir and see one of the most splendid exhibitions of military display it has ever been my privilege to witness.

My point in rising at this time, Mr. Speaker, is to emphasize my total admiration for the efforts which are being made by the United States Army in behalf of national defense and to state that if every other agency dedicated to a part in the production of weapons for the protection of this great land of ours is as faithful to its duty, then we may expect the greatest possible protection within the next few months.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by including therein an article by Gen. Hugh S. Johnson.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the Harry Bridges case.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

LINDSAY C. WARREN

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, we have heard eulogized this morning two men who have passed on. I should like to say a word of congratulation and commendation of a man who is still living, a former Member of this Congress, Lindsay C. Warren, our Comptroller General. I believe Lindsay Warren is a gentleman in all that the word could include in its wide ramifications. He is fearless and intelligent, and is doing a tremendously good job. I want the House to know and I want Mr. Warren to know that I believe the House is behind him and giving him our support in his effort to eliminate such items he finds in the N. Y. A. as need correction. He is a real American.

I believe that the N. Y. A. and some of the other organizations are used not for the benefit of the youth of the country but to perpetuate certain individuals in power in the positions they occupy in order that they may draw their salaries.

Lindsay Warren, I commend you, and assure you that this House is behind you.

EXTENSION OF REMARKS

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Alma Record, of Alma, Mich.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

(Mr. PADDOCK asked and was given permission to extend his own remarks in the RECORD.)

Mr. PLOESER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a quotation.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SANDERS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short editorial.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

CLEVELAND'S PRIMARY ELECTION

Mr. YOUNG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. YOUNG. Mr. Speaker, last Tuesday in my home city, Cleveland, there was a primary election. The total of votes received by the Democratic candidates for mayor of Cleveland was 100,309 and the Republican mayor supported by the full strength of the Republican organization and the independent Republican candidate, former Supreme Court Judge Arthur H. Day, received a total of only 76,863. This primary result presages the certain election of a Democrat as mayor of Cleveland for the first time in 10 years and probable defeat of Governor Bricker for reelection next year. The gentleman from Ohio [Mr. BENDER], as chairman of the Republican Committee of Cuyahoga County, managed the campaign of the Republican mayor, Mr. Blythin. The gentleman's picture appeared in Wednesday morning's Cleveland Plain Dealer reading election returns to his candidate for mayor. There seemed to be no cheering. Cleveland elects its mayor for 2-year terms. Believing that the gentleman from Ohio [Mr. BENDER] might not enjoy mentioning the results of this balloting, it occurs to me to make this report. Only two Democrats have been elected mayor of Cleveland in 26 years—Newton D. Baker in 1915 and Ray T. Miller at a special election in 1932. Ray T. Miller was defeated for reelection and the Republican machine has held the city hall continuously from 1933 to the present time. Let me tell you of the primary vote last Tuesday. There were four candidates at this run-off primary, two Republicans and two Democrats seeking to be nominated for mayor. The two low men are eliminated and the other two become the candidates at the election November 4. The candidates were Frank J. Lausche, Democrat, a former common pleas judge, supported by the Democratic organization. His vote was 68,013. He ran first. Mayor Edward Blythin, supported by the Republican organization of which the gentleman from Ohio [Mr. BENDER] is county chairman, received only 46,973. He ran second. Congressman MARTIN L. SWEENEY, Democrat, running independent of organization support ran only 14,700 votes behind the Republican organization mayor. He received 32,296 votes and Arthur H. Day, former judge of the Supreme Court of Ohio and a prominent Republican, ran last, receiving only 29,890 votes.

EXTENSION OF REMARKS

Mr. MANSFIELD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a statement recently issued by Thomas E. Lyons, Chief of the Division of Transportation in the Bureau of Foreign and Domestic Commerce.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CURTIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an address made by myself.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a statement from World Affairs magazine.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. VORYS of Ohio. Mr. Speaker, in the October 4 Collier's Weekly President Roosevelt said:

> The refusal on the part of Congress to repeal the arms embargo was based in part upon the belief of practically all the Republican membership of Congress and about 25 percent of the Democratic membership that there would be no war in 1939.

Insofar as the House is concerned, this statement is untrue. I am putting in the Appendix remarks of our present Speaker, our beloved Speaker Bankhead, and various men on this floor, and excerpts from the headlines of that week which show that this House retained the arms embargo when the leaders on both sides of the debate felt that war was imminent. Whatever the Senate may have thought, the Members of this House knew

they were acting in the face of imminence of war when they retained the arms embargo and determined to keep out of the war that they knew was then brewing.

EXTENSION OF REMARKS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two instances and in one to include an editorial from the New York Herald and also to insert a speech on the late Justice Brandeis.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BALDWIN. Mr. Speaker, I ask unanimous consent to extend my remarks and to include in the RECORD letters refuting an unjust attack on a friend and constituent of mine.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at two points and in one to include a resolution passed by the Isaak Walton League of America and also to include an article from the current issue of Army Ordnance by Lt. Col. Thomas Phillips, of the United States General Staff answering the question, "Can the United States be invaded?"

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. RICH. Mr. Speaker, I ask unanimous consent to insert in the Appendix of the RECORD a statement showing that defense, according to Harold D. Smith, will cost $2,000,000,000 monthly beginning next year and that we are selling America short and the first thing we know we will be going into bankruptcy and the people of this country ought to know it.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to insert in the RECORD a letter I received from a young man who worked his way into the Navy. I think it is particularly exhilarating at this time to receive a letter of this type.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday of this week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CONSENT CALENDAR

The SPEAKER. This being consent day, the Clerk will call the first bill on the Consent Calendar.

PLUMAS NATIONAL FOREST, CALIF.

The Clerk called the bill (H. R. 1595) to authorize the addition of certain lands to the Plumas National Forest, Calif.

The SPEAKER. Is there objection?

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

APPOINTMENT OF PRESIDENTIAL ELECTORS, ETC.

The Clerk called the bill (H. R. 145) to change the time of the appointment of Presidential electors and the election of Senators and Representatives in Congress.

Mr. KEAN, Mr. TABER, and Mr. RICH objected.

BRIDGES ACROSS MISSISSIPPI RIVER, DUBUQUE, IOWA

The Clerk called the bill (H. R. 2811) to extend the times for commencing and completing the construction of a bridge or bridges across the Mississippi River at or near the cities of Dubuque, Iowa, and East Dubuque, Ill., under authority of the act approved July 18, 1939, as amended, and for other purposes.

The SPEAKER. Is there objection.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

INTER-AMERICAN HIGHWAY

The Clerk called the bill (S. 1544) to provide for cooperation with Central American republics in the construction of the Inter-American Highway.

The SPEAKER. Is there objection?

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

RENTAL QUARTERS OF CERTAIN NAVAL OFFICERS, CANAL ZONE

The Clerk called the bill (S. 874) relating to the allowances for rental quarters of certain naval officers stationed in the Canal Zone.

The SPEAKER. Is there objection?

Mr. GORE. I object.

The SPEAKER. Three objections are required, and only one is heard. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That any amounts paid to the Panama Canal or lessees thereof by any officer of the Navy or Marine Corps incident to his occupancy of quarters under the jurisdiction of the Panama Canal during the fiscal years 1935 and 1936, which were in excess of the amounts paid such officer as rental allowance, shall to the extent of such excess be refunded to such persons upon presentation of a claim therefor to the Comptroller General.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ROADS ON INDIAN RESERVATIONS

The Clerk called the bill (H. R. 4937) to amend an act entitled "An act to authorize an appropriation for roads on Indian reservations."

The SPEAKER. Is there objection?

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

TOLL BRIDGE ACROSS MISSOURI RIVER, OMAHA, NEBR.

The Clerk called the bill (H. R. 4642) authorizing Douglas County, Nebr., to construct, maintain, and operate a toll bridge across the Missouri River at or near Florence Station, in the city of Omaha, Nebr.

The SPEAKER. Is there objection?

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

INFORMATION FOR NATIONAL-DEFENSE PURPOSES

The Clerk called the next business, House Joint Resolution 213, authorizing the Director of the Census to furnish certain information for national-defense purposes.

The SPEAKER. Is there objection?

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the joint resolution be passed over without prejudice.

Mr. MOSER. Mr. Speaker, reserving the right to object, I wish to inquire if the gentleman from New Jersey cannot allow this simple resolution to go through.

Mr. KEAN. When this joint resolution came up before it provided for printing information which would be given to Members of Congress, information which I do not believe I would like to have or that I should have.

Mr. MOSER. I would like to state for the information of the House that matters before the Committee on the Census, in contravention of efforts on the part of the Bureau of the Census to withhold information sought by Members of Congress, and because of that we included it in this resolution.

If the House wishes to offer an amendment to take it out, it is all right. It is important that the Office of Production Management have certain releases that the Bureau of the Census is willing to give them. If the gentleman from New Jersey [Mr. KEAN] wishes to offer an amendment to take it out I am sure it would be carried. It is nothing more than that, and the committee included that at my instance, because our committee had discussed it frequently. The former Director of the Census, Dr. Austin, stated before the committee that this practice of withholding information to Members of Congress had crept in apparently without authorization of law. We get information from the Veterans' Administration of a confidential and privileged character frequently and we are advised of the provisions of law, but we keep it confidential. I do not have the slightest doubt as to the integrity of my colleagues in Congress. I am certain that confidential information that may be

made available to them by such a provision in this resolution would certainly be handled with the same degree of discretion that information of a confidential character and privileged nature which comes to us from the Veterans' Administration would be handled as carefully. I would like to see the resolution passed, because Mr. Stettinius has asked for it. It is information that is available to them, and apparently nothing more than regulatory restrictions is withholding it.

Mr. KEAN. I would have no objection to the bill if that clause is taken out.

Mr. MOSER. If the gentleman wishes to offer such an amendment I believe the House would act favorably on it. If the gentleman wishes to pass it over and take it up later I have no objection.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

JURISDICTION OVER GREAT SMOKY MOUNTAINS NATIONAL PARK

The Clerk called the next bill, H. R. 2320, to accept the cession by the States of North Carolina and Tennessee of exclusive jurisdiction over the lands embraced within the Great Smoky Mountains National Park, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. JENNINGS. Mr. Speaker, reserving the right to object, we wish to offer an amendment to section 5 of the bill to strike out the words in lines 23 and 24 "that upon the recommendation and approval of the Secretary of the Interior of a qualified candidate." With that amendment adopted, the bill is acceptable.

The SPEAKER. Well, first, is there objection to the consideration of the bill?

Mr. RICH. Reserving the right to object, Mr. Speaker, I would like to ask the gentleman to explain this bill and what this amendment to the bill means as a whole?

Mr. JENNINGS. Mr. Speaker, this bill simply confers jurisdiction on the Federal Government of offenses committed in the Great Smoky Mountains National Park. This particular provision or section of the bill provides that the two district judges who have jurisdiction over that park, the district judge for the eastern district of Tennessee and the district judge for the western district of North Carolina, name a commissioner to try offenses committed against the Federal law, applicable to the park, and rules and regulations promulgated by the Secretary of the Interior. Those words that will be stricken out simply compel the two judges to name a commissioner who has been suggested by the Secretary of the Interior. It is our feeling that those two district judges are competent to select a commissioner to act under their respective jurisdictions.

Mr. RICH. Let me ask the gentleman from Tennessee this question: In the national parks, as they are now constituted, is there not given to the Interior Department complete authority for police protection in the national parks?

Mr. JENNINGS. No. It must be conferred upon the United States first. That is what this bill does. It gives the Government the right to enforce the law in the park and sets up machinery for that purpose. Everyone concerned has agreed upon this amendment.

Mr. RICH. The point I want to make is this: In the national parks does not the Secretary of the Interior now have the power of police supervision over the national parks?

Mr. JENNINGS. Oh, no. This bill simply confers that authority upon the Federal Government.

Mr. RICH. That is not the question I am asking you. Is it not the customary procedure in national parks——

Mr. JENNINGS. No, I do not think so. There must be machinery for that purpose.

Mr. RICH. We have our national park police and they have supervision in our national parks. Is that not the fact?

Mr. ROBINSON of Utah. That is true, but in all of the parks before the Department can take jurisdiction it is necessary to pass a jurisdictional bill. In the Smoky Mountains National Park no jurisdictional bill has ever been passed. This is the regular jurisdictional bill that has been passed for all of the other parks.

Mr. RICH. Then the States in which the parks are located have police supervision of those parks?

Mr. ROBINSON of Utah. Until we pass this jurisdictional bill they do.

Mr. RICH. Well, this is going to give to the States of Tennessee and North Carolina the power of police supervision?

Mr. JENNINGS. Oh, no; it does not do that.

Mr. ROBINSON of Utah. No, no. It just gives police supervision to the Parks Service, the same as is done in all of the other national parks.

Mr. RICH. Then they have joint jurisdiction over the parks for police protection? Both the Federal Government and the State?

Mr. ROBINSON of Utah. To a certain extent that is true.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the present consideration of the bill?

Mr. BARDEN. Mr. Speaker, reserving the right to object, has the gentleman discussed this amendment with the gentleman who introduced this bill?

Mr. JENNINGS. Yes. I have discussed it with the gentleman from North Carolina [Mr. WEAVER], and he has agreed to the amendment.

Mr. WEAVER. That is correct.

Mr. JENNINGS. It is just to strike out the words in section 5, "upon the recommendation and approval of the Secretary of the Interior of a qualified candidate." It simply leaves it to the United States district judges, one in the western district of North Carolina and the other in the eastern district of Tennessee, to name a man.

Mr. RICH. Mr. Speaker, will the gentleman yield further?

Mr. JENNINGS. I yield.

Mr. RICH. Does the Federal Government bear the cost? Is it going to be necessary for the Federal Government under this bill to go to the expense of appointing employees to look after the police protection of this Smoky Mountain National Park?

Mr. JENNINGS. The Government already does that.

Mr. RICH. Does this bill add any additional employees to the service?

Mr. JENNINGS. Only insofar as it authorizes the appointment of this commissioner, without whose services no prosecution could be instituted for an offense committeed in this park area.

Mr. RICH. What will the commission receive from the Federal Government in compensation?

Mr. JENNINGS. This is not a commission; it is one commissioner, and what his compensation will be will have to be determined hereafter. This just provides for the appointment of a commissioner before whom prosecutions are instituted when the law is violated within the park. Otherwise there would be no method of enforcing the law.

Mr. RICH. I would like to ask the chairman of the Public Lands Committee so far as this legislation is concerned whether similar legislation is applicable to all the national parks.

Mr. ROBINSON of Utah. Exactly the same to all the parks.

Mr. RICH. Do we have a commission, then, established for every national park? And do they have certain duties to perform for that particular national park?

Mr. ROBINSON of Utah. That is correct.

Mr. RICH. What is generally the cost of overseeing this commission and the duties they have to perform?

Mr. ROBINSON of Utah. The cost is nominal. In most of the parks the commissioner serves almost as a justice of the peace. Cases come before him for hearing and decision, and usually the fines he receives more than pay the cost.

Mr. RICH. He gets his compensation then out of the cases that are tried before him so that the cost to the Federal Government would be very little if anything.

Mr. ROBINSON of Utah. It works out approximately that way.

Mr. HAINES. Mr. Speaker, will the gentleman yield?

Mr. ROBINSON of Utah. I yield.

Mr. HAINES. Is it not true that this park would be in the National Park Service, Department of the Interior?

Mr. ROBINSON of Utah. That is correct.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. JENNINGS. I object unless my amendment will be accepted.

The SPEAKER. We cannot get to the amending stage until it is agreed that the bill may be considered. The question now is: Is there objection to the present consideration of the bill?

Mr. JENNINGS. I object.

The SPEAKER. Objection is heard. The bill is stricken from the calendar.

THE HONOLULU PLANTATION CO.

The Clerk called the next bill, S. 1345, to authorize the sale of certain Government-owned lands in the Territory of Hawaii to the Honolulu Plantation Co.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to sell and convey to the Honolulu Plantation Co., a corporation organized and existing under the laws of the Territory of Hawaii, upon such terms and conditions as he deems advisable, but at not less than the appraised value, the remaining portion of the Makalapa Military Reservation, consisting of five lots, designated as lots "A," "B," "C," "D," and "E," having an aggregate area of seven and fifty-two one-hundredths acres, situated near the city of Honolulu, in Halawa, Ewa District, on the island of Oahu, T. H., the net proceeds of such sale to be deposited in the Treasury to the credit of miscellaneous receipts.

Mr. DIMOND. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DIMOND: On page 1, line 6, after the word "the" on line 5, strike out "Territory of Hawaii" in line 6 and insert in lieu thereof the following: "State of California."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS ST. CROIX RIVER AT HUDSON, WIS.

The Clerk called the next bill, H. R. 4314, authorizing the States of Minnesota and Wisconsin, jointly or separately, to acquire bridges now existing or to construct, maintain, and operate a free highway bridge across the St. Crox River, also known as Lake St. Croix, at or near Hudson, Wis.

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

Mr. YOUNGDAHL. Mr. Speaker, will not the gentleman withhold his objection for an inquiry and observation?

Mr. BARDEN. Mr. Speaker, I withhold my objection to permit the gentleman to make a statement.

Mr. YOUNGDAHL. Mr. Speaker, this same bill came up on August 1 when the Consent Calendar was called. At that time it was stated that a favorable report had been received from the Committee on Interstate and Foreign Commerce and that the committee had unanimously voted the bill out. At that time one of the Members objected to the passage of the bill, asking for more time to reconsider it. Two months have elapsed. I should like to ask the reason for the objection at this time.

Mr. GORE. Mr. Speaker, will the gentleman yield?

Mr. YOUNGDAHL. I yield.

Mr. GORE. I would have submitted the same request had not my colleague from North Carolina done so. One of the objectors who asked that the bill go over without prejudice 2 months ago is away today attending the funeral of a relative. It may be that he has no objection, but he is not present to speak for himself. So far as I am concerned, I have no objection to the bill, but I feel that in fairness to the absent Member I ask that the bill go over without prejudice.

Mr. YOUNGDAHL. I appreciate the gentleman's position. I merely wish to say, in conclusion, that I sincerely hope our colleague will have time to study the bill before the next call of the Consent Calendar and that the bill may be passed at that time.

Mr. GORE. In fairness to him, permit me to say that I understand he has studied it but that he is detained from the session today because of a funeral.

Mr. YOUNGDAHL. Will the gentleman take on himself the responsibility of calling it to our colleague's attention so he may understand the bill by the next call of the Consent Calendar?

Mr. GORE. I shall be very pleased to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina that the bill be passed over without prejudice?

There was no objection.

EXTENSION OF TIME FOR CONSTRUCTION OF BRIDGE NEAR CEDAR POINT, ALA.

The Clerk called the next bill, H. R. 5128, extending the dates for the beginning and completion of construction by Alabama Bridge Commission, an agency of the State of Alabama, of a toll bridge and causeway between Dauphin Island and the mainland at or near Cedar Point, within the State of Alabama.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

REIMBURSING THE CITY OF McMINNVILLE, OREG.

The Clerk called the next bill, H. R. 4791, to reimburse the city of McMinnville, Oreg., for damages assessed to it by the United States for innocent trespass upon land belonging to the United States.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. Speaker, I object.

AMENDMENT TO HAWAIIAN HOMES COMMISSION ACT OF 1920

The Clerk called the next bill, H. R. 4795, to amend the Hawaiian Homes Commission Act of 1920, as amended, by amending sections 203 (4), 208 (3), 209, 213, 215, 220, and 222 thereof and by adding thereto a new section to be numbered section 225, all relating to the powers, duties, and functions of the Hawaiian Homes Commission.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 203 (4) of the Hawaiian Homes Commission Act, 1920, is hereby amended so that the first course describing "(1) Portion of the government land at Auwaiolimu Punchbowl Hill, Honolulu, Oahu," of the available lands on the Island of Oahu will read as follows:

"(1) One hundred and sixty-three degrees thirty-one minutes two hundred and thirty-eight and eight-tenths feet along the east side of Punchbowl-Makiki Road;".

SEC. 2. Section 208 (3) of the Hawaiian Homes Commission Act, 1920, is hereby amended to read as follows:

"(3) The lessee shall occupy and commence to use or cultivate the tract as his home or farm within 1 year after the lease is made. The lessee of a farm lot shall plant and maintain not less than 5, 10, 15, and 20 trees per acre of land leased, and the lessee of a pastoral lot shall plant and maintain not less than 2, 3, 4, and 5 trees per acre of land leased during the first, second, third, and fourth years, respectively, after the date of lease. Such trees shall be of types approved by the Commission and at locations specified by the Commission's agent. Such planting and maintenance shall be by or under the immediate control and direction of the lessee. Such trees shall be furnished by the Commission free of charge."

SEC. 3. Section 209 of the Hawaiian Homes Commission Act, 1920, is hereby amended as follows:

1. By amending paragraph (1) thereof to read as follows:

"(1) Upon the death of the lessee, his interest in the tract or tracts and the improvements thereon, including growing crops (either on the tract or in any collective contract or program to which the lessee is a party by virtue of his interest in the tract or tracts), shall vest in the relations of the decedent as provided in this paragraph. From the following relatives of the lessee: Husband and wife, children, widows or widowers of the children, grandchildren, brothers and sisters, widows or widowers of the brothers and sisters, or nieces and nephews, the lessee shall designate the person or persons to whom he directs his interest in the tract or tracts to vest upon his death. Such person or persons must be qualified to be a lessee of Hawaiian home lands: *Provided, however*, That Hawaiian blood requirements shall not apply to the descendants of those who are not native Hawaiians but who were entitled to the leased land under the provisions of section 3, Public Document Numbered 227 in the Seventy-third Congress, approved May 16, 1934: *Provided further*, That such person or persons need not be 21 years of age. Such designation must be in writing, filed with the Commission and approved by the Commission, in order to be effective to vest such interests in the successor or successors so named.

"In the absence of such a designation as approved by the Commission, the Commission shall select from the relatives of the lessee, as limited by the foregoing paragraph, one or more persons who are qualified to be lessees of Hawaiian home lands, except that such person or persons need not be 21 years of age, as the successor or successors of the lessee's interest in the tract or tracts, and upon the death of the lessee, his interest shall vest in the person or persons so selected. The Commission may select such a successor or successors after the death of the lessee, and the rights to the use and occupancy of the tract or tracts may be made effective as of the date of the death of such lessee.

"In the case of the death of a lessee leaving no such relative qualified to be a lessee of Hawaiian home lands, the land subject to the lease shall resume its status as unleased Hawaiian home lands and the Commission is authorized to lease such land to a native Hawaiian or Hawaiians as provided in this act.

"Upon the death of a lessee leaving no such relative qualified to be a lessee of Hawaiian home lands, or the cancelation of a lease by the Commission, or the surrender of a lease by the Commission, or the surrender of a lease by the lessee, the Commission shall appraise the value of all such improvements and growing crops and shall pay to the legal representative of the deceased lessee, or to the previous lessee, as the case may be, the value thereof, less any indebtedness to the Commission, or for taxes, or for any other indebtedness the payment

of which has been assured by the Commission, from the deceased lessee or the previous lessee. Such payment shall be made out of the loan fund and shall be considered an advance therefrom reimbursable out of payments made by the successor or successors to the trust involved.

"Such appraisal shall be made by three appraisers, one of which shall be named by the Commission, one by the previous lessee or the legal representative of his estate, and the third shall be selected by the two appraisers hereinbefore mentioned."

2. By deleting therefrom paragraph (3) thereof.

3. By substituting for the figure "(4)," of paragraph (4) thereof, the figure "(3)".

SEC. 4. Section 213 of the Hawaiian Homes Commission Act, 1920, is hereby amended to read as follows:

"SEC. 213. Hawaiian home-loan fund; Hawaiian home-development fund; Hawaiian home-administration account; how constituted: There is hereby established in the treasury of the Territory a revolving fund to be known as the Hawaiian home-loan fund and special funds to be known as the Hawaiian home-development fund and the Hawaiian home-administration account. Thirty percent of the Territorial receipts derived from the leasing of cultivated sugarcane lands under any other provisions of law, or from water licenses, shall be deposited into the Hawaiian home-loan fund until the aggregate amount of moneys deposited therein from such two sources, together with moneys received and deposited therein from any other sources, not including, however, installment payments upon loans made to lessees or payments by a successor or successors to the tract representing reimbursements on account of the advance made pursuant to section 209 (1), shall equal $2,000,000. In addition to these moneys and the moneys covered into the loan fund as installments paid by lessees upon loans made to them as provided in paragraph 2 of section 215, there shall be deposited into said revolving fund all other moneys, except moneys received for the Hawaiian home-administration account, received by the Commission from any source whatsoever. The moneys in said fund shall be available only for loans to lessees as provided for in this act, for interest and sinking-fund charges upon bonds issued for Hawaiian homes purposes and for the payments provided for in section 209 (1), and shall not be expended for any other purpose whatsoever, except that 25 percent of the amount of moneys so covered into the said revolving fund annually shall be transferred into the Hawaiian home-development fund until the aggregate amount of such annual transfers shall equal $400,000. The moneys in said development fund shall be available, with the prior written approval of the Governor, for the construction of necessary improvements for domestic use and consumption of water, including the construction of pipe lines and reservoirs, for the construction of sanitary sewerage facilities and for the construction of roads through and over Hawaiian home lands. The Commission is authorized and empowered to use moneys in said fund, with the prior written approval of the Governor, to match Federal, Territorial, or county funds available for the above purposes and to that end is authorized to enter into such undertaking, agree to such conditions, transfer funds herein available for such expenditure and do and perform such other acts and things, as may be necessary or required, as a condition to securing match funds for such projects or works.

"The entire receipts derived from any leasing of the 'available lands' defined in section 204 shall be deposited into the Hawaiian home-administration account. The moneys in said account shall be expended by the Commission for salaries and all other administration expenses of the Commission, not including structures and other permanent improvements, subject, however, to the following conditions and requirements:

"(1) The Commission shall, at such time as the Governor may prescribe, but not later than November 15 preceding each biennial session of the legislature, submit to the Territorial director of the bureau of the budget its budget estimates of expenditures for the next ensuing biennium in the manner and form and as required by Territorial law of Territorial departments and establishments.

"(2) The Commission's budget, if it meets with the approval of the Governor, shall be included in the Governor's budget report and shall be transmitted to the legislature for its approval. The total amount of the Commission's budget shall in no event exceed the amount of $140,000 for the biennium.

"(3) Upon approval by the legislature of the Commission's budget estimate of expenditures for the ensuing biennium, the amount thereof shall be available to the Commission for said biennium and shall be expendable by the Commission for the expenses hereinabove provided; any amount of money in said account in excess of the amount approved by the legislature for the biennium shall be transferred to the general fund, such transfer to be made immediately after the amount of moneys deposited in said administration account shall equal the amount approved by the legislature.

"(4) The moneys in said administration account shall be expended by the Commission in accordance with Territorial laws, rules, and regulations and practices:

"Provided, however, That the receipts from the leasing of available lands as defined in section 204 shall not be covered into said account until July 1, 1943: *Provided further,* That for the biennium commencing July 1, 1941, and ending June 30, 1943, the amount of money appropriated by the Territorial legislature for the Commission, whether or not in excess of $140,000, shall be deposited in said account and shall be expended as herein provided."

SEC. 5. Section 215 of the Hawaiian Homes Commission Act, 1920, is hereby amended as follows:

1. By amending paragraph (1) thereof to read as follows:

"(1) Each contract of loan with the lessee or any successor or successors to his interest in the tract shall be held subject to the following conditions, whether or not stipulated in the contract of loan: The amount of loans at any one time to any lessee, or successor or successors in interest, of a tract of agricultural or pastoral land shall not exceed $3,000 and to any lessee, or successor or successors in interest, of a residence lot shall not exceed $1,000: *Provided,* That where, upon the death of a lessee leaving no relative qualified to be a lessee of Hawaiian home lands, or the cancelation of a lease by the Commission, or the surrender of a lease by the lessee, the Commission shall make the payment provided for by section 209 (1), the amount of any such payment made to the legal representative of the deceased lessee, or to the previous lessee, as the case may be, shall be considered as part or all, as the case may be, of any such loan to the successor or successors, without limitation as to the above maximum amounts: *Provided further,* That where, in such cases of the death of a lessee leaving no qualified relatives, or cancelation of a lease by the Commission, or the surrender of a lease by the lessee, no payment is due or made the legal representative of the deceased lessee, the successor or successors to the tract shall assume any outstanding loan or loans thereon, if any, without limitation as to the above maximum amounts."

2. By amending the first sentence of paragraph (2) thereof to read as follows: "The loans shall be repaid upon an amortization plan by means of a fixed number of installments, such installments to be monthly, quarterly, semiannual, or annual as may be determined by the Commission in each case, sufficient to cover (a) interest on the unpaid principal at the rate of 3 percent per annum, and (b) such amount of the principal as will extinguish the debt within an agreed period not exceeding 30 years."

3. By amending paragraph (3) thereof to read as follows:

"(3) In case of the borrower's death the Commission shall, in any case, permit the successor or successors to the tract to assume the contract of loan subject to the provisions of paragraph (1) of this section. In case of the cancelation of a lease by the Commission, or the surrender of a lease by the lessee, the Commission may, at its option, declare all annual installments upon the loan immediately due and payable, or permit the successor or successors to the tract to assume the contract of loan subject to the provisions of paragraph (1) of this section. The Commission may, with the concurrence therein of at least three of the five members, in such cases where the successor or successors to the tract assume the contract of loan, waive the payment, wholly or in part, of interest already due and delinquent upon said loan, or postpone the payment of any installment thereon, wholly or in part, until such later date as it deems advisable. Such postponed payments shall, however, continue to bear interest at the rate of 3 percent on the unpaid principle and interest. Further, the Commission may, with the concurrence therein of at least three of the five members, if it deems it advisable and for the best interests of the lessees, write off and cancel, wholly or in part, the contract of loan of the deceased lessee, or previous lessee, as the case may be, where such loans are delinquent and deemed uncollectible. Such write-off and cancelation shall be made only after an appraisal of all improvements and growing crops on the tract involved, such appraisal to be made in the manner and as provided for by section 209 (1). In every such case the amount of such appraisal, or any part thereof, shall be considered as part or all, as the case may be, of any loan to such successor or successors, subject to the provisions of paragraph (1) of this section."

4. By adding a new paragraph thereto, to be designated and numbered (7) and to read as follows:

"(7) Whenever the Commission shall determine that a lessee is delinquent in the payment of his indebtedness to the Commission it may require such lessee to execute an assignment to it, not to exceed, however, the amount of the total indebtedness of such lessee, including the indebtedness to others the payment of which has been assured by the Commission, of all moneys due or to become due to such lessee by reason of any agreement or contract, collective or otherwise, to which the lessee is a party by virtue of his interest in the tract. Failure to execute such an assignment when requested by the Commission shall be sufficient ground for cancelation of the lessee's lease or interest therein."

SEC. 6. Section 220 of the Hawaiian Homes Commission Act, 1920, is hereby amended to read as follows:

"SEC. 220. Development projects; appropriations by territorial legislature; bonds issued by legislature: The Commission is authorized directly to undertake and carry on general water and other development projects in respect to Hawaiian home lands and to undertake other activities having to do with the economic and social welfare of the homesteaders: *Provided, however,* That roads through or over Hawaiian home lands, other than Federal-aid highways and roads, shall be maintained by the county or city and county in which said particular road or roads to be maintained are located. The legislature of the Territory is authorized to appropriate out of the treasury of the Territory such sums as it deems necessary to augment

the Hawaiian home-loan fund, the Hawaiian home-development fund, and the Hawaiian home-administration account, and to provide the Commission with funds sufficient to execute and carry on such projects and activities. The legislature is further authorized to issue bonds to the extent required to yield the amount of any sum so appropriated. The Commission shall pay from the Hawaiian home-loan fund into the treasury of the Territory—

"(1) upon the date when any interest payment becomes due upon any bond so issued, the amount of the interest then due; and

"(2) cor mencing with the first such date more than 1 year subsequent to the issuance of any bond and at each interest date thereafter, an amount such that the aggregate of all such amounts which become payable during the term of the bond, compounded annually at the rate of interest specified therein, shall equal the par value of the bond at the expiration of its term."

SEC. 7. Section 222 of the Hawaiian Homes Commission Act, 1920, is hereby amended by amending the second sentence thereof to read as follows: "All expenditures of the Commission, as herein provided out of the Hawaiian home-administration account, the Hawaiian home-development fund, and all moneys necessary for loans made by the Commission, in accordance with the provisions of this chapter, from the Hawaiian home-loan fund, shall be allowed and paid upon the presentation of itemized vouchers therefor, approved by the chairman of the Commission."

SEC. 8. The Hawaiian Homes Commission Act, 1920, is hereby amended by adding thereto a new section to be numbered section 225 and to read as follows:

"SEC. 225. Investment of loan funds; disposition: The Commission shall have the power and authority to invest and reinvest any of the moneys in the loan fund, not otherwise immediately needed for the purposes of the fund, in such bonds and securities as authorized by territorial law for the investment of territorial sinking fund moneys. Any interest or other earnings arising out of such investments shall be credited to and deposited in said fund and shall be included in and considered as a deposit from other sources, as provided for in section 213."

SEC. 9. This act shall take effect on and after the date of its approval.

With the following committee amendments:

On page 1, line 6, insert a comma after the word "Auwaiolimu."

On page 2, line 8, delete the words "a farm lot" and insert in lieu thereof the words "agricultural lands."

On page 2, line 10, delete the words "a pastoral lot" and insert in lieu thereof the words "pastoral lands."

On page 2, line 25, delete the parenthesis before the word "either" and insert a comma after the word "crops."

On page 3, line 2, after the word "tracts", delete the parenthesis.

On page 3, line 23, insert before the comma the words "in the order named above."

On page 3, line 25, and page 4, line 1, delete the words "that such person or persons need not be 21 years of age", and insert in lieu thereof the words "as hereinabove provided."

On page 4, lines 16 and 17, delete the words "or the surrender of a lease by the Commission."

On page 5, line 2, delete the word "trust" and insert in lieu thereof the word "tract."

On page 5, line 6, delete the words "his estate", and insert in lieu thereof the words "the deceased lessee, as the case may be."

On page 8, line 9, insert before the comma the words "or if no action hereon is taken by the legislature prior to adjournment."

On page 8, line 14, insert before the comma the words "of the treasury of the Territory."

On page 9, line 25, and page 10, lines 1 through 4, delete the words "where, in such cases of the death of a lessee leaving no qualified relatives, or cancelation of a lease by the Commission, or the surrender of a lease by the lessee, no payment is due or made the legal representative of the deceased lessee, the successor or successors to the tract shall assume" and insert in lieu thereof the words "in case of the death of a lessee, or the cancelation of a lease by the Commission, or the surrender of a lease by the lessee, the successor or successors to the tract shall assume."

On page 10, line 6, insert before the period the words "but subject to the provisions of paragraph (3) of this section."

On page 10, line 15, insert new paragraph as follows: Amend last sentence of paragraph (2) by deleting the words "and interest."

On page 10, line 18, delete the word "borrower's" and insert after the word "death" the words "of a lessee."

On page 10, line 24, delete the word "annual."

On page 11, line 11, insert period after the word "principal" and delete the words "and interest."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT TO SECTION 2 OF ACT TO PROVIDE METHOD OF SETTLEMENT OF CLAIMS ARISING AGAINST GOVERNMENT OF UNITED STATES IN SUMS NOT EXCEEDING $1,000 IN ANY ONE CASE

The Clerk called the next bill, H. R. 5185, to amend section 2 of the act entitled "An act to provide a method for the settlement of claims arising against the Government of the United States in sums not exceeding $1,000 in any one case," approved December 28, 1922 (42 Stat. 1066).

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. Speaker, reserving the right to object, will the author of the bill give an explanation of it? I have no objection to the bill, but some Members have asked that it be explained.

Mr. McGEHEE. Mr. Speaker, this bill amends the Small Claims Act passed by the Congress in 1922 which gave the governmental departments authority to settle claims for property damages, hospital bills, and so forth, up to the sum of $500. This amends that act and increases their authority to settle up to the sum of $1,000. If you will analyze the numerous claims that have come before the Claims Committee that could be settled by the departments, between $500 and $1,000, you will see the necessity for the passage of this act increasing their authority for the settlement of these claims up to $1,000 in place of $500.

This is recommended by the Department of Agriculture and every other department of the Government. It is recommended that they be given this authority. It is a departmental bill which the Claims Committee approves unanimously and thinks should be passed.

Mr. TABER. Mr. Speaker, reserving the right to object, does not the gentleman think that this bill is of such importance that it should come up in the regular way rather than come up through the Consent Calendar method?

Mr. McGEHEE. I do not think so. As chairman of the Claims Committee and knowing the numerous claims that are being presented to the Congress on account of the increased governmental activities in the past few years, such as the W. P. A., Soil Conservation, C. C. C., and our preparedness program, wherein and by reason of the enormous number of governmental cars and trucks that are being operated on streets and highways, it follows that there is a great increase of claims against the Government for damage to property and individuals. The departments have the personnel to make investigations and make these settlements up to $1,000, thereby saving the enormous cost to the Congress in considering those between $500 and $1,000. They have requested the passage of this bill for this reason.

The Claims Committee has considered it and believes that the present act should be so amended, and that they be given the authority to settle any claim up to $1,000.

Mr. TABER. Will there not be a lot of settlements between $500 and $1,000 that are now settled for under $500?

Mr. McGEHEE. I do not think so, and I base that statement on my experience of 6 or 7 years on the Claims Committee, watching the governmental reports that come before that committee. They settle them numerous times for less money than Congress would pass a bill for.

Mr. TABER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. McGEHEE. Mr. Speaker, I hope the gentleman will not make that request because I think this is going to save Congress a lot of trouble. It will save the Committee on Claims a lot of trouble in handling these bills. When we do that, we are saving the taxpayers of the United States money, as I have stated, for the reason the departments have the personnel to do it and will not entail any extra expense on any department.

I base these statements on the experience I have had with the committee in the past 7 years that I have been a member of the committee. I am now chairman of that committee, and I know, as chairman of the committee, how very closely the departments investigate them. Congress passes many bills that the departments have turned down. I hope the gentleman will not ask that the bill be passed over.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. TABER]?

There was no objection.

AUTHORIZING TREASURER OF THE UNITED STATES TO MAKE SETTLEMENT WITH PAYEES OF LOST OR STOLEN CHECKS

The Clerk called the next bill, H. R. 5079, to authorize the Treasurer of the United States to make settlement with payees of lost or stolen checks, which have been paid on forged endorsements, in advance of reclamation, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Miss SUMNER of Illinois. Mr. Speaker, reserving the right to object, may I ask the author of the bill if this does not include checks that have already been endorsed by the person to whom the check is made? I mean to say that if a check were lost before it has been endorsed by the payee, the Treasurer can recover from the bank, but if it has been endorsed by the payee, then lost without his fault, there would be no recovery by the Treasurer in the case of such check. It seems to me that this bill is too broad on that account, unless it covers it in some way I have not noticed.

Mr. McGEHEE. I beg to differ with the gentlewoman. I believe the gentlewoman's premise is entirely wrong, if I understand her statement. The purpose of this bill is to create a revolving fund in the Treasury Department to pay checks that are made payable to the proper parties and are misdirected or not received by such parties, or are received by them and there is a forged endorsement. The party to whom the money is due cannot get his money until recovery is had from the forger or the endorser, if he is worth the money, and this action sometimes carries over a period of years. In such a case you have deprived a veteran or the widow of a veteran or someone else of moneys to which they are entitled. The bill further provides that when this money is recovered it shall be placed in the revolving fund. There are hundreds of these cases, and they are coming up every day.

Miss SUMNER of Illinois. It is apparent that the bill is so intended, but it seems to me it also includes a case where the payee has endorsed the check and then loses it or it is stolen, in which case the Treasury Department would have no recovery except from the person who is responsible.

Mr. McGEHEE. I believe you would have a right to recover.

Miss SUMNER of Illinois. How?

Mr. McGEHEE. From the forger or the endorser.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. McGEHEE. I yield to the gentleman from Missouri.

Mr. COCHRAN. As I understand, this bill is simply to expedite the payment of money, and does not take away from the Government in any way its power to recover the money from the bank or anybody who is responsible for cashing a check that was not properly endorsed or was not cashed by the one entitled to the money.

Mr. McGEHEE. That is true.

Miss SUMNER of Illinois. It seems to me it is very apparent that this does not cover the case where it has passed into the hands of a b. f. p., therefore, Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. COCHRAN. Reserving the right to object, Mr. Speaker, may I ask the gentleman from Mississippi one more question:

This bill has absolutely nothing whatever to do with the revolving fund which we created to take care of loss of valuable shipments?

Mr. McGEHEE. No.

Mr. COCHRAN. This bill will be helpful, too, but may I say to the gentleman that I introduced the other bill at the request of the Treasury Department. We were paying around $1,000,000 a year in premiums to private corporations, and had been doing so for years, to insure our valuable shipments. My bill created a revolving fund. The result was that there is now in that revolving fund a sufficient amount of money so that we are not required to make any additional appropriation. In the last report I had I found that after that revolving fund had been in operation for a number of years only a few thousand dollars had been taken out of it. It seems to me that this bill, recommended by the same department as recommended the other bill, should be passed, and that it is sound legislation.

Mr. McGEHEE. This bill was drafted by the Treasury Department, and approved by the Budget, and they asked for its passage.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Illinois that the bill be passed over without prejudice?

There was no objection.

AMENDMENT OF THE AGRICULTURAL ADJUSTMENT ACT OF 1938

The Clerk called the next bill, H. R. 5171, to amend section 392 of the Agricultural Adjustment Act of 1938, as amended, so as to provide for separate appropriation accounts for administrative expenses of the Agricultural Adjustment Administration, so as to modify the 1- and 2-percent limitations on administrative expenses and to provide overall limitations in lieu thereof, and for other purposes.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

Mr. FULMER. Mr. Speaker, will the gentleman withhold his request in order that I may explain the bill?

Mr. KEAN. Yes; gladly.

Mr. FULMER. May I say to the gentleman that this bill proposed to amend the Agricultural Adjustment Act so as to bring about a better distribution of the funds allocated to the Department of Agriculture in administering the act. It does not increase the appropriation.

Under the present act they can use 2 percent of the amount allocated within the States and 1 percent in the District of Columbia. Now that the expenses of administering the act in the States have increased, largely because of the Civil Service Act, passed some time ago, which increased the salaries of the employees in the States, they want to use the same fund, but have the right to use the amount necessary to administer the act in the States, even if it is a little more than 2 percent, which would mean that there would be less than 1 percent used in the District of Columbia. It does not increase the appropriation but brings about a better administration of the act.

Mr. COCHRAN. Mr. Speaker, will the gentleman yield?

Mr. FULMER. I yield to the gentleman from Missouri.

Mr. COCHRAN. Will the gentleman advise the House why he has no letter here from the department explaining its views on the bill? Can the gentleman also tell us if this bill originates with the department or with the author?

Mr. FULMER. I am glad to tell the gentleman that we had the department appear before us at the hearing before the committee, the matter was definitely explained, and the bill was reported unanimously, because it is a simple matter of proper distribution of the funds.

Mr. COCHRAN. There is nothing in the report to indicate to the Members of the House the viewpoint of the Department with reference to this proposed legislation. The fact the committee had the information is not sufficient. Some reference to the Department's views should be in the report.

Mr. FULMER. I am giving the gentleman now the viewpoint of the Department. No additional appropriation will be required. It is a matter of the proper distribution of the funds allocated so as to get results in the administration of the act. This is requested only because the expenses in the States have increased above those in the District of Columbia.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. FULMER. I yield to the gentleman from Pennsylvania.

Mr. RICH. Did I correctly understand the gentleman to say that 2 percent of the amount appropriated for the A. A. A. is all the overhead you have in connection with the administration of that fund?

Mr. FULMER. In the States.

Mr. RICH. How much of it is used in the District of Columbia?

Mr. FULMER. 1 percent is used in the District of Columbia.

Mr. RICH. That makes a total of 3 percent?

Mr. FULMER. A total of 3 percent.

Mr. RICH. Then you want to take the 3 percent and make your distribution between the District of Columbia and the States as the Administration thinks advisable?

Mr. FULMER. That is right. This is brought about largely because of the increase in salaries under the Civil Service Act passed some time ago, which puts the salaries in the States at a higher level than they were prior to that time.

Mr. RICH. Does not the gentleman think that with the great number of people he has administering the A. A. A. we can now eliminate a lot of them both in the States and in the District of Columbia, and let the farmers get the benefit of the money that is appropriated for them without having a lot of political leeches here in the District and back in the States? I know that back in the districts they have more men hanging on to this A. A. A. pay roll than are necessary. They are only an added expense to the American taxpayers and they are only doing good for the political party in power and they ought to be eliminated. Does not the gentleman think that?

Mr. FULMER. May I state to the gentleman that I believe practically all of these departments are topheavy with employees, but this measure does not have a thing to do with that. We are not asking any increase of appropriations; we

are only asking the right to distribute the amount that is already appropriated in a manner that will give actual service to the State and to the Department here in Washington.

Mr. RICH. The gentleman says that all of these departments are topheavy with employees. If we are going to permit this expenditure of such funds for political leeches who are hanging on, when the farmers themselves should get the benefit of such appropriations, then something should be done to eliminate such people. If we are going to permit them to divide up the amount they get here in the District and the amount they get in the States and let the Department handle the entire matter, the gentleman knows that no bureaucrat or no department will ever cut down his expenses. I have never seen any department head come before the Appropriations Committee and say that they could cut out certain employees, or that they could cut down their expenditures. They are always increasing them, and if such increasing is to continue we will never do anything toward cutting down the expenditures of the departments. We will not have any economy in government. I think what you ought to do is to cut this amount down both in the District and in the States, and then we will get some action, and that is the only way you are ever going to get action.

Mr. FULMER. May I state to the gentleman that the Committee on Agriculture has not anything to do with appropriating money. I am not asking for any additional appropriation and neither can my committee cut the appropriation. I am simply asking for a proper distribution of the amount of appropriations given for this purpose rather than have it wasted in one place, when it could be used properly in another place. It is just as simple and fair as can be.

Mr. RICH. I may say that I am a member of the Committee on Appropriations, but I have had no success in that committee in keeping down expenditures. They will not do it. They like to spend too well. If the men in the Department of Agriculture are going to continue to ask for legislation to run all of these bureaus and then come in with a request that the Committee on Appropriations make the appropriations, you are just increasing and increasing all the time the cost of Government. I think something has got to be done by the Congress of the United States to cut down the appropriations for the regular functions of Government. If we do not do this we are lost. We are about on the road to bankruptcy now on account of this war and the increased costs incident thereto in running the Government under the New Deal. It has been stated they are going to be expending $2,000,000,000 a month by the middle of next year, and where are you going to get the money? You know you cannot get it. You know there is a financial wreck ahead unless you cut down your spending.

Mr. FULMER. I have no quarrel with the gentleman, but this is entirely a different matter. I think the gentleman is taking time to express himself on a very important matter, but one that ought to come before the Appropriations Committee of which he is a very valuable member, and not before the House at a time when we are trying to use properly that which your committee gave to the Department of Agriculture, and I hope the gentleman will not object.

Mr. RICH. Mr. Speaker, I ask that the bill go over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey [Mr. KEAN] that the bill be passed over without prejudice?

There was no objection.

MAKING CERTAIN ALIENS ELIGIBLE FOR CITIZENSHIP

The Clerk called the next bill, H. R. 5428, making eligible for citizenship any alien not racially ineligible to naturalization heretofore admitted to the United States for permanent residence under special act of Congress.

Mr. GORE. Mr. Speaker, I do not see any objection to the bill unless there is some limitation which has been imposed upon these people which would make it improper to admit them to citizenship. I wonder if the gentleman from Michigan would explain the bill.

Mr. LESINSKI. Mr. Speaker, the Committee on Immigration and Naturalization has passed many private bills. There have been amendments attached to those bills to the effect that such aliens cannot become citizens of this country although legally admitted. The President of the United States has vetoed several bills with such amendments attached to them. The Department of Justice is asking that this bill be passed so that they can correct the situation and permit these aliens who are here legally to become American citizens, to which they are entitled.

Mr. GORE. If we made a mistake in letting them become permanent residents that is a mistake already made and personally I can see no objection to having them apply for citizenship unless there are limitations in these acts of special consideration which would make it improper to admit them to citizenship. Is there any uniformity or lack of uniformity in the acts?

Mr. MASON. Mr. Speaker, may I answer that question? The purpose of the bill is to correct the mistakes that the gentleman has already spoken of. That is all. It is to correct the mistakes that the Congress has made in giving certain aliens permanent residence, but in forbidding citizenship, which the President and the Department of Justice consider a mistake. This bill is to rectify those past mistakes, and no future mistakes will be made, because every bill that is passed with that limitation from now on under the present administration will be vetoed.

Mr. GORE. Mr. Speaker, I quite agree with the gentleman, whether we have been right or wrong in permitting them to become permanent residents, that now we should allow them to make application for citizenship, except that I thought there may be some special consideration in some of these cases which might forbid that. I withdraw my reservation of objection.

Mr. BROOKS. Mr. Speaker, I reserve the right to object in order to ask some questions. In these cases are there any persons who might be applicants, who have been admitted to the United States because of forged passports, which they forged themselves or which came in under those forged-passport cases, or are there any cases involving moral turpitude? Are those cases that will be admitted to citizenship?

Mr. LESINSKI. No; those are private bills passed by the committee and reported to the House and the House passed on those bills. They are all aliens, most of whom are here illegally.

Mr. BROOKS. Congress passed some special bills admitting to residence certain persons because of dependency and other conditions—hardship cases. Do they involve crimes?

Mr. LESINSKI. There will be no crime committed.

Mr. BROOKS. Would those cases be admitted to citizenship?

Mr. LESINSKI. Those have been passed on by the House and the Senate and signed by the President, and this only takes care of those cases.

Mr. BROOKS. Would those cases that come in under forged passports be admitted to citizenship?

Mr. LESINSKI. We have not considered any of them.

Mr. BROOKS. How would you keep them out?

Mr. LESINSKI. We would have to pass a special bill for each individual.

Mr. BROOKS. Would this bill cover that?

Mr. LESINSKI. No.

Mr. WILLIAM T. PHEIFFER. Mr. Speaker, if I may add this interpolation to what my colleague has said, these private bills are looked over very carefully before they are reported out, and I do not recall any instance in the committee where any of these bills have been reported out in the face of an adverse report from the Department of Justice. This is a remedial measure.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

EMPOWERING LEGISLATURE OF HAWAII TO AUTHORIZE IMPROVEMENT BONDS

The Clerk called the bill (H. R. 5076) to empower the Legislature of the Territory of Hawaii to authorize the county of Kauai to issue improvement bonds.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Legislature of the Territory of Hawaii may authorize the county of Kauai to issue its general obligation bonds for the purpose of financing improvements in said county in a total amount not exceeding $600,000, despite the existing limitations of indebtedness contained in section 55 of the act of Congress of April 30, 1900, entitled "An act to provide a government for the Territory of Hawaii," as amended: *Provided, however*, That when said bonds have been issued as many of them as are outstanding shall be included in the outstanding indebtedness of said county in computing the amount of additional indebtedness, other than bonds issued pursuant to the authority contained

in Act 251 of the Session Laws of Hawaii of 1941, which may be incurred by said county.

SEC. 2. Said bonds may be issued under Act 251 of the Session Laws of Hawaii of 1941 and said act is hereby ratified and confirmed: *Provided, however,* That nothing herein contained shall be deemed to prohibit the amendment of said act by said Territory by the legislature thereof from time to time to provide for changes in the improvements authorized by said act or for the disposition of unexpended moneys appropriated by said act.

With the following committee amendment:

Page 1, line 7, insert after the word "existing", the words "5 percent and 1 percent."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time and passed and a motion to reconsider laid on the table.

ELECTRIC CURRENT IN COUNTY OF HAWAII, ETC.

The Clerk called the bill (H. R. 5077) to approve Act No. 112 of the Session Laws of 1941 of the Territory of Hawaii, entitled "An act to amend Act 101 of the Session Laws of Hawaii, 1921, relating to the manufacture, maintenance, distribution, and supply of electric current for light and power within the districts of North and South Hilo and Puna, in the county of Hawaii, so as to extend the franchise to the districts of Kau and South Kohala in said county, and extend the term thereof as to the town of Hilo."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Act No. 112 of the Session Laws of 1941 of the Territory of Hawaii, entitled "An act to amend Act 101 of the Session Laws of Hawaii, 1921, relating to the manufacture, maintenance, distribution, and supply of electric current for light and power within the districts of North and South Hilo and Puna, in the county of Hawaii, so as to extend the franchise to the districts of Kau and South Kohala in said county, and extend the term thereof as to the town of Hilo," passed by the Legislature of Hawaii and approved by the Governor of the Territory of Hawaii on April 26, 1941, be hereby approved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

DIFFERENTIAL IN PAY FOR CUSTODIAL SERVICE EMPLOYEES, POSTAL SERVICE

The Clerk called the bill (H. R. 2232) to provide a differential in pay for night work for custodial service employees in the Postal Service.

The SPEAKER pro tempore. Is there objection?

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

Mr. RICH. Mr. Speaker, I reserve the right to object to call the attention of the House to the bill and the letter of the Postmaster General, in which we find the final language:

The cost of this legislation would be approximatel $1,100,000 per annum. It has been ascertained from the Bureau of the Budget that the enactment of this proposed legislation would not be in accord with the program of the President.

I cannot understand why the committee would permit legislation of this kind to be put on the calendar when it is against the ideas of the Postmaster General and the President does not want it. I do not understand why the members of the committee should come in here and think that we are going to let this go through by unanimous consent. Why do we do these foolish things?

Mr. MASON. Mr. Speaker, I reserve the right to object in order to answer the gentleman from Pennsylvania [Mr. RICH] and to say that the custodial employees of the Postal Department are the only group in the whole Postal Department who do not have a differential between night service and day service. The bill proposes to at least place them on the same basis as all other postal-employee groups.

The report from the Postmaster General saying it would cost a million or more is an incorrect report and has been properly checked. It will cost more, but it is necessary in order to at least do the fair thing by this one group, and the unanimous report of the Committee on the Post Office and Post Roads, under no consideration, should be called a foolish report.

Mr. RICH. Let me ask the gentleman this question: Whenever the Postmaster General, who is supposed to have charge of all post-office employees in the country, comes in with a report that is contrary to the report of the committee, is it not possible for the committee and the Postmaster General to get together so that we might try to do the business of the Government in a good, sensible, businesslike way? That is the way they do it in ordinary procedure back in the country.

Mr. MASON. In answer to the gentleman's statement, I might say that the same Postmaster General reports and advocates and urges upon Congress and upon our committee the passage of a bill which would subsidize book rates at the expense of $7,000,000, and urged that, but every time there is a chance to do justice to certain groups of employees, then they report adversely. I want to ask the gentleman if he considers that consistent.

Mr. RICH. Then I come to the conclusion from the statement of the gentleman from Illinois that you have no confidence in the report of the Postmaster General and you cannot rely on that, because you have stated this is not a correct statement?

Mr. MASON. And I want to say that the gentleman's remarks would show that he has no confidence in the Committee on the Post Office and Post Roads in this House.

Mr. RICH. I think you should try to reconcile your differences.

Mr. McCORMACK. Mr. Speaker, reserving the right to object, I hope that the unanimous-consent request will not be pressed. This is a very meritorious bill. I think the gentleman from Pennsylvania [Mr. RICH] ought to compliment the committee for acting independently. Usually my friend from Pennsylvania claims that committees are rubber stamps. Here, according to his own admission, the committee does the very thing that he advocates in other directions. So personally I think my very good friend and warm-hearted colleague from Pennsylvania ought to congratulate the Committee on the Post Office and Post Roads for its independence.

Now, so far as the bill is concerned, this is a very meritorious bill. It certainly goes to the lowest-salaried employees of the Post Office Department. It only seeks to extend the minimum of practical justice, and I hope that the unanimous-consent request to pass the bill over without prejudice will be withdrawn.

Mr. RICH. Mr. Speaker, reserving the right to object, has the majority leader read the letter from the Postmaster General of February 19, 1941, to the gentleman from Missouri, Hon. MILTON A. ROMJUE, wherein he criticized the legislation and said that it was not in accordance with the wishes of the President, not in accordance with his own idea, nor the idea of the Budget? I would like to ask the gentleman, who is the majority leader, when you see we are going into the red over a billion dollars a month now, when you see that this Nation is on the verge of bankruptcy and you are going to come in here this week and ask the Government for $6,000,000,000 more, which will make thirteen billion for the President to give away, do you not think it is about time to conserve the resources of America, to look after the American taxpayer as well, and try to keep this country from going into bankruptcy? You as majority leader are one of those who is responsible to guide the destinies of this administration. I think that somebody should take hold of things pretty soon.

Mr. McCORMACK. I do not agree with most of the facts stated by the gentleman. The gentleman from Pennsylvania asked a hypothetical question, and most of the premises of his question I am not in agreement with. Of course, everything the gentleman says about the country being in bankruptcy is agreed to by only a very few outside of my distinguished friend from Pennsylvania. But we were just discussing this bill. Just keep your mind focused on this bill. I know the gentleman from Pennsylvania is capable of doing it. This bill confines itself to a small group of deserving employees. Certainly the committee should be congratulated for weighing all the evidence, considering the report of the Post Office Department, and considering all other evidence involved, and then acting independently in reporting the bill out. In other words, as I said before, the committee should be congratulated by the gentleman from Pennsylvania for its independence instead of being criticized by him.

This is a worthy bill, and I hope it will be passed today.

Mr. RICH. It was stated that Mr. Walker was wrong in stating that it would cost $1,100,000. A member of the committee stated that. Now, what is the actual cost?

Mr. BURCH. Will the gentleman yield?

Mr. RICH. I yield.

Mr. BURCH. I want to say to you that the first letter was evidently gotten up hurriedly. On August 25 the Committee on the Post Office and Post Roads received

a letter from Mr. Walker in which he said the cost would be $447,186.44.

Mr. RICH. What date was that?

Mr. BURCH. August 25.

Mr. COCHRAN. Six months after the first report.

Mr. BURCH. All other employees in the Postal Department have this differential. It is only a 10-percent differential for night work. I think this is a meritorious bill. We have given it very careful consideration. It comes before the House with the unanimous report of the committee. We do not think we could ask less for these custodial employees than we are asking at this time.

Mr. COCHRAN. Will the gentleman yield?

Mr. BURCH. I yield.

Mr. COCHRAN. As a matter of fact, was not this bill reported favorably by the Department in the last Congress?

Mr. BURCH. I do not recall. They have not made any strenuous objection to it.

Mr. COCHRAN. The total cost of this legislation, to put every employee on the same basis, will be only $447,000. It seems to me it is worthy legislation and will improve the morale of the employees who one might say are now being discriminated against. Further let it be remembered the employees affected are in the lowest brackets.

Mr. BURCH. Four hundred and forty-seven thousand dollars.

Mr. SHEPPARD. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. The regular order is demanded. The regular order is: Is there objection to the request of the gentleman from New York?

Mr. RICH. Mr. Speaker, I would like to ask a question.

The SPEAKER pro tempore. The regular order has been demanded. The gentleman can only do one thing, that is object. Is there objection?

Mr. COLE of New York. Mr. Speaker, in view of the explanation given that the cost will not be over $1,000,000 but under one-half million, which was the basis for making my request, I withdraw my request.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. TABER. Mr. Speaker, I object.

APPOINTMENT OF ASSISTANT POSTMASTER AT ALL FIRST- AND SECOND-CLASS POST OFFICES

The Clerk called the next bill, H. R. 3192, to require the filling of all vacancies in the position of assistant postmaster in first- and second-class post offices.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

AMENDMENT OF ACT REORGANIZING THE ADMINISTRATION OF FEDERAL PRISONS

The Clerk called the next bill, H. R. 5270, to amend the act reorganizing the administration of Federal prisons.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that the bill (S. 1698) to amend the act reorganizing the administration of Federal prisons be substituted for the bill H. R. 5270.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 7 of the act entitled "An act to reorganize the administration of Federal prisons; to authorize the Attorney General to contract for the care of United States prisons; to establish Federal jails, and for other purposes," approved May 14, 1930 (46 Stat. 326, U. S. C., title 18, sec. 753f), be, and it hereby is, amended by adding thereto the following sentence: "The authority conferred upon the Attorney General by this section shall extend to persons committed to the National Training School for Boys, by the juvenile court of the District of Columbia, as well as to those committed by any court of the United States."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider and a similar House bill (H. R. 5270) were laid on the table.

FIRES ON PUBLIC DOMAIN AND IN NATIONAL FORESTS

The Clerk called the next bill, S. 633, to amend the Criminal Code in respect to fires on the public domain or Indian lands or on certain lands owned by the United States.

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, this bill proposes to make it a criminal offense for anyone to willfully set on fire or cause to be set on fire any timber, underbrush, or grass or other inflammable material upon the public domain or upon any lands owned or leased by or under the partial, concurrent, or exclusive jurisdiction of the United States which are included in a park, forest, monument, historical park, military park, battlefield site, parkway, recreational area, seashore, lake shore, cemetery, recreational demonstration project, wildlife refuge, grazing district, or stock driveway, and certain other categories.

While I am opposed as much as anyone could be to the destruction of public property by fire, and want the fullest possible protection, yet the language of this bill it seems to me would make a criminal out of anyone who might build a campfire even within that portion of a park or tract set aside for public use. It would also make a criminal out of any employee of the Government who should set a fire or cause to be set afire in timber or underbrush although the brush might have been gathered or set aside for the purpose of clearing up after thinning operations. It might even make it illegal for an Indian to build a campfire on his own trust allotment. It seems to me consequently that the bill should be amended and clarified. Something should be worked out for the protection of the public and of the Government employees. I ask, therefore, that the bill go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

AUTHORIZING TRANSFER OF ENLISTED MEN OF THE NAVAL AND MARINE CORPS RESERVE TO THE REGULAR NAVY AND MARINE CORPS

The Clerk called the next bill, H. R. 5464, to authorize the transfer of enlisted men of the Naval and Marine Corps Reserve to the Regular Navy and Marine Corps.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in time of war or national emergency enlisted men of the Naval Reserve and the Marine Corps Reserve, may, upon their own application while on active duty, other than active training duty, under such regulations as the Secretary of the Navy may prescribe, be transferred to the Regular Navy or Regular Marine Corps, respectively, to serve the unexpired term of their enlistment, or period for which they have obligated themselves to serve in the Naval Reserve or Marine Corps Reserve, in such rating or rank as they may be found qualified: *Provided*, That such transfers may not be made in excess of the authorized enlisted strength of the Navy or Marine Corps: *Provided further*, That men so transferred shall, while in the Regular Navy or Regular Marine Corps and upon discharge therefrom, be entitled to and receive the same pay, allowances, and other benefits, including travel allowance on discharge, as though the enlistment in the Naval Reserve or Marine Corps Reserve had been an original enlistment in the Regular Navy or Regular Marine Corps, except that for the purpose of longevity credit no credit shall be allowed for any service performed as a member of the Naval Reserve or Marine Corps Reserve other than service on continuous active duty: *And provided further*, That the foregoing shall apply to men who have enlisted in the Regular Navy or Regular Marine Corps after discharge from a Reserve enlistment entered into since February 6, 1941.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR THE SECURITY OF UNITED STATES NAVAL VESSELS

The Clerk called the next bill, H. R. 5463, providing for the security of United States naval vessels, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in addition to those duties now imposed by law on the Coast Guard by virtue of the acts of March 4, 1915 (38 Stat. 1053; 33 U. S. C. 471), June 15, 1917 (40 Stat. 220; 50 U. S. C. 191), and June 22, 1936 (49 Stat. 1820; U. S. C., Supp. V, title 14, sec. 45), it shall be the duty of the captain of the port, Coast Guard district commander, or other officer of the Coast Guard designated by the commandant thereof, or the Governor of the Panama Canal in the case of the territory and waters of the Canal Zone, to so control the anchorage and movement of any vessel, foreign or domestic, in the territorial waters of the United States, as to insure the safety or security of such United States naval vessels as may be present in his jurisdiction: *Provided*, That in

territorial waters of the United States where immediate action is required, or where representatives of the Coast Guard are not present, or not present in sufficient force to exercise effective control of shipping as provided herein, the senior naval officer present in command of any naval force may control the anchorage or movement of any vessel, foreign or domestic, to the extent deemed necessary to insure the safety and security of his command.

SEC. 2. When the Coast Guard operates as a part of the Navy pursuant to section 1 of the act of January 28, 1915 (38 Stat. 800; U. S. C., title 14, sec. 1), the powers conferred on the Secretary of the Treasury by section 1, title II, of the act of June 15, 1917 (40 Stat. 220; U. S. C., title 50, sec. 191), shall vest in and be exercised by the Secretary of the Navy.

SEC. 3. Section 2, title II, act of June 15, 1917 (40 Stat. 220; U. S. C., title 50, sec. 191), is hereby amended by striking therefrom the words "by the Secretary of the Treasury or the Governor of the Panama Canal."

SEC. 4. Except as provided in section 2, nothing in this act shall be construed as affecting the authority conferred upon the Governor of the Panama Canal by the second paragraph of section 1, title II, act of June 15, 1917 (40 Stat. 220; U. S. C., title 50, sec. 191).

With the following committee amendments:

Page 2, line 16, before the words "the powers", delete the comma and insert the words "as amended."

Page 2, line 22, change the numerals "191" to "192."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PREFERENTIAL POSTAL RATES FOR BRAILLE WRITERS AND CERTAIN SHORTHAND MACHINES

The Clerk called the next bill, S. 1570, to further amend the acts for promoting the circulation of reading matter among the blind.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act approved April 27, 1904 (33 Stat. 313), the supplemental provision in the act approved August 24, 1912 (37 Stat. 551), the joint resolution approved June 7, 1924 (43 Stat. 668), the act approved May 9, 1934 (48 Stat. 678), and the act amending these acts approved May 16, 1938 (52 Stat. 378) (39 U. S. C., 1934 edition, Supp. V, sec. 331), be, and the same are hereby, amended to read as follows:

Books, pamphlets, and other reading matter published either in raised characters, whether prepared by hand or printed or in the form of sound-reproduction records for the use of the blind, in packages not exceeding the weight prescribed by the Postmaster General, and containing no advertising or other matter whatever, unsealed, and when sent by public institutions for the blind, or by any public libraries, as a loan to blind readers, or when returned by the latter to such institutions or public libraries; magazines, periodicals, and other regularly issued publications in such raised characters, whether prepared by hand or printed, or on sound-reproduction records (for the use of the blind), which contain no advertisements and for which no subscription fee is charged, shall be transmitted in the United States mails free of postage and under such regulations as the Postmaster General may prescribe.

Volumes of the Holy Scriptures, or any part thereof, published either in raised characters, whether prepared by hand or printed, or in the form of sound-reproduction records, for the use of the blind, which do not contain advertisements (a) when furnished by an organization, institution, or association not conducted for private profit, to a blind person without charge, shall be transmitted in the United States mails free of postage; (b) when furnished by an organization, institution, or association not conducted for private profit, to a blind person at a price not greater than the cost price thereof, shall be transmitted in the United States mails at the postage rate of 1 cent for each pound or fraction thereof, under such regulations as the Postmaster General may prescribe.

Reproducers for sound-reproduction records for the blind or parts thereof which are the property of the United States Government, when shipped for repair purposes by an organization, institution, public library, or association for the blind not conducted for private profit, or by a blind person to an agency not conducted for private profit, or from such an agency to an organization, institution, public library, or association for the blind not conducted for private profit, or to a blind person, may be transmitted through the mails at the rate of 1 cent per pound or fraction thereof, under such regulations as the Postmaster General may prescribe.

The Postmaster General may in his discretion extend this rate of 1 cent per pound or fraction thereof to reproducers for sound-reproduction records for the blind, or parts thereof, and, when mailed to be repaired or being returned after repair, to Braille writers and other appliances for the blind, or parts thereof, which are the property of State governments or subdivisions thereof, or of public libraries, or of private agencies for the blind not conducted for private profit, or of blind individuals, under such regulations as he may prescribe.

All letters written in point print or raised characters or on sound-reproduction records used by the blind, when unsealed, shall be transmitted through the mails as third-class matter.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO PERMIT THE MAILING OF SMALL FIREARMS TO OFFICERS AND EMPLOYEES OF ENFORCEMENT AGENCIES OF THE UNITED STATES

The Clerk called the next bill, H. R. 1793, to authorize mailing of small firearms to officers and employees of enforcement agencies of the United States.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act entitled "An act declaring pistols, revolvers, and other firearms capable of being concealed on the person nonmailable and providing penalty," approved February 8, 1927, 44 Stat. 1059 (U. S. C., title 18, sec. 361), as amended, is amended by inserting before the word "and" in the final clause of the first proviso the following: "to officers and employees of enforcement agencies of the United States;".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsired was laid on the table.

AUTHORIZING TRANSPORTATION OF EMPLOYEES OF ALASKA RAILROAD ON VESSELS OF ARMY TRANSPORT SERVICE

The Clerk called the next bill, H. R. 4904, to authorize transportation of employees of The Alaska Railroad on vessels of the Army Transport Service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That when, in the opinion of the Secretary of War, accommodations are available, transportation on vessels of the Army Transport Service may be provided, without expense to the United States, to employees of The Alaska Railroad, residing in Alaska, who have been in such employment for a period of not less than 2 years, and to their families: *Provided*, That except in cases of dire emergency, such as sickness or death, the privilege herein granted shall be limited, as to each eligible individual, to one round trip between Alaska and the States during each 2-year period from and after the passage of this act.

With the following committee amendment:

Page 1, line 6, strike out the words "The Alaska Railroad" and insert "the United States."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to authorize transportation of employees of the United States on vessels of the Army Transport Service."

AMENDMENT TO THE ALIEN REGISTRATION ACT

The Clerk called the next bill, S. 1512, to amend the Alien Registration Act, 1940, by making it a criminal offense to reproduce alien registration receipt cards.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 36 of the Alien Registration Act, 1940 (act of June 28, 1940, title III, sec. 36, 54 Stat. 675; U. S. C., title 8, sec. 457), be, and the same is hereby, amended by inserting at the end thereof a new subsection to be lettered (d), reading as follows:

"(d) Any person who with unlawful intent photographs, prints, or in any other manner makes, or executes, any engraving, photograph, print, or impression in the likeness of an alien registration receipt card or any colorable imitation thereof, except when and as authorized under such rules and regulations as may be prescribed by the Attorney General, shall, upon conviction, be fined not to exceed $5,000 or be imprisoned not more than 5 years, or both."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TIME CREDITS TO INJURED SUBSTITUTE POSTAL EMPLOYEES

The Clerk called the next bill, H. R. 3549, for the relief of postal employees.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That hereafter when a substitute in the Postal Service is injured while engaged in the performance of official duties, the number of work days he may be disabled from performing service as a result of such injury shall be regarded, in computing his time credit for promotion purposes, as having been employed in the performance of official duties: *Provided*, That in computing the work days of a substitute, he may be allowed credit for the average number of days' service performed by substitutes on the State or post-office substitute list: *Provided further*, That any substitute injured prior to the date of this act shall not lose any credit in seniority standing as a result of injuries sustained while on duty.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONFERRING TO CERTAIN PERSONS WHO SERVED IN A CIVILIAN CAPACITY UNDER JURISDICTION OF QUARTERMASTER GENERAL DURING THE WAR WITH SPAIN, ETC., BENEFITS OF HOSPITALIZATION AND PRIVILEGES OF THE SOLIDERS' HOMES

The Clerk called the next bill, H. R. 143, to confer to certain persons who served in a civilian capacity under the jurisdiction of the Quartermaster General during the War with Spain, the Philippine Insurrection, or the China Relief Expedition the benefits of hospitalization and the privileges of the soldiers' homes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That all persons who served in a civilian capacity under the jurisdiction of the Quartermaster General during the War with Spain, the Philippine Insurrection, or the China Relief Expedition on vessels owned by the United States and engaged in the transportation of troops, supplies, ammunition, or materials of war, and who were discharged for disability incurred in such governmental service in line of duty, are hereby granted entitlement to medical and hospital treatment and domiciliary care in Veterans' Administration facilities in the same manner and to the same extent as now or hereafter provided for veterans of any war.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING THAT THE UNEXPLAINED ABSENCE OF ANY EX-SERVICE MAN FOR 7 YEARS SHALL BE DEEMED SUFFICIENT EVIDENCE OF DEATH

The Clerk called the next bill, H. R. 4787, to provide that the unexplained absence of any ex-service man for 7 years shall be deemed sufficient evidence of death for the purpose of laws administered by the Veterans' Administration.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That no State law providing for presumption of death shall be applicable to claims for benefits under laws administered by the Veterans' Administration. If evidence satisfactory to the Administrator of Veterans' Affairs is produced establishing the fact of the continued and unexplained absence of any individual from his home and family for a period of 7 years, during which period no evidence of the absentee's existence has been received, the death of such absentee as of the date of the expiration of such period may be considered as sufficiently proved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT TO SECTION 4, PUBLIC LAW NO. 198, SEVENTY-SIXTH CONGRESS, JULY 19, 1939

The Clerk called the next bill, H. R. 4853, to amend section 4, Public Law No. 198, Seventy-sixth Congress, July 19, 1939, to authorize hospitalization of retired officers and enlisted men who are war veterans, in Veterans' Administration facilities under contract on parity with other war veterans.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 4 of Public Law No. 198, Seventy-sixth Congress, approved July 19, 1939, is hereby amended to read as follows:

"SEC. 4. In the administration of laws pertaining to veterans, retired officers, and enlisted men of the Army, Navy, Marine Corps, and Coast Guard, who served honorably during a war period as recognized by the Veterans' Administration, shall be and are entitled to hospitalization and domiciliary care in the same manner and to the same extent as veterans of any war are now or may hereafter be furnished hospitalization or domiciliary care by the Veterans' Administration and subject to those provisions of paragraph VI (A) of Veterans Regulation No. 6 (c), which provide for reduction of monetary benefits to veterans having neither wife, child, nor dependent parent while being furnished hospital treatment, institutional, or domiciliary care."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to amend section 4, Public Law No. 198, Seventy-sixth Congress, July 19, 1939, to authorize hospitalization of retired officers and enlisted men who are war veterans on a parity with other war veterans."

FACILITATING STANDARDIZATION AND UNIFORMITY OF PROCEDURE RELATING TO DETERMINATION OF SERVICE CONNECTION OF INJURIES OR DISEASES

The Clerk called the next bill, H. R. 4905, to facilitate standardization and uniformity of procedure relating to determination of service connection of injuries or diseases alleged to have been incurred in or aggravated by active service in a war, campaign, or expedition.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is hereby authorized and directed to include in the regulations pertaining to service connection of disabilities additional provisions in effect requiring that in each case where a veteran is seeking service connection for any disability due consideration shall be given to the places, types, and circumstances of his service as shown by his service record, the official history of each organization in which he served, his medical records, and all pertinent medical and lay evidence.

In the case of any veteran who engaged in combat with the enemy in active service with a military or naval organization of the United States during some war, campaign, or expedition, the Administrator of Veterans' Affairs is authorized and directed to accept as sufficient proof of service connection of any disease or injury alleged to have been incurred in or aggravated by service in such war, campaign, or expedition, satisfactory lay or other evidence of service incurrence or aggravation of such injury or disease, if consistent with the circumstances, conditions, or hardships of such service, notwithstanding the fact that there is no official record of such incurrence or aggravation in such service, and, to that end, shall resolve every reasonable doubt in favor of such veteran: *Provided*, That service connection of such injury or disease may be rebutted by clear and convincing evidence to the contrary. The reasons for granting or denying service connection in each such case shall be recorded in full.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING ADMINISTRATOR OF VETERANS' AFFAIRS TO GRANT EASEMENTS IN CERTAIN LANDS TO BEDFORD, MASS.

The Clerk called the next bill, H. R. 5305, authorizing the Administrator of Veterans' Affairs to grant easements in certain lands to the town of Bedford, Mass., for road-widening purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized and directed to grant easements, subject to any rights which the Boston and Maine Railroad Co. may have in and over tract No. 2, to the town of Bedford, Mass., for road-widening purposes, in two small strips of land of the Veterans' Administration facility in such town, described as follows:

TRACT NO. 1

Beginning at a point in the northeasterly line of Page or Pine Hill Road at the southerly corner of the property of the United States of America and known as Veterans' Administration Facility, Bedford, Mass., north twenty-six degrees twenty-six minutes and thirty seconds west one hundred and seventeen and ninety-six one-hundredths feet along the northeasterly line of said road to a point in the new northeasterly street line as laid out by the county commissioners of Middlesex County on December 20, 1940; thence south twenty-eight degrees ten minutes and five seconds east one hundred and sixteen and forty-four one-hundredths feet along the said new northeasterly street line to a point in the southeasterly property line of the United States of America; thence south thirty-nine degrees twenty-three minutes and forty seconds west three and eighty-five one-hundredths feet along the southeasterly property line of the United States of America to the point of beginning, containing five one-hundredths acre, more or less.

TRACT NO. 2

Beginning at a point in the northeasterly line of Page or Pine Hill Road at the southwesterly corner of the property of the United States of America and known as Veterans' Administration Facility, Bedford, Mass., north fifty degrees thirty-eight minutes and forty seconds east five and eighty-six one-hundredths feet along the westerly property line of the United States of America to a point in the new northeasterly street line as laid

out by the county commissioners of Middlesex County on December 20, 1940; thence south twenty-eight degrees ten minutes and five seconds east six hundred thirty-seven and thirty-eight one-hundredths feet along the said new northeasterly street line to a point in the northwesterly right-of-way line of the Boston and Maine Railroad Co.; thence south twenty-eight degrees ten minutes and five seconds east forty-seven and ninety-one one-hundredths feet across said railroad right-of-way; thence south twenty-eight degrees ten minutes and five seconds east one and fifteen one-hundredths feet to a point in the northeasterly line of Page or Pine Hill Road; thence north twenty-nine degrees five minutes and sixteen seconds west one and thirteen one-hundredths feet to a point in the northeasterly right-of-way line of the Boston and Maine Railroad Co.; thence north twenty-nine degrees five minutes and sixteen seconds west forty-seven and twelve one-hundredths feet across said railroad right-of-way; thence north thirty degrees nineteen minutes and twenty-five seconds west three hundred forty-two and six one-hundredths feet; thence north thirty-three degrees seven minutes and ten seconds west one hundred and fifty feet; thence north twenty-one degrees thirteen minutes and thirty seconds west ninety-two and fifty-four one-hundredths feet; thence north eighteen degrees one minute and fifteen seconds west fifty-four and seventy-nine one-hundredths feet to the point of beginning, containing eighteen one-hundredths acre, more or less.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENDING BENEFITS OF THE 8-IN-10-HOUR LAW TO EMPLOYEES OF CUSTODIAL SERVICE

The Clerk called the next bill, H. R. 1851, limiting working hours of custodial service employees to 8 in 10 hours a day.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the fifth paragraph of section 116, title 39, United States Code, 1934 edition, supplement V, is amended to read as follows:

"Special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service, employees of the pneumatic-tube system, and employees of the custodial service shall be required to work not more than 8 hours a day. The 8 hours of service shall not extend over a longer period than 10 consecutive hours, and the schedules of duties of the employees shall be regulated accordingly. In cases of emergency, or if the needs of the service require, special clerks, clerks, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service, employees of the pneumatic-tube system, and employees of the custodial service can be required to work in excess of 8 hours per day, and for such overtime service they shall be paid on the basis of the annual pay received by such employees. In computing the compensation for such overtime the annual salary or compensation for such employees shall be divided by 305, the number of working days in the year less all Sundays and legal holidays; the quotient thus obtained will be the daily compensation which divided by 8 will give the hourly compensation for such overtime service. When the needs of the service require the employment on Sundays and holidays of route supervisors, special clerks, clerks, dispatchers, mechanics in charge, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-driver in the motor-vehicle service, employees of the pneumatic-tube system, and employees of the custodial service, they shall be allowed compensatory time on 1 day within 6 days next succeeding the Sunday, except the last 3 Sundays in the calendar year, and on 1 day within 30 days next succeeding the holiday and the last 3 Sundays in the year on which service is performed: *Provided, however,* That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime in lieu of compensatory time for service on Sundays and holidays."

With the following committee amendment:

Page 1, line 3, strike out the word "fifth" and insert "sixth."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the able.

EXTENDING RULE MAKING AUTHORITY OF SUPREME COURT TO CRIMINAL CONTEMPT OF COURT

The Clerk called the next bill, H. R. 5203, to extend the provisions of the act of February 24, 1933, and of the act of June 29, 1940, to proceedings to punish for criminal contempt of court.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of the act entitled "An act to give the Supreme Court of the United States authority to prescribe rules of practice and procedure with respect to proceedings in criminal cases after verdict", approved February 24, 1933 (47 Stat. 904, U. S. C., title 18, sec. 688), as amended, and the provisions of the act entitled "An act to give the Supreme Court of the United States authority to prescribe rules of practice, pleading, and procedure with respect to proceedings in criminal cases prior to and including verdict, or finding or plea of guilty", approved June 29, 1940 (54 Stat. 688, U. S. C., title 18, sec. 687), are hereby extended to proceedings to punish for criminal contempt of court.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SUBSISTENCE EXPENSES OF JUDGES OF THE COURT OF CLAIMS

The Clerk called the next bill, S. 1052, relating to the traveling and subsistence expenses of judges and retired judges of the Court of Claims.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act of February 24, 1925, entitled "An act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation" (43 Stat. 965), as amended (46 Stat. 799; U. S. C., title 28, secs. 270, 275a), is hereby reenacted and amended to read as follows:

"SEC. 2. Each of the said commissioners shall devote all of his time to the duties of his office and shall receive a salary of $7,500 per annum, payable monthly out of the Treasury. The chief justice, or any judge of the Court of Claims, may sit at any place within the United States to take evidence in any case instituted in said court. The chief justice and any judge of the court, the commissioners, and stenographers authorized by the court shall also receive their necessary traveling expenses and their actual expenses incurred for subsistence while traveling on duty and away from Washington in an amount not to exceed $10 per day in the case of the chief justice or any judge of the court, $7 per day in the case of commissioners, and $5 per day in the case of stenographers. Retired judges recalled to active duty in Washington or elsewhere shall be entitled to receive the same travel and subsistence expenses as provided for other judges in this act while absent from their actual places of residence. The expenses of travel and subsistence herein authorized shall be paid upon order of the court."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FEES AND COSTS OF WITNESSES AND JURORS

The Clerk called the next bill, S. 1051, relating to the payment of fees and costs of witnesses and jurors and the accounting therefor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 846 of the Revised Statutes, as amended (U. S. C., title 28, sec. 577), is hereby amended to read as follows:

"SEC. 846. No accounts of fees or costs paid to any witness or juror, upon the order of any judge or commissioner, or to any witness upon the certificate of attendance of the United States attorney or assistant United States attorney, or to any juror upon the certificate of attendance of the clerk of the court, shall be so reexamined as to charge any marshal for an erroneous taxation of such fees or costs. Where the ministerial officers of the United States have incurred or shall incur extraordinary expense in executing the laws thereof, the payment of which is not specifically provided for, the President of the United States is authorized to allow the payment thereof under the special taxation of the district court of the district in which the said services have been or shall be rendered, to be paid from the appropriation for defraying the expenses of the judiciary."

SEC. 2. Section 855 of the Revised Statutes (U. S. C., title 28, sec. 608) is hereby amended to read as follows:

"SEC. 855. The marshal shall pay to the jurors all fees to which they appear to be entitled on the certificate of attendance of the clerk of the court, and, in cases where the United States is a party, the marshal shall pay to the witnesses all fees to which they appear to be entitled on the certificate of attendance of the United States attorney or assistant United States attorney, which sum shall be allowed the marshal in the General Accounting Office in his accounts."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROHIBITING THE TRANSPORTATION OF OBSCENE LITERATURE

The Clerk called the next bill, H. R. 2523, to amend section 245, Criminal Code, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 245 of the act entitled "An act to codify, revise, and amend the penal laws of the United States," approved March 4, 1909, as amended, is hereby amended to read as follows:

"SEC. 245. (a) Whoever shall bring or cause to be brought into the United States, or any place subject to the jurisdiction thereof, from any foreign country, or shall therein knowingly deposit or cause to be deposited with any express company or other common carrier for carriage, or shall knowingly carry or trans-

port, from one State, Territory, or district of the United States or place noncontiguous to but subject to the jurisdiction thereof, to any other State, Territory, or district of the United States, or place noncontiguous to but subject to the jurisdiction thereof, or from any place in or subject to the jurisdiction of the United States, through a foreign country, to any place in or subject to the jurisdiction thereof, or from any place in or subject to the jurisdiction of the United States to a foreign country, any obscene, lewd, or lascivious, or any filthy book, pamphlet, picture, motion-picture film, paper, letter, writing, print, or other matter of indecent character, or any written or printed card, letter, circular, book, pamphlet, advertisement, or notice of any kind giving information, directly or indirectly, where, how, or of whom, or by what means any of the hereinbefore mentioned articles, matters, or things may be obtained or made; or whoever shall knowingly take or cause to be taken from any such express company or other common carrier or shall knowingly receive any matter or thing the depositing of which for carriage or the carriage or transportation of which is herein made unlawful, shall be fined not more than $5,000 or imprisoned not more than 5 years, or both.

"(b) Whoever shall bring or cause to be brought into the United States, or any place subject to the jurisdiction thereof, from any foreign country, or shall therein knowingly deposit or cause to be deposited with any express company or other common carrier, for carriage from one State, Territory, or district of the United States or place noncontiguous to but subject to the jurisdiction thereof, to any other State, Territory, or district of the United States, or place noncontiguous to but subject to the jurisdiction thereof, or from any place in or subject to the jurisdiction of the United States, through a foreign country, to any place in or subject to the jurisdiction thereof, or from any place in or subject to the jurisdiction of the United States to a foreign country, any drug, medicine, article, or thing designed, adapted, or intended for preventing conception, or producing abortion, or for any indecent or immoral use, or any written or printed card, letter, circular, book, pamphlet, advertisement, or notice of any kind giving information, directly or indirectly, where, how, or of whom, or by what means any of the hereinbefore-mentioned articles or things may be obtained or made; or whoever shall knowingly take or cause to be taken from such express company or other common carrier any matter or thing the depositing of which for carriage is herein made unlawful shall be fined not more than $5,000 or imprisoned not more than 5 years, or both."

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That whoever shall knowingly bring or cause to be brought into the United States or any place subject to the jurisdiction thereof from any foreign country for the purpose of sale or distribution or shall knowingly carry for the purpose of sale or distribution from one State, Territory, or District of the United States or place noncontiguous to but subject to the jurisdiction thereof, to any other State, Territory, or District of the United States, any obscene, lewd, or lascivious, or any filthy book, pamphlet, picture, motion-picture film, paper, letter, writing, print, or other matter of indecent character, shall be fined not more than $5,000 or imprisoned not more than 5 years, or both. The carriage as aforesaid of two or more copies of any publication of the character described above shall be presumptive evidence that such publication is intended for sale or distribution, but such presumption shall be rebuttable.

"SEC. 2. Investigations of violations of the provisions of this act shall be conducted by the Federal Bureau of Investigation of the Department of Justice."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to prohibit the transportation of obscene literature in interstate or foreign commerce."

THANKSGIVING DAY

The Clerk called the joint resolution (H. J. Res. 41) making the last Thursday in November a legal holiday.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the last Thursday of November in each year be known as Thanksgiving Day, and is hereby made a legal public holiday to all intents and purposes and in the same manner as the 1st day of January, the 22d day of February, the 30th day of May, the 4th day of July, the first Monday of September, the 11th day of November, and Christmas Day are now made by law public holidays.

With the following committee amendment:

Page 1, line 3, after "year", insert "after the year 1941."

The committee amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MICHENER. Mr. Speaker, on November 28, 1940, in the Seventy-sixth Congress, I addressed the House concerning the confusion caused by the Presidential proclamation changing the date of our annual Thanksgiving Day. At that time I promised to introduce legislation fixing permanently the day for this celebration.

On January 3, 1941, in the Seventy-seventh Congress, I therefore introduced House Joint Resolution 41. Since that time I have received many commendatory messages urging the passage of the resolution.

Mr. Speaker, to celebrate Thanksgiving Day on the last Thursday in November has become a tradition in the country.

In recent years there has been agitation—generated largely by merchandising interests—to advance the annual Thanksgiving celebration to an earlier date. It was contended that the proximity of Thanksgiving to Christmas interfered with Christmas commercial sales. This agitation was especially pronounced in New York City.

In 1940 the President of the United States proclaimed the third Thursday in the month, or November 21, as the day for national thanksgiving. There is no law fixing the date other than the President's proclamation.

As a result of the Presidential proclamation, the Governors of 32 States issued like proclamations, while 16 States refused to accept the new order, and the Governors of those States proclaimed the customary last Thursday in November, or November 28, as the national day for thanksgiving. It will be observed, therefore, that 16 States recognized the last Thursday in November as a legal holiday while in 32 States the third Thursday in November was a legal holiday. This change only made for confusion.

The President of the United States has announced that the reasons for which the change was made do not justify a continued change in the date. Due to the fact that there is this confusion, the President has announced he will proclaim the third Thursday in November 1941 as the annual day for thanksgiving, but in 1942 he will return to the last Thursday in November as our national Thanksgiving Day. In short, the experiment has not justified the change, according to the President's statement.

This bill fixes Thanksgiving Day on a given date in each year in the same manner as New Year's Day, Washington's Birthday, National Memorial Day, July 4, Labor Day, Armistice Day, and Christmas Day are fixed by law. The effect will be to stabilize the date so that there can be no confusion at any time in the future without congressional action.

There appears to be no act of Congress that has ever designated a particular day as Thanksgiving Day. The first Thanksgiving Day designated by a President was Thursday, November 26, 1789 (see 47 Stat. 2540). Other days so designated were: February 19, 1795 (11 Stat. 754, No. 5); second Thursday in April 1815 (11 Stat. 764, No. 16); August 6, 1863 (13 Stat. 734, No. 6); first Thursday in December, 1865 (13 Stat. 773, No. 50). Beginning in 1866 (14 Stat. 817, No. 5), the last Thursday in November was regularly designated as Thanksgiving Day until 1939, except in 1869, when November 18 was designated (16 Stat. 1129). In 1939, November 23 was designated (Proclamation No. 2372, 4 Fed. Reg. Di. I, 4443).

In short, this bill will fix the last Thursday in November as the permanent day for our annual Thanksgiving, and the date can only be changed by the considered action of the Congress, not by the fancy or whim of any President.

Mr. O'HARA. Mr. Speaker, I ask unanimous consent to extend my own remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. O'HARA. Mr. Speaker, the House Joint Resolution 41 of the gentleman from Michigan [Mr. MICHENER] is a bill to make the last Thursday in November a legal holiday, and this bill has been considered by the Committee on the Judiciary and a favorable report thereon with amendment, and it is hoped that the resolution as amended will pass.

Thanksgiving Day as a matter of precedent and tradition has been celebrated on the last Thursday in November from the time of the Pilgrim Fathers up to

this last year. Prior to this last year there was some agitation of the merchandising interests to change the annual Thanksgiving Day to an earlier date on the argument that Thanksgiving and Christmas were two holidays too close together and that the celebration of Thanksgiving interfered with the Christmas commercial sales.

In 1940 the President proclaimed the third Thursday in November as the day for national thanksgiving.

As a result of the change in the traditional day for Thanksgiving there has been a great deal of confusion, for the Governors of some States issued similar proclamations while other States refused to accept the new order and proclaimed the last Thursday in November.

The rather universal sentiment seems to be that we should return to the old custom of the last Thursday in November as Thanksgiving Day, not only in honoring a custom as old as our national history but it will mean a restoring of order to what has been confusion to many who have to deal with this problem as a holiday season.

It is to be hoped that this resolution will become a law after 1941.

LEASE OF CERTAIN LANDS TO THE CITY OF LOS ANGELES, CALIF.

The Clerk called the next bill, H. R. 547, authorizing the Secretary of War to execute an easement deed to the city of Los Angeles, Calif., for the use and occupation of lands and water areas in connection with the Sepulveda Dam and Reservoir project and the Hansen Dam and Reservoir project on the Los Angeles River.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and empowered, under such terms, regulations, and conditions as are deemed advisable by him, to grant to the city of Los Angeles, Calif., for public recreational purposes, an easement for the use and occupation of such lands and water areas owned or controlled by the United States in connection with the Sepulveda Dam and Reservoir project and the Hansen Dam and Reservoir project on the Los Angeles River, as he may designate: *Provided*, That said easement shall be subordinate to the use of said lands and water areas by the War Department as may be necessary in the operation and maintenance of said dam and reservoir projects.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

With the following committee amendments:

On page 1, line 7, strike out the word "an."

On page 1, line 7, add the letter "s" to the word "easement."

On page 1, line 7, strike out the word "such" and insert, in lieu thereof, the words "the following described."

On page 2, line 3, after the word "as", strike out the words "he may designate" and insert "follows: The Sepulveda Recreational Area, more particularly described as that portion of those lands within the city of Los Angeles, county of Los Angeles, State of California, being acquired by the Federal Government for that certain flood-control project known as the Sepulveda Flood Control Basin, bounded approximately as follows: Beginning at the intersection of Victory Boulevard and Haskell Avenue; thence southerly along Haskell Avenue to Burbank Boulevard; thence westerly along Burbank Boulevard to the proposed relocation of Woodley Avenue; thence southwesterly along the proposed relocation of Woodley Avenue to the upstream toe of the Sepulveda Dam; thence easterly, northeasterly, northerly, and northwesterly along the upstream toe of said Sepulveda Dam to the point of beginning; excepting therefrom all proposed streets, utility easements, Southern Pacific Railroad right-of-way, channels and structures appurtenant to said Sepulveda Dam; and the Hansen Recreational Area, more particularly described as that portion of those lands within the city of Los Angeles, county of Los Angeles, State of California, being acquired by the Federal Government for that certain flood-control project known as the Hansen Flood Control Basin, bounded approximately as follows: Beginning at the intersection of Borden Avenue and Osborne Street; thence northwesterly along Borden Avenue to the right-of-way line for said Hansen Flood Control Basin; thence northerly along said right-of-way line to Terra Bella Street; thence northeasterly along Terra Bella Street to Dronfield Street; thence southeasterly along Dronfield Street to Kagel Canyon Avenue; thence northeasterly along Kagel Canyon to Old Foothill Boulevard; thence southeasterly and northeasterly along Old Foothill Boulevard to Fenton Street; thence southeasterly along Fenton Street to Montague Avenue; thence northeasterly along Montague Avenue to the south line of the Southern California Edison Co., Ltd., right-of-way, 200 feet in width; thence easterly along the south line of the said Southern California Edison Co., Ltd., right-of-way to its intersection with the southerly extension of Clybourn Avenue; thence southeasterly along the southerly extension of Clybourn Avenue to the southerly line of tract No. 102; thence easterly along the said southerly line of tract No. 102, approximately 500 feet; thence southerly approximately 150 feet; thence easterly, parallel to said southerly line of tract No. 102, approximately 450 feet; thence southerly approximately 500 feet; thence south 35° west, approximately 1,800 feet; thence southerly approximately 1,150 feet to the upstream toe of the Hansen Dam; thence in a general westerly direction along the said upstream toe of the Hansen Dam, and its northeasterly prolongation to the point of beginning; excepting therefrom all proposed streets, channels, dam, and appurtenant structures."

On page 2, following line 7, insert a new section, as follows:

"SEC. 2. That in consideration for the granting of these easements the city of Los Angeles shall pay to the United States the sum of $720 per annum for said easements in the Sepulveda Recreational Area and the sum of $100 per annum for said easements in the Hansen Recreational Area."

On page 2, line 8, strike out the figure "2" and insert the figure "3."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROCUREMENT OF CERTAIN PRODUCTS MADE BY THE BLIND IN ALASKA, HAWAII, OR PUERTO RICO

The Clerk called the next bill, H. R. 594, to authorize procurement of certain products made by the blind in Alaska, Hawaii, or Puerto Rico.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act to create a Committee on Purchases of Blind-made Products, and for other purposes," approved June 25, 1938, is amended by adding at the end thereof the following new section:

"SEC. 4. As used in this act the term 'State' includes Alaska, Hawaii, and Puerto Rico. Notwithstanding the proviso in section 3, procurement of articles for use in Alaska, Hawaii, and Puerto Rico shall be subject to the provisions of this act."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING GOVERNMENT EMPLOYEES TO TESTIFY FOR THE DISTRICT OF COLUMBIA WITHOUT LOSS OF SALARY OR ANNUAL LEAVE

The Clerk called the next bill, H. R. 5192, to authorize employees of the United States to testify on behalf of the District of Columbia and employees of the District of Columbia to testify on behalf of the United States without loss of salary or annual leave.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 1344, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That from and after the passage of this act employees of the Government of the United States in active service who are called upon to serve as witnesses on behalf of the District of Columbia in any court proceeding in which the government of the District of Columbia may be a party and employees of the government of the District of Columbia who are called upon to serve as witnesses on behalf of the United States or the District of Columbia in any court proceeding in which the Government of the United States or the government of the District of Columbia may be a party, shall not be paid witness fees for such service, but the period of such service shall be without loss of salary or compensation and shall not be deducted from any leave of absence with pay authorized by law.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 5192) was laid on the table.

MAKING APPLICABLE STATE LAWS ON LANDS OR PREMISES SUBJECT TO JURISDICTION OF THE UNITED STATES FOR INJURY OR DEATH

The Clerk called the next, bill, H. R. 5235, making applicable to all lands or premises subject to the partial, concurrent, or exclusive jurisdiction of the United States the law of the State within the exterior boundaries of which such land or premises is situated, pertaining to the recovery of damages for injury or death by wrongful act or omission.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the case of injury or death of any person resulting from wrongful act or omission upon any lands or premises which are subject to the concurrent, partial, or exclusive jurisdiction of the United States, and which are situated within the exterior boundaries of any State, Territory, or dependency of the United States, such rights and liabilities shall exist as though the

place where the act or omission complained of occurred were at the time thereof under the exclusive jurisdiction of the State, Territory, or dependency within whose exterior boundaries such place may be. In any action to recover damages, or in any proceeding or suit under any workmen's compensation, or other statute, to recover compensation on account of such injury or death, the parties who may bring or maintain such action or proceedings, and the beneficiaries thereof, the parties against whom such action or proceeding may be brought or maintained, and the rights and liabilities of the parties and their privies, and of the beneficiaries thereof, shall be governed by the laws of such State, Territory, or dependency, insofar as they are not in conflict with the law of the United States.

SEC. 2. Nothing in this act shall be construed as creating any cause of action against the United States or constituting a consent of the United States to be sued otherwise than is now provided by law.

SEC. 3. Nothing herein contained shall be construed to deprive any person of any substantive right that would exist in the absence of this act.

SEC. 4. Nothing in this act shall be construed to apply to a wrongful act or omission committed by an Indian upon or within any lands or premises owned or held in trust by the United States for Indian use or any restricted lands or premises in Indian ownership, tribal or allotted.

SEC. 5. Nothing herein contained shall be construed to repeal Public Law No. 814 of the Seventy-fourth Congress, approved June 25, 1936 (49 Stat. 1938; 40 U. S. C. 290), relating to the applicability and enforcement of the workmen's compensation laws of the several States.

SEC. 6. The act of February 21, 1928 (45 Stat. 54, 16 U. S. C. 457), is hereby repealed, but such repeal shall not affect any rights or liabilities which have accrued or may hereafter accrue by reason of any occurrence prior to the effective date of this act.

With the following committee amendment:

Page 3, line 8, strike out "February 21" and insert "February 1."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERMITTING UNITED STATES TO BE MADE PARTY DEFENDANT IN CERTAIN CASES

The Clerk called the next bill, H. R. 5578, to permit the United States to be made a party defendant in certain cases.

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 1 of the act entitled "An act to permit the United States to be made a party defendant in certain cases," approved March 4, 1931, as amended (46 Stat. 1528, U. S. C., title 28, sec. 901), be, and the same is hereby, amended to read as follows:

"SECTION 1. Upon the conditions herein prescribed for the protection of the United States, the consent of the United States is given to be named a party in any suit which is now pending or which may hereafter be brought in any United States district court, including those for the districts of Alaska, Hawaii, and Puerto Rico, and the District Court of the United States for the District of Columbia, and in any State court having jurisdiction of the subject matter, to quite title to or for the foreclosure of a mortgage or other lien upon real estate or personal property, for the purpose of securing an adjudication touching any mortgage or other lien the United States may have or claim on the premises or personal property involved."

SEC. 2. Section 4 of the act entitled "An act to permit the United States to be made a party defendant in certain cases," approved March 4, 1931, as amended (46 Stat. 1529, U. S. C., title 28, sec. 904), is amended to read as follows:

"SEC. 4. Except as herein otherwise provided, a judicial sale made in pursuance of a judgment in such a suit shall have the same effect respecting the discharge of the property from liens and encumbrances held by the United States as may be provided with respect to such matters by the law of the State, Territory, or District in which the land or personal property is situated: *Provided*, That a sale to satisfy a lien inferior to one of the United States, shall be made subject to and without disturbing the lien of the United States, unless the United States, by its attorneys, consents that the property may be sold free of its mortgage or lien and the proceeds divided as the parties may be entitled: *And provided further*, That where a sale of real estate is made to satisfy a lien prior to that of the United States, the United States shall have 1 year from the date of sale within which to redeem. In any case where the debt owing the United States is due, the United States may ask, by way of affirmative relief, for the foreclosure of its own lien or mortgage and in any case where property is sold to satisfy a first mortgage or first lien held by the United States, the United States may bid at the sale such sum not exceeding the amount of its claim with expenses of sale, as may be directed by the chief of the department, bureau, or other agency of the Government which has charge of the administration of the laws in respect of which the claim of the United States arises."

SEC. 3. Section 2 of the act entitled "An act to permit the United States to be made a party defendant in certain cases," approved March 4, 1931, as amended (46 Stat. 1528, U. S. C., title 28, sec. 902), is hereby amended to read as follows:

"SEC. 2. Service upon the United States shall be made by serving the process of the court with a copy of the bill of complaint upon the United States attorney for the district or division in which the suit has been or may be brought, or upon an assistant United States attorney or a clerical employee designated by the United States attorney in writing filed with the clerk of the court in which suit is brought, and by sending copies of the process and bill, by registered mail, to the Attorney General of the United States at Washington, D. C. The complaint shall set forth with particularity the nature of the interest or lien of the United States on such property. The United States shall have 60 days after service as above provided, or such further time as the court may allow, within which to appear and answer, plead, or demur."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REPEAL OF CERTAIN SECTIONS OF THE REVISED STATUTES

The Clerk called the next bill, S. 377, to repeal sections 512, 513, 514, 515, as amended, 3744, as amended, 3745, 3746, and 3747 of the Revised Statutes.

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 512, 513, 514, 515, as amended, 3744, as amended, 3745, 3746, and 3747 of the Revised Statutes (41 U. S. C., secs. 1, 2, 3, 4, 4a, 16, 17, 18, and 19) are hereby repealed.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That sections 512, 513, 514, 515, as amended, of the Revised Statutes; sections 1 and 3 of the act approved February 4, 1929 (45 Stat. 1147); and section 3744, as amended; 3745, 3746, and 3747 of the Revised Statutes (41 U. S. C., secs. 1, 2, 3, 4, 4a, 16, 17, 18, and 19) are hereby repealed."

Amend the title.

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF NATIONALITY ACT OF 1940

The Clerk called the next bill, H. R. 5511, to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad.

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That chapter IV of the Nationality Act of 1940, section 409, is amended to read as follows:

"SEC. 409. Nationality shall not be lost under the provisions of section 404 or 407 of this act until the expiration of 2 years, following the date of the approval of this act: *Provided, however*, That a naturalized person who shall have become subject to the presumption that he has ceased to be an American citizen as provided for in the second paragraph of section 2 of the act of March 2, 1907 (34 Stat. 1228), and who shall not have overcome it under the rules in effect immediately preceding the date of the approval of this act, shall continue to be subject to such presumption for the period of 2 years following the date of the approval of this act unless it is overcome during such period."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CENTRAL HEATING PLANT AND THE PROPERTY OF THE DAUGHTERS OF THE AMERICAN REVOLUTION

The Clerk called the next bill, H. R. 5199, to authorize the furnishing of steam from the central heating plant to the property of the Daughters of the American Revolution, and for other purposes.

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Federal Works Administrator through the Public Buildings Administration be, and is hereby, authorized to furnish steam from the central heating plant for the use of the Daughters of the American Revolution on the property designated as square 173 in the District of Columbia: *Provided*, That the Daughters of the American Revolution agree to pay for the steam furnished at reasonable rates, not less than cost, as may be determined by the Administrator of the Federal Works Agency: *Provided further*, That the Federal Works Administrator, through the Public Buildings Administration, is authorized to prepare plans and specifications and to supervise and contract for the work necessary to connect with the Government mains and to receive payment from the Daughters of the American Revolution by the transfer of funds in advance to cover the cost of such work and services, including administrative expenses.

With the following committee amendment:

At the end of the bill insert "*Provided further*, That there shall be no liability on the part of the Government on account of any damages that may accrue hereunder."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This is the last bill on the calendar eligible to be called today.

AUTHORIZING THE DIRECTOR OF THE CENSUS TO FURNISH CERTAIN INFORMATION FOR NATIONAL-DEFENSE PURPOSES

Mr. MOSER. Mr. Speaker, I ask unanimous consent to return to Calendar No. 226 the joint resolution (H. J. Res. 213), authorizing the Director of the Census to furnish certain information for national-defense purposes. The gentleman from New Jersey [Mr. KEAN] wishes to offer an amendment.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the title of the joint resolution.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the Director of the Census shall, subject to such rules and regulations as may be prescribed pursuant to section 2 of this act, furnish upon request (a) to the Director General of the Office of Production Management for use in connection with the national-defense program or (b) to any Member of Congress, any information or data contained in any census schedule or report filed with the Bureau of the Census.

SEC. 2. That the Director of the Census shall, when directed by the Secretary of Commerce, collect, compile, and publish current and periodic data supplemental to any census or other inquiry authorized by law, as limited by subparagraph (a) of section 1 of this joint resolution.

SEC. 3. The Secretary of Commerce shall, with the approval of the President, prescribe such regulations as may be necessary to carry out the provisions of section 1 of this act and to insure that any information or data furnished to the Director General of the Office of Production Management pursuant to section 1 shall not be used other than in connection with the national-defense program. Any person violating the provisions of any such regulation restricting the use to which any such information or data may be put shall, upon conviction thereof, be punished by a fine of not more than $500 or imprisonment for not more than 6 months, or both such fine and imprisonment.

Mr. KEAN. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KEAN: Page 1, line 7, after the word "program", insert a period, and strike out the balance of the paragraph.

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GREAT SMOKY MOUNTAINS NATIONAL PARK

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent to return to Calendar No. 236, the bill (H. R. 2320) to accept the cession by the States of North Carolina and Tennessee of exclusive jurisdiction over the lands embraced within the Great Smoky Mountains National Park, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of the act of the Legislature of the State of North Carolina, approved March 18, 1929, and the act of the Legislature of the State of Tennessee, approved April 12, 1929, ceding to the United States exclusive jurisdiction over and within certain lands within said States as may be acquired for the Great Smoky Mountains National Park are hereby accepted and sole and exclusive jurisdiction is hereby assumed by the United States over such lands, saving, however, to the State of North Carolina and to the State of Tennessee, respectively, the right to serve civil or criminal process within the limits of the area ceded by such State in suits or prosecutions for or on account of any rights acquired, obligations incurred, or crimes committed in such State outside of said park; and saving further to each such State the right to tax persons and corporations, their franchises and property on the lands included in such ceded area; and saving also to the persons residing in said park now, or hereafter, the right to vote at all elections held within the county in which they reside; and saving further to each such State the right to tax sales in such ceded area of gasoline and other motor-vehicle fuels and oil for use in motor vehicles. All fugitives from justice taking refuge in said park shall be subject to the same laws as refugees from justice found in either the State of North Carolina or Tennessee.

SEC. 2. That the portion of said park located in the State of North Carolina shall constitute a part of the United States judicial district for the western district of North Carolina and the portion of said park located in the State of Tennessee shall constitute a part of the United States judicial district for the eastern district of Tennessee, and the district court of the United States in and for each such district shall have jurisdiction over all offenses committed within the ceded area of the said park in such district.

SEC. 3. That all hunting or the killing, wounding, or capturing at any time of any wild bird or animal, except dangerous animals when it is necessary to prevent them from destroying human lives or inflicting personal injury, is prohibited within the limits of said park, nor shall any fish be taken out of any of the waters of said park, in any other way than by hook and line, and then only at such seasons and at such times and in such manner as may be directed by the Secretary of the Interior. The Secretary of the Interior shall make and publish such general rules and regulations as he may deem necessary and proper for the management and care of the park and for the protection of the property therein, especially for the preservation from injury or spoliation of all timber, mineral deposits, national curiosities, or wonderful objects within said park, and for the protection of the animals and birds in the park from capture or destruction, and to prevent their being frightened or driven from the said park; and he shall make rules and regulations governing the taking of fish from the streams or lakes in the said park. Possession within said park of the dead bodies or any part thereof of any wild bird or animal shall be prima facie evidence that the person or persons having the same are guilty of violating this act. Any person or persons, stage or express company, railway or other transportation company, who knows or has reason to believe that such wild birds, fish, or animals were taken or killed contrary to the provisions of this act or the rules and regulations promulgated by the Secretary of the Interior, and who receives for transportation the dead bodies or any part thereof of the wild birds, fish, or animals so taken or killed, or who shall violate any of the other provisions of this act, or the rules and regulations, with reference to the management and care of the said park, or for the protection of the property therein for the preservation from injury or spoliation of timber, mineral deposits, natural curiosities, or wonderful objects within said park, or for the protection of the animals, birds, and fish in said park, or who shall within said park commit any damage, injury, or spoliation to or upon any building, fence, sign, hedge, gate, guidepost, tree, wood, underwood, timber, garden, crops, vegetables, plants, land, springs, mineral deposits, natural curiosities, or other matter or thing growing or being thereon, or situated therein, shall be deemed guilty of a misdemeanor and shall be subject to a fine of not more than $500 or imprisonment not exceeding 6 months, or both, and be adjudged to pay all the costs of the proceedings.

SEC. 4. That all guns, traps, nets, seines, fishing tackle, teams, horses, or means of transportation of every nature or description used by any person or persons within the limits of said park when engaged in killing, trapping, ensnaring, taking, or capturing such wild birds, fish, or animals contrary to the provisions of this act or the rules and regulations promulgated by the Secretary of the Interior, shall be forfeited to the United States and may be seized by the officers in said park and held pending prosecution of any person or persons arrested under the charge of violating the provisions of this act, and upon conviction under this act of such person or persons using said guns, traps, nets, seines, fishing tackle, teams, horses, or other means of transportation, such forfeiture shall be adjudicated as a penalty in addition to the other punishment prescribed in this act. Such forfeited property shall be disposed of and accounted for by and under the authority of the Secretary of the Interior: *Provided*, That the forfeiture of teams, horses, or other means of transportation shall be in the discretion of the court.

SEC. 5. That upon the recommendation and approval of the Secretary of the Interior of a qualified candidate the United States District Court for the Western District of North Carolina and the United States District Court for the Eastern District of Tennessee shall jointly appoint a commissioner, who shall have jurisdiction to hear and act upon all complaints made of any violations of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes, authorized by this act. Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with a violation of the rules and regulations, or with a violation of any of the provisions of this act prescribed for the government of said park and for the protection of the animals, birds, and fish in said park, and to try the person so charged, and, if found guilty, to impose punishment and to adjudge the forfeiture prescribed. In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States District Court for the Western District of North Carolina, or the United States District Court for the Eastern District of Tennessee, respectively,

depending upon the district in which the particular land in said park on which the offense shall have taken place is located; and the United States district courts in the aforementioned districts shall jointly prescribe the rules of procedure and practice for said commissioner in the trial of cases and for appeal to said United States district courts.

SEC. 6. That the park commissioner provided for in this act shall also have power to issue process as hereinbefore provided for the arrest of any person charged with the commission within said park of any criminal offense not covered by the provisions of section 3 of this act, to hear the evidence introduced, and, if he is of the opinion that probable cause is shown for holding the person so charged for trial, shall commit such person for further appropriate action, and certify a transcript of the record of his proceedings, and the testimony in such case to the particular district court, which court shall have jurisdiction of the case: *Provided*, That the said commissioner may grant bail in all cases according to the laws of the United States.

SEC. 7. That the park commissioner provided for in this act shall be paid an annual salary, as appropriated for by Congress.

SEC. 8. That all fees, costs, and expenses arising in cases under this act and properly chargeable to the United States shall be certified, approved, and paid as are like fees, costs, and expenses in the courts of the United States.

SEC. 9. That all fees, fines, and costs and expenses imposed and collected shall be deposited by the commissioner, or by the marshal of the United States collecting the same, with the clerk of the respective United States district courts for either the western district of North Carolina or the eastern district of Tennessee, depending upon the district in which the offense for which collection is made shall have taken place.

SEC. 10. That the Secretary of the Interior shall notify in writing the Governors of the States of North Carolina and Tennessee of the passage and approval of this act, and of the fact that the United States assumes police jurisdiction over said park as specified in said acts of the States of North Carolina and Tennessee.

With the following committee amendments:

Strike out the last sentence of section 1 and insert in lieu thereof the following: "Nothing in this section shall be construed as a consent by the United States to the taxation by the States of such sales for the exclusive use of the United States."

Add the following at the end of section 2: "All fugitives from justice taking refuge in said park shall be subejct to the same laws as refugees from justice found in either the State of North Carolina or Tennessee."

Add the following at the end of section 10: "Upon the acceptance by the Secretary of the Interior of further cessions of jurisdiction over lands now or hereafter included in the Great Smoky Mountains National Park, the provisions of sections 2 to 9, inclusive, shall apply to such lands."

The committee amendments were agreed to.

Mr. JENNINGS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JENNINGS: On page 5, in section 5, strike out the words "That upon the recommendation and approval of the Secretary of the Interior of a qualified candidate."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REIMBURSING CITY OF McMINNVILLE, OREG.

Mr. GORE. Mr. Speaker, I ask unanimous consent to return to consideration of Calendar 261, H. R. 4791, to reimburse the city of McMinnville, Oreg., for damages assessed to it by the United States for innocent trespass upon land belonging to the United States.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk reported the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,395 to reimburse the city of McMinnville, Oreg., for damages paid to the United States by the city of McMinnville, Oreg., for innocent trespass upon land belonging to the United States.

With the following committee amendments:

Page 1, line 4, strike out "any money in the Treasury not otherwise appropriated" and insert "the Oregon and California land-grant fund."

At the end of the bill, strike out the period, insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SAFETY OF WAGE EARNERS IN THE DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5202) to create an industrial accident prevention board; to foster, promote and develop the safety of wage earners in the District of Columbia; to define its powers and duties; and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The SPEAKER. The Clerk will report the title of the bill and the Senate amendment.

The Clerk reported the title of the bill.

The Clerk read as follows:

Senate amendment: Strike out all after the enacting clause and insert "That an act entitled 'An act to protect the lives and health and morals of women and minor workers in the District of Columbia, and to establish a Minimum Wage Board and define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for other purposes,' approved September 19, 1918, is hereby amended as follows:

"The name of the 'Minimum Wage Board' created by said act is hereby changed to 'Minimum Wage and Industrial Safety Board.'

"SEC. 2. Sections 1 to 23, inclusive, of said act are hereby designated 'Title I—Minimum wages.'

"SEC. 3. Immediately after section 23 of said act the following is added:

"'TITLE II—INDUSTRIAL SAFETY

"'SEC. 1. The purpose of this title is to foster, promote, and develop the safety of wage earners of the District of Columbia in relation to their working conditions.

"'SEC. 2. When used in this title the following words shall have the following meanings, unless the context clearly requires otherwise:

"'(a) "Employer" includes every person, firm, corporation, partnership, stock association, agent, manager, representative, or foreman, or other persons having control or custody of any industrial employment, place of employment, or of any employee. It shall not include the District of Columbia or any instrumentality thereof, or the United States or any instrumentality thereof.

"'(b) "Board" means the Minimum Wage and Industrial Safety Board.

"'(c) "Safe" and "safety" as applied to an employment, a device, or a place of employment, including facilities of sanitation and hygiene, mean such freedom from danger to life or health of employees as circumstances reasonably permit, and shall not be given restrictive interpretation so as to exclude any mitigation or prevention of a specific danger.

"'(d) "Place of employment" means any place where industrial employment is carried on: *Provided, however*, That such term shall not include the premises of any Federal or District of Columbia establishment, except to include any and all work of whatever nature being performed by an independent contractor for the United States Government or any instrumentality thereof or the District of Columbia or any instrumentality thereof.

"'SEC. 3. The Board, in addition to its duties defined in title I shall administer the provisions of this title and shall have power to make such inspections and investigations as it may deem necessary; collect and compile statistical information; require employers to keep their places of employment reasonably safe; require employers to keep such records as it may deem advisable and to furnish the Board with complete, detailed reports relative to all accidents; determine and fix reasonable standards of safety in employment, places of employment, in the use of devices and safeguards, and in the use of practices, means, methods, operations, and processes of employment; promulgate general rules and regulations based upon such standards and fix the minimum safety requirements which shall be complied with by employers within the purview of this title.

"'SEC. 4. Before any rules or regulations of the Board shall become effective a public hearing shall be held by the Board for the purpose of investigating reasonable standards of safety in employment, places of employment, in the use of devices and safeguards, and in the use of practices, means, methods, operations, and processes of employment, and any person interested in the matter being investigated may appear and testify. If, after investigation, the Board is of the opinion that minimum standards of safety requirements are necessary to protect or safeguard the lives or health of employees covered by this title, it may adopt and promulgate such rules and regulations as it may deem advisable, which shall become effective 30 days after they have been published at least once in two of the daily newspapers of general circulation in the District of Columbia.

"'SEC. 5. Any member of the Board shall have power to administer oaths and the Board may require by subpena the attendance and testimony of witnesses, the production of all books, registers, and other

evidence relative to any matters under investigation, at any public hearing, or at any session or any conference held by the Board. In case of disobedience to a subpena, the Board may invoke the aid of the District Court of the United States for the District of Columbia in requiring the attendance and testimony of witnesses and the production of documentary evidence. In the case of contumacy or refusal to obey a subpena, the court may issue an order requiring appearance before the Board, the production of documentary evidence and the giving of evidence touching the matter in question, and any failure to obey such order of the court may be punished by such court as a contempt thereof.

"'SEC. 6. The Board may, upon written application of any employer affected by such rule or regulation, permit variations from any provisions thereof if it shall find that the application of such provision would result in unnecessary hardship or practical difficulty: *Provided, however*, That the Board shall keep a properly indexed record of all variations permitted from any rule or regulation which shall be open to public inspection.

"'SEC. 7. The Board is hereby authorized to employ a Director of Industrial Safety, who shall not be a member of the Board and whose compensation shall be fixed in accordance with the Classification Act of 1923, as amended. The Director shall perform such duties as may be prescribed by the Board in administering the provisions of this title.

"'SEC. 8. (a) Every employer shall furnish a place of employment which shall be reasonably safe for employees, shall furnish and use safety devices and safeguards, and shall adopt and use practices, means, methods, operations, and processes which are reasonably safe and adequate to render such employment and place of employment reasonably safe.

"'(b) Every employer shall furnish to the Board any information which the Board is authorized to require and shall make true and specific answers to all questions.

"'(c) Every employer shall submit to the Board within 10 days from the date of any injury or death, or from the date that the employer has knowledge of any disease or infection resulting from any injury, a duplicate copy of the report provided for in section 30 of the act of March 4, 1927 (44 Stat. 1439; U. S. C., title 33, sec. 930), as made applicable to the District of Columbia by the act of May 17, 1928 (45 Stat. 600).

"'(d) Every employer shall keep an accurate record of every person employed by him so as to be able in case of accident immediately to give an accurate record relative to same.

"'SEC. 9. (a) The Board, or any officer or employee acting under its authority, shall have the authority, at any reasonable time, to enter any place where an employment covered by this title is being carried on, and to examine any structure, tool, appliance, machinery, or process used in or connected with such employment. No employer or other persons shall refuse to admit any member of the Board or its authorized representative to any such place or to permit any such examination.

"'SEC. 10. The Commissioners of the Dislumbia shall furnish the Board with such office space, furniture and equipment, stationery, books, books of reference, and other supplies as are necessary for the discharge of its duties under this title.

"'SEC. 11. The Board shall annually, on or before the 1st day of July, file with the Commissioners of the District of Columbia a report covering its activities under this title.

"'SEC. 12. Whoever violates any of the provisions of this title, or any rules or regulations promulgated hereunder, shall be deemed guilty of a misdemeanor; and, upon conviction thereof, shall be punished by a fine of not more than $300, or by imprisonment of not exceeding 90 days. Prosecutions for violations of this title shall be in the name of the District of Columbia on information filed in the Police Court of the District of Columbia by the corporation counsel or one of his assistants.

"'SEC. 13. There is hereby authorized to be appropriated, out of the revenues for the District of Columbia, a sum not to exceed $15,000 per annum, or so much thereof as may be necessary, for the proper administration of this title.

"'SEC. 14. If any provision of this title, or the application of such provision to any person or circumstance, shall be held invalid, the remainder of this title, or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.'

"SEC. 4. This act shall become effective upon its approval by the President.

"Amend the title so as to read: 'An act to amend an act entitled "An act to protect the lives and health and morals of women and minor workers in the District of Columbia, and to establish a Minimum Wage Board, and define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for other purposes," approved September 19, 1928.'"

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. MICHENER. Mr. Speaker, I reserve the right to object. Will the gentleman explain what this is?

Mr. RANDOLPH. Mr. Speaker, in reply to the inquiry of the gentleman from Michigan and for the membership generally, on July 14 last the House District Committee brought before this body H. R. 5202, to take care of increasing industrial accidents that are occurring in the District of Columbia. That bill passed the House and went to the Senate, that body changing the jurisdiction of the accident-prevention work from a new board, as the House bill had provided, to the duties and responsibility being placed in the present Minimum Wage Board by making it the Minimum Wage and Industrial Safety Board.

The District Committee has taken the matter under advisement, and we are ready to concur in the Senate amendment. We consider the legislation most necessary at this time. At a hearing before a subcommittee of the District Committee on a similar measure, statistics were presented which showed that industrial accidents in the District of Columbia have increased in appalling numbers. For the year 1939 there were 26,647 nonfatal accidents and 50 fatalities. For the year 1940 there were 31,265 nonfatal accidents and 76 fatalities. I might say at this point that the majority of fatal accidents happened in construction work. It is believed that most of these accidents are due to lack of proper supervision and control and that a great number could be avoided if proper safety measures were taken.

We feel that the passage of the measure is advisable and needed at this time. Protection of wage earners is a responsibility we should readily assume. I believe the Senate amendment is acceptable to all.

Mr. MICHENER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Without objection, the Senate amendment will be concurred in.

There was no objection.

FARM MARKETING QUOTA FOR WHEAT

Mr. FULMER. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 5726) to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That, effective as of May 26, 1941, Public Law No. 74, Seventy-seventh Congress, is amended by adding at the end thereof the following new paragraph:

"(12) Notwithstanding any of the foregoing provisions, the farm-marketing excess for any crop of wheat for any farm shall not be larger than the amount by which the actual production of such crop of wheat on the farm exceeds the normal production of the farm wheat-acreage allotment, if the producer establishes such actual production to the satisfaction of the Secretary. Where a downward adjustment in the amount of the farm-marketing excess is made pursuant to the provisions of this paragraph, the difference between the amount of the penalty or storage as computed upon the farm-marketing excess before such adjustment and as computed upon the adjusted farm-marketing excess shall be returned to or allowed the producer."

The SPEAKER. Is a second demanded?

Mr. HOPE. Mr. Speaker, I demand a second.

Mr. FULMER. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The gentleman from South Carolina is entitled to 20 minutes and the gentleman from Kansas to 20 minutes.

Mr. FULMER. Mr. Speaker, this bill is identical with the bill we passed some time ago, H. R. 5300. You remember that H. R. 5300 was passed by the House and went to the Senate and several very controversial amendments were placed thereon. The bill came back to the House and those amendments were accepted by the House and the bill was vetoed by the President. The bill under consideration today takes care of a great many farmers who have failed to produce a normal crop. Under the present act noncompliers, although they fail to produce a normal crop, would have to pay a penalty of 49 cents per bushel. Under this bill, if the noncomplier produces only the quota or less than the quota allotted him, he does not have to pay the penalty. I believe that we will not have any trouble in passing this bill in the Senate and I am sure that it will be signed by the President. It is endorsed by the Department and will be helpful to a number of farmers who have failed to produce a normal crop.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. FULMER. I yield.

Mr. O'CONNOR. As I understand, under the present law, regardless of how short the crop is, if you have planted acreage in excess of your quota you still would have to pay the penalty of 49 cents a bushel upon your wheat?

Mr. FULMER. On the excess wheat that is grown on the excess acreage, over and above what would have been

allotted to you had you been under the program.

Mr. O'CONNOR. Exactly. Now, if we pass this bill, as I understand, just as the gentleman has stated, the farmer instanced would not be required to pay the 49-cent penalty?

Mr. FULMER. The gentleman is correct.

Mr. O'CONNOR. And that is the purpose of this bill?

Mr. FULMER. That is right.

Mr. O'CONNOR. I think it is a very good bill.

Mr. McGREGOR. Mr. Speaker, will the gentleman yield?

Mr. FULMER. I yield.

Mr. McGREGOR. This just takes care of one group of farmers?

Mr. FULMER. That is right.

Mr. McGREGOR. Does the gentleman think it is fair to the areas where we are not troubled with floods or fire to take care of one group and not take care of ours? In other words, we have a bill before your committee which will allow the feeding of excess wheat, but that bill has not come out, and that is the reason we feel that bill should come out, because that takes care of all farmers.

Mr. FULMER. I will state to the gentleman that one of the amendments that was placed on the other bill was to permit farmers to feed their excess wheat, but it was vetoed by the President. I am trying to be helpful to a great many farmers who have produced a short crop, who under the present act would have to pay a penalty, regardless of the amount produced. This is a question that we hope to pass upon and relieve those people and then take up the other matters as they come before the Congress.

Mr. McGREGOR. The gentleman would not accept an amendment to this particular bill, would he?

Mr. FULMER. No; because the President would veto the bill with such an amendment, and those farmers with short crops would still be on the outside looking in.

Mr. McLAUGHLIN. Mr. Speaker, will the gentleman yield?

Mr. FULMER. I yield.

Mr. McLAUGHLIN. In certain wheat-raising areas there has been a distinct diminution of crop because of winter kill and unusual conditions. This would take care of those farmers who have suffered in that way?

Mr. FULMER. This would take care of that situation.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. FULMER. I yield.

Mr. CURTIS. What will this bill do for the individual who has already paid his money in cash?

Mr. FULMER. He would be able to get his money back.

Mr. CURTIS. Does this bill prescribe a method for him to get that, or will he be paid back easily?

Mr. FULMER. Oh, I think that would be done rather easily. That would be up to the department, under the rules and regulations that they would write to take care of same.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The gentleman from Kansas [Mr. HOPE] is recognized.

Mr. HOPE. Mr. Speaker, I yield 5 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Speaker, this measure ought to be adopted. It should have been passed a long time ago. There is no real common sense in trying to control the quantity of wheat or other grain on an acreage basis. It should be computed on the normal-yield basis. This legislation will do a lot of good. It will relieve the farmer who has a low yield or whose crops have been destroyed by floods or other elements. I am sure no one will object to this measure.

But, Mr. Speaker, I do object to the manner in which this legislation is brought to the floor of the House. It comes under a suspended rule that does not permit a Member of Congress to offer amendments of any kind. Such methods are undemocratic. Mr. Speaker, we ought to go further in the correction of the injustices that have come about under this program. I am not here to destroy the program at all, but, Mr. Speaker, it just is not right to penalize a farmer 49 cents a bushel on wheat that he feeds to his own livestock and poultry. The unfortunate thing about it is that we do not seem to be able to get the Department of Agriculture to go along with us on the question, and members of the Agricultural Committee tell us it will not do to recommend such a proposal because the Department does not favor it. Tell me, if you will, is the Department of Agriculture or Congress responsible for this legislation? I appreciate the advice we receive from the various departments and bureaus, but I do not want any department to get to the place where it shall appear to dominate a committee on questions of this kind. Why not submit the question to the Congress, and if Congress does not want to let the farmers feed their own wheat to their livestock and poultry without a penalty of 49 cents per bushel, well and good, but let us check it up to Congress and not to the Department.

Mr. Speaker, the whole situation is becoming more lopsided. On the one hand, the Secretary of Agriculture has told us we must produce more food for ourselves and for England and her allies, and that we must produce more chickens, more eggs, and more meat; but the same Department tells the farmer he cannot feed his excess wheat to his poultry or livestock in order to produce such food without paying the 49-cent penalty. The First Lady of the Land said the other day she wanted folks to have more gardens and raise more food to help out in the emergency. But not so in the case of excess wheat.

It appears now the new corn crop will be of sufficient yield to provide for a quota election. I am informed the Secretary of Agriculture has suggested that, although it may be 10 percent above that amount, in view of the emergency no election will be called. Why not have an "emergency" on wheat fed to a farmer's livestock and chickens?

Mr. Speaker, I do not think it quite fair to put a 49-cent-a-bushel penalty on this year's excess wheat crop after it was planted and almost ready for harvest. If they want it for the next year, that is a different story. It is being told in some sources that if the 49-cent penalty clause is repealed we cannot have a loan of 98 cents per bushel. This is incorrect. Nobody wants to repeal the 98-cent loan, as far as I know.

Just a day or two ago I tried to find out how much money has been paid by the farmers of this country in penalties on excess wheat. The Department of Agriculture advised they could not tell me. They would not even estimate it. I am informed the amount collected in my own State alone is more than a million dollars. I am sure it must have run into several millions for the entire country by this time. They did offer one suggestion—that most of this money is in escrow. If such is the case, then why not let Congress decide if it still wants to charge these farmers a 49-cent penalty on this year's crop? If not, the money can be returned to them. If so, it can be paid into the Treasury; but I say, let Congress pass on it.

Mr. Speaker, the Secretary of the Treasury complicated the situation a few days ago by advising that we permit Canadian wheat to come into this country without quota. That being the case, we can import wheat with a tariff of only 42 cents per bushel but penalize our own farmers 49 cents per bushel.

Mr. Speaker sometime ago our attention was called to the huge amount of surplus butter and dairy products we had on hand, and yet only recently some officials in high places have advocated the repeal of the tax on oleomargarine and have recommended its use as food in place of butter. I hardly think such action on the part of these individuals can be in the interest of the American farmer.

Mr. Speaker, one thing more. I am informed that within the last 2 weeks more than a million dozen dried eggs from Argentina were shipped to New York Why not use some of this "excess" feed we talk so much about and produce our own eggs?

Mr. Speaker, of course, we all want to be "good neighbors," but I am sure we do not want to penalize the American farmers in order to do it.

[Here the gavel fell.]

Mr. FULMER. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon [Mr. PIERCE].

Mr. PIERCE. Mr. Speaker, this bill ought to pass. It does affect and does help those who, owing to no fault of their own, have had a poor crop. Bushelage, instead of the theoretical amount that a piece of land will raise, is what will govern.

As for attempting to change the basic law and reducing the 49-cent penalty, it is simply wrong to do so. We in the Agricultural Committee deliberately raised the price of wheat in the United States when we changed the loan value from 56 percent to 85 percent of parity. It advanced the price of wheat in the United States 34 cents a bushel.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. PIERCE. No; not now.

We should help the farmer who has been cooperating, but not the man who has not complied with the law. The committee, with full information before it, provided that the 34-cent rise in the price of wheat, which had resulted from raising the amount of the loan from 56 percent to 85 percent of parity, belonged to the man who had been a part of the program; and therefore we raised the penalty from 15 cents a bushel to 49 cents. No man who has been complying, who has been playing the game, who has been trying to help the agricultural program has a word of complaint. It all comes from the noncooperators, the men who are not a part of the program, the men who said, "I will sow what I want to sow and will harvest it; I will get away with it somehow." Those men have been long enjoying a good price by reason of the sacrifice made by friends and neighbors.

I ask the Members of this House to vote for this bill. If it proves desirable to take up the question of the 49-cent penalty, let us do it sometime when we can give it full consideration.

[Here the gavel fell.]

Mr. FULMER. Mr. Speaker, I yield 2 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Speaker, at the time the bill was before the House imposing 49 cents a bushel penalty on excess wheat, I introduced an amendment to exempt the 1941 crop from the increase and the penalty. We had very good support from several Members from the West but not enough.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. CASE of South Dakota. Had the gentleman's amendment been adopted, all this trouble would have been avoided.

Mr. O'CONNOR. I thank the gentleman. And I will say the gentleman and I prepared the amendment together.

Mr. Speaker, the A. A. A. program has been of great benefit to the farmer. I agree to some extent with what our distinguished friend from Oregon just said upon that subject. This penalty, however, was imposed at a time when the farmers who raised fall wheat and also spring wheat had already planted their crops. They were justified in assuming that the Congress of the United States would not change the rules, so to speak, after the game had started for that would be unfair to those who had planted their crops. The Congress, therefore, should not have levied that increased penalty from 15 cents to 49 cents per bushel. In addition it was retroactive legislation which should not have been enacted.

I am going to vote for this bill. It will help some. It should go further and provide that excess wheat could be used for feed and seeding purposes. It also should provide that the excess wheat be measured on harvested acreage rather than seeded acreage. Owing to the parliamentary situation the bill is coming before us under such circumstances that an amendment cannot be offered, yet I feel, as I said before, that it will help a little.

Mr. PIERCE. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. PIERCE. Does the gentleman believe that the chiseler should have had the same consideration as the man who played the game?

Mr. O'CONNOR. I do not like the gentleman's use of the word "chiseler."

Mr. PIERCE. Let us say, then, the man who was not in the program.

Mr. O'CONNOR. Surely the farmers who had planted their fall and spring wheat were justified in assuming that the Congress would not change the percentage after their crops had been planted.

Mr. PIERCE. They were not in the program.

[Here the gavel fell.]

Mr. NICHOLS. Mr. Speaker, will the gentleman yield for a unanimous-consent request?

Mr. FULMER. I yield.

Mr. NICHOLS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. NICHOLS. Mr. Speaker, I further ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement by former Senator Owen on a pending piece of legislation.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOPE. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I shall support this bill, but I object strenuously to the procedure of bringing a bill in here under suspension of the rules which precludes any opportunity of offering constructive and necessary amendments to the law.

Mr. GWYNNE. Will the gentleman yield?

Mr. HOPE. I yield to the gentleman from Iowa.

Mr. GWYNNE. Is this bill substantially the same as one which passed the House some time ago?

Mr. AUGUST H. ANDRESEN. This bill is identical with a bill that passed the House some time ago which went over to the Senate and was amended by putting in the freezing amendment in connection with wheat and cotton.

Other gentlemen have spoken about the penalty on excess wheat. I will not discuss that, although I think we should have an opportunity to offer amendments and consider them to either do away with the penalty on wheat that is fed to livestock on the farms or adjust some of the differences that have arisen as a result of the penalty law.

I object to the farmers being called chiselers. If a farmer refuses to be regimented, if a farmer refuses to accept subsidies out of the United States Treasury, if a farmer wants to continue to go along and farm his farm in the American way, then he is called a chiseler. It is un-American, in other words, for a man to refuse to become regimented and bureaucrated from Washington.

Mr. MICHENER. Will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Michigan.

Mr. MICHENER. The gentleman did not go quite far enough. The gentleman will recall that when this bill was before the House previously, the gentleman from Missouri [Mr. CANNON] said the farmers who did not comply were scabs.

Mr. AUGUST H. ANDRESEN. Let me tell you of a situation that has arisen in connection with this 49-cent penalty program. Our flour mills throughout the interior were doing quite a bit of business with Cuba and some of the South American countries. They have lost all that business to the mills that are milling 75-cents-a-bushel Canadian wheat in bond and shipping it down to Cuba and South America. They have absolutely lost that market to Canadian wheat. When the 49-cent penalty went into operation on excess wheat produced in the United States, what happened? Hundreds and thousands, yes; in fact, over 3,000,000 bushels of wheat came in from Canada, feed wheat, at 42 cents a bushel, with an ad valorem duty of only 4½ cents a bushel, and this is being fed to American livestock. They cannot feed American wheat because there is a penalty of 49 cents a bushel on it. Now, when we are giving away everything to foreign producers and foreigners in other countries at the sacrifice of the American producers, it seems to me it is time for some adjustment to be made by the American Congress.

It is our business to handle these things for American citizens. There was an opportunity in this bill, had we been permitted to offer amendments, to correct some of the evils that now exist, but we are denied that opportunity under this gag rule. I resent this very much as one Member who is interested in the welfare of the American farmer and who wants to see him progress and succeed and have the advantages of our American system.

Mr. HOPE. Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Speaker, as has been stated in the debate, this bill has already passed the House. When it reached the Senate, the Senate added the so-called freezing provisions whereby the Government was prevented from selling or disposing of surplus cotton and wheat now owned by the Government by virtue of the A. A. A. law.

As we all know, that bill was vetoed by the President. The bill now before the House is but a crumb so far as value to the wheat farmer is concerned. It will be helpful, however, in the sections of the country where hailstorms, floods, droughts, fires, and frosts prevented the reaping of wheat crops planted in 1940. In those circumstances, under the present law and a regulation of the Department of Agriculture, farmers are compelled to pay 49 cents a bushel on imaginary wheat that they did not produce or harvest before they can use or otherwise dispose of wheat which they did harvest. This inconsistency obtains because the quota allotment is on acreage basis rather than bushel basis; that is, if the farmer is entitled to grow 17 acres of wheat under the A. A. A. and he plants 20 acres

but because of drought or a hailstorm he only cuts or harvests 15 acres, he is compelled to pay a 49-cent penalty on the wheat the 5 acres is presumed to have produced. This thing is as silly as it is unreasonable, yet such is the law.

This bill will be of no value in the congressional district which I have the honor to represent in Congress, because we had a usual crop of wheat in that district this year. It will be helpful, however, in other sections of the country, and therefore I shall support the bill.

On several occasions since the enactment of the law of May 26, 1941, which requires the 49-cent penalty, I have addressed the House, protesting against the imposition of this unjust penalty. I shall not repeat today. I do, however, express the fervent hope that the Committee on Agriculture will report favorably legislation now pending before the committee, which will permit the farmer to at least feed on his own land or use for seed on his own land the wheat which he has grown on his own land without paying a penalty or tribute in the amount of 49 cents a bushel.

I know of no legislation affecting agriculture that has caused as much discussion and dissension in our section of the country as the imposition of this 49-cent penalty, and, Mr. Speaker, pursuant to the permission given to me, I include herein resolutions of the Michigan Marketing Quota Protest Association, which are as follows:

MICHIGAN MARKETING QUOTA PROTEST ASSOCIATION RESOLUTION ON A. A. A. ADOPTED AT ANN ARBOR OCTOBER 1, 1941

Pledging themselves to the support of organized effort to halt the regimentation of the farmers of the United States, executive leaders and delegates, representing six Michigan counties, adopted the following at a protest meeting October 1, 1941, at the Allenel Hotel, Ann Arbor, Mich.:

"We, the Michigan Marketing Quota Protest Association, following the aims, purposes, and basic principles of this organization, resolve:

"We demand that the inherent constitutional rights of the American farmer be preserved, to wit:

"That the Agricultural Adjustment Administration Act of 1938 violates certain of the rights and leads directly to the further regimentation of the American farmer, and we demand the repeal thereof and of subsequent amendments thereto.

"Especially we condemn the increase of the wheat penalty to 49 cents per bushel placed upon the wheat crop of 1941 6 months after the crop was planted, particularly when the tariff on foreign-grown imported wheat or foreign-grown imported milling wheat is only 42 cents per bushel, and on foreign-grown imported feed wheat only about 5 cents per bushel.

"Furthermore, we condemn any future imposition of any crop penalty on the American farmer.

"We abhor the bureaucratic and alien administration of the A. A. A. program and the autocratic abuses thereof.

"We declare it to be the inherent right of every American farmer to manage, control, and operate his own farm according to his own judgment.

"We believe the blueprinting of the farms of America to be along the same line as that which in the beginning was adopted by Stalin in Russia prior to the reducing of the farms of that country to collective farms and the liquidating of the owners thereof.

"We recommend that a copy of this resolutiton be sent to the members of the Michigan congressional delegation."

H. S. ATCHINSON,
President.
KENNETH C. WEBER,
Secretary.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD and to include therein resolutions passed by the Michigan Marketing Quota Protest Association.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. MICHENER]?

There was no objection.

Mr. HOPE. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. McGREGOR].

Mr. McGREGOR. Mr. Speaker, I want to add my voice to the statement made by the previous speaker, the gentleman from Minnesota, and I do not like the manner in which this bill has been brought in. I hope that some time in the near future this great Committee on Agriculture will bring a bill before us in the regular order and let it pass on its merits, so that we may at least endeavor to amend it and the Members will not be governed by the gag rule as we are now when we consider this bill.

Although I am going along with this bill, I feel it is just another type of administration bill to help a certain part of agriculture. They are helping a small group of individuals, and they refuse to let us amend the bill so as to take care of all the farmers of the United States. A few days ago I made a statement on the floor of this House that we were importing 1,500,000 bushels of wheat from Canada and at the same time penalizing our own farmers for growing wheat. I asked my good friends on the Democratic side of the aisle to advise me if that statement was not true. Up to this date none of them has said a word, so I take it for granted we are importing 1,500,000 bushels of wheat from Canada, at the same time penalizing the American farmers 49 cents a bushel for growing excess wheat.

Mr. PIERCE. Will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Oregon although he did not yield to me.

Mr. PIERCE. The Canadian Government has notified the chairman of this committee, the gentleman from South Carolina [Mr. FULMER], that it is not allowing wheat to come into this country under the program for feeding purposes.

Mr. McGREGOR. I would be very happy to have the gentleman put the statement in the RECORD, and I will at the same time put in the record of the Agricultural Department which shows the actual number of bushels imported and in direct competition with our American farmers.

Mr. AUGUST H. ANDRESEN. Will the gentleman yield?

Mr. McGREGOR. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. The record shows that during the first 7 months of this year nearly 3,750,000 bushels of Canadian wheat came into the United States under a 10-percent ad valorem duty.

Mr. McGREGOR. That is correct, and 600,375 bushels came into this country last month under the ad valorem duty, and these are your own figures.

Mr. PIERCE. That was in bond, going through this country.

Mr. McGREGOR. I beg to differ with the distinguished gentleman because I know he would not misrepresent anything, but the Department's own figures show 1,354,211 bushels total import and 600,375 bushels feeding, which is in direct competition with our American farmer.

Mr. HOPE. Mr. Speaker, I yield 3 minutes to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Speaker, I want to join in the sentiment expressed by the gentleman from Minnesota [Mr. ANDRESEN] with reference to the manner in which this bill has been brought before the House.

I refer to the fact that it is not subject to any amendment.

This bill should have been submitted to Congress so as to provide plenty of time for discussion and an opportunity to submit amendments.

I should have offered an amendment striking out the 49-cent wheat penalty.

The country generally as well as the vast majority of farmers realize the injustice that was done in levying this penalty, especially in placing it after the wheat had been planted and was in the process of being harvested.

The 49-cent wheat penalty has produced a great deal of trouble among the farmers. It is now well known that practically none of the farmers who voted for the 49-cent penalty knew what they were doing. It is not true, as the gentleman from Oregon [Mr. PIERCE] says, that only the noncompliers of the A. A. A. program are complaining. I have talked to a number of farmers who voted for the penalty who told me that they did not know they were voting for the 49-cent penalty, and who expressed themselves to me that they regretted the way they voted.

The gentleman from Oregon [Mr. PIERCE] calls those farmers who feel that the 49-cent wheat penalty is unjust, chiselers. The gentleman from Missouri [Mr. CANNON] some time ago termed them scabs.

I think it is unbecoming of Congressmen to resort to this kind of vilification. The last place in America that any such name calling as this should be indulged in is in the Congress of the United States. I have a hard time in always knowing right from wrong. If there is one among us who does not live in a glass house, I would like to know his or her name.

I shall, of course, support this measure. It is just a little relief for some of the wheat farmers from the bureaucratic domination, but even so it will be welcome to those who receive it.

It should be pointed out, however, that it is in some respects unfair to certain wheat farmers. While this bill provides for taking care of those wheat farmers who had a poor yield as a result of weather and climatic conditions, it has the effect also of penalizing in some cases farmers who have used fertilizer and

who worked hard and kept their land in a higher state of cultivation.

But after all it is impossible to amend a thing so basically wrong as the 49-cent wheat penalty without doing an injustice to some.

Mr. PIERCE. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Ohio. I am sorry I cannot yield to the gentleman because he did not yield to anybody else, and I know his position in the matter, anyway.

Mr. HOPE. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. BENNETT].

Mr. BENNETT. Mr. Speaker, I am glad to support the pending bill, but I am sorry that it was not brought up in the regular way. It is unfortunate that because of a "gag" rule we are not permitted to offer some much needed amendments to this bill.

Mr. Speaker, I have been surprised to hear certain members of the majority refer to those farmers who believe in the American way and who are opposed to regimentation as "chiselers" and "scabs." Such farmers do not have the privilege of this floor and my chief purpose in asking recognition at this time is to express resentment for the farmers against the use of such language in referring to men who, in my judgment, are among our best citizens.

It was not fair for Santa Claus to change rules in the middle of the game and the farmers of my district are very resentful because of the 49-cent penalty on excess wheat. When they planted wheat in the fall of 1940, they understood that if they exceeded their allotted acreage they would be subject to a 15-cent penalty. When the crop was almost ready to harvest last May, they were notified that the penalty would be 49 cents per bushel. It is claimed that a majority of the farmers voted in favor of the 49-cent penalty but this is disputed. Most of the farmers with whom I have talked and who have written me say that they were not given full particulars at the time of the referendum.

I have made an effort to amend the law so that farmers might feed their excess wheat to their own stock on their own farms without paying the 49-cent penalty. I regret that as a result of the "gag" rule under which this bill is being considered, I am precluded from offering such amendment at this time.

It seems inconsistent to me for the Government to be begging the farmers to increase the yield of pork, poultry, and eggs and refuse them the right to feed their wheat, which, in many instances, is the only feed farmers have, without paying the 49-cent penalty. Farmers have written me saying that, because of their inability to hire help, they knowingly exceeded their acreage allotment on wheat last fall and were willing to pay the 15-cent penalty rather than to try to grow corn when they could not employ farm help and were too old to cultivate corn. Now such farmers find themselves without corn but with plenty of wheat which they cannot afford to feed to an unusually large number of pigs, when additional pork is needed, because of the 49-cent penalty.

Mr. Speaker, I know that there are some good features about the farm program, but I think it is unfortunate that the Government insists upon regimenting the farmers, forcing them to reduce their crops and at the same time permitting the importation of competitive farm products practically duty free.

Mr. Speaker, the farmer appears to be the forgotten man. With more butter in cold storage than ever before, the Government is taxing him along with the rest of us for an advertising program to teach the people to use oleomargarine instead of butter. With millions of bushels of wheat in storage, the Government is collecting 49 cents per bushel from farmers who feed excess wheat to their own stock, while administration leaders advocate importation of wheat to keep the price down. It is my prediction that the farmers will be heard from in 1942.

Mr. HOPE. Mr. Speaker, I yield 1 minute to the gentleman from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. Speaker, we are faced with a very practical situation today, as I see it. We have before us a bill that passed this House some time ago and was vetoed by the President. As I understand, the Committee on Agriculture and the Department of Agriculture approve the bill, and I trust the President will sign it. It is not a question of what we want, it is a question of what we can get.

This bill will furnish relief to a large number of farmers who have suffered seriously because of short crops through winter killing, flood losses, hail losses, and the depredations of the Hessian fly. I sincerely trust the House will pass this bill this afternoon, and I trust the Senate will pass it without amendment. It is the one thing we should do, and we know it is a thing we can do. There are many here who would like to see other changes, but when we cannot get them, let us get what we can and work it out for the best.

[Here the gavel fell.]

Mr. HOPE. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. JOHNSON].

Mr. JOHNSON of Illinois. Mr. Speaker, I am for this bill most wholeheartedly, because it takes care of that man who, of all the wheat growers, is hurt worst and in most dire distress today. He is only a man who has not exceeded his total yield beyond the normal yield of his allotted acreage.

I am sure that some of the gentlemen really do not mean some of the attacks upon the integrity of certain of our farmers who did not choose to go along with the program. The program is clear. The A. A. Act in that respect gives every man an opportunity and choice. He has one of two choices, one being to go along with the program and accept the benefits appurtenant thereto, the other being to take his chance on a lower market and forego A. A. A. benefit payments. Either is perfectly honorable under the A. A. A. law, and I do not believe there can be any just criticism of, nor should there be any aspersions cast upon, the character of the man who did not choose to go along with the program.

[Here the gavel fell.]

Mr. HOPE. Mr. Speaker, I yield 1 minute to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Speaker, in addition to the Canadian situation that has been referred to dealing with the increase in the shipments of feed wheat and of milling in bond, I call attention to a remark by the Secretary of the Treasury the other day in which he suggested that all Canadian wheat be admitted on a nonquota basis. If you recall, that means Canadian flour-grade wheat would be subject only to a 42-cent tariff, whereas the domestic farmer who has raised a little in excess of his quota remains subject to a 49-cent marketing penalty.

I took the matter up with an official of the Treasury Department and suggested that I supposed that comment of the Secretary grew out of a desire to increase Canadian dollar exchange for the purpose of paying for war supplies. I was advised that that was not the reason for the statement, that the reason was that the Secretary thought the price of wheat in this country was going too high, and the purpose of admitting Canadian wheat was to make a hedge against inflation.

Imagine that if you can—opening the gate to Canadian wheat to break the price while we legislate to raise the commodity-loan values to sustain prices and penalize the domestic producer who markets in excess of his quota.

This bill ought to pass and give at least this much of a chance to domestic farmers rather than to Canadian farmers. All it does is to let the man who harvested a short crop market up to his quota without penalty.

[Here the gavel fell.]

Mr. FULMER. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. RICH] for a unanimous-consent request.

Mr. RICH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point and to include a letter I received from one of my constituents, dealing with the problem of regulation of the farmer.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, the letter I refer to is as follows:

JERSEY SHORE, PA.,
July 30, 1941.

HON. ROBERT RICH,
Woolrich, Pa.

DEAR SIR: Am writing you concerning this wheat question. When a farmer asks no aid from the Government of any kind, buys his own lime and seed and fertilizer, pays for it out of the money he earns on his farm, pays his local taxes and all the other alphabetical unknown taxes, and doesn't join this Soil Conservation Act, and then out of a clear sky, when his wheat is almost ready to cut, comes a pimp of some kind who doesn't know how to work, is too lazy to work if did know how, and tells you your wheat must be plowed under or be fined 49 cents per bushel, that makes a self-respecting farmer boil clear down to his toes and makes him think of that old Winchester standing behind the door.

Twenty-eight farmers in ——— Township, out of a possible 100, had a right to vote against it. If that is all the farmers, you have to show me.

I do not believe in Government soil conservation. I was practicing it before the Government thought of it.

I really think it is time for the farmers to get together and clean house of such Representatives as that.

We do not, as you know, make any money growing wheat at $1 per bushel.

I feel that under the Constitution I have a perfect right to grow what I please on my farm. I don't borrow money from land banks, and most of them that do never expect to pay it back. These are some of the things I think. Hoping I haven't bored you with this letter, I am

Yours respectfully,

——— ———.

Mr. FULMER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is, Will the House suspend the rules and pass the bill?

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended, and the bill was passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. PIERCE asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein certain excerpts from a speech.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

(Mr. MURDOCK asked and was given permission to revise and extend his own remarks in the RECORD.)

THE PRIVATE CALENDAR

The SPEAKER. The Clerk will call the first bill on the Private Calendar.

RAYMOND J. McMAHON

The Clerk called the first bill on the Private Calendar, H. R. 3731, for the relief of Raymond J. McMahon.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the President of the United States is authorized to appoint Raymond J. McMahon, ensign A-V (N), United States Naval Reserve, to the rank of lieutenant (junior grade), United States Naval Reserve. The President is authorized, immediately upon such appointment taking effect, to place the said Raymond J. McMahon on the retired list of the Navy, with three-fourths of the active-duty pay of his grade as lieutenant (junior grade): *Provided*, That a duly constituted naval retiring board finds that the said Raymond J. McMahon is incapacitated for service by reason of physical disability incurred in line of duty.

With the following committee amendment:

Strike out the period at the end of the bill, insert a colon, and add the following: "*Provided further*, That he elects not to receive the benefits provided under the act of June 23, 1937 (50 Stat. 305), and section 304 of the Naval Reserve Act of 1938 (52 Stat. 1181)."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANTHONY O'HARA

The Clerk called the next bill, H. R. 1511, for the relief of Anthony O'Hara.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated to Anthony O'Hara, of Syracuse, N. Y., the sum of $2,500, in full satisfaction of his claim against the United States for personal injuries received on December 31, 1935, when a quantity of ice, which had negligently been allowed to accumulate, fell from the roof of the old post-office building in Syracuse, N. Y., then occupied by the Works Progress Administration, striking claimant on the head.

SEC. 2. That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Line 6, strike out the figures "$2,500" and insert in lieu thereof "$1,827.25 and Stephen F. Maroney, of Syracuse, N. Y., the sum of $158."

Line 7, strike out the words "his claim" and insert in lieu thereof "all claims."

Line 12, strike out "claimant on the head" and insert in lieu thereof "claimants."

Amend the title so as to read: "For the relief of Anthony O'Hara and Stephen F. Maroney."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended.

FISIL ROSENBERG AND SOFIE ROSENBERG, AND JENNY AND JACQUES ROSENBERG

The Clerk called the next bill, H. R. 2697, for the relief of Fisil Rosenberg, his wife Sofie, his daughter Jenny, and his son Jacques.

The Clerk read the title of the bill.

Mr. ALLEN of Louisiana and Mr. BECKWORTH objected and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

LADISLAS FRANK

The Clerk called the next bill, H. R. 4584, for the relief of Ladislas Frank.

The Clerk read the title of the bill.

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. That request is not in order in the consideration of the Private Calendar.

Is there objection to the request of the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Attorney General be, and he is hereby, authorized and directed to record the lawful admission for permanent residence to Ladislas Frank as of October 15, 1939, the date on which he was admitted temporarily to the United States, if he is found to be otherwise admissible under the provisions of the immigration laws, other than those relating to quotas. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Hungarian quota of the first year that the Hungarian quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

M. L. LEOPOLD ROSENBERG AND HIS WIFE LISA

The Clerk called the next bill, H. R. 2698, for the relief of M. L. Leopold Rosenberg and his wife Lisa.

Mr. REES of Kansas and Mr. HANCOCK objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

TIBOR HOFFMAN AND MAGDA HOFFMAN

The Clerk called the bill (H. R. 3315) for the relief of Tibor Hoffman and Magda Hoffman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws Tibor Hoffman and his wife Magda Hoffman shall be held and considered to have been legally admitted to the United States for permanent residence on the date of their entry into the United States. Upon the enactment of this act the Secretary of State is authorized and directed to instruct the proper quota-control officer to deduct two numbers from the nonpreference category of the Hungarian quota.

With the following committee amendments:

Line 4, strike out "Hoffman" and insert "Hoffmann."

Line 5, strike out "Hoffman" and insert "Hoffmann."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

The title was amended so as to read: "A bill for the relief of Tibor Hoffmann and Magda Hoffmann."

ALBERT E. WELLS

The Clerk called the bill (H. R. 1360) granting a pension to Albert E. Wells.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Albert E. Wells, late of Troop E, Sixth Regiment United States Cavalry, and pay him a pension at the rate of $60 per month.

The bill was ordered to be engrossed and read a third time, was read the third

time, and passed, and a motion to reconsider laid on the table.

JAMES J. SCANLON

The Clerk called the bill (H. R. 1759) granting an increase of pension to James J. Scanlon.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of James J. Scanlon (claim No. C-2349677), late of Company A, Engineer Corps, California National Guard, and pay him a pension at the rate of $30 per month in lieu of that he is now receiving.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

WILLARD FULK

The Clerk called the bill (H. R. 1932) granting a pension to Willard Fulk.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Willard Fulk, late of Company M, Tenth Regiment United States Infantry, and pay him a pension at the rate of $90 per month.

With the following committee amendments:

Line 7, after the word "Infantry", insert "and Battery F, Sixty-second Regiment, United States Coast Artillery", and in line 9, strike out "$90" and insert "$52.50."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

IMOGEN MORRIS TAYLOR

The Clerk called the bill (H. R. 4301) granting an increase of pension to Imogen Morris Taylor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Imogen Morris Taylor, widow of the late David W. Taylor, rear admiral, United States Navy, and pay her a pension at the rate of $150 per month in lieu of that she is now receiving.

With the following committee amendments:

Line 7, after the word "Taylor", insert the words "late a", and in line 8, strike out "$150" and insert "$100."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and a motion to reconsider laid on the table.

JEANNETTE W. MOFFETT

The Clerk called the bill (H. R. 3560) granting an increase of pension to Jeannette W. Moffett.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Jeannette W. Moffett, widow of Rear Admiral William A. Moffett, late of the United States Navy, and pay her a pension at the rate of $100 per month in lieu of that she is now receiving.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

GRIZELDA HULL HOBSON

The Clerk called the bill (H. R. 3312) granting an increase of pension to Grizelda Hull Hobson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Grizelda Hull Hobson, widow of Admiral Richmond Pearson Hobson, late of the United States Navy, and pay her a pension at the rate of $100 per month in lieu of that she is now receiving.

With the following committee amendment:

Line 6, before the word "Admiral", insert the word "Rear."

The committee amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

PENSIONS TO CERTAIN DEPENDENTS OF VETERANS OF CIVIL WAR

The Clerk called the bill (H. R. 5367) granting pensions and increase of pensions to certain dependents of veterans of the Civil War.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws—

The name of Venia Moody, widow of Francis M. Moody, late of Company A, Thirteenth Regiment Tennessee Cavalry, and pay her a pension at the rate of $20 per month and increase the rate to $30 per month from and after the date she shall have attained the age of 60 years, which fact shall be determined by the submission of satisfactory evidence by the beneficiary to the Veterans' Administration.

The name of Alice Shaw, widow of Edward W. Shaw, late of Company F, One Hundred and First Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Bertha M. Knapp, widow of Rufus H. Knapp, late of Company H, Fourth Regiment New Hampshire Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary E. Simmons, widow of William D. Simmons, late of Company D, One Hundred and Fifty-third Regiment Ohio Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Margaret Butler, widow of George W. Butler, late of Company A, Second Battalion, Sixteenth Regiment United States Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Ruby Ellen Hogg, helpless and dependent daughter of John L. Hogg, late of Company I, One Hundred and Twentieth Regiment Illinois Infantry, and pay her a pension at the rate of $20 per month.

The name of John W. Arnold, helpless and dependent son of Alexander C. Arnold, late of Company H, Twenty-fourth Regiment Kentucky Infantry, and pay him a pension at the rate of $20 per month.

The name of Elsie Israel, helpless and dependent daughter of Pleasant R. Israel, late of Company H, One Hundred and Fifty-first Regiment Indiana Infantry, and pay her a pension at the rate of $20 per month.

The name of Annie A. Riggs, widow of James S. Riggs, late of Company F, Fourteenth Regiment West Virginia Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary Harvey, helpless and dependent daughter of Samuel F. Harvey, late of Company F, One Hundred and Forty-eighth Regiment Ohio Infantry, Company I, One Hundred and Eighty-sixth Regiment Ohio Infantry, and Company E, Thirteenth Regiment United States Infantry, and pay her a pension at the rate of $20 per month.

The name of Anna Houghtlin, widow of George E. Houghtlin, late of Company C, Thirtieth Regiment Michigan Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Eva A. Kinney, widow of Norman Kinney, late of Company D, Hatch's Independent Battalion, Minnesota Cavalry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Mary Murphy, widow of Dennis Murphy, late of the unassigned, Eighty-first Regiment Pennsylvania Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Hettie Miller, former widow of James Villers, late of Company C, Seventh Regiment West Virginia Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The name of Maria Wren, widow of Frederick R. J. Wren, late of Company D, Sixty-first Regiment New York Infantry, and pay her a pension at the rate of $50 per month in lieu of that she is now receiving.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

DR. WILHELM WOLFGANG KRAUSS

The Clerk called the next bill, H. R. 4047, to grant the status of a quota immigrant to Dr. Wilhelm Wolfgang Krauss.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HANCOCK and Mr. REES of Kansas objected, and the bill, under the rule, was recommitted to the Committee on Immigration and Naturalization.

FRANK KASSNER

The Clerk called the next bill, H. R. 666, for the relief of Frank Kassner.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frank Kassner, of Cleveland, Ohio, the sum of $89.18 in full settlement of all claims against the United States for damages to the automobile owned by Mr. Kassner and driven by him when it was struck by an

Army truck on November 19, 1939, in Cleveland, Ohio, at the intersection of East Eighteenth Street and Carnegie Avenue, which damages were paid by the said Frank Kassner: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating this provision of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 7, strike out after the word "to" "the" and insert in lieu thereof the word "his."

Page 1, line 10, after "Ohio", strike out "at the intersection of East Eighteenth Street and Carnegie Avenue, which damages were paid by the said Frank Kassner."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARIE V. TALBERT ET AL.

The Clerk called the next bill, H. R. 793, for the relief of Marie V. Talbert and her sons, James Osborn Talbert and Dewey Talbert.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $3,333.33 to each of the following: Marie V. Talbert and her sons James Osborn Talbert and Dewey Talbert, of Ayer, Mass. Such payments shall not be in substitution for but in addition to sums heretofore and hereafter paid Marie V. Talbert and her sons by the Veterans' Administration. Such sum represents damages on account of the death of Staff Sergeant Charles D. Halbert, Army serial No. 6787170, Headquarters Company, Third Battalion, Sixty-sixth Regiment United States Infantry, on April 19, 1939, at Fort Devens, Mass. who was killed by a blast of dynamite negligently set off by Works Progress Administration workers.

With the following committee amendments:

Page 1, line 5, starting with the figures "$3,333.33", strike out all the language down to and including the word "Administration" in line 10 and insert in lieu thereof "$5,000 to the estate of Charles D. Talbert, deceased, in full settlement of all claims against the United States."

Page 2, line 5, strike out "Works Progress" and insert "Work Projects."

At the end of the bill, add ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and, a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of the estate of Charles D. Talbert, deceased."

WALTER M. ZIEGLER

The Clerk called the next bill, H. R. 1854, for the relief of Walter M. Ziegler.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Walter M. Ziegler, of Monterey, Calif., the sum of $10,000. The payment of such sum shall be in full settlement of all claims against the United States by the said Walter M. Ziegler for damages on account of injuries sustained by him on May 22, 1937, when the car in which he was riding was struck, on the road between Gilroy, Calif., and Santa Cruz, Calif., by a vehicle in the service of the Department of Agriculture: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Line 6, page 1, strike out "$10,000. The payment of such sum shall be", and insert in lieu thereof "$3,000."

Line 8, page 1, strike out "by the said Walter M. Ziegler for damages on account of", and insert in lieu thereof "for."

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM SCHOEB

The Clerk called the next bill, H. R. 2462, for the relief of William Schoeb.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William Schoeb, San Francisco, Calif., the sum of $90. The payment of such sum shall be in full settlement of all claims against the United States by the said William Schoeb for compensation for services rendered in San Juan, Puerto Rico, from October 1 to October 15, 1938, as commercial photographer for the Puerto Rican Reconstruction Administration. Claim for such compensation has been denied on the ground that the official of such administration by whom the said William Schoeb was hired lacked the proper authority.

With the following committee amendments:

Page 1, line 6, strike out the period and "The payment of such sum shall be."

Line 8, strike out "by the said William Schoeb for compensation."

Line 11, beginning with the period, strike out the remainder of the bill and insert ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE KENNEDY

The Clerk called the next bill, H. R. 2726, for the relief of George Kennedy.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,000, to George Kennedy, of Belvidere, Ill., in compensation for injuries sustained February 5, 1940, in the city of Monmouth, Ill., from fall down Monmouth (Ill.) Federal Building steps, caused by ice which was permitted to remain on the steps.

With the following committee amendment:

Line 10, after the word "steps", insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN C. MARTIN

The Clerk called the next bill, H. R. 2962, for the relief of John C. Martin.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, to John C. Martin, of Tishomingo, Okla., the sum of $150, compensating the said John C. Martin for services rendered the National Youth Administration in the early part of the year 1936. Said services being as county supervisor of Johnston County for the National Youth Administration, for which no salary was received as had been agreed: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty

of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out "and in full settlement against the Government, to John C. Martin, of Tishomingo, Okla., the sum of $150, compensating the said John C. Martin" and insert, in lieu thereof, "to John C. Martin, of Tishomingo, Okla., the sum of $150 in full settlement of all claims against the United States."

Page 1, line 9, strike out ". Said services being as county supervisor of Johnston County for the National Youth Administration, for which no salary was received as had been agreed."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FLOSSIE BIVINS

The Clerk called the next bill, H. R. 2963, for the relief of Flossie Bivins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to Flossie Bivins, nee Harris, in full settlement of all claims against the United States of America for the death of her husband, James C. Harris, at the hands of Federal prohibition-enforcement officers on July 4, 1929, during a raid on the Harris home, situated in Pottawatomie County, Okla.

With the following committee amendments:

Page 1, line 6, strike out "Flossie Bivins, nee Harris" and insert in lieu thereof "the estate of James C. Harris."

At the end of bill add ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of the estate of James C. Harris."

H. L. REPPART ET AL.

The Clerk called the next bill, H. R. 3174, for the relief of H. L. Reppart, E. J. Terrill, Lloyd M. Blanchard, E. J. Corman, Hazel Ann Clark, O. E. Henkle, Alva E. Home, Robert F. Mason, Paul E. Jackson, W. F. Tannahill, Alton A. Register, Walter E. Crabb, Guy A. Murray, Wilson E. Stroup, Lorraine Giesy, and Katherine M. Holt.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to H. L. Reppart the sum of $52.37, to E. J. Terrill the sum of $42.50, to Lloyd M. Blanchard the sum of $26.60, to E. J. Corman the sum of $53.87, to Hazel Ann Clark the sum of $27.50, to O. E. Henkle the sum of $49, to Alva E. Home the sum of $84.43, to Robert F. Mason the sum of $30.07, to Paul E. Jackson the sum of $23.32, to W. F. Tannahill the sum of $9.05, to Alton A. Register the sum of $13, to Walter E. Crabb the sum of $20.75, to Guy A. Murray the sum of $88.85, to Wilson E. Stroup the sum of $146.30, to Lorraine Giesy the sum of $27.88, and to Katherine M. Holt the sum of $34, in full satisfaction of claims against the United States covering the value of personal belongings lost by fire in the Work Projects Administration's Topeka, Kans., office on January 8, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, after the word "appropriated", strike out the bill to the word "in", page 2, line 8, and insert in lieu thereof "to H. L. Reppart the sum of $14.87, to Lloyd M. Blanchard the sum of $5.60, to E. J. Corman the sum of $31.87, to O. E. Henkle the sum of $13.50, to Alva E. Home the sum of $15.18, to Robert F. Mason the sum of $12.07, to Paul E. Jackson the sum of $9.32, to W. F. Tannahill the sum of $2.30, to Walter E. Crabb the sum of $3.25, to Guy A. Murray the sum of $16.05, to Wilson E. Stroup the sum of $63.05."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of H. L. Reppart and others."

STATE OF OREGON AND CERTAIN OREGON STATE AGENCIES

The Clerk called the next bill, H. R. 3185, for the relief of the State of Oregon, Department of Forestry of the State of Oregon, and certain organized protection agencies in the State of Oregon for protection of unappropriated public-forest lands intermingled with Oregon and California lands from July 1, 1938, to June 30, 1939.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $4,852.54 for reimbursement of the following-named organized protection agencies in the State of Oregon for protection of unappropriated public-forest lands intermingled with Oregon and California lands from July 1, 1938, to June 30, 1939: The State of Oregon, Department of Forestry of the State of Oregon, Clackamas-Marion Counties Forest Protective Association, Coos County Forest Protective Association, Douglas County Forest Protective Association, Eastern Lane County Forest Protective Association, Klamath Forest Protective Association, Linn County Forest Protective Association, Polk County Forest Protective Association, Southwest Oregon State Unit, and Western Lane Forest Protective Association.

Mr. HANCOCK. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HANCOCK: Page 2, line 7, after the word "Association", insert "the Northwest Oregon Fire Protective Association."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO EXEMPT STRATEGIC AND CRITICAL MATERIALS FROM CUSTOMS DUTIES

Mr. COX, from the Committee on Rules, presented the following report (H. Res. 308) on the bill (H. R. 5667) to exempt strategic and critical materials from customs duties in certain cases, and for other purposes (Rept. No. 1226), which was read, referred to the House Calendar and ordered printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 5667) to exempt strategic and critical materials from customs duties in certain cases, and for other purposes. That after general debate which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of such consideration the committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

OSCAR C. WOLLAN ET AL.

The Clerk called the next bill on the Private Calendar, H. R. 3472, for the relief of Oscar C. Wollan, Fred F. Diel, Laura I. Martin, Jane E. Koppes, and Helen Olson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Oscar C. Wollan, $2,706.55; to Fred F. Diel, $2,758.30; to Laura I. Martin, $5,915; to Jane E. Koppes, $2,135.50; and to Helen Olson, $2,040; all of Tacoma, Wash., said sums being in full settlement of all claims against the United States for personal injuries, property damage, or medical expenses resulting from a collision on July 16, 1938, in which the car being driven by Oscar C. Wollan collided with an Army Civilian Conservation Corps truck from the Hawk's Prairie Camp near Elma, Wash.

With the following committee amendments:

Page 1, line 6, strike out the figures "$2,706.55" and insert in lieu thereof "$1,243.55."

Line 6, strike out the figures "$2,758.30" and insert in lieu thereof "$1,258.30."

Line 7, strike out the figures "$5,915" and insert in lieu thereof "$3,915."

Line 7, strike out the figures "$2,135.50" and insert in lieu thereof "$1,135.50."

Line 8, strike out the figures "$2,040" and insert in lieu thereof "$800."

Page 2, line 2, strike out all the language after the year "1938" and insert in lieu thereof "when the car in which they were riding was struck by a Civilian Conservation Corps truck in Tacoma, Wash.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KEHL MARKLEY, JR.

The Clerk called the next bill, H. R. 3643, for the relief of Kehl Markley, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Kehl Markley, Jr., of Pennsburg, Pa., the sum of $696.75. Such sum represents the value of personal property owned by Kehl Markley, Jr., and destroyed by fire at Camp S-141, Grantville, Pa., on Feberuary 28, 1937, while said Kehl Markley, Jr., was an employee of the Civilian Conservation Corps.

With the following committee amendments:

Page 1, line 6, strike out "$696.75" and insert in lieu thereof "$511.45."

At the end of the bill add: ": *Provided*, That no part of the amount appropriated in this Act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. And person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUISE L. KAPFER

The Clerk called the next bill, H. R. 4061, for the relief of Louise L. Kapfer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Louise L. Kapfer, of De Kalb Junction, N. Y., the sum of $4,690, in full satisfaction of her claim against the United States for damage to her private property arising out of the occupancy and use of her land by the Army in connection with the First Army maneuvers held in the vicinity of Pine Camp, N. Y., during the period of August 5 to 24, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$4,690" and insert "$2,312."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. DELLA THOMPSON

The Clerk called the next bill, H. R. 4561, for the relief of Mrs. Della Thompson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Della Thompson, Laona, Wis., the sum of $5,182.57. Such sum represents the amount of the uncollected judgment recovered by the said Mrs. Della Thompson in the circuit court of Forest County, Wis., against one Theodore Zaszcznoynski, for damages sustained on account of the death of her husband, James Thompson, who died from injuries received on June 4, 1938, when he was struck on United States Highway No. 8 near Laona, Wis., by a truck in the service of the Civilian Conservation Corps operated by the said Theodore Zaszcznoynski. Such payment shall be conditioned upon the filing by the said Mrs. Della Thompson of a discharge and satisfaction of such judgment.

With the following committee amendment:

Page 1, line 6, strike out "$5,182.57" and insert in lieu thereof "$4,950 in full settlement of all claims against the United States."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DELBERT E. LIBBEY

The Clerk called the next bill, H. R. 4778, for the relief of Delbert E. Libbey.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc.,, That sections 17 to 20, inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, as amended (U. S. C., 1934 edition, title 5, secs. 767 and 770), are hereby waived in favor of Delbert E. Libbey, who allegedly was injured and became permanently disabled while in the performance of duty on November 23, 1924, while serving as assistant librarian of the House of Representatives, and as a result of such duty, and his claim for compensation is authorized to be considered and acted upon the remaining provisions of such act, as amended, if he files such claim with the United States Employees' Compensation Commission not later than 6 months after the date of enactment of this act: *Provided*, That no benefits hereunder shall accrue prior to the approval of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DANIEL ELLIOTT AND HELEN ELLIOTT

The Clerk called the next bill, H. R. 4998, for the relief of Lt. Daniel Elliott and Helen Elliott.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lt. Daniel Elliott, of Baltimore, Md., the sum of $500, and to Helen Elliott, of Baltimore, Md., the sum of $3,000, in full settlement of all claims against the United States for personal injuries and expenses sustained when the car in which they were riding was struck by a Work Projects Administration truck on Broening Highway, on October 29, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Daniel Elliott and Helen Elliott."

NETTIE WOOLFOLK MONTAGUE ET AL.

The Clerk called the next bill, H. R. 5206, for the relief of Nettie Woolfolk Montague and Jerry L. Woolfolk and others.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nettie Woolfolk Montague, Washington, D. C., widow of Hallie E. Woolfolk, the sum of $1,666.67, and to the following surviving children of the said Hallie E. Woolfolk the sums appearing after their names: Mayme Woolfolk, Washington, D. C., the sum of $555.55; Aaron H. Woolfolk, Washington, D. C., the sum of $555.55; Geneva E. Davisons, Howison, Va., the sum of $555.55; the guardian of Cecilia H. Woolfolk, Washington, D. C., the sum of $555.56; the guardian of Louise B. Woolfolk, Washington, D. C., the sum of $555.56; the guardian of Nannie B. Woolfolk, Washington, D. C., the sum of $555.56; and Jerry L. Woolfolk, Atlantic City, N. J., the sum of $5,000. The payment of such sums shall be in full settlement of all claims against the United States on account of the death of the said Hallie E. Woolfolk and the injuries sustained by the said Hallie E. Woolfolk and Jerry L. Woolfolk, and on account of expenses incurred in connection therewith, as a result of a collision on October 15, 1932, on United States Highway No. 1, near Alexandria, Va., between a United States Army truck negligently operated and a motorcycle driven by the said Hallie E. Woolfolk: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same

shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 17, strike out "Hallie E." and insert: "Jerry L."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

W. W. CARLTON

The Clerk called the next bill, S. 755, for the relief of W. W. Carlton.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to W. W. Carlton, of Columbia, Tenn., the sum of $300, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him as the result of the car which he was driving having been struck by a Civilian Conservation Corps truck operated by an enrollee of the Civilian Conservation Corps near Waynesboro, Tenn., on February 2, 1939: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$300" and insert "$1,000."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING PRIVATE ACT NO. 446, SEVENTY-SIXTH CONGRESS, APPROVED JULY 2, 1940

The Clerk called the next bill, S. 1251, amending Private Act No. 446, Seventy-sixth Congress, approved July 2, 1940, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of Private Act No. 446 approved July 2, 1940, be, and the same is hereby, amended to read as follows:

"SEC. 3. No provision of this act shall relieve any payee from any indebtedness to the United States of America resulting from the disallowances by the Comptroller General of the United States included in the above set forth sums and which are charged against disbursing officers named therein except that there shall be credited in the accounts of Hugh S. Johnson, Administrator of the National Recovery Administration, any amount charged against him on account of alleged overpayment for transportation and actual expenses of subsistence or per diem in lieu of actual expenses for subsistence."

With the following committee amendment:

Page 2, line 3, strike out "any amount charged against him" and insert "Kilbourne Johnston, and Miss F. M. Robinson, any amount charged against them."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HOMER J. SWOPE

The Clerk called the next bill, S. 1392, for the relief of Homer J. Swope.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit the accounts of Homer J. Swope at Quincy, Ill., with the sum of $985.79, representing the amount of postal funds and money order funds lost in the burglary of the post office at Quincy, Ill., on December 3, 1939.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

I. M. COOK ET AL.

The Clerk called the next bill, S. 1709, conferring jurisdiction upon the United States District Court for the Western District of North Carolina to hear, determine, and render judgments upon the claims against the United States of I. M. Cook, J. J. Allen, Radiator Specialty Co., and the R. & W. Motor Lines, Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court for the Western District of North Carolina to hear, determine, and render judgments upon the claims against the United States of I. M. Cook, of Charlotte, N. C.; J. J. Allen, of Charlotte, N. C.; Radiator Specialty Co., of Charlotte, N. C.; and the R. & W. Motor Lines, Inc., of Charlotte, N. C., for damages allegedly sustained by each by reason of a fire which destroyed a building, known as the Cook Body Co. Building, in Charlotte, N. C., in December 1938, such fire having started from an oil stove in a part of such building which was occupied by the Works Progress Administration.

SEC. 2. In the determination of such claims the United States shall be held liable for such damages and for any acts committed by any of its officers and employees to the same extent as if the United States were a private person.

SEC. 3. Suits upon such claims may be instituted at any time within 1 year after the date of enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims, and appeals from and payment of any judgments thereon, shall be in the same manner as in the case of claims over which such court has jurisdiction under the provisions of paragraph 20 of section 24 of the Judicial Code, as amended.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DORIS MONGOL RAI

The Clerk called the next bill, H. R. 4604, for the relief of Doris Mongol Rai.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions of section 13-C of the Immigration Act of May 26, 1924, the Attorney General be, and he is hereby, authorized and directed to permit Doris Mongol Rai to remain permanently in the United States, provided she is otherwise admissible under the immigration laws.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUISE HSIEN DJEN LEE LUM

The Clerk called the next bill, H. R. 1537, for the relief of Louise Hsien Djen Lee Lum.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That from and after the date of the approval of this act, Louise Hsien Djen Lee Lum, who was admitted into the Territory of Hawaii on June 29, 1934, for a temporary stay and is the Chinese wife of a citizen of the United States and the mother of two children born in the United States, shall be deemed to have been lawfully admitted as an immigrant for permanent residence.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BURL THREADGILL AND HELEN THREADGILL

The Clerk called the next bill, H. R. 1371, for the relief of Burl Threadgill and Helen Threadgill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Burl Threadgill and Helen Threadgill, of El Paso, Tex., $5,500 for personal injury and damage to property suffered by them when their car was in a collision with a truck belonging to the Bureau of Reclamation and operated by an employee of the United States Government.

With the following committee amendments:

Page 1, line 6, after "$5,500", insert "in full settlement of all claims against the United States."

Page 2, line 1, after "1938", insert "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARY, ETHEL, AND RICHARD FARRELL

The Clerk called the next bill, H. R. 2379, for the relief of Mary, Ethel, and Richard Farrell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following-named persons the sums hereinafter specified in full satisfaction of their claims against the United States for damages arising out of an automobile accident on November 27, 1931, in East Providence, R. I., when a Government-owned automobile driven by one Alexander Moffat, a Federal prohibition agent, skidded on wet pavement, mounted the sidewalk, and struck Mary and Ethel Farrell, wife and daughter, respectively, of Richard Farrell: Mary Farrell, $1,000; Edith Farrell, $300; and Richard Farrell, $200: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

SEC. 2. Payment shall not be made under this act until the above-named claimants have released all of their claims against the said Alexander Moffat in a manner satisfactory to the Secretary of the Treasury.

With the following committee amendment:

Page 1, line 5, after the word "appropriated", strike out the balance of line 5 and all of lines 6 to 12, inclusive, and lines 1 and 2 on page 2 and insert the following: "to Mary Farrell the sum of $1,000, to Ethel Farrell the sum of $300, and to Richard Farrell the sum of $200, of East Providence, R. I., in full settlement of all claims against the United States for damages and injuries sustained when a Government vehicle, driven by Alexander Moffat, a Federal prohibition agent, skidded on wet pavement, mounted the sidewalk, and struck Mary and Ethel Farrell, on November 27, 1931: *Provided*,".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

O. C. OUSLEY

The Clerk called the next bill, H. R. 2780, for the relief of O. C. Ousley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps, to O. C. Ousley, of Sharps Chapel, Tenn., the sum of $2,500, in full settlement of all claims against the United States for personal injuries to him, and medical and hospital expenses incident thereto, as a result of a collision of an automobile in which he was riding with a Government Civilian Conservation Corps truck, which truck was being recklessly operated by the driver thereof. This injury to claimant occurred on June 21, 1937, on Highway No. 33, in Union County, Tenn.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDWIN FAIRFAX NAULTY AND LESLIE FAIRFAX NAULTY

The Clerk called the next bill, H. R. 2864, for the compensation of Edwin Fairfax Naulty and Leslie Fairfax Naulty.

Mr. REES of Kansas and Mr. HANCOCK objected, and, under the rule, the bill was recommitted to the Committee on Claims.

THELMA CARRINGER

The Clerk called the next bill, H. R. 4010, for the relief of Thelma Carringer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Thelma Carringer, widow of A. M. Carringer, the sum of $10,000 on account of the death of A. M. Carringer, who was killed at Murphy, N. C., on or about the 7th day of October, 1931 in an attempt to apprehend Jess McPherson, Walter Bryson, and Casey Bryson, who had robbed a post office at Coker Creek, Tenn., the said A. M. Carringer having been advised of such robbery by telephone message from Tellico Plains, Tenn., with instructions to apprehend said robbers.

With the following committee amendments:

Page 1, line 6, strike out "$10,000" and insert "$1,500."

Line 9, strike out "1931" and insert "1930."

Line 11, after "Tennessee", strike out the remainder of line 11 and line 12 and lines 1 and 2 on page 2 and insert in lieu thereof the following: "to pay the sum of $500 to Burt Savage for personal injuries sustained while assisting in apprehending Jess McPherson, Walter and Casey Bryson; to pay the sum of $550 to J. A. Cearly; to pay the sum of $1,700 to Frank A. Fain, in full settlement of all claims against the United States for services rendered in apprehending Jess McPherson, Walter and Casey Bryson, who had robbed a post office at Coker Creek, Tenn., on October 7, 1930: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Thelma Carringer and others."

ALTA LEDGERWOOD

The Clerk called the next bill, H. R. 4062, for the relief of Alta Ledgerwood.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alta Ledgerwood, the sum of $648, in full settlement of all claims against the Government of the United States for the loss of her personal effects in the fire which destroyed the schoolhouse at Fort Yukon, Alaska, on September 29, 1939: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MACON COUNTY OIL CO.

The Clerk called the next bill, H. R. 4415, for the relief of the Macon County Oil Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. H. Lamar, of Tuskegee, Ala., as trustee for the Macon County Oil Co., the sum of $4,738.50. Such sum represents the amount found by the Court of Claims to be due from the United States under Congressional Reference Case No. 17373, decided October 7, 1940.

With the following committee amendments:

Page 1, line 7, strike out the period and "Such sum represents" and insert ", in full settlement of all claims against the United States for."

At the end of the bill add the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HATTIE DILLON

The Clerk called the next bill, H. R. 4503, for the relief of Hattie Dillon.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $46.84 to compensate Hattie Dillon, postmaster, Tuscarora, N. C., as legal representative of Thomas A. Dillon, late postmaster, Tuscarora, N. C., for actual financial loss sustained by him, without negligence on his part, through refund already made to the Post Office Department, by the said Hattie Dillon, for funds for which Thomas A. Dillon was responsible as postmaster at Tuscarora, N. C., which were on deposit in the First National Bank of New Bern, N. C., when the said bank failed to open for business on October 26, 1929.

With the following committee amendment:

At the end of the bill insert the following: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be lawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SAMUEL J. D. MARSHALL

The Clerk called the next bill, H. R. 4514, for the relief of Samuel J. D. Marshall.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the General Accounting Office be, and it is hereby, authorized and directed to credit the account of Samuel J. D. Marshall, former captain, Quartermasters, Corps, United States Army, disbursing officer of the Army at Camp Stewart, Va., and Mitchel Field, Long Island, N. Y., with $49,112.18, this sum being an alleged shortage in the accounts of the said Samuel J. D. Marshall and a balance due the United States while acting as disbursing officer at Camp Stewart, Va., and Mitchel Field, N. Y., due to the lack of evidence to support certain disbursements.

With the following committee amendment:

Line 8, strike out "$49,112.18" and insert "$49,612.18."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

J. A. SANDELL AND FRANCES SANDELL

The Clerk called the next bill, H. R. 4879, conferring jurisdiction upon the United States District Court for the Western District of Washington to hear, determine, and render judgment upon the claims of J. A. Sandell and Frances Sandell, his wife.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court for the Western District of Washington to hear, determine, and render judgment, as if the United States were suable in tort, upon the claims of J. A. Sandell and Frances Sandell, his wife, of Forks, Jefferson County, Wash., for damages resulting from personal injuries and property damage in an accident on the 30th day of September 1937, on the Olympic Highway when an automobile driven by J. A. Sandell and in which Frances Sandell was riding, was struck by a gravel truck driven by Wilbert Sampson, an Indian, in the employ of the Civilian Conservation Corps.

SEC. 2. Suit upon such claims may be instituted at any time within 1 year after the enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims, appeals therefrom, and payment of any judgments thereon shall be in the same manner as in the cases over which such court has jurisdiction upon paragraph 20 of section 24 of the Judicial Code, as amended.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. A. Sandell and Frances Sandell the sum of $2,500, in full settlement of all claims against the United States for damages and personal injuries sustained when the car driven by J. A. Sandell was struck by a truck driven by an employee of the Civilian Conservation Corps near Ranger Station at Quinault Lake, Wash., on September 30, 1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of J. A. Sandell and Frances Sandell."

CAPT. ALEX PAPANA

The Clerk called the next bill, H. R. 5021, for the relief of Capt. Alex Papana.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Capt. Alex Papana the sum of $2,100, in full satisfaction of all claims against the United States on account of damage to his airplane sustained as a result of an accident involving an Army airplane at the Chicago Municipal Airport, Chicago, Ill., on July 1, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VICTOR M. LENZER

The Clerk called the next bill, H. R. 5038, for the relief of Victor M. Lenzer, former special disbursing agent, Department of Labor.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 1655) be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Victor M. Lenzer, former special agent, Department of Labor, the sum of $139.79, public funds for which he is accountable, and which were paid by him in good faith to employees of the United States traveling, but not stationed, in foreign countries, for exchange losses, according to his interpretation of the rules then in effect governing such payments.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H. R. 5038, was laid on the table.

BUREAU OF RECLAMATION

The Clerk called the next bill, H. R. 5104, to authorize the Secretary of the Interior to pay certain claims of employees of the Bureau of Reclamation arising out of loss of tools deposited in a warehouse and shop building maintained by the Bureau of Reclamation at Parker Dam, Ariz., destroyed by fire.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 1649, be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to pay, out of any moneys appropriated for construction of the Parker Dam power project, Arizona, as compensation to the following employees of the Bureau of Reclamation for loss of their tools in a fire which destroyed the warehouse and shop building maintained by the Bureau of Reclamation at Parker Dam, Arizona, on June 28, 1940: To James E. Barrett, the sum of $150; to John Johnston, the sum of $172.58; to Richard C. Hudson, the sum of $5.90; to Thomas H. Dieu, the sum of $55.12; to Hugh S. Watters, the sum of $257.18; to Nick Latkovich, the sum of $78.53; to Andrew E. Lofstedt, the sum of $83.98; to John W. Stone, the sum of $127.50; to Allen L. Jones, the sum of $158.82; to Tonie L. Ellerkamp, the sum of $251.39; to Arnie A. Nyholm, the sum of $12.68; to John W. Alewine, the sum of $10.95; to Homer B. Coleman, the sum of $56.75; and to Graham

Kiehl, the sum of $137.81: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H. R. 5104, was laid on the table.

REGINALD H. CARTER, JR.

The Clerk called the next bill, H. R. 5223, for the relief of Reginald H. Carter, Jr.

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that the bill (S. 1695) may be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is authorized and directed to settle and allow under the applicable appropriation for fees of commissioners, United States courts the claims of Reginald H. Carter, Jr., United States Commissioner, at New Orleans, La., for fees otherwise properly due for services rendered by him during the periods December 17, 1940, to January 31, 1941, and February 1 to 19, 1941, such claims having been disallowed by the General Accounting Office on settlements of claims numbered 064391 (1) and 064391 (33), dated April 28, 1941, and June 9, 1941, respectively, for the reason that such services were rendered by the said Reginald H. Carter, Jr., between the date his appointment as United States Commissioner expired and the date he was reappointed.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

SUSANNAH SANCHEZ

The Clerk called the next bill, H. R. 5225, for the relief of Susannah Sanchez.

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 1708) may be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Susannah Sanchez, Rio Hato, Republic of Panama, the sum of $1,000 in full satisfaction of her claim against the United States on account of the death of her minor son, Louis Sanchez, on December 17, 1940, as the result of the explosion of a 37 mm. dud shell in the yard of their home in the eastern part of the gunnery range, department training center, Rio Hato, Republic of Panama: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. GRANT of Indiana. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GRANT of Indiana: On page 1, strike out "$1,000" and insert "$1,500."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

G. F. ALLEN

The Clerk called the next bill, H. R. 5280, for the relief of G. F. Allen, chief disbursing officer, Treasury Department, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is authorized and directed to allow credit in the accounts of G. F. Allen, chief disbursing officer, Treasury Department, covering the period prior to July 31, 1939, for sums aggregating not to exceed $4,923.50, suspended or disallowed, together with the amounts of any additional payments which have been or may be suspended or disallowed in the accounts of the chief disbursing officer more than 3 years after such payments were made: *Provided*, That the Secretary of the Treasury shall certify that in his opinion there is no evidence of fraud on the part of the chief disbursing officer in connection with such payments.

SEC. 2. No charge shall be made against the certifying officer, or if heretofore made, shall be removed, for the amount of any payment for which credit shall be allowed under section 1 of this act, where the head of the department or establishment concerned, or his duly authorized representative, shall certify to the Comptroller General of the United States that the payment appears to have been made without fraud on the part of the certifying officer.

SEC. 3. The Comptroller General of the United States is authorized and directed to allow credit in the accounts of Cecil M. P. Cross, former special disbursing agent, Treasury Department, for sums aggregating not to exceed $26.39, representing items disallowed in his accounts.

SEC. 4. The Comptroller General of the United States is authorized and directed to allow credit in the accounts of Will S. Wood, former special disbursing agent, Bureau of Narcotics, for a sum not to exceed $2.70, representing the unpaid balance of an item disallowed in his accounts.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HELEN RAUCH AND MAX RAUCH

The Clerk called the next bill (H. R. 5291) for the relief of Helen Rauch and Max Rauch.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Helen Rauch, of New York City, the sum of $2,132.20, and to her husband, Max Rauch, of New York City, the sum of $500, in full satisfaction of their claims against the United States for judgments obtained against the Director General of Railroads as the result of personal injuries received by Helen Rauch on May 11, 1919, when a passenger on the Hudson and Manhattan Railroad which was being operated by the Director General of Railroads, acting for the United States: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. A. B. TANNER

The Clerk called the next bill, S. 1228, for the relief of Mrs. A. B. Tanner.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. A. B. Tanner, of Hattiesburg, Miss., the sum of $5,000. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said Mrs. A. B. Tanner on account of the death of her husband, A. B. Tanner, who was struck by a bullet fired by a sentry, Private Olen R. Ekes, at Camp Shelby, Miss., on October 8, 1940, when the driver of the automobile in which the said A. B. Tanner was riding, L. B. Tanner, his son, failed to execute properly an order given by the sentry: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OTIS THOMPSON

The Clerk called the next bill, S. 1426, for the relief of Otis Thompson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 17 and 20 of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., 1934 ed., title 5, secs. 767 and 770), are hereby waiver in favor of Otis Thompson, Belington, W. Va., and his claim for compensation for disability resulting from injuries alleged to have been received during May 1938, while employed by the Works Progress Administration at Philippi, W. Va., is authorized to be heard under the remaining provisions of such act, as amended, as if he had filed notice of injury and claim for disability compensation within the time prescribed by such sections 17 and 20.

With the following committee amendment:

At the end of the bill, strike out the period and insert a colon and the following: "*Provided*, That said claim shall be filed with the United States Employees' Compensation Commission not later than 60 days after the

approval of this act: *And provided further*, That no benefits shall accrue prior to the approval of this act."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELIEF OF CERTAIN BASQUE ALIENS

The clerk called the next bill, H. R. 1944, for the relief of certain Basque aliens.

Mr. HANCOCK, Mr. PIERCE, Mr. BARDEN, and Mr. GORE objected, and, under the rule, the bill was recommitted to the Committee on Immigration and Naturalization.

LENA B. CROUCH

The Clerk called the bill (H. R. 247) for the relief of Lena B. Crouch.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury appropriated and allocated by the President or otherwise for the maintenance and operation of the Work Projects Administration and/or out of any other money in the Treasury not otherwise appropriated, to Lena B. Crouch, of Mulberry, Ark., the sum of $10,000 in full settlement and satisfaction of her claim against the United States for damages sustained by her resulting from the fatal injuries sustained by her husband, B. F. Crouch, who is one and the same person as and sometimes referred to as Franklin R. Crouch, in a collision of a truck owned and operated by the Work Projects Administration or its predecessor and a truck driven by the said B. F. Crouch, which said collision occurred on the 31st day of August 1939, near the town of Mulberry, in Crawford County, Ark.: *Provided*, That no part of the amount appropriated by this act in excess of 10 percent thereof shall be paid to or received by any agent or agents, attorney or attorneys, on account of service rendered in connection with said claim, and it shall be unlawful for any agent or agents, attorney or attorneys, either directly or indirectly, to exact, collect, withhold, or receive any sum of the money hereby appropriated in excess of 10 percent thereof, for or on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction therefor shall be fined in any sum not exceeding $5,000.

With the following committee amendment:

Page 1, line 5, after the word "Treasury", strike out the remainder of the bill and insert: "not otherwise appropriated, to Lena B. Crouch, of Mulberry, Ark., the sum of $5,650 in full settlement of all claims against the United States for the death of her husband, B. F. Crouch, sometimes known as Franklin R. Crouch, who died from the result of injuries sustained in a collision of a truck owned and operated by the Work Projects Administration and a truck driven by the said B. F. Crouch, which collision occurred on August 31, 1939, near the town of Mulberry, in Crawford County, Ark.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ALEXANDER KEHAYA

The Clerk called the bill (H. R. 4777) for the relief of Alexander Kehaya.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed, upon payment of all duties, charges, and expenses, to surrender and deliver to Alexander Kehaya, of New York, the purchaser, 261 bales of tobacco imported into the United States by the Aeolian Shipping Co. on or about October 20, 1937, and entered at the port of New York under warehouse entry No. 91992, which tobacco was abandoned by the said shipping company to the United States without authority of the said purchaser.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

MRS. ALBERT SPILLMAN

The Clerk called the bill (H. R. 5039) for the relief of Mrs. Albert Spillman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding any other provision of law, the National Service Life Insurance applied for on February 15, 1941, by James Elmore Spillman, flying cadet, United States Army Air Corps, shall be held and considered to have been granted and in effect at the time of his death, and the Administrator of Veterans' Affairs is authorized and directed to pay such insurance to Mrs. Albert Spillman, mother of the said James Elmore Spillman, the beneficiary designated in the application for such insurance.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SOUTH DAKOTA WHEAT GROWERS ASSOCIATION

The Clerk called the next business, Senate Joint Resolution 29, for the relief of the South Dakota Wheat Growers Association, Inc.

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to South Dakota Wheat Growers Association, Inc., of Aberdeen, S. Dak., the sum of $40,473.71, in full satisfaction of all its claims against the United States for losses sustained by it, during the stabilizing operations of the Federal Farm Board in 1929 and 1930, through withholding grain from the market, paying the storage and carrying charges thereon, and making advances to its members in order to stabilize prices: *Provided*, That no part of the amount appropriated in this joint resolution in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this joint resolution shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 7, strike out "$40,473.71" and insert "$85,390.71."

The committee amendment was agreed to.

The joint resolution, as amended, was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PHERNE MILLER

The Clerk called the bill (S. 605) for the relief of Pherne Miller.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay out of any money in the Treasury not otherwise appropriated to Pherne Miller, of Washington, D. C., the sum of $200 in full satisfaction of her claim against the United States for compensation for services performed by her in making drawings for the United States George Washington Bicentennial Commission during the year 1931: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim and the same shall be unlawful any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ELINOR LEUGERS

The Clerk called the bill (S. 1398) for the relief of Elinor Leugers.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elinor Leugers, dependent mother of the late LeRoy Leugers, machinist's mate, second class, United States Coast Guard, who died aboard the *Pandora* on October 14, 1939, an amount equal to 6 months' pay at the rate said LeRoy Leugers was entitled to receive at the date of his death: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

LESLIE CHARTERIS ET AL.

The Clerk called the bill (H. R. 4562) for the relief of Leslie Charteris (Leslie

Charles Bowyer Yin) and Patricia Ann Charteris.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws Leslie Charteris (Leslie Charles Bowyer Yin), the husband of a citizen of the United States, and his daughter, Patricia Ann Charteris, shall be held and considered to have been lawfully admitted to the United States for permanent residence on September 8, 1939, the date the said Leslie Charteris and Patricia Ann Charteris were last admitted to the United States for temporary residence.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

J. T. COULTER

The Clerk called the bill (H. R. 466) for the relief of J. T. Coulter.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,500 to J. T. Coulter, of Glasgow, Ky., in full settlement of all claims against the Government of the United States for personal and permanent injuries suffered by him on May 20, 1938, when a truck in which he was riding in Barren County, Ky., on State Highway No. 63, about 2 miles southeast of Glasgow, Ky., was, through and by the negligence of one of the employees and enlisted men of the United States Army, struck and demolished by a United States Army baggage truck of the Thirteenth Regiment United States Cavalry, Fort Knox, Ky., driven and operated by said employee and enlisted man; that his injuries were caused by the reckless, careless, and negligent manner in which said truck was operated by said enlisted man, and he would not have been injured but for the said recklessness, carelessness, and negligence aforesaid.

With the following committee amendments:

Page 1, line 6, strike out "Coulter" and insert "Colter."

Page 2, line 10, strike out the period and insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of J. T. Colter."

JAMES A. SWEENEY

The Clerk called the bill (H. R. 4116) for the relief of James A. Sweeney.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James A. Sweeney the sum of $10,000, in full satisfaction of all claims he may have against the Government on account of the death of his wife Emelie I. Sweeney, who was fatally injured, said injuries and death being caused by the negligent operation of a Civilian Conservation Corps truck, by a Civilian Conservation Corps enrollee or employee, while acting within the scope of his employment, on July 19, 1938, on United States Highway No. 220, about 8 miles south of Madison, N. C.

With the following committee amendments:

Page 1, line 6, strike out "$10,000" and insert "$5,000."

Page 2, line 4, strike out the period, insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REGIS MOXLEY AND FRANCES MOXLEY

The Clerk called the next bill, H. R. 4570, for the relief of Regis Moxley and Frances Moxley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Regis Moxley and Frances Moxley, his wife, the sum of $20,000 for the death of their child, Regis Moxley, Jr., on November 25, 1938, at Fort Lee, Bergen County, N. J., as a result of the carelessness, recklessness, and negligence of the workers of the Works Progress Administration.

With the following committee amendments:

Page 1, line 6, strike out "$20,000" and insert in lieu thereof "$2,500."

At the end of bill add ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

FRANK P. WALDEN AND VIOLA HARP

The Clerk called the next bill, S. 493, conferring jurisdiction upon the United States District Court for the Southern District of Florida to hear, determine, and render judgment upon the claims of Frank P. Walden in his individual capacity and as husband and legal representative of the estate of Anice Walden, deceased, and Viola Harp in her individual capacity and as legal guardian of her daughter, Marjorie Gayle Harp, a minor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred upon the United States District Court for the Southern District of Florida to hear, determine, and render judgment upon the claim of Frank P. Walden, of Jacksonville, Fla., in his individual capacity and as husband and legal representative of the estate of Anice Walden, deceased, and the claims of Viola Harp in her individual capacity and as legal guardian of her daughter, Marjorie Gayle Harp, a minor, of Silverton, Ga., against the United States of America for alleged damages as the result of a collision between the automobile of Frank P. Walden and a Civilian Conservation Corps truck on United States Highway No. 1, near Callahan, Fla., on or about August 7, 1938, in which Anice Walden, wife of Frank P. Walden, was fatally injured; and Frank P. Walden; Juanita Louise Walden, his daughter; Viola Harp and Marjorie Gayle Harp were injured while riding in such automobile at the time of the collision.

SEC. 2. In determination of such claims, the United States shall be held liable for the acts of its officers and employees to the same extent as if it were a private person, except that any judgment rendered on each claim shall not be in excess of $5,000.

SEC. 3. Suits upon such claims may be instituted at any time within 1 year after the date of enactment of this act, notwithstanding the lapse of time or any statute of limitations. Proceedings for the determination of such claims and appeals from and payment of any judgment thereon shall be in the same manner as in the case of claims over which such court has jurisdiction under the provisions of paragraph "twentieth" of section 24 of the Judicial Code, as amended.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE NEAL STORAGE CO.

The Clerk called the next bill, S. 1608, for the relief of the Neal Storage Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $24 to the Neal Storage Co., of Cleveland, Ohio, in full satisfaction of its claim against the United States for damages incurred as a result of the cancelation on June 27, 1940, by the Bituminous Coal Division, Department of the Interior, 501 Bulkley Building, Cleveland, Ohio, of its order for three trucks to be furnished by the Neal Storage Co. for the purpose of moving and transporting certain office furniture and equipment of said Bituminous Coal Division, Department of the Interior: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LLOYD BRYANT

The Clerk called the next bill, H. R. 2206, for the relief of Lloyd Bryant.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the limitations of time in sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in favor of Lloyd Bryant, of Rochester, N. Y., and the United States Employees' Compensation Commission is authorized to receive and consider his claim, under the remaining provisions of said act, for injury to his head alleged to have been incurred by him during February 1934, while an employee of the United States post office at Rochester, N. Y.: *Provided*, That claim hereunder shall be filed within 6 months after the approval of this act: *Provided further*, That no benefits shall accrue prior to the approval of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARY E. PHILPOT ET AL.

The Clerk called the next bill, H. R. 2724, for the relief of the estate of Mary E. Philpot, Sandra G. Philpot, and Mrs. R. L. Keckler.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to the estate of Mary E. Philpot, the sum of $5,000, in full satisfaction of the claim of such estate against the United States for compensation for the death of the said Mary E. Philpot, who was killed as a result of a collision between the car in which she was riding and a Civilian Conservation Corps truck on United States Highway No. 91, at or near Washington, Utah, on July 3, 1937; (2) to the guardian of Sandra G. Philpot the sum of $10,000, in full satisfaction of the claim of said Sandra G. Philpot against the United States for personal injuries received by her while riding in such car at the time of such collision; and (3) to Mrs. R. L. Keckler, of Weeping Water, Nebr., the sum of $631, in full satisfaction of her claim against the United States for reimbursement of the funeral expenses of said Mary E. Philpot paid by her: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out the figure "$5,000" and insert in lieu thereof "$2,000."

Page 1, line 6, strike out "satisfaction of the claim of such estate", and insert in lieu thereof "settlement of all claims."

Page 2, line 2, strike out "$10,000" and insert in lieu thereof "$6,000."

Page 2, line 2, strike out "satisfaction of the claim of said Sandra G. Philpot" and insert in lieu thereof "settlement of all claims."

Page 2, line 7, strike out "satisfaction of her claim" and insert in lieu thereof "settlement of all claims."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRED FARNER

The Clerk called the next bill, H. R. 3141, for the relief of Fred Farner.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fred Farner, Prairie View, Ill., the sum of $10,000. The payment of such sum shall be in full settlement of all claims against the United States arising out of the death of Barbara Frances Farner, minor daughter of the said Fred Farner, who was killed on August 29, 1940, when she was struck while standing on a sidewalk in Half Day, Ill., by a United States Government ambulance driven by an enrollee of the Civilian Conservation Corps.

With the following committee amendment:

Page 1, line 1, beginning with the figure "$10,000", strike out the remainder of the bill and add: "$5,000 for the death of his daughter, Barbara Frances Farner, a minor, who was killed on August 29, 1940, and to Ernest Schroeder, of Prairie, Ill., the sum of $5,000 for personal injuries sustained by his daughter, Doris M. Schroeder, on August 29, 1940, in full settlement of all claims against the United States, when they were struck while standing on a sidewalk in Half Day, Ill., by a United States Government ambulance driven by an enrollee of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

Mr. HANCOCK. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HANCOCK: On page 2, line 4, after the word "to", strike out the balance of line 4, all of line 5 and all of line 6, down to and including "1940", and insert "the legal guardian of Doris M. Schroeder, of Prairie, Ill., the sum of $5,000 for personal injuries sustained on August 29, 1940"; and amend the title accordingly.

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Fred Farner and Ernest Schroeder."

LAWSON COFFEE CO., INC.

The Clerk called the next bill, H. R. 4245, for the relief of the Lawson Coffee Co., Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Lawson Coffee Co., Inc., Sumter, S. C., the sum of $220.63. The payment of such sum shall be in full settlement of all claims of such company against the United States under contract No. ER-t33 ps-4221 with the Procurement Division, Treasury Department, for certain coffee to be furnished the Santee-Cooper Work Projects Administration project. Due to a misunderstanding of the grade of coffee called for by the invitation for a bid, such company submitted a bid which resulted in an actual loss of $220.63 in carrying out such contract.

With the following committee amendment:

Page 2, line 4, after the word "contract", insert ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF MRS. EDNA B. CROOK

The Clerk called the next bill, H. R. 4557, for the relief of the estate of Mrs. Edna B. Crook.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to O. B. Triplett, Jr., Forest, Miss., executor of the estate of Mrs. Edna B. Crook, the sum of $5,000. The payment of such sum shall be in full settlement of all claims against the United States on account of the death of the said Mrs. Edna B. Crook, who was fatally injured on May 6, 1940, in Forest, Miss., when struck by a United States Army truck.

With the following committee amendments:

Page 1, line 7, strike out "$5,000" and insert in lieu thereof "$2,500."

At the end of the bill add ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RAY C. McMILLEN

The Clerk called the next bill, H. R. 4587, for the relief of Ray C. McMillen.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ray

C. McMillen, of Glenwood, Iowa, the sum of $5,000, in full satisfaction of all his claims against the United States for damages resulting from his conviction and incarceration in a Federal penitentiary for over 7 months for the offense of fraudulently negotiating a check stolen from a letter box, of which offense he later was proven to be innocent, the President granting him an unconditional pardon: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment.

Page 1, line 5, strike out "$5,000" and insert in lieu thereof "$3,500."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELSIE HUGABOOM

The Clerk called the next bill, H. R. 4964, for the relief of Elsie Hugaboom.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elsie Hugaboom, of Malone, N. Y., the sum of $1,101, in full satisfaction of her claim against the United States for personal injuries sustained when she fell as a result of the broken pavement in front of the Malone, N. Y., post office on April 22, 1931: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LILLIAN KORKEMAS AND ROSE GRAZIOLI

The Clerk called the next bill, H. R. 5498, for the relief of Lillian Korkemas and Rose Grazioli.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money not otherwise appropriated, to Lillian Korkemas, of Troy, N. Y., the sum of $500, and to Rose Grazioli, of Troy, N. Y., the sum of $200, in full settlement of all claims against the United States for damages, and for pain and suffering resulting from personal injuries sustained on April 7, 1940, in the city of Troy, N. Y., when the automobile in which they were riding was struck by a truck in the service of the Post Office Department: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARRY RENTON BRIDGES

The Clerk called the next bill, H. R. 1644, to direct the deportation of Harry Renton Bridges.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding any other provision of law the Attorney General be, and he is hereby, authorized and directed to take into custody forthwith and deport forthwith to Australia, the country of which he is a citizen or subject, the alien, Harry Renton Bridges, whose presence in this country the Congress deems hurtful.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES WOOD

The Clerk called the next bill, H. R. 268, for the relief of James Wood.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions and limitations of sections 17 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes" approved September 17, 1916, as amended, the United States Employees' Compensation Commission be, and is hereby, authorized and directed to receive and consider, when filed, the claim of James Wood, of Oswego, N. Y., for disability incurred by him while in the employment of the Emergency Relief Work Bureau in February 1934, and to determine said claim upon its merits: *Provided*, That no benefits shall accrue prior to the enactment of this act.

With the following committee amendment:

Page 1, line 7, strike out "September 17" and insert in lieu thereof "September 7."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JEAN N. BURTON AND LAURA JONES

The Clerk called the next bill, H. R. 2718, for the relief of Jean N. Burton and Laura Jones.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jean N. Burton, of Omaha, Nebr., the sum of $2,500, and to Laura Jones, of Omaha, Nebr., the sum of $200. The payment of such sums shall be in full settlement of all claims against the United States for the personal injuries received by the said Jean N. Burton, for property damages to her automobile, and for personal injuries received by the said Laura Jones, when such automobile was struck, on the Dodge Street Highway, approximately 16 miles west of Omaha, Nebr., on May 22, 1936, by a truck driven by a Works Progress Administration worker.

With the following committee amendments:

Page 1, line 6, strike out the figures "2,500" and insert in lieu thereof the figures "$1,000."

At the end of the bill add ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ELIZABETH AYERS

The Clerk called the next bill, H. R. 4246, for the relief of Elizabeth Ayers.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Elizabeth Ayers, of Mount Vernon, Ohio, the sum of $1,250, in full settlement of all claims against the United States for hospital bills, doctors' bills, and funeral expenses of her husband Richard R. Ayers, a former employee of the Emergency Relief Administration at Mount Vernon, Ohio, who was fatally injured June 1, 1935, by the caving in of a sewer project on which he was working, and who died August 22, 1935: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$1,250" and insert "$1,163.95."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CANTON EXCHANGE BANK AND THE FIRST NATIONAL BANK

The Clerk called the next bill, H. R. 4411, for the relief of the Canton Exchange Bank.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Canton Exchange Bank, of Canton, Miss., is hereby relieved of all liability to the United States in connection with 10 checks drawn on the Treasurer of the United States, aggregating $791, which were negotiated during the years 1936 and 1937 through such bank by J. C. Harris, then county agent of Madison County, Miss., who had fraudulently obtained such checks and forged the endorsements of the payees thereon. Any subsequent endorsers of such checks are hereby relieved of any liability arising out of their endorsements and

the Treasurer of the United States shall be entitled to credit in his accounts for any sums paid out by him on account of such checks.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to such Canton Exchange Bank a sum equal to the amount, if any, paid by such bank to the United States, or any officer thereof, on account of its liability in connection with such checks.

With the following committee amendments:

Page 2, after the word "checks" in section 2, insert the following:

"SEC. 3. That the First National Bank, of Canton, Miss., is hereby relieved of all liability to the United States in connection with three checks drawn on the Treasurer of the United States, aggregating $234, which were negotiated during the years 1936 and 1937, through such bank by J. C. Harris, then county agent of Madison County, Miss., who had fraudulently obtained such checks and forged the endorsements of the payees thereon. Any subsequent endorsers of such checks are hereby relieved of any liability arising out of their endorsements and the Treasurer of the United States shall be entitled to credit in his accounts for any sums paid out by him on account of such checks.

"SEC. 4. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to such First National Bank, a sum equal to the amount, if any, paid by such bank to the United States, or any officer thereof, on account of its liability in connection with such checks: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of the Canton Exchange Bank and the First National Bank of Canton, Mississippi."

ALBERT DEMATTEIS

The Clerk called the next bill, H. R. 4437, for the relief of Albert DeMatteis.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Albert DeMatteis, Columbus, Ohio, the sum of $5,000. The payment of such sum shall be in full settlement of all claims of the said Albert DeMatteis against the United States for personal injuries sustained on June 28, 1940, when he was struck by a piece of timber while employed in the carpenter shop in the United States penitentiary, Atlanta, Ga. The said Albert DeMatteis is totally blind as the result of such accident.

With the following committee amendments:

Page 1, line 6, after "$5,000", insert "at the rate of $50 per month for 100 months."

Page 2, line 2, after the word "accident", insert a colon and the following: "*Provided*, That upon the death of Albert DeMatteis, the unpaid sum, if any, shall be paid to his estate: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. W. V. JUSTICE

The Clerk called the next bill, H. R. 4830, for the relief of Mrs. W. V. Justice.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. W. V. Justice, of Jackson, Miss., the sum of $1,500, in full settlement and satisfaction or all damages sustained by her on account of personal injuries received by her on September 6, 1940, when the car which she was driving collided with a United States mail truck, driven by Carrier Robert L. Momon, an employee of the Jackson, Miss., post office, said collision being entirely the fault of the post-office employee: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$1,500, in full settlement and satisfaction for all damages sustained by her" and insert in lieu thereof "$1,000, in full settlement of all claims against the United States."

Line 10, strike out "driven by Carrier Robert L. Momon, an employee of the Jackson, Miss., post office, said collision being entirely the fault of the post-office employee", and insert in lieu thereof "at Jackson, Miss."

The committeee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KULP LUMBER CO.

The Clerk called the next bill, H. R. 5594, for the relief of the Kulp Lumber Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,000.65, to the Kulp Lumber Co., of Shamokin, Pa., in full settlement of all claims against the United States for remission of liquidated damages withheld under contract W-978-eng-ECW-1, dated September 27, 1935, for white oak ties furnished the United States Engineer Corps: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALLEGHENY FORGING CO.

The Clerk called the next bill, H. R. 5659, for the relief of the Allegheny Forging Co.

Mr. REES of Kansas and Mr. HANCOCK objected, and, under the rule, the bill was recommitted to the Committee on Claims.

EDWIN L. WADE

The Clerk called the next bill, H. R. 5687, for the relief of Edwin . Wade.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edwin L. Wade, of Schenectady, N. Y., the sum of $1,559, in full settlement of all claims against the United States for personal injuries received by him and property damage to his automobile when such automobile was forced from the Middleburgh-Schoharie Highway near Schoharie, N. Y., on December 3, 1935, by a truck in the service of the Civilian Conservation Corps.

With the following committee amendments:

Page 1, line 6, strike out "$1,559" and insert "$484."

Page 1, at the end of line 11, insert a colon and the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARRY F. BAKER

The Clerk called the next bill, S. 1813, for the relief of Harry F. Baker.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to credit the accounts of Harry F. Baker, of Rockland, Del., in the sum of $601.19, said amount representing payments made to Harry F. Baker for services rendered as postmaster while also holding an appointment with the Federal Housing Administration in contravention of the dual compensation statutes.

With the following committee amendment:

Page 1, line 5, strike out "$601.19" and insert "$599.93."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BROOKS EQUIPMENT & MANUFACTURING CO.

The Clerk called the next bill, H. R. 4773, for the relief of Brooks Equipment & Manufacturing Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, the sum of $2,661.69 to Brooks Equipment & Manufacturing Co. for loss sustained by it as a result of the wrecking and destruction of an International tractor and Bucyrus-Erie bullgrader on February 16, 1940, by a Work Projects Administration employee on the farm-to-market road project in Hamilton County, Tenn., near Montlake: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "against the Government" and insert "of all claims against the United States."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANNA J. KROGOLL

The Clerk called the next bill, H. R. 4918, for the relief of Anna J. Krogoll.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to Anna J. Krogoll, Jamaica, N. Y., in full settlement of all claims against the United States for injuries received when a car in which she was riding was struck by a United States post-office truck at Chicago, Ill., on July 7, 1938: *Provided*, That no part of the amount appropriated in excess of 10 percent thereof shall be paid or delivered to any agent or attorney for services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time; was read the third time, and passed, and a motion to reconsider was laid on the table.

FRED PIERCE, SR., AND MARY PIERCE

The Clerk called the next bill, H. R. 5584, for the relief of Fred Pierce, Sr., and Mary Pierce.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fred Pierce, Sr., and Mary Pierce, of Clermont County, Ohio, the sum of $6,000, in full settlement of all claims against the United States on account of the death of their son Fred Pierce, Jr., who was killed when the automobile in which he was riding was struck by a Work Projects Administration truck on United States Highway No. 50, near Monterey, in Clermont County, Ohio, on May 27, 1941: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 7, strike out "$6,000" and insert "$4,405.11."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EDITH M. POWELL

The Clerk called the next bill, H. R. 5632, for the relief of Edith M. Powell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edith M. Powell, the sum of $5,000 in full compensation and settlement for all claims and demands of Edith M. Powell growing out of, or arising from, injuries suffered in an accident on Government property near Newport in Lincoln County, Oreg., on or about August 2, 1926: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$5,000" and insert "$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EVA MUELLER

The Clerk called the next bill, S. 807, for the relief of Eva Mueller.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Eva Mueller, of Lincoln, Nebr., the sum of $591.65, in full satisfaction of all claims against the United States for reimbursement of medical, hospital, and other expenses incurred by her or her husband, and for compensation for personal injuries sustained by the said Eva Mueller and her minor daughter Maryln Mueller, as a result of the collision near Gallup, N. Mex., on January 8, 1939, of the car in which they were riding with an Office of Indian Affairs truck operated by Pierce Denetclaw, an employee of such office: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$591.65" and insert "$750."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BARDEN. Mr. Speaker, that completes the call of the Private Calendar.

REQUISITIONING PROPERTY FOR DEFENSE PURPOSES

Mr. MAY. Mr. Speaker, I call up the conference report on the bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States, and ask unanimous consent that the statement be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. MICHENER. Reserving the right to object, Mr. Speaker, is this the property-seizure bill?

Mr. MAY. Exactly. This is the bill on which the House voted by a vote of 3 to 1 to instruct the conferees to insist upon two House amendments. The conferees have brought back these amendments exactly as they were instructed to do. The conference report has been pending here for 10 days.

Mr. MICHENER. When the matter was brought up here the other day it was objected to by some Members on this side, as I recall, and the statement was made that the matter would come up today or this week.

Mr. MAY. The gentleman is correct.

Mr. MICHENER. Therefore, everybody had notice, including those who were here and objected, that it would come up this week. Of course, the

gentleman from Kentucky is not now asking unanimous consent to bring it up but is asking unanimous consent that the statement be read in lieu of the report.

Mr. MAY. That is correct. It is a privileged matter now.

Mr. MICHENER. An objection will not prevent its coming up now.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

[To accompany S. 1579]

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by amendment numbered 1 insert the following: "for such property to be determined as hereinafter provided"; and the House agree to the same.

That the Senate recede from its disagreement to the amendment of House numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by amendment numbered 2 insert the following:

"The President shall determine the amount of the fair and just compensation to be paid for any property requisitioned and taken over pursuant to this Act and the fair value of any property returned under section 2 of this Act, but each such determination shall be made on the basis of the fair market value of the property at the time it is requisitioned or returned, as the case may be. If, upon any such requisition of property, the person entitled to receive the amount so determined by the President as the fair and just compensation for the property is unwilling to accept the same as full and complete compensation for such property he shall be paid 50 per centum of such amount and shall be entitled to sue the United States in the Court of Claims or in any district court of the United States in the manner provided by sections 24 (20) and 145 of the Judicial Code (U. S. C., 1934 ed., title 28, secs. 41 (20) and 250) for an additional amount which, when added to the amount so paid to him, he considers to be fair and just compensation for such property. Such courts shall also have power to determine in an appropriate proceeding any questions that may arise with respect to the amount of the fair value to be paid upon the return of any property under section 2 of this Act, regardless of the amount in controversy in any such proceeding.

"Nothing contained in this Act shall be construed—

"(1) to authorize the requisitioning or require the registration of any firearms possessed by any individual for his personal protection or sport (and the possession of which is not prohibited or the registration of which is not required by existing law),

"(2) to impair or infringe in any manner the right of any individual to keep and bear arms, or

"(3) to authorize the requisitioning of any machinery or equipment which is in actual use in connection with any operating factory or business and which is necessary to the operation of such factory or business."

And the House agree to the same.

A. J. MAY,
R. E. THOMASON,
W. G. ANDREWS,
DEWEY SHORT,
Managers on the part of the House.

ROBERT R. REYNOLDS,
LISTER HILL (by W. R. A.),
H. H. SCHWARTZ,
ALBERT B. CHANDLER (by W. R. A.),
WARREN R. AUSTIN,
STYLES BRIDGES,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

"Section 1 of the Senate bill authorized the President during the national emergency declared by him on May 27, 1941, and not later than June 30, 1943, to requisition for the defense of the United States upon the payment of fair and just compensation in the manner provided for by the act of October 10, 1940, any military or naval equipment, supplies or munitions, or component parts thereof, or machinery, tools, or materials necessary for the manufacture, servicing, or operation of such equipment, supplies, or munitions, and to dispose of such property in such manner as he may determine is necessary for the defense of the United States. Such requisitioning was conditioned, however, upon a determination by the President during such period that the use of such property is needed for the defense of the United States, that such need is immediate and impending and such as will not admit of delay or resort to any other source of supply, and that all other means of obtaining the use of such property for the defense of the United States upon fair and reasonable terms have been exhausted.

"Section 2 of the Senate bill provided that the President might return any property so requisitioned to the owner thereof if the owner desires the property and pays the fair value thereof and the President determines that such property is no longer needed for the defense of the United States. Such return is to be made in any case not later than December 31, 1943, if the owner desires it and pays the fair value of the property.

"Section 3 of the Senate bill provided for a report to the Congress by the President not less frequently than once every 6 months of operations under the act, and section 4 of the Senate bill provided for the delegation of authority of the President to others and for the issuance of rules and regulations and for obtaining information necessary and proper to carry out the provisions of the act.

"The first House amendment included a provision that the fair and just compensation to be paid upon the requisitioning of any property under the act would not be less than the fair market value thereof.

"The conference agreement makes a technical change in the amendment and incorporates in the agreement on the second House amendment a provision that the determination by the President of fair and just compensation shall be based upon the current fair market value of the property requisitioned. The reference in the Senate bill to the act of October 10, 1940 is deleted.

"The second House amendment provided that the President should determine the fair and just compensation to be paid for any property so requisitioned. If, however, the owner was unwilling to accept the amount determined by the President he was to be paid 50 percent of such amount and was given the right to sue the United States in the Court of Claims or any district court of the United States for an additional amount which, when added to the sum already received by him, he considered to be fair and just compensation for the property. The conference agreement retains these provisions with clarifying changes and applies to the determination of fair and just compensation of requisitioned property, and to the determination of fair value under section 2 where such property is returned, the same basis of current fair market value. The implied authority to have questions concerning fair value under section 2 determined in an appropriate judicial proceeding is also set out more clearly.

"The second House amendment also contained a provision that nothing contained in the act should be construed to authorize the requisition or require the registration of firearms possessed by any individual for his personal protection or sport or be construed to impair or infringe the right of any individual to keep and bear arms. There was also a provision that no machinery or equipment should be taken out of an operating factory or business if it is in actual use in connection with such factory or business and is necessary to the operation thereof. The conference agreement retains these provisions with clarifying changes."

A. J. MAY,
R. E. THOMASON,
W. G. ANDREWS,
DEWEY SHORT,
Managers on the part of the House.

Mr. MAY. Mr. Speaker, in view of the legislative history of this bill and the large amount of discussion that has been had thereon, I doubt if anybody cares to discuss it further. Therefore, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EDWIN FAIRFAX NAULTY AND LESLIE FAIRFAX NAULTY

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to return to Private Calendar No. 399, the bill (H. R. 2864) for the compensation of Edwin Fairfax Naulty and Leslie Fairfax Naulty, vacate the proceedings had thereon, and consider the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That jurisdiction is hereby conferred on the Court of Claims of the United States to hear, determine, and render judgment, notwithstanding the lapse of time since origination, or any provision of law to the contrary, on the claims against the United States of America of Edwin Fairfax Naulty, of New York City, N. Y., and Leslie Fairfax Naulty, of Hartford, Conn., for damages alleged to have been sustained by them as the result of the use, without their consent or compensation, by the Government of the United States of America continued over a period of years of the copyrighted plans, designs, specifications of structure, construction and operation of aircraft, aircraft accessories, and other aeronautical appliances from or through the technical ideas and proposed use contained in copyrighted drawings and textual specifications of construction and operation and, also, through the description of and explanation of such elements of avia-

tion and aeronautical technique contained in bills introduced in Congress for the purchase of aviation and aeronautical inventions and technique by the Government of the United States of America from and of Edwin Fairfax Naulty and Leslie Fairfax Naulty (part title to and in such copyrighted graphs and text also resting in Nancy Washington Naulty, of Philadelphia, Pa., and Virginia Fairfax Naulty, of Hartford, Conn., by grant from Edwin Fairfax Naulty and Leslie Fairfax Naulty) such information being indicated in the text of the items listed hereafter in this act and contained in bills described above, in several and successive sessions of Congress and thereby available for above-described construction, operation, modification, and use of such inventions without the consent or purchase of such inventions from Edwin Fairfax Naulty and Leslie Fairfax Naulty, or either of them.

Such use is presently asserted, only in the case of the following itemized structures, at several and different periods of time by officials, officials connected with and through them, by others contracting with departments and independent offices of the United States of America for which use proper award for compensation by judgment under the common law and usage and such statutory law as may apply under the terms of the fifth amendment of the Constitution of the United States of America by Edwin Fairfax Naulty and Leslie Fairfax Naulty; suit to be brought within 2 years from the date of the enactment of this act.

The items indicated are—

Fairnault cantilever flight craft, an invention of stream-lined, nonstrut-, high-, middle-, and low-wing monoplane aircraft, with transverse cantilever wing and thorobrace fuselage, with or without Fairnault stepped body, or side-set, top-set, or under-set radiators and Fairnault movable cockpit dome.

Fairnault detachable fuel tank or container, an invention for quickly disengaging aircraft gasoline and oil containers in event of fire or other emergency during flight, and Fairnault "contents discharging" fuel and oil containers of various structures.

Fairnault portable parachute, attachable to body of pilot, an invention to provide escape from a damaged aircraft in the air, also same combined with a means of quick inflation for opening and of manual collapse control and manipulation to avoid a dangerous landing from a landplane, and combined with an airbelt life preserver to keep aviator afloat after jump from a seaplane.

Fairnault aviators' steel helmet, with removable visor, combined with wireless and interplane phone receivers and transmitters and oxygen tube, an invention for the protection of aviators in combat, to enable them to give or receive messages in flight, to listen in on motor and air screw, or cut out noise of same, and to provide connection with an oxygen container, or compressed sea-level air container, yielding breathable air at high altitudes.

Fairnault-Weaver sectional density, metal flight wings, an invention to provide differing zenith and nadir surfaces, of fixed type, for aerofoils, embodying reduction of volume and increase in mass of aerofoils—a combination of ballistics and aviation—and also designed so that curved and regular transverse sections serve as bracing and add to strength of aerofoils.

Fairnault-Weaver sectional density flight wings, an invention factorable of fabric or metal and with various contours controllable in operation by pilot.

Fairnault metal intermesh combined with vulcanized fabric for aircraft, an invention to provide a weatherproof "nondoped", paraelectric, slow burning casing or covering for bodies, aerofoils, elevators, rudders, and fins, which is factored by coating suitable metal mesh with hard rubber or other suitable plastic material capable of fixation of tension and easily moldable in fabrication to any desired contour.

Fairnault variable gage bays for aerofoils, an invention by means of which the weight of metal or other material or structure and casing used in outboard bays of aircraft is reduced proportionally, bay by bay, from fuselage to wing tips.

Fairnault movable multiple winding hexagon wireless aerial, an invention to reduce to small compass and to increase the efficiency of an aerial used on aircraft and to determine the direction of initiation of any wireless message.

Fairnault symmetrical design for aircraft, an invention by means of which all parts of an aircraft have a common dimensional divisor, or multiple, so that span, chord, gap, fuselage structure, elevators, rudders, dihedral, cathedral, master diameter, diametric plane, fineness ratio, aspect ratio, and airscrew diameter are all in symmetrical proportion.

Nault argo, an invention of a series of stepped and variable contoured, streamlined hull designs for use as main hulls and pontons for seaplanes.

Fairnault slot wings, 1917–18, and Fairnault slot wings for 1917–18, improved.

SEC. 2. There is hereby authorized to be appropriated, from the general fund in the United States Treasury not otherwise obligated, such sum of money as may be necessary to pay the amount of any judgment rendered pursuant to this act. The amount of such judgment shall be payable by the Secretary of the Treasury on the presentation of a duly authorized copy of the judgment of the Court of Claims of the United States.

With the following committee amendments:

Page 1, line 4, strike out the words "determine, and render judgment," and insert in lieu thereof "find facts, and report to Congress."

Page 1, line 5, strike out the words "since origination."

Page 2, line 16 after the word "Naulty" and starting with the words "such information," strike out the remainder of the bill and insert in lieu thereof a period and the following:

"SEC. 2. Suit hereunder shall be brought within 1 year from the enactment of this act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill to confer jurisdiction upon the Court of Claims to hear, find facts, and report to Congress, the claim of Edwin Fairfax Naulty and Leslie Fairfax Naulty."

MRS. CLYDE THATCHER ET AL.

Mr. WEISS. Mr. Speaker, I call up the conference report on the bill (H. R. 3827) for the relief of Mrs. Clyde Thatcher and her two minor children, Marjorie Thatcher and Bobby Thatcher, and ask unanimous consent that the statement be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3827) entitled "An Act for the relief of Mrs. Clyde Thatcher and her two minor children, Marjorie Thatcher and Bobby Thatcher," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 3 and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the figures "$2,500" insert "$2,700"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title, and agree to the same.

HALE BOGGS,
SAMUEL A. WEISS,
JOHN JENNINGS, JR.,
Managers on the part of the House.

PRENTISS M. BROWN,
ALLEN J. ELLENDER,
ARTHUR CAPPER,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference of the disagreeing vote of the two Houses on the amendments of the Senate to the bill (H. R. 3827) for the relief of Mrs. Clyde Thatcher and her two minor children Marjorie Thatcher, and Bobby Thatcher, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report.

This bill as it passed the House provided for the payment of the sum of $500 to Mrs. Clyde Thatcher; the sum of $500 to the legal guardian of Marjorie Thatcher; and the sum of $5,000 to the legal guardian of Bobby Thatcher, Beaumont, Tex., for injuries and expenses sustained by them when the car in which they were riding was struck by a Civilian Conservation Corps truck at the intersection of Beech Street and Grand Avenue, Beaumont, Tex., on August 1, 1936. The Senate reduced the amount to be paid to the legal guardian of Bobby Thatcher, from $5,000 to $2,500, and also made two amendments to strengthen the form of the bill, one of these making Mr. Clyde Thatcher accept the above sums in full settlement of all medical expenses incurred by him.

At the conference the Senate conferees agreed to a compromise amount of $2,700 to be paid to the legal guardian of Bobby Thatcher. The House conferees agreed to the two Senate amendments which they felt strengthen the form of the bill.

HALE BOGGS,
SAMUEL A. WEISS,
JOHN JENNINGS, JR.,
Managers on the part of the House.

Mr. WEISS. Mr. Speaker, I move the adoption of the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein an article by Ray Tucker appearing in This Week magazine on the able, timely, and patriotic services being rendered our country by our colleague the gentleman from Michigan [Mr. ENGEL].

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WEISS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. CELLER] be permitted to extend his own remarks in the RECORD at two points, in one to include a radio address delivered by him, and in the other to include a letter written by him to Mr. Morgenthau.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

LOUIS DEMBITZ BRANDEIS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is that agreeable to the gentleman from Illinois [Mr. MASON], who has permission to address the House at this time for 10 minutes?

Mr. MASON. I consent, Mr. Speaker, to the gentlewoman's preceding me to address the House for 1 minute.

Mrs. ROGERS of Massachusetts. May I say that it is like the gentleman from Illinois to do that.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, in the death of Louis Dembitz Brandeis our country loses probably the greatest exponent and defender of the doctrine of tolerance, sympathy for the distressed, and believer in the rights of the individual under the Constitution our generation has seen.

His career reads like one of Oliver Optic's stories of success. Undaunted by the financial reverses suffered by his father and which made it necessary for him to finance his own law course at Harvard University, he worked hard as a tutor and graduated with so brilliant a record that the rules of the university were suspended to permit him to graduate at the age of 20. He was admitted to the bar in St. Louis in 1878 and practiced there for a year before returning to Boston to open his own law office.

We who come from Massachusetts know at first hand of his many bitter fights for the little man, his battles for better labor conditions and a clearer understanding between labor and industry. He was a defender of the oppressed. One of his great cases involved social legislation defending the constitutionality of laws limiting the hours of labor for women in various States of the Union.

In January 1916 President Wilson presented Mr. Brandeis' name to the Senate as a Justice of the United States Supreme Court. It created a storm of controversy that lasted for 5 months before he was confirmed.

He was known as a great liberal, yet today many of his early views would be accepted as conservative. He was always a vigorous defender of social experimentation. During the early days of the so-called New Deal years he voted to uphold the Roosevelt administration in 7 of the first 13 cases in that category.

Probably the best proof of his greatness, his fine ability, and the esteem in which he was held was the sincerity of the congressional tributes at his retirement from the bench 2 years ago. These were in sharp contrast to the flood of criticism to which he was subjected when he was nominated.

The Jewry of America owes him much. He was deeply concerned over the plight of the Jewish race in Nazi Germany. He was most active in the advancement of the Zionist cause and has contributed a number of articles on Zionism and Jewish problems since his retirement.

Justice Brandeis will be sorely missed. He was fearless in his judicial decisions, a great believer in our Constitution, an enemy of the dogmas of communism and fascism, and a true patriotic American. He will be remembered with gratitude for his many battles for the oppressed. Countless persons will mourn his passing. To his widow and two daughters go the sympathy and condolence of all Americans.

THE WHYS AND WHEREFORES OF THE DEMAND FOR NEUTRALITY REPEAL

The SPEAKER. Under a previous order of the House, the gentleman from Illinois [Mr. MASON] is recognized for 10 minutes.

THE SITUATION

Mr. MASON. Mr. Speaker, under international law any neutral nation has the right to sail its ships and carry on ocean commerce anywhere on the seven seas without interference from belligerent nations. This right, usually called the freedom of the seas, has been restricted only when a belligerent nation declares and enforces a blockade in certain areas and around certain enemy countries. Such a blockade has always been recognized as strictly in accord with international law, and any neutral ship attempting to run the blockade did so at the risk of being captured and sunk. Neutral ships, from time immemorial, have tried to run such blockades, tempted by the huge profits that could be made. Many have been captured or sunk and settlements for claims thereon have been arrived at usually through arbitration commissions.

Under international law, any neutral ship has a right to sail anywhere on the seven seas, but no sane sea captain would think of sailing his ship among dangerous shoals clearly marked by buoys just because he has the right to do so. Does any prudent sea captain risk taking his ship through dangerous breakers, plainly marked, because he has the right to sail anywhere on the seven seas? Does not every prudent captain avoid unnecessary risks, shun all shoals, rocks, and dangerous places wherever possible, always keeping uppermost in his mind the safety of his ship?

England has declared a blockade of all the coast of continental Europe that is now under the domination of Hitler. Under that blockade our ships are prevented from trading with every continental European nation, other than Spain and Portugal. We accept that blockade, and conform to it, partly because we sympathize with England in her battle against totalitarian Hitler; partly because we want to aid England in every way "short of war;" and partly because our neutrality law still forbids our ships, sailors, and citizens from entering the war zones set up by President Roosevelt, which include all the coast of Europe.

Hitler has also declared a blockade of England, depending very largely upon German submarines and German war planes for the enforcement of that blockade. This Hitler blockade of England is in strict accord with international law, just as England's blockade of the European continental coast is in accord with international law. Neither blockade violates the right of a neutral nation to sail its ships anywhere on the seven seas. However, because we fear Hitler's totalitarian ambitions or designs upon the democratic nations; because we believe he has designs and ambitions that include the Western Hemisphere, and because we abhor and despise him for his race murdering program of intolerance, we do not want to accept Hitler's blockade, we do not want to conform to it, nor abide by it, although we must acknowledge that one belligerent has as much right, technically, as another to establish a blockade.

THE HISTORY

Mr. Speaker, from the very beginning of our history this Nation has insisted upon the freedom of the seas. We fought the War of 1812 on that issue. We fought the pirates of Tripoli on that issue. We fought the first World War on that issue. Freedom of the seas has always been an American shibboleth.

In 1935, however, President Roosevelt and his administration made a right-about-face upon our long-established freedom-of-the-seas policy, and caused the enactment by the Congress of our so-called Neutrality Law. In passing the Neutrality Act we voluntarily gave up our right to sail the seven seas, and in it we said we would not trade with belligerent nations nor extend credit to belligerent nations. This meant we voluntarily gave up our right to trade where, and when, and with whom we pleased.

Then came the war in Europe, and in 1939 our neutrality law was amended, at the insistence of the President, in order that we might trade with belligerent nations, if they would come and get the goods, pay cash for them, and take them away in their own ships and at their own risk. The 1939 amendment also wrote into the neutrality law a provision expressly forbidding any American ship, American sailor, or American citizen from entering war zones that the President might designate, which would include all waters that he considered dangerous.

In 1940 came the fall of France and the threat of invasion for England. Again, at the insistence of the President, another act was passed, known as the Lease-Lend Act, which nullified both the cash-and-carry provision and the no-credit provision of the neutrality law. Then, in order to get around the clause in the neutrality law that forbids American ships and American sailors from entering war zones, the administration registered 125 American vessels with the Panamanian Government, had them fly

the flag of Panama, so they could enter the forbidden war zones, mounted guns on them, and thus had them run the risk of being sunk. This was a deliberate subterfuge in order to get around that part of the neutrality law that had not been nullified by the Lease-Lend Act.

THE DEMAND

Mr. Speaker, some of these vessels have been sunk, and now comes the demand from President Roosevelt, Secretary Knox, Secretary Hull, and others that we repeal or amend the neutrality law, that we permit American vessels flying the American flag to arm themselves with guns and enter the war zones, thereby inviting incidents.

This demand for neutrality repeal is so well explained and analyzed in an editorial from the Washington News of Thursday, September 25, that I read it as a part of my remarks for the benefit of my colleagues in the House.

[From the Washington News of September 25, 1941]

NEUTRALITY REPEAL

The President's proposal for modification or repeal of the neutrality law raises two issues. One is the preservation of constitutional government by returning to Congress the responsibility for decisions involving peace or war. We are for that 100 percent.

The other is whether Congress should now give the "go" sign for further intervention. We hope Congress will prevent the further intervention, at least until the United States is adequately armed to fight Hitler and our Pacific defenses are secure—unless this hemisphere should be attacked before.

But regardless of whether Congress agrees with the nonintervention hope of an apparently overwhelming majority of Americans, it is far better for Congress to decide than to permit acts of war by Executive order. In Congress is reposed not only the authority but the responsibility. If President Roosevelt, or any other President at any time, though he be the fount of all wisdom and patriotism, should put this Nation into war without congressional consent, this would not be a democracy.

Loss of faith by Americans themselves in the sanctity of our constitutional processes would be the result. If by official bypassing, short-circuiting, and subterfuge that faith should be destroyed, we would have lost our democracy as France lost hers—with or without a Hitler to take over the corpse. For ours is a system of equal and coordinate powers—executive, legislative, and judicial—running back to all the people.

Only so long as our democracy is strong and functioning as intended can we be united, despite the differences of the moment on any given question. United, we can arm, and, if necessary, we can fight and fight victoriously.

President Roosevelt by announcing he will ask Congress to reconsider the neutrality law follows, in this matter, the constitutional way. And the decision of Congress is binding on all of us from the President to the lowliest American.

When Congress considers repeal of the neutrality law, it will further face the war issue. We are already partly in the war by a Presidential order for convoying and shooting on sight, which Congress in the Lend-Lease Act and the cash-and-carry neutrality amendment hoped to avoid. Taken alone, repeal of the remaining bans against arming our merchant ships and putting them in the direct war trade might not mean war. But in the present situation and on top of other measures, it would be interpreted abroad and at home as a blank check for undeclared war.

We think that would be unwise at the present time. If the war has taught anything it is that Hitler cannot be defeated by threats, name-calling, and half-way preparedness. This country is not yet prepared, according to official admission. As to the Army, it will be many months yet before it is even equipped. As to the Navy, it is far from the two-ocean goal.

Neither the people, nor Congress, nor the administration is even willing up to now to pay the price of preparedness involved in all-out production, all-out taxation, all-out control of prices, profits, and wages. From the White House on down we are kidding ourselves if we believe we can have peace and war at the same time. So, before we fight, face the facts.

In our judgment Congress should shift this country from an economy three parts peace and one part war to one of four parts preparedness.

FURNISHING INFORMATION FOR NATIONAL-DEFENSE PURPOSES BY BUREAU OF THE CENSUS

Mr. KEAN. Mr. Speaker, I ask unanimous consent to vacate the proceedings by which the joint resolution (H. J. Res. 213) authorizing the Director of the Census to furnish certain information for national-defense purposes was passed, for the purpose of offering a clarifying amendment.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore (Mr. SPARKMAN). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. KEAN. Mr. Speaker, I offer an amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. KEAN: On page 1, lines 7 and 8, strike out "or (b) to any Member of Congress", and on page 1, line 8, "(a)."

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. KEAN. I yield.

Mr. McCORMACK. I assume this amendment has been discussed with the Member involved?

Mr. KEAN. Yes; and the gentleman from Pennsylvania [Mr. MOSER] is present.

Mr. McCORMACK. I assumed that was true, but I wanted the RECORD to show that.

The amendment was agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPECIAL ORDER

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Montana [Mr. O'CONNOR] is recognized for 30 minutes.

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD by including therein a speech made by John T. Flynn entitled "Understudy for Russia."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, there is not any question but what we are approaching now the most critical time in the history of this country. The President has given orders to the Navy to shoot any seagoing war machine of any kind belonging to the Axis on sight. This, of course, without a doubt, means that we are going to engage in a war upon the Atlantic Ocean, and if it results in the sinking of our ships and the drowning of our citizens or the killing of them, the war propagandists will inflame the public to the extent that Congress will declare war and that another expeditionary force will be sent abroad. I am going to address myself this afternoon to the question of whether or not we should repeal the Neutrality Act.

Mr. HOOK. Mr. Speaker, will the gentleman yield for just one question right on that point?

Mr. O'CONNOR. Yes.

Mr. HOOK. Will the gentleman inform the House as to whether he thinks neutrality is a question of policy or legislation? Does not the gentleman think that is a question of policy and not legislation?

Mr. O'CONNOR. Of course, neutrality is always a question of policy and I am coming to that later on.

The Congress can pass no legislation that is a guaranty of peace or that is a guaranty against bullets. That cannot be done. The President of the United States has almost plenary power in matters external concerning the foreign affairs of our country. He can do more to get us into war or keep us out of war than the Congress, but remember this: The President is not entirely free to act; that is to say, his conduct and his actions in many instances are to be governed, or at least, persuaded, by the acts or the conduct of our potential enemies.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. Yes.

Mr. VORYS of Ohio. The gentleman has spoken of our President starting this shooting war. When the President, as the gentleman no doubt knows, but as the public does not know, announced that he used the Algerian War under Jefferson and the French War under Adams as precedents, I think the gentleman should point out to the public something that was utterly misleading in the President's statement, and that is that in both of those so-called undeclared wars, the Congress authorized what those Presidents did by specific acts before it was done. In 1790 Congress passed acts authorizing action against France and, later, Congress authorized the actions against the Bey of Tripoli. So what the President of the United States has now done is utterly unprecedented. I thought the gentleman would like to point that out, as I am sure he is familiar with it, and the public is not.

Mr. O'CONNOR. I thank the gentleman, and I think the gentleman is quoting the history of these two incidents, as I remember. I want to get this thought over. When the Congress of the United States passed this neutrality law, it did it upon the theory that it was a peace measure, that it would keep us out of

war. The American people accepted it as such. The Congress voted for it as a peace measure. I voted against that bill and I will tell you why. I did so because it carried, to my way of thinking, the very thing that would get us into the war, that is, it carried lifting the embargo on the sale of arms to belligerent nations in time of war. That, I thought, was the first step, to get away from our neutrality. I think that is why we were called back here in special session by the President, to pass this law, but the President coupled with that a very powerful statement, and I think it was this statement that the President made, as well as the statement made by the chairman of the committee who had the bill in charge in the House, and the chairman of the committee who had charge of the bill in the Senate that had much influence in obtaining the passage of the act. I think it is well to recall those words. I want to see them again in the CONGRESSIONAL RECORD. Here is the President's language when he called us back here in special, extraordinary session in the fall of 1939 to repeal the so-called Neutrality Act that was existing at that time, and the Members of the House will recall that he spoke movingly on the subject, as he can. The President said:

I say this because with the repeal of the embargo this Government clearly and definitely will insist that American citizens and American ships keep away from the immediate perils of the actual zones of conflict.

Those provisions were written into this law and those provisions are in there today and are intact. Unquestionably enough votes were secured to lift the arms embargo simply upon the statements that the bill would include inhibitions against our citizens going on belligerent boats, that is, the boats of belligerent nations, or going into combat areas where they might lose their lives. It barred American vessels from going into those two areas, and it is upon those provisions that the Congress relied and it is because those provisions were in the bill that the Congress voted to lift the embargo. These were the causes that got us into the other war. There is no question but these provisions had a persuasive effect upon the Congress in passing this law and in lifting the embargo.

I want to call attention to some more words. The gentleman from New York [Mr. BLOOM], when he was in charge of the bill on the floor of the House, used the following language:

If the pending legislation provided for nothing else than the prohibition of American shipping and travel in areas where laws do not exist, where death awaits the peaceful traveler, I would support it as the most effective means of keeping us out of war.

Let us see what Senator CONNALLY said in the Senate when the bill was before the Senate. He had the bill in charge. He said:

Although under international law you have a right to go about your vocation and to travel the high seas, as a domestic regulation we forbid you to do so at this time, in order, not alone to protect your lives but to protect the lives of all the millions of Americans and help keep them out of this devastating and desolating war. That is the purpose of keeping citizens off belligerent ships.

The provisions that the President spoke about, that the gentleman from New York [Mr. BLOOM] spoke about, and that Senator CONNALLY spoke about are intact in this law. The loaning provision and the cash being paid on the barrel head—you will recall that phrase—are now out. All Members of Congress thought if we could sell these war materials and get the cash that we were that much ahead, and that secured many votes. Then again, of course, the Congress thought if we could prevent the citizens of this Nation from loaning money to foreign nations that were at war that would help keep us out of war. So the Congress was induced to pass this law upon that theory.

I want to go back a little bit and quote the President just some time before that to show you that he had in his mind a policy of neutrality when he used the following language at Chautauqua, in New York, on August 14, 1936. Undoubtedly at that time the shadows of war had begun to lengthen in Europe. We all knew that the foundation for the war that is going on now was laid when the Versailles Treaty was written. The seed was sown then. It kept on growing until eventually it appeared on the surface as early as 1934 or 1935. The President had that very situation in mind when he uttered these words:

Nevertheless, if war should break out again in another continent, let us not blink the fact that we would find in this country thousands of Americans who, seeking immediate riches—fools' gold—would attempt to break down or evade our neutrality.

Is that not going on today? Did it not start to go on just as soon as a major war began in Europe? Then the people who make profits out of war started in to agitate the fact that their war was ours, and gradually worked around until the administration apparently had adopted this foreign policy of the dependence on the navy of the British Empire. That is our policy today. There are those who are advocating union with Great Britain. If we are going to be called upon to save Great Britain every 25 years, upon the theory that she is fighting our war and that we are dependent upon her, then we made a mistake in kicking ourselves loose from Great Britain 150 years ago. Because, my friends, here is the point: We wanted to get away from all those intrigues and those war policies that have been going on for 2,000 years. Wars have been going on in Europe for 2,000 years and they will continue to go on. There will never be such a thing as the last war, because they live in each other's back yards. But if we are dependent upon the British Navy, then I say we made a mistake when we got our independence. But I want to add I think we did not make a mistake. I think if we could stand on our feet when we were a few colonies and a few people, that today, as the richest nation in the world and with 130,000,000 people, we can stand on our own feet. If we are going to go to Europe every quarter of a century to bail England out, then we should have something to say about the preliminary decisions that bring about these wars. Either we have got to stand on our own feet or we have got to join the British Empire.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. Yes; I yield.

Mr. KNUTSON. Is there anything in the record to indicate that we were consulted before this war was declared?

Mr. O'CONNOR. Why, of course not. The gentleman knows, as every other person knows who has read the history of the writing of the Versailles Treaty that the United States was double-crossed right there. We went into war a quarter of a century ago upon the theory that it was a war to end wars; that a peace treaty would be written on the basis that there was no victor. That was Wilson's thought. He did not want a peace written between a victor and a vanquished.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield further?

Mr. O'CONNOR. I yield.

Mr. KNUTSON. I happened to be in Europe at the time this war broke out. It was our information over there that an amicable agreement had been entered into between Poland and Germany, and when London heard about it she called up Joseph Beck, who was then foreign minister of Poland, and insisted that Poland stand pat and that Great Britain would come to her assistance. Great Britain made the same promise to Norway and to the Lowlands and undoubtedly to Greece by Mr. Donovan and others who were over there as pseudo-representatives of this Government, and in every instance she let them down. Now she wants Russia to continue fighting until Uncle Sam is ready to get into it.

Mr. O'CONNOR. Exactly. Now, I think that history will bear out this statement, that it was the stupidity of the statesmanship of France and England that brought about this man Hitler. They laid the foundation for a man like him to enter the scene in Europe. How do we know that history is not going to be repeated? If we make another sacrifice such as we made 25 years ago, how do we know but what we will be called upon again 25 years hence to do the same thing over again?

I just want to call your attention to some things. I did not intend to speak on this. I wanted to hear what the President had to say before I said anything, but I read an editorial in this morning's Washington Herald, quoting Secretary Knox. If anyone cannot see danger ahead in reading what Knox said in Indianapolis, it seems to me they cannot understand the English language:

War on two fronts? That nazi-ism will be defeated I have no doubt. That we shall proceed from one measure to another measure until we have taken adequate steps to bring defeat to the legions of Hitler and his satellites, Italy and Japan, again I have no doubt. To put it bluntly, we must join our force, our power, to that of Great Britain, another great peace-loving nation, to stop new aggression, which may lead to a world disturbance, at its beginnings.

There is your Secretary of War, who wants to practically make a union again with Great Britain upon the theory that Great Britain is a peace-loving nation

and is our savior. They have not read history or they would know how Great Britain acquired all her possessions, so extensive, upon which as tradition has it the sun never sets.

Mr. CURTIS. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. CURTIS. Is it not true that Secretary Knox has suggested that this cooperation or union with Britain extend for a period of 100 years?

Mr. O'CONNOR. I was just coming to that.

Mr. CURTIS. It seems to me that is a violation of the rule in Shelley's case—that is binding us for quite a while.

Mr. O'CONNOR. Of course, the rule in Shelley's case was forgotten a long time ago. Continuing the quotation:

It is the hope of the world that sea power for the next 100 years at least will reside in the hands of the two great nations which now possess that power—the United States and Great Britain.

That was Secretary of the Navy Knox speaking at Indianapolis on October 1, 1941. I read now some of the comments by the writer of the editorial:

For one thing, what does Colonel Knox mean by great peace-loving nations when talking of the United States and Great Britain? The United States is on the point of going to war for the sake of war, as it did in 1917, hoping to get nothing for itself out of the war. This is the old-time Iroquois Indian stuff—to love war as the only occupation worthy of a true man.

I can see in the first paragraph that I read that Colonel Knox, and I think Secretary Stimson, are trying to commit as far as they can this administration to going to war and sending an expeditionary force to Europe if it is necessary to lick Germany and Italy, and now he includes Japan. Let us think this thing through for just a moment.

How can we lick Germany, and Italy, and Japan without sending troops to Europe, without sending an expeditionary force to Europe? Germany and those countries cannot be licked without an invasion. The Continent will have to be invaded in order to do it. Now, let us see about the question of whether we are dependent upon the British Navy.

There is an article in last August Reader's Digest that should be read by every Member of Congress before he votes upon the question of dependence on the British Navy for our continuance as a free nation. It is written by Hanson W. Baldwin, nationally noted military and naval expert of the New York Times. Hanson Baldwin is one of the most acute and best-informed observers of the present conflict. Mr. Baldwin graduated from the Naval Academy in 1924 and served 3 years aboard ship in the Atlantic and Caribbean before resigning his commission to enter newspaper work. He is the author of United We Stand, on the defense of the Western Hemisphere, and What the Citizen Should Know About the Navy. Listen to what he writes in this article:

We need not fear being outbuilt in a naval race, even should Hitler be able to turn all Europe and England to the task. One authority has estimated the shipbuilding capacity of Germany, her conquered lands, and her allies at 3,200,000 tons, and of Britain at 2,500,000 tons—a total of 5,700,000 tons a year. Assume that Hitler could get the full benefit of this, an assumption which disregards damage already done to shipyards by bombs and ignores the inefficiency of sullen, conquered labor. Still we could meet the challenge, for we shall turn out 1,100,000 tons of merchant ships alone this year, next year 3,000,000, and more than 5,000,000 tons in 1943. And simultaneously we are pushing forward a naval building program just about equal to the combined programs of all of the rest of the world, including the British Empire.

Furthermore, we can expand shipbuilding incomparably more than can Europe. There most of the sites for ways from which big ships can be launched into deep water have long been utilized, while we have scores of sites yet undeveloped. Shipbuilding is limited by steel and armor production. One American steel company will this year produce more steel than all of Germany; our expanded capacity soon will outmatch all the rest of the world. Our armor production, steadily increasing, is believed already to exceed that of England plus that of Germany.

I say, Mr. Speaker, if England is not fighting our war—and I say she is not—then if we get into it we are in it for the purpose of establishing the four freedoms we have been talking about. I have lived in this country for a long time. My God! When I think about trying to establish freedom from want, freedom from fear, freedom of religion, and freedom of speech in every country in the world everywhere I shudder at the prospect and the obligations we are going to load upon our children, their children, and their children's children, and from then on, because it will never be done. For 150 years we have been trying to do the same thing here and have not succeeded. We have poverty among our people today, and it would be rampant all over the country if it were not for the defense program. We have fear among our people. There are thousands of old people and thousands of young people who when they wake in the morning do not know whether they will be able to eat or not, they do not know what may happen to them. Freedom of religion. I happen to know, and so do you, that people of a certain religious faith have been discriminated against in our public schools and in public office. You do not have to recall very far back when the old Ku Klux Klan was going pretty strong in this country. Freedom of speech. Let us see about that. We have heard certain people pretty well talked about in the last 3 or 4 months because they expressed their views. As a matter of fact it has been intimated that it was unfortunate some men should occupy such an important position in the minds of the people of the country and that they could still talk. I want you to understand very thoroughly, that it is physically impossible to establish those freedoms in the world unless we can establish them here, and we have not been able to do it. That is too big an attempt for me to vote upon the taxpayers of this country. It is too big a commitment for me to vote on our children, their children, and their children from then on.

Mr. KNUTSON. Will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Minnesota.

Mr. KNUTSON. We spent thousands of millions of dollars trying to abolish freedom from want in this country between 1933 and 1939. When this emergency arose our unemployment was just as big as when we started in.

Mr. O'CONNOR. I think it had dropped a little.

Mr. KNUTSON. Well, maybe it did, but it was not appreciable, according to figures furnished by the American Federation of Labor statistical department.

Mr. O'CONNOR. Unemployment was high, I admit.

Mr. KNUTSON. It was high. Of course, we cannot tell when these megalomaniacs get to operating, they are liable to succeed where normal men have failed, but that remains for the future.

Mr. MUNDT. Will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from South Dakota.

Mr. MUNDT. I was very much interested in the statement which the gentleman read from Hanson Baldwin, who probably ranks second to no man in America from the standpoint of his comprehensive study and knowledge of our ability to protect ourselves. In direct support of the position taken by Hanson Baldwin I call the gentleman's attention to an article which I have placed in an extension of remarks in today's RECORD, written by Lieutenant Colonel Phillips of the General Staff of the United States Army, in which he made some amazing statements that should be read by every citizen in this country, because they bear directly upon the ability of the United States and the Western Hemisphere to defend itself. As an inkling of what is incorporated in the remarks of Lieutenant Colonel Phillips, may I say that in substance he states that the United States would be able to protect itself against invasion because of the development of aviation in the world, even though there was no American Navy at all.

[Here the gavel fell.]

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent that the gentleman's time be extended 10 minutes.

The SPEAKER pro tempore. There is another special order.

Mr. MURRAY. Mr. Speaker, I have no objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota [Mr. H. CARL ANDERSEN]?

There was no objection.

Mr. MUNDT. From that point he proceeds to point out specifically in terms of one of the leading military men of this country just how modern aviation would permit us to repel an attempted invasion of the Western Hemisphere. I would like to ask the gentleman from Montana a question, because he is a close student of national defense and of foreign affairs. Does he know of any active military authority in this country today, who the gentleman can quote to disprove the statements of Hanson Baldwin or Lieutenant Colonel Phillips to show that this

country is in danger of direct invasion by any possible cooperation of foreign powers?

Mr. O'CONNOR. I am glad the gentleman asked that question, because I have searched the record to find some reputable person who might have claimed that this country could be physically invaded. I want to call attention to what Mr. White, the gentleman who heads the committee to defend this country by aiding the Allies, said. He said, "Invasion, no; that is, physical invasion, no, but by ideas, yes." That is what he said. You cannot stop ideas with bullets. Even he in all of his ravings never claimed that this country could be invaded by Germany. I do not see how anybody who has any sense can make such a claim when Germany had England practically on her knees and she could not cross a distance of 22 miles of water. Now, if she cannot cross 22 miles, how is she going to cross 3,000 miles of water and invade a country that is strongly fortified, a country that has just as good a navy as England?

Mr. MUNDT. The first obligation of this country is to prepare that type of aviation defense which our military authorities say will make us impregnable. Let us get that job done first so we can be sure this country can survive.

Mr. O'CONNOR. That is right.

Mr. H. CARL ANDERSEN. Will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. I was much interested reading in the press that a gentleman very high up in the British councils had made the assertion that the British Empire at present did not have the necessary manpower to attempt to establish a second front in Europe. Does the gentleman have definite information as to the reputed losses of the British to date in manpower in the 2 years of the war? I ask that question for this reason: I have heard that to date, after 24 months of war, they have only lost 142,000 men in casualties and that a good many of these are Australians and New Zealanders. If that is the case, will the gentleman tell me why it is that these high-up officials in the British Empire, after suffering only 3-percent casualties of their total armed strength, with two and a half million men in the reserves, should dare intimate, as they have intimated recently, that they must have manpower from America for a second A. E. F.?

Mr. O'CONNOR. I thank the gentleman for that statement. Never has the British Empire even attempted to draw on her pool of manpower. She has in her empire over 400,000,000 people and only 4,000,000 armed men. She has resources all over the world, also mining in the neighborhood of $700,000,000 in gold from Africa alone every year, most of which she is selling to us at a profit. She has never started to draw on her own manpower, she has never started to draw on her own resources, but yet she wants the taxpayers of this country to bear again the burden of another war in Europe, as well as furnish our boys to do their fighting.

Mr. H. CARL ANDERSEN. There appeared also in the press yesterday a statement to the effect that Britain today controls more than 50 percent of the shipping tonnage throughout the world, due especially to the magnanimity and generosity of the United States.

Mr. O'CONNOR. There is a great deal to that.

Let me read just a paragraph or two out of a statement made by Capt. M. M. Corpening appearing in this morning's Times-Herald bearing this headline:

> Army unworthy of name, Louisiana observers agree. Year's more training, better leadership held first need.

The article states that the Nation today does not possess an army worthy of the name and there is little indication that it can have one within a year. It then shows the lack of training in the Army.

Mr. Speaker, we are unprepared for war even if we wanted to get into this war. I commend to the Members of the House to read in the August Readers' Digest another article entitled "What Would We Fight With" condensed from the United States News. Among other things, it says:

> Where does all this leave our Army? The new Army possesses sufficient rifles and machine guns, but an inadequate supply of all other weapons from antitank guns to airplanes and tanks, and it will remain inadequately supplied for many months to come.

We do not need to be in any hurry about getting into this war. I believe it will last a long time. As far as I can see, it is not a private war. I think anybody or any nation can get in who wants to at any time on their own terms.

Mr. DWORSHAK. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Idaho.

Mr. DWORSHAK. The gentleman has just expressed much concern and skepticism over whether we in this country are enjoying the right of free speech. Is not the gentleman aware that our ally, Joe Stalin, will probably guarantee to crusade in this country for one of the four freedoms, the right of free speech?

Mr. O'CONNOR. Yes; I see that he is commencing now to say that he wants to guarantee religious freedom. Of course, Joe is willing to swap anything to get some help. Hitler has him by the throat. He is now willing to say to the people that they can worship God as they see fit—for a while. I am not impressed with deathbed restitutions.

Mr. KNUTSON. What good does that do when there are no Christians left?

Mr. O'CONNOR. I believe many countries over there have forgotten that there is a God. If we are not careful in this country, and get into this war, we shall forget that there is a God, for our purpose will be the destruction of people we do not even know.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. The lend-lease bill is supposed to come on the floor on Wednesday. Will the gentleman support an amendment I plan to introduce, which would provide that Russia should receive nothing from us unless she guarantees freedom of religion, and guarantees that communistic propaganda in the United States which emanated from there shall cease? Surely, that is little enough for Russia to do. We are supposed to be aiding the countries that want freedom of religion. The great majority of persons in the United States abhor communism. It seems to me essential that we place in the lend-lease bill some such provision; the amendment should provide that if Russia does not live up to such a guaranty it shall not receive supplies.

Mr. KNUTSON. Will the gentlewoman from Massachusetts tell the House how we may be sure that the guaranty will be carried out?

Mrs. ROGERS of Massachusetts. I suppose we cannot be sure that any country will live up to its agreements, but at least we are making a gesture and trying to secure freedom of religion. I do not see how we can go on as we are without trying to get that into the bill. At least, it would be making a great effort to secure freedom of religion for the people of Russia and, in my opinion, would have a great effect upon the entire world.

Mr. O'CONNOR. I hope the gentlewoman offers that amendment, and I assure her that I shall give it serious consideration. It, of course, is a God-like thought.

However, I would not take the word of Joe Stalin for anything. He is as big a brute and human monster as the man he is fighting—Hitler. If we have reached the point when we in America are dependent for our existence on this man Stalin, whose hands reek with human blood, reek with the blood of people who practiced their religion as they saw it, as well as with the blood of the Finns and others, then it will take God Almighty to save this country.

Mrs. ROGERS of Massachusetts. This is an opportunity after all, however, for us to make an effort to make the fight for religious freedom, and to stop the flow of communism that has emanated from Russia to the United States.

Mr. O'CONNOR. Oh, I will make the effort. I suppose it is a case of any port in time of storm.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Several hundred years ago there was a war in England known as the War of the Roses. I prophesy that this war will go down in history as the War of the Prevaricators.

[Here the gavel fell.]

Mr. STEFAN. Mr. Speaker, I ask unanimous consent that the gentleman be permitted to proceed for 5 additional minutes, with the consent of the gentleman from Wisconsin.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield to the gentleman from Nebraska.

Mr. STEFAN. The gentleman from Montana has been making a masterly address, much of which has centered around the proposed change in the Neutrality Act. I wonder if the gentleman has any information on the status of the proposed legislation to change that act.

Mr. O'CONNOR. I am going to come to that point. I am glad the gentleman brought it up.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. If the gentleman will excuse me, I want to get that point out of my system in the next few moments.

The loan provisions of the act have been nullified by the Lease Lend Act as billions in materials have been and are now being leased and loaned to England and other countries. The act as it is today provides that in case the President or Congress finds a state of war to exist between foreign states the President shall name the states and thereafter it will be unlawful for any American vessel to carry any passengers or materials to any state named, and it will be unlawful for an American citizen to travel on any vessel of any such state named, except under rules laid down by the President. The President may revoke any such proclamation. The act also provides that after the President has issued such proclamation he may thereafter find that if the protection of citizens and American ships so requires he shall define combat areas and that then it will be unlawful, except under such rules as he lays down for any citizen or any of our vessels to proceed into or through any such combat areas. The President may modify or extend any proclamation issued with reference to combat areas. You will see the President has wide latitude in the exercise of his discretion. He is not required to name states or combat areas. For instance, he has not issued a proclamation naming the states of Japan, China, or Russia as being at war. Therefore, none of these provisions apply to those states. These provisions are to keep our citizens from going into dangerous places even though we have the legal right to go there in the same way as we would have the legal right to go into a place of danger on a public highway. The President of the United States, with alacrity, has enforced the provisions of this law by naming country after country as being at war and naming combat area after combat area as danger zones beginning the very day he signed the act and continuing on down as late as April 24, 1941. The President has done a fine job in making the provisions of this law effective in regard to saving the lives of our citizens. Has it worked otherwise? Let us see what ships have been sunk and under what circumstances. According to the best information I can secure the following are the facts in relation to sunken ships:

The *Pink Star* was a Danish ship which had been seized by the United States under the recent law for the seizure of foreign ships in American ports. It was chartered by the Maritime Commission to the United States Lines, a private concern, and registered under the flag of Panama. No American citizens were on the ship when she was sunk between Iceland and Greenland, on her way to Britain—Washington Times-Herald, September 23, 1941. The *Sessa* and the *Montana* were also Danish ships which had been seized similarly, chartered to a private American firm, and also registered under the flag of Panama. Both were sunk near Iceland while carrying cargoes to Iceland—New York Times, September 1, 13, 1941. Only one American was on board the *Sessa* and none on the *Montana*. The *Steel Seafarer*, sailing under the American flag, was sunk in the Red Sea, 12,000 miles from the United States, while carrying contraband war supplies for Britain. The ship was legally present in that area only because President Roosevelt had revoked his proclamation declaring the Red Sea a war zone. The *Robin Moor*, also under the American flag, was carrying contrabands to another country at war, British South Africa, and was sunk in the South Atlantic. In neither case were any American lives lost.

The *White* ship recently sunk, I am informed, had been transferred to Panamanian register and had been loaned to Britain under the lease-lend law and was under British direction and was not flying the American flag.

If these are the facts in regard to the ships which have been sunk, would these sinkings justify aggressive warfare on the Atlantic on our part? There has been a lot of misinformation going to the public on the import of what is known as the Lease-Lend Act. It has been said that the Congress committed this country when it passed this law to deliver lease-lend goods to the democracies. There is nothing further from the truth than that statement. Nowhere in the bill does it even suggest that the United States shall deliver these goods. If it had been suggested when this bill was under consideration, it would never have passed. There are two provisions in the law that expressedly negative any such interpretation of this act of Congress. I quote:

(d) Nothing in this act shall be construed to authorize or to permit the authorization of convoying vessels by naval vessels of the United States.

(e) Nothing in this act shall be construed to authorize or to permit the authorization of the entry of any American vessel into a combat area in violation of section 3 of the Neutrality Act of 1939.

If the Congress intended to authorize delivery of these goods, there would be no such language as just quoted in the act. The country understood that convoys were banned. The President at the time said "convoys were not considered; that they meant shooting and shooting meant war." Now we are seeking to read into this act of Congress the obligation upon our part to deliver these goods. The Congress never made any such commitment. It is suggested that there is no use in making these implements of war if they do not reach the place of need. That condition should have been thought of at the time the bill was under consideration. Anybody knows that to deliver these goods means war, and remember every step that has been taken, such as the lifting of the embargo, the provisions we have been discussing in the Neutrality Act, the Conscription Act, the Lease-Lend Act, the appropriations made under it, were taken in the name of peace and to keep this country out of war. Now if we take a step to deliver these goods which confessedly means war, then we are nullifying the stated object of all of these steps and leading the country right up to the mouth of the cannon. I say let us leave the Neutrality Act as it is.

When it comes to arming a merchant vessel I want to say this to you. I am afraid it is going to be like making a two-gun man. We have out West what we call two-gun men. They are men who can shoot with either hand equally well. It will be a good deal like trying to arm a two-gun man when he has no hands, or like putting a popgun in the hands of a boy to fight an armed burglar, because in the first place merchant ships are not built to be made into battleships. And in the second place your crews are not trained to handle those guns. I question the wisdom of it and I question the efficacy of it, because once you arm those vessels or if you put even one gun on those vessels you are going to invite your enemy to shoot and sink at sight and without warning. That is the danger. I am not saying now whether I would oppose an amendment of that kind or not, but I am saying that I doubt the wisdom and efficacy of it.

Does the gentleman from Michigan [Mr. HOOK] desire me to yield to him?

Mr. HOOK. I was just wondering on the question of the amendment of the gentlewoman from Massachusetts [Mrs. ROGERS] whether it would not be a good idea that we provide an amendment to the amendment that in case Joe does not come through, we have the right to withhold any aid, and so on down the line.

Mr. O'CONNOR. Let us adopt what our President said in Chautauqua during August 1936:

We seek to isolate ourselves completely from wars.

And I think it is time that we think with our heads and not our hearts. And I think the sooner this country comes to adopting a concept of minding its own business the better it will be. That is No. 1. Second, prepare ourselves and arm ourselves to the teeth to take care of ourselves. We did this for 150 years and I think we can do it now, and let us not follow a policy that we are dependent upon Joe Stalin or upon Mr. Churchill or upon anybody else, but that we are dependent on the United States of America and our 130,000,000 people and upon our matchless resources, excelled no place in the world.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. KNUTSON. Outside of prohibition, can the gentleman recall anything that America got out of the last war?

Mr. O'CONNOR. Oh, no. You got a lot of grief. You got dead and wounded

soldiers and you have a debt that is still bearing interest and unpaid.

Mr. KNUTSON. And we got a lot of deadbeats that are owing us money.

Mr. O'CONNOR. Exactly.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. ANDERSON of New Mexico. Mr. Speaker, I ask unanimous consent that at the conclusion of other special orders today I may be permitted to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

The SPEAKER pro tempore. Under special order of the House the gentleman from Wisconsin [Mr. MURRAY] is recognized for 10 minutes.

Mr. JOHNSON of Oklahoma. Mr. Speaker, will the gentleman yield to me for a unanimous-consent request?

Mr. MURRAY. I yield.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

THE BUTTER SITUATION

Mr. MURRAY. Mr. Speaker, since 42 percent of the milk produced in the United States is made into butter, and since about 75 percent of the manufactured dairy products consist of butter, this product is the basis of the dairy industry.

There is not much of a reason for Mr. Henderson to ask for price control of butter, as its price is, and has been for several years, controlled by the present administration.

The following article points out that November butter is only 35.4 cents per pound. Butter is imported into New York for 22 cents per pound, which includes the price in Argentina, insurance, and transportation:

[From the Washington Sunday Star of October 5, 1941]

BUTTER FUTURES DEPRESSED BY ARGENTINE IMPORTS

CHICAGO, October 4.—Produce traders today blamed a report of impending Argentine butter imports at New York as being partly responsible for a decline in butter futures prices here.

The Agricultural Marketing Service reported approximately 6,000 boxes of Argentine butter are due to arrive in New York Monday, and additional quantities estimated at upward of 50,000 boxes are expected the next few weeks.

Butter futures here lost one-fourth cent a pound, with November delivery closing at 35.35 cents, or about the lowest level in 7 weeks. Liberal receipts here and lagging demand also were blamed for the market's weakness.

Traders said there are 56 pounds in a box of Argentine butter. Current prices, cost, insurance, and freight included, were around 22 cents a pound. The import duty is 14 cents. Domestic butter extras were quoted at 37 in the spot market here.

The butter farmer is surely fortunate in having the protection of 14 cents per pound as provided by the much-maligned Smoot-Hawley Tariff Act. If the tariff rate on butter had been reduced in comparison with the reduction of the tariff on cheese which was effected by the New Deal, we would have 7 cents per pound duty and 29-cent butter in New York today. No dairy farmer, with the present costs, can get 20 cents per hour for his labor and produce 37-cent butter. If the 37-cent ceiling proposed by the price-control bill sets the price of labor; that is, the farmers' labor.

When we realize that butter averaged 39.9 cents per pound the 10 years before the New Deal obtained control of the House of Representatives and that the national debt was being paid off at the rate of $1,000,000,000 a year, and when we realize that during the 10 years of the New Deal butter has averaged only 25.5 cents per pound at a time when the Government was running in the red one to three billions of dollars a year, it is evident that the butter farmer looks askance at the market manipulations of the self-styled apostles of the more abundant life.

The butter farmer is not only threatened from without but also from within.

We now have the Food and Drug Act under supervision of Mr. McNutt. The oleo can be fortified with diacetyl acid to make it taste like butter, needled with vitamins to acquire some of the properties of butter, given a shower bath in skim milk to make it smell like butter, preserved with benzoate of soda to make it keep though this practice is prohibited in the manufacture of butter, and then have a Government agency with radio time try to convince the consumer of its merits.

This is just one more example of the fact that dairying and New Dealing do not mix any more than oil and water.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. Yes.

Mr. H. CARL ANDERSEN. Do I understand that the gentleman's figures show that under the 10 years of the New Deal the dairy farmer has received an average of 13 cents per pound less than he received during the 10 years prior to the New Deal?

Mr. MURRAY. Fourteen and four-tenths cents per pound—25½ cents per pound to 39.9 cents per pound.

Mr. H. CARL ANDERSEN. And that in itself, I am sure the gentleman will admit, would amount to a good many hundreds of millions of dollars loss to the dairy farmer market.

Mr. MURRAY. The butter market has been manipulated by the present administration for several years. This has been done through the Surplus Marketing Corporation. They go out and tell the farmer that it is for his benefit, but they have been buying the product as cheaply as possible. It is a statement of fact, which was recorded in the Banking and Currency Committee a few days ago, that shows the product is put on the market to hold the price down. So I do not see, so far as agricultural products are concerned, why Mr. Henderson wants to put a strait jacket on them, because they have it on them at the present time under Government regulation. Never in the history of this country has an administration controlled the farm market as it has today. We have some artificial farm prices today, made artificial by the governmental agencies, which have nothing to do with the law of supply and demand.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. Yes.

Mr. STEFAN. The gentleman has stated that there was some butter shipped here from Argentina delivered in New York at 22 cents a pound.

Mr. MURRAY. Yes.

Mr. STEFAN. It has been always thought by the farmers in my district that whenever there is any butter imported off our shores from, say, New Zealand—and usually it comes from New Zealand—whenever any butter comes in at a lower rate than the rate at which we can produce it, it always depresses the price of butterfat in my district. What does that butter sell for in New York?

Mr. MURRAY. With a 14-cent tariff, it would be 36 cents, so that Argentina controls the price of butter in this country so long as they are selling it down there at the present price.

Mr. STEFAN. But Argentina is not a butter country. Butter usually comes in from New Zealand. We seldom have competition from Argentina. How much does that butter sell for in New York as compared with our butter?

Mr. MURRAY. It would have to cost 36 cents if it is put on sale there.

Mr. STEFAN. That is natural; but that would depress the price of our own butter.

Mr. MURRAY. Surely, and all over the United States; and when we realize that the dairy industry represents between 20 and 25 percent of the farm income and that 75 percent of the dairy products are in the form of butter, we realize that butter is the real basis of the dairy industry.

Mr. STEFAN. The gentleman will agree that the American farmer cannot produce butter for less than 40 cents today.

Mr. MURRAY. He cannot produce it for that, at the present cost.

Mr. HOOK. Does the gentleman know of any period of history in this country when the farmer has ever really got the cost of production for his products?

Mr. MURRAY. I have been for many days at the Banking and Currency hearings, listening to these statements there, and it is not always pleasant to stand up here and have so many people think that you are demagoging for one group of people or another. So far as that is concerned, I do not have one speech for the farmers and one for labor and one for the businessman. I do not care enough about politics to do that, but there is the trouble, that over there in that committee up to this time, until Mr. O'Neil spoke a day or two ago, there has not been a person there to represent the farmer. They talk about a strait jacket being put on the farmer. Mr. Morgenthau spoke about a 6-percent strait jacket on the businessman, and there was a terrible howl all over the country; but they are putting a 37-cent top price

on butter, and there is not a fellow in the Department of Agriculture who is smart enough to make 1 percent if he produces 37-cent butter.

Mr. STEFAN. The farmers in my district are tickled to death to get the cost of production with no profit at all.

Mr. MURRAY. Of course, we cannot please all groups, because we cannot expect to have runaway prices with only one group. It will be remembered that I was the only Republican who voted for the Casey amendment, which would have given us some study of the producer, consumer, and distributor situations. I have believed for several months that we should approach this price situation in a fair way for the producer, the consumer, and the distributor, without any one group getting an advantage over the other group.

Mr. STEFAN. But the gentleman realizes that the farmer in my district does not take into consideration his time, his overhead, or anything. All he thinks about is cost of production, and he is not getting that. So when you take into consideration a price-control bill you have to consider a bottom as well as a top, as far as the farmer is concerned.

Mr. MURRAY. If a price-control bill goes through he will have a 37-cent ceiling.

Mr. STEFAN. He may have a ceiling, but there is no bottom guaranteed.

Mr. MURRAY. There is supposed to be a 31-cent guaranty since last spring. There is supposed to be a 31-cent floor under butter.

Mr. H. CARL ANDERSEN. Will the gentleman yield?

Mr. MURRAY. I yield.

Mr. H. CARL ANDERSEN. With reference to the question asked by the gentleman from Michigan [Mr. HOOK], I believe we have had two periods of parity or cost of production; that is, 1909 to 1914 and 1925 to 1930. I think that today in certain farm products we have parity, but not in all.

Mr. MURRAY. I would like to ask my colleague what that product is in the dairy industry.

Mr. H. CARL ANDERSEN. Not in the dairy industry. I am not referring to the dairy industry, but in beef and hogs we are at parity today.

[Here the gavel fell.]

The SPEAKER pro tempore (Mr. SPARKMAN). Under previous order of the House, the gentleman from New Mexico [Mr. ANDERSON] is recognized for 10 minutes.

PROGRESS IN AIR SAFETY

Mr. ANDERSON of New Mexico. Mr. Speaker, within the past few days there has been circulated to the membership of this House the preliminary report of the Select Committee to Investigate Air Accidents. It is an encouraging report, which looks hopefully to the future of commercial aviation, but which makes to this body a group of seven recommendations for legislative consideration and action.

While the House has before it this report and others which are scheduled to come from the committee, it might be proper to read into the RECORD a letter sent by the Honorable Jesse Jones, Secretary of Commerce, to the presidents of all operating domestic air lines. This is his message:

> I am informed that the safety record of the air lines so far in 1941 is the best in the history of American aviation.
>
> Despite 2 fatal accidents early in the year, for more than 8 months passenger planes have flown at a rate of more than 48,000,000 miles per fatal accident.
>
> This is almost 60 percent better than the record for the year 1939, and 20 percent better than the best previous record, during the year 1940.
>
> For a little more than 6 months there has not been a single fatal accident, although air travel has greatly increased.
>
> In this defense crisis the necessity for careful operation is greater than ever. I have cautioned our personnel to be particularly watchful in light of the heavy air traffic load now traveling the air lanes and in anticipation of other possible handicaps growing out of the emergency.
>
> We are looking forward to a continuation of the good record you are making and appreciate your determination for safety in air travel. All of us in the Department will welcome any suggestions as to how we may be of assistance.

This is surely an encouraging report from that colossus of American business who directs the activities of the Commerce Department. Behind the fear and hysteria developed early this year by two unfortunate accidents, he has seen the solid truth of growing air safety. He points your attention and that of the American people to the fact that in 1941 passenger-miles flown per fatal accident are 60 percent better than 1939 and 20 percent better than 1940, the year with the best previous record.

His message, commendable for its brevity, leaves out some of the statistics which students of aviation progress might enjoy. Let me list some of them for your scrapbooks.

United States air lines this year have flown at a rate of 54,284,500 miles per fatal accident up to September 28. This compares with 39,827,570 miles per fatal accident for the year 1940 and 30,325,354 miles per fatal accident in 1939.

This improvement of 79 percent in the past 2 years comes on top of sharp earlier gains in safety. In 1936 the air lines flew 7,121,173 miles per fatal accident. The 1939 record is about 330 percent better, and this year's rate represents an increase of 660 percent in the safety factor during 5 years.

While miles flown by the air lines has steadily increased, and this year's total will probably be double that of 1936, the number of fatal accidents has been steadily reduced, from 10 in 1936 to 3 in 1939, 3 in 1940, and only 2 thus far this year.

Since March 1 the carriers have flown about 90,000,000 miles without a fatal accident. Mileage of this 7-month period is not far under the total for the longest accident-free period, the stretch of more than 12 months, from August 13, 1939, to August 31, 1940, when 114,293,526 miles were flown. It exceeds the mileage of 78,197,239 for the entire year 1938, when there were eight fatal accidents.

Possibly you would like the record year by year, with the year 1941 including only the performances of the first 9 months:

1936: Miles flown, 71,211,726; fatal accidents, 10; miles flown per fatal accident, 7,121,173.

1937: Miles flown, 74,700,237; fatal accidents, 6; miles flown per fatal accident, 12,450,040.

1938: Miles flown, 78,197,239; fatal accidents, 8; miles flown per fatal accident, 9,774,655.

1939: Miles flown, 90,976,063; fatal accidents, 3; miles flown per fatal accident, 30,325,354.

1940: Miles flown, 119,482,711; fatal accidents, 3; miles flown per fatal accident, 39,827,570.

1941: Miles flown, 108,569,000; fatal accidents, 2; miles flown per fatal accident, 54,284,500 (estimate to date).

In closing, may I call your attention to the remarks I made on this same subject on April 16, 1941. In that discussion of air safety I sought to persuade this honorable body that the merger of the independent Civil Aeronautics Authority into the Department of Commerce with Robert H. Hinckley as Assistant Secretary of Commerce for Civil Aeronautics and with Gen. Donald H. Connolly as Administrator, was not causing airplanes to fall out of the sky; that the discontinuance of the three-member air-safety board did not spell complete disaster; and that the test of time would prove that we were moving gradually toward the development in the air of a safe, speedy, and economical means of transportation.

Six months have passed—6 splendid months for American aviation. The record is spotless, and that is the more remarkable when the conditions are considered. Defense has made heavy demands upon men and equipment. The fervor of defense programs in the air adds to the problem. Read again what the select committee of this House says on that point:

> Adding further confusion and danger to the air-traffic problem are thousands of military and naval planes daily engaged in all manner of training, including dive bombing and gunnery practice. In addition, there is multiple evidence of the lack of consideration for commercial aviation in the establishment by the Army and the Navy of anti-aircraft and gun emplacements, which fire projectiles up, into, and through designated airways used by commercial air lines. Then there are thousands of planes being manufactured in every section of the United States which must first be flight-tested and then ferried to Canada and elsewhere for delivery. These planes are being flown across the United States in ever-increasing numbers. They must land from time to time at our principal airports. It follows that in the interest of safety the whole field of air navigation requires the closest scrutiny for the purpose of developing a thoroughly comprehensive pattern of air conduct.

Under these circumstances, this new record of American aviation is inspiring and full of promise for the future. All of the problems are not solved. Accidents will come again, as the statistics in the development of other means of transportation indicate.

But we are moving ahead. The soundness of the program developed by the Department of Commerce, the Civil Aeronautics Administration, and the

Civil Aeronautics Board is being demonstrated. The Secretary of Commerce properly gave a pat on the back to the presidents of the domestic air lines. May the good work of drawing up a comprehensive pattern of safe air conduct go carefully ahead.

[Here the gavel fell.]

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. HARRIS of Virginia (at the request of Mr. ROBERTSON of Virginia) on account of illness.

To Mr. DOUGLAS (at the request of Mr. COLE of New York), indefinitely, on account of illness.

ENROLLED BILL SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 5682. An act to amend an act to provide for a union railroad station in the District of Columbia, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 5682. An act to amend an act to provide for a union railroad station in the District of Columbia, and for other purposes.

ADJOURNMENT

Mr. HOOK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 46 minutes p. m.) the House adjourned until tomorrow, Tuesday, October 7, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON AGRICULTURE

The Committee on Agriculture will hold hearings on Tuesday, October 7, 1941, at 10 o'clock a. m., on H. R. 5336, Farm Credit Act.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m., Wednesday, October 8, 1941, to consider certain private bills.

COMMITTEE ON INSULAR AFFAIRS

There will be a meeting of the Committee on Insular Affairs, Thursday, October 9, 1941, at 10 a. m., for the continuation of the hearings on H. R. 5722.

COMMITTEE OF THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on Tuesday, October 14, 1941, at 10 o'clock a. m. to consider H. R. 3254, to safeguard and protect further the lives of fishermen at sea and to place fishing boats under the supervision of the Department of Commerce, Bureau of Marine Inspection and Navigation, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

965. A letter from the Secretary of War, transmitting the draft of a proposed bill to amend the Nationality Act of 1940, approved October 14, 1940, for the clarification of the dual citizenship status of certain persons; to the Committee on Immigration and Naturalization.

966. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated January 24, 1941, submitting a report, together with accompanying papers, on a preliminary examination of East Pass Channel from the Gulf of Mexico into Choctawhatchee Bay, Fla., authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAY: Committee on Military Affairs. S. 1772. An act to authorize Army officers designated by the Secretary of War to take final action on reports of survey and vouchers pertaining to the loss, damage, spoilage, unserviceability, unsuitability, or destruction of Government property; without amendment (Rept. No. 1224). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 5600. A bill to provide for payments in advance to enlisted men of monetary allowance in lieu of quarters and subsistence under certain conditions; without amendment (Rept. No. 1225). Referred to the Committee of the Whole House on the state of the Union.

Mr. COX: Committee on Rules. House Resolution 308. Resolution for the consideration of H. R. 5667, a bill to exempt strategic and critical materials from customs duties in certain cases, and for other purposes; without amendment (Rept. No. 1226). Referred to the House Calendar.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 5476. A bill to provide aviation education in the senior high schools of the District of Columbia, and for other purposes; with amendment (Rept. No. 1227). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred to as follows:

By Mr. MAY:

H. R. 5749. A bill to authorize the Secretary of War to sell to the Embry-Riddle Co. the military reservations of Carlstrom and Dorr Fields, Fla.; to the Committee on Military Affairs.

By Mr. FADDIS:

H. R. 5750. A bill authorizing the procurement and issue of an Army of Occupation of Germany Medal for each person who served in Germany as a member of the Army of Occupation; to the Committee on Military Affairs.

By Mr. KNUTSON:

H. R. 5751. A bill to authorize a preliminary examination and survey of the Mississippi River and its tributaries in the county of Aitkin, State of Minnesota, for flood control, for run-off and water-flow retardation, and for soil-erosion prevention; to the Committee on Flood Control.

By Mr. VINSON of Georgia:

H. R. 5752. A bill to establish the naval procurement fund, and for other purposes; to the Committee on Naval Affairs.

By Mr. JOHNS:

H. R. 5753. A bill to provide for the making of refunds to the political subdivisions of the State of Wisconsin of the amount of the balance paid by them into the unemployment fund of the State; to the Committee on Ways and Means.

By Mr. KNUTSON:

H. R. 5754 (by request). A bill to repeal section 505 (d) of the Internal Revenue Code; to the Committee on Ways and Means.

H. R. 5755 (by request). A bill to amend the Internal Revenue Code; to the Committee on Ways and Means.

H. R. 5756 (by request). A bill to amend section 115 (a) of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. RANDOLPH:

H. R. 5757. A bill to define and punish vagrancy in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. ROBSION of Kentucky:

H. R. 5758. A bill granting pensions to veterans of the World War, and for other purposes, to the Committee on World War Veterans' Legislation.

By Mr. GORE:

H. R. 5759. A bill providing for the limitation of profits on defense contracts; to the Committee on Ways and Means.

H. R. 5760. A bill to protect the national safety and security from the consequences of price and credit inflation, and for other purposes; to the Committee on Banking and Currency.

By Mr. HOBBS:

H. R. 5761. A bill to amend Public Law 228 of the Seventy-seventh Congress, first session; to the Committee on Flood Control.

By Mr. RANKIN of Mississippi:

H. Res. 309. Resolution authorizing an investigation of the expenditures, claims, and activities of the Pacific Gas & Electric Co. in its attempt to circumvent or destroy the Raker Act; to the Committee on Claims.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BALDWIN:

H. R. 5762. A bill granting an increase of pension to Mollie Alexander; to the Committee on Invalid Pensions.

By Mr. BISHOP:

H. R. 5763. A bill granting an increase of pension to Emma Lee; to the Committee on Pensions.

By Mr. BLOOM:

H. R. 5764. A bill for the relief of Jakob Zoller; to the Committee on Immigration and Naturalization.

By Mr. BOGGS:

H. R. 5765. A bill for the relief of Gladys Moore and Genevieve Moore; to the Committee on Claims.

By Mr. CASE of South Dakota:

H. R. 5766. A bill for the relief of E. Bird Giles and Sherman Beck; to the Committee on Claims.

By Mr. COFFEE of Nebraska:

H. R. 5767. A bill for the relief of A. Paul Johnson; to the Committee on Claims.

H. R. 5768. A bill for the relief of Christia William Zeissler; to the Committee on Claims.

By Mr. KEAN:

H. R. 5769 (by request). A bill conferring jusisdiction upon the United States District Court for the District of Columbia to hear and determine the claim of Norman D. Mat-

tison for a patent; to the Committee on Claims.

By Mr. McMILLAN:

H. R. 5770. A bill for the relief of Clarence Wulbern Lynch; to the Committee on Claims.

By Mr. MUNDT:

H. R. 5771. A bill for the relief of Leonard Larson; to the Committee on Claims.

By Mr. MURDOCK:

H. R. 5772. A bill for the relief of Mr. and Mrs. Glenn A. Hoss; to the Committee on Claims.

By Mr. McGEHEE:

H. R. 5773. A bill for the relief of Libby, McNeill & Libby; to the Committee on Claims.

By Mr. REES of Kansas:

H. R. 5774. A bill granting a pension to Fredonya D. Craig; to the Committee on Invalid Pensions.

By Mr. SHORT:

H. R. 5775. A bill granting an increase of pension to Mrs. Hattie M. Butler; to the Committee on Invalid Pensions.

By Mr. TREADWAY:

H. R. 5776. A bill for the relief of Mrs. Pasquale Diliberto; to the Committee on Claims.

By Mr. VOORHIS of California:

H. R. 5777. A bill granting an increase of pension to Mina Tobin; to the Committee on Invalid Pensions.

By Mr. WHELCHEL:

H. R. 5778. A bill for the relief of Luther Herbert Tench and Mrs. Mildred Farmer Tench; to the Committee on Claims.

By Mr. WHITE:

H. R. 5779. A bill for the relief of Howard McMillan and Dorothy McMillan, individually and as the legal guardians of Virginia McMillan, a minor, and for Virginia McMillan; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1851. By Mr. HALLECK: Petition of sundry citizens of Fulton County, Ind., requesting that the excess penalty on wheat be revoked and for other purposes; to the Committee on Agriculture.

1852. By Mr. HOUSTON: Petition of the League for Social Progress, of Topeka, Kans., requesting the Seventy-seventh Congress to amend title I of the Social Security Act in accordance with House bill 1410; to the Committee on Ways and Means.

1853. By Mr. LUTHER A. JOHNSON: Petition of officials of the Central Texas National Farm Loan Association and the Hill County National Farm Loan Association, opposing House bill 5336; to the Committee on Agriculture.

1854. Also, memorial of J. B. Dulancy, of Coolidge, M. M. Seay, of Donie, George Thompson, Groesbeck, and Mr. and Mrs. Cecil Comer, of Groesbeck, all of the State of Texas, favoring House bill 4931; to the Committee on Interstate and Foreign Commerce.

1855. By Mr. MUNDT: Petition of members of the Pierre Townsend Club, Fort Pierre, S. Dak., urging Congress to consider House bill 1036; to the Committee on Ways and Means.

1856. By the SPEAKER: Petition of the Chamber of Commerce of the Borough of Queens, city of New York, N. Y., petitioning consideration of their resolution with reference to the omnibus river and harbor bill; to the Committee on Rivers and Harbors.

1857. By Mr. REES of Kansas: Petition of approximately 1,450 residents of Coffey and Woodson Counties, Kans., protesting against the wheat-marketing regulations under the Agricultural Adjustment Administration and urging repeal of penalty on excess wheat; to the Committee on Agriculture.

HOUSE OF REPRESENTATIVES

TUESDAY, OCTOBER 7, 1941

The House met at 12 o'clock noon.

Rev. E. J. Kokowicz, chaplain, St. Francis Hospital, Hamtramck, Mich., offered the following prayer:

Almighty God, giver of all good gifts, we pray to Thee in these critical times of international complications for Thy divine guidance.

During the past decade of unemployment and uneasiness Thou hast showered us with plenty, that even the lowest amongst us did not suffer from want. Today our innocent brethren in distant lands, through their diabolical leaders and their new order of invasion and pillage, are suffering from starvation and unheard of tortures.

We beseech Thee, O Lord, who Thyself had suffered under Pontius Pilate untold agonies, was tortured and crucified for our redemption, to inspire us, and particularly our President and our leaders, to carry on with stout hearts of courage, in Thy name, that not only our freedom and liberty may persevere but that of the oppressed may be returned.

Hear us in the name of Him who is the Light of the World.

Our Father who art in heaven, hallowed be Thy name; Thy kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us; and lead us not into temptation, but deliver us from evil.

Amen.

The Journal of the proceedings of yesterday was read and approved.

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House Joint Resolution 235, to amend section 124 of the Internal Revenue Code by extending the time for applications, and changing the procedure, for certification of national-defense facilities and contracts for amortization purposes, disagree to the Senate amendments, and ask for a conference.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. DOUGHTON, COOPER, BOEHNE, TREADWAY, and CROWTHER.

THE TEXAS LONGHORN

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. KLEBERG].

Mr. KLEBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. KLEBERG. Mr. Speaker, on Thursday, at 2 o'clock in the afternoon, one of the descendants of the true pioneers of this country will be presented to the Washington Zoo by the Texas Society. The presentation will take place at the Zoo. He comes of a line that in bondage and in service played a distinct part and contributed much to the development of our country. In the first chapter of Genesis, the group from which he comes is mentioned in the twenty-fourth verse:

> And God said, let the earth bring forth the living creature after his kind, cattle, and creeping thing, and beast of the earth after his kind; and it was so.

Later on the industry to which he belongs, the first industry mentioned in the English language is spoken of in the fourth chapter of Genesis, the twentieth verse:

> And Adah bare Jabal; he was the father of such as dwell in tents, and such as have cattle.

A long-horned steer of the old kind, of the herd which is rapidly vanishing, will make his debut here in the Nation's Capital. If you permit your mind to go back and follow the rutted trails of the oxcart, to go back to the period of time when Columbus, Cortez, and Coronado had to do with the development of this country—yes, in the taming of the West and the trails where the longhorns bore the load, you will find written there the history of the development of a major portion of this, our country.

Mr. Speaker, I thank you.

RELIEF OF REGINALD H. CARTER

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to vacate the proceedings whereby the bill (S. 1695) for the relief of Reginald H. Carter, was passed on yesterday for the purpose of offering clarifying amendments.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana.

There was no objection.

The SPEAKER. The Clerk will report the amendments offered by the gentleman from Louisiana.

The Clerk read as follows:

> Amendments offered by Mr. BOGGS: On line 4, after the word "allow", insert "under the applicable appropriations for fees of commissioners of the United States court;" and in line 8 strike out the figures "20" and insert in lieu thereof the figures "19."

The amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. KEEFE. Mr. Speaker, I have three requests: First, I ask unanimous consent to extend my remarks in the RECORD and include therein a letter from a constituent; also to extend an editorial from the National Butter and Cheese Journal, and an editorial from the Chilton (Wis.) Times-Journal.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

THE NATIONAL MEDIATION BOARD

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I would like to draw the attention of the House to the fact that the Mediation Board headed by its chairman, William H. Davi., is sitting.

I think it behooves the membership of this House to watch what is going on. I have investigated the Shipbuilding & Dry Dock Co. case up at Kearney, N. J. Those people lost their plant because they insisted on their constitutional rights. Boiled down in plain English they lost the plant because they refused to become the collectors for the C. I. O. The C. I. O. in turn could not get its own members voluntarily to pay their dues. They, therefore tried to get this company to coerce and force their employees to pay their dues to the C. I. O. in which organization the employees apparently had no faith. This company declined. The result was they lost their plant.

This is one of the most dictatorial, tyrannical, and despotic things that could be done even under a socialistic, communistic government.

EXTENSION OF REMARKS

Mr. DONDERO. Mr. Speaker, I have two requests. I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein an article on the shortage of gasoline, and the second request is to include an article on the subject Ships Can Be Built in the Great Lakes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. DONDERO]?

There was no objection.

MEETING OF THE HOUSE AT 11 O'CLOCK FRIDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns on Thursday it adjourn to meet at 11 o'clock on Friday.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. MCCORMACK]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, may I ask if we can reach an understanding as to when the vote will come on the lease-lend appropriation bill?

Mr. McCORMACK. I am glad the gentleman asked that question. There will be 2 days' general debate on the bill, and it will be taken up and read under the 5-minute rule on Friday so that Members may govern themselves accordingly. I also want to state that after the consideration of the bill that will come before the House today our Republican colleagues will hold a conference. I make this statement so that all of us will give them the consideration that we want to extend by permitting them to have an early conference.

Mr. MARTIN of Massachusetts. The bill will be taken up and read, under the 5-minute rule, on Friday, and it is the intention of finishing the bill on Friday?

Mr. McCORMACK. It is the intention to finish the bill on Friday.

Mr. TABER. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from New York.

Mr. TABER. As I understand, it is the intention of the leadership that we will have the entire 2 days for discussion, without intervening business, and for general debate.

Mr. McCORMACK. That is so.

Mr. TABER. And likewise on Friday we will begin reading the bill under the 5-minute rule as soon as the House resolves itself into the Committee of the Whole, and there will be no interruption of other business on that day of a substantial character?

Mr. McCORMACK. That is my understanding.

Mr. RICH. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Pennsylvania.

Mr. RICH. Is this the bill in which the President asks $5,980,000,000 to give away in war materials to Great Britain and Russia?

Mr. McCORMACK. The gentleman from Pennsylvania is such a wholesome-minded character that I hesitate to enter into any unnecessary controversy with him, but I find it awfully hard to agree with at least 10 percent of his premises. It is an appropriation bill for the purpose of defending our country.

Mr. RICH. That is just a matter of difference of opinion.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. MCCORMACK]?

There was no objection.

The SPEAKER. The Chair desires to state that on Friday morning the Chair hopes that Members will not ask for permission to proceed for 1 minute.

EXTENSION OF REMARKS

Mr. SANDERS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a very brief resolution by the Louisiana Farm Council.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana [Mr. SANDERS]?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DELANEY] may be permitted to extend his own remarks in the Appendix of the RECORD and to include a brief article from the New York Times.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. COCHRAN]?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I have four requests. I ask unanimous consent to extend my own remarks in the RECORD; another, that I may be permitted to extend my own remarks in the RECORD and to include an editorial from the Chicago Tribune; another, to insert a petition; and the last, that I may be permitted to address the House tomorrow at the conclusion of the legislative business and other special orders for 10 minutes.

The SPEAKER. Is there objection to the requests of the gentleman from Michigan [Mr. HOFFMAN]?

There was no objection.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD by having inserted an address delivered before the American Bar Association at Indianapolis by Mr. Charles W. Briggs.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota [Mr. KNUTSON]?

There was no objection.

Mr. TRAYNOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech delivered by me before the Delaware State Federation of Labor on October 4.

The SPEAKER. Is there objection to the request of the gentleman from Delaware [Mr. TRAYNOR]?

There was no objection.

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include a recent speech made by me in Rhode Island.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island [Mr. FOGARTY]?

There was no objection.

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a communication from the director of the Wisconsin Department of Agriculture.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin [Mr. GEHRMANN]?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a recent radio address I made.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in two instances, and to include in each an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. GORE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the New York Times.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

PAMELA HOLLINGWORTH

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

[Mrs. ROGERS of Massachusetts addressed the House. Her remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two informative speeches relative to highways that were delivered at

a recent meeting of the American State Association of Highway Officials.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article entitled "Making Defense Safe for Alcoa."

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a brief article appearing in the Woonsocket Call, of Woonsocket, R. I., on October 1.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that on Tuesday next, at the conclusion of the legislative program of the day, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Bossier Banner entitled "America's Answer."

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio address delivered by the gentleman from Wisconsin [Mr. KEEFE] over the Mutual network on Friday, October 3.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

GOVERNMENT EXPENDITURES

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, America's all-out campaign is America's "sell-out" campaign. During the balance of this week we are going to consider giving into the hands of the President $5,985,000,000 more to give away in guns, ships, TNT, dynamite, and so forth. Director of the Budget Smith has said that we shall be in the red this year $12,583,000,000. This is at the rate at the present time of $1,000,000,000 a month. Mr. Smith says by January we shall be going in the red at the rate of $1,500,000,000 a month, and by June 1942 we shall be going in the red at the rate of $2,000,000,000 a month.

I ask you, where are you going to get the money? I ask you, Members of Congress, whether you are going to sell America short? I ask you whether you are going to bankrupt America to help some foreign country?

I say to you, I am for America 100 percent; I want to defend America, and I want to see our American defenses raised to the point where we can guard and take care of ourselves, and permit other countries to do likewise. Keep America out of war or you wreck America and lose your liberty.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial on small business.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. COFFEE of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article from the Sunday Oregonian, of Portland, Oreg., concerning the visit of Harold L. Ickes, Secretary of the Interior, to the Pacific Northwest.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. MUNDT. Mr. Speaker, with respect to an extension of remarks which I submitted yesterday, I find it runs approximately one page over the limit. I have an estimate from the Public Printer and I renew my request for the extension of remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

(Mr. BENDER asked and was given permission to revise and extend his own remarks in the RECORD.)

RECONSTRUCTION FINANCE CORPORATION

Mr. COX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 308, and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 5667) to exempt strategic and critical materials from customs duties in certain cases, and for other purposes. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the 5-minute rule. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. COX. Mr. Speaker, I yield 30 minutes to the gentleman from New York [Mr. FISH], to be in turn yielded as he may see fit.

Mr. Speaker, this is an open rule making in order the consideration of the bill (H. R. 5667) which is a bill to increase or enlarge the power of the Reconstruction Finance Corporation, permitting it to increase its obligations by $1,500,000,000.

Mr. Speaker, I understand the controversial section of the bill which the rule intends to make in order the committee handling the measure agrees to strike. There is no disposition on the part of anyone on the majority to discuss the rule and I wish to say to the gentleman from New York that when he has used such of the time yielded to him as he may see fit, the motion will be made on this side to end debate.

Mr. FISH. Mr. Speaker, I yield myself at the outset 10 minutes.

Mr. Speaker, when this bill came up by unanimous consent a few days ago, it was objected to because there were Members of the House who thought it ought to be discussed here as it carries an authorization of one and a half billion dollars, and many Members of the House felt that such a huge amount should not be passed by unanimous consent or without some consideration and debate.

I do not believe there is any opposition to the rule and very little to the bill in view of the fact that section 2 has been stricken from the measure. This is the section that had to do with the duties.

The prime purpose of the bill is to provide money for the Administrator, Jesse Jones, to buy essential and strategic war materials and to lend money to build new industrial plants to make defense articles. With both of these objectives, I am sure, every Member of the House is in accord. However, when a bill of this nature comes before the House I think it is the duty of some Member at least to explain the bill. I have heard a number of interventionists, who are doing their level best to take us into the war, give as some of their reasons that we must go into the war in order to be assured of a supply of rubber, tin, quinine, or a supply of nux vomica. It does not seem possible that anyone would make such statements, but they are repeatedly made by interventionists who say it is in our interest and we must go into this war in order to insure a supply of tin, rubber, quinine, and other articles that we may need for defense. I am not exaggerating one bit. Therefore the Congress ought to know what the Administrator has done with the funds already appropriated.

I have the greatest faith in Jesse Jones. I think he is an able honest and honorable Administrator and that he has complied with the will of the Congress and has done exactly what he has been

authorized to do. He has bought up the entire available rubber supply from the Dutch East Indies, Malay States, and from the British Empire. He cannot, of course, do more than buy the entire surplus. He has already negotiated for that and the rubber is in transit over here. It is either already here, is on ships in transit or is on the docks in the Malay States to be transported over here. Therefore it is impossible to buy any more than Mr. Jones has bought. According to the statistics there is enough rubber in this country, or will be by the first of the year, to fulfill our needs for more than a year, and if we cut down and establish quotas for rubber, we will have a sufficient supply to last for 2 years. I submit it is not necessary for us to go into a rubber war. In the meantime, I want to give credit to Administrator Jones, not only for buying up the entire supply of rubber, but for erecting synthetic rubber plants or encouraging the erection of synthetic rubber plants throughout the country. The Standard Oil Co., the Du Pont, and other large corporations are building a half a dozen synthetic rubber plants. They will be ready in a short time to increase the production of rubber in case of necessity or of war.

Identically the same situation exists in regard to the purchase of tin. We have already bought up all of the tin supply from the Bolivian Government, for the next 5 years; we have acquired all of the available surplus tin that could be acquired in the Malay Peninsula and in Java and in the East Indies. This bill merely provides for more money for these essential and strategic war materials when available, and to build more industrial plants to produce additional national-defense articles.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes.

Mr. AUGUST H. ANDRESEN. Can the gentleman give the Members of the House an idea or a list of these strategic materials? The reason I ask the question is this. Is it the purpose that this money shall be used to buy goods from other countries of which we already produce surpluses in the United States?

Mr. FISH. No; the purpose of the bill is only to buy those commodities that are needed for purposes of defense, such as rubber, tin, manganese, and tungsten, and others of that nature, and to make defense articles of which we have not a sufficient quantity or do not produce sufficient quantities.

Mr. AUGUST H. ANDRESEN. The gentleman does not believe it will take in wheat from Canada or cotton from Brazil or some of these other surplus commodities of which we have a 3-year's supply on hand?

Mr. FISH. No; I do not believe that it would. The report of the hearings will show the exact amount that has been purchased and acquired of these defense articles, and it does not include cotton or wheat or agricultural products.

When Mr. Jones appeared before the committee he was asked this question by the gentleman from New York [Mr. BARRY]:

> Mr. BARRY. Do you care to state to this committee whether or not you contemplate using any of this billion and a half dollars for Russian loans?
>
> Mr. JONES. Russian loans?
>
> Mr. BARRY. Yes.
>
> Mr. JONES. I have not contemplated that.

This appears on page 25 of the hearings. That being the case, I do not propose, in view of Mr. Jones' statement to the committee, to raise any further question of whether he intends to loan any of this money to Soviet Russia. That issue, of course, will come up in the lend-lease bill and be discussed at length in the House, so I do not see that it would serve any useful purpose for me to discuss it at this time in view of what Mr. Jones said—that he did not contemplate using any of this money for Russian loans.

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes.

Mr. O'CONNOR. On page 5 of the hearings we find this language:

> The Corporation is transporting to and storing in this country 250,000,000 pounds of Australian wool.

Here is what is troubling me about that: Under what circumstances is that wool going to come into this country? Is it coming in free of duty, and are we buying it for defense purposes, or under what conditions have we got it stored in this country?

The SPEAKER. The time of the gentleman from New York has expired.

Mr. FISH. Mr. Speaker, I yield myself 2 minutes more. I would prefer to have my distinguished friend from Montana ask some member of the committee that question, some member who attended the hearings and heard what Mr. Jones said on that matter. That would be much better authority than I am on that item, but I rather believe that striking out section 2, which is proposed in this bill, might cover the very question that the gentleman asks; but even on that I am not an authority, and I prefer in general debate on the bill that the gentleman ask some member of the Committee on Banking and Currency the question.

Mr. Speaker, I have taken this time just to point out that we are acquiring all available rubber, all available tin, all available manganese, and all the essential war materials for defense purposes, and I hope that will answer the arguments advanced by the interventionists that we must go into this war, that we must go into a tin or a rubber or a manganese war, that we cannot defend ourselves and, therefore, are forced into a war in order to acquire these essential defense articles. I think the record will show that the administration, through Mr. Jesse Jones, is acquiring every available pound or ounce of these strategic war materials, that the Congress has appropriated all the money necessary, and is now about to appropriate further funds to acquire every bit of available surplus tin, manganese, or rubber, or other essential materials for articles of defense. I know of no opposition to the bill or no opposition to the rule, but I did think it was time for some Member to take the floor and explain to the Congress and the American people that it is not necessary for us to go into a rubber or a tin or a manganese or nux vomica war. If Germany can fight for over 2 years without raw rubber and tin, we are in a much better position, and we can, if necessary, make synthetic rubber just as well as Germany, and that we can buy tin ore from Bolivia and refine it in the United States.

The SPEAKER. The time of the gentleman from New York has again expired.

Mr. COLMER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. WILLIAMS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 5667) to exempt strategic and critical materials from customs duties in certain cases, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 5667, with Mr. BULWINKLE in the chair.

The Clerk read the title of the bill.

By unanimous consent the first reading of the bill was dispensed with.

The CHAIRMAN. The gentleman from Missouri [Mr. WILLIAMS] is recognized for 1 hour.

Mr. WILLIAMS. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, this bill as presented to the House contains two sections. Section 1 simply provides that the Reconstruction Finance Corporation may extend its borrowing power by the issuance of its notes or debentures to the amount of an additional $1,500,000,000. Section 2 provides that imports of strategic materials by the Reconstruction Finance Corporation and its allied corporations shall come in free of duty. The committee has agreed to offer an amendment at the proper time striking out section 2. So that matter will not be before the House for consideration. That simply leaves one question, namely, the increased authority of the Reconstruction Finance Corporation to have outstanding an additional one and one-half billion dollars in notes and bonds.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield.

Mr. AUGUST H. ANDRESEN. If the committee amendment is adopted, it will mean that everything from line 7, on page 1, to and including line 9, on page 9, will be stricken from the bill?

Mr. WILLIAMS. Yes; that is correct. The gentleman will observe that the main part of that is simply a rewrite of that portion of section 5 (d), that is already the law, with the exception of the duty clause that was written in there. That is the only thing that is new. It appears to be a very long section, but it is simply a rewriting of the existing law with this provision added to it. But this

amendment will strike out the entire section.

Mr. AUGUST H. ANDRESEN. The increase in the power to issue additional bonds and obligations to the R. F. C. will be used for purposes already designated by existing law?

Mr. WILLIAMS. Oh, yes.

Mr. AUGUST H. ANDRESEN. And for no other new purpose?

Mr. WILLIAMS. Yes. This is just the ordinary expansion of the power of the Reconstruction Finance Corporation to issue notes. It is exactly the same language that has been applied in all heretofore authorizations. In other words, it is general. None of it is earmarked for any particular purpose, and it can be used only for the purposes authorized by law.

Mr. LEWIS. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield.

Mr. LEWIS. I assume also the title will be changed to conform to the amendment?

Mr. WILLIAMS. Undoubtedly the title will have to be amended to conform to the body of the bill.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield.

Mr. O'CONNOR. On page 5 of the hearings I note that the corporation—I imagine that is one of the subsidiary corporations of the Reconstruction Finance Corporation—is transporting to and storing in this country 250,000,000 pounds of Australian wool. I wanted to know just under what conditions that wool is being brought into this country, that is, as to whether or not we are buying it, and as to whether or not it is coming in free of duty, or whether the duty is being paid, and the conditions under which we find it here, and who owns the wool.

Mr. WILLIAMS. In the first place, the Defense Supplies Corporation is buying the wool. That is a corporation that was organized by the Reconstruction Finance Corporation under existing law for the purpose of purchasing necessary strategic materials.

[Here the gavel fell.]

Mr. WILLIAMS. Mr. Chairman, I yield myself 5 additional minutes.

That wool is being bought by the corporation and being brought into the country, on account of a shortage, to supply military needs.

Mr. O'CONNOR. Is it coming in free of duty?

Mr. WILLIAMS. Well, I cannot answer that. I do not know whether it has been coming in free of duty or not. If so, it has been under order from the Navy Department, which under the law has a right to bring in materials free of duty. This law does not affect that, because it was the purpose of this bill originally to relieve all of these imports of duty, but that is being stricken out of the bill and section 1, which remains, does not change existing law, but increases the borrowing power of the R. F. C.

Mr. O'CONNOR. Suppose this bill passes as it is proposed to be amended, will this money be used for the purchase of agricultural commodities, such as wool, hides, and so forth, and will there be any demand on the part of the administrator of this bill to bring those commodities in free of duty?

Mr. WILLIAMS. Well, I understand his practice has been to import these strategic materials free of duty. The fact is that most of these articles that have been purchased are articles upon which there is no duty. I suppose that is not true as to wool and hides. On those two particular items, there is a duty and there has been a substantial amount of both brought into the country which has been on account of the shortage. As the gentleman knows, this importation of wool has not affected the price of wool in this country, as the price is very much higher than it was a year ago.

Mr. O'CONNOR. Wool is selling at a good price now, but what we are trying to do is to avoid a collapse of the price of wool when the war is over.

Mr. WILLIAMS. These materials are imported for only national-defense purposes. It is not the intention to continue the operation after this emergency is passed. It can only be used for the purpose of acquiring necessary and essential materials under present circumstances.

Mr. O'CONNOR. I want to call the gentleman's attention to a statement by Mr. Jones that appears on page 18 of the hearings:

> Mr. JONES. We are buying every imaginable material from all sorts of countries. Some of these materials under the law bear an import duty, and we do not want to pay it, and we are not paying it; and we want that to be made according to law.

Do I understand that if we pass this bill the practice will be continued of purchasing these materials and bringing them into this country without duty being paid although they are subject to duty?

Mr. WILLIAMS. The gentleman will have to address that inquiry to the Administrator and consult the law.

Mr. O'CONNOR. The law, of course, is against it. That is what I have been talking about. Mr. Jones himself admits the law is against the practice.

Mr. WILLIAMS. The gentleman may address that inquiry to Mr. Jones if he is violating the law.

Mr. O'CONNOR. If there is any way we could stop it we should stop it.

Mr. WILLIAMS. If I were in the gentleman's place I would call it to the attention of Mr. Jones.

Mr. O'CONNOR. We have tried to stop violation of the law, but we are not able to do it.

Mr. DEWEY. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield.

Mr. DEWEY. On page 18 of the hearings there is a question propounded by myself to Mr. Jones. I asked this:

> Did I understand you to say that on all these critical materials that you have heretofore been importing and stock piling you have not paid any tariff?
>
> Mr. JONES. We have not paid any up to now.
>
> Mr. DEWEY. Under what authority?
>
> Mr. JONES. Under the authority of the Secretary of the Navy to import materials.
>
> Mr. DEWEY. He alone has the authority. Do you not use those Navy materials for your own purposes or for the Army?
>
> Mr. JONES. We are, and at his request and as his agent.

I am wondering whether this authority to exempt strategic and critical materials from the imposition of tariffs and duties is necessary. In other words, does it mean anything if it is taken out of the bill? Will not the Secretary of the Navy be able to bring in materials for any purpose duty-free?

Mr. WILLIAMS. It seems that the Secretary may. But then that is a matter, if that power exists, if the Secretary has that authority, that is a question that should be addressed to the power and the authority of the Secretary of the Navy to bring in materials free of duty. I understand that is what Mr. Jones said, that they were acting as the agent for the Navy Department in these transactions.

Mr. DEWEY. Cannot this fund be used to increase Navy Department appropriations by purchasing materials for them?

Mr. WILLIAMS. Will the gentleman please repeat his question?

[Here the gavel fell.]

Mr. WILLIAMS. Mr. Chairman, I yield myself 5 additional minutes.

Mr. DEWEY. What I mean, I may say to the gentleman from Missouri, is that if there is an authorization of a billion and a half dollars, as is contained in this bill, which may be used to purchase things the Navy needs, and bring them in duty-free, do we not indirectly increase the appropriations for the Navy by using part of this billion and a half?

Mr. WILLIAMS. Indirectly, of course, this bill increases the appropriations for the Navy, the Army, and all the other agencies that are spending money for national defense. It is simply another means or method of doing it; and that is one of the reasons I am very much in favor of this bill, because it does place that authority in the R. F. C. rather than make a direct appropriation of that amount to the Army or the Navy.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield.

Mr. AUGUST H. ANDRESEN. As I take it this money is not only used for that purpose but for every other purpose of the R. F. C.?

Mr. WILLIAMS. Yes; it is not confined to that purpose alone. To be entirely frank about it, the fact is that practically all the resources of the R. F. C. at the present time are being used for national defense. My understanding is that the R. F. C. has very little activity at this time that is not connected with national defense. Now, I wanted to discuss and present to the House the facts which give some picture of what the R. F. C. has done under the acts of Congress which we recently passed which gave the R. F. C. the right to organize corporations for the purpose of acquiring or producing strategic and essential materials and for the purpose of acquiring plant sites, expanding plant facilities, and the acquisition of material and equipment in general. Under those provisions the R. F. C. has organized four corporations. The first is the Rubber Reserve Company, which has been mentioned here. This corporation has bought

or has arranged to purchase some 460,000 tons of rubber and has made commitments of about $210,000,000 for the purchase of rubber. Then there is the Metals Reserve Company, which has bought some 20 different kinds of metal, the main ones of which are manganese, tungsten, tin, copper, lead, and zinc; and this corporation has made commitments amounting to something over $200,000,000. Another corporation is the Defense Supplies Corporation, which also has bought some 20 different materials, such as wool that has been mentioned here, leather, silk, jute, quinine, nitrate, and various other articles of which we are short; and they are committed to an expenditure of something like $1,000,000,000. Then there is the Defense Plant Corporation, which has been operating in the field of the construction of plants and in the expansion of existing plants and the acquisition of equipment to run these plants. This activity has extended from one end of this country to the other, and they have commitments for that purpose of something over $2,000,000,000. This makes a grand total—and I want it understood, of course, that I am speaking in round numbers—that the R. F. C., through its corporations and through its loans, is committed in the field of national defense for about $4,000,000,000.

Mr. ENGLEBRIGHT. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield.

Mr. ENGLEBRIGHT. Would the gentleman be kind enough to advise us of the kinds of material being manufactured? And for my personal information, can he advise me whether these plants include any facilities for the manufacture of strategic minerals?

Mr. WILLIAMS. As far as my knowledge goes, they cover the entire field as far as the R. F. C. and its corporations have been able to work out the problem with the War and Navy Departments and the O. P. M.

Mr. Chairman, I yield myself 5 additional minutes.

The gentleman will find in the hearings a complete list of the activities which covered several pages and I think includes every State in the Union and almost every conceivable kind of a plant and ranges from small sums, as low as $1,000 in some cases, up to many millions of dollars in other cases.

Mr. SAUTHOFF. Will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Wisconsin.

Mr. SAUTHOFF. Can the gentleman advise us about deliveries that have been made on these purchases?

Mr. WILLIAMS. Does the gentleman mean the amount?

Mr. SAUTHOFF. The actual goods that have been brought in here from these countries.

Mr. WILLIAMS. The gentleman will find all that in the record. It was presented to us at least. To state definitely the details of all the amounts that have been delivered, I cannot do that. It will be found in the record. It was given to the committee by Mr. Jones. There has been a substantial amount of it delivered and, of course, there is a very large part of it that has not been delivered but is either in transit or arrangement has been made for the shipment of it.

Mr. HOLMES. Will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Massachusetts.

Mr. HOLMES. I would like to make an inquiry in connection with certain strategic materials that are outlined on page 4 of the hearings. As I understand, the Metals Reserve Company and the Rubber Reserve Company have been organized nearly 2 years now.

Mr. WILLIAMS. I would hardly say that. It seems to me they were not authorized until last year.

Mr. HOLMES. During this time they have been able to purchase and import into the United States the various amounts of tonnage listed on page 4?

Mr. WILLIAMS. Yes.

Mr. HOLMES. As a matter of fact, during all of this time according to the record of the hearings, they have only brought in and imported 35,000 tons of copper, is that right? The order has not been executed as yet on contracts covering 195,800 tons. It is 231,000 altogether, but 195,000 tons have not been delivered. Let us take tin and other strategic materials. If this group had been on its job, knowing the vital necessity for these materials in our national defense and in keeping small industries in the United States going, these groups ought to have had 10 times the amount they have shown in these hearings. I think it is a disgraceful exhibition of a year's work for those groups not to have strategic materials here to keep our plants going in this tremendous emergency.

Mr. WILLIAMS. The gentleman will find a great many men, especially in the copper regions, who are producing a large amount of copper in this country, that are opposed to the importation of any of it, but it is justified on the ground that we have a shortage at this time. Perhaps they have not been as speedy about the importation of these materials as they could have been, but the gentleman knows, of course, the difficulties that have been encountered on account of shipping conditions that have existed and the difficulties that have developed in making all the arrangements.

Mr. HOLMES. I appreciate what the gentleman has said, but at the same time copper, tin, zinc, and all of those items that are mentioned, every manufacturer in the United States is more or less dependent on to keep his plant going. They are shutting plants down by the thousands today because those materials are not here.

Mr. WILLIAMS. That is all the more reason we should pass this bill so that they can get the money to do these things the gentleman is complaining of.

Mr. HOLMES. I am going to support the bill, but I think there is some lack of cooperation or a lack of something in connection with this exhibition or effort to get these materials into the country to help our manufacturers.

Mr. WILLIAMS. I think the gentleman will find that the time over which he thinks these corporations have been operating is a great deal too long.

Mr. CRAWFORD. Will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Michigan.

Mr. CRAWFORD. I desire to make an inquiry of the acting chairman of the committee as to whether or not he intends to offer an amendment to strike out the language on page 8, lines 21 to 25, inclusive, and on page 9, lines 1 to 5.

[Here the gavel fell.]

Mr. WILLIAMS. Mr. Chairman, I yield myself another 5 minutes. What is the gentleman's inquiry?

Mr. CRAWFORD. I wish to inquire of the chairman if he intends to offer an amendment to strike out the language on page 8, lines 21 to 25, and lines 1 to 5, inclusive, on page 9?

Mr. WILLIAMS. I have not the bill before me. Is that part of section 2?

Mr. CRAWFORD. The section stating that no duty or internal tax shall be imposed.

Mr. WILLIAMS. Yes. The proposal of the committee is to strike out section 2 entirely, everything in the bill after section 1.

Mr. CRAWFORD. I say that the bill as presented here is not in the same form in which it was before the committee, and when we say to those who are not members of the committee that we will strike out section 2, it is a little confusing.

Mr. WILLIAMS. As I stated before, it appears to be a very long section, but it is simply rewriting existing law with the duty provision added to it, and we propose here to offer an amendment to strike out all of section 2. Of course, that does not mean that section 2 of existing law or the substance of existing law will be stricken out, because it is already the law. We simply strike that part of this bill which includes the duty section. That will not be in the bill.

Mr. WHITE. Will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Idaho.

Mr. WHITE. If I interpret the gentleman's statement correctly, everything after line 7, page 1, will be stricken from the bill?

Mr. WILLIAMS. That is what I said several times.

Mr. RICH. Will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Pennsylvania.

Mr. RICH. If you strike out section 2, then you simply add to the Reconstruction Finance Corporation authorization $1,500,000,000?

Mr. WILLIAMS. That is correct. I have stated that several times.

Mr. RICH. On October 1 Jesse Jones made a loan of $50,000,000 to the Amtorg Trading Corporation, a United States corporation owned by Russian interests. On the same date he loaned $75,000,000 on a $425,000,000 grant to the United Kingdom of Great Britain and Ireland. As I understand, the Johnson Act prohibits the making of loans to countries that are indebted to the United States, which would include Great Britain and Russia. How is it that the R. F. C. makes loans to these countries while the Johnson Act is in effect?

Mr. WILLIAMS. The gentleman has not read the Johnson Act at all or he would not ask that question.

Mr. RICH. I understand that the Johnson Act refuses permission for this country to make loans to Great Britain or any other country indebted to us.

Mr. WILLIAMS. It does, but it expressly excepts from its operation the United States corporations, of which the R. F. C. is one. There is no question but that the R. F. C. could make a loan as far as the Johnson Act is concerned, but the R. F. C. has not made a loan to Russia, and the R. F. C. cannot make a loan to any foreign country except under the provisions of the act of June 10, passed this year by the Congress. That act provides the manner in which such loans can be made, and it is the only authority the R. F. C. has under the law to make a loan to a foreign government.

The loan must be secured, in the first place, either by obligations of the United States Government or some political subdivision thereof, some public obligation, or by the obligations of a corporation organized under the laws of the United States. That law was passed expressly for the purpose of giving England the opportunity to dispose of some of her property in this country by reason of issuing obligations against it.

[Here the gavel fell.]

Mr. WILLIAMS. Mr. Chairman, I yield myself 5 additional minutes.

Mr. RICH. When the Johnson Act was passed it was the intent and purpose to prohibit the giving of grants or loans to countries that are indebted to this country. It seems to me that instead of repealing the Johnson Act we are trying to go around Robin Hood's barn in order to make the loans and grants we would make if that act were not on the statute books. I do not like that kind of legislation. I believe we ought to be open and aboveboard.

Mr. WILLIAMS. The gentleman is entirely mistaken about the passage of the Johnson Act. At the time it was passed, the R. F. C. and the Export-Import Bank were both in existence, and in substance they were expressly excepted from its operation. This is not going around the bush at all, because that is exactly what the Congress at that time wanted to do and that is what they did do.

Mr. RICH. We have been going around the bush so much the last 3 years that we do not know where we are.

Mr. DEWEY. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Illinois.

Mr. DEWEY. The legislation we are now considering, as I understand, is contained in lines 1, 2, 3, 4, 5, and 6 of this bill. All else is stricken out?

Mr. WILLIAMS. All of that part of the bill after section 1. Beginning with section 2, all that will be stricken out.

Mr. DEWEY. We are now considering merely that section of the bill contained in the first six lines?

Mr. WILLIAMS. All we are considering is what is known as section 1, and that includes everything down to section 2. I do not have the bill before me, and the particular lines I do not know.

Mr. DEWEY. There is just one paragraph.

Mr. WILLIAMS. That is plain as I can make it, I believe.

Mr. ENGLEBRIGHT. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from California.

Mr. ENGLEBRIGHT. The gentleman from Missouri has been most patient and very explicit in his account. All we are doing now to clarify the situation is to grant an additional increase of $1,500,000,000 in lending authority to the R. F. C., and nothing more?

Mr. WILLIAMS. That is all it does. It simply grants the R. F. C. the authority to issue $1,500,000,000 more in bonds.

Mr. BOREN. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Oklahoma.

Mr. BOREN. To what will this increase the total lending power of the R. F. C.?

Mr. WILLIAMS. That is a very pertinent question. I believe I can give the figures, at least roughly, from memory. If this bill is passed and the $1,500,000,000 is authorized, then in round numbers the R. F. C. will be authorized to have outstanding in notes and bonds $8,000,000,000.

Mr. BOREN. I thank the gentleman.

Mr. RICH. Mr. Chairman, will the gentleman yield further?

Mr. WILLIAMS. I yield to the gentleman from Pennsylvania.

Mr. RICH. I realize we are going to issue bonds of the R. F. C. to get the additional $1,500,000,000, but eventually, when all is said and done, in view of the great debt we are piling up and the losses we are liable to sustain, where are you going to get the money?

Mr. WILLIAMS. There is one other fact in connection with these figures to which I wish to call your attention, and that is, as I have already stated, the R. F. C. under its defense activities has made commitments in round numbers for $4,000,000,000. At the time of the hearing there was approximately $350,000,000 in the R. F. C. that was uncommitted. Since that time, I understand that most of that has been committed, and that leaves the R. F. C. at the present time in this situation: Unless this additional authority is granted to issue notes and borrow the money, the R. F. C. is just about at the end of the string so far as national-defense activities are concerned. It can make no further commitments. For that reason, it is imperative that this authorization be increased.

[Here the gavel fell.]

Mr. CRAWFORD. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. SMITH].

Mr. SMITH of Ohio. Mr. Chairman, I object to this manner of Government financing. It provides for multiple Treasury bookkeeping instead of a simple, single bookkeeping system. This multiple bookkeeping system is exceedingly confusing. As it is now operating it is next to impossible to get a comprehensive and a true picture of the Federal debt. Part of the funds borrowed by the numerous political lending agencies represents real assets. An example is the securities issued by the Home Owners' Loan Corporation and exchanged by it for real-estate mortgages. These issues are fully recoverable by the payment of the real-estate mortgages.

However, a part of the securities outstanding by various political lending agencies is not represented by recoverable assets. This certainly will be true with respect to some of the commitments already made by the R. F. C. for reserves of rubber, metals, and other strategic materials and supplies, construction of plants which, perhaps, runs into billions of dollars. Certainly, a considerable portion of these outlays by the R. F. C. will not be recoverable. To the extent that any of the loans or expenditures of the political lending agencies are not secured by recoverable assets, such loans and expenditures should be reflected definitely in the direct public debt, yet the R. F. C. has made large commitments for armament purposes which will not be recoverable and neither will they be reflected in the public debt.

As is well known, we have two distinct categories of public issues, those known as direct obligations and those known as guaranteed obligations. It is very important that we distinguish between the two and understand the nature of each.

Direct Government obligations, when issued to banks, are generally considered as being inflationary because they are merely deposited by the Government in the banks and the Government then checks against these deposits to pay off its operating expenses.

The so-called indirect Government obligations, or guaranteed obligations, are generally not classified as being inflationary, and in the earlier part of the development of the political lending agencies this was largely true, as in the case of the Home Owners' Loan Corporation, and money advanced by these agencies on farm mortgages. There we have assets which are recoverable and this financing is not strictly inflationary. But conditions have changed so that now much of the guaranteed Government obligations represents inflationary financing the same as the direct Government obligations in the banking system.

I do not have in mind the exact figures, but I think the commercial banks are holding now somewhere between $3,000,000,000 and $5,000,000,000 of guaranteed Government obligations, a part of which unquestionably is not secured by recoverable assets and which represent inflationary financing, precisely the same as the direct Government obligations in the commercial banks.

Now, there are two important points to be considered here. The first is that that portion of Government obligations which is not secured by real and recoverable assets should be added to the direct Federal debt. This is not being done at the present time.

But the real evil that is being practiced here is this——

Mr. KEEFE. Mr. Chairman, will the gentleman yield right there?

Mr. SMITH of Ohio. I will be glad to yield.

Mr. KEEFE. I understand from the gentleman's statement that he states that these losses sustained by lending agencies, such as the R. F. C., are not added to the public-debt structure because of the multiple bookkeeping system which the gentleman has already referred to. In other words, the R. F. C. keeps its own books and those matters are not reflected on the books of the Treasury. That is as I understand the gentleman's statement.

Mr. SMITH of Ohio. That is correct.

Mr. KEEFE. And the gentleman's contention is that a true reflection of the Government debt structure should involve a compilation of the prospective debt or actual debt that is presently seen in these various lending agencies without this multiple bookkeeping system which does not permit a reflection on the books of the Treasury. That is as I understand the gentleman's statement.

Mr. SMITH of Ohio. That is correct. In other words, we should have but one system of Treasury bookkeeping. On one side of the ledger should be shown all the money we have borrowed and on the other side should be shown all of the assets. This would be in keeping with what I believe and what most people believe to be a proper method.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I shall be glad to yield.

Mr. CRAWFORD. I think the gentleman would have the answer to his question if there were prepared and made available to him a consolidated balance sheet showing the assets and liabilities of the Federal Government along with all of its subsidiaries, such as the Government agencies. When we get into the accounting practices of corporate procedure that is the method followed and I do not believe I have ever seen a large industrial corporation publish a balance sheet other than a balance sheet of the corporation showing its subsidiary holdings in the form of stock or bonds or in the form of a consolidated balance sheet, and I think the gentleman is recommending an accounting procedure which has never yet been adopted in this country or in England.

Mr. SMITH of Ohio. I may not have stated what should be the system of bookkeeping in the terms commonly used by accountants.

Mr. CRAWFORD. In other words, they may not be accounting terminology.

Mr. SMITH of Ohio. That is correct. I tried to say what the average man can understand.

Mr. CRAWFORD. I think perhaps that is a good way to complete the sentence.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. CRAWFORD. Mr. Chairman, I yield the gentleman 2 minutes more.

Mr. SMITH of Ohio. The great evil of the present system of permitting these numerous lending agencies to issue their own securities is this: It should be realized that what these lending agencies are in some instances doing is printing paper money. They are creating, by fiat, bank deposits, which amounts to the same thing as printing currency. There is not the least shadow of doubt about this.

There is no good reason at all for this policy, and the multibookkeeping system, except to withhold from the public the facts pertaining to our financial condition and the state of the Federal debt.

Mr. CRAWFORD. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. DEWEY].

Mr. DEWEY. Mr. Chairman, in the consideration of this legislation, and when Mr. Jones was before the Committee on Banking and Currency, there was considerable discussion as to the various corporations now component parts of the Federal Loan Administration, and what they were doing. On page 6 of the hearings, at the foot of the page, there is a recapitulation of the various payments for various purposes by the Loan Administration and of these, the largest by far is by the Defense Plant Corporation, which has put out over $2,000,000,000. On pages 7, 8, and 9 of the hearings are a list of these various undertakings in which the United States Government, through the Federal Loan Administration, has taken an interest. They run into every State and every community of the United States and they cover practically every endeavor. I queried Mr. Jones as to what would become of these Government-owned plants. Naturally they are working today in harmony with the privately owned plants in connection with our national defense, but what after the emergency has passed? Are the Government plants to continue in operation, probably much better equipped with new machinery than the old plants of which they are a part, and with which they are working now? Are they going into competition with the private enterprises of our economic system? I think that is one point that we should well bear in mind.

I am going to support this legislation, but as other matters come up from the Federal Loan Administration, I believe the Banking and Currency Committee should give consideration as to the future uses of Government-owned factories.

I yield back the remainder of my time.

Mr. WILLIAMS. Mr. Chairman, I yield 5 minutes to the gentleman from Nevada [Mr. SCRUGHAM].

Mr. SCRUGHAM. Mr. Chairman, there should be no objection to increasing the authorizations of the Reconstruction Finance Corporation. But, as originally written, this measure also proposed to exempt strategic and critical materials from customs duties in certain cases.

Under the proviso of being for use in the national-defense program, it removed all barriers previously erected for the protection of the American producer and American labor engaged in the production of strategic materials.

I am pleased to note that my proposal for the deletion of section 2, exempting the duties, has been agreed to by the committee.

The argument of saving money for the Government and the American taxpayer is utterly fallacious. Every dollar of the duty paid or excise tax paid goes into the Federal Treasury, and there is no question involved of money saving to the taxpayer. The main issue involved is whether or not our domestic strategic mineral industry shall be permitted to survive and take a place in our postwar economy. Thousands of mining operations, located in half of the States of the Union, and generally small and struggling for existence, will be adversely affected. The margin of profit is now very close and the competition arising from very cheap foreign-labor conditions will certainly result in loss of production and development at the time it is most needed to support national defense.

Of the metals affected tungsten is found in Arizona, California, Colorado, Idaho, Montana, Nevada, Utah, Washington, and Wyoming.

Quicksilver is found in California, Idaho, Nevada, Oregon, South Dakota, Arkansas, and Texas.

Manganese is found in California, Colorado, Idaho, Montana, Nevada, New Mexico, Utah, Washington, Alabama, Arkansas, Georgia, Minnesota, North Carolina, South Carolina, Tennessee, Texas, and Virginia.

Platinum is found in California, Nevada, and New Mexico.

Antimony is found in California, Colorado, Montana, Nevada, and Washington.

Chrome is found in California, Oregon, Montana, Wyoming, and Pennsylvania.

The question is certainly one of more than local interest. Actually there are much more important and far-reaching matters of policy involved in this proposal, other than the exemption of imported strategic or critical minerals from payment of duty. Under the guise of national-defense needs, and with little or no thought of planning to prevent postwar depression, negotiations seem to be under way for bringing in a perfect avalanche of all kinds of raw materials from Latin America, Russia, and the Orient, presumably in payment for cash advances or for military supplies. The imports are to range from Uruguayan and Australian wool to Argentine beef and Brazilian manganese. According to recent testimony of a State Department official, American republics have concluded, or are negotiating with the Federal Loan Agency, arrangements whereby $500,000,000 worth of raw or strategic materials are to be imported annually into the United States. As there is obviously a lack of shipping to bring in the material at the present time, the great bulk of the supplies, to be paid for immediately, must come into the United States at the conclusion of the war.

Under the arguments presented by the starry-eyed proponents of international planning, collaboration with all foreign countries is an essential part of our national defense. At the expense of the American taxpayer, we are to underwrite the economic well-being of all other nations through loans, purchases, and exports.

With a few exceptions, anything that may be given in return is produced under cheaper labor conditions and lower living standards than in the United States.

The law of supply and demand for such competitive materials will inevitably force a cessation of American production, if we permit this so-called good-neighbor policy to go unchecked. I am not unmindful of the complexity of the trade and military relationship involved.

Due to international conditions, this country is being forced farther and farther along the road to continuously increased defense outlays. Vast expansion is taking place in substantially every line of defense industry. Admittedly, this great war is basically a struggle for control of raw materials, mineral and agricultural, of which the United States already controls about 50 percent. As the recent depression has proven, a large surplus is almost as great an economic evil as a corresponding scarcity. We are already involved in this struggle because of our large holdings, and additional requirements will only intensify our need for increased armaments on a most colossal scale. The present war is only a phase of the eternal struggle between the "haves" and the "have nots," and the issue must be squarely faced. If the vast advances to foreign countries are not to be repaid, then the fact should be distinctly understood. If we are to take their resources for full return payment, then that fact should be presented to the American voter and taxpayer who has to foot the bill. At this point it is well to again emphasize the desirability for more consistent planning to mitigate the evil effects of post-war depression. Nearly all plans now advanced contemplate advances of money and equipment from this country to rehabilitate war-torn areas in Europe, and to further develop the resources of Latin America. In many cases gifts rather than loans are advocated as most advisable, corresponding to Federal aid to the States, such as in road building and W. P. A. aid. Quoting literally from an article on the subject in a recent issue of the United States News:

> Tariffs are expected to be revised downward. Planners hope that this country will be prepared to assume its full share of responsibility as the world's most powerful nation. In the field of international trade this means a willingness to accept an excess of imports over exports, to enable foreign nations to service dollar debts. From war experience planning groups trust that the people will realize that goods rather than money are the true measure of prosperity.
>
> In both foreign and domestic policies planning groups hope to apply and extend lessons now being learned from the war. Workable wartime controls that can apply to a world at peace are expected to be retained; controls that can be discarded will be abandoned.

All of these plans show the necessity for more concerted action on part of the Congress of the United States. Post-war planning, as well as defense planning, should be done under the authority and auspices of the elected representatives of the people, and all sections and interests should be consulted and heard on the policies to be adopted. Theoretically, if industry can be geared to produce colossal quantities of instruments of warfare and destruction, it likewise should be capable of equal effort in producing goods for peacetime use. What we must guard against, however, is that this effort does not involve destruction of whole segments of American industry in the endeavor to improve conditions outside of the United States, with particular reference to the strategic mineral industry and to the livestock industry.

In a recent pamphlet issued by a voluntary group of propagandists on national planning for the future it is stated that—

> Schemes for the outline of unions and federations will have little working importance compared to the residue of experience in the British and other allied missions, in the cooperating American agencies, and in the joint committees and secretariats which have already been developed.

I very much doubt if the electorate of the United States will ever permit their economic future to be placed in the hands of such agencies. This proposed exemption of duty on strategic minerals is a typical example of the recommendations we may confidently anticipate if academic planning boards, foreign missions, and cooperating American secretariats are allowed to dominate the situation.

In conclusion, I suggest that the need for properly directed planning to prevent severe post-war dislocations is worthy of a most detailed congressional study, aided by the best experts available in our industries, as well as in the governmental service. In no other way can fair and full conclusions be obtained.

Mr. WILLIAMS. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, my purpose in asking for this time is to discuss with the House some of the more significant aspects, as it seems to me, of the work of the Defense Plant Corporation, which in the circumstances is the most important of all these R. F. C. subsidiaries affected by this legislation. As most of you know, there was at the beginning of this defense program a very tremendous problem having to do with the necessary expansion of certain types of industrial plants. We had for a variety of reasons, some good, some not so good, certain bottlenecks of production, and one of the reasons for those bottlenecks was the fact that monopoly had been fastened on certain industries of the country to such an extent as to render expansion by competition impossible—and if a monopoly chose to restrict its own output it did so. That problem fundamentally still exists in steel, copper, brass, and, above all, in aluminum, magnesium, and related products.

First, I want to say that, in my judgment, from what I have been able to discover, the people in charge of the Defense Plant Corporation have done a very excellent job, first, of bringing about the expansion of certain necessary plants. The Acting Chairman pointed out that $2,000,000,000 of such money had already been put out for construction of such facilities. The main difficulty has come in monopoly industries, where vested interests have tried in one way and another to block, or at least to restrict, expansion.

Second, in attempting to protect the public interest with regard to these matters, which has not always been an easy job. There have been proposals made—and I have spoken about some of them on the floor before this, and I will not take time to do it again—which fairly made one's hair stand on end with regard to the way in which public money was to be used for the building up of private fortunes in defense production and of extending monopoly control of some of our industries. I believe substantially that has been avoided up to this time, due to the patriotic action of some of the men in charge of this program, especially in the Defense Plant Corporation, but I want to suggest to you that the job is not done yet.

When our Government representatives are dealing with people like the Aluminum Corporation of America they are up against a tough job. I want to present to you a proposal which almost went through which was stopped by some of these very people to whom I am attempting to pay tribute. There was a proposal almost agreed to whereby the Government, through the Reconstruction Finance Corporation, would have built three new plants for the production of aluminum and related products, but where they would have had to agree with the Aluminum Corporation of America that if at any time in the future the demand for aluminum fell to 70 percent of capacity the Aluminum Corporation could require the shutting down of all of these Government-owned plants and take all the business for itself. I am glad to say these terms are changed in the final form of the contract, which provides instead that the new plants shall share in whatever business is available in the future along with Alcoa's own plant in proportion to capacity, and which also provides that if demand falls to 40 percent of capacity, either Alcoa or the Government can cancel the contract before the end of its 5-year term. Should that be done, title to the plants built with public money will remain in the Defense Plant Corporation, as it should. And, furthermore, there is no option given to Alcoa to buy these plants, so that there will at least be a chance to maintain some competition in this vital field in the future. Contrast these final terms with the earlier proposal and you will see what I mean when I say some of these men whose names few people ever hear of are doing a real job of protecting the public interest.

Now, if it is important that we avoid monopoly bottlenecks in industry, as we are now learning to our sorrow that it is, then wherever the Government's money is being used in this program it should be used in such fashion as to reestablish competition so that we will not be confronted with these problems in the future.

Magnesium is another case of serious monopoly, where one company up until a short time ago controlled all the patents on proven processes. Some progress is being made here, but it is distressing to learn that several contracts with competitive concerns which were ready for signature some time ago have been for some reason held up.

Frankly, I wonder whether it might be salutary and a protection to the people who are doing this job and to whom is entrusted this very difficult task—I wonder

if it may be salutary if there were some provision whereby the final terms of all contracts were not only available to you or me when we ask for them, as they are, of course, but where they might be kept in some convenient place for the inspection of any Member of Congress or any member of the press or other people who might be interested. I would strongly urge the adoption of such a policy. It will save a lot of questions in the future. I say that not because I doubt the patriotic devotion of the people who have done this job in the Defense Plant Corporation, but merely because I believe they might need to have some of the rest of us stand up for the job they are trying to do in the protection of the public interest and the interest of the American Nation about these matters.

I think this is an important bill. Now, in just a moment, which is all I have left, I wish to reply to the gentleman from Ohio, Dr. SMITH, who said that when the Reconstruction Finance Corporation is empowered to issue bonds it is empowered to issue paper money. This is not the case. No agency of the American Government is today issuing money. That privilege is being exercised by private financial institutions. What happens is that these interest-bearing obligations are issued by R. F. C. and sold to private financial agencies, who in most cases simply create new credits on their books and buy these bonds with it and derive the benefit therefrom.

I could make a long speech to show the wrong in such a practice, but I will not burden the House with that this afternoon.

The CHAIRMAN. The time of the gentleman from California [Mr. VOORHIS] has expired.

Mr. WILLIAMS. Mr. Chairman, I yield 5 minutes to the gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. Mr. Chairman, the bill as it is proposed to be amended, leaving only the provision to enlarge the borrowing power of the Reconstruction Finance Corporation, is one that it seems to me is beyond any controversy. I personally would have no difficulty to support the bill.

However, I do want to take up the argument that was made by the very able gentleman from California [Mr. VOORHIS] concerning the use of this money.

The hearings on page 7 disclose that for one type of metal very essential in this emergency, to wit, metallic magnesium, already allocations have been made of $63,000,000 to Basic Magnesium, Inc., of Cleveland; $16,000,000 to the Diamond Alkali Co., of Cleveland; and $52,000,000 to the Dow Chemical Co., of Midland, Mich., for the expansion of the production of this important metal, so vital to our defense program.

The first allocation of money for plant construction goes to produce metallic magnesium from ore. I understand this will be in Nevada, where electric power will come from Boulder Dam; the other two allocations, I am informed, are for the expansion of a process that has been in vogue for many years, of producing metallic magnesium from salt brine. At least it is certain that the $52,000,000 to the Dow people is for producing metal from brine, and the plants are to be in Texas and perhaps some other point in the South.

Out in my State we not only have Grand Coulee, the greatest potential power producer on the face of the earth and the cheapest electrical energy anywhere in the world, but within 40 miles of it we have millions of tons of magnesite ore from which metallic magnesium can be made. The Bureau of Mines has received through appropriations in the last 5 years $85,000 to ascertain new processes. The State of Washington has contributed about $35,000 to this undertaking. Experimentation has proceeded to the point of successful production. They have a small pilot plant now in operation at Pullman, Wash., at the State college, producing metallic magnesium. I have here in my hand a sample of it [exhibiting a sample of the metal]. It is a metal that has every attribute and quality of aluminum, and it is one-third lighter. The Dow Chemical Co. is selling this metallic magnesium made from brine, by their secret patented process, at from 25 to 30 cents a pound. The Government can use and needs some five or six hundred millions of pounds of the marvelous metal. With Grand Coulee power at 2 mills per kilowatt-hour and magnesite ore almost at the point where the power is generated, this metal can be produced in great quantity for 12 cents a pound. A plant near the source of this power would save millions of dollars to the Government and the public and put an end to monopoly control. I am wondering why these agencies of government in the executive departments do not give consideration to the discovery made by the Bureau of Mines and other governmental agencies. Secretary Ickes has indicated a great willingness to allocate electric power for this purpose from Grand Coulee, but no great interest has been shown by either O. P. M. or R. F. C.

This is no longer in the speculative field, but actually, even today, they are turning out from 30 to 60 pounds of metal with the small plant constructed by the Government. Why should we pay to the Dow Chemical Co. or to any other concern from 25 to 30 cents a pound for a metal so essential and so superior to aluminum? Two critical bottlenecks confront the O. P. M., R. F. C., and other agencies struggling with defense production. They are electric energy and raw material for light metals. Here we have both located within a few miles of each other and yet no action is taken. I know we are all more deeply concerned with our country's protection, than with the profits of any producing concern.

The Germans have been making this marvelous metal for the last 6 or 7 years in great quantities out of ore. Their Stuka dive bombers are practically built of magnesium instead of aluminum, because of the great saving in weight. Their shell casings are magnesium, instead of aluminum, for the same reason.

I merely take this time to bring to the attention of Congress, and, I trust, to the attention of the R. F. C., O. P. M., and others, the importance of proceeding with the production of this metal where we have ore and power together, and that is in the vicinity of Spokane, or Grand Coulee, or Stevens County, where the ore bodies are found.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield.

Mr. VOORHIS of California. As a matter of fact, the substance of the gentleman's appeal is that where this Government money is being made available for the expansion of this production that as rapidly as it is possible to do it on a sound basis, we should expand production of such metals as magnesium and take every possible opportunity to do so. Is that correct?

Mr. LEAVY. Exactly; giving due regard to competition in the field of production, and not merely to meet and maintain a price structure that the Dow people and the aluminum people might have set and desire to maintain.

Mr. Chairman, I am just in receipt of a telegram from Dr. A. E. Drucker, dean of the School of Mines at Washington State College, Pullman, Wash., where this experimental work has been carried on cooperatively with the Bureau of Mines, the station at Pullman being under the direction of Dr. H. A. Doerner.

This telegram concisely and clearly tells the whole story as to the success of the method being used to produce magnesium metal; first, by securing the magnesite through a newly discovered flotation process, making it possible to use ores of lower grades, of which there are millions of tons; and, second, by the electrothermic method of producing the metal by the use of petroleum instead of hydrogen gas, thus eliminating a large part of the hazard that has heretofore existed.

If there is any doubt in the mind of anyone interested in this important matter, and they desire to approach this whole subject openmindedly, I suggest that after reading the telegram that I am making a part of my remarks, they communicate with Dr. R. R. Sayers, Director of the Bureau of Mines, here in Washington, or with Dr. H. A. Doerner, representative of the Bureau of Mines, in charge of the station at Pullman, Wash., or with Dr. A. E. Drucker, dean of the School of Mines, at Pullman, Wash. I do hope that the inexcusable delay that has already taken place in connection with this important and essential development will thus be brought to an end, and that the Government generated and owned electricity from Grand Coulee will be poured into a Government-constructed magnesium plant, and that every owner of magnesite ore will be invited to make his deposits available to the Government, so that this important metal, so badly needed, can soon be produced with a minimum of profit and a maximum of production.

The telegram I have made reference to is as follows:

PULLMAN, WASH., *October 4, 1941.*

CHARLES H. LEAVY,
House of Representatives,
Washington, D. C.:

A considerable number of electrothermic magnesium high-purity metal ingots have been produced at the small pilot plant.

These are being used for alloy research and fabrication into small castings, structural shapes, and sheets at our laboratories in physical metallurgy, foundry, and shops; also, at the Federal Bureau of Mines laboratories at Salt Lake City. My final conclusions now, after 8 years of careful study, research, and developments with magnesium at Pullman, are that there are very large reserves of low-grade (18 to 26 percent magnesium) magnesite ores in Stevens County, Wash., of flotation milling grade by the Doerner-Harris process that will last for many decades to come for magnesium metal production. This flotation process, without doubt, is a key to the ore reserves and to this superior light-metal production for aircraft and other transportation equipment. The Doerner-Dilling-Harris process developments are really superior to the Hansgirg for this particular region. We can produce cheaper magnesium metal in eastern Washington owing to our greater advantages than any other section of the United States of America. Our Doerner-Dilling-Harris direct carbon reduction and distillation process has now (after 5 years) developed to the point and through a small pilot plant stage where we are ready for the first unit of a large commercial $12,000,000 plant in this State. It will serve as a full-size commercial pilot plant for all other units to be added later. By this procedure our Government will not make a mistake. There should be no further delays with our greater natural advantages in this region of the Grand Coulee Dam. We surely have done the electrothermic pioneering with magnesium from magnesite ore in this country.

A. E. DRUCKER.

Mr. WILLIAMS. Mr. Chairman, I yield 2 minutes to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, I have received numerous protests from raw producers in my State, protests on this measure, especially from those producing the strategic minerals and certain agricultural products likely to be hurt by foreign competition. Now that I find that all after the first paragraph of this bill will be stricken out, these protests are, of course, of no effect as against the modified bill. I am glad to see that the bill will be thus amended to strike out the controversial part, including the second section and all after the first six lines.

Accordingly, I will not take the time of the House to register the protests of mining men, but submit the following three telegrams which I have received from farm leaders and livestock men. My people are strong for defense. However, the fear is expressed that huge stocks of defense materials may be accumulated beyond the war needs, which would have the effect of breaking the markets and our home producers when peace returns. Some limits must be adopted.

The three telegrams are as follows:

PHOENIX, ARIZ., *October 4, 1941.*

Hon. JOHN R. MURDOCK,
United States Representative,
Washington, D. C.:

Re H. R. 5667, providing for entrance of certain foreign materials, including beef, mutton, wool, flax, long-staple cotton, without payment of duty. This H. R. 5667 not needed as sufficient agricultural products are being abundantly produced in the United States, and if increases are required American agriculture will supply them. Program for adequate supply already arranged for by Secretary Wickard. Importation of meats, mutton, wool, or cotton strikes at heart of Arizona agriculture. Range men's costs are soaring. Feeders already stocked with high-priced cattle. If cattle prices lowered, will break feeders, cause grain, hay, and other farmers' products to drop sharply. Urge our Arizona delegation in Congress to defeat this measure if possible.

CECIL H. MILLER,
President, Arizona Farm Bureau Federation.

PHOENIX, ARIZ., *October 4, 1941.*

Hon. JOHN R. MURDOCK,
House of Representatives,
Washington, D. C.:

Urgently request you to oppose provision H. R. 5667, providing for entrance under certain conditions of foreign materials without payment of duty. Understand this includes livestock products, and it would, if passed, be ruinous to the major industry of the State.

J. R. BELOAT,
Chairman, Central Arizona Cattle Feeders' Association.

PHOENIX, ARIZ., *October 4, 1941.*

Hon. JOHN R. MURDOCK,
United States Representative, Arizona:

We urgently request you to oppose provision H. R. 5667 providing for entrance of certain foreign materials, including beef, mutton, wool, without payment of duty. The present cost of production, with the high cost of labor and materials, makes it impossible to operate profitably, even at the present level of wool prices. The waiving of payment of duty will destroy the sheep and cattle industry and likewise severely affect Arizona farmers. May we hear from you? Regards.

JERRIE W. LEE,
Arizona Wool Growers' Association.

Mr. CRAWFORD. Mr. Chairman, I yield myself 5 minutes.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. CRAWFORD. Mr. Chairman, as one who signed the minority report on this bill, I wish to clear up my position by saying that my opposition to this bill is now withdrawn because section 2 is to be stricken out. I have no objection to section 1 of the bill which increases the borrowing power of the R. F. C. by the amount of $1,500,000,000.

It seems to me, Mr. Chairman, that as we face this increased financial problem of the Treasury this is a proper step for us to take. We are all aware of the fact that the Secretary of the Treasury has only this week, within the last few days, announced the largest single borrowing I believe, since World War No. 1, of approximately $1,250,000,000. We are all more or less familiar with the way our people are not buying the defense bonds. I believe we have great reason to be concerned about the problem of the Treasury in that the September sale of defense bonds, I believe the record will show, dropped below $250,000,000, and that at a time when the need arises for a new issue of a billion and a quarter. So, the question raises itself in my mind as to who is to buy the defense bonds: The commercial banks or the private citizens of this country buying out of their current income and past savings. The placing of $1,500,000,000 to be paid out through the channels of the R. F. C. in my opinion momentarily materially relieves the Treasury in its problem of direct issues, open-market issues, and otherwise. So, it seems to me that all of us can afford to give this question very serious consideration and especially as we move in the direction, rapidly move in the direction, of defense expenditures approximating $3,000,000,000 per month. I again raise the question when we reach that volume who is to buy the new securities, the commercial banks, thus increasing demand deposits and adding wood to the inflationary fires that seem to be concerning a great many people in this country, or, will those new issues when we reach that tremendous sum of $3,000,000,000 a month be purchased by the people of this country in the form of defense bonds out of the savings and earnings of the people, thus supporting the program which we are now prosecuting.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. HINSHAW. Does the gentleman know anything concerning the story that was carried in the newspapers the other day of a plan of enforced savings, the forced purchase of Government bonds through direct savings from the salaries of workers and others?

Mr. CRAWFORD. No; I have not anything definite on that except what we have seen in the press the last few days with reference to the enforced savings in the way of larger contributions by both employees and employers to the social-security fund. It would seem to me to be much more constructive for us to proceed with a plan of raising the required money by a system of direct enforced savings in the way of deferred wage payments as to the employee and a rehabilitation fund for industrial units or employers rather than increase the social-security contributions which are to be made by the employer whether he has any profits or not. In some way we must build up a rehabilitation fund for the capital structures of the industries of this country to be used in the post-war period. I think, in the matter of increasing social-security contributions, we are dealing with a very, very dangerous situation. Once before we changed the basic reserve philosophy of the original Social Security Act.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield further?

Mr. CRAWFORD. I yield.

Mr. HINSHAW. Some of the corporations doing defense work have enormous contracts, many, many times their capital. I know of one concern which has a capital stock of $10,000,000, a capital in-put of $10,000,000, which has taken Government contracts amounting to nearly $500,000,000. In order to carry through its contracts and to pay its labor they have got to get some little assistance somewhere. They have to pay for their material and labor before they are paid for the goods they manufacture.

Mr. CRAWFORD. In other words, this increased volume of business requires a greatly increased working capital?

Mr. HINSHAW. An enormous increase in working capital. Can the gentleman tell me how that corporation can acquire this working capital without being compelled to build up some kind of

a reserve out of whatever profit there may be in the business?

Mr. CRAWFORD. Of course, they can undoubtedly get assistance through the Reconstruction Finance Corporation.

Mr. HINSHAW. Does the gentleman mean they would have to pay interest on that?

Mr. CRAWFORD. Oh, surely; they would have to pay interest.

Mr. HINSHAW. What is the purpose of that? Why can they not keep some of this money before they distribute it to the stockholders?

Mr. CRAWFORD. Let us try to be clear on this, and fair. I know the gentleman wants to be fair. Your proposal is that we permit the companies holding defense contracts to have a defense contract profit which will enable them to build working capital in the first place sufficiently high to enable them to pay back money which they borrow in the form of working capital?

Mr. HINSHAW. That is correct.

Mr. CRAWFORD. That raises the whole question as to what we are going to do with the war profits. If companies are to be permitted to make enormous profits on war contracts, profits sufficient to build greatly enlarged productive capacity, instead of making contributions to the tax box while those profits are flowing, and in order to hedge themselves against the depression that may follow during the post-war period, then at what time are we going to contribute to the tax boxes in order to relieve the increased deficits and the interest-bearing debt of the Government?

Mr. HINSHAW. I think that is a problem that the gentleman's committee is going to have to work out, because I know in some of these defense industries they do not dare pay out their cash. They have to have it for labor and material.

Mr. CRAWFORD. On account of the increased volume of business?

Mr. HINSHAW. Yes, a hundred times over.

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Has the gentleman come to any conclusion in his own mind as to whether this proposal for increasing the social-security program by increasing contributions from employees and employers is for the purpose of extending the pension system or for accumulating funds as a means of deficit financing?

Mr. CRAWFORD. I think it is primarily for the purpose of siphoning off the increased earnings of employees so that they cannot use those increased earnings in bidding against each other in the open market for a declining volume of peacetime goods. Now, in reference to the employer, suppose the gentleman's company is operating on a nonprofit basis and you faced, say, a 3-percent increase in your social-security contribution. In that case it becomes a capital levy against your capital structure which perhaps is suffering as a result of a declining production of peacetime goods, and in the absence of a war contract, which you do not have, thereby sending you closer and closer and closer to financial bankruptcy.

Mr. CASE of South Dakota. That is the point to which I wanted to direct the gentleman's attention by the other question. What are you going to do with either the employer or employee who does not have increased earnings? What are you going to siphon off?

Mr. CRAWFORD. In that case the employee is faced with a greatly increased cost of living and no increase in wages or salary to compensate him. Of course, that puts him up against the same kind of a decline in his personal financial structure as the other illustration I gave does to the particular unit of industry.

Mr. CASE of South Dakota. Does not the gentleman think that any sound attempt at financing the present effort should look for its financing to those centers, those individuals, and those firms and businesses which are participating in the business of that effort?

Mr. CRAWFORD. It seems to me that is the only sound place you can go for this additional revenue. If you will take the September 30 statement of the Treasury and notice what has been spent for defense during the past 3 months—July, August, and September—and, as I recall the figures, something like $3,404,000,000 was spent for defense alone with about $5,045,000,000 for all purposes in 3 months, then comprehend moving that defense figure up to $3,000,000,000 a month, then interpolating as best you can the economic consequences of that on our economy, you will begin to see what it means. We now find the Treasury has not sold sufficient securities to avoid the necessity of going again to the commercial banks for large sums. This most recent offering of more than a billion dollars is evidence of the Treasury's failure in disposing of defense bonds and other special issues. We face a deficit of more than $12,000,000,000 next June 30, and this after applying proceeds from new revenue act. It now appears an additional $5,000,000,000 or more market issues will have to be placed, commercial banks having to take the greater portion of these issues.

With continued operation of excess reserves of member banks, low interest rates or cheap money policies being continued, and all along with the approach to controlling or arresting price inflation with all the conflicting forces now running, let me assure you we have need for great consideration of these problems.

Mr. CRAWFORD. Mr. Chairman, I yield 1 minute to the gentleman from Oregon.

Mr. ANGELL. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Oregon [Mr. ANGELL]?

There was no objection.

Mr. ANGELL. Mr. Chairman, section 2 of H. R. 5667, now under consideration by this Committee, is designed to exempt strategic and critical materials from customs duty in certain cases. I am opposed to this provision and strongly urge that it be eliminated from the bill. It is a matter of common knowledge that in the prosecution of our national-defense program we have been handicapped by the lack of sufficient quantities of strategic and critical materials needed in keeping the production lines at work. There are throughout the United States, and particularly in the Northwest, large natural deposits of materials awaiting development. It is true some of these are of lower grade than similar materials now being imported from abroad. However, there are immense quantities of these materials in many instances and they are strategically located near large blocks of hydroelectric power now being developed and adjacent to transportation facilities which will enable us to mine, develop, process, and utilize these deposits, and in most instances make the United States self-sufficient. This is particularly true in the deposit of aluminum and magnesium-bearing materials in the Northwest.

By reason of favorable consideration given by our Government some of these deposits are being opened and development begun, but if we remove the customs duties now placed on the importation of these materials we will remove the incentive and the opportunity for the development of these deposits. Local producers having to comply with our laws governing labor and living conditions of workmen cannot hope to compete with totalitarian countries where cheap coolie and other similar labor exists.

Low cost of hydroelectric power in the Columbia River area made available through the development of the Bonneville and Grand Coulee projects is fast making the Northwest the center of aluminum production. We have found that the winning of the war will depend largely upon the ability of one side or the other to produce the necessary mechanical equipment and other tools and material needed to prosecute the war. Our job just now is to see to it that our productive machinery is working full blast to 100-percent capacity. Unfortunately, we have not been able to accomplish this. It is the duty of every loyal American to do his or her part, small though it may be, to contribute toward this end.

While in the past we have been producing pig aluminum from the raw product in the West through the use of low-cost hydroelectric power, we should take immediate steps to install fabricating plants as well, so that this aluminum may be fabricated for use on the coast and thus avoid the delay and expense of transporting the aluminum bars to eastern manufacturers for fabrication and reshipping them to the coast for use in our aircraft. I have been urging the location of such fabrication plant in the Columbia area to help in the elimination of this bottleneck in bringing finished aluminum to the airplane factories.

The same is true with reference to steel production. Additional steel capacity has now been approved in order to provide another 10,000,000 tons. O. P. M. is now determining where this additional supply may be obtained. There would seem to be little doubt that one of these iron and steel production plants should be located in the Northwest. As I have said, we have low-cost hydroelectric power

and we have large deposits of raw material in that area or already available through cheap water transportation, and the steel products are needed there in the Northwest to provide the necessary material in the plants producing ships and other necessary national-defense equipment. The Bonneville Power Administration has caused to be made surveys and studies of natural deposits in the Columbia River area and Ivan Bloch, in charge of marketing developments, recently reported as follows:

I am convinced that, economically and technically, further development of the western iron and steel industry is sound. Already the demand for steel has developed a national deficiency in iron and steel capacity. Along with other parts of the country, but perhaps to a greater degree due to distances from major producing centers, the West is handicapped by this shortage. Recent thorough investigations and experiments by reliable agencies—private and Federal—have proved that coking coals in the State of Washington will produce satisfactory metallurgical coke entirely suitable for blast furnace operation.

For years it has been generally known that there are large deposits of iron ore in Columbia County, Oreg., adjacent to the Columbia River and within the Bonneville area. I have recently urged upon O. P. M. the desirability in the interest of national defense to utilize this large body of ore and to locate an iron and steel plant in that area.

With new, abundant, assured low-cost hydroelectric power, more economical transportation, and improved market conditions, the mineral resources of the four Pacific Northwest States will be susceptible of much development. Of particular importance among nonmetallics are the great phosphate deposits of Idaho and Montana and the considerable reserves of coal located principally in Washington and Montana. Among other nonmetallics of probably much greater future importance are lime, diatomite, clays, sulfur, oil, and gas. Deposits of variety of metallic ores—among them those of a number of the so-called strategic metals—including aluminum, magnesium, manganese, chromium, vanadium, molybdenum, cadmium, tungsten, antimony, and others, may also become of great economic value in the future.

We should embrace the opportunity to empower our Federal Government to provide an assured source of strategic materials and also to develop the great body of ores, minerals, and nonmetallics which abound within the confines of this vast Northwest territory. By so doing we will serve our Government well, and we will also put to use our immense stores of hydroelectric power and also develop industry, reduction plants, and other public works, bringing pay rolls, purchasing power, and prosperity to our several communities.

Mr. Chairman, I trust this House will not permit section 2 to remain in this bill and thus hinder the development of these great natural resources which are necessary to make the United States self-sufficient not only in times of war but also in times of peace. By the elimination of section 2, the importation of strategic and critical materials will still be subject to customs duty.

Mr. WILLIAMS. Mr. Chairman, I have no further request for time.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized to issue and have outstanding at any one time under existing law is hereby increased by $1,500,000,000.

SEC. 2. Section 5d of the Reconstruction Finance Corporation Act, as amended, is hereby amended to read as follows:

"SEC. 5d. For the purpose of maintaining and promoting the economic stability of the country or encouraging the employment of labor the Corporation is authorized and empowered, under such terms, conditions, and restrictions as the Corporation may determine, to make loans to, or contracts with, States, municipalities, and political subdivisions of States, with public agencies and instrumentalities of one or more States, municipalities, and political subdivisions of States, and with public corporations, boards, and commissions, to aid in financing projects authorized under Federal, State, or municipal law, such loans or contracts to be made through the purchase of their securities, or otherwise, and for such purpose the Corporation is authorized to bid for such securities. The Corporation is further authorized and empowered to purchase the securities and obligations of, and to make loans to, any business enterprise when capital or credit, at prevailing rates for the character of loan applied for, is not otherwise available: *Provided*, That all such purchases of securities and obligations and all such loans shall be, in the opinion of the board of directors, of such sound value, or so secured, as reasonably to assure retirement or repayment; may be made or effected either directly or in cooperation with banks or other lending institutions through agreements to participate or by the purchase of participations, or otherwise; shall be made only when, in the opinion of the board of directors, the business enterprise is solvent; and shall be made under such terms, conditions, and restrictions as the Corporation may determine: *Provided further*, That in carrying out the provisions of this section, the Corporation may purchase securities and obligations, and may make loans, with such maturities as the Corporation may determine, notwithstanding any other provision of law.

"The powers granted to the Corporation by this section shall terminate on January 22, 1947, or on such earlier date as the President shall determine; but no provision of law terminating any of the functions of the Corporation shall be construed (1) to prohibit disbursement of funds on purchases of securities and obligations, on loans, or on commitments or agreements to make such purchases or loans, made under this section prior to the close of business on January 22, 1947, or such earlier date, or (2) to affect the validity or performance of any agreement to participate in any purchase or loan authorized by this section.

"Nothing in this section shall be construed to authorize the Corporation (1) to purchase, or to make any commitment or agreement to purchase, any securities or obligations of any railroad engaged in interstate commerce the obligations of which may be purchased or guaranteed by the Corporation under section 5 of this act only with the approval of the Interstate Commerce Commission, or (2) to make any loan, or any commitment or agreement to make a loan, to any such railroad or to any receiver or trustee thereof.

"In order to aid the Government of the United States in its national-defense program, the Corporation is authorized—

"(1) To assist in the development of the resources, the stabilization of the economies, and the orderly marketing of the products of the countries of the Western Hemisphere by supplying funds, not to exceed $500,000,000 outstanding at any one time, to the Export-Import Bank of Washington, through loans to, or by subscriptions to preferred stock of, such bank, to enable such bank to make loans to any governments, their central banks, or any other acceptable banking institutions and, when guaranteed by any such government, a central bank, or any other acceptable banking institution, to a political subdivision, agency, or national of any such government, notwithstanding any other provisions of law insofar as they may restrict or prohibit loans or other extensions of credit to, or other transactions with, the governments of the countries of the Western Hemisphere or their agencies or nationals: *Provided*, That no such loans shall be made in violation of international law as interpreted by the Department of State, or of the act of April 13, 1934 (48 Stat. 574), or of the Neutrality Act of 1939. Upon the written request of the Federal Loan Administrator, with the approval of the President, the bank is authorized, subject to such conditions and limitations as may be set forth in such request or approval, to exercise the powers and perform the functions herein set forth. Such loans may be made and administered in such manner and upon such terms and conditions as the bank may determine.

"(2) To make loans to, or, when requested by the Federal Loan Administrator with the approval of the President, purchase the capital stock of, any corporation (a) for the purpose of producing, acquiring, and carrying strategic and critical materials as defined by the President, and (b) for plant construction, expansion and equipment, and working capital, to be used by the corporation in the manufacture of equipment and supplies necessary to the national defense, on such terms and conditions and with such maturities as the Corporation may determine; and

"(3) When requested by the Federal Loan Administrator, with the approval of the President, to create or organize, at any time prior to July 1, 1943, a corporation or corporations, with power (a) to produce, acquire, carry, sell, or otherwise deal in strategic and critical materials as defined by the President; (b) to purchase and lease land, purchase, lease, build, and expand plants, and purchase and produce equipment, facilities, machinery, materials, and supplies for the manufacture of strategic and critical materials, arms, ammunition, and implements of war, any other articles, equipment, facilities, and supplies necessary to the national defense, and such other articles, equipment, supplies, and materials as may be required in the manufacture or use of any of the foregoing or otherwise necessary in connection therewith; (c) to lease, sell, or otherwise dispose of such land, plants, facilities, and machinery to others to engage in such manufacture; (d) to engage in such manufacture itself, if the President finds that it is necessary for a Government agency to engage in such manufacture; (e) to produce, lease, purchase, or otherwise acquire railroad equipment (including rolling stock), and commercial aircraft, and parts, equipment, facilities, and supplies necessary in connection with such railroad equipment and aircraft, and to lease, sell, or otherwise dispose of the same; (f) to purchase, lease, build, expand, or otherwise acquire facilities for the training of aviators and to operate or lease, sell, or otherwise dispose of such facilities to others to engage in such training; and (g) to take such other action as the President and the Federal Loan Administrator

may deem necessary to expedite the national-defense program, but the aggregate amount of the funds of the Reconstruction Finance Corporation which may be outstanding at any one time for carrying out this clause (g) shall not exceed $200,000,000: *Provided*, That nothing in this subsection shall be construed to authorize the Corporation to take any action, directly or indirectly, with respect to the proposals heretofore considered by the Congress and known as the Great Lakes-St. Lawrence seaway, Passamaquoddy, Florida ship canal, and Tombigbee River projects, or to the project known as the Nicaragua Canal. The powers of every corporation hereafter created or organized under this subsection shall be set out in a charter which shall be valid only when certified copies thereof are filed with the Secretary of the Senate and the Clerk of the House of Representatives and published in the Federal Register, and all amendments to such charters shall be valid only when similarly filed and published. The charters of corporations heretofore so created or organized shall be so filed and published before July 1, 1941, and amendments thereto shall be valid only when certified copies thereof are hereafter so filed and published. No corporation heretofore or hereafter created or organized by the Corporation pursuant to this subsection shall have succession beyond January 22, 1947, except for purposes of liquidation unless the life of such corporation is extended beyond such date pursuant to an act of Congress. The Corporation may make loans to, or purchase the capital stock of, any such corporation for any purpose within the powers of the Corporation as above set forth related to the national-defense program, on such terms and conditions as the Corporation may determine.

"(4) When requested by the Federal Loan Administrator, with the approval of the President, and subject to such conditions and limitations as may be set forth in such request, to make loans, notwithstanding the provisions of any other law, to any foreign governments, to their central banks, or to any person, commission, association, corporation, or bank acting for or on behalf of such government, for the purpose of achieving the maximum dollar exchange value in the United States for the securities or property of any such government, central bank, person, commission, association, corporation, or bank. Such loans may be made only upon the security of bonds, debentures, stocks, or other such obligations of (a) the Government of the United States or any State, municipality, or political subdivision of any State, or (b) any private corporation organized under the laws of the United States or any State.

"Any corporation created or organized by the Corporation under the preceding paragraph is also authorized, with the approval of the President, to make payments against the purchase price to be paid for strategic and critical materials in advance of the delivery of such materials. Whenever practicable, the Corporation may require the payments so made to be used for purchases of raw or manufactured agricultural commodities to be exported from the United States.

"No duty or internal-revenue tax shall be imposed or collected upon any materials, certified by the Federal Loan Administrator to be strategic and critical, procured in accordance with this section and entered, or withdrawn from warehouse, during the existing emergency but in no event after January 1, 1943, for consumption by or for the account of any corporation created or organized pursuant to this section, when such materials are or have been imported or brought into the United States or any of its Territories or possessions (including the Philippine Islands).

"The amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized to issue and have outstanding at any one time under existing law is hereby increased by $1,500,000,000."

Mr. WILLIAMS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIAMS: Beginning on page 1, line 7, strike out all of section 2.

The amendment was agreed to.

Mr. SMITH of Ohio. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Ohio: On page 1, line 5, insert "*Provided* no part of this authorization shall directly or indirectly be made available as a loan to the U. S. S. R.

Mr. SMITH of Ohio. Mr. Chairman, I do not intend to discuss this amendment at any length; it is self-explanatory.

Before our committee Mr. Jesse Jones was asked by one of the members of the committee whether any of this fund would be used for loans to Russia, and his reply was to the effect that this had not been thought of. It appears that a day or so after that statement was made the newspapers said something about the possibility of a part of this fund being made available for loans to Russia. We should not be deceived by the term "loan" as applied to funds lent to some foreign country. The word "loan" as now used in connection with funds lent to some foreign nations means an outright gift. While nothing was brought before the committee to indicate certainly that this would be done, I believe we ought to make certain it will not be done under this bill. I am not in favor of giving away the money of American taxpayers to aid the Communist regime in Russia. To lend money to the Soviets is to give them money. I do not believe the United States is in a position where it is in our best interests to do this. There is nothing in this bill to prevent Mr. Jones from giving Stalin some of the funds that will be at his disposal.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman from Tennessee.

Mr. GORE. Does not the gentleman think that the United States should aid any nation which is fighting against the spread of aggression, which is fast lapping toward our own country?

Mr. SMITH of Ohio. I shall answer the gentleman by saying that we are going to have a hard time to save our own Nation from going exactly the way Germany has gone and Russia has gone, not as a result of forces operating against us from the outside but because of forces operating against us from the inside. We are spending much money injudiciously and recklessly, in my judgment. By that I do not mean that we should not spend every penny that is needed for the defense of our own country, but we have been for years spending a great deal of money that I believe should not have been spent. We have not been careful of the credit of our Government and thus have weakened the basis of our defense. It is my candid conviction that expenditures are reaching a point where national bankruptcy threatens us. I feel certain when this war is over the people of the United States are going to demand an accounting from those of us who are not now giving serious consideration to the deplorable state of our Federal finances.

Mr. GORE. The gentleman states in his amendment that no money shall be made available to the U. S. S. R. There is no such country. If the gentleman is seriously proposing the amendment, I should think he would want to make a correction.

Mr. SMITH of Ohio. What correction would the gentleman suggest?

Mr. GORE. I would strike it out. I would not offer any correction.

Mr. SMITH of Ohio. I believe it will be generally understood. The initials stand for Union of Socialist Soviet Republics. I do not know if there is another designation that is more proper.

Mr. SCRUGHAM. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Ohio. I yield to the gentleman from Nevada.

Mr. SCRUGHAM. Customarily "U. S. S. R." stands for "United States Senate Restaurant," and the gentleman's amendment could be so interpreted.

Mr. SMITH of Ohio. The gentleman may wish to be funny. To me this is very serious and I think it is so to the American people. A good many people in this country are very gravely concerned over this matter of our joining up with Joe Stalin at the present time, and especially of just making an outright gift to him of large sums of taxpayers' money, which is possible under this bill. At any rate, if it is the wish of our people to give financial aid to Communist Russia, and they thoroughly understand that this would likely be in the form of an outright gift, then Congress should be forthright enough to pass a measure which specifically provides for this.

Mr. WILLIAMS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, may I say again that there is but one authority in the law for the R. F. C. to make a loan to a foreign government, and I do not understand that the amendment offered by the gentleman from Ohio would affect that. The gentleman refers to the U. S. S. R. There is no such country as that. If he wants to spell out what he means, it would be perhaps intelligible, but there is no such a thing as U. S. S. R. That does not mean a thing.

The only authority the R. F. C. has to make a loan to a foreign government is contained in the law which Congress passed this year. That law provides that the loan may be made in order for the government to whom it is made to acquire exchange dollar value so that it may dispose of its securities and properties in this country. Such loans, if made, must be secured by either United States Government bonds or the bonds of some political subdivision thereof, in other words, some public obligation, or by the securities of a corporation organized in this country which may issue bonds or stock against the property existing in this country, which securities may be given as security for a loan.

Under these conditions, Russia has no such securities in this country and could not meet the requirements of that law if she wanted to and if the R. F. C. wanted to make such a loan. That is clear out of the picture.

As far as that is concerned, may I say that if Russia could meet these conditions, I for one would be emphatically in favor of making a loan under the conditions as they exist now.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman from Ohio.

Mr. SMITH of Ohio. I probably made a mistake by inserting the initials in my amendment, inasmuch as the words should be spelled out. I refer, of course, to the Union of Soviet Socialist Republics, and I ask unanimous consent that the amendment be changed so as to substitute those words for the initials.

Mr. GEARHART. I object, Mr. Chairman.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. I yield to the gentleman.

Mr. CASE of South Dakota. Without regard to the merits of the particular amendment, I do not quite understand the explanation by the gentleman as to the inability of Russia to qualify, in view of the fact that it has been published in the press, and I think possibly shown in the testimony before your committee, that advances have already been made to Russia on the strength of future deliveries.

Mr. WILLIAMS. That is all right, and that is under a provision of existing law, but that is not a loan. There is a positive provision which was also written into the law last year by which a corporation organized by the R. F. C., or the R. F. C. itself, could, in order to acquire strategic materials, make advances.

Mr. CASE of South Dakota. Make advance payments without regard to the prospect of delivery?

Mr. WILLIAMS. Yes; and that is in effect now. Such a contract has been made with the trading corporation that is organized in this country, Amtorg, owned by Russian interests, but it is a United States corporation.

Mr. CASE of South Dakota. Yes; I understand that.

Mr. WILLIAMS. And in addition to that, as a part of that agreement, whatever advance payments are made shall be used by Russia to pay for materials which we are to export to Russia pending arrival of the materials which the trading corporation agrees to deliver.

Mr. CASE of South Dakota. The gentleman is aware of the fact that for the better part of a year we have been unable to get any shipment of any of these strategic or critical materials from Russia. So whether you call it an advance payment or a loan, it amounts to the same thing—extension of credits without security.

Mr. WILLIAMS. That is a provision of the law now, and is not considered a loan.

Mr. Chairman, I ask that the amendment be voted down.

[Here the gavel fell.]

Mr. SMITH of Ohio. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Ohio: Strike out "U. S. S. R." in my amendment and insert "Union of Soviet Socialized Republics."

HELPING RUSSIA

Mr. PATMAN. Mr. Chairman, I move to strike out the last word.

I hope there is no objection to the amendment by the gentleman from Ohio. I think this issue should be plain and direct as to whether or not this House is in favor of helping Russia. When Mr. Jesse Jones was before the Committee on Banking and Currency in support of this bill, someone asked him the question as to whether or not Russia would be helped and he said that as long as the administration favored helping Russia, the R. F. C. would favor helping Russia, and later on he gave a statement to a newspaper reporter in which he said that he would help a den of rattlesnakes if they were fighting Hitler. He would help any force, he would help any person, any animal or any force in the world that is fighting our common enemy, one who has started out for world domination. And I am anxious for the issue to be passed upon directly. I think the power is in this bill to permit the R. F. C. to make direct loans to Russia. If it is not in the bill I hope it is in the bill because I would like to see that power extended. It makes no difference to me personally whether they are Communist in Russia. I am not in favor of communism, neither am I in favor of nazi-ism or fascism, and if we fail to help the side that is on the side of communism we are thereby helping the Nazis. So are we going to help the Nazis? It is a question of being against one who started out for world domination and control, and we are on his program and you can rest assured that if the time ever comes when Russia capitulates and England should fall, we will have to spend all the money we can possibly rake and scrape for the next 50 years to keep down an invasion here in our own land or be captured by this one person who has set out for world domination and control.

May I suggest that we have something else in store in regard to Russia? You know we are not a self-contained nation, not by any means. We need various critical materials from many foreign countries that we do not now have. I think these hearings will disclose, if they do not, other hearings before our committee will disclose, that manganese is very necessary in the making of steel. This is something that is commonly and generally known, and we must import 95 percent of our manganese to America to make our steel. Where does this manganese come from? Seventy percent of it is coming from Russia. Do you want to fail to help the country that is furnishing us these critical materials which we need in order to make such a valuable material as steel? This question enters into this particular part.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Will the gentleman state, on his authority, or on the authority of anyone, that any manganese has been delivered from Russia in the last 9 months?

Mr. PATMAN. I do not know; but we are now sending oil to Russia, and we gave Japan notice that we were going to send it. I think it was rather unusual to give out a press statement when the oil left San Francisco for Russia, but a press statement was given out, and I am glad it was, so as to give notice to Japan that if she wanted to carry out her threats she would be privileged to do so, and Japan did not carry out her threats. Since she did not, and we are making safe deliveries of oil to Russia, there is no reason why manganese cannot be brought back from Russia in return. So the set-up is perfect for that situation.

Mr. GOSSETT. Is it not better to loan money to Russia than to give blood to Hitler?

Mr. PATMAN. Yes; it is better to do that than to furnish the blood of our boys in direct conflict with Hitler, which we will have later on. I hope that the amendment as amended or modified will be voted down.

Mr. SPENCE. Is it not better to let American dollars do the fighting than to have American manhood do it?

Mr. PATMAN. That is exactly what is proposed here.

Mr. GORE. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. GORE. I understood that the Chair said objection was heard to a modification of the amendment, and notwithstanding that the gentleman from Texas offers no objection to the perfecting amendment, which the gentleman from Ohio made.

The CHAIRMAN. That is correct.

Mr. GORE. The amendment is corrected now?

The CHAIRMAN. The amendment to the amendment has not yet been agreed to.

Mr. SMITH of Ohio. Mr. Chairman, I regret that what I have offered is still not the proper terminology. I now ask that the terminology be corrected. It should read "the Union of Socialist Soviet Republics."

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio? [After a pause.] The Chair hears no objection, and it is so ordered. The question now arises on the amendment offered by the gentleman from Ohio.

The question was taken; and on a division (demanded by Mr. SMITH of Ohio) there were—ayes 25, noes 69.

So the amendment was rejected.

Mr. O'CONNOR. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. O'CONNOR: Page 1, line 6, after the period at the end of line 6, following the period, add the following sentence: "That none of the funds provided for herein shall be used for the purchase of any materials or commodities free of duty which are now under the law subject to duty."

Mr. O'CONNOR. Mr. Chairman, the purpose of this amendment is to prevent

the purchase of any materials or minerals or commodities of any kind that are now subject to duty under the present law without paying the duty. Here is what is going on, as is shown by the hearings on page 18, in the testimony of Mr. Jones before the committee that now has the bill in charge:

Mr. BROWN. Would you like to say something to us about the exemption from duty and tax contained in section 2 of the bill?

Mr. JONES. About imports?

Mr. BROWN. Yes.

Mr. JONES. We are buying every imaginable material from all sorts of countries. Some of these materials under the law bear an import duty and we do not want to pay it, and we are not paying it and we want that to be made according to law.

Mr. BROWN. You have not been paying it heretofore?

Mr. JONES. No. And I do not think we should.

Here is the question. I realize that all of these funds come out of the United States Treasury for the purchase of these materials, and if we look the thing in the face and think only of the present maybe it would make little difference, but we must look to the future. We must preserve, so far as we can, American industry, not only mining, but farming and livestock. We find that over a quarter billion pounds of wool are imported into this country and my impression is that it is brought in here free of duty. Likewise I understand that we have had many other commodities just as Mr. Jones said brought in free of duty. It may be all right to carry this good-neighbor policy a long ways, but remember this: We must not lose sight of our own people and our own industries. Who is going to pay the billions of dollars that are put on the American taxpayers? Will it be the farmers of this country, the businessmen of this country, the industry of this country, or will it be farmers and the industry of South America? The people we are taxing are going to pay this bill. Let us fix it here so that every industry in the future will be protected. At least let us fix it here so that the law cannot be violated by anybody. You can see that Mr. Jones has been going beyond the law, and the passage of this bill with no limitations gives him free hand to buy anything from anywhere and import it into this country without paying any duty, thereby compelling our producers to compete with the peon labor, low taxes of South America. Their standard of living is much lower than ours also.

Our high cost producing copper mines are closed because of the low price fixed on copper. Many miners could be put to work and hundreds of thousands of tons of additional copper could be produced in my own State if the price of copper was 12 cents, the ceiling fixed, plus the tariff of 4 cents per pound. Copper is also coming into this country free of duty today because of the practice as stated by Mr. Jones.

Is anybody in this country above the law? Have we reached the point in this country when this is a government by man instead of a government by law? If we have, then wipe out government. But I say you can place a ban on the use of this money by adopting this amendment. I appeal to the House in the name of the American taxpayer—in the name of the farmer, the businessman, the banker, the wage earner, the miner, and everybody else who is interested in the future of this country—to vote for this amendment.

Mr. PATMAN. Will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. PATMAN. The gentleman knows that none of this matter is imported unless it is used to make planes and tanks and guns—something in connection with our national-defense program.

Mr. O'CONNOR. Just a moment.

Mr. PATMAN. The gentleman knows, too, that it is not brought in unless it is not available here.

Mr. O'CONNOR. Just a moment. I want to say to the gentleman that you do not make steel out of wool. You do not make it out of hides. You do not make it out of the farming industry in South America, the products of which are brought in here.

Mr. COFFEE of Nebraska. Will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. COFFEE of Nebraska. Is it not a fact that the War Department has recommended a bill which has been introduced and referred to the Ways and Means Committee, H. R. 5032, that would permit the elimination of duties on all defense articles purchased by any governmental agency or department?

Mr. O'CONNOR. Of course. We have gone hog wild on this good-neighbor policy. We have forgotten our own people and the people who will have to pay. I hope my amendment will be adopted.

[Here the gavel fell.]

Mr. WILLIAMS. Mr. Chairman, I rise in opposition to the amendment.

The gentleman from Montana [Mr. O'CONNOR] has charged that Mr. Jones is violating the law. I think perhaps he has not investigated that question as thoroughly as he should have. Mr. Jones stated when he was before our committee that he was acting as the agent, and by the authority of the Secretary of the Navy, and there is a positive provision in the statute which gives him authority to import necessary materials from abroad in an emergency, without the payment of duty on them. That is the law under which he has been acting.

In the next place, primarily all of these materials that are being imported into this country are not subject to a tariff. Most of them are not. They are materials that we do not produce in this country in any material amounts, and for that reason they do not come in competition with domestic production.

The gentleman from Montana [Mr. O'CONNOR] is primarily interested in the wool question. There is a duty on that article, and there has been considerable wool imported into this country. He says cannons are not made of wool. That is true; but blankets and uniforms and equipment for the boys who are in the camps are made of wool. That commodity is brought into this country for the purpose of furnishing them. There is not an item here, and there is not in contemplation on the part of anybody to bring into this country an item that is not primarily essential for national defense. It would be an extremely short-sighted policy at a time like this, when we are trying to keep the price of these strategic materials within reasonable bounds, to say that we shall not increase our supplies, and thereby increase the price structure and to that extent make the Government as well as individuals who use these materials for private or civilian consumption, pay an exorbitant price for them because of the scarcity that exists. There are those who think that all tariff restrictions on all articles in time of an emergency such as we have now should be removed. I am not sure but what I am one of them. To say that we should retain these tariff duties when we have this extreme shortage is, to my mind, a very, very short-sighted policy.

For that reason I think this amendment would be very harmful not only to the national-defense program which is vital, but also to help keep in line the prices of those materials for civilian use which, by reason of the unusual demand that is being made upon them, is going higher and higher all the time. That is one of the means that we have of increasing our domestic supply. It is difficult to increase production, but we can secure these materials by importing them. There should be no duty paid on them.

For that reason, this amendment should be voted down.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. WILLIAMS. Yes; I yield.

Mr. WHITE. Is it not a fact that the commodities which went into the lease-lend goods that are being sent out of the country were brought in free of duty?

Mr. WILLIAMS. Yes. I should hope so.

Mr. WHITE. And the gentleman is in favor of that?

Mr. WILLIAMS. Yes.

Mr. GORE. Will the gentleman yield?

Mr. WILLIAMS. I yield.

Mr. GORE. Would it not be a silly proposition to collect duty from ourselves and then pay ourselves back the duty?

Mr. WILLIAMS. Yes. Many people of this country pay exorbitant prices on account of the shortage, and when we have an opportunity to get these goods we should get them. I say again, except in some extreme cases I would be in favor of removing these tariff restrictions during an emergency, when we can replenish our depleted stock here at home, not only from the standpoint of national defense, but in order to furnish civilian goods.

[Here the gavel fell.]

Mr. HOOK. Mr. Chairman, I have the deepest and most profound respect for this committee and its chairman. I want to say here and now, however, that I represent a district in which are located some of the largest copper mines in the world, and today, Mr. Chairman, those mines are not operating even though we are hundreds of thousands of tons short in this strategic material.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I yield.

Mr. O'CONNOR. Is it not a fact that these marginal mines, that is the low-producing copper mines, would be open and produce copper if the price of copper were raised the amount of the duty plus what is now being paid for copper by the Government, namely, 12 cents a pound?

Mr. HOOK. That is correct. Copper has been pegged at about 12 cents a pound. We cannot operate the high cost producing mines in northern Michigan at 12 cents a pound. Negotiations are going on now for an increase. What has happened? The Metals Reserve Company has gone down into South America and brought hundreds of thousands of tons of copper into this country without paying the excise tax. If they would allow the copper interests in northern Michigan a halfway decent price, a price they could operate on, we could increase the production of copper in this country. We could give to the national-defense program thousands upon thousands of tons of copper. But, no; it lies idle there, idle mines with great deposits of copper, idle resources that could be developed. Now, they want to go down into South America and bring copper into this country duty-free when the copper lies there ready to be mined with idle miners walking the streets unemployed and subject to W. P. A. labor and W. P. A. wages.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I yield.

Mr. MURDOCK. I have it on the best authority that our nonproducing mines, the marginal mines, could produce at home enough copper if it were not pegged at 12 cents a pound but rather at 14 cents, and we could supply the additional copper which is now being imported from foreign countries. I feel that we are not helping defense by pegging copper at 12 cents a pound.

Mr. HOOK. That is correct, and that is borne out by the statistics of a group that was appointed to study that program for the O. P. M.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. HOOK. I yield.

Mr. HOFFMAN Is not this copper-buying program a part of our good-neighbor policy in South America?

Mr. HOOK. I do not know what the policy is, whether it is the good-neighbor policy or some other policy; but I do know the Metals Reserve Company in the interest of national defense has gone down and bought all of this copper. This is a worthy thing, of course; we want to get production, complete production for national defense, all the production we can get, and if we cannot produce enough in this country then let them go down into South America; but let us open up the resources of this country before we go down into South America.

Mr. HOFFMAN. This is all right; but we want to keep those South Americans good-natured, do we not?

Mr. HOOK. I think it is no more than fair to say at this time that the offices of the O. P. M., R. F. C., Metals Reserve Company, and the Treasury Department are now completing negotiations with some of the companies in northern Michigan to assist them with a better price.

The companies will receive, in addition to 1 cent per pound over the base price plus an amount in cents per pound to enable them to raise the wages of the miners, about $1 a day.

Incidentally, the miners in some of these mines receive only about 46 cents an hour.

With the increase in the cost of living, it is only proper that they receive an increase in their wages.

When this matter came up over a year ago it was my contention that the operators were entitled to at least 15 cents a pound for their copper in order to be able to operate their mines. However, I did not believe that such an increase should be granted unless the laboring men in those mines be given an increase in the wages in proportion to the increase in the price of copper.

I want to extend at this time my appreciation to those Government agencies who worked continuously with me on this problem for about a year. I fully realize that the situation that confronted us was a difficult one, and I am pleased to know that the problem is now about to be solved. I appreciate the cooperation extended by Sidney Hillman, of the Labor Division; Mr. Leon Henderson and his assistants; Mr. John E. Hamm and Don Wallace, of the Price Fixing Division; Mr. Clayton, of the Metals Reserve Company; Mr. Clifton Mack, of the Treasury Department; and many others, including representatives of the Tariff Commission, Bureau of Mines, and other agencies. I want also at this time to extend my appreciation to Eugene Saari and the labor group in northern Michigan, who have waited so patiently and worked so valiantly in behalf of the increase of the wages for the miners and the increase in the price of copper.

Let us hope that within the next couple of days final negotiations with the mining companies will be consummated and that buying will be commenced. I feel satisfied that if and when this is finally consummated that the mining companies in my area will open up the idle mines and begin operations where deposits of copper exist in both Houghton and Ontonagon Counties.

The laboring men and the mining-company officials in the copper area wish to cooperate wholeheartedly in the interest of national defense, and I know of no better way for them to cooperate than to increase the production of this most strategic metal that is absolutely necessary toward a real national defense of this Nation.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, it seems to me this amendment is unnecessary, and I hope it will be defeated. The objectionable features of the bill, objectionable to many Members on both sides of the aisle, have been removed and the bill in its present form leaves the law absolutely as it is today except that it extends the borrowing capacity of the R. F. C. by the sum of $1,500,000,000. In every other respect the law is left absolutely as it is today. It is true the bill as reported out by the committee changed existing law in ways that were of deep concern to Members from certain States and sections of the country, but the committee in its wisdom has amended the bill and these objectionable features are removed. With the removal of these provisions the law is left absolutely as it is today, undisturbed in any respect.

It seems to me that with the wisdom of this committee, with the type of men who make up the committee, men we all respect, with the able argument made by the acting chairman of the committee who has explained the reason for his objection to this amendment to the committee bill, the Committee of the Whole might wisely adopt the position taken by the Committee on Banking and Currency, with the elimination of the objectionable section and let the bill go through stripped of everything except authority to the R. F. C. to increase its borrowing capacity as provided in the first section.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. McCORMACK. Certainly.

Mr. O'CONNOR. I do not yield to the gentleman in respect for the Committee on Banking and Currency. I think it is one of the ablest committees in the House. But obviously the gentleman has not read the testimony that was offered before the committee with respect to this very proposition.

I have no objection, in fact, I am willing to extend the credit to the amount of $1,500,000,000 to Mr. Jones to handle for the purchase of strategic necessary defense materials, but I want him to protect when he does that—the American industries; I want him to protect the miner of copper, of all strategic metals in this country, and I want him to protect the stock grower, the wool grower, the cattle grower, and all of our farmers. All this amendment does is to say to him: "You cannot purchase those materials that are subject to duty without paying the duty." This is for the protection of our own people, and I want to call the gentleman's attention to this——

Mr. McCORMACK. I hope my friend will leave me 30 seconds.

Mr. O'CONNOR. Yes; I will leave the gentleman 30 seconds. Mr. Jones testified:

> We are buying every imaginable material from all sorts of countries. Some of these materials under the law bear an import duty, and we do not want to pay it, and we are not paying it, and we want that to be made according to law.

I just want to fix it so he will obey the law, so he will not in the future do what he has been doing in the past, buy this material that is subject to duty and bring it in without the payment of duty. That is the purpose of the amendment.

Mr. McCORMACK. I thoroughly respect the position of my friend from Montana. He is ably representing the people of his district in this respect, and even when I disagree with him I know he is representing them to the best of his ability. This amendment is a very desirable one for my friend from Montana to offer. I thoroughly appreciate the high motives and I value the political sagacity of my distinguished friend in offering his amendment, and the people

of his district are to be congratulated in having him in Congress; but we come from all over the country. We represent different districts, and the important thing is that the objectionable amendment reported in the bill has been removed. The bill in its present form leaves the law as it is. Nobody knows where the amendment of the gentleman from Montana is going to hit and, in accordance with the statement of the distinguished acting chairman, it is likely to seriously interfere with the national-defense program of our country. We have given to my friend from Montana everything that he sought last week. The committee has done it by removing the objectionable features of the bill, and I hope the amendment offered by the gentleman from Montana, on the ground of its unnecessary nature, will be defeated.

[Here the gavel fell.]

INSURING SECURITY IS NOT SILLY

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last four words.

Mr. Chairman, we do come from all sections of the country, and in the consideration of this bill at the present time we are concerned primarily with the question of national security and national defense.

The reason why the amendment offered by the gentleman from Montana is worthy of consideration is because of the revelations in the testimony of Mr. Jones and the statement by the acting chairman of the committee, the gentleman from Missouri, that Mr. Jones has been acting as the agent of the Navy, thereby taking advantage of a law which permits him to buy all kinds of materials without the payment of duty.

The gentleman from Tennessee says:

Is it not a silly thing to pay the duty out of the pocket of Uncle Sam in one respect, then collect it and put it back in the other pocket?

It is not a silly thing. Rather, it is silly to destroy our security by discouraging domestic development.

The thing that makes it difficult to secure these strategic materials from abroad at the present time is not the item of cost that comes in by reason of the duty; the reason it is difficult to secure them is the lack of shipping. Those who are familiar with the true story as to manganese and some of these other materials will find the reason we have difficulty in getting them from the normal sources of supply today is the lack of shipping.

It is silly to continue our dependence on sources of supply 4,000 miles away. It is silly to ask our farmers to increase the production of butter, cheese, and pork and other meat products and then cut the bottom from under the prices on which they were urged to expand.

The reason we are dependent upon shipping is because we have adopted a silly policy in the past of destroying the protection which we promised at different times to give to some of these domestic industries for their development. I want to make this specific and give an illustration.

Manganese has been mentioned. Under the original Tariff Act of 1930 a definite protection was promised manganese that encouraged several people to look to the business of developing domestic deposits. In my own State, one firm spent $400,000 in exploring a deposit which had been discovered by the United States Geological Survey in 1929 and was said to contain 102,000,000 tons of metallic manganese. Before that time it was supposed such a domestic deposit was not in existence. When the reciprocal trade agreement was made with Brazil under the powers of the 1934 act and the tariff on manganese was cut in half, this company was forced to abandon its work because it could not see an opportunity, with the reduction in tariff, of going ahead on a profitable basis.

The significance of that for national security is that within the past year the representatives of the Bureau of Mines have found that even the 1929 estimates were too small, and they now are exploring the deposit and its ores in detail. They have recently made the statement that there is enough manganese there today suitable for strip mining to last this country for 100 years and supply all of our needs, without getting any from other sources; that there are over 50,000,000 tons that could be mined today by open-pit methods if the industry was developed to do it. So charge our dependence on foreign manganese today up to a silly policy of taking away the protection of the 1930 tariff. Had it not been for the reduction of that tariff, instead of being dependent upon shipping, instead of being in the position where we are trying futilely to get manganese from Russia, we would today have a domestic industry developed that would give us the protection we want.

That is the silly policy we have followed, and it is the policy some still want to follow.

We are interested in national security, as the majority leader has said, and that is the very reason why we should not destroy the protection which will make possible the development of domestic industry. This applies to copper; it applies to tin; it applies to manganese. Indeed, it applies to the stability of the livestock industry on which, we are told, so much now depends. Since we do collect the money with one hand and put it back with the other, it costs Uncle Sam nothing, and it is not so silly if this protection means the development of domestic industry that will give us the security we want.

Mr. REED of New York. Will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from New York.

Mr. REED of New York. There was an opportunity in the tax bill if the administration had wanted to develop these materials at home. The point is they do not want to develop our own industries. They want to develop industries for monopolistic people in other countries.

Mr. CASE of South Dakota. I am afraid the gentleman is right. So, in the interest of national security, I urge that you vote for the amendment offered by the gentleman from Montana.

Mr. SPENCE. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I do not know of any legal effect the amendment offered by the gentleman from Montana would have except to repeal the act which I read, approved June 30, 1914, chapter 130, Thirty-eighth Statutes, page 399, entitled "Emergency Purchases Abroad":

The Secretary of the Navy is authorized to make emergency purchases of war material abroad: *Provided*, That when such purchases are made abroad, this material shall be admitted free of duty.

This act has been on the statute books for 27 years. It has been on the statute books when there was no emergency. It has, during all that time, been the sound public policy of the Government to allow these materials used for defense to come into this country free of import duty. Now, when a great emergency presents itself, when we are scouring the world to get materials we need to tide us over the present emergency, and for national defense, an attempt is made to repeal this act that has been on the statute books for all these years and that has been an adopted policy of the United States. I believe this attempt to be shortsighted, and I do not see any reason at this time to change this policy, which has been found to be sound and advantageous even in times when no emergency existed.

Mr. WILLIAMS. Mr. Chairman, will the gentleman yield?

Mr. SPENCE. I yield to the gentleman from Missouri.

Mr. WILLIAMS. Is the gentleman familiar with the price of wool?

Mr. SPENCE. I am not at the present time.

Mr. WILLIAMS. I understand that the price of wool is as high as it has ever been; at least, it is about 176 percent of parity notwithstanding the fact that there have been a few pounds imported in accordance with the provision the gentleman has just read. It does not seem to me that that has interfered very seriously with the price of wool, in which the gentleman from Montana is so much interested.

Mr. SPENCE. How much wool does the gentleman believe the Secretary of the Navy would import for national defense?

Mr. WILLIAMS. I do not know. The amount he has imported is comparatively small. However, the point I am making is that the price of wool today is perhaps as high as it ever has been, and it is way, way above the parity price, notwithstanding the fact that the R. F. C. has been carrying out the policy to which the gentleman from Montana so much objects. It has not hurt the wool industry and it has not hurt any other industry.

If they cannot purchase copper in this country at a reasonable price—and the price has been fixed by the Price Administrator—then we cannot, especially in time of emergency, maintain an uneconomic and an inefficient industry under the circumstances as they are now.

I come from a district that produces lead, and that is one of the products they have been importing free of duty. If the producers cannot make lead and sell it on the market at the price it is now, when it is twice what it was a few years

ago, then they ought to go out of business. They are not complaining about this, either.

The idea of holding up these high protective duties at a time when we must have these materials in order to maintain some inefficient and uneconomic institution somewhere is the very height of nonsense and folly.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. SPENCE. I yield to the gentleman from Missouri.

Mr. COCHRAN. What the gentleman from Missouri has said with regard to wool applies likewise to manganese. With prices at the sky, we do not get enough in this country to meet our needs. This is the reason we are forced to go outside.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. SPENCE. I yield to the gentleman from Montana.

Mr. O'CONNOR. I call the attention of the gentleman to the fact that every available space for the storing of wool and other commodities is filling up in this country upon the theory that foreign countries are going to take these commodities, including wool. If those countries do not take these commodities, then the bottom will drop out of the market and your sheepmen will be getting about 5 cents a pound for their wool and about 2 cents a pound for their lambs and ewes.

Mr. SPENCE. The gentleman from Missouri has asked me about the price of wool, and I have referred that inquiry to the gentleman from Montana. What is the price of wool?

Mr. O'CONNOR. The price of wool in Montana today is about 35 cents a pound.

Mr. SPENCE. That is a good price, is it not?

Mr. O'CONNOR. That is a good price; that is right; but this is what you are doing with your policy. You are filling the bins of the country with wool belonging to foreign countries to be dumped onto the market at any price they can get, thus demoralizing the domestic price.

[Here the gavel fell.]

Mr. CARLSON. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, I had not intended to get into this discussion, but it seems that this bill and this particular amendment are of vital importance to the country.

The statement has been made that the Secretary of the Navy is authorized to buy these commodities and not pay duty on them, but the question is, Can he delegate this authority to any and every other official of this Government; in other words, can the Secretary of Commerce, through his lease-lending operations, use his money to import wool, hides, copper, and other items without paying duty on them, saying that they are needed for national defense? If he can, why can he not expand the list to include a large number of items? Why does not some other official of our Government have the same authority? If other officials do, what have we done to American labor, the American businessman, and the American farmer? The citizens of our country should not be forced to accept this unfair competition.

I believe this is a very far-reaching bill. I am in hearty agreement with the provision of extending the lending power of the R. F. C. However, I sincerely hope that they are not through a subterfuge trying to evade the statutes of this country and import commodities without paying the tariff on them.

It is not enough to say that we can buy things cheaper in South America. We can. We can import eggs from China, we can get wheat from Canada, we can get wool and beef and other commodities from South America, but I am opposed to doing so. I am not going to let this bill go through here without at least voicing my protest at trying to lower the living standards of our labor and our agriculture and our industry to the conditions prevailing in South America, China, or any other country.

I believe we have an opportunity to render our citizens a real service. Our taxpayers are the ones who must meet the enormous expenditures we are making for national defense. The committee has done a fine job, but I do believe that if some Government officials or some agencies are actually taking an advantage of this statute because we gave the Secretary of the Navy authority to do it, they are making a mistake, and I think they are violating their trust. I sincerely hope they will not do so in the future.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. CARLSON. I yield to the gentleman.

Mr. H. CARL ANDERSEN. It would appear from the remarks of the gentleman from Missouri [Mr. WILLIAMS] that it is more essential to this Nation of ours to give business to Brazil than to keep people in this country off of W. P. A.

Mr. CARLSON. I heard the gentleman from Missouri make that statement, and knowing him as I do I know he did not mean it the way it sounded. I do not think we should import things from South America just because they are cheap. After all, it is our citizens who pay the taxes and who are paying for this defense program. Let us not purchase things down there just because they are cheap. We can carry this good-neighbor policy too far.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. CARLSON. I yield to the gentleman.

Mr. BROWN of Ohio. I understood the gentleman from Missouri to say that wool is selling at 178 percent of parity. If that is true, it looks as if the wool producers of South America could well afford to pay the import duties.

Mr. CARLSON. There is no question about that, and, in fact, we are having grief with respect to wheat because the Canadian farmer can import wheat into this country and pay the 42 cents tariff and still make money. Fortunately, the President has by Executive order limited the amount of Canadian milling wheat to 800,000 bushels per annum, but what do they do? They mill wheat in bond as far south as Texas and have taken our South American markets. If that is going to be the policy of the administration, let us discuss it and bring it out into the open.

[Here the gavel fell.]

Mr. WHITE. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I certainly was surprised to hear the acting chairman in charge of this bill say that he represents a lead-producing district and that the lead industry in this country is flourishing. He does not seem to know that there is a $5.85 price fixed as a ceiling on lead, and I would call his attention further to the fact, if he represents a lead district in this country, that the people who are producing lead and the people who are working in the lead industry are paying taxes in this country, and I would call his attention to some of the taxes that the lead industry is paying in the form of capital-stock tax and income tax and everything of that kind going to support this Government and at the same time the industry is struggling against a $5.85 ceiling on that commodity. The gentleman states it is an inefficient industry and wants us to be forced into competition with tax-free lead in South America where people do not have any tax burdens such as the lead industry has in this country. I would like to know the gentleman's answer to that.

In the first place, the provisions of this bill are simply an authorization for an appropriation, and the R. F. C. will lend out $1,500,000,000 and somebody will have to pay it. The taxpayers of the United States are the people who are finally going to pay this $1,500,000,000 that is in this measure. Boiled down and stated in another way, it is simply a plan to circumvent the tariff protection on the importation of things from foreign countries, and I want to say to you gentlemen further that if we will protect and support our own industries there will be no shortage of these strategic materials. They are here in this country, but we are permitting policies to be put into operation that foster foreign production and prevent the development of our own resources. This is true not only of lead but of tungsten, or zinc, and all the other strategic materials. If we can get a liberal policy established by the Government, not in times of emergency like these but all the time, we can have our own supply of these materials here at home and not be menaced by the hostile actions of foreign countries.

[Here the gavel fell.]

Mr. HOFFMAN. Mr. Chairman, I move to strike out the last five words, and I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Chairman, I want to speak in support of the proposition advanced by my good friend from northern Michigan [Mr. HOOK]. What I cannot understand, and I hope the gentleman will explain it to me, is this: Why is it the administration wants to cut the copper-producing fellows out and cause all this unemployment? I notice from the noon issue of the newspaper there are some 215,000 who will have to get off the pay rolls in the motor industry between now and next winter. Why the administration wants to cut the

prices paid to these copper producers and our sheepmen and our wool growers I do not understand.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. Yes.

Mr. HOOK. I can explain it. The President has surrounded himself with too many Republicans; that is the reason.

Mr. HOFFMAN. Republicans?

Mr. HOOK. Certainly.

Mr. HOFFMAN. Who?

Mr. HOOK. Stettinius is not a Democrat.

Mr. HOFFMAN. Name the rest of them.

Mr. HOOK. Knudsen is not a Democrat, Stimson is not a Democrat, Knox is not a Democrat, and Wild Bill Donovan is not a Democrat.

Mr. HOFFMAN. And Willkie is not a Democrat.

Mr. HOOK. Willkie is not a Democrat—none of them is.

Mr. HOFFMAN. I think the gentleman is right. He has named all the disgruntled, unintelligent, unpatriotic backsliding Republicans we had. You took over from our party the darnedest lot of political junk I ever saw. What I do not figure out is this: Why do they fuss around so much with these copper fellows and these lead fellows, and then have the administration down here, the O. P. M., make the laboring men up in Michigan, in Wayne County, pay $1,440 more for a 5-room house than it can be built for if constructed with C. I. O. labor? Then, tell me how many votes you will get out of that—selling out to the A. F. of L., after getting help from the C. I. O. to the extent of $770,000, as they did in one campaign. Did you ever hear anything like that before?

Mr. HOOK. Mr. Chairman, will the gentleman yield? We will get a few good Democrats who will straighten it out for us.

Mr. FADDIS. Mr. Chairman, every time the matter of strategic materials comes before the House of Representatives we see this same old fight that is raging here today, the fight between the producers of low-grade materials in the United States and those who really wish to procure those materials in the interest of national defense. Every time the fight is made to prostitute national defense in the interest of sectional advantages. After all of the name-calling and other unpleasantness that we have indulged in this afternoon, perhaps it would pay us to make a few sober reflections on this matter. Let us take, for instance, the matter of manganese, and see how we have fared throughout the past few years in regard to this strategic material. Several years ago the Committee on Military Affairs brought to the floor of this House and passed a bill providing for the acquisition of strategic materials, to be used in the event of war. In spite of this legislation, very little has been done. The terms of the legislation were in effect these, that the domestic producers would be allowed 25 percent in addition to what the foreign producers were allowed—in addition to that the tariff, and there is a tariff I believe at this time of 2 cents a pound on manganese. In spite of all that, down to date, although millions and millions of dollars worth of contracts have been let to the so-called producers or domestic producers of manganese, they have produced almost no manganese for the use of the industries of this Nation up to date.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. FADDIS. No. Most of the manganese that we have been using for the industries of the United States and the industries of Great Britain has come from abroad. The domestic producers of manganese have made very definite claims in the past, even to the point of being ridiculous. I have no doubt that in the district of the gentleman from South Dakota [Mr. CASE] there are large deposits of low-grade manganese, but the fact of the matter is that the producers of that manganese have never yet been able to produce it, regardless of what the price has been. It is a fact that during the days of the World War, when the price of manganese rose to unprecedented heights, we never were able to produce over 20 percent of what we need in this Nation. The same thing applies to all of these strategic materials. The would-be producers, the promoters and representatives from mining sections, have made extravagant claims, but these claims have produced very little of these badly needed strategic materials. The same story applies to all of them. Are we going to take the money from the taxpayers of the United States in order to support an industry that cannot be maintained economically? If we are going to do that, we might better do it in peacetimes, in times when conditions are normal, than to undertake it today. It is essential that we get these materials and that we no longer get promises. We can no longer run mills making automobiles on promises; we can no longer operate on promises of rubber; and if we are to make high-grade tool steel, we must have tungsten to make it; and if we are to make certain grades of steel, we must have chromium; and we must have manganese if we are to turn out any steel at all. So now I ask the Members of this Committee to look back into the past and realize that the policy we have been following in subsidizing a low-grade mining industry has failed to produce strategic materials and has put this Nation in a defenseless position. That is where we find ourselves today. It is because we have listened to the pleas of these people in the past and they have proven to be false prophets. Why should we listen to them now? Therefore, I ask that the Committee reject this amendment.

Mr. COFFEE of Nebraska. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Montana [Mr. O'CONNOR].

I think it is very essential at this time to write into the law what we intend to do with respect to the purchase of foreign commodities on which a duty is supposed to be paid. The statute that has been quoted, under authority of which the R. F. C. has been bringing in these commodities duty free certainly was not intended for that purpose. Let me read the statute:

> The Secretary of the Navy is authorized to make emergency purchases of war material abroad, provided that when such purchases are made abroad this material shall be admitted duty free.

Certainly there was no intent on the part of Congress to delegate this authority that has been given to the Secretary of the Navy, to the Secretary of Commerce, or to any other agency.

There is before the Ways and Means Committee at this time a bill (H. R. 5032) which the War Department is pressing for enactment. It provides that any defense article purchased abroad by any department or governmental agency may be imported duty free. As you will remember, defense articles as defined include most everything. Unless we can insist upon the collection of the tariffs that Congress has imposed upon these foreign commodities, we will soon create a gateway in our tariff wall through which all of these foreign importations will come duty free. If there ever was a time when the Federal Government needed this revenue from customs receipts it is now. Is there any good reason why this duty should not be collected on these foreign commodities at this time to help pay the cost of the defense program? The Government should collect the duty on all imports, regardless of the name of the purchaser.

I should also like to call to your attention the fact that under the law 30 percent of all customs receipts are set aside for the use of the Secretary of Agriculture, under provisions of section 32 of the Agricultural Adjustment Act. That money is used in connection with the removal of surplus agricultural products and with the food-stamp program. In other words, it is used for the benefit of agriculture. Any attempt that is made to eliminate the collection of tariffs will short change that fund accordingly.

Just a word in reference to manganese. I am informed that the tariff on ordinary manganese was cut from 1 cent to one-half cent a pound. I do not care whether the American producer is producing manganese, copper, lead, wool, or livestock, he cannot compete with the peon labor of the South American countries. Unless we are willing to maintain a tariff that will measure the difference in the cost of production between those countries and our own, we will cripple the producers in our own country. We must protect the American producers' right to the domestic market. American taxpayers must be given an opportunity to make profits if they are to pay for this defense program. The good-neighbor policy, as far as I am concerned, should begin at home.

This amendment offered by the gentleman from Montana [Mr. O'CONNOR] should be adopted in order to prevent the abuse by any other agency of the authority Congress specifically delegated to the Secretary of the Navy.

[Here the gavel fell.]

Miss SUMNER of Illinois. Mr. Chairman, if I understand this amendment, it is only a matter of a bookkeeping arrangement. You only take out of one pocket and put it back in another. Under the present system, when the Gov-

ernment imports strategic materials, it does not pay any duty, and consequently it does not receive the taxes back. It is simply a matter of accounting, as I see it.

If this amendment were adopted, I see nothing that would prevent the bringing in of strategic materials. I think all of us who heard the appeal of the gentleman from Pennsylvania [Mr. FADDIS] will agree in the worthiness of bringing in strategic materials when they are not available here. But what strikes me as very important for people to consider, especially those representing rural districts, is what Mr. Secretary Morgenthau said in his Boston speech, which you will all remember—that in the future the purpose of bringing in materials would be to reduce farm prices. He said he was going to bring in Canadian wheat. I think all of us who endeavor to represent the farming communities where prices of some commodities at present do not in many cases cover the cost of production and certainly are not giving the laborer a living wage or giving the farmer enough to pay his interest ought to vote for this amendment, or one similar to it, in order to prevent the use of a part of this tremendous sum for the purpose of reducing such farm commodity prices.

Mr. STEFAN. Mr. Chairman, will the gentlewoman yield?

Miss SUMNER of Illinois. I yield.

Mr. STEFAN. The gentlewoman from Illinois is making a wonderful appeal. However, there is another reason why some amendment should be adopted at this time on this particular bill, in view of the fact that there must be some limitation adopted by the House as to the authorization of money which today can be used for most any purpose in the importation of strategic or any other materials, duty free. This House should go on record as to the authorization of funds for this particular purpose.

Miss SUMNER of Illinois. As a rule the more power you give an administrator the more freedom you take away from the people.

Mr. CLEVENGER. Mr. Chairman, will the gentlewoman yield?

Miss SUMNER of Illinois. I yield.

Mr. CLEVENGER. Was it not this same Navy Department that imported Argentine beef, which the President himself said was better than our own, and does not the gentlewoman think that some people in the gentlewoman's district and in mine may meet this thing coming back from the Argentine beef?

Miss SUMNER of Illinois. Did the gentleman notice that the Secretary of Commerce, Mr. Jones, testified at the hearings recorded on one of the latter pages, in response to questions from myself, that he is already bringing in hides from Argentina? He said there was a shortage of hides, but I leave it to the gentleman from Ohio to judge whether or not there is in truth a shortage of cattle and hides in this country.

Mr. CASE of South Dakota. Mr. Chairman, will the gentlewoman yield?

Miss SUMNER of Illinois. I yield.

Mr. CASE of South Dakota. With respect to strategic materials I hope the gentlewoman will keep in mind that this destruction of protection thrown around the development of domestic industry prolongs our insecurity and prolongs our dependence upon foreign sources, and that it is necessary to maintain this protection so that private capital and industry will go ahead and develop so we can have the production we need.

Miss SUMNER of Illinois. That is correct. There must be a price incentive to produce at a time when there is so much scarcity among our domestic producers. I think that is one of the first elements of defense.

[Here the gavel fell.]

Mr. PIERCE. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, the author of the pending amendment, the gentleman from Montana, and I usually are as far apart as the poles when it comes to methods of defense, but on this matter he has struck a responsive chord. I have some suspicions that the celebrated R. F. C. ought to have thrown around it some really protective measures in behalf of the people of these United States. It seems to me the amendment he offers simply says to this great financial agency: "Obey the law."

I do not think the R. F. C. did right when it allowed large amounts of importations of products and commodities from foreign countries without paying the legal tariff duties. I am mindful of the fact that this is a defense measure in large part, but I cannot overlook the fact that they did overstep the law. If we were not in the difficult position caused by the world's situation, the measure would not be here at the present time. We need unity in this hour of stress and strain, and I am generally inclined to yield my opinion to that of our House official leadership; but at this time I am going to assert my individual right and vote for the amendment offered by the gentleman from Montana. I do not think it best for the country to place anyone above the law. I believe that it is right and proper at this time for this Government, through its financial agencies, to forward the development of strategic materials. We in Oregon just wonder why we cannot develop deposits of some of these strategic materials that we have hidden in the hills.

The R. F. C. has made many decisions of doubtful wisdom. Why should a tin smelter be located in Texas to smelt tin ore brought all the way from Bolivia through the Panama Canal? Why is not the smelter located where transportation could avoid the dangers of the Canal? Why are Pacific Northwest aluminum plants not located with an eye solely to the cheapest and quickest production of aluminum? So I cannot see that a halo rests around the R. F. C.; certainly not the halo we have allowed to be placed there. I have had some dealings recently with the R. F. C. with regard to the location of aluminum plants on the Columbia River, and I have learned some interesting and disturbing things.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

LOOTING DEFENSE FOR ALCOA A SERIOUS STRAIN ON PUBLIC MORALE

Mr. PIERCE. Mr. Chairman, time does not permit discussion of proper security amendments to the pending bill, but I desire to record a few observations as a preliminary move leading to the exposure of a situation which should, in my opinion, result in corrective measures. The manipulations leading up to the execution and consummation of the contract between the Defense Plant Corporation, a subsidiary of Reconstruction Finance Corporation, and the Aluminum Co. of America—Alcoa—were, in my opinion, among the most discouraging performances, in a critical period, that this country has ever experienced. From actual facts, I am justified in saying that the men who will administer this act, and others who had a hand in the transaction, have thereby lost public confidence. I will later present a statement on the jokers in the contract and show how public interest and security have been sacrificed for private gain.

The head of the Senate Committee Investigating the Defense Program, Senator TRUMAN, is quoted as making a statement recently in St. Louis, in an interview with the Star-Times, calling the Alcoa contract "the rottenest contract the Government ever signed with anyone." That whole statement by the Senator should have been given wider press publicity than it received. I quote further from it:

> It appears that the Aluminum Co. of America still has the situation well in hand—and the country by the throat. If my opinion of this contract doesn't change by the time our committee completes its investigation—and I have no reason to believe that it will—I shall certainly recommend that the Government abrogate the contract.

Representatives of the British Government have just informed us that bombers are the vital need of those fighting the battle of freedom. They said, "Bombers are worth their weight in gold." Aluminum is necessary for their manufacture. Nevertheless, in spite of this extreme necessity, 5 months' time has been lost due to the Aluminum Co. manipulations in conjunction with R. F. C. and O. P. M. Another 9 months' time will be lost due to a decision on location of a new plant in the Pacific Northwest made several days ago under the Alcoa contract. This represents a loss of nearly 5,000 such planes. In addition, an impossible set-up has been created by the Alcoa-R. F. C. contract, which, under existing law and conditions, can result in siphoning funds from the farmers and home owners, who are Bonneville ratepayers, in order to provide a further subsidy for Alcoa. If our country needs and desires an all-out defense, this kind of thing must be stopped. The question at issue is the protection of a complete monopoly versus the protection of our country.

This administration, as long as this Aluminum Co. contract is in force, cannot, with clear conscience, ask the American people to make sacrifices. It cannot make good on promises made to England and other nations. Congress, as long as this contract is in force, cannot, in clear justice, legislate sacrifices

and service upon our people. Since officials in high governmental position have elected to ignore warnings and the law, and have proceeded on a course prejudicial to security and prudent use of taxpayers' funds, it is, in my opinion, necessary that the whole story be told in order that public opinion will force a revision of the nefarious contract with Alcoa. As a preliminary, in order to inform Congress, I today ask unanimous consent to insert in the RECORD an article from The Nation, of October 4, by its Washington representative, Mr. I. F. Stone. This article accurately presents the facts on this contract and exposes manipulation made for the prime purpose of preventing the construction and operation of a low-cost federally owned aluminum plant.

My principal reason for bringing these articles to the attention of my colleagues is that the press has not made the situation known. I have given some of the details in my speeches of June 6, July 16, and August 14, on the aluminum shortage. I very specially call attention to my speech of August 14.

The facts of the case are that the Aluminum Co. of America does not want to make cheap aluminum in its Pacific coast plants, where the power costs are so much lower than it has elsewhere. Another startling fact is that the Government officials and Alcoa appear to have conspired to delay the manufacture of aluminum. That this is the opinion of the Justice Department monopoly investigators is made apparent in a statement by Assistant Attorney General Thurman Arnold, in Boston, October 6. I quote:

> There is no denying the fact that for 10 months our defense effort has been hampered by the attitude of powerful private groups who fear the expansion of production because it may destroy their domination of industry after the war. These groups have been afraid to develop new production themselves. They have been even more afraid to let others develop it. They have concealed shortages by over-optimistic predictions of supplies. At one time, reports went out that it was unpatriotic to suggest that there would be a shortage of aluminum.

Mr. McINTYRE. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I favor the amendment offered by the gentleman from Montana. I think it should be agreed to in order to protect the interests of the American producers.

Yesterday I noticed by the press that the W. P. A. has reported 700,000 jobs lost during the past month. This is due to the shutting down of industries which are not able to get materials on account of defense priorities. It is partly due to the shutting down of mines and other industries on account of materials being bought abroad, duty free, instead of within the United States.

We all know that it costs more to produce in the United States than it does in foreign countries, because we have a higher standard of living. Maybe it seems like good business to use a law passed in 1914, which authorizes the Secretary of the Navy to purchase war materials abroad free of duty, as a subterfuge for permitting American companies to buy materials abroad in competition with American producers. Actually, however, we only increase our unemployment and lessen our income in our own country by doing so.

Through this pretense the Metals Reserve Company has purchased abroad some 400,000 tons of copper, while copper mines in Michigan and other States are idle. Of course, they cannot compete with foreign prices, when the tariff is evaded, but for the saving the Government makes it creates for itself the problem of unemployment and lessened income through the closing of American mines and plants.

The R. F. C. is transporting to and storing in this country 250,000,000 pounds of Australian wool at a transportation and storage cost of $12,000,000. While this wool belongs to Great Britain, the United States Government has the right to use any part of it. It has been brought in duty-free and doubtless will be used by the War Department in competition to the wool producers of Wyoming and other States. Maybe it is cheaper—I presume with the evasion of tariff it will be cheaper—but for every dollar of saving to the Government there will go a comparable loss to American wool growers. There will also go a proportionate decline in employment.

We have built up a standard of living in the United States, Mr. Chairman, of which we are all proud. We can maintain that standard only by protecting our domestic industries and producers. In this emergency our primary concern must be to get strategic materials wherever we can. When they are obtained from sources not in competition to our own producers they should be gotten at the best advantage. When they are obtained in competition to American producers, however, they must be purchased at the American standard or we will have serious problems of unemployment and bankrupt citizens to deal with here at home.

Mr. PATMAN. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, this bill as originally reported consisted of nine pages. At the present time it consists of only six lines. When the bill came up for consideration under the 5-minute rule the acting chairman, the gentleman from Missouri [Mr. WILLIAMS], submitted an amendment offered by the committee to strike out all after section 1. So all that is left is section 1, consisting of six lines, which only give the R. F. C. the power to extend its lendings $1,500,000,000. That is all that is left. Originally the bill contained an amendment which would permit the Federal Loan Administrator to bring into this country strategic and critical materials, if they were critical materials, free of duty. That is all out of it. There is nothing of it left in the bill.

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. Not now.

The gentleman from Montana says he wants to pass a law to make Mr. Jesse Jones comply with existing law. Even if Mr. Jones is not complying with existing law, but I am sure he is, do you think it would be any credit to this Congress for us to say that because we have a law which it has been charged is being violated, in order to reach that violation we should pass another law saying it is still in violation of the law for somebody to violate it? Do you think it would be any credit to our Congress to pass a law like that?

Let me read this amendment:

> That none of the funds provided for herein shall be used for the purchase of any materials or commodities free of duty which are now under the law subject to duty.

The gentleman's own admission is that materials subject to duty cannot be brought in without paying duty. He says in the amendment that it is a violation of the law. Is that the way to reach a violation of the law—to pass another law? We would never get anywhere that way.

Mr. O'CONNOR. Will the gentleman yield?

Mr. PATMAN. For a question, not for a statement.

Mr. O'CONNOR. I just want to call the attention of the gentleman to the fact that Mr. Jones admits he is violating the law.

Mr. PATMAN. You should proceed against him for violating the law then. Why pass another law?

Mr. O'CONNOR. Well, we like Mr. Jones in our State just as much as you do down in Texas, but we want to stop him from bringing in those materials that are subject to duty without paying the duty.

Mr. PATMAN. All right. The gentleman has said what he has in mind. Suppose we pass this bill with the gentleman's amendment. We have two laws on the same subject. Then suppose he finds another violation and another bill comes up. Then he would want to pass another amendment to the same effect. Can you get anywhere that way? Would it be any credit to this Congress to pile one law on another law providing exactly the same thing? That is what the gentleman from Montana, according to his own admission, claims. He is trying to enforce one law by passing another law.

Mr. GORE. Will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Tennessee.

Mr. GORE. Is it not a fact that on the articles which have been brought in without payment of duty there has been an agreement in reference to deferred payment and the payment will be made and Mr. Jones will not then be violating the law?

Mr. PATMAN. Certainly. According to this gentleman's amendment—the gentleman from Montana—if strategic materials were purchased in South America or Russia and sent to England, you would still have to pay a duty in the United States. That is according to the way this is written. You cannot purchase free of duty, although they do not reach our shores at all. They are purchased in Russia, sent to England, they do not come within 3,000 miles of the continental United States, yet, according to the gentleman's amendment, you would still have to pay a duty in the United States. I do not believe that the Members of

Congress want to pass that kind of an amendment.

Mr. McCORMACK. Will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Will the gentleman state what effect this amendment will have on the Navy Department in relation to the law of 27 years ago, so ably referred to by a distinguished member of the committee?

Mr. PATMAN. If you want to injure, harm, and interfere with national defense, and the Navy Department in particular, vote for this amendment.

[Here the gavel fell.]

Mr. SOUTH. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, a good deal of reckless talk has been indulged in here with reference to the wool situation by men who have not taken the time to carefully inform themselves on the subject, and I feel that it would be unfair to the wool producers and others interested to let the record be closed without some further explanation. It has been stated here that wool is now selling for 278 percent of parity. That is a mistake. Someone has raised the question as to whether wool should be classed as a strategic material. As a matter of fact, they are now making vast quantities of uniforms, blankets, and so forth out of wool, and it is now one of the important war materials.

I would like to call attention, Mr. Chairman, to this fact which applies to wool as it applies to no other major raw product produced in this country, so far as I know. Normally, in the United States we produce in excess of 450,000,000 pounds of wool. Normally, we use more than 600,000,000 pounds. In other words, we in the United States use some 40 to 50 percent more wool, year after year, than we produce.

We have now a substantial tariff on wool. Someone suggests that we can forego that protection during an emergency. I would like to remind the membership, Mr. Chairman, that less than 10 years ago I saw wool selling in my district, one of the major wool-producing districts of the United States, at less than what the tariff was then, and is now. If you think that is a thing that can be dealt with lightly, then tell me how the wool producer is going to stay in business at all if the product which he produces by his own industry and labor is selling at less than the tariff or duty, which is the only protection he has? And I tell you, I have seen that thing happen.

Today the tariff amounts to more than 33⅓ percent of the cost of wool in this country, somebody has said "take it off." Well, here is what you would be doing: Day after day, the men who work in our factories producing war materials, and I am for them as long as they are right, are demanding and receiving increased pay for their labor. The sheepman, the man who is producing our wool, is a laborer, yet from the talk here you would think it is his patriotic duty to donate his labor to the Government during this time of crisis. Let us treat them all fairly and alike.

Mr. O'CONNOR. Will the gentleman yield?

Mr. SOUTH. I yield to the gentleman from Montana.

Mr. O'CONNOR. We in the United States cannot compete with the wool producers of South America because their labor is much cheaper, their standard of living is much lower, their taxes are lower; therefore, we must have that protection against importing into this country the result of cheap-operating expenses.

Mr. SOUTH. That is right, and the same is true as to Australia and other countries. We must have some foreign wool, but, my friends, we do not want to permit any of it to enter our markets duty free. To do this would tend to destroy the great sheep-growing industry in our own country. All the answer you need to that question is the fact that the tariff itself is more than wool sells for very often in this country, so when you take the tariff off you have the man who is producing this important commodity absolutely at the mercy of the foreign producer, which, sad experience has shown, he cannot compete with.

Let me say to my Democratic friends on the committee and elsewhere that the group of Democrats hardest to keep in line has been the wool producer. Why? Because he has literally had the hide and the wool both taken off him on several occasions. During the Wilson administration our Democratic friends tampered with this tariff proposition and it broke the wool man. Now, when you talk tariff reduction to him he wants to run to the dugout, and I do not particularly blame him.

I am glad to have the assurance of the distinguished chairman and other members of the committee that the bill does not seek to affect in any way the existing duty on imported wool. As a matter of fact, the amendment offered by the gentleman from Missouri and adopted this afternoon eliminates that question entirely.

In my opinion, matters of this kind should not be changed with every change in circumstances or conditions. Once the market is upset it is often difficult to stabilize it again, and, as stated above, sad experience has many times shown that the wool producer is absolutely dependent upon a substantial duty on imports.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, I move to strike out the last 18 words.

Mr. Chairman, I merely wish to make the statement in reference to the tariff on wool that it is 34 cents a pound on a cleaned basis, and that the price of wool today for domestic 54's or a high quarter-blood wool is about a dollar a pound, so you can make your own judgment in that respect as to the value of wools.

Mr. O'CONNOR. That is on a scoured basis.

Mr. RICH. That is correct. Now we have to have a tariff. If there is anything I am glad to see, it is the Democrats getting up here today and saying we need a tariff. I say we need a tariff on everything that comes into America, a tariff that protects the American workingman, a tariff that protects the American farmer, and a tariff that protects the American businessman. If you do that, you will have a happy and contented American people and a sound America. I am glad to see the Democrats here this afternoon discussing that very feature. I hope when the times comes you will not forget it. Stop these reciprocal-trade agreements and we shall have a better country. Let us be for America, let us look after our own country more and stop meddling with the affairs of foreign countries.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Montana [Mr. O'CONNOR].

The question was taken; and on a division (demanded by Mr. O'CONNOR) there were—ayes 85, noes 90.

Mr. O'CONNOR. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed Mr. O'CONNOR and Mr. WILLIAMS to act as tellers.

The Committee again divided; and the tellers reported that there were—ayes 94, noes 95.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BULWINKLE, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 5667) to exempt strategic and critical materials from customs duties in certain cases, and for other purposes, pursuant to House Resolution No. 308, he reported the same back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

Mr. WILLIAMS. Mr. Speaker, I offer an amendment to the title of the bill.

The Clerk read as follows:

Mr. WILLIAMS moves to amend the title so as to read: "A bill to authorize the Reconstruction Finance Corporation to issue notes, bonds, and debentures in the sum of $1,500,000,000 in excess of existing authority."

The amendment to the title was agreed to.

A motion to reconsider was laid on the table.

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their own remarks in the RECORD on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

EXTENSION OF REMARKS

Mr. PIERCE. Mr. Speaker, I ask unanimous consent that I may include

in the remarks I made this afternoon quotations from Thurman Arnold and Senator TRUMAN.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made on the bill just passed and include therein three short telegrams.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. MAY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address by Judge Advocate General Allen W. Gullion. I have procured an estimate from the Printer of the cost of printing the manuscript.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

CONDITIONS IN THE CONQUERED LANDS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 3 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker:

> It is a matter of indifference to Germany if some thousands or perhaps tens of thousands of Norwegian men, women, and children starve and freeze to death during this war.

That states the cruel, cold, heartless, inhuman policy of the Nazis as expressed only last Saturday in a speech made in Oslo by Josef Terboven, Nazi commissioner to Norway. You will note the deliberate language used, "it is a matter of indifference to Germany," and then he includes not only "men" but "women and children" of Norway.

That utterance, which would not have been made unless authorized by Hitler, or made with his knowledge and consent, shows the terrible conditions that are facing the people—human beings all—of all conquered lands, past or future.

In Norway, there are 2,937,000 souls; in Denmark, 3,706,349; in the Low Countries, 17,115,122; in Czechslovakia, 14,729, 536; in Poland, 22,000,000; in Greece, 7,100,000; in Yugoslavia, 15,703,000, making a total of 83,291,007 souls—human beings, all faced with the same threat and dark future of general deliberate starvation unless they bend to the will of the Nazi regime. This does not include occupied France with its population of 27,800,000, all potential subjects of the same vicious policy.

"Unless you bend to us completely, we will let you starve," say the Nazis. "Your country, your independence, your religion, your homes, your laudable hopes and aspirations mean nothing to us—they meant little to us when we invaded and conquered you—they mean less to us today, because we are the superior race," says the Nazi ideology.

The voice of Terboven, with the mind of the devil, is the voice of arbitrary will, of violence, of might is right, of human slavery, of a powerful vicious machine determined to impose its will of materialism upon the rest of the world. It is the voice of the powerful destructive machine determined to destroy the philosophy of life that has its origin in God, and, with all of its human mistakes and imperfections, stands for law, justice, and human dignity.

In viewing world conditions and in determining our course of action our people, or any portion of them, cannot be guided alone by their dislikes or hates. We must be guided by our loves. We cannot permit our hates to becloud our loves, and our first love from a worldly angle is the United States of America.

I recognize that there are many among us who have honestly doubted our course to date, or who have honestly opposed our course. To these two groups I call attention to the inhuman statement of the Nazi commissioner to Norway, with nearly 3,000,000 human beings—the people of liberty and religious loving Norway—faced with a deliberate policy of starvation unless they bend themselves completely to the new order of Nazi Germany.

To those who love America and who are reacting only to their hates, the Nazi policy of deliberate starvation of the Norwegians ought to open up their eyes and their minds to those things in life—to those institutions that they love.

Let me repeat the latest Nazi policy expressed only a few days ago in Norway by the Nazi spokesman, "it is a matter of indifference to Germany if some thousands or perhaps tens of thousands of Norwegian men, women, and children starve and freeze to death during this war."

This policy can and will be carried out in every other conquered land.

Let those who stand for the best interests of our country and who hope and pray for a future, decent world, pause and ponder over the meaning of these inhuman words.

EXTENSION OF REMARKS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therewith certain excerpts from highly important speeches. I have received an estimate from the Public Printer in connection with the additional space required.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to include in my remarks made heretofore when the House was in Committee of the Whole, a certain telegram.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

(Mr. LARRABEE asked and was given permission to revise and extend his own remarks in the RECORD.)

PERMISSION TO ADDRESS THE HOUSE

Mr. WHITE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. WHITE. Mr. Speaker, we have all been stirred by the appeal of the great floor leader of this House with respect to the terrible conditions prevailing in Europe and the worse conditions that are about to ensue there. I am wondering if this great leader of the House and the Congress would be interested in any move to get the belligerents to modify the blockade so that the people who want to feed the people of the small democracies could act in the matter.

Today we can send food and supplies of every kind and description to England, but the blockade of the mighty British Fleet prevents us from sending a crumb to the poor innocent, starving women and children of Norway, Holland, Belgium, and France. Let this Congress and the President go on record in an appeal to the belligerents on both sides to modify the blockade so that the great heart of humanity can come to the rescue of these innocent, helpless people.

[Here the gavel fell.]

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 30 seconds at the conclusion of the legislative business today.

The SPEAKER. The gentleman is recognized for 30 seconds.

Mr. HOFFMAN. I just want to ask a question on the same subject, How long has it been since Great Britain refused to let America supply those starving people with food?

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted to Mr. WHEAT (at the request of Mr. ALLEN of Illinois) indefinitely, on account of sickness.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 39 minutes p. m.) the House adjourned until tomorrow, Wednesday, October 8, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 a. m., Wednesday, October 8, 1941, to consider certain private bills.

COMMITTEE ON INSULAR AFFAIRS

There will be a meeting of the Committee on Insular Affairs, Thursday, October 9, 1941, at 10 a. m., for the continuation of the hearings on H. R. 5722.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on Tuesday, October 14, 1941, at 10 o'clock a. m., to consider H. R. 3254, to safeguard and protect further the lives of fishermen at sea and to place fishing boats under the supervision of the Department of Commerce, Bureau of Ma-

rine Inspection and Navigation, and for other purposes.

CENSUS COMMITTEE

There will be a meeting of the Census Committee on Tuesday, October 14, 1941, at 10 o'clock a. m. for hearings on the Quinquennial Census.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

967. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 26, 1941, submitting a report, together with accompanying papers, on a preliminary examination at Lawrence, North Lawrence, and immediately contiguous area on Kansas River, Kans.; to the Committee on Flood Control.

968. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill declaring certain lands to be part of the public domain and providing for the administration thereof; to the Committee on the Public Lands.

969. A letter from the President, Board of Commissioners of the District of Columbia, transmitting a proposed bill to amend an act entitled "An act to amend the Code of the District of Columbia to provide for the organization and regulation of cooperative associations, and for other purposes; to the Committee on the District of Columbia.

970. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to authorize the construction or acquisition of certain naval local defense vessels, and for other purposes; to the Committee on Naval Affairs.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 4668. A bill granting a pension to Joseph J. Mann; without amendment (Rept. No. 1228). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. S. 138. An act granting a pension to Mary Jane Blackman; without amendment (Rept. No. 1229). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SCRUGHAM:

H. R. 5780. A bill to amend section 5 (c) of the Selective Service and Training Act of 1940, as amended; to the Committee on Military Affairs.

By Mr. VINSON of Georgia:

H. R. 5781. A bill to provide for the recapture of excessive profits derived from national-defense contracts; to the Committee on Ways and Means.

H. R. 5782. A bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; to the Committee on Naval Affairs.

H. R. 5783. A bill to authorize the construction or acquisition of certain naval local defense vessels, and for other purposes; to the Committee on Naval Affairs.

By Mr. McGEHEE:

H. R. 5784. A bill to consolidate the police and municipal courts of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. COCHRAN:

H. R. 5785. A bill to fix the responsibilities of disbursing and certifying officers, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. VINSON of Georgia:

H. Res. 310. Resolution relating to the need and feasibility of establishing crude-oil pipe lines from the Texas, Oklahoma, Arkansas, Mississippi, and Louisiana oil fields to the Atlantic seaboard; to the Committee on Interstate and Foreign Commerce.

By Mr. BOREN:

H. Res. 311. Resolution to increase the compensation of waiters employed in the House restaurant; to the Committee on Accounts.

By Mr. YOUNG:

H. Res. 312. Resolution requesting the Secretary of the Navy to investigate the desirability of establishing a naval academy in Ohio on the shore of Lake Erie; to the Committee on Naval Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. KIRWAN:

H. R. 5786. A bill for the relief of Truscon Steel Co.; to the Committee on Claims.

By Mr. REECE of Tennessee:

H. R. 5787. A bill granting a pension to Daniel H. Fillers; to the Committee on World War Veterans' Legislation.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1858. By Mr. KRAMER: Petition of the Democratic Central Committee of Los Angeles County, urging the Members of Congress of the United States to support House bill 4927, which bill would provide for the construction of the Great Lakes-St. Lawrence seaway and power project; to the Committee on Rivers and Harbors.

1859. Also, petition of the Los Angeles County Democratic Central Committee, urging the President to make such investigation as may be necessary to ascertain the petroleum needs of Spain and to limit shipments to that amount and see that no oil is transshipped to other countries; to the Committee on Rules.

1860. Also, petition of the Board of Supervisors of the County of Los Angeles, Calif., objecting to the proposal by certain transport and industrial interests that the Immigration and Naturalization Service permit entry, under bond, of 30,000 Mexican nationals for common labor; to the Committee on Immigration and Naturalization.

1861. Also, petition of the Los Angeles County Democratic Central Committee, opposing any coalition of the Democratic and Republican forces to support or oppose any congressional candidate in the 1942 elections, and favor the election of Democrats whose economical and social views are consistent with those of the President of the United States, Franklin D. Roosevelt; to the Committee on Election of President, Vice President, and Representatives in Congress.

1862. Also, petition of the Association of the County Assessors of th. State of California, recommending passage of the House bills 5222 and 3101, each of which pertains to the disposition of Federal lands; to the Committee on the Public Lands.

1863. By Mr. LAMBERTSON: Petition of Charles F. Strauss and 18 others, of Kansas, opposing all steps which may tend to involve this Nation in Europe's or Asia's wars; to the Committee on Foreign Affairs.

1864. Also, petition of Mrs. Theodore E. Sabin and 33 others, of Topeka, Kans., urging the removal of liquor from the camps and requesting laws to protect the morals of the boys in military camps; to the Committee on Military Affairs.

1865. By Mr. McGREGOR: Petition of Mrs. Rama C. Elliott, members of the Woman's Christian Temperance Union, and other residents of Centerburg, Ohio, urging the enactment of Senate bill 860, to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States, and for the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Military Affairs.

1866. By Mr. THOMASON: Petition of the National Association of Building Owners and Managers, urging Wage and Hour Administration to issue instructions to field ispectors that maintenance and service employees in office and loft buildings are not covered by the wage-and-hour law; to the Committee on Labor.

1867. Also, petition of Woods W. Lynch Post, No. 19, American Legion, Midland, Tex., calling on all who are responsible for development and training of our youth to establish a program of instruction in Americanization and the American ideals fought for in 1917–18; to the Committee on Military Affairs.

1868. By the SPEAKER: Petition of the Philadelphia Chamber of Commerce, Philadelphia, Pa., petitioning consideration of their resolution with reference to foreign affairs; to the Committee on Foreign Affairs.

1869. Also, petition of the State Council of Kentucky Junior Order United American Mechanics, Covington, Ky., petitioning consideration of their resolutions with reference to House bills 4861, 3455, 1435, 3865, 4873, and 2791; to the Committee on Immigration and Naturalization.

1870. Also, petition of the Order of Ahepa, Investment Building, Washington, D. C., petitioning consideration of their resolution with reference to foreign affairs; to the Committee on Foreign Affairs.

1871. Also, petition of Isabell B. Kerr, of Chicago, Ill., petitioning consideration of the correspondence dated September 30, 1941; to the Committee on the Judiciary.

1871½. By Mr. COFFEE of Washington: Petition of Byron J. Dolphin, of Seattle, Wash., requesting the consideration by the Congress of a complaint against the Post Office Department, in which the petitioner sets forth that such Department has unjustly discriminated against him by refusing the use of the mails for advertising a special preparation manufactured by him, known as "Dolphin's Natural Barks," which preparation, it is claimed by the petitioner, provides a salutary remedy for the eyes; to the Committee on the Post Office and Post Roads.

HOUSE OF REPRESENTATIVES

WEDNESDAY, OCTOBER 8, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, Thou art the refuge for man's weariness and the joy of work well done. We pray that the musings of the Eternal Mind may be around us that we may hear in our heart of hearts the voice of the Divine One. Do Thou cleanse and bless us with that sacrificial power which shall enable us to know life at its dearest and deepest, as well as its strongest and best, measuring its heights and depths.

In the urgent duties of the day let us hope that there may be a fellowship in understanding and determination. Grant us the blessings of the spirit of tolerance, self-restraint, and self-mastery, drawing us nearer that epoch of our country when freedom shall be the enchanted pursuit of our fellow countrymen, thus softening the weight of selfishness, class distinction, and adversity's touch. In the name of Him, our Lord and Master. Amen.

The Journal of the proceedings of yesterday was read and approved.

COMMITTEE ON NAVAL AFFAIRS—LEAVE TO SIT DURING SESSION OF HOUSE

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that the Committee on Naval Affairs be permitted to sit during the session of the House today.

The SPEAKER. Is there objection?

There was no objection.

COMMITTEE ON MILITARY AFFAIRS—LEAVE TO SIT DURING SESSIONS OF HOUSE

Mr. FADDIS. Mr. Speaker, by direction of the Committee on Military Affairs, I ask unanimous consent that the committee may be permitted to sit during the sessions of the House during the remainder of the week.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. DISNEY. Mr. Speaker, I ask unanimous consent to extend my remarks on the passing of former Governor Marland, a former Representative in this body, and include an editorial with reference to him from the Tulsa World.

The SPEAKER. Is there objection?

There was no objection.

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include the program of the tenth annual convention of the National Reclamation Association.

The SPEAKER. Is there objection?

There was no objection.

Mr. SIMPSON. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address by Dr. Arnaud C. Marts, president of Bucknell University.

The SPEAKER. Is there objection?

There was no objection.

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent to extend my remarks and include a resolution of the Iowa State Grange held at Newton, Iowa, September 30.

The SPEAKER. Is there objection?

There was no objection.

Mr. LEAVY. Mr. Speaker, I ask unanimous consent to extend my remarks and include an item from the Spokane Daily Chronicle on the Grand Coulee Dam.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial.

The SPEAKER. Is there objection?

There was no objection.

COMMUNISM

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, now that we are about to vote for aid to Russia, I call attention to a campaign handbill put out in the Michigan campaign in behalf of "Comrade Sugar." "Comrade Sugar" has come out definitely against the church—

which has kept the people in darkness and ignorance for 1,900 years.

His slogan is:

Close the churches and make these buildings into shelters for homeless men and women. Down with religion, which is the opium which the ruling class feeds you to keep you satisfied with the miserable existence which you lead. There is no God.

To all who hate the smug priests of the Catholic Church and slimy hypocritical ministers of the Protestant churches—there are a few exceptions to the above. To all those who are oppressed by this damnable government, we address this message. Vote for our candidate, the candidate of the only party which fights for the workers, the Communist Party. Our candidate is Maurice Sugar, the international labor-defense attorney and member of the Communist Party.

Mr. Speaker, we are about to give the administration almost $6,000,000,000 to aid the nation which seeks to spread that doctrine throughout America. There are 12 schools about to open in Chicago teaching that doctrine.

The SPEAKER. The time of the gentleman from Michigan has expired.

SECOND SUPPLEMENTAL NATIONAL DEFENSE APPROPRIATION BILL, 1942

Mr. CANNON of Missouri, by direction of the Committee on Appropriations, reported the bill (H. R. 5788) making supplemental appropriations for the national defense for the fiscal years ending June 30, 1942, and June 30, 1943, and for other purposes, which was read a first and second time, and, with the accompanying report, referred to the Union Calendar and ordered printed.

Mr. TABER. Mr. Speaker, I reserve all points of order.

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 5788. Pending that, I wonder if I can reach some agreement with the gentleman from New York as to time for general debate?

Mr. TABER. Mr. Speaker, I understood we were to have today and tomorrow for general debate and that we were to read the bill on Friday; and if I remember correctly, the majority leader obtained unanimous consent that we might meet at 11 o'clock on Friday in order to read the bill.

Mr. CANNON of Missouri. It would be agreeable to the gentleman from New York if we should read the first paragraph before we adjourn on Thursday?

Mr. TABER. Yes. There will be no amendments to that paragraph, I am certain. That will be satisfactory.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that general debate may extend through today and tomorrow, one-half the time to be controlled by the gentleman from New York [Mr. TABER] and the other half by myself.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. KNUTSON. Mr. Speaker, reserving the right to object, it is my understanding that both of the gentlemen who would be in charge of the time are in favor of this legislation. There are a number of us who are opposed to it. I am interested to know just how we are going to be treated as to time?

Mr. TABER. I have always tried to provide as much time as could be provided for those who asked for recognition, who take a different position from my own. I expect to follow no different procedure at this time. I understand the gentleman from Missouri [Mr. CANNON] would feel about the same way, as far as that goes.

Mr. CANNON of Missouri. I think that on our side we will be disposed to yield to anyone who may not be in full sympathy with the measure.

Mr. KNUTSON. In other words, we are to understand that no one will be denied time?

Mr. TABER. Well, I cannot guarantee that, because there might be some who will come in during the last couple of hours who have not asked for time, and the time may all have been allotted. But those who ask promptly for time will be taken care of.

Mr. KNUTSON. Well, the gentleman always has been fair, and I assume he will be this time.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. RICH. Mr. Speaker, reserving the right to object, may I ask this question: Suppose there should be more on this side of the House who are opposed to it than there are on that side of the House and that they did not have an opportunity to speak, may the time be divided between the two gentlemen in charge of the time so that we would have complete time, because I am opposed to this bill myself?

Mr. TABER. I have already agreed to recognize the gentleman from Pennsylvania [Mr. RICH]. He asked me for 10 minutes. I have him down for 15 minutes. If he has any fault to find with that, I would like to hear it.

Mr. RICH. I will take the 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

DIFFERENTIAL IN PAY FOR NIGHT WORK TO POSTAL EMPLOYEES

Mr. FORAND. Mr. Speaker, I ask unanimous consent to file a supplemental report on the bill (H. R. 2232) to provide

a differential in pay for night work to custodial service employees in the Postal Service.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

SECOND SUPPLEMENTAL NATIONAL-DEFENSE APPROPRIATION BILL, 1942—LEASE-LEND

The SPEAKER. The question is on the motion of the gentleman from Missouri [Mr. CANNON].

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 5788) making supplemental appropriation for national defense for the fiscal years ending June 30, 1942, and June 30, 1943, and for other purposes, with Mr. BLAND in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. The gentleman from Missouri is recognized.

Mr. CANNON of Missouri. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, early last March we passed the epoch-making lend-lease bill. It represented the considered judgment of the House, the Senate, and the President. Unquestionably it represented the overwhelming sentiment of the Congress and the Nation. Its enactment will rank for all time to come as one of the notable events, not only in our own history but in the history of the world. It committed America specifically, authoritatively, irrevocably to the aid of nations defending themselves, their territory, and their way of life against the ruthless aggression of the Axis Powers, wherever and whenever the President of the United States found their defense essential to our own defense.

It was not a declaration of war. It did not take us into the war. On the contrary, it was designed for the express purpose of keeping the spreading contagion of war from our own shores. But its commitments are unmistakable. It pledges this Nation, unequivocally, to provide all possible aid and assistance to those nations whose defense is vital to our own defense. It makes America the arsenal of democracy. It settles, once and for all, after fullest deliberation and debate, all questions of national policy toward European and Asiatic belligerents. In the particularly well-chosen and well-phrased language of the gentleman from New York [Mr. TABER] in the course of his eloquent speech on this floor on March 18:

> The die has been cast. It is impossible for us to turn back. We have gone so far that we must go all the rest of the way.

And no one can desire to turn back. The rapidly moving events of the brief months which have intervened since the passage of the act have been corroborative and convincing. They have demonstrated beyond the peradventure of a doubt that without our assistance and support, these nations abroad, whose defense is our defense, cannot survive, and that if they succumb, we ourselves must eventually and inevitably face alone and unaided, on land and sea and in the air, the immensely augmented power of a lawless aggressor who in 2 short years will have destroyed every nation in Europe, and with them every vestige of free government.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. If the gentleman will permit me to complete my statement, I shall then be glad to yield. It remains, therefore, for us to translate those commitments into action, into food, arms, and equipment munitions. The time is short and a crisis draws rapidly on. A turn of the war is imminent. What we do we must do quickly. We must make available to our Allies abroad, fighting in Mongolia, in the desert heat of northern Africa, above the English Channel, in the Ukraine, and on the frozen Steppes of Russia, such clouds of airplanes, such acres of tanks, such an avalanche of munitions as will meet, equal, surpass, and engulf the endless streams of machinery, breaking like ocean waves against the last frontiers of every democratic people in the Eastern Hemisphere. For this is a war of machinery, a battle of production, and that nation will win which can put on the battle front the largest amount of machinery in the shortest space of time.

In this battle of production the Allies have been at a disadvantage. The aggressors are not only far in the lead with a head start but they have taken over one by one the workshops of Europe. They control today practically every center of production upon the Continent. During their years of preparation, they have been utilizing, in their war-production program, one out of every two able-bodied men in their own dominion, and are now enlisting under dire stress of famine and coercion, vast armies of semi-slave labor from their wide-flung empire of subjugated nations. It is a practical demonstration of the philosophy of the Nazi new order, that mechanized might makes right. And giving expression to that malevolent philosophy, Adolf Hitler said just last week, in his speech of October 3:

> We are putting the whole Continent into our service.

And then he added:

> There is now no adversary who cannot be forced to yield by an available mass of munitions.

In order to survive we must meet that challenge. We must make available an even larger mass of munitions or we must yield.

The issue is won or lost, not so much on the battlefield, as in the workshop, in the laboratory, in mine, and plant, and factory, where our plowshares and tractors are being welded into the panoply of war.

But in a broader way, in a deeper analysis, the issue is being decided on this floor. The issue is presented here today, just as it was presented in the committees and on the floor of the French Chamber of Deputies and the English House of Commons immediately prior to the war. In those crucial days, parliamentarians and partisans dallied. They waited, they temporized, they delayed, they divided, they debated. They failed to provide equipment, and—equipment won the war. With only 150,000 men, a handful compared with the millions under arms, but implemented with the most modern engines of destruction, Hitler smashed the invincible Maginot Line. The French were not out-fought. They were not out-manned or out-generaled. They were out-machined. Beneath the withering fire and clanking tread of iron juggernauts, defenseless poilus telegraphed frantically back: "Send planes; send tanks." But none came. There were none to send. The voluble representives debating appropriation bills, and the accompanying questions of cash or contractual obligations, had neglected to provide them.

Shall we fall into the same error? Shall we make ample provision while there is yet time. Or shall we likewise send too little and too late?

Let me quote General Marshall, Chief of Staff of our Armies, and one of the eminent military authorities of the world. He said in his testimony before the committee that our adequate assistance—

> * * * would increase the chances of a successful end to the war; would hasten the early conclusion. * * * will not only contribute directly to the safety of the Western Hemisphere but will shorten the period of tremendous expenditure for defense.

In keeping with General Marshall's recommendation and with a view to making ample provision in time for it to be effective and so shorten the war abroad and decrease the long-range cost of our defense, the Committee on Appropriations reports the pending bill. No questions of policy are involved. All such questions were disposed of with the passage of the Lend-Lease Act. No material change in program is suggested. The plan adopted in the first Defense Aid Supplemental Appropriation Act has proven so successful that it is continued and the appropriations in this bill are in effect merely supplementary.

The subcommittee went into all questions presented by the bill, and especially all data submitted in its justifications, thoroughly and exhaustively. We had not only the members of our subcommittee on deficiency appropriations, but we invited the participation of the subcommittee on War Department appropriations and the subcommittee on the Navy appropriations, and had the advantages of the counsel and advice of members of all 3 subcommittees. In the hearings on the bill and in all proceedings we afforded every member of the 3 combined subcommittees opportunity and facilities to secure all data that might throw light on the subject or which might contribute to a more complete understanding of the bill. And after the approximately 20 men composing the 3 subcommittees and representing both parties has

passed on the bill, it is gratifying to note that the report approved this morning by an overwhelming majority of the subcommittees and the Committee on Appropriations en banc carriers 3 findings of particular interest to the Congress and the country.

In the first place, the committee reports that no difficulty had been encountered in the administration of the $7,000,000,000 appropriation, of which the pending bill is an extension.

Again, the committee reports that good progress has been made in carrying out the lend-lease program. And, last, the committee finds there has been no misuse of funds or powers granted under the authority of the $7,000,000,000 appropriation bill. That is a record of which every Member of the House and every American citizen can be justly proud.

Mr. O'CONNOR. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Montana.

Mr. O'CONNOR. May I ask the gentleman when was the bill reported that we are now considering?

Mr. CANNON of Missouri. The bill was reported this morning. The report complies in every respect with the custom regularly followed in the reporting of an appropriation bill. There has been no change in the method of handling this bill except we have given it more attention, have invited more to participate in its consideration, and exercised more care in scrutinizing the estimates.

Mr. O'CONNOR. I regret the procedure in this case. Hearings were held on this bill for about a week or 10 days, as I understand.

Mr. CANNON of Missouri. Hearings were held as usual and were not concluded until every Member had had opportunity to secure all the information he desired. No one was circumscribed either in time or the field of his investigation, and when everyone was satisfied we closed the hearings.

Mr. O'CONNOR. Now, then, those hearings were reduced to writing and put in pamphlet form. On the back of those hearings we have these words, "For release when bill is reported."

Mr. CANNON of Missouri. Yes. That was put on with a rubber stamp, and that rubber stamp has been used——

Mr. O'CONNOR. That is the trouble. We have too many rubber stamps.

Mr. CANNON of Missouri. On every transcript of testimony that has been reported by this committee in the last 50 years.

Mr. O'CONNOR. These hearings cover pages 1 to 467. How can it be expected that the membership of this House, furnished with a pamphlet containing 467 closely printed pages, can read, consider, and understand what is in here within the time allowed for consideration of this bill on the floor of the House?

Mr. CANNON of Missouri. We have 2 full days allotted for general debate alone before the bill is to be called up for amendment. I trust the gentleman will find no difficulty in reading the 467 pages in the 48 hours.

Mr. O'CONNOR. I sat up all night trying to read the report. May I ask the gentleman this question: How many countries are now receiving benefits under the lend-lease program?

Mr. CANNON of Missouri. Twelve countries.

Mr. O'CONNOR. Twelve countries. Will the gentleman name them?

Mr. CANNON of Missouri. They are named in the second lend-lease report (S. Doc. 112). It is unnecessary to enumerate them here.

Mr. O'CONNOR. The gentleman declines to do that?

Mr. CANNON of Missouri. No; I do not decline. My time is short. The gentleman can read them in the printed report.

Mr. O'CONNOR. I am going to try to familiarize myself with this report, if I can, before we get through, and I am going to do the best I can under the parliamentary procedure adopted to do that.

Mr. CANNON of Missouri. I may say that the parliamentary procedure to which the gentleman refers is precisely the same procedure which he has observed and followed in the consideration of appropriation bills ever since he has been a Member of the House.

Mr. O'CONNOR. The gentleman quoted the gentleman from New York [Mr. TABER], who said that "The die is cast and we cannot back up." I would like to have the gentleman give us his interpretation of what he means by "the die being cast." Are we in this war or are we not?

Mr. CANNON of Missouri. We are certainly not in the war. But I suggest that the gentleman, in order to get an authoritative answer to his question, take up that matter with the gentleman from New York [Mr. TABER], who will follow me.

Mr. O'CONNOR. The gentleman I am now addressing quoted him, and agreed with him, that the die was cast.

Mr. CANNON of Missouri. The gentleman from New York referred to the passage of the lend-lease bill and the decision of the Congress to render aid to any nation whose defense is involved in our defense or whose defense is essential to our defense.

Mr. O'CONNOR. The gentleman feels this way about it, of course, that going as far as we have gone, we are going to get into it by force, if necessary, and, as a matter of fact, we are already in it by force, are we not?

Mr. CANNON of Missouri. Into what?

Mr. O'CONNOR. In this European mess. We are shooting. What does that mean? I just want to ask the gentleman this question and then I will let him go.

Mr. CANNON of Missouri. The gentleman predicates his question on conditions which do not exist.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield myself 10 additional minutes.

Mr. O'CONNOR. May I ask one further question: The gentleman says it is too late to change our minds and back up. Does not the gentleman feel that it is never too late to change your mind about committing suicide?

Mr. CANNON of Missouri. If the gentleman will ask some question that pertains to the bill, I shall be pleased to answer it.

Mr. O'CONNOR. It applies to the facts.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Massachusetts.

Mr. TREADWAY. I note that defense aid is title I, and at the bottom of page 3, under (e), the total amount mentioned is $5,985,000,000.

Mr. CANNON of Missouri. Will the gentleman please repeat that? I do not have a copy of the bill before me.

Mr. TREADWAY. I was only coming to my question. My question is this: In making up the estimates on pages 2 and 3 of the amounts this bill carries, how were those estimates reached and by whom were the figures submitted to the committee?

Mr. CANNON of Missouri. That has been reduced to a matter of established routine. The countries to be assisted present a list of what they consider to be their requirements.

Mr. TREADWAY. To whom? To the gentleman's committee?

Mr. CANNON of Missouri. They submit their needs to the lend-lease administration, which considers them and then refers them to the department having jurisdiction—the War, Navy, or Agriculture Department, and so forth. These Departments then take them up with the representatives of the foreign governments concerned and go over them and make their recommendations to the lend-lease administration, and from there they go to the Bureau of the Budget and to the President.

Mr. TREADWAY. How long has that process been in operation to get this bill ready?

Mr. CANNON of Missouri. From the time the first money was available.

Mr. TREADWAY. Let me see if I understand the gentleman. The original figure has been submitted by representatives of the foreign countries to whom we are to furnish aid?

Mr. CANNON of Missouri. They submit a list of supplies they consider essential.

Mr. TREADWAY. They furnish those figures to some of our executive departments?

Mr. CANNON of Missouri. To the lease-lend administration.

Mr. TREADWAY. Then that administration in turn refers those figures to the gentleman's committee, and in turn they have gone back to the representatives of the foreign countries for confirmation?

Mr. CANNON of Missouri. No; they are then submitted to the department having jurisdiction, the best authorities we have on military, naval, and other matters involved.

Mr. TREADWAY. But they eventually go back to the representatives of the foreign countries to whom we are furnishing aid?

Mr. CANNON of Missouri. No; they then come back to the lease-lend administration, and after further consideration and decision by that administration, if it approves them, they then

go on to the Bureau of the Budget, and finally to the President.

Mr. TREADWAY. To what extent have the figures submitted by the various countries been approved by the Bureau of the Budget and the gentleman's committee?

Mr. CANNON of Missouri. The War Department is a good example. General Marshall, Chief of Staff, perhaps one of the most eminent authorities on military affairs in the world today, says that after considering the requests of these countries and their requisitions we are allowing less than half of what they ask.

Mr. TREADWAY. Less than half of what the governments involved have asked us to supply them?

Mr. CANNON of Missouri. That is right so far as the War Department is concerned.

Mr. TREADWAY. Does General Marshall base the opinion he expressed to you on the needs of those countries or on the financial condition of the United States?

Mr. CANNON of Missouri. He based it upon the amount we had allowed as compared with the amount they had requested.

Mr. TREADWAY. So there is a very large difference between the $5,985,000,000—let us call it in round figures $6,000,000,000—that you are recommending in this bill and the figure the governments involved actually asked for originally?

Mr. CANNON of Missouri. I judge from General Marshall's statement—and he has had an opportunity to scrutinize all requests—that they asked for more than twice as much as we granted.

Mr. TREADWAY. That involves all seven of the items down to and including (d)? It involves all the items, and General Marshall has passed on all of them, as I understand?

Mr. CANNON of Missouri. Of course, General Marshall was speaking of requests handled by the War Department.

Mr. WIGGLESWORTH. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Massachusetts.

Mr. WIGGLESWORTH. I believe the testimony shows that the total requests of $11,000,000,000 were reduced to approximately $7,000,000,000

Mr. CANNON of Missouri. The complete data is in the hearings.

Mr. TREADWAY. I thank the gentleman for that information. I believe it is of interest to the House to know where these figures originally came from and how you have compiled them, because it runs into a tremendous sum of money. For instance, here we have for administrative expenses, $10,000,000.

That is a lot of money to be appropriated with one line of explanation—with no explanation, as a matter of fact.

Mr. CANNON of Missouri. There is nothing unique in the method in which it was reported. It was handled in the same manner in which we handle the regular supply bills.

The departments make requisition for the amounts which they need. Then those amounts are taken up and considered by the Bureau of the Budget and then are submitted to the committee in the same way as this estimate was submitted to the committee, and the committee followed the same routine we always follow in the consideration of appropriation bills.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from New York.

Mr. TABER. Mr. Chairman, so that the matter may be clear, may I bring out at this point that all the British or other requests are not submitted in dollars, but are submitted in quantities of material, and that those quantities of material are allocated to them and thereafter the price is determined; so that when the foreign countries come with their requests, they do not come with a request for dollars but just for materials.

Mr. CANNON of Missouri. That is true. The man up on the front line facing the enemy is not interested in the amount of dollars his gun costs. All he is interested in is the gun and sufficient ammunition to supply it.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from New York.

Mr. FISH. Could the gentleman tell us whether there was any testimony before his committee which showed whether or not any of these lend-lease funds would be used to aid Soviet Russia?

Mr. CANNON of Missouri. Our testimony on that is clear and definite. No amount has been so used. None of the $7,000,000,000 has been used to aid Russia and in the program submitted to us, in connection with the pending bill, no provision was made for aid to Soviet Russia. Of course, that would not preclude the President, if in his judgment, acting under the lend-lease law, he found it advisable to use some of it to aid Russia. But in the estimates submitted nothing was in contemplation or was at any time proposed to provide a penny for Russia. As a matter of fact, Russia at the present time seems to be taking care of her needs. The Secretary of the Treasury has advanced or has agreed to advance $10,000,000 on gold to be delivered by Russia. Russia is the second gold-producing country of the world. Only South Africa produces more gold than Russia, and against a supply of gold Russia is ready to deliver the Secretary of the Treasury has agreed to place a credit of $10,000,000. Also of strategic and critical materials, such as manganese, chromium, asbestos, and so forth, the Reconstruction Finance Corporation has agreed to buy up to $100,000,000 worth, and to advance $50,000,000, of which $10,000,000 has been paid. The testimony before us was that this would supply Russia's needs for the next 60 days.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield myself another 10 minutes.

Mr. FISH. Is it not a fact that Mr. Stettinius, in reply to questions of members of the committee, stated that none of this money would be used to help Soviet Russia?

Mr. CANNON of Missouri. Under the program submitted to us, there was no provision for any part of it going to Soviet Russia.

Mr. FISH. And that was the testimony of Mr. Stettinius?

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Virginia.

Mr. WOODRUM of Virginia. Mr. Stettinius did not make any statement of the kind referred to before the committee.

Mr. FISH. Then who did make that statement?

Mr. WOODRUM of Virginia. No one made such a statement.

Mr. FISH. There seems to be some difference of opinion between members of the committee on that point.

Mr. CANNON of Missouri. No; there is no difference of opinion at all. It was never presented; it was never submitted; it was never suggested that any part of this appropriation should be used for Soviet Russia, but under the terms of the bill which authorizes this expenditure, the President, if he found the defense of Russia was essential to the defense of the United States, could, in his discretion, use it for that purpose.

Mr. TABER. Mr. Chairman, will the gentleman yield to me?

Mr. CANNON of Missouri. I yield to the gentleman from New York.

Mr. TABER. Would the gentleman yield to me with reference to that Soviet situation so that I may read from the hearings?

Mr. CANNON of Missouri. I yield to the gentleman from New York.

Mr. TABER. This is on page 26, part 1, of the hearings, and I would like to have the attention of the gentleman from Virginia:

Mr. LAMBERTSON. Mr. Stettinius, I like to talk to a man who is well known for carrying heavy responsibilities. I think that is the attitude of the members of the committee. I want to get better advice and information on this. Mr. WOODRUM stated in the beginning that there is no difference between this $6,000,000,000 bill and the other.

Mr. STETTINIUS. That is substantially correct.

Mr. LAMBERTSON. The other was primarily for England, and this is primarily for Russia, as we have it from the newspapers.

Mr. STETTINIUS. No, sir; this is not primarily for Russia.

Mr. LAMBERTSON. It is not for Russia?

Mr. STETTINIUS. No, sir.

Mr. CANNON of Missouri. That corroborates in every respect the statement made on the subject.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Michigan.

Mr. DONDERO. Will the gentleman inform the House whether or not Russia and the Government of Persia submitted their needs to the committee, on which the committee based the estimates found in this bill?

Mr. CANNON of Missouri. No estimate was received so far as the committee is informed from either of them.

Mr. DONDERO. Then whatever the figure is in here, it was not based upon

any request made by the Government of Russia or the Government of Persia?

Mr. CANNON of Missouri. That is true. There was no such request made; but may I make it plain that, under the law, if the President should find that the defense of Persia or the defense of Russia was essential to our defense, he could, if he so found and so wished, provide aid for them out of funds appropriated in this bill.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. Yes.

Mr. COX. I wonder if it is not actually contemplated that some considerable portion of the funds set out in the bill will be used by way of extending aid to Russia?

Mr. CANNON of Missouri. Not so far as the committee is informed. There was no statement at any time that any portion would go to Russia or was under consideration for Russia.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. Yes.

Mr. MICHENER. Congress has already appropriated $7,000,000,000 to implement the lend-lease law. As I read the hearings, and as I have heard this debate, this bill is merely a supplementary appropriation—an additional $6,000,000,000 for lease-lend purposes. The President has exactly the same discretion in connection with the disposition of this $6,000,000,000 appropriation that he has with the $7,000,000,000 lend-lease appropriation. The lend-lease law established a policy. The $7,000,000,000 partially implemented that policy. This $6,000,000,000 will make a total of $13,000,000,000 appropriated under the lend-lease policy.

Mr. CANNON of Missouri. The gentleman has stated it very accurately.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. With pleasure.

Mr. KNUTSON. Referring to Document No. 112, containing the President's message submitted to this body on September 15, I call attention to page 9. I observe that in the summary of expenditures there is listed a total of $388,912,115 under the lend-lease appropriation of $7,000,000,000, and there are obligations totaling three-billion-five-hundred and-fifty-five-million-and-odd dollars. As I figure that, it leaves money which has not been obligated or expended to the amount of $3,100,000,000, approximately. If my figures be correct, there certainly cannot be any justification for the administration asking for an additional $6,000,000,000 at this time.

Mr. CANNON of Missouri. Of the $7,000,000,000, a little over 90 percent has been allocated; about 55 percent, between 50 and 55 percent, has been committed and the remainder of it will be contracted in a short time. The gentleman understands, of course, that this is a long-range program.

Mr. KNUTSON. Evidently.

Mr. CANNON of Missouri. We not only cannot take these things off the shelf, like a man buys a new hat or a pair of shoes. They are not waiting for us there. In many cases we are actually providing the facilities and building factories. It is a character of commodities which must be contracted for a long way ahead. The $7,000,000,000 under the previous program will be obligated early in January 1942, and the additional amount provided in this bill will have been obligated by March 1, 1942, and the whole thing will have been fabricated and delivered by June 30, 1943.

Mr. KNUTSON. That is true, but we are asked now to make appropriations 20 months ahead.

Mr. CANNON of Missouri. Yes, and unless the money is provided now, when the 20 months roll around you will have nothing, so far as guns and ships, and so forth are concerned. That is what was the matter with England and France. If they could in one night have secured all this material, they would have been glad to pay two or three times the price, but they did not act in time. We are taking time by the forelock.

Mr. KNUTSON. All right. I am glad to hear that, because I know it will make me sleep better tonight.

Mr. CANNON of Missouri. The gentleman has a good conscience, and a sense of duty well-performed for his constituents and the Nation, and always sleeps well.

Mr. KNUTSON. I thank the gentleman. And I say the same for the chairman, although he is never asleep when he is on the floor. I think the hearings will disclose that our present manufacturing facilities are contracted for up to full capacity up to the next 20 months.

Mr. CANNON of Missouri. Our information is—and we have it from Mr. Knudsen, a most authoritative source—that at the present time we are using between 15 and 20 percent only, but when the program is in full swing by June 1943, we will then be using approximately 50 percent of manufacturing production.

Mr. KNUTSON. How much money have we paid British ships for transporting lease-lend goods to Britain that we are giving her for nothing?

Mr. CANNON of Missouri. Nothing at all.

Mr. KNUTSON. Oh, yes; oh, yes.

Mr. O'NEAL. Oh, no.

Mr. KNUTSON. They charged us 1 percent on stuff that went over.

Mr. CANNON of Missouri. Mr. Chairman, I yield now to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, I call the gentleman's attention to the hearings on page 33, under the caption "Aid to Russia"——

The CHAIRMAN. The time of the gentleman from Missouri has again expired.

Mr. CANNON of Missouri. How much time have I consumed?

The CHAIRMAN. Forty minutes.

Mr. CANNON of Missouri. I yield myself an additional 10 minutes, and yield to the gentleman from New York.

Mr. FISH. This is a statement by the gentleman from Pennsylvania [Mr. DITTER].

In Mr. JOHNSON's examination, and also of Mr. LAMBERTSON, did I understand you correctly that Russian aid is not intended?

Mr. STETTINIUS. That is correct; not at this time.

Mr. DITTER. In this?—

Meaning in this bill—

Mr. STETTINIUS. That is correct.

So that is quite contrary to what was stated on the floor of the House. That is in accordance with your statement, but not in accordance with other statements that were interposed that Mr. Stettinius said something to the contrary. Here it is in black and white.

Mr. CANNON of Missouri. The gentleman has the hearings before him, and they are authoritative.

Mr. BENDER. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield.

Mr. BENDER. I have it on pretty good authority that in this $7,000,000,000 lend-lease appropriation, millions of dollars' worth of agricultural products in this country were provided for the British. I was told—and this came from very good authority, and the gentleman, I understood, heard the same testimony—that those agricultural products were in turn sold to the British people, and the proceeds went to the British Government.

Mr. CANNON of Missouri. The plan for the distribution of foodstuffs is set forth in a formal memorandum from the British Government of September 10, 1941, and the pertinent parts are as follows:

Food distribution is carried out in the United Kingdom by wholesalers to whom the Government sells food as principals. In fact, the Ministry of Food has established a close control over all distributive margins, so that neither the wholesaler nor the retailers receive any greater remuneration than is adequate to cover the cost of services performed.

No food obtained on lease-lend terms is or will be sold at uncontrolled prices.

Thus the general arrangements as regard the issue of lend-lease food fit into His Majesty's Government's policy of stabilizing the whole price level of foodstuffs, a policy to which the Government contributes a hundred million pounds a year.

In some cases direct, free distribution is practicable and will be adopted. For example, some milk products (including lend-lease supplies from the United States) are distributed direct and free of charge to children and others in need through schools, clinics, and hospitals. The distribution is undertaken by State agencies and the cost of the distribution is borne by the Government.

Mr. EDMISTON. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield.

Mr. EDMISTON. The House Military Affairs Committee this morning conducted a hearing at which appeared Gen. Leonard P. Ayres, Coordinator of War Department Statistics, and his figures certainly do not agree with those which the gentleman quotes from Mr. Stettinius. They told us this morning that of the $7,000,000,000, plus $1,300,000,000 of defense-aid program, $3,600,000,000 as of September 1 had been obligated, and only $150,000,000 of that actually delivered to the British. So certainly the War Department and Mr. Stettinius are at great variance in their figures on what has been done in the defense-aid program.

Mr. CANNON of Missouri. Unfortunately, I am not familiar with the evi-

dence to which the gentleman refers, but when it is reduced to a comparable analysis I am certain it will be found to conflict in no way. The information here is absolutely dependable. It is from men who are in a position to know and men whose integrity cannot be questioned.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield.

Mr. REED of New York. I am curious to know, in the light of the visits which have been made by our officials to Moscow, where it was indicated by the press at least, that aid was promised to them by this Government, if they are not going to get aid from this bill, from what source are they going to get it from this country?

Mr. CANNON of Missouri. That is a question which, of course, did not come before the committee.

Mr. TABER. Well, Mr. Chairman, will the gentleman yield at that point?

Mr. CANNON of Missouri. I yield.

Mr. TABER. Mr. Jones told us, as I remember it, that he had already extended credit of $100,000,000, $10,000,000 of which had actually been used, to Russia, through the Reconstruction Finance Corporation.

Mr. CANNON of Missouri. But that did not involve lease-lend funds.

Mr. TABER. As I understand it, that was the aid that so far had been promised and delivered to Russia.

Mr. CANNON of Missouri. In response to a suggestion by the gentleman from Missouri [Mr. COCHRAN] and in response to the gentleman from New York [Mr. REED], I will say that the money to which the gentleman from New York [Mr. TABER] refers is not a gift. It is merely the purchase price of essential materials which we are buying from them, or for gold which they are delivering to the Treasury and has no connection with this bill or with lend-lease funds.

Mr. REED of New York. As I understand the gentleman, as I think was brought out by the gentleman from Michigan [Mr. MICHENER], in this bill authority is there for the President to use such part in such way as he may see fit, in regard to what he considers a question of our defense.

Mr. CANNON of Missouri. Whenever the defense of any nation is essential to our defense, he may aid them.

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to my colleague.

Mr. SHEPPARD. I would like to ask the gentleman this question: Is it not a fact, under testimony that was given before our committee, at no time in the presentation on this appropriation bill was there contemplated any help to Russia, but under the language of the bill, if it was desired by the President of the United States and he deemed it necessary to protect the best interests of this Nation, there was a right and option for him to give this help to Russia, and we all hoped it would do it?

Mr. CANNON of Missouri. The gentleman expresses the situation very clearly. There was no request or intimation that any of the funds provided in this bill be used either directly or indirectly for Russia. But any Member of the House is aware that under the law authorizing this appropriation the President, if he finds the defense of any country essential to the defense of the United States, may use this money or any other money provided under the bill to aid that country.

Mr. COFFEE of Nebraska. I have been unable to find the names of the 12 countries we are assisting under present lease-lend funds. Is it not a fact that about half of these countries are in South America?

Mr. CANNON of Missouri. South American countries are included. The list appears on page 3 of the second lend-lease report—Senate Document 112.

Mr. COFFEE of Nebraska. Was any evidence presented to the committee that would indicate what proportion of the money expended under the first $7,000,000,000 lease-lend bill and that which will be expended under the pending appropriation will be outright gifts and what proportion will be secured?

Mr. CANNON of Missouri. There was no provision for outright gifts out of these funds under any circumstances.

Mr. COFFEE of Nebraska. Is it not a fact that a great proportion of this money must be considered as outright gifts?

Mr. CANNON of Missouri. On the contrary, the President is authorized to require ample consideration for every dollar of aid given.

Mr. COFFEE of Nebraska. Did the committee have any evidence before it to the effect that these expenditures were being secured?

Mr. CANNON of Missouri. Negotiations had been concluded with three countries and negotiations were under way with the remainder of the countries which are to receive aid under the bill. These negotiations were being conducted by the State Department.

Mr. COFFEE of Nebraska. These contracts are made by the State Department, as I understand.

Mr. CANNON of Missouri. Yes. They are made by the President, who acts through the State Department.

Mr. COFFEE of Nebraska. Did the Appropriations Committee have access to any of these contracts that have already been made? Did they give you the context?

Mr. CANNON of Missouri. They provided us with all the information we required. The agreements have not been made public.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield myself 10 additional minutes in order to answer questions.

Mr. COFFEE of Nebraska. If the gentleman will yield further, I notice the British Government has appropriated a total of $12,000,000,000 in their defense efforts. The appropriation carried in the pending bill added to the $7,000,000,000 appropriated for lend-lease purposes earlier this year will make our appropriations for aid to other countries more than the total appropriated by the British Parliament.

Mr. KNUTSON. And they have been at war 2 years.

Mr. CANNON of Missouri. The figures the committee has been able to obtain as to war expenditures of Britain and her dominions will be found on page 453 of the hearings.

I now yield to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. This morning in the committee the gentleman from Missouri made this statement as coming from General Marshall:

> To appropriate less would be to hinder the winning of the war.

Whose war?

Mr. CANNON of Missouri. If the gentleman will consult the report he will find the statement verbatim.

Mr. RICH. If the gentleman will yield further, whose war? Are we in war today?

Mr. CANNON of Missouri. I did not discuss any war.

Mr. RICH. I am asking the chairman of the committee.

Mr. CANNON of Missouri. We are not at war and we do not expect to be at war. We are appropriating this money to keep out of war.

Mr. RICH. The gentleman says we are not at war now, yet we are today doing the very things for which we criticized Italy when she went into Ethiopia, for which we criticized Japan when she went into China, for which we criticized Germany when she went into these other countries. If we want to be men let us stand up here and do the thing that is right. If you want to carry on war under such conditions as this you will declare war.

Mr. CANNON of Missouri. If the gentleman is so disposed he may offer a bill to that effect. This bill is to keep us out of war. I yield to the gentleman from Ohio [Mr. JONES].

Mr. JONES. The gentleman referred, I believe, to the opposition to this bill as being like the Chamber of Deputies of France and the legislative bodies of other democracies which have fallen under the Nazi war machine.

Mr. CANNON of Missouri. In time of peace they did not prepare for war. In time of peace we are making preparations which we trust will enable us to avoid war.

Mr. JONES. I want to make this observation, Mr. Chairman, that we have appropriated $60,000,000,000 for the defense of this hemisphere and lease-lend. Our productive capacity is only $1,300,000,000 per month at the present time. How then can the gentleman liken the opponents of this measure to the members of the Chamber of Deputies of France when we have provided this enormous amount that they cannot spend because we do not have the capacity?

Mr. CANNON of Missouri. The gentleman has made a slight miscalculation as to our productive capacity. It was testified by Mr. Knudsen, who is certainly competent to testify on the subject, that even by 1943, when we will have doubled and tripled production, we will be using only approximately 50 percent of our factory productive capacity.

Mr. JONES. The gentleman is talking about 1943, I am talking about 1941, our present productive capacity.

Mr. CANNON of Missouri. At the present time we are using between 15 and 20 percent of our factory capacity. I now yield to the gentleman from Minnesota.

Mr. O'HARA. The gentleman is, I am sure, concerned as I am about our own national administration.

Mr. CANNON of Missouri. The sole purpose of this legislation is to provide for our defense.

Mr. O'HARA. What is the gentleman's own information as to the defense matériel for our country, such as tanks and planes? It has been reported to me that these specialists, I mean the tank men, and so forth, have not tanks with which to be trained, that many of our aviation groups have not the right kind of combat planes or training planes. What is the effect on our own national-defense program? In what way has that been affected by our lease-lend aid to the British, to China, and to these other countries?

Mr. CANNON of Missouri. It has been affected only in an advantageous way. The rumor to which the gentleman refers is not borne out by the facts. We are supplied with ample training equipment. Furthermore, in agreeing to supply material there is always the reservation that title to material which has been fabricated for the use of foreign nations remains in the United States—and title remains with us and we may at any time divert any part of it for our own defense.

Mr. BRADLEY of Michigan. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Michigan.

Mr. BRADLEY of Michigan. I just understood the chairman of the Committee on Appropriations to say that title to this matériel remains in us until it is delivered.

Mr. CANNON of Missouri. Reservation is made that if at any time we need it for our own purpose, we have the right to take it.

Mr. BRADLEY of Michigan. May I pursue that inquiry further?

Mr. CANNON of Missouri. Yes.

Mr. BRADLEY of Michigan. Suppose then we send a bombing plane to England; title remains in us until it is delivered over there. What happens to the title then? Does it remain in us or do we transfer title to Great Britain?

Mr. CANNON of Missouri. Eventually, of course, we expect to transfer title when compensation has been agreed upon. Definite terms are now in negotiation.

Mr. BRADLEY of Michigan. What move has been made to agree on compensation?

Mr. CANNON of Missouri. We have now concluded treaties with three nations, and we are now in conference with all other nations who are asking for matériel.

Mr. BRADLEY of Michigan. Have we agreed upon compensation with Great Britain?

Mr. CANNON of Missouri. Not yet, but we are in process of reaching an agreement with Great Britain.

Mr. BRADLEY of Michigan. We are in effect giving them the airplanes, and so forth?

Mr. CANNON of Missouri. No; we are not giving them anything and we do not expect to give anything except for quid pro quo.

Mr. WOODRUM of Virginia. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman.

Mr. WOODRUM of Virginia. May I remind the gentleman, in answer to the question asked, that title to planes, tanks, and guns remains in America all the time. We do not give up at any time title to those articles.

Mr. CANNON of Missouri. That is technically true. Of course, when negotiations are completed we expect to pass title in exchange for compensation. Passing of title is delayed merely pending agreements.

Mr. BRADLEY of Michigan. Then do I understand that Great Britain is fighting the enemy with planes which are owned by America, the title remaining in our hands?

Mr. WOODRUM of Virginia. The gentleman is too imaginative.

Mr. BRADLEY of Michigan. How can the gentleman say that the war is not being fought with America's own equipment then?

Mr. WOODRUM of Virginia. I did not say that.

Mr. BRADLEY of Michigan. I am asking that question of the chairman of the Committee on Appropriations.

Mr. MICHENER. That was settled in the lend-lease bill.

Mr. LUDLOW. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Indiana.

Mr. LUDLOW. The gentleman from Missouri has made a very illuminating and very adequate presentation of this matter. Before our learned chairman takes his seat, I wish he would state for the edification of the House and for the edification of the country what the correct name of this bill is. Is it the lend-lease bill or is it the lease-lend bill?

Mr. CANNON of Missouri. I am glad to answer the question. At the instance of my good friend from Indiana, it has been officially determined that this is the lend-lease bill. I am pleased to have his suggestion.

May I say in conclusion to my friends on both sides of the aisle that while we may differ about details, while we may differ on nonessentials, on the fundamental propositions involved in this bill, on our determination to carry on our commitments to provide aid for those nations whose safety involves our own safety, there can be no difference of opinion. It is one of the many favorable signs of the times that we can reconcile the nonessentials and get together on the vital provisions of the bill and all it implies.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield myself 30 minutes.

Mr. KEEFE. Will the gentleman yield so that I may ask a question that I tried to ask of the chairman of the Committee on Appropriations?

Mr. TABER. Yes; I yield to the gentleman.

Mr. KEEFE. What is the provision in the contract that has been entered into for the construction of these war materials we propose to lease-lend as to termination, if any?

Mr. TABER. There is a provision in all contracts for war materials, all contracts under the War and Navy Departments, and under this lease-lend proposal that permits termination of those contracts depending upon the stage they are in, so that the party that has the contracts will not lose, the things will not have to be completed, but they can be dropped just as close to where they were at the time of peace as might be possible. That provision has been inserted in all those contracts, and I believe it was inserted, according to my recollection, as the result of a demand of the late Chairman Taylor, of the Committee on Appropriations.

Mr. KEEFE. If the gentleman has a copy of that contract and it is available, would he be kind enough to include in his remarks a statement of the specific provision in these contracts which provides for termination?

Mr. TABER. I will try to get it in time for insertion in the RECORD today, but if I cannot get it I will try to obtain it tomorrow and put it in the Appendix of the RECORD.

Mr. KEEFE. I thank the gentleman.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Montana.

Mr. O'CONNOR. What evidence was offered before the committee; that is, direct evidence and not hearsay evidence, as to the need of Britain and Russia and these other countries for this aid? What evidence did you have showing that they need what we are now seeking to furnish?

Mr. TABER. The evidence we had was from the lease-lend Administrator; from the Chief of Staff of the Army and the heads of the various bureaus in the Army; from the Chief of Naval Operations and the heads of the different bureaus in the Navy; from the Chairman of the Maritime Commission, Admiral Land; and from the Secretary of Agriculture. They all told us that the specific items that were provided for their set-ups were required as a result of the investigations they had had made by their own representatives across the water.

Mr. O'CONNOR. As I understand, then, we are acting upon nothing but hearsay evidence?

Mr. TABER. They are reports from responsible officers of this Government to the heads of the different bureaus and agencies in the Government.

Mr. O'CONNOR. No evidence from any of these governments, directly from the governments themselves that we are seeking to aid, was offered before your committee?

Mr. TABER. We had no representatives of foreign governments before our committees. We never have had, and I hope we shall not begin now.

Mr. O'CONNOR. How are we going to get direct evidence unless we have some-

body before us that knows exactly of his own knowledge what he is talking about?

Mr. TABER. I do not intend for my own part to let fellows who are propagandists for some outside source be my guiding influence in my deliberations. I want a report from our own Government representatives who have been looking into the situation, and know, as far as they can, what they are talking about.

Mr. CARLSON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Kansas.

Mr. CARLSON. Is it not a fact that most of the information was secured by Harry Hopkins on his recent tour?

Mr. TABER. Lord, no. Harry Hopkins did not appear before the committee. Harry Hopkins was relieved of his job as lend-lease administrator, according to the testimony of General Burns, on the 28th of August, before these estimates were sent up here. I hope he stays removed. The administration has appointed Mr. Edward Stettinius to that position. I believe that Mr. Stettinius is a man of ability and character. I am counting on Mr. Stettinius to go into all these requests that have already been submitted and where allocations have been made and contracts not yet been entered into, and pass upon the need for them and see that a decent job is done.

Frankly, the bill comes here with a good deal better face with a man of character and ability like Mr. Stettinius in charge of that situation than it would have with Mr. Hopkins in that position.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Michigan.

Mr. HOOK. Does the gentleman believe that Mr. Stettinius did any better job of helping the small business men of the United States under his priority deal than Mr. Hopkins did under the W. P. A.?

Mr. TABER. Mr. Hopkins did as rotten a job as anybody could under the W. P. A. I do not know whether anybody could figure anything worse.

SECOND LEND-LEASE APPROPRIATION

Mr. Chairman, we now have presented to us estimates for $5,985,000,000 in connection with the so-called lend-lease bill. We owe it to the country at this time to make a frank statement as to just exactly what the situation in this country is and to the things which have led up to it. We should begin with the Roosevelt foreign policy and follow it through and see just what the effects of that foreign policy have been and what the present situation is.

In 1933 the President, as the first major step in foreign policy in his administration, recognized Soviet Russia. Comrade Stalin at that time agreed to cease all propaganda in the United States for the promotion of communism and for the overthrow of the United States Government. Instead of that promise being kept, Comrade Stalin increased fourfold his activities here, financing all sorts of activities designed to promote the overthrow of the United States Government and establish communism here. He increased fourfold his activities in England and France. His group became so powerful in both these countries that their influence prevented the continued policing of Germany under the Treaty of Versailles, and permitted the development of the Hitler regime until it finally became an octopus. For this mistake in foreign policy Comrade Stalin and the United States and England and France are now paying dearly.

In 1935 and 1937, under the direction of the President, the House Foreign Affairs Committee brought forward the so-called neutrality bill. For my own part I could not vote for it. I felt that it was a declaration of weakness on the part of this country and that it was liable to involve us in hostilities. In 1939 the President joined with England and France in encouraging Poland to fight at a time when we were neither able nor ready to go ahead—at a time when neither England nor France were ready or able to go ahead. From that date on the President has sought, after making a proclamation of neutrality, to commit various acts in violation of that neutrality.

First and major. The amendment of the Neutrality Act after the declaration of war in Europe and the declaration under our own Neutrality Act.

Second. The transfer of destroyers, airplanes, guns, and ammunition.

Third. The lend-lease bill itself, formulating a policy for this country.

While he has done these things, which were absolutely bound to involve us in war, and which have already involved us in a shooting war where our own vessels and the vessels of the Hitler outfit have orders to shoot on sight, he is still telling the people that he is going to keep us out of war when the merest child knows that that is not so. Is it not about time for Mr. Roosevelt to tell the American people the truth and that is that those successive steps were bound to involve the United States in war?

Now, I am not saying that we would ultimately not have been involved. I am not saying that Mr. Hitler did not have designs upon us. I actually believe that he did have. I actually believe that he is a serious menace to the United States and that his intended approach to trouble for us was through South America and the Panama Canal. I believe that every step that has been taken to insure the defense of the United States all along the line has been justified and proper. The only trouble is, the program has not moved fast enough because the President has failed to cooperate in the defense program and he has failed to take the situation seriously.

We have the picture presented to us of the American people being assured by the President that they will not be involved in a war as a result of his operations and his handling the foreign affairs of this country, at the same time that we know that that is not true.

We have a large sentiment amongst the people in favor of aid to Great Britain in a material way only, and perhaps of convoying articles to Great Britain, and at the same time those same people are opposed to the entrance of the United States into war. Those who think about the situation for 1 minute must realize that the two attitudes are utterly inconsistent and that it is time that we took a step designed to represent just exactly what we are going to do ultimately.

We have adopted the policy of this lend-lease proposition and we should produce and send to Great Britain under it what we can. On the other hand, we ought not to do it blindly thinking that with the menace of 600 submarines in the Atlantic, sinking ships that belong to us and our people, carrying our own citizens, that we are going to be able to convoy things to Great Britain without involvement.

We are very evidently not prepared for war. The President has so far failed in every way to cooperate with the defense program. He has failed to appoint one man competent to supervise the job in complete charge of production. He has failed to appoint a Secretary of War and a Secretary of the Navy to take charge of their departments and run them on a business basis. There has been always a continual interference. One of his latest jobs has been to appoint a 7-man commission with authority over the defense production program, and that was composed of Mr. Wallace, the Vice President, Mr. Hillman, Mr. Hopkins, Mr. Henderson, Mr. Stimson, Mr. Knox, and Mr. Knudsen. It is perfectly apparent that the first four named control that commission. Four "Willie boys" out of seven! A "Willie boy" commission in charge of the defense program.

It was my privilege a little while ago to listen to a great war correspondent who has spent the last 2 years in Europe, in the countries of England, Germany, France, Belgium, the Netherlands, Rumania, Greece, and Egypt, and to hear him tell of the tremendous force and energy given by the Germans to this war effort and to the lack of that effort on the part of their opponents. To the knowledge that the Germans had of the places that they were moving into. For instance, the Germans came to Bucharest, Rumania: when the mechanized troops of Mr. Hitler came into that city they were quartered in equal numbers in four different sections of the town; the streets of the town are so crooked that 1 street in the course of its length will cross another street as many as six or seven times; yet those Germans proceeded to their locations without asking directions of a single person. The first 15,000 Germans who marched into Rumania were able to speak the Rumanian tongue. Immediately as the Panzer divisions stopped, the organization at the head of it, which looked like the rest of the tanks, was uncovered and it revealed a complete machine-shop set-up, and they went to work inspecting and repairing the tanks that had come in and just as long as they stood still that progress continued. The main hotel in Bucharest was taken over by the Germans for their headquarters. Their officers were on duty all night planning their next moves. Their censor was on duty all night, so that if a correspondent had a dispatch that he desired to send out, it could be looked over. He told of the atrocities of the Germans to the Rumanian people, and to the Greek people. He told of the

disorganization of the British, partly because of a lack of unity in command between the air forces, the ground forces, and the sea forces. He told about at Cairo, after he had arrived there where the British censor was on duty for 2 hours in the morning and 2 hours in the afternoon, and if a correspondent had a dispatch that he desired to send out at any other time he would have to hunt the censor up at the cricket club or the night club.

Here in our own land the President has tolerated strikes against the national defense of our country; in our shipyards, our steel plants, and other plants and mines producing strategic materials, and in our maritime facilities; strikes against the defense of the United States.

We, like the British, are not taking the situation seriously. We are not acting; the President is not acting like he was back of the defense effort. We evidently figure that we can win this war simply by appropriations and nothing else. Let me say to you that of the $7,000,000,000 of lease-lend money that was appropriated on March 27, less than $4,000,000,000 has yet been obligated. Let me say to you that less than $500,000,000 of it has been spent. Less than one-half of that in dollars has been delivered to the British or any other country involved. This is the report of accomplishment in the last 6 months.

The President talks about price control for articles, and he wishes to put Mr. Henderson, who keeps in his organization and under him well-known Communists, like the Brady family, to take charge of it. He does not want price control of agricultural commodities, nor of wages, but he does want it on the finished article. Does he not realize that the price of the finished article which is handled by manufacturers and dealers must be based upon the result of costs of raw materials and labor that goes into the finished product? We cannot have price control of the products of industry without price control of the raw material and labor that go into such products.

The President talks about increased social-security taxes which would have to be paid by the employers of labor on the farms and in the factories, and he says that that would be a measure designed to prevent inflation. The merest child knows that the requirement that additional taxes should be paid by the farmers, by the manufacturers, by the miners, and their employees must result in increased prices of commodities, and that instead of lowering the prices that those taxes will be inflationary because they will raise prices of the articles and that can result in nothing but inflation.

We are faced here with a situation where the American people are not taking this situation seriously. They are not taking the situation as if they were involved. If we are counting on keeping our boys from going across as ground troops to fight the battles that are to take place, the President of the United States has got to begin to cooperate with the defense program. That he has not yet done.

In my opinion not 50 percent of the result has been obtained on our defense production that could be obtained if he was cooperating, if labor was ooperating, and we had an end to these wild strikes which are a menace to the United States.

Just about 2 months ago the President made a declaration of certain aims upon which he believed peace might be desirable. He left out the major item that is necessary if peace is to be had and if it is to be preserved in the world. That is an absolute prohibition of subversive propaganda by one nation within the borders of another for the overthrow and disruption of the country within whose borders the propaganda is being circulated. That has been the cause of a great deal of the break-down of the morale in France and England; that has been the cause of a great deal of the break-down of our own morale and the willingness with which many of the people have fallen for Mr. Roosevelt's destructive domestic programs.

Insofar as this bill itself is concerned the hearings disclosed place after place where money has been asked for things that it is perfectly evident cannot be supplied and cannot be purchased and delivered before the time when a new appropriation is to be asked on March 1. Much of it in certain categories will not be obligated by that time. To my mind, when the President submitted estimates on that basis he was not cooperating with the defense program. When the majority of the committee submitted estimates that were not based on the needs and the ability of our country to furnish them to the British, they were not meeting their responsibility to the defense program. When one votes money that is not needed he is just as much opposing the defense program as the man who refuses to appropriate money that is needed. I can say this because I have voted for billions of dollars of funds for defense and I have placed these funds at the disposal of the War and Navy and other departments of our Government, and I have done this without stint. I have asked this House to pass them. I shall continue to do that whenever any request is made that is justified, but I must take the position that every dollar that is asked for be prepared to pass the acid test: Is it needed for defense?

It is my purpose that as the items are reached in this bill to offer amendments to reduce the ones that I believe should be reduced. Because certain of the hearings were confidential, I am unable to go into the items and give you the details as to why I believe, and firmly believe, to such an extent that I feet it my duty to request this reduction in the interest of national defense.

I want to see as much money made available as is needed, but I do not want to see this bill passed with funds in it that I cannot, to my own conscience, justify.

I hope that the majority will approach this proposition from the same patriotic basis and not from a bigoted partisanship standpoint, and that they will go along in trying to clean up this bill and make it really an item to carry out the provisions of the lease-lend program.

In my opinion, the requests and the amounts that appear in the bill for ordnance, aircraft, tanks, and vessels are necessary. Probably the amount set up for most of the facilities is necessary. On the other hand, the amount set up for agricultural, industrial, and other commodities and articles, $1,875,000,000, is way beyond what has been justified and way beyond what we were told would be or could be properly used. I am going to propose a cut of $300,000,000 in the allotment of $1,875,000,000 for that purpose. All the way through are items not specified totaling $1,000,000,000. I think it is an undue portion of the appropriation and I think that it is not necessary, and do not think it was justified. The hearings all the way through disclose many unsatisfactory answers to questions relating to these miscellaneous items.

With a bill coming back in here again the 1st of March, not much more than 4 months away from the date of the passage of this bill, it is perfectly apparent that this miscellaneous item is ridiculous. In one particular spot that I am acquainted with it was proposed to put in facilities costing $10,000,000, where it is perfectly apparent that $1,000,000 is the outside figure that could be expended to good advantage.

If we should make the cuts that I have suggested and if we could have under Mr. Stettinius, who succeeded Harry Hopkins as lend-lease Administrator on August 28, and if he would review the requests that have been made for funds and try and try to pass upon them on their merits and their need, we would have much less reason to find fault. If, on top of that, the President would get behind the defense program and support it instead of obstructing it in every way possible, if the President and the country at large would get out of their heads that the way to fight a war is by appropriations only and get down to business, we would begin to make some headway and would have made a contribution to national defense.

I believe that it is necessary for this Congress to make some further appropriations to carry out the provisions of the lend-lease bill. We have embarked upon that program. It has become an integral part of our own defense, and unless we are going to take the position that we should bear the entire burden of the war, we are going to be obliged to go on with the program of supplying aid to other countries. It is an enormous sum of money that this bill provides. It will make gross appropriations and authorizations for national defense of $60,000,000,000, of which only about ten billion has already been spent. Pray God that before it is too late the President will come to realize his responsibilities and meet them.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Pennsylvania.

Mr. DITTER. I was very much interested in the contrast the gentleman drew between the former Administrator and the present Administrator. I take it that the gentleman does not have very much confidence in the predecessor of Mr. Stettinius. Am I correct in that?

Mr. TABER. None; absolutely none.

Mr. DITTER. I join, however, with the distinguished gentleman from New York in my confidence in the present Administrator. However, this is what concerns me, and I should like to have an expression of opinion from the gentleman from New York about it. As able as the present Administrator may be, as industrious as he may be, will it not be rather difficult for him to discharge the work if his able hands are shackled with the same incompetent personnel that was associated with his predecessor in times past? That is what concerns me.

Mr. TABER. I believe that Mr. Stettinius, with proper support, can do the job.

Mr. DITTER. The gentleman means that he will clean house? The gentleman has that hope?

Mr. TABER. I have hopes that he will have an outfit that will not only do him credit but do a job.

Mr. DITTER. The gentleman means that the theorists and the star-gazers will be removed, and common sense, practical, honest-to-goodness businessmen will be associated with him to do the job that is his?

Mr. TABER. That is what I would pray might take place.

Mr. DITTER. I am much encouraged by what the gentleman tells me.

Mr. TABER. That is necessary if the job is to be done right.

Mr. DITTER. I am encouraged by that declaration.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Montana.

Mr. O'CONNOR. In regard to the funds that are carried in this bill, do I understand that there are no appropriations sought to be made in this bill for purposes other than carrying out the purposes of the lease-lend bill?

Mr. TABER. There are.

Mr. O'CONNOR. To what extent?

Mr. TABER. I have not the exact figure in my head, but I will give it to you in a moment. The figure is $174,416,229.39, which represents $120,000,000 for ordnance for the Navy Department and about $25,000,000 for the Coast Guard. I have not given these figures down to the last penny but I have given them down to the correct millions.

Mr. O'CONNOR. The committee, of course, had no special purpose or ulterior motive in putting that item in this lease-lend appropriation bill.

Mr. TABER. So far as I am concerned——

Mr. O'CONNOR. Such as getting votes for the bill.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield myself 10 additional minutes.

The majority established the policy of the committee in that regard, and I may say to the gentleman that every one of the items composing the $174,000,000 which are items other than the lease-lend proposition were agreed upon completely by the members of the subcommittee, and there is no controversy, as I understand or that I know of, with reference to any single one of the items making up the $174,000,000. Does the gentleman from Missouri know of any controversy on those items?

Mr. CANNON of Missouri. I may say in response to the gentleman's question that I am not aware of any controversy.

I may say to the gentleman that I know of no gentleman in the House who does not want to vote for those items——

Mr. TABER. I am going to try to anticipate the gentleman's position and try to bring out what I think he has in mind. I think those who are opposed to making the appropriations for the lease-lend proposition should have an opportunity to express themselves upon the floor.

Mr. O'CONNOR. I thank the gentleman.

Mr. TABER. I shall not be qualified to offer a motion to recommit, but I would hope in fairness to those who are opposed to it that the motion to recommit might give the Members who are opposed to an appropriation for that purpose an opportunity to go on record against it.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Kansas.

Mr. REES of Kansas. I appreciate the gentleman's statement that the people of the country ought to know something more about the entire facts with regard to this matter, and I would like to ask the gentleman this question. As I understand from the figures we have before us, about 3 percent of this $7,000,000,000 has actually been delivered to the British and their allies. That is about correct, is it not?

Mr. TABER. That is so. At the same time, probably, a very considerable portion of the funds that had been spent at the time of the second report has been spent for the purpose of carrying a large part of the things across the water which the British themselves have paid for. Deliveries could not be expected on airplanes or tanks or anything of that character in as short a time as this, and the funds that have been used in addition to the very small percentage which has actually been delivered have been used for the purpose of transporting those things and for advance payments upon articles that are under manufacture.

Mr. REES of Kansas. To carry it one step farther, about one-half of this $7,000,000,000 is under contract now.

Mr. TABER. I think a little better than that.

Mr. REES of Kansas. Approximately.

Mr. TABER. At the present time I am inclined to believe that $3,800,000,000 or $3,900,000,000 would be under contract. At about the 1st of September it was $3,555,000,000. On the other hand, out of the $2,700,000,000 that has been allocated to different bureaus and commissions, and so forth, letters of intent have been issued to the manufacturers or to those who are constructing facilities which practically obligates a very considerable portion of the $2,700,000,000. So when we come to analyze the thing completely, there is not so much of the $6,287,000,000 that has not either been obligated or bound in another way by letters of intent which always result in a contract.

Mr. REES of Kansas. Can the gentleman give us an estimate as to about how long it will take to put the remainder of the $7,000,000,000 into goods? I am sure that question was before the gentleman's committee. Will it not be at least a couple of years before this can be put into armament or other equipment for war purposes?

Mr. TABER. Before the last item is put in and delivered or the last dollar for airplanes that has been contracted for under it has been delivered, I would say that probably 2 years might elapse. But as to most of the fund, I would expect it to be expended before the end of the fiscal year 1943, which is a year from the next 30th of June.

Mr. REES of Kansas. In other words, we would not begin then to put this new appropriation into use for about a year and a half, perhaps.

Mr. TABER. Oh, no.

Mr. REES of Kansas. So far as actually using the money is concerned to prepare and accepting the food and things of that kind. It will be almost a year and a half, according to the gentleman's statement, before we will actually use this other money for armament.

Mr. TABER. No; that will not follow, I am sorry to say, but the situation will be something of this sort. With reference to ordnance and ordnance stores, I would expect that it would be necessary immediately to enter into the contracts. I would expect the contracts from the testimony that was given to us and from what Mr. Knudsen told us, for the first three items, ordnance, aircraft, and tanks, to be entered in by the 28th of February next. I would expect production to begin on those items and delivery to begin to be made in a great many of them by that time. For instance, much of the aeronautical material, many of the engines, could begin to be delivered by that time. In the third item, automobiles, trucks, automotive vehicles, they could practically all begin to be delivered by that time.

Mr. REES of Kansas. The gentleman is now talking about the new money?

Mr. TABER. The new money. There would be many items of ordnance that could begin to be delivered in 4 months. On the other hand, there would be some items of ordnance, some of the items of aircraft, where substantial production would not begin for about 5 or 6 months after entering into the contract. From what Mr. Knudsen told us, I would be satisfied that the production beginning July 1 next would be such that we could count on most of it being delivered before the end of the calendar year, 1942. That is, the biggest percentage of it.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. HOFFMAN. When the first lend-lease bill was here for consideration, did not the gentleman from New York tell us he had been assured that Mr. Harry Hopkins would not have anything to do with the allocation of the money—or something to that effect?

Mr. TABER. I am inclined to believe that that is so. I was assured of it.

Mr. HOFFMAN. And did not the gentleman later tell us that he was

disappointed and that Harry was getting his fingers in?

Mr. TABER. Yes; right in the bottleneck.

Mr. HOFFMAN. Then what reason has the gentleman to believe that this money would be spent any more advantageously?

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. TABER. I yield myself 10 minutes more. The testimony is that Mr. Stettinius was appointed so as to take the burden of passing on these questions off the President's desk, and that often, because of absence from town, the President would have to sign 30 or 40 or 50 papers in a single day, and that it was too much of a burden. I have hopes, and I am frank to say that I believe, that the Chief Executive has learned a lesson and that he knows that a regular he-man has to have charge of that job, with capacity to swing it.

Mr. HOFFMAN. What about this proposition that came up the other day in connection with the letting of a contract for housing to the Currier Co., of Detroit, where the Board down here—the O. P. M.—decided they could not let that contract to Mr. Currier, even though his houses were $1,440 cheaper, because the A. F. of L. boys wanted to do the work? If that is going on, what assurance have we that the money will be spent to the best advantage or for the benefit of defense, or for the benefit of the country at large, instead of for the benefit of some union?

Mr. TABER. The only way that we can work the thing out is through the regular departments and agencies of the Government that will have charge of the spending. As I understand it, there is not a dollar in here for housing that could be used in any way. I may be mistaken, but that is my recollection, at least nothing that could be used by the Currier outfit.

Mr. HOFFMAN. It makes no difference, the principle is the same.

Mr. TABER. Yes.

Mr. HOFFMAN. On any defense contract. If only the A. F. of L. Union in one case, or perhaps the next day the C. I. O., is to be favored, rather than a rival organization, if we are going to play favorites, and the Government stands to lose half a million dollars on this particular housing, then what assurance have we that this money will not be wasted? Are we going to vote billions of dollars and let these fellows fool with it?

Mr. TABER. We are in this situation. The other fellows are shooting at us, and if we do not take the necessary steps to protect ourselves to do our part by providing the funds, we are not in a position to say to Mr. Roosevelt, "You did not do your job of spending the money properly."

Mr. HOFFMAN. Then your theory is we ought to give him all he asks, even if he wastes it?

Mr. TABER. No. I have told you I was not in favor of that.

Mr. HOFFMAN. Why do we not get after that O. P. M. and make them let the contracts to those who will best serve the country?

Mr. TABER. I think we should.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. ROBSION of Kentucky. I wish to commend the gentleman's speech. I think it is the best speech I ever heard him make on the floor of this House. The gentleman has stated that Mr. Stettinius is Chairman of this Board.

Mr. TABER. He is "it." He is the "whole cheese."

Mr. ROBSION of Kentucky. Well, he has six other "cheeses" with him, has he not?

Mr. TABER. No. He is not Chairman of that Board to which I referred in my remarks. He is the lease-lend Administrator. He has absolute authority to make all allotments under the letter that was submitted in the record in the hearings which I am going to ask permission, if I may, Mr. Chairman, to include in my remarks.

The CHAIRMAN. That request must be made in the House.

Mr. ROBSION of Kentucky. What has Mr. Hopkins and the other three "Willieboys" to do with it?

Mr. TABER. They have to do with this Commission that is supposed to have complete control over O. P. A. C. S. or O. E. M., or whatever it is, that has charge of procuring of production in the defense proposition.

Mr. ROBSION of Kentucky. Then in that activity of the Government the gentleman cannot paint a very bright picture, can he, because these four "Willie boys"—who are the three others?

Mr. TABER. Knudsen, Stimson, and Knox. The way we get production is that while the four "Willie boys" are asleep Mr. Knudsen is going ahead and driving. If you could give them a sedative, you might get action.

Mr. ROBSION of Kentucky. But one of those four "Willie boys" is the fellow that is nearer the President than anybody on the Commission. I understand he does not sleep so much. He has been to Russia and back, and he seems to be in a great many things. But the gentleman believes they are holding up production?

Mr. TABER. There is not any quesiton about it.

Mr. ROBSION of Kentucky. What is the gentleman's suggestion for correction of that situation?

Mr. TABER. Give them a narcotic.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. JENKINS of Ohio. During these discussions I have noticed that occasionally a question is asked which indicates that there may not be a clear differentiation between production for home defense and production for lease-lend. As I understand it, none of this money will be used for the production of material for home defense?

Mr. TABER. I would not want to say that. None of the money under title I will be used for our own defense unless the President, under the provisions of this bill and the previous bill, section 103, on page 5—I think I might read it:

> Any defense article produced pursuant to this title shall be retained by or transferred to and for the use of such department or agency of the United States as the President may determine, in lieu of being disposed of to a foreign government, whenever in the judgment of the President the defense of the United States will be best served thereby.

That provision was inserted in the last appropriation bill and it is contained in this bill. So that if a situation develops where an article will better serve us, in the judgment of the President, than it will the other country, and it will better promote the defense of the United States, we will keep that article. That is the only way it would work.

Mr. JENKINS of Ohio. What I had in mind was to bring out this fact: It is a fact that for practical purposes it was not the intention that much of this money, if any, would be used for our own national defense?

Mr. TABER. That is probably so as to title I, but not to title II—general appropriations. There is $120,000,000 for ordnance in the Navy, for real critical materials; there is $25,000,000 for the Coast Guard, for very important operating expense and for construction items—ships and such things that are vital to our own defense.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I will take 5 additional minutes.

Mr. JENKINS of Ohio. Will the gentleman yield further?

Mr. TABER. I yield.

Mr. JENKINS of Ohio. I would like to ask one other question. Under the terms of the first lend-lease bill the President was given unlimited power. In other words, the first lease-lend bill was practically a grant of power to the President to do as he pleased. For instance, I will read a portion of it:

"Notwithstanding the provisions of any other law the President may" do so-and-so. When we were discussing the original lend-lease bill it was generally understood that whenever we sent any munitions to those foreign countries we should be paid for them. Now the impression has been going around here that that provision has practically gone out of the window. Nobody seems to think we are ever going to be paid for what we lease or lend. What was developed in your committee with reference to that phase of this bill?

Mr. TABER. We had the testimony of Mr. Acheson, Assistant Secretary of State, in charge of negotiations with Great Britain, to the effect that there was under way and in process an agreement with Great Britain designed to give us what Great Britain could give us in the nature of materials and desired bases, and that sort of thing. I believe that we will receive everything of that character that can be had. Frankly, I do not believe it would be out of the way if we were given control of some of these British investments in South America and perhaps in other places that are available.

Mr. JENKINS of Ohio. The gentleman will agree with me, no doubt, that that would be a factor that would influence the vote of many individuals here. For instance, it would be with me.

I voted for the $7,000,000,000, and I voted for it with the express under-

standing that most of it would come back to us. We went into that matter very extensively at that time. We canvassed the assets of Great Britain in this country, and we canvassed her potential assets. I thought we were going to get most of it back; and this is a consideration that might control my vote. If I thought we were not going to get any of this back, that the President would, under the provisions of this law, send out all these materials under some kind of slipshod accounting system that amounted to an outright gift, I would feel like voting against this bill.

Mr. TABER. I think I ought to say something right now on that subject. We had the Under Secretary of the Treasury, Mr. Daniel Bell, before us, and he told us of the situation with reference to this picture. He told us, as appears on page 415 of part I of the hearings, that there were still $943,000,000 of commitments for materials that the British had contracted for that had not yet been delivered to them and that the assets that were now pledged with the Reconstruction Finance Corporation—that is, British-owned companies in the United States—would be practically all required for the purpose of meeting those obligations. According to the best testimony we have been able to get, I think that is correct; that it will require other items of exchange in addition to these securities the British now own.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield myself 5 additional minutes.

It seems that it will take every dollar the British have in investments in the United States corporations to meet the obligations that are yet to mature under contracts already entered into.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. TABER. Certainly.

Mr. KEEFE. Those were contracts that were entered into prior to lease-lend operations entirely.

Mr. TABER. Yes; and those are to be paid for by the British, and that is why in investments in this country they have not a great deal they can give us.

I am told—I do not know—I am told they have investments in other places that belong to people living in the British Isles that would be available to secure us. I would feel better myself if those were pledged insofar as might be necessary for some of this material.

Mr. JENKINS of Ohio. Mr. Chairman, will the gentleman yield to let me ask another question?

Mr. TABER. I yield.

Mr. JENKINS of Ohio. Here is the trouble, I think; with many of us it is that we get confused between the goods Great Britain has bought in the open market and the goods she is getting under the lease-lend plan. At the present time she has 200 or 300 emissaries over here buying goods.

Mr. TABER. Nothing is being bought now.

Mr. JENKINS of Ohio. They are doing something of the sort.

Mr. TABER. They are down here following up the requisitions for materials under the lease-lend bill. No; no purchases are being made by any foreign governments in this country of any war articles at the present time. This is delivery upon previous contracts.

Mr. JENKINS of Ohio. Let me pursue it just a little further to bring it to a head. It has been represented to us that under the first lease-lend appropriation of $7,000,000,000 the Allies have received something over $100,000,000 of goods. In the last year and a half, of course, many times that amount of goods has gone across the Atlantic Ocean to Great Britain and Russia, and we are told they have paid for these materials under previous contracts. Now, under the original provisions of the lease-lend program separate from all other programs, I think they are expected to pay. We passed the lease-lend bill with the understanding they would recompense us for what we would sell them. My impression is they are not going to do that.

Mr. TABER. I am in hopes they will, and I am in hopes they will sign a fair agreement. In any event, I do not see how if we are not going to undertake the job of carrying on the war against Mr. Hitler and perhaps against somebody else, how we can avoid putting up the money to finance the operations of Great Britain. If we were to attempt that alone I would want to vote against necessary expenditures to enable Great Britain to carry on the war, but when she has not the stuff to carry on with I do not see how we can afford to take the chance of carrying on the war alone.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. Let us get it clear—there is no agreement now to reimburse the United States for what she is sending to Great Britain or other countries.

Mr. TABER. There are two or three agreements with smaller nations, but not with Great Britain.

Mr. ROBSION of Kentucky. I say with Great Britain.

Mr. TABER. Not with Great Britain.

Mr. ROBSION of Kentucky. I would like to ask this question: We lent Great Britain billions for the other war and there was a distinct understanding that she was to pay. How do we hope today in this instance in turning the goods over to Great Britain without an agreement to pay that she is going to turn around and pay?

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. TABER. No; I think I will answer this question first.

Mr. ROBSION of Kentucky. How can we hope she will pay for it? Does the gentleman believe we are going to get any pay?

Mr. TABER. We will get nothing, in my opinion, unless it be in some materials and in bases, and perhaps if our representatives insist on it, an assignment of some of the interests the British people have in South America or some other countries.

Mr. KNUTSON. Will we get an agreement?

Mr. TABER. I do not know that we will get that. That is the only thing we will get.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. MICHENER. As a matter of fact, is it not rather academic, in view of the policy established by the lease-lend bill, to discuss the matter we are now discussing?

Mr. KNUTSON. No; I think it is very practical.

Mr. MICHENER. Because the lease-lend law shorn of all verbiage provides that the President of the United States is authorized and directed to do that which in his judgment is for the best interests of the national defense of the United States, all law, international and national to the contrary notwithstanding, except the exceptions contained in the original lease-lend bill, which are (d) and (e) of section 2, which expressly provides that the President shall not convoy ships, or arm ships, or send our ships into belligerent waters. If that is the law, it seems to me that we may have hopes, but we have no prospects of getting any of this money back. He who believes we are going to get any of this lease-lend money spent in Europe returned is indeed an optimist.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. FADDIS].

Mr. FADDIS. Mr. Chairman, I have supported all legislation calculated to advance our national defense and I enthusiastically supported the first lease-lend bill. I want to say right here that I can support this bill with a great deal more enthusiasm than I supported the last one because of the change of administrators of the lease-lend program. I feel sure that the country, now that this program has been placed in the hands of the new administrator, will receive this bill with a great deal more enthusiasm than they received the last one.

I also want to repeat the hope of the gentleman from New York that the President will appoint a real head to the O. P. M. A head over all these various agencies which are now working at cross purposes, thus synchronizing their efforts and bringing them to focus on their duties in forwarding our rearmament program. I am sure that the country would be much encouraged by action of that kind. Then, perhaps, the people of the United States will awake to the seriousness of the situation which confronts us. Then, perhaps, they will realize that we are indeed facing a desperate situation and that if we are to keep war out of the United States, and that is our primary purpose, we must make national sacrifices in order to do so.

Something must be done to bring to the realization of the people of this Nation that we cannot assist in winning this war unless we as a nation sacrifice something toward that end. When I use the words "we as a nation" I mean that all of the people of this Nation must sacrifice something, not just one class of

people but all of the people in the Nation must be willing to subordinate whatever personal differences they may have, one class as against another, and be willing to contribute whatever it is necessary in order to preserve our democratic system of government and in order that we may prevent the horrors of war from being brought to our shores before this conflict is ended.

I do not see how any man, who has studied this situation and who is willing to look the situation squarely in the face, can doubt but that if the forces of nazi-ism are not destroyed they will eventually destroy us. When I say "the forces of nazi-ism," I do not mean alone the forces of nazi-ism as represented by Germany; I mean the forces, all of the forces, that come within the circumference of the coalition of Axis Powers. Right here I want to express the hope that an appreciable portion of the money contained in this present lease-lend bill will go to assist that heroic and valiant army in China fighting under Gen. Chang Kai-shek which has so far in this war contained a large force of Japanese that otherwise would have been devoted to forwarding the cause of nazi-ism as carried on by the Germans themselves. It must not be forgotten among the other circumstances facing the world today that the Japanese are one of the partners of the Axis and that the action of the Chinese Armies in containing the Japanese Army has prevented the Japanese from giving active assistance to the other Axis Powers.

It must not be forgotten that the attitude of Japan today, as far as we are concerned, is merely one of temporary convenience to her; that she is waiting to see which way the cat jumps in Asia. If the Axis forces are successful, then will the program of Japanese domination of Asia continue. Then must the forces of democracy clash with the forces of totalitarianism in the Orient and those forces must, as a matter of necessity, be forces from the United States. The armies of China have been fighting the fight of democracy for more than 6 years.

Mr. KNUTSON. Will the gentleman yield?

Mr. FADDIS. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Judging from the gentleman's remarks, there must be considerable apathy concerning the national defense in the great State from which the gentleman comes.

Mr. FADDIS. No; I would not say in the great State from which the gentleman comes. I would say it was nowhere near as great as in the section from which the gentleman himself comes. I think the greatest apathy in the United States is from the section from which the gentleman comes, and it is hard for me to understand how people of Scandinavian descent can be so apathetic toward the threat to the world today when the Scandinavian countries are lying under the domination and the heel of their conquerer, Hitler. It is hard for me to understand how people who come from Scandinavian stock can be pro-German or even apathetic toward this situation today.

Mr. KNUTSON. Will the gentleman yield further?

Mr. FADDIS. That is all. The gentleman can answer in his own time.

Mr. KNUTSON. That is not fair.

Mr. FADDIS. The gentleman can answer in his own time. I decline to yield further.

Mr. DITTER. Will the gentleman yield?

Mr. FADDIS. For a question only.

Mr. DITTER. I had not supposed that the gentleman would refuse to yield to one of his colleagues from Pennsylvania and I hope that he will be indulgent enough for me to make a statement.

Mr. FADDIS. I yielded to the gentleman for a question, not for an oration.

Mr. DITTER. I will frame it in question style. In view of the comparison that the gentleman drew between the State of Pennsylvania and my distinguished colleague's State, and in view of his assurance that the apathy does not exist in Pennsylvania that exists in my colleague's State, I am wondering whether the gentleman saw the newspaper this morning which carries a headline, Philadelphia. You know, that is in our State.

Mr. FADDIS. That is in the gentleman's end of the State.

Mr. DITTER. Here is a statement by Mrs. Eleanor Roosevelt, and I want the gentleman's attention, for I am much concerned about that.

Mr. FADDIS. Will the gentleman proceed with his question?

Mr. DITTER. It is in question form.

Mrs. Eleanor Roosevelt, wife of the President, tonight suggested that a bomb or two be dropped on Philadelphia.

This is my question. I am wondering whether the gentleman gave his approbation and approval to that speech by the First Lady before she made it in our Keystone State of Pennsylvania.

Mr. FADDIS. The gentleman knows me well enough to know that my opinions are formed by myself and not by anybody else anywhere, and especially by the First Lady of the land.

Mr. DITTER. I endeavored to pay a fine compliment to my distinguished colleague from Pennsylvania.

Mr. FADDIS. I appreciate the gentleman's intention, if not his success.

Mr. DITTER. I thought that probably he might have persuaded the First Lady—not that she would persuade him but that he had persuaded her—to make that statement, this quotation from the press to which I have just drawn the gentleman's attention.

Mr. FADDIS. Even if it is the section from which my distinguished friend comes, I wish it no hard luck in the way of a bombing.

Mr. DITTER. That is very reassuring, and I know it will be so to the people of Philadelphia and to all those who live in its environs, and, I believe, even as far west in the State as that part which the distinguished gentleman claims as his residence.

Mr. FADDIS. May I say to the gentleman that I come from the southwestern corner of the State of Pennsylvania?

Mr. DITTER. I know it, sir.

Mr. FADDIS. As far as we are concerned, we are a section of the great State of Pennsylvania where nobody would ever think there would need to be any bombs dropped in order to arouse the people there to the enthusiasm necessary to protect their Nation in any crisis.

Mr. Chairman, I decline to yield further.

Mr. Chairman, I fear some of my colleagues are apt to be overenthusiastic about the chances of defeating the forces of Hitler because of the Russian situation today. No one should become really optimistic about the Russian situation. The armies of Russia have put up a wonderful and a heroic fight, but, just the same, there are certain facts that must be borne in mind. One of these facts is that all the fighting has taken place on Russian territory, all the industry destroyed has been Russian industry, all the crops destroyed have been Russian crops, all the mines destroyed have been Russian mines, all the homes destroyed have been Russian homes, and all the population displaced has been Russian population.

As heroic as has been the fight of the Russian armies, it must here and now be remembered and taken into consideration that only by the offensive can a war be won, and that unless and until the Russians and their allies are enabled by assistance, and whatever assistance is necessary, to take the offensive against the German Armies, they cannot win the war.

It is true that because of internal disturbances in the countries which Hitler has so far taken and because of other circumstances we may in time see a stalemate, but may I observe right here and now that a stalemate in this war cannot serve any useful purpose to the world for any length of time. Unless this matter is settled and settled decisively at this time, the world will have to face another situation like this, and the next generation must pay as we have paid in the last two generations in order to put down the forces which, every generation, spring up in Germany and set out to conquer the world.

It must be remembered as far as Hitler is concerned that he is a conqueror and not a sovereign. When it ceases to be possible for him to advance, then he will go down to destruction; but unless his destruction has been brought about by offensive tactics which inflict a decisive defeat upon his armies, then this war and all the suffering and the expense which have gone toward bringing about a stalemate will have been for naught, because the whole thing will be repeated in years to come.

Certainly, here in this period of our history and in this period of the world's history, we should feel privileged to play a part which has not cost us anything so far except our money, in order to contribute to the downfall of the forces of totalitarianism now at large in the world.

In that connection, I hope this piece of legislation will pass, and that it will pass with no strings upon it. Certainly, as we look back through our experiences in passing other legislation connected with the situation we face today, we can see that the strings we have placed upon it have sadly hampered its administration

and hamstrung its operation. Let us not repeat our mistakes.

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I yield 20 minutes to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Chairman, when the lease-lend bill was approved on March 11, 1941, after Nation-wide debate, for better or worse, the terms of that law became the policy of this Nation.

Many of us did not approve the passage of that law. Many of us opposed it for many reasons. Many of us, however, after the enactment of the law, supported the initial appropriation under it for $7,000,000,000 approved on March 27 of this year, taking the position that in view of the enactment of the law the only question before the House was whether or not the request for $7,000,000,000 was necessary and proper to implement the law, the alternative being to sabotage it.

I was one of those who took that position. My position in respect to the request before the House today is identical. The only question as I see it, Mr. Chairman, is whether or not this particular request is needed and proper to make the policy that has been adopted effective.

The bill before us, as has been pointed out, carries a total of $5,985,000,000. Added to the $7,000,000,000 already appropriated, this makes a total of almost $13,000,000,000 for lease-lend purposes. This figure added to the $46,000,000,000 which has been made available for national-defense purposes, gives a total of $59,000,000,000 appropriated either for lend-lease or national-defense purposes since the 1st of July 1940, all for expenditure in respect of commodities to be furnished for the most part prior to June 30, 1943.

At this point I am inserting in my remarks a table showing the suggested allocation of the requested appropriation first by departments and then by appropriation category:

Proposed appropriation under pending title 2 of Defense Aid Appropriation Act of 1941—by departments

War Department	$2,255,575,667
Navy Department	1,498,129,333
Maritime Commission	374,225,000
Treasury Department	562,070,000
Agriculture Department	1,000,000,000
Services and expenses	285,000,000
Administrative expenses	10,000,000
Total	5,985,000,000

Proposed appropriation under pending title 2 of Defense Aid Appropriation Act of 1941—by appropriation categories

Ordnance and ordnance stores	$1,190,000,000
Aircraft and aeronautical material	685,000,000
Tanks and other vehicles	385,000,000
Vessels and other watercraft	850,000,000
Miscellaneous military and naval equipment	155,000,000
Facilities and equipment	375,000,000
Agricultural, industrial, and other commodities	1,875,000,000
Testing, reconditioning, etc., of defense articles	175,000,000
Services and expenses	285,000,000
Administrative expenses	10,000,000
Total	5,985,000,000

The question as I see it, as I have stated, is whether or not the $5,985,000,000 requested is necessary and proper to make effective the policy which the Nation has adopted.

At first sight, Mr. Chairman, it would seem there could be no justification for any such appropriation at this time. We have already appropriated $7,000,000,000. The second report of the President on lend-lease activities, dated September 15 last, shows at page 9, allocations, obligations, and expenditures by department and by appropriation category as of August 31 last. I am inserting the figures at this point in my remarks:

Allocations, obligations, and expenditures under the Defense Aid Supplemental Appropriation Act, 1941, by departments, as of Aug. 31, 1941

Department or agency	Allocations	Obligations	Expenditures
War Department	3,741,418,274	$2,247,892,241.87	$45,210,506.45
Navy Department	1,105,743,081	318,568,905.12	34,541,071.31
Maritime Commission	651,864,023	617,149,076.43	83,931,680.65
Treasury Department	348,495,118	120,453,401.55	14,568,804.21
Department of Agriculture	433,411,925	251,442,610.43	110,609,049.89
Federal Security Agency	140,000		
Department of State	15,000		
Executive Office of the President	25,000	5,480.89	5,270.89
Office for Emergency Management	100,000	73,557.36	43,108.90
Bureau of the Budget	25,000	2,622.75	2,622.75
Total	6,281,237,421	3,555,587,895.40	388,912,115.05

Allocations, obligations, and expenditures under the Defense Aid Supplemental Appropriation Act, 1941, by appropriation categories as of Aug. 31, 1941

Appropriation category	Allocations	Obligations	Expenditures
Ordnance and ordnance stores	$1,422,145,460	$584,476,115.46	$16,663,550.79
Aircraft and aeronautical material	2,027,398,269	1,347,140,839.54	19,297,791.66
Tanks and other vehicles	394,032,238	222,247,252.50	9,252,525.81
Vessels and other watercraft	699,496,490	588,277,440.71	109,617,971.67
Miscellaneous military equipment	112,741,205	55,862,860.69	6,290,855.73
Facilities and equipment	501,913,530	202,160,386.01	41,202,695.68
Agricultural, industrial, and other commodities	975,008,578	428,471,283.00	152,476,446.07
Testing, reconditioning, etc., of defense articles	130,092,571	65,163,231.89	32,672,182.33
Services and expenses	13,350,506	1,463,123.44	1,231,670.37
Administrative expenses	5,058,574	325,352.16	206,424.74
Total	6,281,237,421	3,555,587,895.40	388,912,115.05

[1] Of this amount, $13,000,000 was used to reimburse the Treasury Department for Coast Guard vessels transferred to the United Kingdom, leaving $6,987,000,000 available for allocation.

[2] Expenditures represent that part of obligated funds to which a claim has been established by a supplier on the basis of articles or services either completed or in process.

Now, what does an analysis of these figures show? It shows that out of the $7,000,000,000 appropriated only 50 percent has been obligated, only about 5 percent has been expended, and only about 3 percent actually converted into goods and exported to Great Britain. Incidentally, over half of that 3 percent is agricultural commodities. Under these conditions how can anything like the present request be justified at this time? The answer, Mr. Chairman, if we accept the testimony before your subcommittee, can be stated in my judgment very briefly.

The testimony indicates, in the first place, that every dollar of the $7,000,000,000 already appropriated, plus every dollar of the $6,000,000,000 now requested, can and should be obligated by February 28, 1942, or 5 months hence. Obviously, if this is the fact and we are to go ahead without gaps in the program, some additional authority for obligation must be given and given promptly.

The testimony also indicates that every dollar of the $13,000,000,000 can be absorbed by our existing facilities, manufactured or produced, and delivered, with the exception of four or five items particularly specified, before June 30, 1943. The testimony indicates that 53 percent of our existing manufacturing facilities will be required to accomplish this end.

As far as the appropriation aspect of the picture is concerned, the testimony indicates that the budget request is based on a period of substantially 20 months; that is, the balance of this fiscal year plus the next fiscal year. Five billion dollars in actual cash is estimated as necessary by June 30, 1942, another $5,000,000,000 by the end of the calendar year 1942, leaving about $3,000,000,000 out of the $13,000,000,000 for goods to be delivered in the last 6 months of the period.

Obviously, contract authorizations in respect of a large amount of the request would meet the situation under these circumstances. Personally, I should prefer to see much of this request put on a contract-authorization basis. Contract authorizations have been eliminated by the budget, however, on the theory that the appropriation method is far simpler and that the contract-authorization method may possibly give some information to the Axis forces which might otherwise not be given.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I am glad to yield, briefly, to my friend and colleague from Minnesota.

Mr. KNUTSON. I would like to ask the gentleman, who is unusually well informed, when did Britain discontinue the practice of making a charge for hauling lease-lend goods that we gave her?

Mr. WIGGLESWORTH. I cannot give the gentleman an answer to that question, but it does appear from the testimony that the costs of transportation are being paid out of lease-lend funds. Just when that started I do not know.

Mr. KNUTSON. We are paying to get the goods over there that we give her.

Mr. WIGGLESWORTH. Yes; and I think the costs of transportation are included and paid out of lease-lend funds.

Mr. KNUTSON. Then, in the final analysis, we are still paying the freight.

Mr. WIGGLESWORTH. I think that is a fact.

Mr. KNUTSON. Can the gentleman inform the House whether or not the Burma-British Government is still levying a 1-percent toll on all lease-lend goods going to China over the Burma Road?

Mr. WIGGLESWORTH. I have not that information.

Mr. KNUTSON. It was taken up, I believe, by the State Department with Downing Street, and I was just wondering whether the committee had inquired into it.

Mr. WIGGLESWORTH. I do not think that was touched on.

Mr. KNUTSON. It would seem that when we are giving them these billions of dollars, they should at least transport the goods or not expect us to pay for the transportation of such materials as are sent them.

Mr. TREADWAY. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. Just a moment. What bottoms are transporting these war materials?

Mr. WIGGLESWORTH. They are largely British bottoms.

Mr. KNUTSON. Most of the stuff goes over in British bottoms and we pay the freight?

Mr. WIGGLESWORTH. I think the freight is included; yes.

Mr. KNUTSON. A rather peculiar arrangement, to say the least.

Mr. WIGGLESWORTH. I now yield to my colleague from Massachusetts.

Mr. TREADWAY. On page 6 of the committee report, in the third paragraph, it is stated—

> The committee wishes to be frank with the House and the country. The hearings disclosed that so long as the present conflict goes on it will be necessary to provide additional funds. The amount allowed in this bill is estimated to be obligated by March of 1942 at which time it is now contemplated that additional funds will be requested.

Has the gentleman any information as to what that actually means in dollars and cents? Will it be another $6,000,000,000 bill next March? What is the gentleman's information on that point?

Mr. WIGGLESWORTH. I cannot enlighten the gentleman much as I should like to. I asked several of the principal witnesses that specific question when they came before us. No one of them was able to give us any estimate in dollars and cents. I particularly asked the Secretary of War, Mr. Stimson, as a member of the Cabinet, if he could not give us some estimate of what this policy is going to cost either in the present fiscal year, in the next fiscal year, or in any other period. He was unable to give us any estimate.

Mr. TREADWAY. The witnesses then did testify that by March 1942 there would be further requests made of the Congress for additional appropriations along this same general line?

Mr. WIGGLESWORTH. I think it is expected that they will be back again in March, and that they hope to keep about a year and a half ahead of the game with respect to this program.

Mr. TREADWAY. It looks as if the program is going to be a continuous expense on the part of this Government.

Mr. WIGGLESWORTH. I think there is no doubt of that, subject of course to the control that always remains in the Congress.

Mr. TREADWAY. Yes; but the Congress has already accepted the policy, and, therefore, having accepted the policy, as the gentleman so well explained in the opening of his remarks, it looks to me as though this continuous flow will be a part of our obligation.

Mr. WIGGLESWORTH. I think that is true, subject to the determination of Congress as to its extent.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. Yes.

Mr. DONDERO. I tried to follow the gentleman as to the amount of money appropriated since July 1940. The gentleman gave the figure as $59,000,000,000. Is that appropriated and authorized or all appropriated?

Mr. WIGGLESWORTH. Forty-six billion dollars for national defense, plus $7,000,000,000 for lend-lease, plus $6,000,000,000 now under consideration. That will give you a total of $59,000,000,000 since that time.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. Yes.

Mr. O'HARA. The gentleman has made a statement that approximately 3 percent of the original lease-lend appropriation has been materialized and delivered, and that, included in that amount, practically half of it were agricultural goods. Has the gentleman any information as to whether or not the British have been selling some of those agricultural products which have been delivered from this country?

Mr. WIGGLESWORTH. Some of the food that has been received has been sold, as I understand it.

Mr. O'HARA. As I understand it, that was not the intent of the Congress; at least, it was not contemplated by the Congress that that would happen in respect to these products delivered under the lease-lend bill.

Mr. WIGGLESWORTH. Some of it has been sold and some distributed as relief to the needy, so far as food is concerned.

Mr. DONDERO. And, Mr. Chairman, there is one question that I overlooked and that is to ask the gentleman if he knows the assessed valuation of the United States.

Mr. WIGGLESWORTH. The gentleman's colleague from Michigan [Mr. ENGEL] can tell him that accurately.

Mr. DONDERO. I have been informed by the gentleman from Minnesota that it is about $320,000,000,000.

Mr. ENGEL. Mr. Chairman, if the gentleman will permit, the assessed valuation of the 48 States in 1935, according to figures that I got from the various States, was $135,000,000,000.

Mr. DONDERO. What is it now?

Mr. ENGEL. It is more than that now, but it was $135,000,000,000 at that time. Of course, those figures were gotten together in 1939. They are always 2 or 3 years behind.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. Yes.

Mr. KNUTSON. It seems to me that I recall reading that the British were levying import duties on building materials that were sent into Nova Scotia, Newfoundland, the Bahamas, and Trinidad and other British possessions, to be used in the construction of American defense projects. Did the committee look into that?

Mr. WIGGLESWORTH. I do not think that came up at all.

Mr. KNUTSON. Of course, no foreign power ever overlooked a chance to gouge Uncle Sam and it would be passing strange if they overlooked this opportunity.

Mr. BATES of Massachusetts. What provision has been made for the payment in whole or in part for the goods that we send to Britain? That is a question prompted by the remarks of the gentleman from Minnesota, that these goods are being given entirely, and that in addition to giving the goods we have to pay the transportation charges.

Mr. WIGGLESWORTH. I am coming to that point in just a minute.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. BATES of Massachusetts. Are we giving them or are we receiving payment in whole or in part?

Mr. WIGGLESWORTH. As far as lend-lease is concerned, to date we have received no consideration from England. There is an agreement under negotiation now which may alter the picture. I will take that up in a minute.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. VORYS of Ohio. Can the gentleman tell us what the future estimates are for our own defense, as separate from lend-lease, or was any such testimony given, or is the gentleman permitted to refer to it?

Mr. WIGGLESWORTH. No. I cannot give the gentleman that figure.

Mr. VORYS of Ohio. It would all go through the Appropriations Committee?

Mr. WIGGLESWORTH. Eventually; yes.

Mr. VORYS of Ohio. Hanson Baldwin, who is the New York Times' military expert, had an article in Life in which he estimated that to completely subdue Hitler in Europe would cost this country a minimum of $300,000,000,000. I wonder whether there were any long-range estimates given before your committee that would refute that statement or corroborate it, or whether you are in a position to say to the Congress what the situation is?

Mr. WIGGLESWORTH. As far as I know, we have had no long-range estimates as far as our own defense is concerned. They would depend necessarily on the ultimate size of our Army and Navy. I do not think the committee has

been given any estimates that would answer that question.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. REED of New York. Following the question that the gentleman from Ohio [Mr. VORYS] propounded, was any estimate given to your committee as to the probable number of human lives it would cost to carry this war through to a conclusion, to the defeat of Hitler?

Mr. WIGGLESWORTH. I think the gentleman could estimate that probably as well as anyone. No estimate was given, of course.

Mr. WHITE. Mr. Chairman, will the gentleman yield to me?

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. DITTER. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. WIGGLESWORTH. I will yield for one more question.

Mr. WHITE. The gentleman mentions our Army. Is it contemplated that our Army will be used to subdue Hitler?

Mr. WIGGLESWORTH. I hope not. Not so far as I know.

Mr. WHITE. It is not contemplated by the gentleman, is it?

Mr. WIGGLESWORTH. As far as I am concerned, no.

Mr. Chairman, there are several other things I want to point out briefly. From the standpoint of national defense I think it should be brought to the attention of the committee that the testimony of the Chief of Staff and the Chief of Naval Operations is to the effect that both are consulted before any transfers of military or naval material are made, that they are satisfied as to the amounts of lend-lease materials which have been delivered to other countries, and that they do not feel that our own needs have been jeopardized in this connection. Also, of course, it is a fact, as has been emphasized before, that a very large percentage of all material to be manufactured for lend-lease purposes is of such character as to be usable for our own purposes in case at any time it becomes necessary to take them over.

I do not like this bill, Mr. Chairman as written. I think there are various items that should be stricken from the bill, or reduced in amount. I think the so-called spot cash items, which amount, in the aggregate, to almost 20 percent of the total request, are altogether too large, particularly in the light of the testimony from one of the five procuring agencies that a saving of some $100,000,000 had been realized to date as between estimated and actual costs. If I were writing the bill, I would put a large amount of it on a contract authorization basis, taking care of the needs for the present year on the basis of appropriation.

I intend to support various amendments that will be offered to this bill. I hope for the adoption of those amendments. I expect, however, to support the bill on final passage. If the lease-lend policy is to go on and be made effective, unless I am going to set my judgment up against that of experts such as Mr. Knudsen and Mr. Stettinius, I do not see how I can do otherwise.

I want to call attention briefly to certain other points which I shall not have time to develop.

You will note that the sum delivered to Great Britain under the lend-lease policy is a small percentage of the total delivered since the war began. The total figure given is about $4,400,000,000. You will also notice that against the limitation of $1,300,000,000 applicable to commodities made available out of appropriations prior to lend-lease appropriation, about $100,000,000 has been delivered to Great Britain, $13,000,000 being reimbursed out of the $7,000,000,000 previous lease-lend funds.

I call your attention to the testimony of Secretary Jones, on page 401 of the hearings, indicating the foreign loans of the Reconstruction Finance Corporation.

I call attention also to the testimony of Under Secretary Bell, of the Treasury Department, on page 414 of the hearings, indicating reduction of British pre-lend-lease commitments from $3,000,000,000 to $943,000,000 and giving information as to the dollar assets available to Great Britain.

My colleague from Massachusetts [Mr. BATES] and others have raised the question as to what, if anything, America is going to get in return for the lend-lease supplies turned over to Great Britain and other countries. That decision, of course, is still in the lap of the gods. It is true that agreements have been concluded with four of the smaller countries for repayment of some character. I cannot tell you just what the character is, because those agreements for the time being are held in a confidential status. It is also true that, as far as Great Britain is concerned, the testimony indicates that a general agreement is now under negotiation. In this connection I read from the testimony of Assistant Secretary of State Acheson, appearing on page 361 of the hearings:

> Discussions concerning that agreement are going forward both here and in London. These discussions raise, of course, large and complicated problems and cover a wide range of subjects. But we can report substantial progress. Guiding principles basic to an agreement have already been formulated and have been communicated to London, where they are now being considered by the British Government. There remain some problems in connection with the methods for implementing those principles. Both the British Government and our own Government have approached these problems with a common purpose. In view of the pending discussions, I believe that it would be inadvisable to speak in greater detail now. I can, however, say that I am confident that we shall be able to conclude an agreement which will give us a fair quid pro quo, and which will be a solid contribution to the effective prosecution of our common struggle against the Nazi menace and our common search for a better world order.

That is the testimony of Assistant Secretary Acheson. We can only hope that an adequate quid pro quo will, in fact, be realized, for it is only under this agreement with Great Britain and similar agreements with other nations that we are going to receive anything in the nature of compensation.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. DITTER. I should like to have the gentleman's opinion with reference to the advisability of entering into an agreement and having an agreement consummated and completed before one starts operations under the agreement. Would not competency have suggested that these preliminary steps, including the contractual relations betwene the parties—would not common sense have dictated that that should have been done first rather than leave the loose ends hanging around after we are well on the way to carrying out our part of the obligation?

Mr. WIGGLESWORTH. I agree with the gentleman that it would have been very much preferable to conclude the agreement in the first place, if possible. I hope that it will be concluded at the earliest possible moment consistent with the emergency by which the world is confronted.

In this general connection attention may also be called to the so-called white paper appearing as an appendix in the second report of the President, dated September 15, containing commitments by the British as to the reexport of lend-lease materials, the export of materials similar to lend-lease materials, and the distribution of lend-lease materials in the United Kingdom.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. REES of Kansas. The gentleman being a member of the committee and having given this whole problem a lot of consideration does the gentleman feel from the hearings and from the information he has at hand, that the situation is really going to grow a little better insofar as the management of these funds are concerned? What I mean to say is, does he feel now that there will be less incompetency of management to criticize? To put it another way, does the gentleman feel we are going to have less incompetency than we have had in the past?

Mr. WIGGLESWORTH. I will answer the gentleman in this way: I am not at all satisfied that the lease-lend funds have been efficiently administered heretofore. It seems to me that among other things it is essential that we have the greatest possible care to make sure that the requisitions received from foreign governments are not excessive either in quantity or in quality, and that the goods made available are in fact used for the purpose for which they are made available.

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I yield 5 additional minutes to the gentleman from Massachusetts.

Mr. WIGGLESWORTH. Otherwise the objectives of the lend-lease program will be defeated.

For one I am very happy that Mr. Stettinius has taken charge of the lend-lease set-up. Now that Harry Hopkins, the

spender, has been removed from that job and that we have a real Administrator at the head of it I have every confidence, if he is given a free hand in running it, that he will get results.

Mr. DITTER. Does the gentleman really think Mr. Stettinius will be given a free hand? I agree with the gentleman but I am wondering whether he really feels Mr. Stettinius will be given a free hand to handle the thing.

Mr. WIGGLESWORTH. I wish I could give the gentleman and the House that assurance.

Mr. DITTER. Mr. Chairman, will the gentleman yield further?

Mr. WIGGLESWORTH. I yield.

Mr. DITTER. In no way supplementing the memory of the gentleman, but trying to bring a contribution to the inquiry of my distinguished friend here, I am reminding him that Mr. Stettinius admitted during the course of the hearings that to a large degree, whatever his administrative operations might be, they would be subject to reporting to the President from time to time, and that instead of the latitude he enjoyed when he was the chairman of the board of one of the large industrial corporations, his latitude would be materially circumscribed by the red tape of officialdom down at the White House.

Mr. WIGGLESWORTH. He certainly admitted that he did not anticipate the latitude that he had as a business executive.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield.

Mr. KEEFE. The gentleman has criticized among other things in this bill an appropriation of what he calls spot cash to be placed in the hands of the President—a sort of blank check.

Mr. WIGGLESWORTH. That is right.

Mr. KEEFE. Will the gentleman indicate with some definiteness and certainty just which particular item in this appropriation bill he has in mind in that reference?

Mr. WIGGLESWORTH. I may say to the gentleman from Wisconsin that the break-down of each of these items in the bill was given to us confidentially; but without breaking any confidence I can say that, speaking generally, the majority of these items carry a spot-cash provision, or the equivalent, which amount to about 20 percent in the aggregate of all the allocations, on the theory that the day-to-day emergency demands arising in Great Britain make this margin of flexibility essential. To me it seems to be altogether too large a percentage of the allocation.

Mr. KEEFE. In other words, then, we, as Members of the Congress, in reading this bill as printed, are not given the information because of the alleged exigencies of protecting information that might be vital to the national defense. Is that it?

Mr. WIGGLESWORTH. That is true, in large measure. The break-down of each one of these 10 categories was given to the committee in confidence in a secret document and gone over with care by the committee. In great part, this information does not appear in the printed hearings which the Members have before them.

Mr. KEEFE. Do I understand, for example, that in item 7 on page 3, where there is a break-down of $1,875,000,000 under the head "Agricultural, industrial, and other commodities and articles" that if we had before us the full break-down of that particular item it would disclose about a 20-percent flexibility left entirely in the discretion of the President to do with as he pleases?

Mr. KNUTSON. If the gentleman would read the London Times he would get a complete break-down of it.

Mr. KEEFE. I am asking the gentleman, in whom I have complete confidence, this question.

Mr. WIGGLESWORTH. In respect to that particular item, the spot cash or whatever you may call it is, I think, about 10 percent.

Mr. KEEFE. There is an item, subdivision (c), for necessary services and expenses, $285,000,000. That is paragraph 7, page 3.

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. KEEFE. What does that item include?

Mr. WIGGLESWORTH. That item was also broken down and presented to the committee in confidence.

Mr. KEEFE. Then it appears that so far as the information of the Members of Congress themselves is concerned, information that is vital in the consideration of this bill was transmitted to the members of the subcommittee which the gentleman is not at liberty to present and give to the membership of the House of Representatives. Your judgment was influenced in voting upon this bill by this secret information which came to the members of the subcommittee, was it not?

Mr. WIGGLESWORTH. That is correct.

Mr. KEEFE. Yet the gentleman is not permitted to give that information to me, not a member of the subcommittee; so that in expressing judgment on this bill, he will have the benefit and the advantage of the information that came to him as a member of the subcommittee; the gentleman can explain to his constituents the fact that he heard this testimony, but he is not permitted to divulge it. However, when I face my constituents, I will have to say that I voted blindly, and in the absence of any knowledge or any facts except such as the committee sees fit to give to me. Does the gentleman consider that fair and proper to the Representatives of the people who are not privileged to be members of this subcommittee that is in charge of this bill?

Mr. WIGGLESWORTH. I may say to the gentleman I think no one should have any objection to his seeing the information off the record, as the members of the subcommittee saw it. I think the objection goes to making it public through the pages of the CONGRESSIONAL RECORD or otherwise.

Mr. KEEFE. I have before me now the record as it was printed, which is given to the Members of Congress for their information, and repeatedly and repeatedly in that record there appears the notation that information requested by members of the committee was withheld from even the subcommittee; that it was transmitted to the chairman of the subcommittee in confidence. Were those confidential communications that were given to the chairman of the committee in confidence transmitted to the members of the subcommittee?

Mr. WIGGLESWORTH. As far as I know, they have all been made available off the record to the members of the subcommittee.

Mr. KEEFE. Then, as a member of the full Appropriations Committee but not a member of this subcommittee am I privileged to go to the records of this subcommittee and inspect that private, privileged, so-called confidential information?

Mr. WIGGLESWORTH. I cannot give the gentleman the authority, but I think that any of this information ought to be available to any Member of the House off the record.

Mr. KEEFE. Where is it available off the record?

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I agree with the gentleman in what he said about Mr. Stettinius and the very wise selection the President made. Would the gentleman consider an amendment that I plan to offer which would demand of Russia that she allow freedom of religion in Russia and stop the flow of communistic propaganda in the United States that has emanated from there in return for supplies? I believe that Russia would live up to it and the supplies could be stopped if she did not. The gentleman may recall that during the World War for 5 years Russia was very meticulous in paying for the supplies she received. We have that as a measuring stick to go by.

Mr. WIGGLESWORTH. I may say to the gentlewoman that I am sure the members of the committee will be glad to take under advisement any amendment she may propose. The record indicates that Russia to date has paid for all supplies that have been delivered to her.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from Minnesota.

Mr. KNUTSON. May I say to the gentlewoman from Massachusetts that the only difference between a Nazi and a Communist is that Nazis cannot get a job in the New Deal.

Getting back now to the subject of the cash item, would the gentleman indulge me while I read from the hearings a statement by Mr. Young?

Mr. WIGGLESWORTH. Is it long?

Mr. KNUTSON. No; it is only three lines.

Mr. WIGGLESWORTH. I do not want to consume all the afternoon.

Mr. KNUTSON. The longer we debate this bill, the more the American people will save in dollars, so let us not be in a hurry.

As I say, it is a figure which was used as the approximate amount required for spot-purchase items to make the total round off

to an even figure to make it easier for everyone to work with.

I presume it was designed to make it more symmetrical, with no sharp points. These spot items are intended for the President to spend without getting further authority from the Congress; is that true?

Mr. WIGGLESWORTH. Yes.

Mr. KNUTSON. You are giving him $1,000,000,000 to spend as he sees fit?

Mr. WIGGLESWORTH. If you add up all the items, it will come to about $1,000,000,000.

Mr. KNUTSON. We gave the President $200,000,000 in the first lease-lend bill; is that not right?

Mr. WIGGLESWORTH. I shall have to put that figure in the RECORD.

(Figure not available.)

Mr. KNUTSON. That will be $1,200,000,000 we are going to give that great economist to spend without let or hindrance.

Mr. DITTER and Mr. HOFFMAN rose.

Mr. WIGGLESWORTH. I yield to the gentleman from Pennsylvania.

Mr. DITTER. I believe that in fairness we should say this as to the inquiries of the gentleman from Minnesota. After all, these figures that are rounded out roll out the easier.

Mr. KNUTSON. With less friction, the gentleman means.

Mr. DITTER. Exactly; the motion is all the easier if we make them rounded-out figures. There is not as much chance of clogging, so to speak.

Mr. KNUTSON. Does the gentleman mean to intimate that the machinery is geared with ball bearings?

Mr. DITTER. No; I mean to say that there is plenty of lubrication, but they in no way want anything that might interfere with easy spending.

Mr. KNUTSON. What kind of lubrication?

Mr. DITTER. There is considerable patronage lubrication, for instance, and there are the smiles and approbation that come from charm and sweetness. All of those are part of the lubricating process.

Mr. KNUTSON. I am afraid there is a great deal of politics in this spending. I understand that the Democratic candidate for mayor in Syracuse has advertised in the local papers that he should be elected because he would bring more preparedness business to the town than can a Republican. Did the committee look into that to see how much politics there is in the spending of this money?

Mr. WIGGLESWORTH. It seems to me I have heard that argument somewhere before.

Mr. KNUTSON. Yes; and no doubt the gentleman will hear of it again.

Mr. HOFFMAN. The Sheppard committee from the Senate reported on that in the affirmative.

May I ask a question after a while?

Mr. KNUTSON. Mr. Chairman, I observe that there are only 13 Democrats on the floor. I believe this question is of enough importance to need a quorum. This bill involves $6,000,000,000. There are only 13 Democrats here, and that is an unlucky number for the American people. I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Mr. CANNON of Missouri. Does the gentleman insist on his point of order?

Mr. KNUTSON. Mr. Chairman, I observe that five or six of the faithful have come from the retiring room. I withdraw my point of order.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from Michigan.

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I yield 3 additional minutes to the gentleman from Massachusetts.

Mr. HOFFMAN. I want to raise again the point that was brought up by the gentleman from Wisconsin [Mr. KEEFE]. If there is any reason, what is the reason why the American citizen who pays the tax should not know about these matters that have come before the committee? The fellow that pays the bill ought to know something about it as well as the Representatives. Why can he not know?

Mr. WIGGLESWORTH. I believe the fundamental reason advanced is that it is desired not to disclose to the world, and particularly to the Axis Powers, all the details of our military and naval equipment program.

Mr. HOFFMAN. Does the gentleman mean the way in which the money is being spent, that we are using it for political purposes instead of for national defense? The gentleman does not want the world or the taxpayers to find that out?

Mr. WIGGLESWORTH. I am perfectly willing the world should know that.

Mr. HOFFMAN. If we had those facts we would know about it, would we not?

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. WIGGLESWORTH. I yield to the gentleman from Michigan.

Mr. MICHENER. The matter about which the gentleman from Michigan [Mr. HOFFMAN] inquires does apply in particular to this bill, but it is a criticism that might be leveled, and has been leveled, down through the years at the Appropriations Committee in general. We are considering a $6,000,000,000 bill. These hearings have been printed. They have been within the reach and the knowledge of the members of the Appropriations Committee for several days. The Members of the House not members of the Committee on Appropriations are never able on any appropriation bill to get a copy——

Mr. CANNON of Missouri. Mr. Chairman, will the gentleman yield?

Mr. MICHENER. Not just now.

Mr. CANNON of Missouri. I believe the gentleman wants some information I can give him.

Mr. MICHENER. I shall give the gentleman an opportunity to give it to me a little later.

What I said was that the Committee on Appropriations, as a rule, prints the hearings but the hearings are not released to the House until the morning the appropriation bill is taken to the floor for consideration.

Now the real purpose of that is so that the Members will not have all the information there is obtainable about the appropriation bill and that the country will not have that information because, forsooth, the country or pressure groups might be interested and might let their desires be known to the Members of the Congress. No one will contradict this.

Mr. HOFFMAN. Why should not the people know?

Mr. MICHENER. No one will defend this. I have made this same speech here on a number of occasions. Let us amend the rules so this will be different.

Mr. WIGGLESWORTH. Mr. Chairman, in conclusion I wish to remind the members of the Committee that some weeks ago the junior Senator from Virginia presented detailed figures to the Nation emphasizing the pitiful lack of progress made in the production of arms and equipment essential for our national defense, after 15 months of defense effort. The second report of the President on lend-lease activities, dated September 15, furnishes further evidence of this tragic lack of progress.

We cannot arm ourselves, or any other nation, by appropriations and appropriations only. Three percent exports, more than half of them agricultural, against a lend-lease appropriation in March of $7,000,000,000 is a discouraging picture.

The White House bottleneck must be eliminated. Speed and efficiency in production are vital. The President, in my judgment, could do nothing that would more hearten the country than to appoint a driving business executive as head of the entire defense effort, with power to make essential decisions. The Nation has a right to demand results and to demand them fast.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield to the gentleman from Oklahoma [Mr. CARTWRIGHT] such time as he may desire to use.

Mr. CARTWRIGHT. Mr. Chairman, on yesterday I asked permission to have printed in the RECORD an address by the Honorable Thomas H. MacDonald, Commissioner of Public Roads, entitled "Indispensability of Highways to National Defense." Today I have it returned to me with a statement that it is three-quarters of a page over the amount usually allowed. I ask special permission that this be printed, because it is a very important statement on a very important matter.

The CHAIRMAN. The request of the gentleman from Oklahoma will have to be submitted in the House. The request cannot be entertained in Committee of the Whole.

Mr. CANNON of Missouri. Mr. Chairman, I yield 15 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Chairman, I shall support this bill as I have supported every appropriation bill recommended by the President for national defense. Whatever the side issues or the details may be, we are committed to a program. We must go through and we

should go through with it, and a good deal of talk and debate about this matter could very well be eliminated from these discussions to the benefit and advantage of the democracies of the world.

However, the subject I wish to bring to your attention is this: As some of you know, from the beginning of the defense program I have endeavored time after time, when appropriation bills were before the House, to incorporate into them a simple amendment that would restore to the American citizen his God-given right to earn his bread in the sweat of his brow without the necessity of paying tribute to a labor union or anybody else. I have been unsuccessful in these efforts repeatedly, and I doubt the wisdom or the use of attempting any amendment to this bill. I do not know that I shall do it. But my purpose this afternoon is to draw your attention to what has all the earmarks of the boldest, the most brazen, and the most outrageous attempt to defraud the United States that could possibly be conceived. I refer to what is known as the case of the Currier Lumber Co. The Currier Lumber Co. made a bid for 300 houses to be erected in Michigan for nine-hundred-and-some-thousand dollars. This was the low bid. The next low bid was approximately 50 percent higher, or fourteen-hundred-and-some-thousand dollars, representing a difference between $3,200 per house and $4,600 per house. The Currier Co. has been refused the award of this contract, notwithstanding the fact that its financial responsibility and its ability to perform the contract are in no way in question.

As soon as I learned about this I wrote to the proper official in the Government telling him that the information was so astounding that I asked for an explanation, and I was sure there must be one. I have waited a week for a reply, and no explanation is forthcoming. But in the meantime I have made some investigations and want to present certain facts to the House.

The fact is that on the 22d day of July of this year an agreement known as a stabilization agreement was entered into by the O. P. M. labor section and the American Federation of Labor. I got a copy of that agreement and I found it was marked "Confidential." Any of the Members of Congress can get it by asking Mr. Sidney Hillman's office. Now, who participated in that contract? The American Federation of Labor and the O. P. M., and the effect of the contract is that the American Federation of Labor obtains a monopoly on all the construction business of the United States Government, notwithstanding any question of price or low bid or anything else.

This matter was disclosed over the radio Friday night by Fulton Lewis, Jr., and he brought it forcibly to the attention of the American people. This agreement not only says that a man must belong to a labor union and pay tribute before he can work for his country, but it also says that he must belong to the American Federation of Labor. So when this became known in labor circles, the C. I. O. proceeded to ask Mr. Sidney Hillman, head of the labor section of O. P. M., what he meant by any such arrangement as that, and called his attention to the fact that this agreement was entered into in secret between the American Federation of Labor and the O. P. M., and asked why the C. I. O. or any other legitimate union should not be recognized. All the answer the C. I. O. got was a letter from Hillman stating he thought it was a good thing for the American labor policy and would help in national defense.

That is the condition that is in actual existence. What happened? Mr. Fulton Lewis exposed these facts, and Mr. Fulton Lewis, as you all know, is one of the most accurate news commentators. He does not go off the deep end, and when he says something you can rely pretty well that he has got his facts—and nobody ever disputed the facts that he stated or that I am now stating to you. After that the Truman committee, in view of this situation, yesterday called Mr. Carmody and called Mr. Currier, of the Currier Lumber Co., before it, and there the matter was laid bare to the public. As I understand the situation, Mr. Carmody said that under the stabilization agreement, confidentially made between the servants of the public and the A. F. of L., disposing of nothing at all except the taxpayers' money—that under the stabilization agreement the A. F. of L. agreed not to strike if they were permitted to have a monopoly of the building industry of the Government of the United States. The next question was, What was Mr. Carmody going to do about it? My information is that Mr. Carmody's testimony was that when this Currier Lumber Co. bid came in, that the American Federation of Labor held the gun to the head of your Government and said, "Now, we have a monopoly of the building industry in the United States, and we propose to maintain that monopoly, and we hereby threaten you that if you give this contract to anybody not A. F. of L. we are going to call a general strike in the building industry in the United States." That is just another step, gentlemen, in the situation that has been going on ever since this defense program started. At the very first jump this labor racket fastened its fangs into this defense program.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. Not at this time—a little later. Ever since then this thing has been going on from bad to worse, step by step, step by step, and American citizens denied the right to work unless they paid tribute to a labor union; and now you have, not the closed shop, which was the thing that we were talking about 6 months ago, but you have the closed shop within the closed shop; that is to say, no C. I. O. man can drive a nail for the Government of the United States, no C. I. O. man may saw a board for the United States. If he does, the American Federation of Labor, with all its powers and with all of its thousands of employees, proposes to call a general strike.

What is the answer? I said it a moment ago, and I repeat it now. We ought to know whether this country is going to be run, and whether this defense program is going to be run, by the American people and their representatives, or is going to be run by some organization, bt it a labor organization or something else. That statement, as often as I have made it on the floor, has been applauded, but I have never been able to get the votes to put it into effect, and I do not expect to get the votes now, but I am laying this situation before you and I want you to know about it.

What else did Mr. Carmody report? Mr. Carmody, as any good administrator would do, when the O. P. M. told him he could not grant this contract to anybody except the one organization that held a monopoly on the business of the United States, said, "I will refer that matter to the Department of Justice and see what their opinion is." And he stated, I understand, in his testimony yesterday, that the Department of Justice said, "You cannot do that; you have to give this contract to the Currier Co. because they are eligible and financially responsible and are substantially the lowest bidder." I am informed this morning from reliable sources that the O. P. M. said, "Never mind about the Department of Justice, we have this contract giving the American Federation of Labor a monopoly of the building trade in the United States, and we propose to carry it out, Department of Justice or no Department of Justice."

Gentlemen, what are you going to do about it? I do not think you will do anything about it, but I am telling you about it. I want you to know these facts, and I want you to verify these facts, and I would like the Committee on Appropriations to verify these facts, because this bill is going to be under debate for 3 days, and there is ample opportunity for the Appropriations Committee to find out whether this situation is as I describe it or otherwise; and if it is not as I describe it, I think some member of the Committee on Appropriations ought to take the floor here before this bill is concluded and tell us what the facts are. If the facts are substantially accurate the Appropriations Committee is under a clear duty to offer amendments that will prevent any of these funds being dissipated in the manner I have described.

I discovered these facts by reason of a circumstance that happened in my district. There was a housing bid offered over there on July 15. Bids were to be opened on August 6. In the invitation for bids, which is a volume in itself, is contained a full schedule of prevailing wages that have to be paid on that job. Before the bids were opened there came down from the Department another scale of wages which "upped" them, and the party bid on that scale of wages. After this party had gotten the lowest bid and he had had almost time enough in which to build the houses, somehow or other that contract was never signed by the Government. Six weeks later he was advised that there was another prevailing scale of wages in the city of Alexandria and the county of Fairfax, established by the Department of Labor.

Just incidentally, to give you an example of what that scale of wages did, it raised common labor from 40 cents an

hour to 85 cents an hour. That was after the bid was in. Other classifications of labor were very much in the same relation.

Of course, you know the Department of Labor has the power to fix the prevailing rate of wage. You probably also know that in practice the prevailing wage fixed by the Department of Labor has no relationship to actual wages being paid in that area. They are purely fantastic and arbitrary. So they put in this new scale of wages.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. CANNON of Missouri. Mr. Chairman, I yield the gentleman from Virginia 10 additional minutes.

Mr. SMITH of Virginia. So they put in this new scale of wages, which raised the cost of these houses 22 percent and put them beyond the limitation of cost contained in the Lanham Act. Now, do you know what was the matter? Well it turned out afterward that this fellow who got that contract did not belong to the A. F. of L. His men belonged to the C. I. O.

I have two other cases I could tell you about if I had the time, where everything looked all right for the low bidder, but it turned out that his men were members of the C. I. O. and did not belong to the A. F. of L., and never could they get a contract, no matter how low the bid.

I want to state as a fact, which I hope the Appropriations Committee will verify and either deny or affirm before this bill is voted on, I want to state that since July 22 when this conspiracy was entered into between the O. P. M. and the American Federation of Labor, no contract has been awarded to any firm employing C. I. O. labor or any other union labor or any other nonunion labor except A. F. of L. laboring men. I make that statement and I ask you gentlemen on the Appropriations Committee to ascertain the facts and either affirm or deny what those facts are.

Now, that is the condition you are presented with when you are appropriating $6,000,000,000 of the taxpayers' money. I have no brief for the C. I. O., as you all know. I have talked about them heretofore. I do not have any brief for the American Federation of Labor or any other private organizations; but I do have a brief for the "forgotten man" of America, that is, the taxpayer. Do not forget that we have just put on him a tax bill that is going to hurt, and in this one case of the Currier Lumber Co., which I told you about, the proposal is to award that contract to another bidder who happens to be A. F. of L., at an increased cost to the Government of the United States of approximately one-half million dollars.

Now, gentlemen, we appropriate money. It is our duty to see whether it is properly expended. What are you going to do about it when you vote on this bill?

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. SHEPPARD. In your statement a few moments ago you said that one of the members of the O. P. M. had refused to accept the legal rulings of the Attorney General's office. Could you furnish us with the name of the gentleman in the O. P. M. who made that statement?

Mr. SMITH of Virginia. Well, I hesitate to use names.

Mr. SHEPPARD. But this is of sufficient importance that I think you should name him.

Mr. SMITH of Virginia. I have not had an opportunity to check this, but I am informed his name is Sidney Hillman.

Now, here is what happened under that stabilization agreement. That agreement does not say that nobody but A. F. of L. shall have any contracts, but it is an agreement between the O. P. M. and the A. F. of L., and there is a little joker clause down in the end. It says if any disputes arise about any of this work, then it is to be settled by a committee; and who do you suppose composes that committee? It is composed of one member from the department having the work done. That is one of the three. Then it is composed of one member of the A. F. of L. and one member from the labor section of the O. P. M., and I am informed that the labor member from the O. P. M. who sits on that committee is a member of the A. F. of L. He is an official of the A. F. of L. who is temporarily released to come down here and see that everything runs along all right for the taxpayers. I do not know, but I suspect he still draws his salary from the A. F. of L. just as Sidney Hillman still draws his salary from the C. I. O.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. HOFFMAN. Referring to that agreement which you said was made between O. P. M. and A. F. of L., what element of conspiracy to defraud the Government is lacking in that agreement, if any?

Mr. SMITH of Virginia. None that I can think of, but as long as this matter has been referred to the Department of Justice, I am going to make a practical suggestion to the Department of Justice. That is that they consider the advisability of presenting this matter to a grand jury of citizens of the United States who are not in the employ of the A. F. of L. or the C. I. O., and let that grand jury of American citizens and taxpayers if they see fit indict everybody connected with this attempt to defraud. Let them consider an indictment of the O. P. M. officials who had to do with it and approved it and the A. F. of L. officials who had to do with it; let them be indicted for attempting to defraud the Government of these huge sums of money.

Mr. HOFFMAN. What about the impeachment of officials of the O. P. M. for misfeasance in office or malfeasance in office?

Mr. SMITH of Virginia. I used to know something about impeachment, but we have departed very rapidly from constitutional government in the past year. I do not know whether they are subject to impeachment, because they are not provided for by congressional act but are provided for by Executive order.

There is one thing we can do about it, however, and in conclusion I want to make a practical suggestion. Congress can do something about this. Do you know what you can do? Let me tell you. We have the National Labor Relations Act. Why do you not put a clause in this bill providing that no part of this money shall be expended for the payment of any person who violates this clause in the National Labor Relations Act, namely:

> It shall be an unfair labor practice for an employer * * * by discrimination in regard to hire, or tenure of employment, or any term or condition of employment, to encourage or discourage membership in any labor organization

In other words, why do you not do what the Labor Act said should be done—give the workingman of America freedom of choice of his union without discrimination on the part of your Government? This is one thing your committee can do to make this bill effective, but I will tell you something else you could do that would be more effective, and I want this committee to give it serious consideration between now and Friday, when we vote on this bill. You know we provided that these jobs did not have to be given to the lowest bidder; in other words we gave some discretion. In view of the facts I have just stated to you, and which I believe to be true and which you may find out upon investigation—if those facts are true, that discretion which we have given has been outrageously abused. My suggestion therefore is that you put into this bill a provision that none of this money may be spent except where the contract is awarded to the lowest financially responsible bidder. If you will just do this and let us come back to earth and put our feet on the ground in the expenditure of all these huge sums of the taxpayers' money, you will cure much of this outrageous condition; and I am serious when I say to the Appropriations Committee I hope you will give this proposal consideration. I do. I hope you will yourselves offer amendments to cure this outrage and this robbery of the American taxpayer.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Virginia. I yield.

Mr. CASE of South Dakota. I am very much interested in the gentleman's suggestion as well as his entire remarks. The difficulty in applying the remedy the gentleman suggests is that so much of this money is being spent on a cost-plus-fixed-fee basis, and we do not even have the contracts we can get hold of.

Mr. SMITH of Virginia. It is not in these instances I have spoken of. They are all bid contracts. All we can do is the best we can, but if this Congress has a mind—if this Congress has a mind and a fixed purpose and a determination to cure these things and to stop them in the interest of the American taxpayer a way can be easily found. As a matter of fact, there is now on the calendar the so-called Vinson bill, which would have stopped it—a bill reported out by the Naval Affairs Committee; and there is a rule from the Rules Committee extant right on this calendar now by which that bill can be called up at any moment. I reported the resolution and I have the privilege of calling up the bill, and I am prepared to call

it up and fight this matter out when there is an inclination on the part of the House to pass the bill, but I cannot see any sense in calling that bill up unless the House is ready to give it serious consideration.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, my good friend the gentleman from Michigan [Mr. MICHENER] just now declined to yield for a correction. I am sorry he did because I had some information which should be of interest to him. He made the statement that hearings were not available to any but members of the committee until this morning. These hearings were available to all Members of the House last Monday. They were available to all Members of the House as soon as they were available to the members of the committe, and ample time was given for their study before the bill was called up. Of course, the conclusions the gentleman reached in his statement were based on an erroneous premise.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield.

Mr. MICHENER. If I made a misstatement, of course, I want to correct it, and I want it corrected for the RECORD. I had so understood it. I had asked for hearings and was told they were not available. I presumed that the usual practice of the Appropriations Committee obtained in this instance as it does in other instances where the average Member of the House cannot get a copy of the hearings until the day the bill is taken up for consideration on the floor.

Mr. CANNON of Missouri. The gentleman did not apply to the committee. If he had applied to the committee or to any clerk of the committee he would have received a copy of the hearings.

Mr. MICHENER. Mr. Chairman, I ask unanimous consent that I may correct the insertion in the RECORD to comport with the facts as stated by the gentleman from Missouri.

Mr. CANNON of Missouri. Mr. Chairman, I object.

Mr. TABER. Mr. Chairman, I yield 15 minutes to the gentleman from Kansas [Mr. LAMBERTSON].

Mr. REES of Kansas. Will the gentleman yield for an observation?

Mr. LAMBERTSON. For a brief observation.

Mr. REES of Kansas. Mr. Chairman, continuing this discussion in reference to getting these hearings. As a Member of the House I called for copies of these hearings even as late as last evening and during the forenoon yesterday I was told that they would be available at noon today.

Mr. CANNON of Missouri. If the gentleman had applied to the committee, he could have received a copy of the hearings beginning last Monday.

Mr. REES of Kansas. The application was made to the committee room. I do not know who answered the phone.

Mr. CANNON of Missouri. I do not know who the gentleman requested it of, because they were on file and have been available to any Member of the House since last Monday.

Mr. LAMBERTSON. Mr. Chairman, before discussing the main issue, may I say that I am in entire sympathy with the gentleman from Virginia. I appreciate the noble fight he has been making, almost in vain. One of the greatest handicaps we will ever have in our greatest emergency will be and is the labor situation as it has been permitted to grow in the United States.

Mr. WHITE. Will the gentleman yield?

Mr. LAMBERTSON. I yield to the gentleman from Idaho.

Mr. WHITE. What about monopolies in other lines of endeavor? Take the Aluminum Co. of America, for instance, it has been vindicated by the court.

Mr. LAMBERTSON. I do not think there is anything as bad as what has been going on in the way of labor racketeers.

Mr. WHITE. If we are going to permit monopolies in this country, labor will have to protect itself in some way or it will be ground down.

Mr. LAMBERTSON. Mr. Chairman, I am opposed to the pending bill and I expect it will be my privilege to offer a motion to recommit, if the two ranking minority Members do not qualify. As has been hinted here before, we propose to offer a motion to recommit with instructions to eliminate title 1, in other words, all that deals with lease-lend.

The gentleman from Wisconsin [Mr. KEEFE] made a statement awhile ago about the testimony. It is not very satisfactory. There is the privilege, and the free privilege that the witnesses have of deleting their testimony from the record. Their judgment is final. They can take it all out of the printed hearings practically if they want to. May I say in fairness to all of us that there was not anything said in those hearings that changed the mind of anybody. Members who voted for the bill practically made up their mind before they went there and those against it did the same. I do not think the testimony was important. We are giving too much credence to the value of this testimony that came before our committee as influencing our vote for or against this bill.

Mr. Chairman, I am opposed to the pending bill for this reason, among others: Going back to the old bill, it was stated at that time that it would do the job. How frequently did we hear from the other side in connection with the consideration of the lease-lend bill and the appropriation bill itself that the amount was $7,000,000,000 because it would do the job, rather than three, four, or five. It had been comprehended, it was decided to make it $7,000,000,000 because it would do the job, and that would be the end. I challenge my distinguished chairman to point to any place in the record, to anybody, in the position of leadership, who gave us even an intimation that this was just the establishment of a policy. That is purely an afterthought. We were not just establishing a policy in the other lease-lend bill and in that $7,000,000,000 appropriation bill that went with it.

I worked in a bank once, as a boy, for a year. There was one interesting fellow who came into the bank one day, and he asked how much money he could borrow on his own note. It was quite a joke with us for years. The cashier gave him the limit of what he could borrow on his own note. We lent England just about up to the limit in the first proposition; we lent them all that we thought we could stand for her having from our funds; but now we are told we were only establishing a policy of lending her money. Because we loaned once, we are told we were only establishing a policy. That is about as consistent as it would be to have lent my friend a second amount equal to the first amount he borrowed, when he failed to pay the first amount.

They told us it was bad morale if we said to Russia, if we said to England, without just being specific about it, that we were going to reduce this bill. We were given this bill, and we were told we were expected to pass it because if we did not, it would hurt the morale of our fighting Allies.

I do not like those references. We were not asked about putting the flag and the boys in Iceland. Now they ask, "Do you want to take the flag down?" But that is a little different thing. We are not to curtail, we are not to offer any serious amendments to this bill, because it would hurt the morale of somebody along the way. Do not misunderstand.

There is another thing about this bill I do not like, and that is the fact the testimony shows that everyone has insisted this is not the Russian bill, when everyone knows it is. The leaders who testified stated that this is not for Russia, but they were just as insistent at the same time that there be no provision against Russia placed in the bill. They told us, "Leave it to the President to use his own judgment as he sees fit for our national defense."

Mr. Chairman, I do not like that sort of subterfuge. We have had it from the beginning and from the time the first steps were taken when we lifted the embargo. In every step that we have taken in the name of our own national defense we have gone further than the act itself authorized We know this is for Russia. It was announced in the papers when the President came back from that famous sea conference that Russia would be next. Now we are told it is not for Russia, but we know it is.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. LAMBERTSON. I yield to the gentleman from South Dakota.

Mr. MUNDT. We have now been operating under this lend-lease policy for about 7 months. At the time the bill was originally passed, many of us who opposed it did so with the sincere conviction that there were other means by which we could better be of assistance to Britain. The minority views at that time presented the position of the bulk of the Republicans, to the effect that we could better aid Britain by making available to the British Purchasing Commission adequate purchasing power to purchase direct the supplies it needed.

At our Republican conference yesterday afternoon, called for the purpose of informing the Republican Members of the

House about the operations of the act and what had gone on in the hearings, the gentleman from New York [Mr. TABER], in answer to a direct question by the gentleman from Oregon [Mr. MOTT] as to whether the 7 months' experience had indicated, as the facts were brought out before your hearings, whether the lend-lease policy had operated as successfully as the evidence indicated the policy could be operated had we made the purchasing power directly available to the British as the minority wished to do, said that in his opinion the British had received much less assistance under the lend-lease policy than they would have received had we followed the position expressed in the minority views.

In talking with the gentleman from New York [Mr. TABER] subsequently, today, he said, "In fact, I think the British would have received 25 percent additional in direct material help had we followed the other program, because of the fact that, as they now operate, Harry Hopkins has muddled the thing up a little bit, then they had to strain it through the Labor Department and Madam Perkins, and consequently they slowed down production."

May I ask the gentleman if from his experience, after having heard the entire hearings, he feels that the position of the gentleman from New York is correct, and agrees with the gentleman from New York, or does he believe that the lend-lease policy has worked out satisfactorily?

Mr. LAMBERTSON. I agree with the gentleman from New York [Mr. TABER] absolutely. I believe he is accurate, very substantially accurate, on that proposition. If England had gotten this aid direct, this thing that Mr. Smith was talking about over here would probably have been somewhat avoided under those circumstances.

Mr. MUNDT. I am glad to have the gentleman's reaction. While that is pretty much water over the dam, I do think it is important that the country have those facts.

Mr. KEEFE. Mr. Chairman, will the gentleman yield for an observation?

Mr. LAMBERTSON. I yield to the gentleman from Wisconsin.

Mr. KEEFE. This afternoon on the floor of the House I made a statement with reference to the withholding of information from Members of the Congress and members of the Committee on Appropriations who are not members of the subcommittee that handles this bill, and after I made that statement the gentleman from Pennsylvania [Mr. DITTER] got up and made a statement to the Congress here in substance to the effect, as I recall it, that any Member of this Congress had a right to go into the office of the Committee on Appropriations and there inspect the secret, privileged file of information for his own information.

May I say to the gentleman from Kansas that at my suggestion the gentleman from Minnesota [Mr. O'HARA] and the gentleman from Michigan [Mr. BRADLEY] just now went to the office of the Committee on Appropriations and asked Mr. Marcellus C. Sheild, the clerk of the committee, as Members of the Congress of the United States, for the privilege of inspecting this so-called confidential file. They were very politely but definitely told by the clerk of the committee that those files were privileged and confidential, and that they could not inspect the files until they secured the specific authority and approval of the chairman of the Committee on Appropriations.

At this point in the RECORD, because of the importance of this subject to the Members of Congress, I should like to know from the chairman of the committee whether or not the statement made by the gentleman from Pennsylvania [Mr. DITTER] is true, and whether or not those files which are marked confidential and are not found in this printed record are open and available to the Members of the Congress who are not members of that subcommittee.

Mr. CANNON of Missouri. Of course, the gentleman should take that up with the gentleman from Pennsylvania.

Mr. KEEFE. I am taking it up with the chairman of the committee.

Mr. CANNON of Missouri. The gentleman from Pennsylvania is not here. If he is temporarily out of the Chamber, I am sure he will return soon, and the gentleman can take it up with him then.

Mr. KEEFE. I am calling the attention of the gentleman to the fact that these two gentlemen just referred to have just now reported that they were told by the clerk of the committee that that matter was entirely in the hands of the chairman of the Committee on Appropriations, and without specific authority from the gentleman from Missouri [Mr. CANNON], the chairman of the committee, no Member of the Congress could inspect those confidential files. Is that right or is it not?

Mr. CANNON of Missouri. The gentleman is speaking about the statement made by the gentleman from Pennsylvania [Mr. DITTER].

Mr. KEEFE. No; I am not. Do not backwash off the record, as the gentleman usually does. I am asking the gentleman a fair question.

Mr. CANNON of Missouri. The gentleman is entirely erroneous in his statement that I usually do. I will say, however, that I am not to be called upon to dispute a statement made by any colleague on this floor. If the gentleman wants information, I will give it to him. What the gentleman asked me was, "Was the statement of the gentleman from Pennsylvania [Mr. DITTER] true?"

Mr. KEEFE. Oh, no, that was not the question at all. I will ask the question again.

Mr. CANNON of Missouri. That is the question he asked. Of course, it is not for me to say. He should ask that question of the gentlman from Pennsylvania [Mr. DITTER], but if the gentleman wants any information about the bill, I shall be glad to give it to him.

Mr. KEEFE. Let me ask the gentleman this specific question, and it is information about this bill.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 5 additional minutes to the gentleman from Kansas.

Mr. KEEFE. I ask the gentleman this question, as chairman of the Committee on Appropriations in charge of this bill: Has a Member of Congress the right to go into the office of the Committee on Appropriations and there inspect the privileged, private files that were submitted to the subcommittee and are not found in the printed record available to Members of Congress?

Mr. CANNON of Missouri. The gentleman is one of the best informed parliamentarians in the House.

Mr. KEEFE. Who is?

Mr. CANNON of Missouri. He is thoroughly familiar with the procedure of the House. He knows that under the long-established practice, which has been in force for more than 100 years, the files of any committee are under the jurisdiction of the committee and cannot be inspected by anyone not a member of the committee, or even by a member of the committee himself, except by the authority of the committee. If the gentleman wants any information about this bill I shall be glad to give it to him.

Mr. KEEFE. I would like some further information if I may ask the gentleman for it. The clerk of the Appropriations Committee, of which I happen to be a member, just informed two reputable Members of this House that they could not inspect these files without permission of the chairman of the Appropriations Committee. Is the gentleman in position to exercise that authority as chairman, and give authority to a Member of Congress to inspect those files?

Mr. CANNON of Missouri. A chairman is subject always to the direction of the committee. I think what the gentleman is driving at, if the gentleman will permit me to suggest it, is very well explained by a statement in the hearings from General Marshall. General Marshall said:

> One final point in closing. The items covered by the funds requested in the estimates represent actual stated requirements of certain countries now at war. Obviously, information concerning these requirements would be valuable and of assistance to their enemies. It is, therefore, essential that the greatest possible secrecy be preserved by all concerned as regards to the specific requests contained in the estimates.

In this statement General Marshall calls attention to the fact that much of the information given to the committee was of such a nature that it should be kept confidential because its publication would seriously militate against the interests of our Allies if it were revealed. May I say in this connection that Adolf Hitler himself, speaking on the 3d of October, just last week, explained that much of the difficulty of the Germans at the present time was due to the fact that they were taken by surprise, that they did not have information about the state of preparedness of the Russian Army, and, as the gentleman well knows, one of the principal weapons which Hitler himself has used against the Allies has been the weapon of surprise. This is universally recognized as one of his most effective weapons. To give current to confidential information given during executive sessions of the committee might

mean the difference between victory and defeat.

Mr. KEEFE. Mr. Chairman, the gentleman from Kansas yielded to me to ask the gentleman a question.

Mr. CANNON of Missouri. The gentleman asked a question and I am glad to give the gentleman the information.

Mr. KEEFE. I do not yield any longer.

Mr. CANNON of Missouri. The gentleman asked for information and now he does not yield for me to give him the information. If the gentleman wants information, I shall be glad to oblige him. If he does not want it, he should not request it.

Mr. KEEFE. Let us be specific. Have the gentleman from Minnesota [Mr. O'HARA] and the gentleman from Michigan [Mr. BRADLEY] the gentleman's permission to go into the rooms of the Committee on Appropriations now and inspect this private file?

Mr. CANNON of Missouri. They have not applied to me for any such permission.

Mr. KEEFE. Have I, as a member of the committee, a right to go in there and inspect that file?

Mr. CANNON of Missouri. By direction of the committee.

Mr. KEEFE. Then I have got to have a meeting of the Committee on Appropriations before I can inspect that file?

Mr. CANNON of Missouri. The gentleman "has got" to abide by the rules of the House. The rules were in force before he came here and they will be in force when he leaves and they are in force while he is here.

Mr, KEEFE. Then the only way that I, as a member of the Appropriations Committee, can inspect those files is to get somebody, which means the chairman, to call a meeting of the Appropriations Committee, make the request of the full committee, and ask for the adoption of a resolution permitting me as a member of the committee to inspect those files. Do I so understand the gentleman?

Mr. CANNON of Missouri. The gentleman does not have to raise a question here about so simple a matter. He may find the answer in any book on the parliamentary procedure of the House.

Mr. LAMBERTSON. Mr. Chairman, I yielded because I thought this was an important matter and I would say to the gentleman from Wisconsin [Mr. KEEFE] with a good deal of restraint and toleration on my part, probably there is not a great deal in there that would add to his total knowledge, but the thing I deprecate about it all is that they do not seem to want us to have very much of the facts.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield to the gentleman from Kansas 5 additional minutes.

Mr. LAMBERTSON. This seems to be in line with the military dictatorship that is on the way here—not to give us as a legislative body any too much information and to make it just as hard as possible for us to get hold of it.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. LAMBERTSON. I yield to the gentleman.

Mr. O'HARA. Undoubtedly the gentleman, as other Members of Congress, has been written to by his constituents asking what this $6,000,000,000, practically, is for, and I presume the gentleman, in the course of his duties as a Congressman, owes some responsibility to the taxpayers of his district. Is not that correct?

Mr. LAMBERTSON. Certainly.

Mr. O'HARA. In the deliberations of the committee, was the gentleman able to obtain all the information necessary to enable him to act in this matter or was that privilege also denied him?

Mr. LAMBERTSON. I got all the information I needed to vote "no."

I want to say further that another reason I am against this bill is that the testimony that my good friend and distinguished colleague from Nevada gave time and time again to the committee, and I am sure that is not stricken out of the hearings, although I have not been able to find out for sure what has been stricken out, but my distinguished friend from Nevada testified over and over again that he had visited many army posts all over the land this summer and at every camp there was a glaring inadequacy of equipment. Our own Army is not equipped and he stressed that fact tremendously. Yet we are appropriating $6,000,000,000 on top of the other $7,000,000,000 and giving it to somebody else across the seas, when our own Army is not equipped.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. LAMBERTSON. Briefly. I am getting terribly behind.

Mr. ROBSION of Kentucky. The gentleman spoke about the $7,000,000,000 going abroad, and that now we are called upon for six billions more. The gentleman understands as a member of the Committee on Appropriations, and no doubt has heard of it, that next March we are to have another lend-lease bill, a third one.

Mr. LAMBERTSON. Well, it is hinted, and maybe it will be bigger, because we have just established the policy, we find out afterward, of loaning money. One of the main reasons that I am against this bill at this time is that the gist of the evidence before the committee was that there was not a factory in the United States that will be free to process the things in this bill before the middle of next summer. The point is this. They argue that it is necessary to get these contracts out a few months in advance, and that probably February would be about the latest; a lot of things can happen in these 2 or 3 months. Some men are predicting that Russia will be whipped in 3 months, and others that maybe Hitler will be whipped in 3 months. In any event there is liable to be a change in 3 months. If Russia can whip Germany before next summer, then she does not need this money, and if she gets whipped before next summer, then we cannot get it to her. So what is the use of such a hurry to get this $6,000,000,000, when you cannot even start to process the things provided for until the middle of next summer?

When he sent the bill up with the Budget estimates, the President recommended speed. So far as speed is concerned, one thing that I read between the lines in that message is that the urge for speed was an expression of disdain for legislative procedure, which disdain has been growing. First, there is a lack of information, and then why give it and why even leave it on the record—why not let the President run the United States—why bother with Congress? That is the kind of speech that I do not like, that I read between the lines.

The CHAIRMAN. The time of the gentleman from Kansas has again expired.

Mr. TABER. Mr. Chairman, I yield the gentleman 5 minutes more.

Mr. LAMBERTSON. I think this thing should be postponed, and that it should not be passed now. Primarily this is the main point. It should not be passed until the Congress of the United States has had an opportunity to vote upon a declaration of war. This is war. This bill is war. The first lend-lease bill with its $7,000,000,000 is war. We thought it was for peace, but it was for war, and one specific instance of proof of that is the fact that a part of the money in the seven-billion-dollar bill is being used in our own ports to recondition badly battered English cruisers, and it was testified to and admitted in our hearings that that is war. It is war to take a belligerent ship and repair her in our ports. Nobody denies that, and yet we used some of the $7,000,000,000 to do that right now and they are doing it now. The other bill was not for peace; it was for war and before we go any further in this war, since we have our eyes open that a lease-lend bill is war, we ought to have a declaration of war if we are to proceed in the American way, and that is my main point. I have got to put it in the middle of things, but I am opposed to this bill now until we have a declaration of war agreed to by Congress, and let us proceed in an American way to give this money to whomever we see fit, and cooperate with them on a war basis.

I want to make some general observations here. Secretary Hull said this week that the guns were pointed at us, and that we were going to set aside international law insofar as Germany is concerned. What is that but war? If that is not a perfect declaration of war, and a perfect contempt for a declaration of war by Congress, to set aside international law as to Germany, I would like to know what it is. Further, where are these guns that are pointed at us? We were told on the 27th of May a year ago that we would get bombed in Kansas and in Chicago, and that thought has been pretty well eliminated. If Germany conquers England and Russia, it is merely a gambler's chance of about 1 to 10 that she will ever go to South America, and then come up here and then the chances are only about 1 to 10 that she would get here. Where are these guns that are being pointed at us that justify us to set aside international law so far as Germany is concerned?

One of the finest assurances I have why we should stay out of this war is that every time I look at the map of the world,

I lay it out in front of me and I see the United States, and it is a real, concrete thrill that any of us can get if we look at the map and see our isolation. That is a wonderful word. They try to discredit it lately. Our military experts do not admit that it can be invaded from the east at all. We are impregnable from the east. They were going to fly right across in May of last year and take us. That is all out of the window now.

Another thing, these conquered nations are rising up in Europe. England is building up. Things are a lot better than they were in March when we passed the first $7,000,000,000 lease-lend bill.

Another bad effect of all this lease-lend spending is the fact that it is taking industry from the interior. The war industries are more or less along the two shores of the United States.

Mr. TABER. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. LAMBERTSON. I deprecate the fact that the middle of the United States is being depopulated, being reduced more than any other section of the United States. That is a serious maladjustment. All this preparedness, piling up billions and billions, with no end to spending and appropriations is bad. When I was a boy there was a bachelor that was quite a wealthy and extensive farmer in our community. He was a wonderful businessman, but gradually as he got a little older he became suspicious of people. He never would allow anybody to ride in his car with him. He rode alone. He gradually began to make an arsenal out of his car. He had guns on the seat beside him, guns behind him, and guns on the floor. He had guns all about him. He rode around the country that way all alone. He was practicing defense primarily. Finally he just blew up. He could not take care of his other business, thinking about his defense. He blew up physically thinking about his defense, and he passed out of the picture and died. But he was primarily for defense. Yet they intimate to us that there is not anything we can do as a nation that will overdo this thing called defense. I say we can overdo it just like this neighbor of mine overdid it. In fact, we can do so much about it that we cannot do anything else. Our total production today is about 65 percent for what we call national defense.

When this is all over, if we win, if England, Russia, China, and the United States win, I am predicting that one of the first things that will happen will be that Franklin D. Roosevelt and Winston Churchill will fall out. That will be the first thing that will happen. Then there will be a new war starting. Those two men will not live in harmony when victory comes. To my mind, that is just as sure as that the daylight will follow the dawn.

I want to say that I prophesied 2 years ago that there were two things the President of the United States wanted. I was chided in a public meeting in September, after the war began. I said, first, he wants a third term, and, second, he wants us in this war. How far have I missed it on that prophesy?

I was impressed with a speech that Josephus Daniels made last winter at the Mayflower Hotel when he was speaking during the electoral college meeting. He said in that speech, and it was printed in the CONGRESSIONAL RECORD, that in the other World War Newton D. Baker and he, as Secretary of the Navy, were both less anxious for war than Roosevelt, who was then Assistant Secretary of the Navy. He wanted to go to war before the Secretary of War and the President of the United States and the Secretary of the Navy in 1917. He was more raring to go to war then than any of them. Josephus Daniels said that in his speech at the Mayflower Hotel.

Oh, we have got this man before us. It has been hinted, and there may be some truth about it, that maybe we are the people who want to rule the world. Maybe it is not only Germany. Maybe it would be in the back of our heads that if England is defeated we might pick up the fragments of her Navy and that Germany may be so exhausted that we will be the people and our leader will be the man to rule the world. We will use these bases that we are building now in the Persian Gulf and the Mediterranean and the Red Sea and all over the coast of South America. I say it is not too far-fetched to think that with the pressing debt we have, we have not only a military dictatorship to face here but that he has ambition to rule the world himself. So let us start to stop the trend to war by voting "No" on this bill.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, the title of the bill before the House for consideration is a misnomer calculated to deceive. It is not a lend-lease bill, but, instead, it is an outright donation to foreign governments of materials sorely needed for our own Army and air force. While assurances have been given to Russia that aid will be furnished to her by our Government, yet, to suppress the rising tide of indignation on the part of those who are opposed to communism, it has been decided by the administration forces to say as little as possible in this debate relating to the subject of aid to Russia. This gives rise to a very important inquiry.

Why is it that the Congress appropriates hundreds of thousands of dollars to combat communistic activities while at the same time it suffers and permits more than 500 of these enemies of free government to hold key positions on the Government pay roll?

Despite the clear and repeated lesson of experience, which the subversive activities of these elements in other countries now reveal, these communistic saboteurs of free institutions seem to be the objects of tender solicitude on the part of the administration. We all know that the gentleman from Texas, Hon. MARTIN DIES, and the members of his committee have been relentless and tireless in their effort to remove these dangerous agitators from our free society, yet what do we find? Instead of cooperation on the part of President Roosevelt, we find him a bitter critic of the gentleman from Texas, Chairman DIES. It is well for the American people that the gentleman from Texas, Chairman DIES, and the members of his committee are quite capable of defending their courageous and patriotic course of action, and to do so with evidence so compelling and convincing that the public is in full accord with the objective sought to be attained by the committee.

I wonder what significance is to be attached to the recent effort of President Roosevelt to make a saint of bloody Joseph Stalin? We are now asked to appropriate the taxpayers' money to carry on a crusade in Russia to convert this communistic heathen to Christianity. This butcher of priests, clergymen, and sisters of charity is to be sanctified, purified, and received into the New Deal brotherhood as its patron saint. This despoiler of churches and enemy of free government is to be not only absolved from his past sins, but his repentance is to be rewarded with dollars, wrung from the American taxpayers.

I believe the lines from Gilbert's poem quite appropriate to apply to this new method of conversion and its efficacy:

When the enterprising burglar's not aburgling,
When the cutthroat isn't occupied in crime,
He loves to hear the little brook agurgling,
And listen to the merry village chime.

I am wondering just how long this Congress proposes to bleed the people white with taxes in order to continue these international hand-outs. I suggest that those who are so generous with the taxpayers' money take time to examine the means by which Stalin, Hitler, and Mussolini rose to power. They rode in on the flood tide of misery, pauperization, and unemployment caused from uncontrollable inflation. What is the use of talking about controlling rising prices while we hand out billions to foreign nations, neglect our own national defense in the meantime, bleed our people with taxes, and at the same time borrow billions to spend on nondefense and "boondoggling" projects?

What do you think the United States bonds now being sold to the public will be worth in purchasing power when this spree is over? Do you know of a better method of underwriting the real value of these securities than to stop present waste and extravagance, and to devote our resources to establishing an impregnable defense for the United States? We can defend this country and the entire Western Hemisphere from invasion, whether it be from Hitler or a combination of foreign war lords, if we direct our attention and our vast resources to that end.

Is any person so credulous as to believe that this country can withstand the shock of the same forces that have shattered and ruined the free institutions of other nations? We have been traveling the same route of inordinate waste, excessive debt, unbalanced budget that gave birth to totalitarian governments abroad. The struggle for one-man power has been going on here for more than 8 years, and those powers already surrendered by the Congress to the Executive bear a direct ratio to the rate of increase in our national debt.

I challenge any Member of Congress, whether he be a member of the Appropriations Committee or a special favorite with the President, to explain to this House what the money appropriated in this bill is to be used for under the discretionary authority vested in the President. With so much in the press of late concerning the misuse of lend-lease funds heretofore appropriated, the least the Congress can do is to safeguard future appropriations; but do you know know how these new funds will be spent? No! And the reason you do not know is that the Appropriations Committee does not know, and the reason the committee does not know is that the Budget Bureau does not know, and the reason the Budget Bureau does not know is that the Treasury Department does not know.

Now, then, I ask whose money is this that we are appropriating without knowledge as to the use that is to be made of it? Are we elected spendthrifts or are we trustees for the people whose money is being appropriated? This is irresponsibility run mad. The people of this country who must bear this burden, who are already feeling the crushing effect of inflation, and who, on March 15 next, will receive a further financial blow from which they will recoil in actual pain may wish an accounting of their hard-earned wages. I believe that the people of this Nation have a right to a complete bill of particulars relating to the expenditure of the money which is collected from them in taxes. They have a right to know to what extent our own Army, Navy, and air force are being supplied with necessary equipment to make them efficient, and to what extent all branches of our defense are being neglected by the scattering throughout the world of war materials and fighting implements so essential for our own defense.

I wonder how far the Congress intends to pursue this unwise and dangerous program of reducing our country to financial impotency. There is, in my opinion, too little serious thought being given to the future welfare as well as to the immediate protection of the people whom we represent. When we permit the warmongers, foreign and domestic, to persuade the Congress to denude this country of the facilities necessary to its defense, we are playing with fire. Our first duty and responsibility is to our own people. Mark you well, there is no foreign nation or combination of foreign nations, that will assume this responsibility. When foreign intrigue and double dealing, so typical and traditional in the field of foreign diplomacy, bring our country face to face with a real peril through an expected combination of hostile forces, how will you justify your failure to be adequately prepared? This is no time to falter in the face of foreign propaganda, but to speak and act with that firmness which characterized the conduct of Washington and Jefferson in the field of foreign affairs.

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. SAUTHOFF].

Mr. SAUTHOFF. Mr. Chairman, this bill can be divided into two parts, one part which contains an appropriation for Britain under the Lease Lend Act in approximately the sum of $6,000,000,000; the other part provides for supplemental appropriations for ordnance and various other public enterprises. I regret that both parts are contained in one bill, as I would gladly vote for the second part, but cannot vote for the first part. Unless these two parts are separated by amendment, I shall find myself compelled to vote against the entire bill because of the dangers I feel that are present in the $6,000,000,000 under the Lease Lend Act. It is this part of the bill that I wish to discuss.

SIX BILLION FOR BRITAIN

Britain has received to date, at the hands of the American taxpayers, $17,000,000,000 in round numbers, made up as follows: Five billion from the first World War, which is still owing and will never be paid; five billion in subsidies as a result of the price of $35 per ounce set for the purchase of gold; and $7,000,000,000 under the first Lease Lend Act. It is now proposed to give $6,000,000,000 more, and I have no doubt but what this proposal will be adopted, which will make a total to Great Britain, as an outright gift at the expense of the American taxpayers, of $23,000,000,000, which was the entire cost to this Government of the first World War. In deciding what to do on this question, I have considered three major points:

First. Is it necessary?

Second. Will it involve us in the war?

Third. Will it weaken our defense?

I shall take up these three items in their order.

IS IT NECESSARY?

Senator ADAMS, a Democrat representing the State of Colorado, and chairman of the Appropriations Committee in the Senate, came out with the statement on Tuesday of this week that the administration's $65,000,000,000 armament program was "crazy." Senator ADAMS stated that this program now under way will produce not only more munitions than the national defense conceivably might require, but more than the United States and all other countries combined could possibly use in a war against Germany.

Senators ADAMS and BROOKS stated that funds already allocated for ordnance, aircraft, tanks, and other combat equipment would be enough for 10,000,000 men, including an air force of 2,000,000 men, with 80,000 planes, an armored force of 100 divisions with 45,000 tanks, and more than 400 infantry divisions, 100 of them motorized. And after all that there would be more than enough left over for 100-percent reserve supply of ordnance, tanks, and other equipment except aircraft, and all this in face of the fact that an invasion of this country is stated to be an impossibility by our leading naval and military experts.

Senator LA FOLLETTE, in a recent issue of the Progressive, has pointed out that the second lease-lend request—

is an attempt to project a program for years into the future with no further congressional control over expenditures.

The New Republic of September 22, the Nation of September 20, Life of September 20, the New York Times of September 21, the Washington Star of September 19, and the Washington Post of September 16 have all stated that the lease-lend aid has actually amounted to so little that up to the present time it has been a mere trickle. Senate document 112 on page 9 shows figures, by the President, that the Lease Lend Act has actually paid out only $383,000,000, or about 5½ percent of the $7,000,000,000 voted last winter. There still remains over six and one-half billion dollars to be spent before that fund will be exhausted. In this connection it should be pointed out that since the European war began, our factories have been speeded up, and in many instances have been enlarged to produce additional supplies, not only under the Lease Lend Act but also to fill British contracts made prior to the Lease Lend Act. The best that this country has been able to do has averaged about $2,200,000,000 per year. At the time the $7,000,000,000 appropriation was contracted, we were advised that the best that the United States could produce with all its great production facilities would be $3,500,000,000 worth of supplies. Hence it seems ridiculous to say that $6,000,000,000 is necessary at this time. On the contrary, it is very evident that it is not necessary.

It might also be appropriate at this time to call attention to the fact that the total American tax collections in Federal, State, and local taxes will be about twenty-two and one-half billion dollars, or approximately 25 percent of our estimated national income. Now let us take a look at the total United Kingdom tax collection. Including local taxes they will amount to about seven and nine-tenths billions, or approximately 22 percent of Britain's national income. American taxes per capita under these figures amount to $168 while British taxes per capita amount to $165. So we have the astounding revelation that the British taxpayer will pay for the year 1941, $3 per head less than the American taxpayer, and Britain is in the war, and we are not. And I may add that another tax bill is now under consideration, which will be added to the amounts herein set forth.

WILL IT INVOLVE US IN THE WAR?

I am convinced that the convoying of supplies to Iceland, which it is admitted by Secretary Knox as now being done, will most certainly involve us in the war. We have already taken numerous steps, each one of which has led us closer and closer to the brink. No one can say that the steps that have been taken have been done in the interests of peace or with the purpose of keeping us out of the war. On the contrary, plans have been deliberately undertaken which would furnish an incident to involve us in the war. So far those plans have not been successful, but we cannot hope to continue them and escape shooting consequences.

We were urged to adopt the Lease Lend Act so as to become the arsenal of America. At that time the cash-and-carry provisions of the Neutrality Act, and the specific provision in the Lease Lend Act itself were construed in the

arguments held on the bill as being preventive steps that would keep us out of the war. Both of those provisions have been absolutely disregarded. At the expense of the American people, without any further congressional action, the United States will become not only the arsenal of the world, but in addition we are now to transport the goods; and, on top of that, we are to police the seven seas to assure the delivery of these goods. It is not my object here to discuss the Neutrality Act, because that will be fully discussed both in the Senate and in the House in later legislation.

The President himself stated that "Convoys mean shooting, and shooting means war." The American people are strongly opposed to convoys. As a result subterfuges were resorted to to take the place of convoys. Naval and air patrols of the Atlantic Ocean were established in April which were not for American defense but for the purpose of aiding the shipment of arms to Britain. These patrols were denounced as acts of war. Next, Iceland was occupied under the pretext that it was necessary for the defense of the Western Hemisphere, although Iceland is in the Eastern Hemisphere. Our troops were sent to occupy Iceland and there mingled with British soldiers, and we have been advised only this week that our forces are stationed in Iceland under British command. Iceland is approximately 600 miles from the British Isles and 2,650 miles from New York. If the contention is sound that the occupation of Iceland is essential for American defense, then I contend that the occupation of the British Isles is essential for American defense. I will go further than that and claim that if the occupation of the British Isles is necessary for our defense, then the occupation of western Europe is necessary for our defense. One step leads to another, and all these steps together lead to war. But the administration has not stopped with that. It has gone still further, for the President has instructed the Navy to "shoot first" in order to clear the sea lanes to Iceland for supplies for Britain, all of which is a violation not only of the spirit but also the letter of both the Neutrality Act and the original Lease Lend Act.

Another subterfuge was resorted to by transferring the registry of American ships to the flag of Panama. Sixty-three American-owned ships suitable for trans-Atlantic trade have been transferred to the flag of Panama from the time of the outbreak of the European war up to July 1 of this year. This was admittedly done in order to evade the terms of the Neutrality Act, and now when one of these ships is sunk, a human cry is raised that American-owned vessels are being sunk. There is not any question but what they are American owned, but why do not they stay out of the war zones as is expressly provided under the Neutrality Act?

I also wish to call attention to the fact that the President's "shoot on sight" order is not only for protection of American people but also the people of any flag, and that the waters in which that protection is to be given are any waters the President chooses to declare be defended. This, of course, would justify the convoying, by American ships, of British ships transporting British supplies anywhere in the world, the Indian Ocean, the Persian Gulf, the Red Sea, or anywhere else.

WILL IT WEAKEN OUR DEFENSE?

I believe that it will. We cannot possibly manufacture defense artillery for all the rest of the world without materially displacing the manufacture of defense articles for our own country. The United States News reports that "war industry capacity for next year, or more, already is overloaded with orders." We can do one of two things; turn all our production plants into the manufacture of supplies for Britain and let our own supplies wait, or we can take care of our own orders and let the British supplies wait, or we can pro rate the two. We cannot take care of our own necessities and Britain's also at the same time.

To show you what a mess we are in right now, I will quote two outstanding examples: Bethlehem Steel about the 1st of August 1941, had unfilled defense orders amounting to one and one-quarter billion dollars; General Motors had unfilled defense orders, in the middle of September 1941, amounting to $1,200,000,000. In the airplane industry, whose estimated total production for 1941 is $7,000,000,000, Pacific coast airplane plants alone had unfilled defense orders on July 1, 1941, of two and a half billion dollars; Curtiss-Wright, in September, had a defense order backlog of over a billion dollars; Consolidated Aircraft had a backlog of $750,000,000. Senator LA FOLLETTE points out that, on the basis of Department of Commerce figures, new orders have been outrunning completed orders to a large degree during the past year.

Both the United States and Britain have realized the necessity for bombers, and the bomber that we have produced has been superior to that of any other country. We feel that the bomber is a very essential weapon in mechanized warfare. Fortune magazine tells us that "our objective was a peak production rate of 500 four-engine bombers a month. In April, as far as can be learned, we produced only 27 four-engine bombers; in June 10; in July 13; and in August 20." We can either give all these bombers to Great Britain, keep them ourselves, or divide them between the two countries.

One further feature must be mentioned before I conclude these remarks. It is proposed to also furnish money, planes, armament of all kinds, ordnance, and whatever else may be necessary to Joseph Stalin to aid him in his war with Germany. I can conceive of no greater mistake than to arm the Communists, who openly admit and secretly have tried to undermine the governments of all other nations of the world, and to overthrow them, and this includes our own as well as those of every other nation. One might just as well arm insane Hitler and hope to reform him, as to aid a godless Stalin and expect the leopard to change his spots. The efforts that have recently been made to anoint Joseph Stalin with holy oil, place a halo over his head and make him pure as a lily are utterly preposterous.

Joseph Stalin was sick
Joseph Stalin, the saint would be
Joseph Stalin got well
The devil of a saint was he.

No man whose hands are as red from shedding the blood of guiltless millions as are the hands of Hitler and Stalin, can possibly believe in the immortality of the soul or in a hereafter. Both of them have marked themselves as beyond the pale of normal humanity. The most charitable thing that can be said for either of then. is that they are crazed with blood lust and are cursed for eternity. To make ourselves an ally of either one is to drag our standards into the gutter.

Let us therefore hold fast to our own, build our own defense no matter what the cost, maintain the Neutrality Act, both in letter and in spirit, give what we can spare and not 1 cent or one item more than that. For the United States is the hope of the world and must continue to be so no matter what happens elsewhere.

Mr. TABER. Mr. Chairman, I yield such time as he may desire to the gentleman from Iowa [Mr. GWYNNE].

Mr. GWYNNE. Mr. Chairman, I believe this appropriation is necessary to carry out a policy to which the Nation has already been committed; therefore I shall support the bill.

Mr. Chairman, it is often said that America has never had a foreign policy. However, it seems to me that we have had a policy worthy of a great and free people—one designed to perpetuate our freedom and greatness. No one has stated the general principle of that policy better than George Washington. Our great first President did not counsel his countrymen to shut their eyes to happenings abroad. When studied in the light of its historical background, the farewell message of George Washington does not lay down a doctrine of isolation but rather one of independence.

In 1796 several European nations had footholds in what is now the United States. Various groups were contending that our young Republic should for its own protection make a permanent alliance with one of these great powers. Washington strongly opposed such a program and insisted that America should lead her own life and go her own way.

What the general understanding of his views was is best illustrated by the actions of succeeding early Presidents. For example, when the Barbary pirates unlawfully interfered with our commerce on the high seas, President Adams put the Navy in operation against them. When France and Great Britain each molested our shipping we resisted them both. When it appeared that France might use her possessions in the New World for a base of operations against her enemies, Jefferson removed the peril by the Louisiana Purchase. When there loomed the danger of three powerful nations becoming established in South America, President Monroe announced the famous Monroe Doctrine. The fact

that the proclamation was issued after conversations with Great Britain was due largely to the circumstance that her interests and ours were at that moment identical.

In a word, our general effort in the past has been to "choose such course as our interests guided by justice shall counsel." In attempting to promote our interests and to protect our peace and security we have been active rather than passive. Our foreign policy has not been one of weakness but rather one of strength. A free people seeking to go their own way must necessarily depend upon law and order. So we have insisted upon the sanctity of treaties and obedience to the principles of international law, including freedom of the seas as defined by international usage.

Today we again find ourselves confronted by wars abroad, and like our fathers before us are called upon to make decisions vitally affecting the future.

It is of the utmost importance that we approach our problems in the right spirit. We should not allow partisanship or hatred to cloud our judgment. We should not be influenced by prejudice against or sympathy for any particular nation. Certainly differences based solely upon race or nationality should not exist among us. The simple question is, How best may we insure the future peace and security of America? In answering that question we must remember that we are trustees for many generations that will live after us.

There is no doubt of the fact that the overwhelming majority of the American people wish to escape active participation in the European war. Contrary to the statements of a few, there are two ways to become involved. First, we may go to the war, and, second, the war may come to us. Each must be carefully guarded against.

Many people consider only the first danger, that is of our going to the conflict. They are afraid that some incident such as the sinking of a ship may lead us in anger to declare war. I quite agree that we should not allow our emotions to lead us into actions that cool judgment would reject. So far as possible then we should avoid these dangerous incidents. We should not forget, however, that a victory by Hitler is in itself an incident that will profoundly affect the emotions of the American people. In my judgment the danger of our declaring war becomes greater as ultimate success by Hitler becomes nearer.

The more difficult problem is how to keep the war away from us. The theory that such a result might be accomplished by strict neutrality has long since been exploded. The ruins of Norway, Denmark, Holland, and others are a terrible testimonial to the attitude of Hitler toward neutrality and international law.

If Hitler wins the war and establishes his new order in Europe, we will be confronted with one of two choices: First, we may accept the new order and conform our relations with the entire world to it; or, second, we may decline to accept it and insist upon going our own way, as we have in the past.

If we take the latter course, it will be necessary for us to be armed to the teeth. We must have a navy capable of dominating both the Atlantic and Pacific Oceans. We will need a standing army much larger than we now plan. The tremendous drain on our resources and the politically directed competition that we would face in the world's markets would drive us to a degree of centralized authority that would leave little individual freedom. We could, no doubt, defend ourselves in this manner, but it would not be a pleasant life.

Faced with these various possibilities, and after full consideration, the American people have chosen to safeguard their future by taking reasonable steps to keep the Nazi and Fascist menace as far as possible away from us. To this end we have embarked upon an extensive program of furnishing material aid to those countries resisting Hitler. To what nations should that aid be furnished? It seems to me that is purely a question of military expediency. The answer should not depend upon our like or dislike of a particular people, but, rather, upon their apparent ability to accomplish the result which seems to be in our interests, which is, of course, the defeat of Hitler.

The criticism we should direct against the activities of the administration is that our well-established national policy is being very wastefully and inefficiently carried out. The meager results obtained to date call for careful consideration of the following:

First. The creation of a single, responsible head with full authority in our defense manufacturing.

Second. The working out of a plan which would utilize the full manufacturing possibilities of our country, including particularly small industries, many of which are now idle.

Third. The reduction to a minimum of all nondefense expenditures.

Fourth. An armistice in further efforts at this time to make over the country, so that the full time and energy of the Government and of the people may be devoted to the task immediately ahead of us, which is the national security.

Mr. CANNON of Missouri. Mr. Chairman, I move the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BLAND, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 5788) making supplemental appropriations for the national defense for the fiscal years ending June 30, 1942, and June 30, 1943, and for other purposes, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that all Members who have spoken on this bill today be permitted to revise and extend their remarks in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. SOUTH. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. MANSFIELD] be permitted to extend his own remarks in the RECORD and include therein two letters written by him, one to Hon. Harold L. Ickes, Federal Oil Administrator, and the other to Mr. J. J. Pelley, president, Association of American Railroads, in regard to the transportation of oil and gasoline from Texas to the East.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SOUTH. Mr. Speaker, I also ask unanimous consent that the gentleman from New York [Mr. MARTIN J. KENNEDY] be permitted to extend his own remarks in the RECORD and include therein an editorial from a New York paper.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. BEITER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial and articles appearing in the Montreal Gazette on August 27, September 17, and September 23.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered, the gentleman from Michigan [Mr. HOFFMAN] may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

ENROLLED BILLS SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3827. An act for the relief of Mr. and Mrs. Clyde Thatcher and their two minor children, Marjorie Thatcher and Bobby Thatcher; and

H. R. 5202. An act to amend an act entitled "An act to protect the lives and health and morals of women and minor workers in the District of Columbia, and to establish a Minimum Wage Board, and define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for other purposes," approved September 19, 1918.

ADJOURNMENT

Mr. COOPER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 52 minutes p. m.) the House adjourned until tomorrow, Thursday, October 9, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INSULAR AFFAIRS

There will be a meeting of the Committee on Insular Affairs, Thursday,

October 9, 1941, at 10 a. m., for the continuation of the hearings on H. R. 5723.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on Tuesday, October 14, 1941, at 10 o'clock a. m., to consider H. R. 3254, to safeguard and protect further the lives of fishermen at sea and to place fishing boats under the supervision of the Department of Commerce, Bureau of Marine Inspection and Navigation, and for other purposes.

CENSUS COMMITTEE

There will be a meeting of the Census Committee on Tuesday, October 14, 1941, at 10 o'clock a. m., for hearings on the Quinquennial Census.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

971. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 23, 1941, submitting a report, together with accompanying papers, on reexamination of channel from the Gulf through Johns Pass to Boca Ciega Bay, Fla., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted May 29, 1940; to the Committee on Rivers and Harbors.

972. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 19, 1941, submitting a report, together with accompanying papers, on a preliminary examination of Cow Creek, Kans., authorized by the Flood Control Act, approved June 22, 1936; to the Committee on Flood Control.

973. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 23, 1941, submitting a report, together with accompanying papers, on a preliminary examination of Mad River, Humboldt County, Calif., authorized by the Flood Control Act, approved June 22, 1936; to the Committee on Flood Control.

974. A letter from the president, Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill authorizing advancements from the Federal Administrator for the provision of certain defense public works and equipment in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

975. A letter from the Acting Secretary of the Treasury, transmitting a draft of a proposed bill to simplify accounting procedures with respect to the unexpended and obligated balances of certain Emergency Relief appropriations; to the Committee on Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FORAND: Committee on the Post Office and Post Roads. Supplemental report (pt. II) to accompany H. R. 2232, a bill to provide a differential in pay for night work to custodial-service employees in the Postal Service; without amendment (Rept. No. 1145). Referred to the Committee of the Whole House on the state of the Union.

Mr. CANNON of Missouri: Committee on Appropriations. H. R. 5788. A bill making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and June 30, 1943, and for other purposes; without amendment (Rept. No. 1230). Referred to the Committee of the Whole House on the state of the Union.

Mr. DIMOND: Committee on the Public Lands. H. R. 5413. A bill to validate settlement claims established on sections 16 and 36 within the area withdrawn for the Matanuska settlement project in Alaska, and for other purposes; without amendment (Rept. No. 1231). Referred to the Committee of the Whole House on the state of the Union.

Mr. WHITE: Committee on the Public Lands. H. R. 5287. A bill relating to the transfer to the Secretary of War of certain lands owned by the United States; without amendment (Rept. No. 1232). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON of Utah: Committee on the Public Lands. H. R. 5490. A bill to authorize the Secretary of the Interior to quitclaim to the States of Oregon and California, respectively, all the right, title, and interest of the United States in and to the lands of Goose Lake in Oregon and California; without amendment (Rept. No. 1233). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROBINSON of Utah: Committee on the Public Lands. H. R. 5685. A bill to reserve certain public lands in California for the benefit of the Manchester Band of Pomo Indians of the Manchester Rancheria; without amendment (Rept. No. 1234). Referred to the Committee of the Whole House on the state of the Union.

Mr. HUNTER: Committee on the District of Columbia. H. R. 5591. A bill to amend the District of Columbia Revenue Act of 1939, and for other purposes; without amendment (Rept. No. 1235). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CANNON of Missouri:

H. R. 5788. A bill making supplemental appropriations for the national defense for the fiscal year ending June 30, 1942, and June 30, 1943, and for other purposes; to the Committee on Appropriations.

By Mr. BUCKLER of Minnesota:

H. R. 5789. A bill authorizing a per capita payment of $10 each to the members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation; to the Committee on Indian Affairs.

By Mr. HART:

H. R. 5790. A bill to eliminate the prohibition against the filling of the first vacancy occurring in the office of district judge for the district of New Jersey; to the Committee on the Judiciary.

By Mr. RANDOLPH:

H. R. 5791. A bill to amend an act entitled "An act to amend the Code of the District of Columbia to provide for the organization and regulation of cooperative associations, and for other purposes," approved June 10, 1940; to the Committee on the District of Columbia.

By Mr. JOHNS:

H. R. 5792. A bill to authorize the conveyance of the old Coast Guard station building at Two Rivers, Wis., to the Eleven Gold-Star Post, No. 1284, Veterans of Foreign Wars, Two Rivers, Wis.; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. FISH:

H. R. 5793. A bill for the relief of the estate of Bartholomew Lawler; to the Committee on War Claims.

By Mr. NORRELL:

H. R. 5794. A bill for the relief of Mrs. Julia Johnson; to the Committee on Claims.

By Mr. PETERSON of Georgia:

H. R. 5795. A bill for the relief of Ludvig Vingerhagen; to the Committee on Claims.

By Mr. WHITE:

H. R. 5796. A bill for the relief of Joseph MacGuffie and Eugene Rohrer; to the Committee on Claims.

By Mr. WASIELEWSKI:

H. R. 5797. A bill granting a pension to Anna Maria Amberg; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1872. By Mr. HOPE: Petition of J. H. Surprise and 136 other citizens of Greeley County, Kans., protesting against the enactment of Senate bill 983 and House bill 3852; to the Committee on the District of Columbia.

1873. Also, petition of J. H. Surprise and 278 other citizens of Greeley County, Kans., urging the enactment of House bill 4000; to the Committee on Military Affairs.

1874. By Mr. MARTIN J. KENNEDY: Petition of the president of the Hotel New Yorker in New York City, opposing the St. Lawrence seaway project; to the Committee on Rivers and Harbors.

1875. Also, petition of the president of the Clinton Trust Co., of New York City, opposing the St. Lawrence seaway project; to the Committee on Rivers and Harbors.

1876. By Mr. JOSEPH L. PFEIFER: Petition of the Brooklyn Army Base Local 43, United Federal Workers of America, Brooklyn, N. Y., concerning House bills 1073, 5730, 624, and 5369; to the Committee on the Civil Service.

1877. By the SPEAKER: Petition of the San Joaquin County Industrial Union Council, California, petitioning consideration of their resolution with reference to price-fixing legislation; to the Committee on Banking and Currency.

SENATE

THURSDAY, OCTOBER 9, 1941

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O Holy and merciful God who in the fullness of the days didst gather the thoughts of man to mingle them with Thine in the Incarnate Son of God: Help us to find in Him a Refuge from the tumult and confusion all about us, from the weariness and deep dispeace that are within.

Teach us, dear Lord, in these moments of self-examination that hope for ourselves and for our world begins not with the soaring flight of aspiration, winging its shining way heavenward, but in the shame and pain of penitence. Make us

to realize that only as we accept our evil past, ponder it in the light of God, and refuse to let it go until by grace Thou dost transmute its curse into blessing, only then shall we know the meaning of that Hope which flows straight from the heart of God into our own hearts. By this mystic intimacy of communion with Thee initiate us, we beseech Thee, into Faith's mood of prophecy, her insight, her apocalyptic vision, that the master-light of all our seeing may be the God of our daily experience.

We ask these blessings in the name of Jesus Christ our Lord and Saviour. Amen.

NAMING A PRESIDING OFFICER

The Secretary (Edwin A. Halsey) read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., October 9, 1941.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. KENNETH MCKELLAR, a Senator from the State of Tennessee, to perform the duties of the Chair during my absence.

CARTER GLASS,
President pro tempore.

Mr. McKELLAR thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of Monday, October 6, 1941, was dispensed with, and the Journal was approved.

AGREEMENTS AS TO TERMS AND CONDITIONS UNDER LEND LEASE ACT

Mr. VANDENBERG. Mr. President, under date of September 16, I addressed to the President of the United States a letter reading as follows:

SEPTEMBER 16, 1941.

Hon. FRANKLIN D. ROOSEVELT,
President of the United States,
The White House.

MY DEAR MR. PRESIDENT: In your first report (June 11, 1941) on operations under the Lend Lease Act you stated in chapter 3 as follows:

"Work has started on the agreements to fix the terms and conditions under section 3b upon which the foreign governments receive the aid."

I find no reference to this phase of the Lend Lease Act in your second report filed yesterday in the Senate. I respectfully beg to inquire whether any information may appropriately be made available to me regarding these terms and conditions.

With sentiments of great respect, and with warm personal regards, I beg to remain,

Cordially and faithfully,

ARTHUR H. VANDENBERG.

Under date of October 4 I had a reply from the President which I think should be read for the information of the Senate. I send it forward for that purpose, with the request that it be read from the desk.

The ACTING PRESIDENT pro tempore. Without objection, the clerk will read, as requested.

The Chief Clerk read as follows:

THE WHITE HOUSE,
Washington, October 4, 1941.

MY DEAR SENATOR VANDENBERG: This is in reply to your letter of September 16, 1941, in which you requested such information as might appropriately be made available regarding the terms and conditions of the agreements which have been concluded and which are being negotiated pursuant to the Lend Lease Act.

Since the British have received the bulk of the aid transferred under the Lend Lease Act, I shall deal first with the status of negotiations with the British. Discussions concerning an agreement have been going forward, both here and in London. The basic principles have already been formulated and have been communicated to London, where they are being considered by the British Government. In view of the fact that negotiations are still pending, it would not be advisable to present more detailed information at this time.

In the case of every country, including Great Britain, where aid is being transferred before the conclusion of an agreement, this Government has, in accordance with the provisions of the Lend Lease Act, received written assurances that no retransfers of lend-lease material will be made without the consent of the President of the United States and that the patent rights of our citizens in any defense articles transferred will be fully protected.

In connection with our program of lend-lease aid to the other American republics, we have concluded agreements with Brazil, the Dominican Republic, Haiti, and Paraguay, and are negotiating agreements with the other American republics. The agreements which have been concluded, whether with the other American republics or any other country, all contain the assurances required by the Lend Lease Act, which were mentioned above. In addition, they provide that the country involved shall pay some proportion of the cost of the defense articles transferred. These proportions vary in accordance with the varying economic positions of the countries involved. In view of the fact that discussions are still pending with some of the American republics, I do not think that it would be advisable to disclose the terms of the agreements which have already been concluded.

We are making progress in our discussions of an agreement with the Chinese, and we have completed an agreement with the Netherlands which provides for full cash reimbursement by the Netherlands.

Very sincerely yours,

FRANKLIN D. ROOSEVELT.

The Honorable ARTHUR H. VANDENBERG,
United States Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Chaffee, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 493. An act conferring jurisdiction upon the United States District Court for the Southern District of Florida to hear, determine, and render judgment upon the claims of Frank P. Walden, in his individual capacity and as husband and legal representative of the estate of Anice Walden, deceased, and Viola Harp, in her individual capacity and as legal guardian of her daughter, Marjorie Gayle Harp, a minor;

S. 605. An act for the relief of Pherne Miller;

S. 874. An act relating to allowances for rental quarters of certain naval officers stationed in the Canal Zone;

S. 1051. An act relating to the payment of fees and costs of witnesses and jurors and the accounting therefor;

S. 1052. An act relating to the traveling and subsistence expenses of judges and retired judges of the Court of Claims;

S. 1228. An act for the relief of Mrs. A. B. Tanner;

S. 1344. An act to authorize employees of the United States to testify on behalf of the District of Columbia and employees of the District of Columbia to testify on behalf of the United States and of the District of Columbia without loss of salary or annual leave;

S. 1392. An act for the relief of Homer J. Swope;

S. 1398. An act for the relief of Elinor Leugers;

S. 1512. An act to amend the Alien Registration Act, 1940, by making it a criminal offense to reproduce alien registration receipt cards;

S. 1570. An act to further amend the acts for promoting the circulation of reading matter among the blind;

S. 1608. An act for the relief of the Neal Storage Co.;

S. 1649. An act to authorize the payment of certain claims of employees of the Bureau of Reclamation arising out of loss of tools destroyed by fire at Parker Dam, Ariz.;

S. 1655. An act for the relief of Victor M. Lenzer, former special disbursing agent, Department of Labor;

S. 1698. An act to amend the act reorganizing the administration of Federal prisons; and

S. 1709. An act conferring jurisdiction upon the United States District Court for the Western District of North Carolina to hear, determine, and render judgments upon the claims against the United States of I. M. Cook, J. J. Allen, Radiator Specialty Co., and the R. & W. Motor Lines, Inc.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3827) for the relief of Mrs. Clyde Thatcher and her two minor children, Marjorie Thatcher and Bobby Thatcher.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 5202) to create an Industrial Accident Prevention Board, to foster, promote, and develop the safety of wage earners of the District of Columbia; to define its powers and duties, and for other purposes.

The message further announced that the House had disagreed to the amendments of the Senate to the joint resolution (H. J. Res. 235) to amend section 124 of the Internal Revenue Code by extending the time for applications, and changing the procedure, for certification of national-defense facilities and contracts for amortization purposes; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DOUGHTON, Mr. COOPER, Mr. BOEHNE, Mr. TREADWAY, and Mr. CROWTHER were appointed managers on the part of the House.

The message also announced that the House had passed the bill (S. 377) to repeal sections 512, 513, 514, 515, as amended, 3744, as amended, 3745, 3746, and 3747 of the Revised Statutes, with amendments, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills and joint resolution of the Senate severally with an amendment, in which it requested the concurrence of the Senate:

S. 755. An act for the relief of W. W. Carlton;

S. 807. An act for the relief of Eva Mueller;

S. 1251. An act to amend Private Act No. 446, Seventy-sixth Congress, approved July 2, 1940, and for other purposes;

S. 1345. An act to authorize the sale of certain Government-owned lands in the Territory of Hawaii to the Honolulu Plantation Co.;

S. 1426. An act for the relief of Otis Thompson;

S. 1708. An act for the relief of Susannah Sanchez;

S. 1813. An act for the relief of Harry F. Baker; and

S. J. Res. 29. Joint resolution for the relief of South Dakota Wheat Growers Association, Inc.

The message also announced that the House had passed the following bills and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 143. An act to confer to certain persons who served in a civilian capacity under the jurisdiction of the Quartermaster General during the War with Spain, the Philippine Insurrection, or the China Relief Expedition the benefits of hospitalization and the privileges of the soldiers' homes;

H. R. 247. An act for the relief of Lena B. Crouch;

H. R. 268. An act for the relief of James Wood;

H. R. 466. An act for the relief of J. T. Colter;

H. R. 547. An act authorizing the Secretary of War to execute an easement deed to the city of Los Angeles, Calif., for the use and occupation of lands and water areas in connection with the Sepulveda Dam and Reservoir project and the Hansen Dam and Reservoir project on the Los Angeles River;

H. R. 594. An act to authorize procurement of certain products made by the blind in Alaska, Hawaii, or Puerto Rico;

H. R. 666. An act for the relief of Frank Kassner;

H. R. 703. An act for the relief of Marie V. Talbert and her sons James Osborn Talbert and Dewey Talbert;

H. R. 1360. An act granting a pension to Albert E. Wells;

H. R. 1371. An act for the relief of Burl Threadgill and Helen Threadgill;

H. R. 1511. An act for the relief of Anthony O'Hara and Stephen F. Maroney;

H. R. 1537. An act for the relief of Louise Hsien Djen Lee Lum;

H. R. 1644. An act to direct the deportation of Harry Renton Bridges;

H. R. 1759. An act granting an increase of pension to James J. Scanlon;

H. R. 1793. An act to authorize mailing of small firearms to officers and employees of enforcement agencies of the United States;

H. R. 1851. An act limiting working hours of custodial service employees to 8 in 10 hours a day;

H. R. 1854. An act for the relief of Walter M. Ziegler;

H. R. 1932. An act granting a pension to Willard Fulk;

H. R. 2208. An act for the relief of Lloyd Bryant;

H. R. 2320. An act to accept the cession by the States of North Carolina and Tennessee of exclusive jurisdiction over the lands embraced within the Great Smoky Mountains National Park, and for other purposes;

H. R. 2379. An act for the relief of Mary, Ethel, and Richard Farrell;

H. R. 2462. An act for the relief of William Schoeb;

H. R. 2523. An act to prohibit the transportation of obscene literature in interstate or foreign commerce;

H. R. 2718. An act for the relief of Jean N. Burton and Laura Jones;

H. R. 2724. An act for the relief of the estate of Mary E. Philpot, Sandra G. Philpot, and Mrs. R. L. Keckler;

H. R. 2726. An act for the relief of George Kennedy;

H. R. 2780. An act for the relief of O. C. Ousley;

H. R. 2864. An act to confer jurisdiction upon the Court of Claims to hear, find facts, and report to Congress the claim of Edwin Fairfax Naulty and Leslie Fairfax Naulty;

H. R. 2962. An act for the relief of John C. Martin;

H. R. 2963. An act for the relief of the estate of James C. Harris;

H. R. 3141. An act for the relief of Fred Farner and Doris M. Schroeder;

H. R. 3174. An act for the relief of H. L. Reppart and others;

H. R. 3185. An act for the relief of the State of Oregon, Department of Forestry of the State of Oregon, and certain organized protection agencies in the State of Oregon for protection of unappropriated public-forest lands intermingled with Oregon and California lands from July 1, 1938, to June 30, 1939;

H. R. 3312. An act granting an increase of pension to Grizelda Hull Hobson;

H. R. 3315. An act for the relief of Tibor Hoffmann and Magda Hoffmann;

H. R. 3472. An act for the relief of Oscar C. Wollan, Fred F. Diel, Laura I. Martin, Jane E. Koppes, and Helen Olson;

H. R. 3549. An act for the relief of postal employees;

H. R. 3560. An act granting an increase of pension to Jeannette W. Moffett;

H. R. 3643. An act for the relief of Kehl Markley, Jr.;

H. R. 3731. An act for the relief of Raymond J. McMahon;

H. R. 4010. An act for the relief of Thelma Carringer and others;

H. R. 4061. An act for the relief of Louise L. Kapfer;

H. R. 4062. An act for the relief of Alta Ledgerwood;

H. R. 4116. An act for the relief of James A. Sweeney;

H. R. 4245. An act for the relief of the Lawson Coffee Co., Inc.;

H. R. 4246. An act for the relief of Elizabeth Ayers;

H. R. 4301. An act granting an increase of pension to Imogen Morris Taylor;

H. R. 4411. An act for the relief of the Canton Exchange Bank and the First National Bank of Canton, Miss.;

H. R. 4415. An act for the relief of the Macon County Oil Co.;

H. R. 4437. An act for the relief of Albert DeMatteis;

H. H. 4503. An act for the relief of Hattie Dillon;

H. R. 4514. An act for the relief of Samuel J. D. Marshall;

H. R. 4557. An act for the relief of the estate of Mrs. Edna B. Crook;

H. R. 4561. An act for the relief of Mrs. Della Thompson;

H. R. 4562. An act for the relief of Leslie Charteris (Leslie Charles Bowyer Yin) and Patricia Ann Charteris;

H. R. 4570. An act for the relief of Regis Moxley and Frances Moxley;

H. R. 4584. An act for the relief of Ladislas Frank;

H. R. 4587. An act for the relief of Ray C. McMillen;

H. R. 4604. An act for the relief of Doris Mongol Rai;

H. R. 4773. An act for the relief of Brooks Equipment & Manufacturing Co.;

H. R. 4777. An act for the relief of Alexander Kehaya;

H. R. 4778. An act for the relief of Delbert E. Libbey;

H. R. 4787. An act to provide that the unexplained absence of any ex-service man for 7 years shall be deemed sufficient evidence of death for the purpose of laws administered by the Veterans' Administration;

H. R. 4791. An act to reimburse the city of McMinnville, Oreg., for damages assessed to it by the United States for innocent trespass upon land belonging to the United States;

H. R. 4795. An act to amend the Hawaiian Homes Commission Act of 1920, as amended, by amending sections 203 (4), 208 (3), 209, 213, 215, 220, and 222 thereof and by adding thereto a new section to be numbered section 225, all relating to the powers, duties, and functions of the Hawaiian Homes Commission;

H. R. 4830. An act for the relief of Mrs. W. V. Justice;

H. R. 4853. An act to amend section 4, Public Law No. 193, Seventy-sixth Congress, July 19, 1939, to authorize hospitalization of retired officers and enlisted men who are war veterans on a parity with other war veterans;

H. R. 4879. An act for the relief of J. A. Sandell and Frances Sandell;

H. R. 4904. An act to authorize transportation of employees of the United States on vessels of the Army Transport Service;

H. R. 4905. An act to facilitate standardization and uniformity of procedure relating to determination of service connection of injuries or diseases alleged to have been incurred in or aggravated by active service in a war, campaign, or expedition;

H. R. 4918. An act for the relief of Anna J. Krogoll;

H. R. 4964. An act for the relief of Elsie Hugaboom;

H. R. 4998. An act for the relief of Daniel Elliott and Helen Elliott;

H. R. 5021. An act for the relief of Capt. Alex Papana;

H. R. 5039. An act for the relief of Mrs. Albert Spillman;

H. R. 5076. An act to empower the Legislature of the Territory of Hawaii to authorize the county of Kauai to issue improvement bonds;

H. R. 5077. An act to approve Act No. 112 of the Session Laws of 1941 of the Territory of Hawaii entitled "An act to amend Act 101 of the Session Laws of Hawaii, 1921, relating to the manufacture, maintenance, distribution, and supply of electric current for light and power within the districts of North and South Hilo and Puna, in the county of Hawaii, so as to extend the franchise to the districts of Kau and South Kohala, in said county, and extend the term thereof as to the town of Hilo";

H. R. 5199. An act to authorize the furnishing of steam from the Central Heating Plant to the property of the Daughters of the American Revolution, and for other purposes;

H. R. 5203. An act to extend the provisions of the act of February 24, 1933, and of the act of June 29, 1940, to proceedings to punish for criminal contempt of court;

H. R. 5206. An act for the relief of Nettie Woolfolk Montague and Jerry L. Woolfolk, and others;

H. R. 5235. An act making applicable to all lands or premises subject to the partial, concurrent, or exclusive jurisdiction of the United States the law of the State within the exterior boundaries of which such land or premises is situated, pertaining to the recovery of damages for injury or death by wrongful act or omission;

H. R. 5280. An act for the relief of G. F. Allen, chief disbursing officer, Treasury Department, and for other purposes;

H. R. 5291. An act for the relief of Helen Rauch and Max Rauch;

H. R. 5305. An act authorizing the Administrator of Veterans' Affairs to grant

easements in certain lands to the town of Bedford, Mass., for road-widening purposes;

H. R. 5367. An act granting pensions and increase of pensions to certain dependents of veterans of the Civil War;

H. R. 5463. An act providing for the security of United States naval vessels, and for other purposes;

H. R. 5464. An act to authorize transfer of enlisted men of the Naval and Marine Corps Reserve to the Regular Navy and Marine Corps;

H. R. 5498. An act for the relief of Lillian Korkemas and Rose Grazioli;

H. R. 5511. An act to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad;

H. R. 5578. An act to permit the United States to be made a party defendant in certain cases;

H. R. 5584. An act for the relief of Fred Pierce, Sr., and Mary Pierce;

H. R. 5594. An act for the relief of the Kulp Lumber Co.;

H. R. 5632. An act for the relief of Edith M. Powell;

H. R. 5667. An act to authorize the Reconstruction Finance Corporation to issue notes, bonds, and debentures in the sum of $1,500,000,000 in excess of existing authority;

H. R. 5687. An act for the relief of Edwin L. Wade;

H. R. 5726. An act to amend Public Law No. 74, of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended;

H. J. Res. 41. A joint resolution making the last Thursday in November a legal holiday; and

H. J. Res. 213. A joint resolution authorizing the Director of the Census to furnish certain information for national-defense purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

H. R. 3827. An act for the relief of Mr. and Mrs. Clyde Thatcher and their two minor children, Marjorie Thatcher and Bobby Thatcher; and

H. R. 5202. An act to amend an act entitled "An act to protect the lives and health and morals of women and minor workers in the District of Columbia, and to establish a Minimum Wage Board, and define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for other purposes," approved September 19, 1918.

SALE OF GOVERNMENT LANDS TO HONOLULU PLANTATION CO.

The ACTING PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 1345) to authorize the sale of certain Government-owned lands in the Territory of Hawaii to the Honolulu Plantation Co., which was, in line 6, to strike out "Territory of Hawaii" and insert "State of California."

Mr. THOMAS of Utah. Mr. President, this bill was amended in one particular by the House of Representatives. I move that the Senate concur in the amendment of the House.

Mr. AUSTIN. Mr. President, will the Senator yield for a question?

Mr. THOMAS of Utah. I yield.

Mr. AUSTIN. What was the amendment which the House inserted in the bill?

Mr. THOMAS of Utah. The amendment was merely changing the words "under the laws of the Territory of Hawaii" to "under the laws of the State of California," because the corporation to which the property is to be transferred is a California corporation and not an Hawaiian corporation.

Mr. AUSTIN. Very well.

The amendment was agreed to.

SOUTH DAKOTA WHEAT GROWERS ASSOCIATION, INC.

The ACTING PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 29) for the relief of South Dakota Wheat Growers Association, Inc., which was, on page 1, line 7, to strike out "$40,473.71," and insert "$85,390.71."

Mr. BULOW. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

CERTIFICATION FOR AMORTIZATION PURPOSES OF NATIONAL-DEFENSE FACILITIES AND CONTRACTS

The ACTING PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the joint resolution (H. J. Res. 235) to amend section 124 of the Internal Revenue Code by extending the time for applications, and changing the procedure for certification of national-defense facilities and contracts for amortization purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. GEORGE. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Acting President pro tempore appointed Mr. GEORGE, Mr. CONNALLY, and Mr. LA FOLLETTE conferees on the part of the Senate.

EXECUTIVE COMMUNICATIONS

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

SIMPLIFICATION OF ACCOUNTING PROCEDURES—EMERGENCY RELIEF APPROPRIATIONS

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation to simplify accounting procedures with respect to unexpended and obligated balances of certain emergency relief appropriations (with an accompanying paper); to the Committee on Appropriations.

PUBLIC LANDS AND ADMINISTRATION THEREOF

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation declaring certain lands to be a part of the public domain and providing for the administration thereof (with an accompanying paper); to the Committee on Public Lands and Surveys.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A telegram in the nature of a petition from the board of directors of the Kalispell (Mont.) Chamber of Commerce, favoring the enactment of the so-called Gore bill, relating to the control of prices and inflation; to the Committee on Banking and Currency.

A telegram in the nature of a memorial from Kathryn Cann, of Chicago, Ill., remonstrating against the enactment of legislation to permit the arming of American merchant ships; to the Committee on Foreign Relations.

By Mr. CAPPER:

A petition of sundry citizens of Clearwater, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. LODGE:

Memorials, numerously signed, of sundry citizens of the State of Massachusetts, remonstrating against the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. VANDENBERG:

A resolution of the Michigan Marketing Quota Protest Association, adopted at Ann Arbor, Mich., protesting against the imposition of any crop penalties; to the Committee on Agriculture and Forestr

A resolution of the Michigan Association of Insurance Agents in convention assembled at Grand Rapids, Mich., protesting against inequality of taxation between insurance companies doing the same kind of business; to the Committee on Finance.

A memorial of sundry citizens, designated as American Mothers, etc., remonstrating against certain national-defense measures; to the Committee on Military Affairs.

Resolutions of the West Michigan Tourist and Resort Association and the Board of Supervisors of Macomb County, Mich., favoring the enactment of legislation for the development of the St. Lawrence River; to the Committee on Commerce.

A petition of sundry citizens of Petersburg, Mich., praying that the United States keep out of war and that the Neutrality Act be not repealed; to the Committee on Foreign Relations.

A petition of sundry citizens, members of the faculties of Wayne University and the University of Michigan, praying that the United States engage in total war on Germany; to the Committee on Foreign Relations.

COMMITTEE REPORTS FILED DURING ADJOURNMENT

Under authority of the order of the 6th instant,

The following reports of the Committee on Agriculture and Forestry were filed on October 7, 1941:

By Mr. SMITH:

H. R. 3182. An act to provide for the alteration, reconstruction, or relocation of certain highway and railroad bridges by the Tennessee Valley Authority, without amendment (Rept. No. 698); and

H. R. 4961. An act to amend section 9 (b) of the Tennessee Valley Authority Act, as amended by section 14 of the act of August 31, 1935, without amendment (Rept. No. 699).

REPORT OF A COMMITTEE

The following report of the Committee on Territories and Insular Affairs was submitted:

By Mr. HAYDEN:

S. 1929. A bill to amend section 19 (a) of the Philippine Independence Act of March 24, 1934, as amended by the act of August 7, 1939, and to amend the act approved June 19, 1934, so as to authorize certain sugar excise

tax funds and other funds to be used for military and naval defense purposes in the Philippine Islands, with amendments (Rept. No. 700).

ASSISTANT CLERK, COMMITTEE ON FOREIGN RELATIONS

Mr. LUCAS. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report favorably Senate Resolution 172, which has been unanimously ordered favorably reported by the committee, and ask unanimous consent for its immediate consideration.

The ACTING PRESIDENT pro tempore. The resolution will be read.

The Chief Clerk read Senate Resolution 172, submitted by Mr. CONNALLY on September 29, 1941, and it was considered by unanimous consent and agreed to, as follows:

Resolved, That the Committee on Foreign Relations is hereby authorized to employ for the remainder of the Seventy-seventh Congress an assistant clerk to be paid from the contingent fund of the Senate at the rate of $3,000 per annum.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMATHERS:

S. 1960. A bill to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad; to the Committee on Immigration.

S. 1961. A bill to eliminate the prohibition against the filling of the first vacancy occurring in the office of district judge for the district of New Jersey; to the Committee on the Judiciary.

By Mr. CAPPER:

S. 1962. A bill for the relief of Thomas S. Brading; to the Committee on Claims.

By Mr. CAPPER (for Mr. MCCARRAN):

S. 1963. A bill authorizing advancements from the Federal Works Administrator for the provision of certain defense public works and equipment in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. BUTLER:

S. 1964. A bill for the relief of Nils P. Hansen; to the Committee on Finance.

By Mr. MURDOCK:

S. 1965. A bill for the relief of Vivian Chang; to the Committee on Immigration.

By Mr. HILL:

S. 1966. A bill granting an increase of pension to Ethel H. Chaffee; to the Committee on Pensions.

By Mr. ANDREWS:

S. 1967. A bill to provide for a customhouse building at Miami, Fla.; to the Committee on Public Buildings and Grounds.

By Mr. HATCH:

S. 1968. A bill to amend section 13 (c) of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939, as amended, so as to permit the sale of certain publications not published or sold for profit; to the Committee on Privileges and Elections.

(Mr. CONNALLY introduced S. J. Res. 103, which was referred to the Committee on Foreign Relations, and appears under a separate heading.)

AMENDMENT TO PRICE-CONTROL BILL

Mr. TAFT submitted an amendment in the nature of a substitute intended to be proposed by him to the bill (S. 1810) to further the national defense and security by checking speculative and excessive price rises, price dislocations, inflationary tendencies, and for other purposes, which was referred to the Committee on Banking and Currency, and ordered to be printed.

MARKETING AGREEMENTS UNDER AGRICULTURAL ADJUSTMENT ACT, AMENDMENT RELATING TO HOPS

Mr. MCNARY submitted an amendment in the nature of a substitute intended to be proposed by him to the bill (S. 1662) to extend the time during which orders and marketing agreements under the Agricultural Adjustment Act, as amended, may be applicable to hops, which was referred to the Committee on Agriculture and Forestry, and ordered to be printed.

RECOMMITTAL OF A BILL

Mr. SCHWARTZ. Mr. President, there is pending on the calendar House bill 3019, to amend the act entitled "An act to prohibit the manufacture, distribution, storage, use, or possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes," approved October 6, 1917, Fortieth Statutes, page 385. The House bill was reported to the Senate on July 7, 1941. Since that time several Government departments have requested the consideration of new amendments, and several Senators who have given great study to the bill have also requested the consideration of new amendments. At the suggestion of the chairman of the Committee on Mines and Mining, I respectfully ask that the bill be taken from the calendar and recommitted to the Committee on Mines and Mining, so that the committee may consider the amendments.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and the bill is recommitted to the Committee on Mines and Mining.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED OR PLACED ON CALENDAR

The following bills and joint resolutions were severally read twice by their titles and referred, or ordered placed on the calendar, as indicated:

H. R. 143. An act to confer to certain persons who served in a civilian capacity under the jurisdiction of the Quartermaster General during the War with Spain, the Philippine Insurrection, or the China Relief Expedition the benefits of hospitalization and the privileges of the soldiers' homes;

H. R. 4787. An act to provide that the unexplained absence of any ex-service man for 7 years shall be deemed sufficient evidence of death for the purpose of laws administered by the Veterans' Administration;

H. R. 4853. An act to amend section 4, Public Law No. 198, Seventy-sixth Congress, July 19, 1939, to authorize hospitalization of retired officers and enlisted men who are war veterans on a parity with other war veterans;

H. R. 4905. An act to facilitate standardization and uniformity of procedure relating to determination of service connection of injuries or diseases alleged to have been incurred in or aggravated by active service in a war, campaign, or expedition;

H. R. 5039. An act for the relief of Mrs. Albert Spillman; and

H. R. 5305. An act authorizing the Administrator of Veterans' Affairs to grant easements in certain lands to the town of Bedford, Mass., for road-widening purposes; to the Committee on Finance.

H. R. 247. An act for the relief of Lena B. Crouch;

H. R. 268. An act for the relief of James Wood;

H. R. 466. An act for the relief of J. T. Colter;

H. R. 666. An act for the relief of Frank Kassner;

H. R. 793. An act for the relief of Marie V. Talbert and her sons, James Osborn Talbert and Dewey Talbert;

H. R. 1371. An act for the relief of Burl Threadgill and Helen Threadgill;

H. R. 1511. An act for the relief of Anthony O'Hara and Stephen F. Maroney;

H. R. 1854. An act for the relief of Walter M. Ziegler;

H. R. 2208. An act for the relief of Lloyd Bryant;

H. R. 2379. An act for the relief of Mary, Ethel, and Richard Farrell;

H. R. 2462. An act for the relief of William Schoeb;

H. R. 2718. An act for the relief of Jean N. Burton and Laura Jones;

H. R. 2724. An act for the relief of the estate of Mary E. Philpot, Sandra G. Philpot, and Mrs. R. L. Keckler;

H. R. 2726. An act for the relief of George Kennedy;

H. R. 2780. An act for the relief of O. C. Ousley;

H. R. 2864. An act to confer jurisdiction upon the Court of Claims to hear, find facts, and report to Congress, the claim of Edwin Fairfax Naulty and Leslie Fairfax Naulty;

H. R. 2962. An act for the relief of John C. Martin;

H. R. 2963. An act for the relief of the estate of James C. Harris;

H. R. 3141. An act for the relief of Fred Farner and Doris M. Schroeder;

H. R. 3174. An act for the relief of H. L. Reppart, and others;

H. R. 3185. An act for the relief of the State of Oregon, Department of Forestry of the State of Oregon, and certain organized protection agencies in the State of Oregon for protection of unappropriated public-forest lands intermingled with Oregon and California lands from July 1, 1938, to June 30, 1939;

H. R. 3472. An act for the relief of Oscar C. Wollan, Fred F. Diel, Laura I. Martin, Jane E. Koppes, and Helen Olson;

H. R. 3643. An act for the relief of Kehl Markley, Jr.;

H. R. 4010. An act for the relief of Thelma Carringer and others;

H. R. 4061. An act for the relief of Louise L. Kapfer;

H. R. 4062. An act for the relief of Alta Ledgerwood;

H. R. 4116. An act for the relief of James A. Sweeney;

H. R. 4245. An act for the relief of the Lawson Coffee Co., Inc.;

H. R. 4246. An act for the relief of Elizabeth Ayers;

H. R. 4411. An act for the relief of the Canton Exchange Bank and the First National Bank of Canton, Miss.;

H. R. 4415. An act for the relief of the Macon County Oil Co.;

H. R. 4437. An act for the relief of Albert DeMatteis;

H. R. 4503. An act for the relief of Hattie Dillon;

H. R. 4514. An act for the relief of Samuel J. D. Marshall;

H. R. 4557. An act for the relief of the estate of Mrs. Edna B. Crook;

H. R. 4561. An act for the relief of Mrs. Della Thompson;

H. R. 4570. An act for the relief of Regis Moxley and Frances Moxley;

H. R. 4587. An act for the relief of Ray C. McMillen;

H. R. 4773. An act for the relief of Brooks Equipment & Manufacturing Co.;

H. R. 4777. An act for the relief of Alexander Kehaya;

H. R. 4778. An act for the relief of Delbert E. Libbey;

H. R. 4791. An act to reimburse the city of McMinnville, Oreg., for damages assessed to it by the United States for innocent trespass upon land belonging to the United States;

H. R. 4830. An act for the relief of Mrs. W. V. Justice;

H. R. 4879. An act for the relief of J. A. Sandell and Frances Sandell;

H. R. 4918. An act for the relief of Anna J. Krogoll;

H. R. 4964. An act for the relief of Elsie Hugaboom;

H. R. 4998. An act for the relief of Daniel Elliott and Helen Elliott;

H. R. 5021. An act for the relief of Capt. Alex Papana;

H. R. 5206. An act for the relief of Nettie Woolfolk Montague and Jerry L. Woolfolk and others;

H. R. 5280. An act for the relief of G. F. Allen, chief disbursing officer, Treasury Department, and for other purposes;

H. R. 5291. An act for the relief of Helen Rauch and Max Rauch;

H. R. 5498. An act for the relief of Lillian Korkemas and Rose Grazioli;

H. R. 5584. An act for the relief of Fred Pierce, Sr., and Mary Pierce;

H. R. 5594. An act for the relief of the Kulp Lumber Co.;

H. R. 5632. An act for the relief of Edith M. Powell; and

H. R. 5667. An act for the relief of Edwin L. Wade; to the Committee on Claims.

H. R. 594. An act to authorize procurement of certain products made by the blind in Alaska, Hawaii, or Puerto Rico; to the Committee on Expenditures in the Executive Departments.

H. R. 1360. An act granting a pension to Albert E. Wells;

H. R. 1759. An act granting an increase of pension to James J. Scanlon;

H. R. 1932. An act granting a pension to Willard Fulk;

H. R. 4301. An act granting an increase of pension to Imogen Morris Taylor; and

H. R. 5367. An act granting pensions and increase of pensions to certain dependents of veterans of the Civil War; to the Committee on Pensions.

H. R. 1537. An act for the relief of Louise Hsien Djen Lee Lum;

H. R. 1644. An act to direct the deportation of Harry Renton Bridges;

H. R. 3315. An act for the relief of Tibor Hoffmann and Magda Hoffmann;

H. R. 4562. An act for the relief of Leslie Charteris (Leslie Charles Bowyer Yin) and Patricia Ann Charteris;

H. R. 4584. An act for the relief of Ladislas Frank;

H. R. 4604. An act for the relief of Doris Mongol Rai; and

H. R. 5511. An act to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad; to the Committee on Immigration.

H. R. 1793. An act to authorize mailing of small firearms to officers and employees of enforcement agencies of the United States;

H. R. 1851. An act limiting working hours of custodial-service employees to 8 in 10 hours a day; and

H. R. 3549. An act for the relief of postal employees; to the Committee on Post Offices and Post Roads.

H. R. 3320. An act to accept the cession by the States of North Carolina and Tennessee of exclusive jurisdiction over the lands embraced within the Great Smoky Mountains National Park, and for other purposes; to the Committee on Public Lands and Surveys.

H. R. 3312. An act granting an increase of pension to Grizelda Hull Hobson; and

H. R. 3560. An act granting an increase of pension to Jeannette W. Moffett; to the calendar.

H. R. 5731. An act for the relief of Raymond J. McMahon;

H. R. 5463. An act providing for the security of United States naval vessels, and for other purposes; and

H. R. 5464. An act to authorize transfer of enlisted men of the Naval and Marine Corps Reserve to the Regular Navy and Marine Corps; to the Committee on Naval Affairs.

H. R. 4795. An act to amend the Hawaiian Homes Commission Act of 1920, as amended, by amending sections 203 (4), 208 (3), 209, 213, 215, 220, and 222 thereof and by adding thereto a new section to be numbered section 225, all relating to the powers, duties, and functions of the Hawaiian Homes Commission.

H. R. 4904. An act to authorize transportation of employees of the United States on vessels of the Army Transport Service;

H. R. 5076. An act to empower the Legislature of the Territory of Hawaii to authorize the county of Kauai to issue improvement bonds; and

H. R. 5077. An act to approve Act No. 112 of the Session Laws of 1941 of the Territory of Hawaii, entitled "An act to amend Act 101 of the Session Laws of Hawaii, 1921, relating to the manufacture, maintenance, distribution, and supply of electric current for light and power within the districts of North and South Hilo and Puna, in the county of Hawaii, so as to extend the franchise to the districts of Kau and South Kohala in said county, and extend the term thereof as to the town of Hilo"; to the Committee on Territories and Insular Affairs.

H. R. 5199. An act to authorize the furnishing of steam from the central heating plant to the property of the Daughters of the American Revolution, and for other purposes; to the Committee on Public Buildings and Grounds.

H. R. 5667. An act to authorize the Reconstruction Finance Corporation to issue notes, bonds, and debentures in the sum of $1,500,000,000 in excess of existing authority; to the Committee on Banking and Currency.

H. R. 5726. An act to amend Public Law No. 74 of the Seventy-seventh Congress, relating to wheat-marketing quotas under the Agricultural Adjustment Act of 1938, as amended; to the Committee on Agriculture and Forestry.

H. R. 2523. An act to prohibit the transportation of obscene literature in interstate or foreign commerce;

H. R. 5203. An act to extend the provisions of the act of February 24, 1933, and of the act of June 29, 1940, to proceedings to punish for criminal contempt of court;

H. R. 5235. An act making applicable to all lands or premises subject to the partial, concurrent, or exclusive jurisdiction of the United States; the law of the State within the exterior boundaries of which such land or premises is situated, pertaining to the recovery of damages for injury or death by wrongful act or omission;

H. R. 5578. An act to permit the United State to be made a party defendant in certain cases; and

H. J. Res. 41. A joint resolution making the last Thursday in November a legal holiday; to the Committee on the Judiciary.

H. R. 547. An act authorizing the Secretary of War to execute an easement deed to the city of Los Angeles, Calif., for the use and occupation of lands and water areas in connection with the Sepulveda Dam and Reservoir project and the Hansen Dam and Reservoir project on the Los Angeles River; and

H. J. Res. 213. Joint resolution authorizing the Director of the Census to furnish certain information for national-defense purposes; to the Committee on Commerce.

REPORT OF A COMMITTEE

The following report of the Committee on Banking and Currency was submitted:

By Mr. BARKLEY:

H. R. 5667. An act to authorize the Reconstruction Finance Corporation to issue notes, bonds, and debentures in the sum of $1,500,000,000 in excess of existing authority; without amendment (Rept. No. 701).

DISTRIBUTION OF NATURAL AND MANUFACTURED GAS

Mr. LA FOLLETTE. Mr. President, I submit a simple Senate resolution, which I desire to have read, and then I shall ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The resolution will be read for the information of the Senate.

The legislative clerk read the resolution (S. Res. 177), as follows:

Resolved, That the Federal Power Commission be, and it is hereby, directed to furnish to the Senate—

(1) A list of all cities in the United States of 50,000 population and over, according to the 1940 census, that are served with (a) natural gas, (b) manufactured gas, and (c) mixed gas; and the prices charged for such gas by the retail distributors, whether publicly or privately owned, to all classes of residential customers; and

(2) A list of all other cities and communities in which there are gas distribution systems, segregated by geographic areas, and the prices charged for (a) natural gas, (b) manufactured gas, and (c) mixed gas by the retail distributors, whether publicly or privately owned, to all classes of residential customers.

SEC. 2. That the above reports when received be printed as a Senate document.

Mr. BARKLEY. As I understand, the resolution calls for information which has already been collected by the Federal Power Commission, so as to make it available to Congress and the public.

Mr. LA FOLLETTE. That is correct.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered and agreed to.

SPECIAL COMMITTEE TO INVESTIGATE UNEMPLOYMENT AND RELIEF

Mr. PEPPER submitted the following resolution (S. Res. 178), which was referred to the Committee on Education and Labor:

Whereas it is apparent that disturbed world conditions and the defense program will present serious problems of unemployment and other hardship; and

Whereas that the Congress, the Government, and the country be aware of such problems, so that most appropriate and proper measures to meet them may be prepared: Now therefore

Resolved, That a special committee consisting of five Senators, to be appointed by the Vice President, is hereby authorized and directed to study, survey, and investigate unemployment and relief, and cases of dislocation in our economy and hardship in the United States arising, or likely to arise, out of disturbed world conditions, the defense program, and the conditions attending the post-war period. Such committee shall be authorized to act in concert or cooperation with any other committee of the Congress having similar objectives, or with any committee appointed by the President, or with

any administrative agencies of the Government. It shall be the duty of the committee to collect such data as will be in the public interest and of benefit to the Congress. The committee shall begin its study, survey, and investigation as soon as practicable, and shall continue such study, survey, and investigation expeditiously and with all possible dispatch, and shall at such times as it may see fit, or the Senate may require, report to the Senate any recommendations it may have for legislation.

SEC. 2. For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate, during the Seventy-seventh and succeeding Congresses, to employ such experts and clerical, stenographic, and other assistants; to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents; to administer such oaths; and to take such testimony and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expense of the committee, which shall not exceed $25,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ADDITIONAL CLERK IN SENATE DOCUMENT ROOM

Mr. CONNALLY submitted the following resolution (S. Res. 179), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate is authorized and directed to employ an additional clerk in the Senate Document Room at a salary of $2,640 per annum, to be paid from the contingent fund of the Senate until June 30, 1942, and thereafter to be provided for in the legislative appropriation bill.

ANNUAL CONVENTION OF A. F. OF L.—LETTER FROM THE PRESIDENT

Mr. BARKLEY. Mr. President, I ask permission that the President's letter addressed to Hon. William Green, president of the American Federation of Labor, on the occasion of their sixty-first annual convention, be placed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, October 2, 1941.

DEAR MR. GREEN: Please extend my warm personal greetings to the officers and delegates attending the sixty-first annual convention of the American Federation of Labor and my best wishes for a successful and constructive meeting in the interests of your members and all the American people. Your delegates represent the largest membership in the history of the federation. This meeting is an event of international significance. It is a symbol of that freedom which we in the United States enjoy and must make every sacrifice to maintain.

As hosts of distinguished representatives of the underground labor movements of countries enslaved by Hitler, you, at this convention, need no reminder of what is at stake for the free workers of America in the present emergency. The threat of Hitlerism is directed not only at labor, even though labor is among the very first that will suffer therefrom. It is aimed at all of us—every man, woman, and child—who believes in freedom. It menaces everything that we cherish as Americans and freemen.

The American people have, therefore, pledged everything in their power that those freedoms, without which free trade-unions and free institutions cannot survive, shall never be taken away from them. To protect those freedoms we shall, and must, devote every bit of human, physical, and spiritual energy which we possess. Our program of defense—our production of ships, planes, guns, tanks—must be all-out. It shall be limited by only one factor—the amount necessary to overwhelm the Nazi hordes. I know that every one of you, and the millions whom you represent, will lend every effort and take every necessary step to accomplish this end.

Every aspect of our national defense hinges on greater industrial production. The Government has set up machinery to adjust industrial disputes in the full confidence that it is adequate to solve problems which may arise on defense jobs in all fairness and justice to the parties concerned. The Conciliation Service of the United States Department of Labor and the National Defense Mediation Board provide ample facilities for the adjustment of differences. The time has come when the services of such agencies must be used before any recourse is taken to a strike or lockout, and I call now upon labor and management to cooperate at all times to that end.

This is not the time for idle promises. This is not the time to take chances with the national safety through any stoppage of defense work or defense production. Instead, this is the time for all of us to work in harmony for the good of the individual and the common good of all the people of these United States. Every American owes that to himself and to the Nation which has given him so much.

Yes; this Nation has given to you and given to me the right to life, liberty, and the pursuit of happiness; and these are among the greatest blessings of mankind. It is our job, our everlasting job, to preserve them as we have known them and to make whatever sacrifice is necessary as individuals or as groups in order to do so. To do anything else would be to threaten their destruction and our own at the same time.

In this hour when civilization itself is in the balance, organizational rivalries and jurisdictional conflicts should be discarded. Only by united action can we turn back the Nazi threat. The establishment of peace between labor organizations would be a patriotic step forward of incalculable value in the creation of true national unity.

I am certain that the members of the American Federation of Labor will do their full part in carrying through the program to which we as a nation are committed, and that all other responsible groups will do likewise. That is the contribution the American people will demand of all groups. That is the contribution the American people are determined they shall have for the preservation of home, family, and Nation.

Yours is a great responsibility. Workers in bondage throughout the world look to you as producers of the weapons of freedom to release them from slavery. I know you will not fail them.

Very sincerely yours,
FRANKLIN D. ROOSEVELT.

Hon. WILLIAM GREEN,
President, American Federation of Labor, Convention Headquarters, Seattle, Wash.

THE PRESIDENT'S LETTER ON NEWSPAPER WEEK

Mr. GUFFEY. Mr. President, I ask unanimous consent that the President's letter addressed to Mr. William N. Hardy, chairman of the National Newspaper Week Committee, be inserted in the CONGRESSIONAL RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
Washington, August 21, 1941.

DEAR MR. HARDY: The recurrence of National Newspaper Week should awaken in the hearts and souls of all Americans a renewed determination to defend and maintain and perpetuate the priceless heritage of a free press.

The maintenance of an unfettered press, informed by truth and guided by courage and conscience and wholehearted devotion to the public welfare, is a fundamental obligation of patriotism.

I trust as a result of the forthcoming observance that Americans everywhere will have a renewed sense of the incalculable blessing which a free press confers. It must be maintained against all assaults.

Very sincerely yours,
FRANKLIN D. ROOSEVELT.

Mr. WILLIAM N. HARDY,
Chairman, National Newspaper Week Committee,
Harrisburg, Pa.

ADDRESS BY SENATOR NYE BEFORE AMERICA FIRST COMMITTEE RALLY AT NEWARK, N. J.

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address delivered by Senator NYE on September 23, 1941, before the America First Committee rally at Newark, N. J., which appears in the Appendix.]

ADDRESS BY SENATOR HOLMAN AT PORTLAND, OREG.

[Mr. AIKEN asked and obtained leave to have printed in the RECORD an address delivered by Senator HOLMAN on September 12, 1941, before an open meeting at Portland, Oreg., held under the auspices of the America First Committee, which appears in the Appendix.]

ARTICLE BY VICE PRESIDENT WALLACE ON THE NATIONAL INCOME AND NATIONAL DEBT

[Mr. BILBO asked and obtained leave to have printed in the RECORD an article by the Vice President of the United States on the National Income and National Debt, published in the Land Policy Review of August 1941, which appears in the Appendix.]

ADDRESS BY POLISH AMBASSADOR AT PULASKI DAY PARADE, NEW YORK CITY

[Mr. MALONEY (for Mr. MEAD) asked and obtained leave to have printed in the RECORD an address delivered by the Ambassador of Poland on the occasion of the annual Pulaski Day parade on October 5, 1941, in New York City, which appears in the Appendix.]

ADDRESS BY ADMIRAL RICHARD E. BYRD

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address delivered by Admiral Richard E. Byrd on October 8, 1941, which appears in the Appendix.]

ADDRESS BY ABRAM P. STAPLES BEFORE NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

[Mr. BYRD asked and obtained leave to have printed in the RECORD the address delivered before the National Association of Attorneys General at Indianapolis, Ind., on September 30, 1941, by Hon. Abram P. Staples, of Virginia, which appears in the Appendix.]

ADDRESS BY NICHOLAS ROOSEVELT ON THE RIGHT TO A FREE PRESS

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a radio address delivered by Nicholas Roosevelt at the Hotel Raleigh, Washington, D. C., October 7, 1941, on the topic "The Right to a Free Press," which appears in the Appendix.]

FREEDOM OF SPEECH AND OF THE PRESS—EDITORIAL FROM THE BOSTON POST

[Mr. LODGE asked and obtained leave to have printed in the Appendix an editorial entitled "A Fading Freedom," published in the Boston Post of October 1, 1941, which appears in the Appendix.]

LETTER FROM FRED H. FREE

[Mr. NYE asked and obtained leave to have printed in the RECORD a letter from Fred H. Free, published in the Sioux City Tribune of October 4, 1941, which appears in the Appendix.]

CHARLES A. LINDBERGH—TELEGRAM FROM S. STANWOOD MENKEN AND LETTER FROM AMOS R. E. PINCHOT

[Mr. NYE asked and obtained leave to have printed in the RECORD a telegram from S. Stanwood Menken and a letter from Amos R. E. Pinchot relative to Charles A. Lindbergh, which appear in the Appendix.]

PHILADELPHIA MAYORALTY—DECISION OF PENNSYLVANIA SUPREME COURT

Mr. GUFFEY. Mr. President, the American people are being asked to make great sacrifices, in toil and treasure, for the defense of their democratic institutions. Anything which imperils those institutions, whether from within or without, strikes at the heart of the Republic.

Foremost among our institutions is the right of the ballot, the inalienable right of the people to select their own public officials. In the past, only too frequently, we have seen that right frustrated through fraud at the polls. Today I wish to call attention to an even more deadly menace.

The other day an election was stolen in the city of Philadelphia, third largest metropolitan center of the United States. It was not stolen by petty henchmen of any political machine. It was stolen in the chambers of the Commonwealth's highest tribunal, the Supreme Court of Pennsylvania. It was not stolen furtively, under cover of darkness, by thugs and voting-machine manipulators, but brazenly, in the full light of day, and with an arrogant pretense of legal righteousness, by men holding the highest judicial office within the gift of the people of Pennsylvania.

The facts are simple. Robert E. Lamberton, mayor of Philadelphia, died on August 22, 1941, 18 days before the September 9th primary election. The Philadelphia city charter provides for election of a successor at this year's municipal election. The State election code, however, provides no machinery for nomination of candidates when the vacancy occurs too late for nominations in the normal manner at the primaries.

In accordance with the city charter, the county commissioners, who constitute the county board of elections, voted to certify the vacancy and permit nominations, in accordance with the established custom, by the executive committees of the party organizations.

The Republican city committee, realizing that, on the record of the party in office, no Republican could be elected mayor, went into common pleas court to block the election. The court ruled that the election was mandatory under the city charter, which is the substantive law governing the city's administration, and was not affected by the later election code, which is procedural only. The court also pointed out that the code itself was silent on the procedure to be followed under the instant circumstances, so that it was not in conflict with the mandate of the charter. It also suggested that if for any reason the custom of nominations by party committees could not be followed, the alternative of a sticker election was open.

An appeal was taken to the Pennsylvania Supreme Court, an all-Republican body, by former Chief Justice John W. Kephart, another Republican, acting as counsel for the Philadelphia Republican machine. The supreme court faced a serious problem. Its own decision in *Winston* v. *Moore* (294 Pa. 447 (1914)) plainly said that provisions for nominations were "clearly within the exercise of legislative power; but if the legislature does not choose to act, then within the rights of political parties properly and lawfully exercised." This decision was settled law. It had been cited and followed in California, Nevada, Washington, and Illinois, and similar decisions had been rendered in Montana and Florida.

In addition, the overwhelming weight of judicial authority dictated that sound public policy required election of a successor in such instances as quickly as possible. In both New York and Chicago it had been held contrary to democratic process to permit persons who were not elected to retain elective offices for long periods.

The city charter's mandate was clear. The election code could be held to affect the situation only inferentially, if at all. The trend of all the law, as might be supposed, favored speedy election of a successor. The election board had done its duty under the charter, and the common pleas court had upheld the board as a matter of law, justice, and sound public policy.

But there were other considerations. The Republican machine was pleading for help. One of the court's members, recently appointed by the governor, was a candidate for election, and needed the machine's support. A Republican member of the superior court, also recently appointed, was likewise a candidate. And apart from this immediate problem, every member of the Pennsylvania Supreme Court was under heavy political obligation to the Republican city and State machines.

In addition, the State's financial, industrial, and utility interests were vitally concerned, for election of a Democratic mayor in Philadelphia might pave the way for a Democratic victory which would end their control of the State government next year.

The choice lay between law and politics. The Supreme Court of Pennsylvania, faithful to a tradition extending back more than half a century, chose politics. It reversed the election board and the common pleas court. It reversed its own decision in Winston V. Moore. It overruled, ignored, or dismissed historic precedents which have been honored by the courts since the founding of the Republic. And it produced, as an apology, one of the most amazing opinions ever handed down by a court of last resort.

The court admitted that the city charter, "construed literally," required an election this year. But it pointed out solemnly that the German authority Puffendorf, who died in 1694, had found something different in the laws of medieval Bologna. Likewise, said the court, there was a ruling cited by Plowden from the statute of Edward II, who, as history records, was murdered in 1327. And, as a final touch, there was the famous decision of Walla Walla against Walla Walla Water Co.

The net result of the Bolognian law, Puffendorf's interpretations, Plowden's citations, the statute of the unfortunate Edward, and the litigation in Walla Walla, all taken together, appears to have convinced the court that it would be absurd to construe the city charter literally.

It would be absurd, according to Puffendorf and the ancient seers of Bologna, to follow the clear mandate of the Philadelphia city charter.

It would be absurd, if one were to follow the precept of the late Edward II, to solve the nomination problem by resort to the well-established practice of political parties in the United States.

And it would be absurd to allow the people to elect their own mayor, instead of suffering the administration of a Republican Party hand picked from city council.

Possibly the people of Walla Walla would laugh.

The legalistic squirming of the court would be itself absurd and amusing if the rights of citizens under a democracy were not being laughed away.

The supreme court, forsaking its duties and responsibilities under the constitution, in this instance functioned as an arm and instrument of the Republican machine and the interests which control that machine. The pathetic and nonsensical justification offered in its opinion, and the excavation of ancient legal lore to bolster the sorry argument that procedural technicalities rise above the right of suffrage, serve to show that the court itself recognizes how far it has transgressed.

It is unfortunately true that such decisions have consequences far beyond the immediate harm they do. We have a recent precedent in the Pennsylvania Supreme Court for exactly that type of judicial gymnastics.

In 1937 John W. Kephart was chief justice of the supreme court. This is the same Kephart who was on the Morgan preferred list. He wrote the court's opinion in that year holding that a Philadelphia Republican city treasurer

was the appointive power to fill vacancies on the board of revision of taxes.

Less than a year later, when the city treasurer was a Democrat, Justice Kephart came forth with another opinion, reversing himself to give the appointing power to the Republicans.

The court may have been inconsistent on the law, but it has a record of 100-percent consistency in supporting the Republican organization.

I do not know of a single instance—not only in recent years but back over the last half century—in which the Republican machine has lost a politically important case in the Pennsylvania Supreme Court.

The decision of the Pennsylvania Supreme Court in the Philadelphia mayoralty case denying the people's right to elect a mayor, despite the clear requirement of the city charter, is simply the latest of a long line of politically biased decisions by that court.

During the past 80 years this court has been notoriously the pawn of the railroads and utilities, the manufacturers and bankers, the Republican political bosses and their henchmen.

The court's decisions in the early railroad cases—and the later ones, too, for that matter—were so flagrant that they led one Harvard law professor to identify the court as the "supreme court of the Pennsylvania Railroad."

As far back as the turn of the century, in 1901, when the court upheld a Republican machine attempt to get control of elective offices in Pittsburgh it strayed so far from the law that a dissenting judge likened the decision to the old English custom of decapitating political opponents and confiscating their property, and saying it might become a habit to confiscate the office of every enemy of the Republican ring. He spoke prophetically, for the present mayoralty decision is nothing more than confiscation of the city's highest administrative office.

Curiously enough the court at that early day was charged with communicating its decision in advance to members of the Republican ring—the very same charge made only a few months ago when a Philadelphia Republican newspaper obtained and printed an important political decision in advance. The court professed great indignation in that case, and turned the matter over to Philadelphia's Republican district attorney, but that was the last anyone heard of it.

The prostitution of Pennsylvania's Supreme Court to the uses of Republican politics is not surprising if we consider the membership of the court itself.

All of us recall that some years ago many high judicial officers were exposed as recipients of special favors from the House of Morgan, which gave them an inside track on stock speculations through a preferred list.

Prominent among them was the present chief justice, William I. Schaffer. Justice Schaffer came up to the court through all the rungs of the political machine, first as district attorney of Delaware County, which boasts the most corrupt Republican machine in America; then as a political attorney general under Governor Sproul.

Justice George W. Maxey, who wrote the Bolognian law opinion in the mayoralty case, won his first recognition from the Republican organization for his services to it as district attorney of Lackawanna County.

Justice James B. Drew, formerly common pleas judge of Allegheny County, my home county, deserves special mention because of his part in the case of *Kelley* v. *Earle et al.* (320 Pa. 449), involving construction of millions of dollars' worth of desperately needed hospitals and other public structures under the general State authority.

In 1936 the authority act was before the supreme court, which was divided 3 to 3, with Justice Drew holding the deciding vote. Justice Drew thereupon sent word through another judge of the same court to Governor Earle, offering to vote to uphold the bill's constitutionality if the Governor would relax his general order against special automobile license plates and give Justice Drew a special license.

The Governor refused, whereupon Justice Drew decided the act was unconstitutional and so held, although Justices Kephart and Barnes pointed out that the Drew opinion was in flat contradiction to the court's opinion in the case of *Tranter* v. *Allegheny Authority* (316 Pa. 65), decided by the court unanimously on June 24, 1934, or about a year and a half previously. I may add that Justice Drew was on the court at that time and Justice Maxey, in dissenting from Drew's opinion, said that—

> To me invalidation of this act for this reason appears absurd.

This opinion stood for only a little more than a year, when it was reversed on a reargument by unanimous vote of the same court, which means that the court took three different positions on the same question, as political expediency dictated, in less than 3 years.

Justice William B. Linn was counsel for the Pennsylvania Railroad before going on the bench.

Justice Horace Stern represented some of the largest financial interests in the State. He is known as the author of the court's opinion on the Deficiency Judgment Act, which, in effect, said that in foreclosure cases the poor home owner not only loses his home, but still owes the mortgage, although the Supreme Court of the United States had decided otherwise.

Justice Marion D. Patterson was district attorney and political boss of Blair County, and attorney for the Pennsylvania Railroad, before his elevation.

The Governor's recent appointee, who at the age of 71 is now asking the people to elect him for a 21-year term, is William M. Parker, who was promoted from the superior court for his distinguished service in gutting the Workmen's Compensation Act.

In view of the background of the politicians comprising the court, it is not surprising that it is held in little respect by scholars of the law, or by citizens generally. Nor is it surprising that judicial usurpation of executive and legislative prerogatives should be rampant on the court.

In the mayoralty case, Justice Maxey's opinion solemnly declared that it would be judicial legislation for the court to order an election. Yet the Pennsylvania court, in case after case, has set an all-time high—perhaps I should say low—for judicial interference with the legislative branch.

A typical case was that involving the Philadelphia school tax. In that case the court ruled that the tax was an unconstitutional delegation of taxing power, yet permitted this unconstitutional tax to continue in effect for 2 years, the court, in effect, acting not only as a legislative body, but as a taxing agency as well.

It may be said that it is too late to do anything about the court's decision in the mayoralty case, or in any other, for that matter, for there appears to be no machinery to remedy this gross fraud upon the people.

Yet it is not too late, for the public is asked to give both this court and the State superior court a vote of confidence this year by electing the Governor's appointees to both courts.

I need not point out that election of such judges would be construed by the judges themselves as a license to continue their political operations.

Some of my friends have suggested that I may be in contempt in voicing my views on this question. I sincerely hope there is no doubt on this point.

The Pennsylvania Supreme Court, as a court, is entitled to have its decrees obeyed, and to that extent it must be respected.

But respect for the individual members must depend upon their ability and their integrity. As to ability, I think it fortunate for the present bench that under Pennsylvania law the members of the supreme court, alone among our judges, are exempted from the requirement that judges be "learned in the law."

As for their integrity, I think my opinion is sufficiently clear.

I have no respect for the judges of the Pennsylvania Supreme Court.

I hold them in the utmost contempt, individually and collectively, and wish to make that contempt a matter of public record.

If our democracy is to endure, the judiciary must uphold its principles, for the bench is the last resort of free men.

Unfortunately, political corruption is not restricted to the lowly. A job on the Supreme Court of Pennsylvania pays $19,500 a year, which represents a total of $409,500 for the full term.

It is no wonder that these men, none of them notable scholars or philosophers of the law, are grateful to the Republican machine for the robes they wear.

It is unfortunate, but not surprising in view of the caliber of men the Republican organization puts on the bench, that they should hand down such decisions as this, representing a pay-off to the interests which elected them.

But it is a tragedy that in their zeal to serve their masters they have utterly forgotten honor, decency, and the laws they have sworn to uphold.

Mr. President, I ask unanimous consent that the opinion of the Supreme Court of Pennsylvania be published in

the body of the RECORD at the conclusion of my remarks. I think it will be enlightening to the bench and the bar of the whole Nation.

There being no objection, the opinion was ordered to be printed in the RECORD, as follows:

Robert E. Lamberton, the duly elected mayor of Philadelphia for a 4-year term beginning Monday, January 1, 1940, died August 22, 1941, 18 days before the fall primaries. In obedience to the prescriptions of the act of March 7, 1939 (P. L. 7, 53 P. S. 2925) the vacancy caused by Mayor Lamberton's death has been filled by the president of the Philadelphia Council (Bernard Samuel), acting as mayor until the vacancy is filled.

The question is, Can the vacancy arising from Mayor Lamberton's death be filled at the municipal election to be held on November 4, 1941? The court below was asked in a taxpayer's bill to enjoin the county commissioners from holding a mayoralty election this November. The court refused to do so, deciding that an election for mayor can legally be held on the ensuing 4th of November. The appeal followed.

It is conceded by all that under the provisions of the primary election law, no candidate for mayor could have been nominated in the September 9 primaries. Under the election code of June 3, 1937 (P. L. 1333, 25 P. S. 2601) (hereinafter referred to as "the code"), certain legal steps must be taken by proper public officials for the nomination each year of candidates for offices to be filled at the ensuing November election, as early as "on or before the tenth Tuesday preceding the fall primary."

Section 904 of article 9 of the code (25 P. S. 2864) provides that, "To assist the respective county boards in ascertaining the offices to be filled, it shall be the duty of the clerks or secretaries of the various cities, boroughs, towns, townships, school districts, and poor districts, with the advice of their respective solicitors, on or before the tenth Tuesday preceding the fall primary, to send to the county boards of their respective counties a written notice setting forth all city, borough, town, township, school district, and poor district offices to be filled in their respective subdivisions at the ensuing municipal election, and for which candidates are to be nominated at the ensuing primary. * * *"

NOTIFICATION BY STATE

Section 905 of article 9 of the code (25 P. S. 2865) provides: "On or before the tenth Tuesday preceding each primary, the secretary of the Commonwealth shall send to the county board of each county a written notice designating all the offices for which candidates are to be nominated therein, or in any districts of which such county forms a part, or in the State at large, at the ensuing primary, and for the nomination to which candidates are required to file nomination petitions in the office of the secretary of the Commonwealth * * *."

Section 906 of article 9, June 3, 1937, P. L. 1333 (25 P. S. 2866) provides that "beginning not earlier than 9 nor later than 8 weeks before any regular spring or fall primary, the county board of each county shall publish in newspapers ('at least two newspapers of general circulation, one representing the majority party and one representing the minority party, if there be that many published within the limits of such county or municipal subdivision'" (25 P. S. 2606)) * * * "a notice setting forth the names of all public offices for which nominations are to be made * * * said notice shall contain the date of the primary, and shall be published once each week for 2 successive weeks."

NAMES ON BALLOTS

Section 907 of article 9 of the Election Code (25 P. S. 2867) provides that "the names of candidates * * * for party nominations * * * shall be printed upon the official primary ballots * * * of a designated party, upon the filing of separate nomination petitions in their behalf, in form prescribed by the secretary of the Commonwealth, signed by duly registered and enrolled members of such party who are qualified electors * * * of the political district * * * within which the nomination is to be made or election is to be held. The name of no candidate shall be placed upon the official ballots to be used at any primary, unless such petition shall have been filed in their behalf."

Clause 9d of section 913 of article 9 of the Election Code (25 P. S. 2873) provides that "all nomination petitions shall be filed at least 50 days prior to the primary."

These and other provisions of the code prove the impossibility of placing on the ballot or on the voting machine used in the November 4 election in Philadelphia any nominee for the office of mayor. Yet despite this fact appellees contend that a mayor must be chosen at the forthcoming municipal election on the date named.

Section 4a of article 2 of the Charter Act of Philadelphia (act of June 25, 1919, P. L. 581) reads as follows: "When a vacancy shall take place in the office of mayor, a successor shall be elected for the unexpired term at the next election occurring more than 30 days after the commencement of such vacancy, unless such election should occur in the last year of said term, in which case a mayor shall be chosen by the council by a majority vote of all the members elected thereto."

If we construe that section literally it means that a mayor of Philadelphia must be elected on November 4 next. If "next election" means that next election held at a date so far ahead of the date the vacancy arose as to give the entire electoral machinery prescribed by law, including the machinery of "primary" elections, whose due functioning the law declares shall be a preliminary to the "final" elections, time to function, then the election of a mayor cannot be held on November 4 next. The problem thus becomes one of interpreting section 4 of article 2 of the Philadelphia Charter Act of 1919.

The Statutory Construction Act of May 28, 1937, Public Law, 1019 (46 P. S. 551), declares (sec. 51): "The object of all interpretation and construction of laws is to ascertain and effectuate the intention of the legislature." Section 52 declares that "in ascertaining the intention of the legislature in the enactment of a law, the courts may be guided by the following presumption: (1) That the legislature does not intend a result that is absurd, impossible of execution or unreasonable."

This rule is only a statutory expression of a precept that has immemorially guided the appellate courts of this State and Nation and all other courts in construing statutes.

This court said in 1880, in *Big Black Creek Improvement Co.* v. *The Commonwealth* (94 Pa. 450), "Statutes are to be construed so as may best effectuate the intention of the makers * * * though that construction may seem contrary to the letter of the statute."

We reiterated that in *Com.* v. *Provident Trust Co.* (287 Pa. 251). In *Chew Heong* v. *United States* (112 U. S. 536, 555), the United States Supreme Court said, "General terms should be so limited in their application as not to lead to * * * an absurd consequence. It will always, therefore, be presumed that the legislature intended exceptions to its language which would avoid results of this character. The reason of the law in such cases should prevail over its letter."

In *United States* v. *Kirby* (7 Wall. 482, 486), Justice Field, speaking for the United States Supreme Court, in refusing to interpret an act of Congress literally, said:

"All laws should receive a sensible construction.

"The common sense of man approves the judgment mentioned by Puffendorf, that the Bolognian law, which enacted 'that whoever drew blood in the streets should be punished with the utmost severity,' did not extend to the surgeon who opened the vein of a person that fell down in the street in a fit.

"The same common sense accepts the ruling, cited by Plowden, that the statute of Lat Edward II, which enacts that a prisoner who breaks prison shall be guilty of a felony, does not extend to a prisoner who breaks out when the prison is on fire—'for he is not to be hanged because he would not stay to be burnt.'"

In *Bell* v. *New York* (105 N. Y. 139), the New York Court of Appeals declared, "The exact and literal wording of an act may sometimes be rejected, if, upon a survey of the whole act and the purpose to be accomplished or the wrong to be remedied, it is plain that such exact or literal rendering of the words would not carry out the legislative intent." See also Endlich on the "Interpretation of Statutes," section 295.

BACKGROUND OF PRIMARIES

During the early years of this Commonwealth elections to public offices, especially to municipal offices, were conducted in a "town meeting" manner without much formality.

When the party system became a part of American political life each party chose its own method of nominating candidates for even the highest offices in the Nation and in the State. Under section 30 of the act of February 2, 1854, Public Law No. 21, being "An act to incorporate the city of Philadelphia," it was provided that "the tickets to be voted at the municipal elections shall be on separate pieces of paper, on which shall be written or printed the names of the office to be filled, and immediately under the name of the office the name or names of the person or persons voted for to fill such office."

Apparently the tickets so voted were provided by the voter himself or were furnished him by a party organization.

By the act of March 30, 1866, Public Law No. 92, voters were required to vote at all elections "by tickets, printed or written, or partly printed and partly written, severally classified as follows: One ticket was for judicial candidates only, one ticket was for State candidates only, one ticket was for 'all county officers voted for, including office of Senator, members of assembly, Members of Congress,' and the other tickets were, respectively, for township and borough offices." "Each class" had to be "deposited in separate ballot boxes."

NOT STATE'S CONCERN

Before the act of June 19, 1891, Public Law No. 349, providing for the printing of official ballots to be used at November elections and providing also for the certification to the proper public officials of the persons nominated for public office by conventions of delegates or caucuses held under the rule of a political party, or any board authorized to certify nominations representing a political party, the Commonwealth had little or no concern with nominations to public office.

Even the act of 1891, just referred to, only "regulated" in slight degree nominations to public office.

Its chief concern with nominations was to safeguard the official ballot provided in the act, so that persons with no proper claim to a nomination should not have their names thereon.

Under that act candidates for public office could be chosen by committees of delegates

or by a caucus held under the rules of a political party and the nomination for State offices could be certified by an authorized party board to the secretary of the Commonwealth and the nomination for other offices could be certified to the commissioners of the proper county.

The act also provided for nominations to be made by nomination papers. For offices other than State offices and other than borough and township offices certificates of nomination could be filed with the county commissioners 42 days before, and nomination papers for such offices could be filed 35 days before, election day.

For township and borough offices nomination papers could be filed with the auditors 7 days before election day. Under the simple procedure thus prevailing before the uniform primary act was adopted when vacancies in city or county offices arose even as late as 5 weeks before the November election, timely nominations to fill those vacancies at that election could be made.

IN EVENT OF VACANCY

Under the act of 1891, if any candidate died or withdrew, the party organization by means of an authorized committee, or the citizens who nominated such candidate by nomination papers, could nominate a substitute by filing in the proper office, at any time before the day of election, a nominating certificate or paper conforming to certain requirements.

If a substituted nomination was made after the ballots were printed, the commissioners or auditors were directed (sec. 12) to "prepare to distribute with the ballots suitable slips of paper, bearing the substituted name together with the title of the office and having adhesive paste upon the reverse side which shall be offered to each voter with the regular ballot and may be affixed thereto."

The uniform primary law has completely integrated nominations for public office with the election which takes place in November following such nominations. Under the code the electoral machinery to choose public officials at any November election must begin to function at least "10 Tuesdays" before the date of the fall primary.

Section 604, article 6 of the code (25 P. S. 2754), provides that "candidates for all offices to be filled at the ensuing municipal election shall be nominated at the fall primary." There is a similar provision in section 902, article 9 of the code (25 P. S 2862), which adds that candidates "shall be elected in no other manner."

In the face of this law appellees contended, and the court below upheld their contention, that party nominations can be made by the political parties in some manner "in accordance with their rules and regulations."

The court below said: "We conclude that the nomination of candidates for the office of mayor to be filled at the forthcoming municipal election should be left to the political parties to be selected in accordance with their rules and regulations and that certificates of nomination from the political parties be accepted by the county board of elections and used in preparing the official election ballots."

This is plain error, for under the code the political parties of the city of Philadelphia or their committees have no more authority to select candidates for the office of mayor of that city, under the contingency arising from Mayor Lamberton's death, than they would have to select candidates for mayor of Pittsburgh. An attempt on their part to select such candidates for mayor to be voted for at this November's election is usurpation.

Article 9, section 979 of the Election Code of 1937 (25 P. S. 2939), provides as follows: "Any vacancy happening or existing after the date of the primaries in any party nomination, by reason of the death or withdrawal of any candidate, may be filled by a substituted nomination made by such committee as is authorized by the rules of the party, to make nominations in the event of vacancies on the party ticket."

AFTER PRIMARIES ONLY

Nothing can be clearer than the fact that under this provision an authorized party committee can make a substituted nomination only if a vacancy happens after the date of the primaries.

The vacancy giving rise to this case happened 22 days before the primaries and was not "in any party nomination." The authorized party committee can make substituted nominations only when the duly nominated candidate of the party dies or withdraws as a candidate. Before there can be a "substituted nomination" there must have been a nomination.

The court below in its opinion admits that "the legislature has set up no specific machinery * * * for holding of such an election" (i. e., for mayor in November next).

The court then says:

"The rules of the political parties are not before us, and it may not be feasible for a political party to nominate its candidate for the office of mayor.

"In any event, the board of elections will prepare official election ballots, which shall be in accordance with the Election Code of 1937 generally, and specifically, as in the case, no candidates have been nominated for an office (see sec. 1003e). This will give the voter an opportunity to exercise the right of suffrage by writing in the name of his candidate or using what is commonly called a sticker (*DeWalt* v. *Bartley* (146 Pa. 529, 24 A. 185))."

The "sticker" referred to is a "printed adhesive strip" which was authorized (as already noted in this opinion) by the act of June 19, 1891, Public Law 349, but that act was "repealed absolutely" by the Election Code of 1937, as it is so declared on page 1509 of the Pamphlet Laws of 1937.

What the court below directed the board of elections to do "specifically" is something the board of elections has no legal authority to do and is something which the court below is without power to direct, for courts have no legislative power, and what the court below directed is legislative in character.

Section 1003e of the Election Code (25 P. S. 2963) cited by the court below is here quoted in its entirety as follows:

"There shall be left at the end of the group of candidates for President and Vice President of the United States under the title 'Presidential electors,' as many blank spaces as there are Presidential electors to be elected, in which spaces the elector may insert the names of any individual candidates for Presidential electors for whom he desires to vote.

"There shall also be left at the end of each group of candidates for each other office (or under the title of the office itself in case no candidates have been nominated therefor), as many blank spaces as there are persons to be voted for for such office, in which space the elector may insert the name of any person or persons whose name is not printed on the ballot as a candidate for such office."

One will perceive by attentiveness to this provision that "blank spaces" on official ballots "in which space the elector may insert the name of any person or persons whose name is not printed on the ballot as a candidate for such office," that is, for the office to be filled at that election can be "left at the end of each group of candidates for each other office" (i. e., for offices other "than the office of President and Vice President of the United States") or under the title of the office itself in case no candidates have been nominated therefor, only when by the commanded ascertainment, certification, and advertising (already herein referred to) nominations of candidates for certain offices are to be made in the primaries which are the preliminary to the ensuing November election.

Until this "ascertainment," "certification," and "advertising" are done the board of elections has no authority whatsoever to print on the ballot the title of any public office to be filled by a choice made in the ensuing election and then leave blank spaces after the title of that office as an invitation to the voters to "write in" the names of their choice for such office.

If such blank spaces should be provided on the ballot without the required previous "ascertainment," "certification," and "advertising" of the office to be filled, the acts of the voters in writing in names would be utterly without legal effect.

The phrase "in case no candidates have been nominated therefor," which phrase is found in the parenthetical clause in Section 1003e, gives no support (except when superficially considered) to the position taken by the court below.

Its obvious meaning is that when parties have had an opportunity to nominate candidates for public office in the primaries to which the election code (of which Section 1003e is a part) so largely relates and have failed to do so, then in that contingency the voters may in blank spaces left at the end of each group of candidates or under the title of the office in case no candidates have been nominated therefor (as the case may be) insert the name of any person or persons whose name is not printed on the ballot as a candidate for such office.

This contingency seldom if ever arises in a great city like Philadelphia, though it may possibly arise in some small communities. This contingency has not arisen in the city of Philadelphia, for the voters of the respective parties had no opportunity, as is freely conceded, to nominate any candidate for mayor at the September 9 primaries.

RESULT AN ABSURDITY

To hold that under the conditions existing by reason of Mayor Lamberton's death, an election for mayor of Philadelphia can be conducted by giving the voters the opportunity to write in the names of their respective candidates for this office is to give section 4a of article 2 of this Charter Act a construction which would lead to a result that is absurd, and this is something which the legislature by the Statutory Construction Act of 1937 says courts should not do.

There are in the city of Philadelphia 1,014,128 registered voters. To hold that this army of voters can, by each individual thereof merely writing in the names of his or her choice, select a mayor by such a plurality or majority as will fairly express the public will is a manifest absurdity.

This court held in *Derringe* v. *Donovan et al.* (309 Pa. 469, 476) that to "invest with an important public trust a person who might be voted for by only a comparatively inconsequential number of voters would not facilitate the recognition of the popular will, but would make possible its nullification."

Furthermore, in a city as large as Philadelphia with the great duplication in names of residents, how would it be possible to determine for whom an elector voted if the person whose name he "wrote in" might mean 1 of 2 or 200 persons.

For example, the city directory of Philadelphia discloses the fact that in that city there are 326 William Smiths, 239 John Smiths, 242 William Browns, 145 Henry Cohens, 107 James Gallaghers, 167 John Kellys, 127 William Wilsons, 124 John Murphys, 136 William Jacksons, 160 William Millers, 132 John Williams, to say nothing of the John Browns and the John Thomases and the John Joneses and hundreds of other names which are duplicated to multiple degree.

NO JUSTIFICATION

No principle can be invoked to justify any court in so construing an act of legislation as to lead to such confusion and chaos as would result if we should decree that the third largest city of the United States must elect its mayor by the haphazard and disorderly method of having its million voters "write in" the name of their respective choices for that important office.

It is probable that only a small minority of the voters would take the pains to vote for any person for mayor and to properly identify that person by his address. It might easily happen that an utterly incompetent individual who received a vote which would represent only a small percent of the city's electorate would receive a plurality of the "write in" vote for mayor and so be elected.

Even counsel for the appellees say in their paper book: "It would be an unfortunate result if the mayor had to be elected by such undirected and chaotic voting to which this (i. e., voting by "writing in" names) might lead because of the absence of the names of any nominated candidates of political parties on the ballot."

Since there is absolutely no warrant in law for making a substituted nomination by political committees where no original nomination has been made (as an inspection of the code clearly reveals to either a professional or lay mind) and since it is conceded by all that to elect a mayor by means of "write ins" would be chaotic and unfortunate, our duty is so to interpret the statute as to prevent this.

As Judge Cardozo said in *In re Rouss* (221 N. Y. 81, 116 N. E. 782): "Consequence cannot alter statutes, but may help to fix their meaning. Statutes must be so construed, if possible, that absurdity and mischief may be avoided."

Appellees contend that it is contrary to "the principles of representative, democratic government" that one who succeeds to office, as did the president of council, "should remain in office for such a length of time (2 years and 4 months) without standing for election."

This is an argument which should be addressed to the legislature and not to the courts, for the duty of courts is to interpret laws, not to make them.

However, we cannot agree that to permit individuals who have not been elected to a high office to succeed to that office on the death of the office's elected incumbent is contrary to the genius of American institutions.

Within the past decade the cities of New York and Chicago had as their respective mayors for a substantial period men who had not been elected to that office by the city electorate, but who succeeded to the office by virtue of a statute, when the office became vacant by reason of the mayor's resignation in the New York case, and the mayor's death in the Chicago case.

For the second time within a few years the mayor of Philadelphia died and the president of council succeeded to the office for a substantial period.

If Mayor Lamberton had died 75 days later, no one could question the fact that the president of council would succeed him and remain in office until the first Monday of January 1944. We think this is conceded in appellees' brief of argument, to which we will later make further reference.

NATIONAL PRECEDENT

Six incumbents of the great office of President of the United States have died in office and six incumbents of the Vice Presidency have died in office. If John Tyler, who on April 4, 1841, succeeded President William Henry Harrison, had died in office a short time after he became President (as Harrison did), his successor as President would have been the then President pro tempore of the United States Senate, Samuel L. Southard, and he would have served as President nearly 4 years.

If one more adverse vote had been cast against Andrew Johnson on May 26, 1868, in the impeachment proceedings in the United States Senate, the then President pro tempore of the Senate, Ben Wade, would have become President.

If President McKinley had died between the date of Vice President Hobart's death, November 21, 1899, and the close of his first administration on March 4, 1901, the then Secretary of State, John Hay, would have become President.

(After the death of Vice President Hendricks on November 25, 1885, the law as to Presidential succession was changed by the Presidential Succession Act of January 19, 1886. The Secretary of State is first in the order of succession and the Secretary of the Interior is the last. The Secretaries of Agriculture, Commerce, and Labor are not included in the succession, as those departments were not in existence in 1886.)

If President Coolidge had died in his first term, the then Secretary of State, Charles Evans Hughes, would have become President. Since public officials, like all other men, are mortal, the orderly processes of government require that statutory provision be made for the immediate succession of mayors and other important public servants.

In the act of March 7, 1930, supra, the State, through its legislature, declared that the president of the City Council of Philadelphia was the proper official to succeed to the powers and responsibilities of the chief magistracy of Philadelphia. It follows that he must remain in that office until his elected successor can be chosen in the manner the law provides.

We deem it proper to declare at this time that the next election for the office of mayor of Philadelphia cannot be held until the municipal election on the first Tuesday following the first Monday of November 1943 (November 2, 1943).

Appellees, while contending that a mayor should be elected on November 4, this year, do not contend that if a mayor is not elected this year one can be elected in 1942.

In their argument they say: "The contention of appellant (in the instant case) would freeze in office for 2½ years a man—Bernard Samuel—who has never appeared before all the electors of the city," etc.

The court below in its opinion found that "there are no statutory provisions for the holding of a special election to fill said vacancy (in the office of mayor)."

IN ACCORD WITH STATUTES

This finding is in accord with the Constitution of Pennsylvania and the applicable statutes. Article 2, section 2, clause (a) of the Philadelphia City Charter (act of June 25, 1939, P. L. 581, 53 P. S. 2922) provides: "The mayor shall be chosen at the municipal election and shall hold office for the term of 4 years."

Section 4, clause (a) of the Charter Act, quoted in the earlier part of this opinion, refers to "the next election occurring more than 30 days after the commencement of a vacancy in the office of mayor," as the time for electing "a successor for the unexpired term."

We have demonstrated that this "next election" cannot be the municipal election to be held on November 4 of this year. Compare this with *Buckley* v. *Holmes* (259 Pa. 176). Since a mayor under the charter must be chosen at a municipal election, and not at a general election, it follows that a mayor of Philadelphia cannot be elected until the next municipal election after the 1941 municipal election, unless there is some statutory provision for a special election for mayor to be held at the time of the general election in 1942.

There is no such provision in the Election Code of 1937 or elsewhere. This code provides for special elections to fill vacancies in the following offices only: (1) United States Senator, (2) Representative in Congress, (3) member of the general assembly. Special elections are also provided for "on a proposed constitutional amendment or other question, to be voted on by the electors of the State at large, or by the electors of any political district." (See 25 P. S. 2787 and 3069.)

LEGAL SIGNIFICANCE

The failure of the legislature to make any provision for special elections to fill the office of mayor of Philadelphia is of legal significance.

"It is a general principle of interpretation that the mention of one thing implies the exclusion of another thing; expressio unius est exclusio alterius. The affirmative description of the cases in which the jurisdiction may be exercised implies a negative on the exercise of such power in other cases" (25 R. C. L. 981, sec. 299, citing inter alia *Page* v. *Allen* (58 Pa. 338, 246); *Walla Walla* v. *Walla Walla Water Co.* (172 U. S. 1, 19 S. Ct. 77, 43 U. S. (L. ed.) 341)).

Article 8, section 3 of the State constitution, as amended in 1913, provides that "All elections for judges of the courts for the several judicial districts, and for county, city, ward, borough and township officers, for regular terms of service, shall be held on the municipal election day; namely, the Tuesday next following the first Monday of November in each odd-numbered year, but the general assembly may by law fix a different day, two-thirds of all the members of each house consenting thereto: *Provided*, That such elections shall be held in an odd-numbered year."

Article 12, section 1 of the State constitution as amended in 1909, provides that "All officers, whose selection is not provided for in this constitution, shall be elected or appointed as may be directed by law: *Provided*, That elections of State officers shall be held on a general election day, and elections of local officers shall be held on a municipal election day, except when, in either case, special elections may be required to fill unexpired terms." There is no such statutory requirement.

The people of this Commonwealth, speaking through their organic law, have thus unequivocally declared that elections for local offices shall be held on municipal election days in odd-numbered years. The public policy served by holding elections for local offices in years other than those when elections are held for State and National offices is obvious, for local electoral issues have no relation to State and National issues.

LEGISLATURE'S INTENT

The Election Code of 1937 (supra) expressly purported to "codify, revise, and consolidate the laws relating to general, municipal, special, and primary elections."

The fact that in that comprehensive code, covering 205 pages of the Pamphlet Laws of 1937, and in which 40 pages are devoted to the repeal of former election acts, beginning with the act of August 24, 1717 (vol. 111, Statutes at Large, p. 138), and including election law passed as recently as 1935, no provision was made for special elections on general election days or on general election years or at any other time to fill vacancies in the office of mayor of Philadelphia leaves no room for doubt that the legislature intended that the above-cited explicit provisions for electing a mayor only at municipal elections in odd-numbered years should stand. The code, article 6, section 602 (25 P. S. 2752) explicitly provides that "all county, city, borough, and township officers shall be elected in the municipal election."

The decree of the court below is reversed. The defendants, Morton Witkin, James C. Clark and John J. Hennessey, County Commissioners of Philadelphia, constituting the County Board of Elections of Philadelphia, are

enjoined from arranging and preparing for, and causing to be conducted or held an election for the office of mayor in the city of Philadelphia at the municipal election to be held on November 4, 1941, and from permitting the nomination of candidates for the said election.

The defendant, the county of Philadelphia, is enjoined from expending or causing to be expended, any public funds required for the holding of the said election and nominating of candidates therefor.

The defendant, Robert C. White, controller of the city and county of Philadelphia, is enjoined from approving any expenditure of any moneys by the county of Philadelphia incurred or to be incurred for the holding of the said election and the nominating of candidates therefor.

Costs to be paid by the county of Philadelphia.

Mr. DAVIS. Mr. President, it is always possible to criticize agencies of government. They are human institutions and subject to human error. This applies to ourselves as Members of this great assembly. It applies to the White House. It applies to the courts of the land.

I am not suggesting that we cease from criticism, for out of it may come improvements which are greatly needed. I am, however, convinced that full opportunity should be given for free discussion of these issues and that they should be carried to the people who in the last analysis constitute the final seat of sovereign authority and power.

I ask unanimous consent to have inserted in the RECORD at this point an article from the Philadelphia Inquirer of October 3, 1941, entitled "Democrats Are to Blame for Mayoralty Situation; Hungry Eyes Turned on City Hall Led to Omission From Vote Laws." The article is by John M. Cummings, one of the ablest writers in the State of Pennsylvania, and a man who is thoroughly familiar with all the laws governing elections, and especially the political situation in the State.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Philadelphia Inquirer of October 3, 1941]

EMOCRATS ARE TO BLAME FOR MAYORALTY SITUATION—HUNGRY EYES TURNED ON CITY HALL LED TO OMISSION FROM VOTE LAWS

(By John M. Cummings)

This court, having sliced the boloney (very thin), dipped into pepperpot, consulted Chew-Chin-Chow, and danced the hula-hula, is of the opinion too many cititzens have failed to grasp the fundamental reason for the Supreme Court's ruling that there shall be no mayoralty election in Philadelphia this year.

Stripped of nonessentials and wholly aside from the rattling of ancient bones while the opinion was being written, no mayor can be elected this year because there is no way of presenting candidates to the sovereign electorate. It was suggested to the Supreme Court that it do what the general assembly failed to do, namely and to wit, set up the machinery for making nominations. The court sidestepped that one.

When vacancies occur on a ticket after nominations have been made at the primaries, city or county committees, as the case may be, are authorized to name substitute candidates. But in this instance there was no mayoralty vacancy on any ticket, since Mayor Lamberton's death occurred too late for the primary machinery to function.

There is provision in the election code for nominations by party committees—provision for many offices.

The supreme tribunal held it was not the business of the courts to make laws or to supply deficiencies in an act of the legislature, regardless of whether these omissions were the result of accident or deliberation.

It seems strange that in codifying the election laws in the session of 1937, the legislature should name the offices for which candidates could be named by party committees and fail to include in the list the important office of mayor of this town.

Under the terms of the city charter it would appear the city was obliged to elect a mayor to serve out the unexpired portion of Mayor Lamberton's term. But the election laws fail to specify how candidates may be nominated, and on that failure the ruling of the supreme court, it seems to us, was founded.

It is still legal in this country to put two and two together and get four. We have, of course, some astute gentlemen who can add these figures and get five or more. But we cling to the old-fashioned system.

Let us, then, see what we get by going back to the legislative session of 1937 when the election laws were codified. Maybe a bit of brushing up would help in reaching a conclusion on whether or not the legislature acted deliberately when it overlooked the mayoralty of the State's largest city.

In that year we had a Democratic Governor, George H. Earle, now Minister to Bulgaria. Both houses of the assembly were in Democratic control. In this town the late S. Davis Wilson was mayor.

Mr. Wilson, it will be recalled, was elected as a Republican, although a Democrat at heart. Shortly after the election he fell out with the Republicans and resumed friendly relations with the Democrats.

There was some talk in 1937 and plenty of it in 1938 that Mayor Wilson was seriously considering resigning from office. His health was none too good, and there were other factors which need not be gone into here.

One of the early acts of the legislature was to pass a bill changing the line of succession in the event of a vacancy in the mayor's office. In such event he would be succeeded, under the new law, by the city controller. Then, as now, the controller was Robert C. White, a Democrat. Prior to that, the charter provided that in case of vacancy the mayor would be succeeded by the president of council, then, as now, a Republican.

Now, if the mayor had resigned in 1937, after the charter had been amended to change the line of succession, Dr. White would have become acting mayor. His position would have been analogous to that of Barney Samuel before the supreme court rendered its decision. The Republicans, when they regained control of the assembly, changed the line of succession back to where it was before the Democrats tinkered with the charter.

If Wilson, for any reason, had resigned and White had taken over the office, naturally the Democrats would have been anxious to keep him there To alter the city charter in the matter of electing a mayor would have been open notice of the intention. But to make an omission in the election laws, to fail to provide for the nomination of candidates might pass unnoticed. Nothing was done to the charter beyond changing the line of succession, but something was omitted from the election code and that omission was the cause of all the recent trouble.

You may now proceed to put two and two together and see what you get. Keeping in mind the conditions that prevailed in 1937, recalling that the air was filled with reports of Mayor Wilson's impending resignation, and recollecting that a high-riding Democratic organization was desperately striving to gain control of city hall, you are at liberty to reach a conclusion without hint or suggestion from this pillar of wisdom. With all the factors and conditions in mind, you may conclude the omission was an oversight, that the gentlemen running the assembly at the time did not have any sinister scheme in mind. Or you could conclude, with reason, that the omission was deliberate and for a studied purpose.

Personally, we continue to believe that when you put two and two together more likely than not you'll get four.

AUTHORIZATION FOR SIGNING SENATE BILL 1579

Mr. BARKLEY. Mr. President, I ask unanimous consent that during any recess of the Senate the President of the Senate be authorized to affix his signature to Senate bill 1579, the so-called property-seizure bill.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

AMENDMENT OF PRIVATE ACT NO. 446, SEVENTY-SIXTH CONGRESS

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1251) to amend Private Act No. 446, Seventy-sixth Congress, approved July 2, 1940, and for other purposes, which was, on page 2, line 2, to strike out "any amount charged against him" and insert "Kilbourne Johnston, and Miss F. M. Robinson, any amounts charged against them."

Mr. BAILEY. Mr. President, in the absence of the chairman of the Committee on Claims, I have been requested to move that the Senate concur in the House amendment. If an explanation is required, I shall be glad to make it. The bill involved a claim of General Johnson, heretofore approved by the Senate, in the sum of $1,868.61, which was disallowed by the Comptroller General. The Senate has approved a special bill, and so has the House. The amendment does not affect the merits. It merely relates to details.

I move that the Senate concur in the House amendment.

The motion was agreed to.

W. W. CARLTON

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 755) for the relief of W. W. Carlton, which was, on page 1, line 6, to strike out "$300" and insert "$1,000."

Mr. McKELLAR. Mr. President, on behalf of the junior Senator from Tennessee [Mr. STEWART], the author of the bill, who is unavoidably absent, I move that the Senate concur in the House amendment.

The motion was agreed to.

EVA MUELLER

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 807) for the relief of Eva Mueller, which was, on page 1, line 6, to strike out "$591.65" and insert "$750."

Mr. NORRIS. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

STARVATION AS A WEAPON

Mr. DANAHER. Mr. President, we have heard many confused utterances with reference to exactly what we should do in pursuit of a newly announced, and I think strange, doctrine of freedom of the seas.

There are some who say that our country as a nation has a right with impunity to use its vessels to deliver materials of war to a belligerent. On the other hand, there are yet others of us who feel that ships pursuing an errand of peace—for example, those which might be taking food to the millions of innocent victims of the war in Europe—have at least an equal right to freedom of the seas. Out of whatever welter of thought and confusion there may be in American minds, it seems to me there is one duty clearly devolving upon the American people, and that is to do everything reasonably and humanly possible to relieve the acute starvation now rampant in Poland, Belgium, and other occupied territories in conquered Europe.

The Commonweal for September 5, 1941, submitted to its readers an editorial entitled "Starvation as a Weapon," which I should like to call to the notice of Members of the Senate. It is very brief. It is so important and so pregnant with the statement of principle which should be our guide that I ask unanimous consent that it be read by the clerk.

The VICE PRESIDENT. Without objection, the editorial will be read.

The legislative clerk read as follows:

[From the Commonweal of September 5, 1941]

STARVATION AS A WEAPON

In all the talk about the four freedoms, the Hitler menace, and the cause of democracy, the plight of Europe's conquered peoples seems forgotten over here. And yet with fall upon us and winter near at hand, the National Committee on Food for the Small Democracies, the one organization that is keeping up the fight for our starving fellow beings, reports that things are rapidly getting worse. Belgian children get only one-quarter of the minimum amount of milk needed to assure bodily growth; disease is rampant. There are famine conditions in Norway and Holland. People are fainting dead away in the streets of Athens, according to the Greek War Relief Association. Undernourishment is rife among French children and adolescents.

Does the fear of aiding Hitler justify all this? In the first place it is highly questionable on moral grounds whether starvation of conquered peoples is a legitimate means of combating the nation that has overrun them. The destruction of the innocent—so as to prevent any assistance from reaching an enemy—is so great an evil in itself that it cannot be justified on moral grounds. Even if Hitler derives some aid thereby, the starving victims must be fed. What is criminal is the unwillingness of Britain and the United States, or Britain persuaded by the United States, to permit even an assayal with proper safeguards of such a proposal as the Hoover-supervised food-kitchen plan. How can the United States permit so many people in the countries defeated by Hitler to starve without lifting a finger and still pose as a champion of morality, democratic or otherwise? People are starving, wasting away from disease, and we have the means to rescue them. The fact that Hitler brought them to such a pass by no means relieves us of our responsibility.

There is a spate of books these days on Germany. They reveal that as far as food goes Germany is not seriously hampered by the British blockade. The attack on the Ukraine with its threat to this year's crops indicates that Germany has foodstuffs for at least another year. And the more that is published about Nazi ambitions, the more possible it becomes that they may welcome the blockade of conquered peoples. The more starvation, the more lebensraum for Germans; the greater the breakdown of enterprise outside Germany the better the chance for German industries when hostilities have ceased; nazi-ism thrives amidst demoralization. Professor Pirson, of Penn State, recently declared that in the last war "the relief supplies went a long way to bolster the morale of the Belgian people in their passive resistance." It is at least a real question whether starvation, disease, and death make for greater or less national resistance.

What is certain is the increase of malnutrition, disease, starvation in the conquered countries of Europe. What is clear is America's duty to save them. Once we have made this effort, we shall have some right to talk about international morality.

PROGRESS IN THE DEVELOPMENT AND TRAINING OF THE ARMY

Mr. LODGE obtained the floor.

Mr. McNARY. Mr. President, will the Senator yield?

Mr. LODGE. I yield.

Mr. McNARY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Doxey	Nye
Aiken	George	O'Daniel
Andrews	Gillette	O'Mahoney
Austin	Green	Peace
Bailey	Guffey	Pepper
Ball	Gurney	Radcliffe
Bankhead	Hatch	Rosier
Barbour	Hayden	Schwartz
Barkley	Herring	Smathers
Bilbo	Hill	Smith
Brewster	Johnson, Colo.	Spencer
Bulow	Kilgore	Taft
Bunker	La Follette	Thomas, Idaho
Burton	Lodge	Thomas, Okla.
Butler	Lucas	Thomas, Utah
Byrd	McFarland	Truman
Capper	McKellar	Vandenberg
Caraway	McNary	Van Nuys
Connally	Maloney	White
Danaher	Murdock	
Davis	Norris	

Mr. HILL. I announce that the Senator from Washington [Mr. BONE] and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Michigan [Mr. BROWN], the Senator from Kentucky [Mr. CHANDLER], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Idaho [Mr. CLARK], the Senator from Missouri [Mr. CLARK], the Senator from California [Mr. DOWNEY], the Senators from Louisiana [Mr. ELLENDER and Mr. OVERTON], the Senator from Rhode Island [Mr. GERRY], the Senator from Virginia [Mr. GLASS], the Senators from Delaware [Mr. HUGHES and Mr. TUNNELL], the Senator from Oklahoma [Mr. LEE], the Senator from Nevada [Mr. McCARRAN], the Senator from New York [Mr. MEAD], the Senators from Montana [Mr. MURRAY and Mr. WHEELER], the Senator from North Carolina [Mr. REYNOLDS], the Senator from Georgia [Mr. RUSSELL], the Senator from Tennessee [Mr. STEWART], the Senator from Maryland [Mr. TYDINGS], the Senator from Washington [Mr. WALLGREN], and the Senator from Massachusetts [Mr. WALSH] are necessarily absent.

Mr. AUSTIN. The Senator from Illinois [Mr. BROOKS], the Senator from Kansas [Mr. REED], the Senator from Minnesota [Mr. SHIPSTEAD], the Senator from Indiana [Mr. WILLIS], and the Senator from North Dakota [Mr. LANGER] are necessarily absent.

The Senator from Oregon [Mr. HOLMAN] and the Senator from Wisconsin [Mr. WILEY] are absent on public business.

The VICE PRESIDENT. Sixty-one Senators have answered to their names. A quorum is present.

Mr. LODGE. Mr. President, I desire to make a report to the Senate on the observations which I made at the Army maneuvers held in Louisiana and Texas during the past 2 months. Having served actively in the Organized Reserves for the past 12 years, and being a member of the Committee on Military Affairs, I deemed it my duty to serve my eleventh tour of active service in this emergency during the Second Army and Third Army maneuvers which have just been concluded and, if the situation here permits, also to take part in the First Army maneuvers in North Carolina. It seems to me that by practical application and by actually entering the Army for a while one can really get a true picture of the Army and of Army life. The maneuvers which I attended were the greatest ever held in the history of the country. They embraced two field armies. As the Senate knows, the United States is divided into four field armies, the First Field Army consisting chiefly of troops stationed in the East, the Second Field Army consisting chiefly of troops stationed in the Middle West, the Third Field Army consisting chiefly of troops stationed in the South, and the Fourth Field Army embracing troops stationed on the Pacific coast. I served in the Second Armored Division and, except for one trip to Washington at the time the tax bill was under consideration, I spent all my time with the troops, eating the same food, sleeping on the ground, and so forth.

We left Fort Benning, which is at Columbus, Ga., right on the line between Georgia and Alabama, and with 1,800 vehicles, not including the tanks—and there were upward of 300 tanks—we went across Alabama and Mississippi and into Louisiana and maneuvered in an area of about 200 miles square, embracing Louisiana and east Texas.

I should like to say a very few words in gratitude for the hospitality shown by the people of those Southern States. We read in the newspapers occasionally that the Army does not receive the reception to which it is entitled; but I can certainly say that in Alabama, in Mississippi, in Louisiana, and in Texas the people could not have been more hospitable and more kindly disposed toward the soldiers. Those who had very few worldly goods were most generous. Even a man in overalls, without shoes, and with very few material possessions, would always ask a soldier in for breakfast or for lunch. That attitude toward the Army is very

commendable, and I am glad to have this chance to pay my tribute to it.

The Second Armored Division is typical of all the armored divisions in its organization. The striking force consists of one regiment of medium tanks, two regiments of light tanks, and then the supporting troops, engineers, artillery, quartermaster troops, infantry, and so forth. The customary mission of a division such as that is to sweep around the enemy's flank and strike him where it will do him the most harm—in his rear installations, breaking his lines of communications, and so on. No one who is associated with tanks ever has the same opinion of their capacity as that which is derived merely from outside reading. Of course, no weapon is a hundred percent effective under all conditions; no weapon can go everywhere and do everything; and certainly that is true of the tank. Tanks cannot go everywhere and do everything by a long shot. Broadly speaking, the ability of the tank to go across country is somewhat similar to the ability of the submarine to submerge; in other words, most of the time a submarine is on the surface but when the critical moment comes it can get down under the water. So, most of the time, the tank is on the road, but when the going gets tough it can dart off into the woods. It is then that the cross-country mobility of the tank is priceless.

The country in which the maneuvers were held, particularly the northern part of Louisiana, is not ideal tank country. It is criss-crossed with streams and bogs. A great many trees have been cut down, so that when it rains the water remains on the ground for 3 or 4 days at a time, and it is altogether probable that, under actual conditions of warfare, that type of terrain would not be used by tanks at all; it would be left to horse troops and foot troops, who can infiltrate into difficult areas better than tanks can; but that situation, of course, increased the training value for the tank outfits. It made them work harder and try harder. While the countryside and the flooded bridges and the ease with which antitank guns could be placed did slow up the tanks, it was impressive to me that, in virtually every instance, the tanks went where they were supposed to go, and their concentration of fire power is so great that once they get into position, then, the exercise is over.

Of course, I want to be frank and say that there are shortcomings in our Army; there are bound to be shortcomings in any organization that has been more or less forgotten for 15 years. I do not think any good purpose is served by seeking to place the blame for the fact that we did forget our national defense. Certainly it is not the Army's fault and it is not the fault of any one political party. But the encouraging thing to me is that its defects are frankly recognized and steps are being taken to correct them. It is freely admitted that we face a shortage of matériel, which is inevitable, and we face a shortage of trained officers. Those are the most serious shortcomings. Senators who have been in touch with the production of the program know better than I how well the effort is progressing to provide the Army with matériel and with weapons. I can say that steps have been taken and are being taken boldly to improve the efficiency and increase the number of trained officers. The Army, wisely, I think, believes in using what it has. Now when many of its organizations are set up on a World War model, necessarily there are employed in maneuvers a certain amount of World War tactics. The Army has the choice of using the World War set-up or not using it, and I believe that it is correct in using what it has.

Basically, I think the Army is forward looking. I think the progress that has been made this year over last year—and I attended the maneuvers in the same area last year—the progress which has been made in 1 year reflects the greatest credit on General Marshall and the organization which he has built up.

Let me give an illustration. We have heard a great deal about plane-tank teams; whether the plane-tank team has replaced the infantry-artillery team is a technical question which I cannot go into, but certainly the plane-tank team is of great value.

I have just seen in the air over Louisiana 600 planes of the Army, Navy, and Marine Corps—they were all there—and I have been in a command post composed of tanks which were moving rapidly from place to place through the woods, but within 15 or 20 minutes after we had started from certain places in the woods the planes knew where we were. That really bespoke a very high degree of training and of ability. I wish that all Senators could have seen the manner in which the aviators from the three branches of the service performed. I have seen air and ground coordination. That is something, of course, which the Germans were the first to develop, something which the French and British and no other army had at all. A scout car with a radio in it operates with the ground forces; I have seen the officer commanding the ground forces request a bombardment of a certain bridge or a certain point on the map, and I have seen, within a few minutes, the planes roar out in response to the request, ready to bombard just where the bombardment should take place. There was nothing like that last year at all.

I believe that mechanization is being rapidly developed in the Army. For rather strange and incomprehensible reasons of sentiment and tradition, which are very important to the professional soldier but do not seem to be very important to the civilian, the Army is, I think, rather reluctant to admit that it is as modern in its viewpoint as I believe it to be. I made a list of the various items which show the extent to which mechanization is an accomplished fact, not merely something planned but something which has been accomplished, though I have never seen the Army advertise it at all.

First we have the armored divisions; then we have the G. H. Q. tank groups. Then we have the motorized transport. Practically all transport in the Army today is motorized; in fact, I think I can make the unqualified statement that today all the transport of the Army is motorized. A great part of the horse cavalry is transported in vans, and certainly all the supplies and all the baggage of war are completely motorized. I do not think there is an animal-drawn transport left. The streamlined divisions have motor facilities to transport the personnel; and, of course, that is a vital thing, particularly in tank warfare, because unless the infantry comes along at the same speed at which the tanks progress you cannot consolidate your position.

Another way in which the Army is mechanized is the air ground task force. I was never so impressed as I was this time in seeing the huge mobile ground installation that the Air Corps has to have—the enormous trucks and trailers for the radio sets, the traveling repair shops; all that is motorized. So if we begin to enumerate the various elements of the Army that are mechanized and motorized, we can see that they are very extensive.

Of course, some of the phrases that are used are confusing. I have been reading a great deal about the so-called tank destroyers, and how the Army is going to develop an entirely new element of the service that is to go out and chase down tanks and destroy them. Let us stop and think about that for a minute. If you want to have a weapon that will chase a tank, first of all it has to be able to go at least as fast as the tank. If you want to have a vehicle that can destroy a tank, it has to have a gun that is fairly powerful. If it is to get there and not have the men picked off by snipers on the way, it has to have armor around it so as to protect the personnel. If you have a vehicle that can move fast across country, and that carries a big gun, and has armor on it, you have something that is very much like a tank.

I should like to say a word about the human performance during these maneuvers. There was the utmost energy and dash and enthusiasm. Everyone wanted to learn. Everyone wanted to try hard. Of course, a great many mistakes were made, but I believe the mistakes were taken to heart and benefit was gained from them; and when we consider how far we have had to come, it is a wonder that there were not more mistakes. I wish you could have seen the performance of the Engineers. In the last exercise 900 bridges were assumed to have been blown up, and that involved the Engineers coming in and building new ones. It was really a heart-breaking thing, because, of course, the bridge was actually there in perfectly good condition, but it was assumed to have been destroyed. The Engineers had to come in and build a brand new bridge, and as soon as the bridge had been built and the umpire said it was satisfactory the men had to take it right down again. Some of the foreign observers who were there said they had never seen engineers who could surpass the work that ours did; and in the Engineers, as I understand, the percentage of Regulars is smaller than in almost any other branch of the Army. Therefore they had to have a much bigger expansion than the other

branches had to have, so theirs was mostly the work of selectees.

I was impressed with the way in which the complexities of traffic were handled. I should like, without burdening you too much, to give just a few figures to show the problem with which the higher headquarters were confronted; that is, the corps commanders and the Army commanders.

There was a total of 355,000 men. There were 44,000 vehicles. There was a gasoline consumption of 346,000 gallons per day. The rations consumed every day weighed 1,070 tons. There were 18 divisions with two air task forces. There were 12 rail heads supplying the troops. Forty freight cars delivered rations daily, including 270,000 pounds of beef, 200,000 pounds of bacon, and 275,000 eggs. I give those just as illustrations of the daily consumption of food and the daily consumption of gasoline over roads that were congested with abnormal traffic. This is a rural district. It was not accustomed to anything like this; and yet there was never a time when the food was not where it ought to be, and when the gasoline was not where it ought to be, and when there was any confusion at all.

The cavalry units consumed 33 tons of oats and 39 tons of hay per day.

More than 10 percent of the men of the Second Army walked holes into the bottoms of their shoes up to the final phase of the maneuvers, and an emergency supply of 30,000 new pairs of shoes was kept on hand in preparation for the final phase.

There were 1,700 medical officers in the Third Army alone, including 1,100 doctors, 200 dentists, and so forth. Seventeen thousand beds were available for injured troops during the maneuvers. I give those figures merely as illustrations of what a tremendous undertaking it was.

The maneuver area was 200 miles wide and 210 miles long. To a New Englander that is a tremendous area. It is a tremendous area to anybody—42,000 square miles.

The rail heads worked, and the dumps worked, and the troops had to draw ammunition. I was told by some of the officers there who had been in the World War that even in the World War our higher commanders had not had such an experience as that, because at that time a great many of those higher functions were performed by our then Allies.

Of course, it gives us encouragement, and yet it gives us pause, because it makes us realize how much time it takes to make an army. In fact, it brings us to the conclusion that there is not any such thing as one army; that a nation that is really well prepared has to have several armies. It is necessary to have a hot-weather army and a cold-weather army, an army that operates where the drainage is bad and an army that operates where the drainage is good. One of the most dangerous things we can do is to be arbitrary and dogmatic about what kind of an army we want to have, because in the case of the Germans, for example, their transport ranges all the way from transport by plane to transport by dog team. There are places where a dog team is the best way to transport something, and there are still a great many places in the world where the man on horse and the man on foot have a tremendous part to play.

Now, I should like to say a word about Army morale, a very broad term which has been bandied about a great deal. In my observation, morale varies widely between different units. It is streaky. I strongly believe it is getting better, but it varies in accordance with the leadership that exists in each unit. In the organization in which I served the men were capably led, and practically every man was a specialist—that is, he was not only selected physically to get into the Army in the first place, but he was selected mentally in order to show his skill in some particular specialty. In that outfit a man who had graduated from the motor-mechanic school at Fort Knox, let us say, had the motor to work with and the tank driver had the tank to drive and the machine gunner had the machine gun and the radio operator was constantly using his radio.

I believe this much can be said about the citizen soldier: First, his entrance into the Army has been a wonderful thing for the Army. The men have brought their civilian skills and their freshness of viewpoint into military operations. There is certainly no group of soldiers that could work harder or more willingly, or could accept more cheerfully the hardships of Army life. I do not believe I have ever heard, or heard of, a complaint about the hardships of Army life. You hear complaints about boredom and about other things, but you do not hear any complaints about hardships; and, speaking of civilian soldiers, I have seen some National Guard divisions down there that kept up and bettered the pace of the Regulars.

The citizen soldier will, of course, fight for his country in time of war, and he will gladly train for war in time of peace, but I do not think he cheerfully accepts the idea of being a member of the standing Army.

There are three different concepts there. There is service in war, and there is training for war, and then there is career service in a standing army which is maintained in the hope that it will prevent the country from getting into war. The civilian soldier wants to do his part in time of peace, and he wants to do his part in time of war; but he wants to resume his civilian life. He does not want to be a professional soldier. That is a distinction which I think should be understood.

The fact that he wants to go home—as most of them do—does not mean that his morale is bad. Many of us might wish to be doing something different from what we are doing, but we do the job which we have in hand, and do the best we can.

The morale of the men depends on leadership. The U. S. O. and the other morale-building agencies are fine and necessary, but the biggest factor in any military organization is the ability of the officers. If they are able, the men will not only be well cared for physically, but, what is just as important with the young American boy today, his mind will be kept interested and alert. These fellows are smart, and to keep their minds interested and to keep their enthusiasm up is just as big a part of the problem as to see that they are well fed.

The most frequent complaint I heard was that of boredom. I believe that goes right back to the fact that we can no more expect to have a complete complement of trained officers after 15 years of forgetfulness than we can expect to have a full arsenal of weapons. It takes time to produce both.

What can we conclude from all this? I believe that as Senators we should be constantly thinking about military policy, and that we should allow our minds to be bold, and never be fettered by dead ideas, by ideas which were fine in 1917 or ideas which were fine in 1898. We have to be thinking in terms of 1941 and 1942.

We should remember, I believe, that our present policy is a compromise between several different viewpoints, as all Senators who were here a year ago very well remember. It is somewhat of a hodgepodge. It is not a war-service policy; it is not strictly a training policy, and it is not strictly a standing-army policy. Once more, therefore, I should like to call to the attention of the Senate, just for consideration—I do not intend to offer anything formal or press anything definite at this time—that we move toward a military policy in which an increasing stress is placed on a standing army of professionals, and less burden is placed on the civilian components.

After all, we have moved on from the days at the beginning of the century, let us say, when a soldier needed only to know how to march, to care for himself in the field, and how to shoot a rifle. The Army has reached a condition which is much more like that which has obtained in the Navy for a long time, in which every man is a specialist. I think that if we recognize that fact frankly, we will have no trouble at all in making plans for a professional army, an army with pay and retirement provisions as attractive as those in the Navy. I understand that a man can go into the Navy at 18, and if he meets all the tests he can retire at 36. That is possible because recognition has been made of the fact that the Navy needs a large number of specialists. So if we have an army with pay and retirement provisions comparable to those of the navy, an army relieved of housekeeping and grass-cutting duties, which can devote itself entirely to military matters, we will have an army, an ever-ready striking force for the protection of the United States, which will be the nucleus around which civilian components will be trained in time of peace and alongside of which civilian components will fight in time of war. That is the suggestion I made to the Senate on a previous occasion, and, having been on these maneuvers, I feel even more strongly that that is the line along which we should go. I do not say whether 75 percent of the Army should be professionals and 25 percent civilian soldiers; I am not com-

petent today to go into those details. But I believe there should be more stress on the standing Army and less burden placed on the civilian components.

Mr. President, these maneuvers have been well worth the cost. I know, being a member of the Committee on Appropriations, that sometimes when these huge sums flit by, we wonder how much good the appropriations do. These maneuvers cost several million dollars, and I believe they have been well worth it. They have taught the officers and taught the enlisted men things which they can never learn from books. They have taught officers and men to appreciate each other, which I believe is one of the most important elements in a successful military organization. I believe there is such a thing as the faith of the soldier, the belief that the man who is on his right and the man who is on his left are going to move forward when he moves forward, and that they are going to stand when he has to stand, so that he is not going into the jaws of danger unsupported and alone. There cannot be that faith unless the men know each other, and unless they have seen each other under stress, and unless they have had to struggle in the heat and dust, and have not had any sleep for a couple of nights, or anything to eat for 12 hours or more. Those experiences produce physical results, to be sure, but they produce, too, moral and mental results.

Let me say, in conclusion, that it is a privilege for any American to see this 1941 American Army. The atmosphere of vigor and youth, the unconscious humor, the tremendous efforts made, for which no money payment could possibly be adequate—all these things fill one with enthusiasm. It is an American Army in the sense that it is made up of men from all parts of the country and from all walks of life. One hears the language of my own Bay State one minute and the intonations of the deep South the next, and the feeling cannot be escaped that each derives strength from the other, and that in this great Nation the whole is greater than all its parts.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

REVISION OF NEUTRALITY ACT
(H. DOC. NO. 404)

Mr. BARKLEY. Mr. President, I understand the message received this day from the President is about to be laid before the Senate, and, in view of the importance of the message, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Barkley	Capper
Aiken	Bilbo	Caraway
Andrews	Brewster	Connally
Austin	Bulow	Danaher
Bailey	Bunker	Davis
Ball	Burton	Doxey
Bankhead	Butler	George
Barbour	Byrd	Gillette
Green	McKellar	Smathers
Guffey	McNary	Smith
Gurney	Maloney	Spencer
Hatch	Murdock	Taft
Hayden	Norris	Thomas, Idaho
Herring	Nye	Thomas, Okla.
Hill	O'Daniel	Thomas, Utah
Johnson, Colo.	O'Mahoney	Truman
Kilgore	Peace	Vandenberg
La Follette	Pepper	Van Nuys
Lodge	Radcliffe	White
Lucas	Rosier	
McFarland	Schwartz	

The PRESIDING OFFICER (Mr. SMATHERS in the chair). Sixty-one Senators having answered to their names, a quorum is present.

The PRESIDING OFFICER laid before the Senate a message from the President of the United States, which was read and referred to the Committee on Foreign Relations, as follows:

To the Congress of the United States:

It is obvious to all of us that world conditions have changed violently since the first American Neutrality Act of 1935. The Neutrality Act of 1939 was passed at a time when the true magnitude of the Nazi attempt to dominate the world was visualized by few persons. We heard it said, indeed, that this new European war was not a real war, and that the contending armies would remain behind their impregnable fortifications and never really fight. In this atmosphere the Neutrality Act seemed reasonable. But so did the Maginot Line.

Since then—in these past 2 tragic years—war has spread from continent to continent; very many nations have been conquered and enslaved; great cities have been laid in ruins; millions of human beings have been killed, soldiers and sailors and civilians alike. Never before has such widespread devastation been visited upon God's earth and God's children.

The pattern of the future—the future as Hitler seeks to shape it—is now as clear and as ominous as the headlines of today's newspapers.

Through these years of war we Americans have never been neutral in thought. We have never been indifferent to the fate of Hitler's victims. And, increasingly, we have become aware of the peril to ourselves, to our democratic traditions and institutions, to our country, and to our hemisphere.

We have known what victory for the aggressors would mean to us. Therefore, the American people, through the Congress, have taken important and costly steps to give great aid to those nations actively fighting against Nazi-Fascist domination.

We know that we could not defend ourselves in Long Island Sound or in San Francisco Bay. That would be too late. It is the American policy to defend ourselves wherever such defense becomes necessary under the complex conditions of modern warfare.

Therefore, it has become necessary that this Government should not be handicapped in carrying out the clearly announced policy of the Congress and of the people. We must face the truth that the Neutrality Act requires a complete reconsideration in the light of known facts.

The revisions which I suggest do not call for a declaration of war any more than the Lend-Lease Act called for a declaration of war. This is a matter of essential defense of American rights.

In the Neutrality Act are various crippling provisions. The repeal or modification of these provisions will not leave the United States any less neutral than we are today, but will make it possible for us to defend the Americas far more successfully and to give aid far more effectively against the tremendous forces now marching toward conquest of the world.

Under the Neutrality Act, we established certain areas as zones of combat into which no American-flag ships could proceed. Hitler proclaimed certain far larger areas as zones of combat into which any neutral ship, regardless of its flag or the nature of its cargo, could proceed only at its peril. We know now that Hitler recognizes no limitation on any zone of combat in any part of the seven seas. He has struck at our ships and at the lives of our sailors within the waters of the Western Hemisphere. Determined as he is to gain domination of the entire world, he considers the entire world his own battlefield.

Ships of the United States and of other American republics continue to be sunk, not only in the imaginary zone proclaimed by the Nazis in the North Atlantic, but also in the zoneless South Atlantic.

I recommend the repeal of section 6 of the act of November 4, 1939, which prohibits the arming of American-flag ships engaged in foreign commerce.

The practice of arming merchant ships for civilian defense is an old one. It has never been prohibited by international law. Until 1937 it had never been prohibited by any statute of the United States. Through our whole history American merchant vessels have been armed whenever it was considered necessary for their own defense.

It is an imperative need now to equip American merchant vessels with arms. We are faced not with the old type of pirates but with the modern pirates of the sea who travel beneath the surface or on the surface or in the air destroying defenseless ships without warning and without provision for the safety of the passengers and crews.

Our merchant vessels are sailing the seas on missions connected with the defense of the United States. It is not just that the crews of these vessels should be denied the means of defending their lives and their ships.

Although the arming of merchant vessels does not guarantee their safety, it most certainly adds to their safety. In the event of an attack by a raider they have a chance to keep the enemy at a distance until help comes. In the case of an attack by air, they have at least a chance to shoot down the enemy or keep the enemy at such height that it cannot make a sure hit. If it is a submarine, the armed merchant ship compels the submarine to use a torpedo while submerged—and many torpedoes thus fired miss their mark. The submarine can no longer rise to the surface within a few hundred yards and sink the merchant ship by gunfire at its leisure.

Already we take many precautions against the danger of mines—and it seems somewhat incongruous that we have authority today to degauss our ships as a protection against mines, whereas we have no authority to arm them in protection against aircraft or raiders or submarines.

The arming of our ships is a matter of immediate necessity and extreme urgency. It is not more important than some other crippling provisions in the present act, but anxiety for the safety of our crews and of the almost priceless goods that are within the holds of our ships leads me to recommend that you with all speed strike the prohibition against arming our ships from the statute books.

There are other phases of the Neutrality Act to the correction of which I hope the Congress will give earnest and early attention. One of these provisions is of major importance. I believe that it is essential to the proper defense of our country that we cease giving the definite assistance which we are now giving to the aggressors. For, in effect, we are inviting their control of the seas by keeping our ships out of the ports of our own friends.

It is time for this country to stop playing into Hitler's hands, and to unshackle our own.

A vast number of ships are sliding into the water from American shipbuilding ways. We are lending them to the enemies of Hitlerism and they are carrying food and supplies and munitions to belligerent ports in order to withstand Hitler's juggernaut.

Most of the vital goods authorized by the Congress are being delivered. Yet many of them are being sunk; and as we approach full production requiring the use of more ships now being built it will be increasingly necessary to deliver American goods under the American flag.

We cannot, and should not, depend on the strained resources of the exiled nations of Norway and Holland to deliver our goods nor should we be forced to masquerade American-owned ships behind the flags of our sister republics.

I earnestly trust that the Congress will carry out the true intent of the Lend Lease Act by making it possible for the United States to help to deliver the articles to those who are in a position effectively to use them. In other words, I ask for congressional action to implement congressional policy. Let us be consistent.

I would not go back to the earlier days when private traders could gamble with American life and property in the hope of personal gain, and thereby embroil this country in some incident in which the American public had no direct interest. But, today, under the controls exercised by the Goverment, no ship and no cargo can leave the United States, save on an errand which has first been approved by govermental authority. And the test of that approval is whether the exportation will promote the defense of the United States.

I cannot impress too strongly upon the Congress the seriousness of the military situation that confronts all of the nations that are combating Hitler.

We would be blind to the realities if we did not recognize that Hitler is now determined to expend all the resources and all the mechanical force and manpower at his command to crush both Russia and Britain. He knows that he is racing against time. He has heard the rumblings of revolt among the enslaved peoples—including the Germans and Italians. He fears the mounting force of American aid. He knows that the days in which he may achieve total victory are numbered.

Therefore, it is our duty, as never before, to extend more and more assistance, and ever more swiftly, to Britain, to Russia, to all peoples and individuals fighting slavery. We must do this without fear or favor. The ultimate fate of the Western Hemisphere lies in the balance.

I say to you solemnly that if Hitler's present military plans are brought to successful fulfillment, we Americans shall be forced to fight in defense of our own homes and our own freedom in a war as costly and as devastating as that which now rages on the Russian front.

Hitler has offered a challenge which we as Americans cannot and will not tolerate.

We will not let Hitler prescribe the waters of the world on which our ships may travel. The American flag is not going to be driven from the seas either by his submarines, his airplanes, or his threats.

We cannot permit the affirmative defense of our rights to be annulled and diluted by sections of the Neutrality Act which have no realism in the light of unscrupulous ambition of madmen.

We Americans have determined our course.

We intend to maintain the security and the integrity and the honor of our country.

We intend to maintain the policy of protecting the freedom of the seas against domination by any foreign power which has become crazed with a desire to control the world. We shall do so with all our strength and all our heart and all our mind.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *October 9, 1941.*

Mr. CONNALLY. Mr. President, I ask unanimous consent to introduce a joint resolution the effect of which would be to repeal section 6 of the so-called Neutrality Act and authorize the arming of American merchant ships. I ask that it be referred to the Committee on Foreign Relations.

The PRESIDING OFFICER. Without objection, the joint resolution will be received and referred as requested.

The joint resolution (S. J. Res. 108) to repeal section 6 of the Neutrality Act of 1939, and for other purposes, was read twice by its title and referred to the Committee on Foreign Relations.

HARRY F. BAKER

The Presiding Officer laid before the Senate the amendment of the House of Representatives to the bill (S. 1813) entitled "An act for the relief of Harry F. Baker" which was, on page 1, line 5, to strike out "$601.19" and insert in lieu thereof "$599.93."

Mr. GREEN. Mr. President, the amendment of the House reduces the amount which was approved by the Senate from $601.19 to $599.93, a saving of $1.26. In these days it is very important to save the Government everything possible in nondefense and nonessential expenditures. I move that the Senate concur in this noble action of the House.

The motion was agreed to.

JOINT COMMITTEE TO INVESTIGATE FEDERAL EXPENDITURES

The PRESIDING OFFICER. The Chair appoints as the members on the part of the Senate of the Joint Committee to Investigate Federal Expenditures, authorized by the Revenue Act of 1941, the following Senators:

From the Committee on Finance: Mr. GEORGE, Mr. BYRD, and Mr. LA FOLLETTE.

From the Committee on Appropriations: Mr. GLASS, Mr. MCKELLAR, and Mr. NYE.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives by Mr. Chaffee, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States, and it was signed by the Vice President.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. SMATHERS in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. MCKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters.

By Mr. BAILEY, from the Committee on Finance:

Fred A. Russell, of Superior, Wis., to be collector of customs for customs collection district No. 36, with headquarters at Duluth, Minn., to fill an existing vacancy.

MINISTER TO COSTA RICA—ARTHUR BLISS LANE

Mr. CONNALLY. From the Committee on Foreign Relations, I report favorably the nomination of Arthur Bliss Lane, of New York, lately Envoy Extraordinary and Minister Plenipotentiary to Yugoslavia, to be Envoy Extraordinary and Minister Plenipotentiary to Costa Rica. I ask unanimous consent for the present consideration of the nomination.

The PRESIDING OFFICER. Is there objection to the present consideration of the nomination? The Chair hears none, and, without objection, the nomination is confirmed.

Mr. CONNALLY. I ask that the President be immediately notified.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

If there be no further reports of committees, the clerk will state the nominations on the calendar.

UNITED STATES PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the United States Public Health Service.

Mr. BARKLEY. I ask that the nominations in the Public Health Service be confirmed en bloc, and that the President be immediately notified.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc, and the President will be immediately notified.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc, and that the President be immediately notified.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc, and the President will be immediately notified.

ADJOURNMENT TO MONDAY

Mr. BARKLEY. If there be nothing further, as in legislative session, I move that the Senate adjourn until Monday next.

The motion was agreed to; and (at 1 o'clock and 50 minutes p. m.) the Senate adjourned until Monday, October 13, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate October 9, 1941:

POSTMASTERS

ALABAMA

Cly T. Smith to be postmaster at Bay Minette, Ala., in place of R. V. Vail, resigned.

Marcus Andrew Straughn to be postmaster at Repton, Ala., in place of A. M. Owens. Incumbent's commission expired April 22, 1941.

Joseph A. Brittain to be postmaster at Roanoke, Ala., in place of M. R. Buckalew, deceased.

ARKANSAS

Horace G. Boyd to be postmaster at McGehee, Ark., in place of D. J. Howell, removed.

CALIFORNIA

Ernest M. Carsten to be postmaster at Camino, Calif., in place of G. W. Hull, removed.

Max Lynn Green to be postmaster at Glendale, Calif., in place of M. L. Green. Incumbent's commission expired July 24, 1939.

Harry R. Wendelken to be postmaster at Idyllwild, Calif., in place of F. C. Wendelken, resigned.

Edwin C. Halverson to be postmaster at Lynwood, Calif., in place of E. C. Halverson. Incumbent's commission expired June 18, 1939.

Chester P. Dunning to be postmaster at Porterville, Calif., in place of E. L. Scott, deceased.

Morgan J. Kavanagh to be postmaster at Trona, Calif., in place of M. J. Kavanagh. Incumbent's commission expired June 20, 1940.

CONNECTICUT

William H. Ryan to be postmaster at Newington, Conn., in place of Benjamin Mandell. Incumbent's commission expired March 11, 1941.

Audore O. Barnaby to be postmaster at Simsbury, Conn., in place of A. O. Barnaby. Incumbent's commission expired February 3, 1941.

FLORIDA

Maurice G. Langford to be postmaster at Lake Butler, Fla., in place of G. C. Johns, resigned.

GEORGIA

Claude M. Swain to be postmaster at Norwood, Ga., in place of G. H. Ray, transferred.

ILLINOIS

Valette Ullin Barr to be postmaster at Beecher City, Ill., in place of J. L. Jennings, removed.

IOWA

Aaron R. Bohnenkamp to be postmaster at Breda, Iowa, in place of J. H. Schulte, removed.

KANSAS

William Henry Gronniger to be postmaster at Burrton, Kans., in place of Jack Comes, transferred.

Charles M. Asher to be postmaster at Haviland, Kans., in place of C. P. Lanier, resigned.

Adam H. Kling to be postmaster at Howard, Kans., in place of L. S. Haile, removed.

Treva E. Peters to be postmaster at Valley Center, Kans., in place of K. L. Lavender, transferred.

MAINE

Edwin M. Moore to be postmaster at Ellsworth, Maine, in place of H. H. Higgins, deceased.

MARYLAND

Gerard G. Brockmeyer to be postmaster at Severna Park, Md., in place of T. B. Waters, resigned.

MICHIGAN

Murray Swindell to be postmaster at Paw Paw, Mich., in place of B. E. O'Grady. Incumbent's commission expired April 24, 1940.

Lee C. Sellers to be postmaster at Port Huron, Mich., in place of P. H. Kane, resigned.

MINNESOTA

Hans A. Nelson to be postmaster at Canby, Minn., in place of J. S. Stensrud, retired.

NEBRASKA

Clyd Calder to be postmaster at Utica, Nebr., in place of Clyd Calder. Incumbent's commission expired February 4, 1941.

NEVADA

Oliver E. Rhoades to be postmaster at Boulder City, Nev., in place of F. M. Doolittle, resigned.

NEW JERSEY

Harold J. Fuccile to be postmaster at Lakehurst, N. J., in place of T. F. Curtis, resigned.

NEW MEXICO

A. Clyn Inman to be postmaster at Conchas Dam, N. Mex., in place of L. E. Dunn, resigned.

NEW YORK

David B. McLaughlin to be postmaster at East Syracuse, N. Y., in place of M. J. Spillane, retired.

Frances A. Howland to be postmaster at Leonardsville, N. Y., in place of W. T. Howland, deceased.

Harry W. Kerr to be postmaster at Orchard Park, N. Y., in place of B. T. Hammersmith. Incumbent's commission expired June 25, 1940.

Arthur C. Moyer to be postmaster at Phoenix, N. Y., in place of A. C. Moyer. Incumbent's commission expired February 9, 1941.

Cornelius J. Nugent to be postmaster at Syracuse, N. Y., in place of E. L. Weston, resigned.

NORTH CAROLINA

Helen B. McColman to be postmaster at Gibson, N. C., in place of T. C. Pate, deceased.

NORTH DAKOTA

Gladyce E. Rothhouse to be postmaster at Milnor, N. Dak., in place of Christ Tennefos, removed.

OHIO

Eleanor P. Needles to be postmaster at Croton, Ohio, in place of C. H. Larrabee, deceased.

Meredith D. Morris to be postmaster at Flushing, Ohio, in place of M. D. Morris. Incumbent's commission expired February 3, 1941.

Charles H. Humphrey to be postmaster at Geneva, Ohio, in place of G. E. Calhoon, removed.

OKLAHOMA

Alvin Scott Bradshaw to be postmaster at Skiatook, Okla., in place of W. T. Whitteuburg, resigned.

PENNSYLVANIA

Charles H. Conner to be postmaster at Coatesville, Pa., in place of L. C. Fitzgerald, resigned.

Leslie A. Edinger to be postmaster at Emlenton, Pa., in place of V. L. Pfaff. Incumbent's commission expired August 22, 1939.

Lester C. Trauger to be postmaster at Perkasie, Pa., in place of L. C. Trauger. Incumbent's commission expired March 13, 1941.

TEXAS

Walter G. King to be postmaster at Bogata, Tex., in place of J. K. Ford. Incumbent's commission expired August 23, 1941.

Tilden B. Armstrong to be postmaster at Sunray, Tex., in place of O. T. Griffith. Incumbent's commission expired May 28, 1941.

VIRGINIA

Mr. Olive Matthew Sisson to be postmaster at Quantico, Va., in place of G. E. McInteer, resigned.

WASHINGTON

Samuel John Hughes to be postmaster at Cashmere, Wash., in place of A. P. Farris, deceased.

WEST VIRGINIA

F. Alvin Webb to be postmaster at Keystone, W. Va., in place of T. W. Zink, Jr., resigned.

WISCONSIN

Thomas N. Gretz to be postmaster at Cleveland, Wis., in place of J. F. Gretz, deceased.

SOLICITOR FOR THE DEPARTMENT OF LABOR

Warner Winslow Gardner, of New York, to be Solicitor for the Department of Labor.

COAST GUARD OF THE UNITED STATES

Capt. Lloyd T. Chalker to be Assistant Commandant with the rank of rear admiral in the Coast Guard of the United States, for a period of 4 years, to rank as such from January 1, 1942.

APPOINTMENT TO TEMPORARY RANK IN THE AIR CORPS, IN THE REGULAR ARMY OF THE UNITED STATES

TO BE MAJOR

First Lt. George Rosse Smith, Air Corps (captain, Army of the United States).

NOTE.—The date of rank is omitted as the death or other unforeseen change in status of a senior officer might require a change in the date of rank and necessitate the renomination of this officer.)

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO ADJUTANT GENERAL'S DEPARTMENT

Lt. Col. Charles Ennis, Infantry, with rank from May 4, 1941.

TO ORDNANCE DEPARTMENT

First Lt. Henry Chaffee Thayer, Infantry (temporary captain, Army of the United States), with rank from June 12, 1938.

TO FIELD ARTILLERY

Second Lt. Robert Pennell, Infantry (temporary first lieutenant, Army of the United States), with rank from June 12, 1939, effective October 26, 1941.

TO INFANTRY

Second Lt. James Deimel Green, Cavalry (temporary first lieutenant, Army of the United States), with rank from June 12, 1939.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

TO BE COLONELS WITH RANK FROM OCTOBER 1, 1941

Lt. Col. Raymond Eugene McQuillin, Cavalry (temporary colonel, Army of the United States), subject to examination required by law.

Lt. Col. Edward Hiltner Bertram, Infantry (temporary colonel, Army of the United States), subject to examination required by law.

Lt. Col. Hayes Adlai Kroner, Infantry (temporary colonel, Army of the United States), subject to examination required by law.

APPOINTMENTS IN THE NAVY

The following-named captains to be rear admirals in the Navy, for temporary service, to rank from the date stated opposite their names:

William S. Farber, October 1, 1941.
Robert C. Giffen, October 1, 1941.
Jonas H. Ingram, October 1, 1941.
Patrick N. L. Bellinger, October 2, 1941.
Richmond K. Turner, October 3, 1941.
Abel T. Bidwell, October 4, 1941.
William R. Munroe, October 6, 1941.
Julius A. Furer, October 7, 1941.
Bryson Bruce, October 8, 1941.
Charles W. Fisher, Jr., October 9, 1941.
Francis W. Rockwell, October 10, 1941.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 9, 1941:

DIPLOMATIC AND FOREIGN SERVICE

Arthur Bliss Lane to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Costa Rica.

UNITED STATES PUBLIC HEALTH SERVICE

TO BE SENIOR SURGEONS

Lieuen M. Rogers
Milton V. Veldee
Le Grand B. Byington

TO BE SURGEONS

Harold D. Lyman
Frederick W. Kratz
John D. Lane, Jr.

TO BE PASSED ASSISTANT SURGEONS

Waldron M. Sennott
Kenneth M. Joye
John B. Holt

TO BE SENIOR DENTAL SURGEONS

Stanmore P. Marshall
William O. Boss

POSTMASTERS

MINNESOTA

Eino Kopponen, Mountain Iron.

TEXAS

Jay H. Riley, Canton.
Mabel E. Jones, Hedley.
Willis R. Shelton, Monahans.
LaVerne G. Files, Monroe City.
Athenia R. Wade, San Augustine.

HOUSE OF REPRESENTATIVES

THURSDAY, OCTOBER 9, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Thanks be to the eternal God, our Father, for the Christ, our Saviour, for He is transcendent and imparts hope and security to all praying souls. We praise Thee that Thou dost enable us to ascend the spiritual heights of wisdom and enjoy the peace that passeth knowledge, leading the human spirit behind the vision of things. Being alive unto God, while walking the changeful ways of time, in thought, purpose, and work, we are led to keep our tryst in the morning glow, in the glare of the noon hour, and find rest and peace in the cool of the evening. Blessed Lord, as the standard of true greatness is the measure of inspiration imparted, we pray that fair, brotherly consideration may be the window of the house in which we labor, holding with stout hearts our country's life. In the name of our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein two brief editorials.

the request of the gentleman from Missouri?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. LELAND M. FORD addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. ANDERSON of California. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therewith a brief editorial.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article from a recent issue of the New York Herald Tribune.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a statement by Oscar Johnson, president of the National Cotton Council of America, on price fixing, submitted to the Banking and Currency Committee on August 6, 1941.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTINGTON. Mr. Speaker, I also ask unanimous consent to extend my own remarks in the RECORD and to include a statement by Mr. O. F. Bledsoe, president of the Staple Cotton Cooperative Association, entitled "The New Farm Program and Human-Labor Hours."

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BURGIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therewith a statement of the Secretary of State, Hon. Cordell Hull.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. CARTWRIGHT. Mr. Speaker, day before yesterday I asked and received permission to have inserted in the RECORD a speech by the Honorable Thomas H. MacDonald, Commissioner of Public Roads. The speech is entitled "The Indispensable Quality of Highways to National Defense." Today the speech was returned to me with the statement that it is three-quarters of a page over the amount allowed. I ask special permission that it be printed in the RECORD because of its importance.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. GEHRMANN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein some remarks made by a member of the Canadian Parliament.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein resolutions passed by the Iowa unit of Fight for Freedom.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD in two respects and in one to include a short address by Strickland Gillilan, and in the other an address by Dr. John A. O'Brien, of the University of Notre Dame.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article by Mr. I. F. Stone. I included one the other

day, and this is another part of the same subject.

The SPEAKER. Is there objection?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a brief article appearing in the Christian Science Monitor of recent date.

The SPEAKER. Is there objection?

There was no objection.

BOMB ON PHILADELPHIA

Mr. RICH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. RICH. Mr. Speaker, I call attention to an article in yesterday's Washington Times-Herald wherein it is said that the First Lady has suggested that a bomb or two be dropped on Philadelphia. The article I refer to reads as follows:

FIRST LADY SUGGESTS BOMB FOR PHILADELPHIA

PHILADELPHIA, October 7.—Mrs. Eleanor Roosevelt, wife of the President tonight suggested that a "bomb or two" be dropped on Philadelphia to erase its apathy toward the civilian-defense program. She expressed the hope, however, that such a thing wouldn't happen.

It seems to me that whenever people in high positions go to the extent of trying to get the people in a war frame of mind which some people of this country are in and suggest dropping bombs on the city where Independence Hall and other notable public buildings, as well as public-spirited citizens, are, who do not want to go to war, it is high time that warmongers and war-minded people give consideration to the fact that the American people do not want war. The American people are a peace-loving people and do not want to go to Europe again for another war.

The First Lady, as she is so-called, should preach peace, the Golden Rule, the good-neighbor policy; not war, not bombs. Peace, happiness, and good will should be preached and practiced by the First Lady of the United States.

EXTENSION OF REMARKS

Mr. ELLIS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter from the President.

The SPEAKER. Is there objection?

There was no objection.

Mr. SANDERS. Mr. Speaker, I ask unanimous consent to extend my remarks and include a resolution unanimously adopted by the Sugarcane Advisory Committee of the Louisiana Farm Bureau Federation, September 25, 1941.

The SPEAKER. Is there objection?

There was no objection.

Mr. GILLIE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter I received from Mr. Ottoman Kreuger, the president of Concordia College, Fort Wayne, Ind.

The SPEAKER. Is there objection?

There was no objection.

THE CURRIER LUMBER CO.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and revise and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, yesterday the gentleman from Virginia [Mr. SMITH] told us how the O. P. M. had denied a contract to the Currier Lumber Co., which denial will cost the Government $431,000, because the A. F. of L. threatened r general strike, if the Currier Lumber Co. and the C. I. O. group were given that contract. What I ask the gentleman from Massachusetts [Mr. MCCORMACK], even though he is not listening and will not listen, is what he or his party are going to do when the C. I. O. threatens a general strike because they do not get a contract? You will have the A. F. of L. strike one day and the C. I. O. strike the next day if the O. P. M. goes with the opposition, awards a contract first to one, then to the other. The gentleman from Massachusetts [Mr. MCCORMACK] has not paid any attention. Probably he does not take any notice of that situation, but, believe me, organized labor will take some notice of it, and so will the people of the country if the policy continues.

FOURTH LOCK AT SAULT STE. MARIE

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, while we are considering the question of a lend-lease bill supplying aid to Britain, and considering our own national defense, it will be well for this House to realize that since last Monday morning not a pound of iron ore has passed through the bottleneck at Sault Ste. Marie. On Monday morning a railroad train ran through an open bridge and very effectively bottled up 85 percent of the Nation's ore supply. This bottleneck can be eliminated if this Congress will take prompt action in reporting out and passing a bill to provide a fourth lock at St. Marys River.

EXTENSION OF REMARKS

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to extend my remarks and include a radio address.

The SPEAKER. Is there objection?

There was no objection.

Mr. COLE of Maryland. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article from the Sioux Falls Argus Leader containing an interesting analysis of the last radio address of ex-President Herbert Hoover.

The SPEAKER. Is there objection?

There was no objection.

(By unanimous consent, Mr. LAMBERTSON was granted permission to extend his own remarks in the RECORD.)

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including therein a very beautiful poem that appeared in the Boston Globe of September 7, titled "The President's Mother."

The SPEAKER. Is there objection?

There was no objection.

SUPPLEMENTAL APPROPRIATIONS FOR NATIONAL DEFENSE, 1942—LEND-LEASE

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 5788) making supplemental appropriations for the national defense for the fiscal years ending June 30, 1942, and June 30, 1943, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5788, with Mr. BLAND in the chair.

The Clerk read the title of the bill.

Mr. CANNON of Missouri. Mr. Chairman, I yield 30 minutes to the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM of Virginia. Mr. Chairman, the matter presently pending before the committee is one of very great importance. The gentleman from Missouri [Mr. CANNON] chairman of the deficiency subcommittee, has conducted long and patient hearings on this legislation. It was not only considered by the deficiency subcommittee, which is made up of the chairmen of the subcommittees of the Appropriations Committee but because of its importance and because of the fact that it so vitally affected the Army and the Navy, the two subcommittees on the War Department appropriation and the Navy Department appropriation were invited to sit with the deficiency subcommittee. They attended. Witnesses appeared and were examined and cross-examined, and most careful and painstaking inquiry made into this bill. As a result, the bill comes before you today.

In order to keep the record straight, let me say that I do not withdraw in any manner whatsoever from the position I have taken in this Congress, which has been at times very critical of some of our domestic policies. I have felt, and still feel, that we were very negligent and very dilatory in that regard. I still believe that, and I think some day we are going to have to pay the fiddler for our negligence in that regard. More of that at another time.

The Greeks of olden times were noted for one thing. They could have more factional fights among themselves; everybody hated somebody else for some reason or other; everybody was made at the other fellow for some reason or other; but just let the bugle blow on the frontier and they were all of one mind and of one purpose in the defense of their country. Once they had defeated the invader they went back and dug up the hatchets which they had buried, and started their factional fights all over again.

Now, as far as I am concerned, when the day dawns—and God grant that it shall dawn speedily—"when the war drums beat no longer," then you and I or our successors will be here to try to untangle and unravel the tangled threads of fiscal confusion which we have had.

But at the present time I do not propose to be diverted by any sort of a plea from the steadfast purpose of the people of America to see to it that Adolf Hitler is defeated and that our way of life is preserved for future generations.

I subscribe heartily to the foreign policy of the administration. I believe that when time shall have elapsed and we are able to take an objective view of what has happened, historians will say that the President, the Secretary of State, and their advisers have done a splendid job; a job that will reflect credit, honor, and dignity upon this great country, which stands for peace and which stands for freedom. I believe that every act which the President has done has had for its purpose, and I believe has had for its effect, keeping America out of actual involvement in war, and if possible to keep war out of America.

There have been delays. There have been disappointments. There have been failures. Of course there have been. But what do we have today? We have today a nation that is theoretically at peace, because we have declared war on no one and no one has declared war on us; yet a nation that is geared up in its industrial effort almost to a war basis. Thousands and thousands of factories humming with 3 and 4 shifts a day, turning out implements of defense. Airplane production of 1,500 per month. Tanks rolling off the assembly lines; guns; munitions; ships, 2 or 3 every week, and by March, 1 every day, rolling down the ways, needed bottoms with which to transport needed weapons of defense for the forces who are trying to stop Adolf Hitler. An army in training. A two-ocean navy now under way. I say that in spite of these disappointments and these failures we have accomplished a great deal, and much for which we can be proud.

Somebody asked Mr. Knudsen the other day if he was satisfied with what we had done. Mr. Knudsen said:

> I am of that temperament that I am never satisfied; I always want to do a little better than I have done.

I could stand here for hours being critical of some of the things we could have done and should have done, but I shall not. I can stand here as a Congressman and as an American and say that I am proud of the things we have done and of our accomplishments; and I prefer in my public utterances, unless I have some constructive suggestions, to talk about the accomplishments rather than stand at the wailing wall over some of our failures.

This bill today further implements the lend-lease policy, the policy established by the passage of H. R. 1776 on March 11, 1941. Sixteen days later Congress had appropriated $7,000,000,000 to implement the policy enunciated in lend-lease, the policy in that act passed by the Congress after wide-open debate in and out of the Halls of Congress, in the pulpit, in the press, on the public forum. The policy laid down in that act was that we propose to make available for the government of any country whose defense the President deems vital to the defense of the United States certain categories of implements, including food products.

Much has been said in a critical way about our failure to deliver more of the $7,000,000,000 worth of material since the passage on March 27, 1941, about 6 months ago, of the first lease-lend appropriation. You cannot, unfortunately, go down to Sears, Roebuck & Co. or Montgomery Ward and buy airplanes and tanks; not only that, but you cannot send a mail order to get them. In this particular instance they had to build factories to get them. We had to create the facilities, we had to secure the raw materials to put into those factories. In many instances the personnel, the manpower, had to be trained to go into those factories.

What Mr. Knudsen terms so aptly as the tooling-up period, getting ready to start the assembly lines going, is about over, and we are now reaching the point where during the next 6 months you are going to see the effort under this lease-lend appropriation bring gladness and joy to the hearts not only of America but of the hard-pressed democracies which so badly need these things. Only $190,000,000 of the $7,000,000,000 worth of articles we are told were sent to Great Britain and to China between the period of March 27, the date of the passage of the act, and a few weeks ago. This is true, but do not forget this fact if you please, that that $190,000,000 worth of tanks, planes, material, and foodstuffs does not represent the total assistance that America and American industry was giving to the democracies, for Great Britain had placed with American industry, $3,000,000,000 worth of orders long before lease-lend, months and months before. Why, not even today have we delivered a single airplane to Great Britain which was provided for in lease-lend. You cannot build an airplane that quickly. But during that period of March 27 up to the present time Great Britain has been getting airplanes, fleets of planes. Why? Because Great Britain had placed orders with American industry not only for planes, but for tanks, munitions, shot and shell, machine and antitank guns, and other defense materials. So it is not fair to say that our total assistance to the democracies during this period was only $190,000,000, which was the amount actually drawn out of the Treasury from lease-lend funds. From today on the flow of goods will be in increasing volume. Not only will it be shipped from the shores of America, but we have made a further decision in this country: That we do not propose to obligate our Treasury and our citizenry with the cost of paying for these things to see them sent to the bottom of the sea. If we start a tank or a plane to help the democracies we are going to see to it if we can—and I think we can—that that plane and that tank actually gets on the battle line to help stop Adolf Hitler if it is possible to do so.

The procedure under lease-lend is as follows: Any one of the 12 governments which so far have participated in the lease-lend program—principally, of course, we understand them to be Great Britain, China, and some of the South American countries. The rest of them represent a small amount, but I will insert their names in the RECORD.

The procedure under lease-lend is that the proper officers, say, of the United Kingdom, Great Britain, will make a requisition upon the Office of Defense Aid Reports, which is the agency set up in our Government to handle the lease-lend program, a requisition for so many planes of a certain type, so many tanks, so many guns, or any war material they may wish to have. That requisition goes to the particular agency involved. If it is something for the Navy, it goes to the Navy Department; if it is for the Army, it goes to the War Department; if it has relation to shipping, it goes to the Maritime Commission. It is looked over by the officials in the appropriate department, a memorandum is attached to it as to the cost, a survey is made as to the production facilities, when the finished product might be had, the raw materials involved. It goes all down the line with the cost attached. It finally comes back to the General Staff. The General Staff looks it over with reference to whether or not those particular articles can be sent to the foreign countries without impinging upon our own defense needs.

If it is cleared through all those agencies, the allocation is then made by the President under present procedure by Mr. Stettinius, whom the President has very wisely selected to act for him in that regard. After the election is made, if it is an item for the Army, the order then goes to the War Department and the item is purchased or contracted for by the War Department, just as items are contracted for for our own Army. Please remember that during all this procedure our only commitment to the United Kingdom is that "We have accepted this requisition; we will process this through, and if a year from now one of these airplanes is ready and we can spare it from American defense, we will turn it over to you, retaining title to it in America." But we have the right under lease-lend up to the very minute that plane is put upon the ship and sent abroad to recall the allocation and turn the product back to American defense if it is needed for American defense. In every instance our own needs are amply protected.

Before our committee there appeared representatives of the Office of Production Management, the Army, the Navy, the State Department, Mr. Stettinius, and his staff, ready to give us any information that they could bearing upon this important subject. Nothing was held back. We were not told in any instance that the committee could not have information. We were told that there were certain facts that could not be made a matter of record and obviously that is true. I do not think I will have to argue to any Member of this House how inadvisable it would be to spread upon the record a full chart in the most minute detail of what we were doing to try to aid the democracies, the number of articles, the time of delivery, date of shipment, and all of that. Those things were not spread upon the printed record. They were given freely to members of the committee and any bit of that infor-

mation that a Member of this House wants, I am sure any member of the committee will try to enlighten him upon the subject but obviously and for strategic and military purposes it is inadvisable to spread all those minute details on the record.

If you have not read it, I suggest that you read the report filed on September 15 of operations under the Lease-Lend Act. In it is almost anything that you can ask for. My own personal opinion is that we have spread too much in that document, that a lot of it should have been kept out of it. I think we have gone into too much detail as to our operations under this in assisting the democracies, but there it is, and I think if any Member of the House will sit down and read this document that has been filed as the explanation of the operations under the Lease-Lend Act up to date he will feel that a full and a complete disclosure has been made to the Congress of what is being done to help our allies and to help the democracies in this situation.

In a business of this kind you have to trust somebody. Adolf Hitler has said many times—he stated in Mein Kampf and he said many other times—that he could always defeat the democracies because while democracies were arguing and haggling about what they were going to do he would go and do it. There is a lot in that, but we still prefer to do the thing in the way that democracies operate and even with that we have to trust someone. It is impossible for every Member of Congress to do this job. You have to pick people you can trust to do the job for you and if the vicissitudes of war should bring a hostile nation to our shores tomorrow we would have to rely upon our Navy to defend America. We would not do so in vain because, passing over Cabinet positions which sometimes we are pleased to feel are more or less colored by political situations, and getting down to the men behind the guns in the Navy Department, we have Admiral Stark, Chief of Naval Operations. There is not a man in this House who has dealt across the table with Admiral Stark, Chief of Naval Operations, who does not know that his great heart is interested in only one thing and that is the security of America and the efficiency of the American Navy.

Turning aside to the Army, we have George Marshall, Chief of Staff, able, sincere, earnest, industrious, interested in only one thing, keeping war away from this country and keeping this country out of war. But he is a realist. He does not believe in taking chances. He does not believe in failing to act now and being sorry afterwards.

Over at the Maritime Commission we have Chairman Land. I could go on down the line. When you come to this lease-lend operation, I do not believe the President could have made a wiser choice than to take Ed Stettinius and put him in active business charge of this thing. Ed Stettinius has told our committee solemnly and sincerely that he proposes to scrutinize every one of these allocations carefully before they are made.

I think you can trust those men. I can trust them. I can trust them with the security of America because I have to trust someone, and I do not know where I would go and find men to replace any of those men. Every one of them has told us that in their judgment the passage of this legislation is necessary, that it is necessary to do everything in our power to place the implements of defense in the hands of the democracies that are now struggling to try to stop Hitler and his ruthless hordes.

Not only have they told us that that is necessary, but they have told us that they believe that kind of a job can be done.

The question has been asked, Will any of these goods go to Russia? I do not see why we should haggle about that. So far as I am concerned, I wish we had today $6,000,000,000 worth of planes, tanks, guns, ammunition, food, and other implements of defense to place in the hands of the Russians, because if that could be done, Mr. Chairman, you and I would not have to spend another sleepless night about the security of our own country. Adolf Hitler would be taken care of. I hope very much, I hope very earnestly, that a sizable amount and an effective portion of the lease-lend material will find its way to the Russian armies.

Let us be realistic. I have no more love for communism than you have. Just as you, I abhor the persecution of the Christian church, I repudiate the social and moral conditions that we understand to exist in Russia. I abhor the ruthless and bloody purges of Russia, I have no brief for that sort of thing; but if the Russians like it, they have as much right to that government as we have to ours. I do object to them sending Harry Bridges or anybody else over here to try to plant their doctrines in America; therefore, I think we ought to send Harry Bridges back to them. But that is entirely beside the point.

I do not like a rattlesnake, and I am not going to get close to one if I can help it. I do not like the noise that he makes, and he is full of poison, but if I could get hold of one of them and had a fair opportunity, I would like to slip it up the pants leg of Adolf Hitler. On the subject of possible aid to Russia, let me here quote from pages 6 and 7 of the report on this bill:

> The Budget estimate of $5,985,000,000 has been in process of formation for some time and consists in part of requirements for Great Britain which were considered in conjunction with the estimate for the first lend-lease appropriation and could not be met with the $7,000,000,000 provided at that time. The sum in the bill was programed on the basis of aid to Britain, China, and the South and Central American republics. The Lend-Lease Act places no restriction upon the President as to the nations he may find it necessary to aid in our defense. His is the responsibility for making that determination, and that is as it should be. The ruthlessness of the aggressors in this war and the conscienceless tactics they have resorted to will not permit of the delay incident to legislative sanction before aid can be extended to any particular nation. Since the passage of the Lend-Lease Act and the first appropriation to implement it the Axis has attacked Russia. The committee has been advised that the accompanying appropriation was not programed to include aid to Russia. If the President, in the exercise of his powers under the Lend-Lease Act and under the scope of the authority vested in him in the allocation of the appropriation now recommended, should find that assistance to Russia should be made in the interest of shortening the war and thereby rendering our defense more secure, the committee feels that such action would be no breach of the use of the funds even though they had been premised upon a use for other nations. Nothing would be more discouraging to the morale of the Russian Government and the Russian people in their heroic and surprising resistance to Axis conquest than to hear that the President of the United States was precluded from rendering aid to them should he find it possible and expedient to do so with these funds. Once again the committee quotes from the testimony of General Marshall, Chief of Staff, whose good judgment and sound advice have been of the greatest value to the committee in connection with the discharge of its duties in relation to national defense:
>
> "The CHAIRMAN. General Marshall, what is the military aspect of the lend-lease program presented in this estimate; that is, to what extent will it serve the purposes and objectives from the military point of view?
>
> "General MARSHALL. Wherever we can furnish matériel without detriment to our own military requirements, against the possible collapse of the powers fighting the Axis countries, it is definitely to our advantage to do so. For example, with reference to the present tremendous battle going on in Russia, the estimates now before you make no specific provision for aid to Russia; and while we have not a great deal we could provide at this time, and what little we do have would take a long time to ship, all must realize that whatever we do to keep the Russian Army in the field aggressively resisting the Germans is to our great advantage. It would increase the chances of a successful end to the war; it would hasten the early conclusion. Our assistance will not only contribute directly to the safety of the Western Hemisphere but will shorten the period of tremendous expenditures for defense. If the present conflict drags on through a period of years, you will certainly have a constantly mounting bill of expenses."
>
> The Lend-Lease Act also provides that defense articles provided to any nation shall not be transferred to any other nation without the consent of the President. The committee is advised that up to the date of the hearing no such permission had been given to any nation to make transfers to Russia. If the President finds that any nation to which such defense articles have been transferred can furnish such articles to aid Russia in resisting the Axis, he has authority under the law to grant such permission.

A short time ago a very distinguished American gave me this. He said he had found an old Rumanian proverb which, translated, meant this:

> It is permitted to walk with the devil till the bridge is crossed.

The man who can plant a bomb or fire a charge that is going to slow up or stop Adolf Hitler before he gets to America, that man I am going to pass a bomb or a gun to if I can do it; and I believe that is the will of the American people. We will meet the communism if the time ever comes when we have to meet it.

Bear this in mind, some of you, my good friends, who are so much concerned about America getting into war, that Russia, up to today, is the only power that has been able to check or stop or slow up the hordes of Hitler.

When these estimates came to us, Mr. Stettinius and his aides told us very

frankly that these articles which are embodied and itemized in this little blue-book which I hold in my hand, and which was given to the committee in confidence, were the items submitted by the United Kingdom and China and some of the South American countries. There was nothing in this submitted or requested by Russia. But it may well happen that before these articles are manufactured and delivered to the United Kingdom the situation may so drastically change that it may be manifestly to the interest of American security to send the articles to some nation other than the United Kingdom.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 15 additional minutes to the gentleman from Virginia.

Mr. WOODRUM of Virginia. That brings me to this point, Mr. Chairman, and in this I want to engage the attention of my distinguished and very dear friend the gentleman from New York [Mr. TABER]. In this bill there is something like a billion dollars which is not specifically earmarked and itemized. It appears in different categories, sometimes as spot purchases, sometimes as unidentified needs, or something of that sort.

It is impossible to frame a bill of this kind with the same nicety and particularity that we would frame the ordinary bill for the War Department. Let me dwell for just a moment on that, because I can very well understand how a Member of Congress would hesitate and say, "Why give him a blank check for that? Why do they not tell you what they want and let us appropriate for that?"

There is a very good reason for that. When the War Department comes before the Committee on Appropriations for its appropriation for the next fiscal year they have laid out their program. They know how many tanks they want to purchase, and they know how many planes of a particular variety and how many antiaircraft guns they want, how many cantonments they want to erect, and where they want to make enlargements and expansions. They are able to lay out their program and itemize it. They know how much additional personnel, enlisted and civilian, they need. They can lay it all out and spread it all out before the committee, and the members of the War Department subcommittee, experienced and seasoned in the needs of the War Department, can often match their judgment against the judgment of the general as to how much of that he needs and how much of it could be put off; and then we can appropriate for the specific items.

We can say, "There is no use to appropriate for 500 planes here; you cannot get delivery of them. We will give you 250 of them, and you can get 250 more in the regular bill." Or we can say, "There is no use of making this addition to that camp up there; you can do so and so."

But what do you have here? This war picture changes overnight. Day by day it changes. Requisitions are coming today from the United Kingdom, which, before they can be processed and filled, may be entirely changed as the need changes.

Let me read you just one paragraph which General Marshall gave us right on that point, showing the necessity of giving under this program the greatest latitude in allowing them to place their orders for materials. This is what General Marshall said:

> There are thousands of miscellaneous component items which are needed by the countries to be aided, such, for instance, as special type containers to permit loading of equipment and ammunition in special vehicles; materials for the manufacture of explosives; radio parts; parts for modernization of existing equipment; ammunition components, such as primers and fuzes; and standard hardware. The Defense Aid Supply Committee of the War Department has been clearing requests for miscellaneous items of equipment at the rate of about $90,000,000 a month.

In addition, he told us—and I believe this is off the record, but there is no reason why I should not repeat it to you—that some of that $1,000,000,000 will be used to replace facilities suddenly destroyed. You must remember that the United Kingdom is under constant bombardment. Today they have a certain facility manufacturing tanks or planes, but tonight that facility may be put out of commission. Perhaps tomorrow it will be necessary to construct facilities hastily in America to meet that need.

So it goes on ad infinitum, category after category, merely to show that you cannot lay down a hard and fast rule saying, "You need $5.75, therefore we will cut a quarter off the $6 you asked for." We cannot do that in this situation. We must have people we can trust, and when they come in frankly and openly and bring to us periodically, as they are required to do under the law, an itemized statement of what they have done with the funds we have given them, then, it seems to me, it is manifestly in the interest of this program to give them that latitude and let them go ahead and furnish these materials.

I do not want to consume any more time, and unless someone has a question he wants to ask me I shall yield the floor.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. How much of this appropriation is for factories and for tooling up, and how much for the completed project? Can the gentleman give us a statement on that?

Mr. WOODRUM of Virginia. As I recall it, there is practically nothing in these appropriations directly for facilities, unless——

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. TABER. Three hundred and seventy-five million dollars is directly available for that.

Mr. WOODRUM of Virginia. Yes; and an indeterminate amount of these billions might be used for replacement of lost facilities.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. VORYS of Ohio. And how much of the past $7,000,000,000 is for facilities?

Mr. WOODRUM of Virginia. About the same amount.

Mr. SHEPPARD. $750,000,000.

Mr. WOODRUM of Virginia. $750,000,000, I am told.

Mr. VORYS of Ohio. Has there been any arrangement made about security or compensation for our lease-lend that can be reported, other than that they are talking about it?

Mr. WOODRUM of Virginia. No; there has not, for this reason: A group composed of both majority and minority Members were told, at a White House conference, that under specific instruction of the President the State Department was earnestly at work rounding out an agreement which would protect America as far as possible to protect us under lease-lend. Of course, the gentleman will know how difficult it would be to draw a definite, specific contract when we yet do not know what the extent is going to be or what the categories are going to be. All that can be worked out are generalities; but we are assured, and I was impressed by the assurance, and I believe others were, that the interest of America in that regard will be protected as far as it is possible, remembering, of course, if we are realistic, we are not going to get fully repaid for these materials. I do not think anybody would want to be gullible enough to think we are going to get $7,000,000,000 back for the $7,000,000,000 we put out.

Mr. VORYS of Ohio. The reason I ask is that many of us are wondering why something has not been done. If we are going into an open-end transaction whereby we continually turn over things, it would seem to many of us there is no reason why there could not be a blanket mortgage, if you please, put on everything that is available of the countries that we are aiding, with the hope that the accounts could be straightened out later on. If it is postponed, we may be diplomatically embarrassed by the fact we do not have present title to these possessions that we might have at this time.

Mr. WOODRUM of Virginia. I can see the gentleman's point and I think that is being amply safeguarded by the State Department. We were assured that it is and that very substantial progress is being made.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman.

Mr. O'HARA. What group or what member of the administration determines where there is a conflict, or if there is a conflict, between what is needed in the way of military equipment for lease-lend and what is needed for the defense of our own country?

Mr. WOODRUM of Virginia. A board composed of representatives of the Army, Navy, Marine Corps, and the State Department, under the supervision of the Lease-Lend Administrator pass upon that.

Mr. O'HARA. It would be true, would it not, that the ultimate determination

of that is up to the President in the event of some conflict?

Mr. WOODRUM of Virginia. I think the President would have the right, of course, to make the final decision, but in no instance has he made any decision contrary to the recommendations of this Board, and I cannot conceive that he would do it.

Mr. PITTENGER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. PITTENGER. There is no question but that under the terms of this lease-lend legislation the administration in making materials to go across the water could have boats constructed and shipyards erected in this country.

Mr. WOODRUM of Virginia. We have such a program going on now; we are getting three a week and we will be getting one a day after the 1st of March.

Mr. PITTENGER. Is that done out of the lease-lend appropriations?

Mr. WOODRUM of Virginia. No; not out of lease-lend appropriations, although there are some funds under lease-lend for ship construction. The program I was speaking of was the program of the Maritime Commission.

Mr. PITTENGER. And in that case they come here and ask for direct appropriations.

Mr. WOODRUM of Virginia. Yes.

Mr. PITTENGER. But under the lease-lend appropriations they could supplement that program with respect to shipbuilding.

Mr. WOODRUM of Virginia. Yes.

Mr. PITTENGER. There is nothing in this legislation to prevent that.

Mr. WOODRUM of Virginia. No; and the title to the ships would be in the United States.

Mr. PITTENGER. And they could be leased under this legislation.

Mr. WOODRUM of Virginia. Yes.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from New York.

Mr. TABER. Is not the meat of this situation that unless such needed assistance is given as promptly as possible to Great Britain and the rest of the crowd that is fighting Hitler we will have to do the job all alone?

Mr. WOODRUM of Virginia. I do not think there is the slightest doubt in the world about that, I will say to the gentleman.

Mr. TABER. The only thing that can be involved from the standpoint of the interests of America is to what extent funds are needed to meet the situation.

Mr. WOODRUM of Virginia. That is correct, and I quite agree with the gentleman's statement.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from California.

Mr. HINSHAW. Down on Fourteenth Street between F and G Streets there is a store window advertising British goods with many signs saying "Britain delivers the goods." These are commercial goods. Is the gentleman persuaded that Britain is doing as much as she possibly can toward her own defense and not emphasizing too strongly the commercial aspects of her foreign trade at this time?

Mr. WOODRUM of Virginia. I think Britain is trying to hold the shattered threads of her foreign trade if she can do so, in certain quarters. A lot of those goods came here before the emergency, I have no doubt, but there is no question of the fact that she is doing everything she can do to help herself.

Mr. HINSHAW. The gentleman has made some investigation?

Mr. WOODRUM of Virginia. Yes; and I am thoroughly convinced of that.

Mr. ROBERTSON of Virginia. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes.

Mr. ROBERTSON of Virginia. I understand that defense contracts aggregating $24,000,000,000 have been let, but that the Treasury Department estimates the expenditure in this fiscal year of only $18,000,000,000, thus indicating, of course, that if we could lift the level of production to $2,000,000,000 a month instead of a billion and a half dollars a month we should try to do so.

Mr. WOODRUM of Virginia. Exactly.

Mr. ROBERTSON of Virginia. This week the Labor Department advised me that in the first 8 months of 1941, because of strikes, we lost more than 17,000,000 man-days of labor—not hours—days; and I am wondering if there was any testimony before the gentleman's committee as to whether or not these strikes had hindered, delayed, and obstructed the all-out defense program.

Mr. WOODRUM of Virginia. Work stoppages of course have delayed every branch of the defense program, and as far as I am personally concerned I do not think we should permit work stoppage on any defense program. I think there ought to be a tribunal whereby differences could be settled, and if there are differences they ought to be settled and settled promptly; but nothing should be permitted to stand in the way of this all-out industrial effort, because the war is going to be won or lost on industry. That will be the determining factor.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. CANNON of Missouri. Mr. Chairman, I yield the gentleman 5 minutes more.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes.

Mr. MICHENER. Reverting to the repayment of this $6,000,000,000 or any part of it to our Government, I think the gentleman from Virginia is recognized here by his colleagues as being a realist and in the second place he is recognized because of his supreme courage. Being the realist that he is, and having the courage that he has, is the gentleman optimist enough to believe that we will get any appreciable part of this lend-lease money back?

Mr. WOODRUM of Virginia. Oh, I think we will get some part of it; yes. I think we will get considerable part of it in raw materials and in manufactured articles, but I am not optimistic enough to thing that we can put it on a money basis, that we are lending them this money and we will get it all back or even a great proportion of it back.

Mr. O'NEAL. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes.

Mr. O'NEAL. I rise to call the attention of the Committee to the fact that all of these questions were asked of Mr. Dean Acheson, of the State Department, and his testimony is to be found beginning on page 360 of the hearings. There is a very frank statement of Mr. Acheson on that point, where he discusses the quid pro quo, and I think all of the questions that are asked as to the question of reimbursement will be rather fully answered in the hearings on page 360.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes.

Mr. TABER. Mr. Chairman, so that there may be a clearer understanding of just what our production situation might be, I think it well to call attention to the fact that this year, down to about the 1st of October, the expenditures on account of lend-lease and military expenditures were three and a half billion dollars; that the expenditures for the month of October were $1,315,000,000, indicating an increase month by month during the fiscal year of $100,000,000 a month, and much greater than that during the last month; and that on that date the expenditures for the year for military purposes and lend-lease will be well upward of $20,000,000,000, indicating that the program in the last half of this fiscal year, after the 1st of January, will be much heavier than the expenditures have been in the past.

Mr. WOODRUM of Virginia. I thank the gentleman.

Mr. LELAND M. FORD. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes.

Mr. LELAND M. FORD. With reference to the statement made by the gentleman from Virginia [Mr. ROBERTSON] respecting the 17,000,000 man-days that have been lost by strikes, does the gentleman not think that someone should be fairer, and that business should not be blamed in every instance, and the C. I. O. group should be given a fair deal, and nothing more than a fair deal, and not an all-out surrender to their demands?

Mr. WOODRUM of Virginia. I do not want to get into an argument about the C. I. O. or the A. F. of L. I think on these defense contracts that there should be no stoppages, or if anybody gets into an argument, we ought to have a tribunal that would stop that argument. If the gentleman and I get into an argument, they do not permit us to go down in the middle of Pennsylvania Avenue and take a couple of machine guns and settle it. We have to go to the court and settle it and get our redress. I see no reason why any difficulty should arise between management and labor that could not be settled equitably and justly in the courts, without stopping these vital defense industries.

Mr. LELAND M. FORD. And without waiving the constitutional rights of business?

Mr. WOODRUM of Virginia. Exactly so.

Mr. BARRY. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. BARRY. Using the gentleman's very able discussion, he described a situation where a navy might possibly invade this hemisphere and our Navy would have to offset that attack. I call the gentleman's attention to an article written recently by Colonel Phillips, of our General Staff, wherein he stated that the modern bomber has made the Western Hemisphere impregnable to invasion. He used in support of his argument Winston Churchill's explanation of the defeat of Norway, where troops were landed, and then because of the destructiveness of bombers they could not bring in any reinforcements. He went into detail to describe how a fleet going there would be bombed so badly that by the time it reached port and tried to land it would still be subject to bombs. Now, I believe that to be true. Then the importance of a two-ocean navy is considerably lessened, is it not?

Mr. WOODRUM of Virginia. I do not think anything has happened which lessens the necessity for a strong two-ocean Navy. That is my judgment about it.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. KNUTSON].

Mr. KNUTSON. Mr. Chairman——

Mr. ALLEN of Illinois. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. Briefly.

Mr. ALLEN of Illinois. A few years back, when the national debt was less than $30,000,000,000, there were many individuals who would take the floor on some $1,000,000 item and say that the Treasury was about to go bankrupt. They would say "If we continue to spend a few hundred thousand dollars, we will have repudiation, bankruptcy, and ruination." Now, these individuals, the ones who stressed that philosophy the most, during the debates yesterday and today have not mentioned the question of economy or giving money to every other country in the world. I would like to ask, Why is it that those people who said so much about credit when our debt was less than $30,000,000,000 are now leading to give every foreign country everything they want, to the amount of $6,000,000,000, as contained in this bill alone, without mentioning national credit or economy?

Mr. KNUTSON. Because it is no longer fashionable, with many people, to think of America first.

Mr. Chairman, at the outset of my remarks I desire to make reply to the gentleman from Pennsylvania [Mr. FADDIS]. He undertook to convince the House that there is more apathy in the Northwest toward the administration's foreign policy than exists in his own State of Pennsylvania, and in doing so took occasion to intimate that Americans of Scandinavian ancestry were particularly apathetic.

There is nothing to warrant the gentleman's conclusions. On the other hand there is specific evidence to justify the conclusion that the feeling of apathy is more pronounced in Pennsylvania. Indeed, we read in the local press, under a Philadelphia headline, that the First Lady, Mrs. Roosevelt, in speaking at Philadelphia on Tuesday evening of this week stated that it would probably take a bomb or two to shake the people of that city out of their apathy. Certainly Mrs. Roosevelt has not, to my knowledge, ever intimated that the people of Minnesota needed bombing.

As for Americans of Scandinavian ancestry, they need no defense at my hands, nor at those of any other Member of this body. Let me say that while they are a peace-loving people who abhor war they have never been known to back away from any war for the preservation of our country and its form of government that was unavoidable.

The Scandinavian countries of Europe have ofttimes been referred to as the cradle of democracy and freedom. The Scandinavians have never been serfs and they know neither extreme wealth nor extreme poverty. Those who came to these shores have contributed their full share toward the development of the great country we all love and whose integrity we would die to preserve.

The gentleman from Pennsylvania may not be aware that the early Scandinavian immigrants in the Northwest voluntarily organized a brigade that fought for the preservation of the Union back in the sixties, and it is a historical fact that so many of the soldiers were so unfamiliar with the English language that it was necessary to give the orders in Scandinavian. They were willing to fight for the preservation of the Union and to do away with slavery.

That a large number of Americans of Scandinavian ancestry do not approve of a policy that is rapidly drawing us into a war 3,000 miles away is to their credit. They are a realistic people who refuse to believe that there is danger of Hitler swimming 3,000 miles where he cannot swim 20 miles. They would like to see Hitler and Stalin fight it out until they destroy each other. They do not believe in the ideologies of communism, nazism, and fascism, which they consider to be interchangeable terms. Neither do they believe that we should go to Europe every 25 years to attempt to settle their age-old feuds. The last war thoroughly disillusioned them.

If it be true that the people living in the interior of the country are more strongly opposed to our becoming involved in the present European war, it may be ascribed in a large measure to the fact that their ancestors came more recently from Europe than is the case in the older States to the east and south; hence they have not forgotten that their fathers came to this country to get away from the hates and prejudices of old Europe and her endless wars.

When the gentleman from Pennsylvania says, and I quote him:

> It is hard for me to understand how people of Scandinavian descent can be so apathetic toward the threat to the world today when the Scandinavian countries are lying under the domination and the heel of their conqueror, Hitler.

Mr. Chairman, I should say that is entirely to their credit because it shows that they place the welfare of their own country first and foremost. They are neither pro-Swedish, pro-Norwegian, nor pro-Danish. They are 100 percent Americans who refuse to dilute their Americanism.

I have heard no one in Minnesota, regardless of their ancestry, ever begrudge or condemn the help that this country is giving to Britain. I have talked with scores of Americans of German descent who have condemned Hitlerism as vigorously as anyone possibly can. Aid to the Allies; yes, but we will not send our sons to help them; that is definite, and let the gentleman from Pennsylvania make no mistake about it. We in the Northwest favor defense for our country that will make us impregnable and secure, but we oppose our country assuming the responsibility of policing the globe, and removing poverty from all the rest of the world. I would suggest, at this point, to Mr. Roosevelt that he first abolish poverty at home.

We will have none of that.

Now, Mr. Chairman, I shall turn my remarks to the bill under consideration. Let me call to your attention the message of the President, dated September 15, wherein he reported on operations of the Lend-Lease Act, as contained in document 112, page 9. At the bottom of that page you will observe a table which shows that of the $7,000,000,000 that Congress has appropriated as aid to Britain and her Allies, only $388,192,115 has been expended, which is about 5½ percent. According to the President's report $2,555,587,895 have been obligated. This means that over $3,000,000,000 yet remain available.

Notwithstanding that stupendous unexpended sum being available we are now asked to pass a second lend-lease appropriation of $6,000,000,000, making a grand total of $13,000,000,000 for the Allies, or about $9,000,000,000 to be expended. In the first lend-lease appropriation bill, as I recall, we gave the President $200,000,000 to spend as he saw fit without any strings being attached by Congress. This appropriation bill would give him an additional $1,000,000,000 to handle as he sees fit.

Do you folks believe that this money grows on bushes? Do you realize that the folks back home have to toil and sweat and deny themselves the necessities of life in order to meet the burdensome taxes that the New Deal wasteful program has imposed upon them? Do you propose to keep the galloping hounds of waste still running the course of destruction?

Many of us do not see any necessity for a second appropriation bill at this time when it will be 20 months before the balance now available can be spent. Many of us also feel that it is not keeping faith with the American people when we vote to give such huge sums of their money to be spent by the President without any supervision by Congress, without first giving them a chance to vote on the question.

Upon this showing I shall vote against the pending measure.

[Here the gavel fell.]

Mr. DIRKSEN. Mr. Chairman, I yield 10 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, I wish to preface my prepared remarks by this statement: The gentleman from New York [Mr. TABER] made an inquiry of the very able gentleman from Virginia [Mr. WOODRUM] at the close of Mr. WOODRUM's remarks, when he asked the gentleman from Virginia if the actual question before us was not one of the amount of money to carry out our policy of giving aid to the allied nations. The gentleman from Virginia [Mr. WOODRUM] replied that that was the real meat of this measure. I think I am quoting the idea correctly. May I ask the gentleman from Virginia if that is a correct interpretation?

Mr. WOODRUM of Virginia. That is correct.

Mr. TREADWAY. It seems to me that is the crucial question for us to decide. While I do not approve of all the statements the gentleman from Virginia made, in general, it seems to me he laid the picture before us in a very perfect manner, and that is the question before us today, namely, the extent to which we are going to financially assist the allies.

Mr. Chairman, I was one of those who voted against the original lend-lease bill, not because I was opposed to giving all possible aid to Great Britain and her allies, but because I did not favor granting such unlimited discretionary authority to the Executive.

However, after it became the law of the land, I felt it my patriotic duty to give the measure my wholehearted support, and when the first $7,000,000,000 lend-lease appropriation bill was brought in to implement the previous authorization legislation, I voted in favor of its enactment.

It seems to me that the pending measure, which would provide further funds to carry on the purposes of the Lend Lease Act, is on the same footing as the previous lend-lease appropriation bill.

The question of whether we are going to give aid of this kind to Great Britain and her allies has been definitely determined and is now the settled policy of this country.

The only question before us is whether we are going to give the President more funds to make this policy effective, and if so, how much.

Whether we approve of that policy or otherwise, we should stand by what has been shown to be the judgment of the Congress and the President of the United States in passing the Lend Lease Act.

For the same reason that I voted for the previous lend-lease appropriation bill I shall support the present measure. So far as the amount involved is concerned, it is what the responsible authorities of the Government feel is needed, and our own Appropriations Committee has given its approval to their estimate.

Yesterday's debate brought out the fact that very meager information was provided the Appropriations Committee regarding the use of the funds we propose to appropriate, and much of that information was deemed to be too confidential to permit it to be made public. For one, I am willing to accept the judgment of the men on the Appropriations Committee, who have the responsibility of carefully going over the recommendations of the executive branch and advising the House what, in their opinion, is the proper thing to do. We must largely trust to their discretion and judgment rather than give too much heed to our own desire for information or the gratification of our curiosity.

Four hundred and thirty-five of us cannot assume the right of putting our individual judgment up against that of the men who study these things, who have more responsibility than we and who are just as sincere in their desire to protect our country's interest as we are.

Mr. DWORSHAK. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I prefer not to; my time is very limited. I hope the gentleman will excuse me.

I wish to say that I expect to vote for certain amendments which I understand will be offered, which, in my opinion, will make the bill more acceptable. I feel that we should watch carefully to see that our own national defense is not jeopardized by our willingness to aid Great Britain and those with whom she is allied. The discussion which the gentleman from Massachusetts [Mr. WIGGLESWORTH] gave yesterday of the so-called spot cash items in the bill indicates to me that some saving should be made in the amounts provided therefor.

On the other hand, the explanation offered this morning by the gentleman from Virginia [Mr. WOODRUM] of the need of certain latitude in using the money, covered the point very well, indeed. You cannot figure this job down to the last 25-cent piece, as he so well indicated.

Although I shall support the pending bill, I am frank to say that I do so with some misgivings, principally because of the methods under which the lend-lease program is being carried on by the administration. Congress has been kept too much in the dark as to what is going on. The President seems to have little confidence in the elected Representatives of the people. On the other hand, he has placed great confidence and trust in Harry Hopkins, the great spender, whose choice as his adviser on lend-lease matters is certainly not the happiest the President could have made. It is to be hoped that the President will not lean too heavily on Mr. Hopkins for advice, but will look more to such practical men as Mr. Stettinius, for whose ability and judgment the country has the highest regard.

There are many questions concerning the administration of the Lend Lease Act about which Congress is entitled to fuller information than it has been given, not only as to the use of the funds in this country in purchasing defense materials and other supplies, but also as to their disposition when sent abroad. We ought to know more about the extent to which we are financing this war, and whether the aid we are giving is being used to the best possible advantage.

While some six and one-fourth billions of the original seven billions appropriated has been allocated for various purposes, actual obligations amount to but three and one-half billions. In other words, only half of the original seven billions has as yet been obligated by the placing of definite contracts. But what is most surprising of all is that actual expenditures through August 31, 1941, under the Lend Lease Act totaled but $388,912,115. This means that nearly 95 percent of the former lend-lease appropriation is still unspent. Of course, the reason for this is that it has taken much time to negotiate contracts and get production facilities ready.

These facts raise the question whether a further lend-lease appropriation is necessary at this time and in so great an amount as is being requested. The only positive argument I have heard for the new bill is the claim that there is need of knowing well in advance what funds will be available for long-term commitments. While this argument undoubtedly has some merit, I at least feel that the Congress has not been given sufficient details as to the need for the specific sum requested.

The administration's handling of the whole defense program has been open to many serious criticisms. One of the chief difficulties has been the President's disinclination to delegate authority to practical men who know the problems of defense production and how to deal with them. He has insisted on keeping everything under his own control, largely through his old New Deal lieutenants, whose incompetence to handle the affairs of the Government has been all too well demonstrated. If the same bungling New Deal methods are to be applied to the defense program, we can expect little in the way of results, but much in the way of expenditures. The only possible way to avoid this situation is to place in charge men of high standing and practical ability, in whom responsibility can safely be placed, rather than incompetent New Deal politicians.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield at that point?

Mr. TREADWAY. If I yield at all, I should yield first to the gentleman from Idaho. I yield to him, and then I will yield to the gentleman from Minnesota.

Mr. DWORSHAK. The gentleman stated he had absolute confidence in the ability of the Appropriations Committee to fix the amount of lend-lease aid. According to the report on the bill, the committee made not a single change in any recommendation on any of these items. Is not this true?

Mr. TREADWAY. I understood that the amount of the various foreign governments' requests had been reduced by 50 percent.

Mr. DWORSHAK. The report shows not one dollar of change made in any recommendation of the Bureau of the Budget.

Mr. TREADWAY. Then they must have had confidence in the recommendation of the Budget.

I now yield to the gentleman from Minnesota.

Mr. KNUTSON. Mr. Chairman, the distinguished gentleman from Massachusetts is the ranking minority member of the Ways and Means Committee and an authority on taxation. Perhaps the gentleman would inform the House how we are going to raise the money that we are spending without cutting the people's throats, without turning their pockets inside out, without taking the bread out of their mouths and the clothes off their backs? Will the gentleman tell us how we are going to raise the money?

Mr. TREADWAY. Paying the bill will unquestionably be burdensome, but, as I see it, we have no alternative. I can offer the gentleman no explanation and will not endeavor to offer the gentleman any explanation as to just how we will raise the money. According to the statement of the gentleman from Virginia a few moments ago, the money in this bill is not going to be paid back to us. We must stand the loss, to a large extent, on the assumption that the money is being spent for our ultimate benefit. It is better to send money than men.

Mr. KNUTSON. And it has got to be paid by the American people.

Mr. TREADWAY. It will have to be paid by the present and future generations.

Mr. KNUTSON. Oh, I see.

Mr. TREADWAY. I do not look upon the $6,000,000,000 carried in this bill as the last amount we shall have to appropriate under this policy. We are going to have another bill of this same nature, we are told in the report, next March. We have got to assume this debt. The debt follows from the fact that the policy of the Government has been expressed under the Lend Lease Act when that was adopted. I have already said I did not vote for it, but, it having been adopted as the policy of the country, we have got to back it up with dollars.

Mr. KNUTSON. It is not too late to withdraw from a foolish commitment.

Mr. TREADWAY. I do not think we have made foolish commitments in the sense we are endeavoring to aid the Allies to fight this war on their own shores and not require our men to go over there. That is my point.

Mr. KNUTSON. If this country is so open to invasion why does not Hitler go into England?

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I yield 3 additional minutes to the gentleman from Massachusetts.

Mr. SMITH of Ohio. Mr. Chairman, will the gentleman yield?

Mr. TREADWAY. I beg the gentleman not to insist on it. I have but 3 minutes. I must proceed.

In view of the staggering obligations which this country has already incurred in connection with the defense and lend-lease programs, as well as the tremendous outlays we face in the future, it occurs to me that we should bend every effort to promote the greatest possible efficiency and economy in their administration. Just because money is appropriated for defense is no reason it should not be spent wisely and without waste.

The vast cost of these twin defense programs also suggests the imperative necessity of curtailing so far as possible our expenditures for nondefense purposes. Every dollar spent unnecessarily or wastefully increases the already staggering burden of taxation upon our citizens. Up to the present time, the administration has made no effort whatever to reduce expenditures for civil purposes.

Congress recently took the matter into its own hands by providing, in title VI of the tax bill, for the appointment of a joint committee to study the question and make recommendations, with a view to saving at least a billion dollars, and possibly much more, in nondefense items. I do not remember the date that bill passed the House, but so far as I know there has been not a move whatsoever toward the establishment of that committee that was set up under the law. Why is this committee not established? Why cannot the economy committee start functioning and see if we cannot carry out Secretary Morgenthau's advice that we should legislate in a way to save at least $1,000,000,000 of nondefense items? What has become of the law we passed?

For some time I have had a measure pending providing for the creation of such a committee, and I am at least glad that legislative authority for its appointment now exists.

We have recently been advised by the Director of the Budget that the total appropriations, contract authorizations, and recommendations for national defense now aggregate over $60,000,000,000, including the present and previous lend-lease appropriations. This is more than twice the direct cost of this country's participation in the last World War. We are told by the Appropriations Committee, in their report on the pending bill, that the $5,985,000,000 provided therein is estimated to be obligated by March 1942, "at which time," they say, "it is now contemplated that additional funds will be requested." Of course, no one knows how much additional will be requested from time to time, but in view of the fact that sixty billions has been authorized in the short period of 15 months, it is easy to see that if the war lasts for several years, as most authorities seem to feel it will, our commitments for national defense and aid to Britain may stagger our imaginations. Think of the taxes which will be required to pay for such an obligation, and think of the extent to which the national debt will be skyrocketed in order to help finance it. In view of the burdens we are imposing upon our own generation by this vast program, and upon generations yet to come, we cannot be too circumspect in passing upon requests for funds and in seeing that they are economically and wisely spent.

While, as I have indicated, it goes against my grain and, to some extent, against my better judgment, to vote for the pending measure, yet under all the circumstances I feel that I have no alternative but to do so. The Congress has, in its wisdom, determined that the defense of our own country will be promoted by giving aid and assistance to Great Britain and her Allies. It has placed the administration of that policy in the hands of the President, as the chosen leader of the people. We are now advised that the funds heretofore authorized have now been allocated, and that it is necessary for a new authorization to be made so that future commitments may be made. Although I do not agree with many of the methods under which the previous lend-lease appropriation has been administered, I cannot let my individual views regarding methods stand in the way of my support of the larger purpose involved, namely, the uninterrupted continuation of ever-increasing aid to those who are fighting to preserve freedom and democracy throughout the world.

It is unfortunate that no end is in sight as regards the necessity for our making further appropriations under the Lend Lease Act. When the first $7,000,000,000 bill was passed, it was indicated that this would be the extent of our contribution to the cause of the democracies. Now we are called upon to make a further contribution of six billions, and by March 1942 we are told there will be another request for additional funds. It is obvious that when we adopted the lend-lease policy, we certainly obligated ourselves for an extravagant program running indefinitely into the future.

In conclusion, let me say that although I fully recognize the tremendous drain on our resources which the lend-lease program involves, as well as the staggering tax burden which it will necessitate on our citizens, nevertheless I feel it will be well worth the price if it results, as we all hope, in avoiding the necessity for sending our boys to fight on foreign battlefields. I prefer to vote for the bill rather than face that possibility. The cost of the lend-lease program in money is insignificant compared to the dreaded loss of life and terrible suffering which would be entailed by our actual participation in the war. The lend-lease program was instituted as a means of keeping the war away from our shores, and I hope it will have that result.

[Here the gavel fell.]

Mr. WOODRUM of Virginia. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BLAND, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 5788, making supplemental appropriations for the national defense for the fiscal years ending June 30, 1942, and June 30, 1943, and for other purposes, had come to no resolution thereon.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Latta, one of his secretaries, who also informed the House that on October 8, 1941, the President approved and signed a bill of the House of the following title:

H. R. 5682. An act to amend an act to provide for a union railroad station in the District of Columbia, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Baldridge, one of its clerks, announced

that the Senate insists upon its amendments to the joint resolution (H. J. Res. 235) entitled "joint resolution to amend section 124 of the Internal Revenue Code by extending the time for applications, and changing the procedure for certification of national-defense facilities and contracts for amortization purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GEORGE, Mr. CONNALLY, and Mr. LA FOLLETTE, to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to bills and a joint resolution of the Senate of the following titles:

S. 755. An act for the relief of W. W. Carlton;

S. 807. An act for the relief of Eva Mueller;

S. 1251. An act to amend Private Act No. 446, Seventy-sixth Congress, approved July 2, 1940, and for other purposes;

S. 1345. An act to authorize the sale of certain Government-owned lands in the Territory of Hawaii to the Honolulu Plantation Co.;

S. 1813. An act for the relief of Harry F. Baker; and

S. J. Res. 29. Joint resolution for the relief of South Dakota Wheat Growers Association, Inc.

The message also announced that the Vice President had appointed Mr. GEORGE, Mr. BYRD, and Mr. LA FOLLETTE from the Committee on Finance and Mr. GLASS, Mr. MCKELLAR, and Mr. NYE from the Committee on Appropriations as members on the part of the Senate of the Joint Committee to Investigate Nonessential Federal Expenditures, pursuant to the provisions of Public Law No. 250, Seventy-seventh Congress, first session (the Revenue Act of 1941).

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—REPEAL OF SECTION 6 OF THE NEUTRALITY ACT (H. DOC. NO. 404)

The SPEAKER laid before the House the following message from the President of the United States which was read and with the accompanying papers referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

It is obvious to all of us that world conditions have changed violently since the first American Neutrality Act of 1935. The Neutrality Act of 1939 was passed at a time when the true magnitude of the Nazi attempt to dominate the world was visualized by few persons. We heard it said, indeed, that this new European war was not a real war, and that the contending armies would remain behind their impregnable fortifications and never really fight. In this atmosphere the Neutrality Act seemed reasonable. But so did the Maginot Line.

Since then—in these past 2 tragic years—war has spread from continent to continent; very many nations have been conquered and enslaved; great cities have been laid in ruins; millions of human beings have been killed, soldiers and sailors and civilians alike. Never before has such widespread devastation been visited upon God's earth and God's children.

The pattern of the future—the future as Hitler seeks to shape it—is now as clear and as ominous as the headlines of today's newspapers.

Through these years of war we Americans have never been neutral in thought. We have never been indifferent to the fate of Hitler's victims. And, increasingly, we have become aware of the peril to ourselves, to our democratic traditions and institutions, to our country, and to our hemisphere.

We have known what victory for the aggressors would mean to us. Therefore, the American people, through the Congress, have taken important and costly steps to give great aid to those nations actively fighting against Nazi-Fascist domination.

We know that we could not defend ourselves in Long Island Sound or in San Francisco Bay. That would be too late. It is the American policy to defend ourselves wherever such defense becomes necessary under the complex conditions of modern warfare.

Therefore, it has become necessary that this Government should not be handicapped in carrying out the clearly announced policy of the Congress and of the people. We must face the truth that the Neutrality Act requires a complete reconsideration in the light of known facts.

The revisions which I suggest do not call for a declaration of war any more than the Lend-Lease Act called for a declaration of war. This is a matter of essential defense of American rights.

In the Neutrality Act are various crippling provisions. The repeal or modification of these provisions will not leave the United States any less neutral than we are today, but will make it possible for us to defend the Americas far more successfully and to give aid far more effectively against the tremendous forces now marching toward conquest of the world.

Under the Neutrality Act we established certain areas as zones of combat into which no American-flag ships could proceed. Hitler proclaimed certain far larger areas as zones of combat into which any neutral ship, regardless of its flag or the nature of its cargo, could proceed only at its peril. We know now that Hitler recognizes no limitation on any zone of combat in any part of the seven seas. He has struck at our ships and at the lives of our sailors within the waters of the Western Hemisphere. Determined as he is to gain domination of the entire world, he considers the entire world his own battlefield.

Ships of the United States and of other American republics continue to be sunk, not only in the imaginary zone proclaimed by the Nazis in the North Atlantic but also in the zoneless South Atlantic.

I recommend the repeal of section 6 of the act of November 4, 1939, which prohibits the arming of American-flag ships engaged in foreign commerce.

The practice of arming merchant ships for civilian defense is an old one. It has never been prohibited by international law. Until 1937 it had never been prohibited by any statute of the United States. Through our whole history American merchant vessels have been armed whenever it was considered necessary for their own defense.

It is an imperative need now to equip American merchant vessels with arms. We are faced not with the old type of pirates but with the modern pirates of the sea, who travel beneath the surface or on the surface or in the air destroying defenseless ships without warning and without provision for the safety of the passengers and crews.

Our merchant vessels are sailing the seas on missions connected with the defense of the United States. It is not just that the crews of these vessels should be denied the means of defending their lives and their ships.

Although the arming of merchant vessels does not guarantee their safety, it most certainly adds to their safety. In the event of an attack by a raider they have a chance to keep the enemy at a distance until help comes. In the case of an attack by air, they have at least a chance to shoot down the enemy or keep the enemy at such height that it cannot make a sure hit. If it is a submarine, the armed merchant ship compels the submarine to use a torpedo while submerged—and many torpedoes thus fired miss their mark. The submarine can no longer rise to the surface within a few hundred yards and sink the merchant ship by gunfire at its leisure.

Already we take many precautions against the danger of mines—and it seems somewhat incongruous that we have authority today to "degauss" our ships as a protection against mines, whereas we have no authority to arm them in protection against aircraft or raiders or submarines.

The arming of our ships is a matter of immediate necessity and extreme urgency. It is not more important than some other crippling provisions in the present act, but anxiety for the safety of our crews and of the almost priceless goods that are within the holds of our ships leads me to recommend that you, with all speed, strike the prohibition against arming our ships from the statute books.

There are other phases of the Neutrality Act to the correction of which I hope the Congress will give earnest and early attention. One of these provisions is of major importance. I believe that it is essential to the proper defense of our country that we cease giving the definite assistance which we are now giving to the aggressors. For, in effect, we are inviting their control of the seas by keeping our ships out of the ports of our own friends.

It is time for this country to stop playing into Hitler's hands and to unshackle our own.

A vast number of ships are sliding into the water from American shipbuilding ways. We are lending them to the enemies of Hitlerism and they are carrying food and supplies and munitions to belligerent ports in order to withstand Hitler's juggernaut.

Most of the vital goods authorized by the Congress are being delivered. Yet many of them are being sunk, and as we approach full production requiring the use of more ships now being built, it will

be increasingly necessary to deliver American goods under the American flag.

We cannot and should not depend on the strained resources of the exiled nations of Norway and Holland to deliver our goods nor should we be forced to masquerade American-owned ships behind the flags of our sister republics.

I earnestly trust that the Congress will carry out the true intent of the Lend Lease Act by making it possible for the United States to help to deliver the articles to those who are in a position effectively to use them. In other words, I ask for congressional action to implement congressional policy. Let us be consistent.

I would not go back to the earlier days when private traders could gamble with American life and property in the hope of personal gain, and thereby embroil this country in some incident in which the American public had no direct interest. But today, under the controls exercised by the Government, no ship and no cargo can leave the United States, save on an errand which has first been approved by governmental authority. And the test of that approval is whether the exportation will promote the defense of the United States.

I cannot impress too strongly upon the Congress the seriousness of the military situation that confronts all of the nations that are combating Hitler.

We would be blind to the realities if we did not recognize that Hitler is now determined to expend all the resources and all the mechanical force and manpower at his command to crush both Russia and Britain. He knows that he is racing against time. He has heard the rumblings of revolt among the enslaved peoples, including the Germans and Italians. He fears the mounting force of American aid. He knows that the days in which he may achieve total victory are numbered.

Therefore, it is our duty, as never before, to extend more and more assistance and ever more swiftly to Britain, to Russia, to all peoples and individuals fighting slavery. We must do this without fear or favor. The ultimate fate of the Western Hemisphere lies in the balance.

I say to you solemnly that if Hitler's present military plans are brought to successful fulfillment, we Americans shall be forced to fight in defense of our own homes and our own freedom in a war as costly and as devastating as that which now rages on the Russian front.

Hitler has offered a challenge which we, as Americans, cannot and will not tolerate.

We will not let Hitler prescribe the waters of the world on which our ships may travel. The American flag is not going to be driven from the seas, either by his submarines, his airplanes, or his threats.

We cannot permit the affirmative defense of our rights to be annulled and diluted by sections of the Neutrality Act which have no realism in the light of upscrupulous ambition of madmen.

We Americans have determined our course.

We intend to maintain the security and the integrity and the honor of our country.

We intend to maintain the policy of protecting the freedom of the seas against domination by any foreign power which has become crazed with a desire to control the world. We shall do so with all our strength and all our heart and all our mind.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *October 9, 1941.*

SECOND SUPPLEMENTAL APPROPRIATION BILL, 1942

Mr. WOODRUM of Virginia. Mr. Speaker, I move the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 5788) making supplemental appropriations for the national defense for the fiscal years ending June 30, 1942, and June 30, 1943, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5788, with Mr. BLAND in the chair.

The Clerk read the title of the bill.

Mr. WOODRUM of Virginia. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, I want to divide my speech into two parts quite definitely. In the first place I want to speak about the bill in general, and I want to speak primarily to those Members of the House who perhaps like myself have felt some travail of spirit in attempting to know for sure what was the right course to take in the face of this great international crisis.

The first thing I want to say is that the United States has adopted a policy of aid to the antiaxis nations. There is, obviously it seems to me, no sense in pursuink this policy other than with the greatest possible vigor. To adopt such policy at all means that your country has parted from a neutral position and has frankly taken the position that there is a certain job for her to try to do in connection with assistance to nations which not of their own choice were faced with war which we so far had escaped. Having adopted this policy, there is nothing to do but to pursue it with the utmost vigor. For that reason it seems to me that the support of this bill is clearly called for.

The second thing I want to say is that these nations today are face to face with Hitler's military might. We are helping them not, it seems to me, selfishly, because they had no other choice. We had and we still have. And the confusion of mind that faces some of us is due, I think, primarily to the fact there are two major things we want so much to accomplish. We first feel a deep and profound concern as to what might happen to the future of democracy and liberty in case all the Old World should fall under the domination of one dictator and his clique; therefore, we want to try to forestall that.

The second thing, and a thing that comes even closer to home, is that we want to avoid the embarkation of American young men to die on foreign fields. If you want to do both of those things, if you want to forestall the first and prevent the second, this policy, it seems to me, is the only possible policy whereby you might accomplish both of those things at once. I do not think there are very many Members in the Chamber who will attempt to deny that if Hitler succeeds in conquering all of the Old World our task of keeping all dictatorial and totalitarian systems out of this Western Hemisphere will be vastly more difficult than it could be under any other conceivable circumstance. One thing upon which I hope every last one of us can agree is this: If we care for democracy, we must resolve that our determined opposition and resistance, yes, our constructive democratic action against any attempt to spread any totalitarian system in this western world, will never falter or weaken and on that rock and central purpose it seems to me all Americans should be able to unite.

WHAT IS NEEDED TO MAINTAIN THE PROPER PLACE OF OUR NATIONAL CONGRESS

And now I want to speak, if I may, in another vein about two problems within our own Nation. May I say by way of preface just one thing. A number of Members have spoken in the course of this debate about the loss of prestige of the legislature, the loss of respect for the legislature, and so forth. I do not share the point of view as expressed by them, but I do know we have a task to preserve the place of Congress in our Nation's Government.

But I do want to say that in the minds of the American people the position of this great national legislature is going to be maintained not because gentlemen are against things and not because they assert their independence by opposition, particularly not in the field of foreign affairs, but it will be maintained in the minds and hearts of the American people because this House and this Congress bring forth a constructive answer to the basic economic and social problems of this Nation that we are going to face when peace is concluded.

I have two things I want to speak about in that connection.

FOOD FOR AMERICA AS WELL AS FOR NATIONS ABROAD

A number of people have written to me expressing this deep conviction. They have said "There are many people in our country who even under present circumstances are finding it impossible to secure employment because of their age. There are people who are in want today. Yet we find that certain commodities are being taken off the list of the food-stamp plan, and we wonder whether it is not possible for the British to get supplies and food from their dominions instead of having apparently to send them away from our country."

I think that question, as I have put it, is a very logical question. I think I know the answer. I have read the hearings and I have read the testimony of the Secretary of Agriculture. I think the reason is that it is impossible to get a normal amount of food to England from Australia and New Zealand under present shipping conditions; that many of her former sources of supply were in the low countries and in the nations now dominated by the Germans; and that Canada

can supply wheat and similar commodities but cannot supply certain other things which are essential to a healthy diet. We are trying to supply those.

But we cannot neglect the needs of Americans for an adequate diet, and may I point out to the House that if an assured market were provided, the farmers of America could produce an ample abundance not only to take care of all the basic nourishment needs of the people of America but also to take care of the needs of Britain. I submit to the House that even at this hour a thing which would inspire every person in this world who cares about democracy would be if we determined now that the scope of our so-called surplus food marketing system would be extended until it extended to every single school in which there is an undernourished child and to every single family where undernourishment exists. That would be, let me say, a better basis and foundation for that problem that lies ahead of us in the future than almost any other one I could suggest.

CENTRAL VALLEY PROJECT

The last thing I wish to say is this: Electric energy, not only for the purpose of operating defense plants but also for the basic needs of our people, is the primary essential of modern production. Out in my State of California there is now being constructed by the Bureau of Reclamation a great project known as the Central Valley water project. Great dams are being constructed at considerable expense, one called the Shasta Dam and the other the Keswick Dam. They will between them generate some 450,000 kilowatts of electricity. Not all that electricity will be firm power. Part of it will not be available at times of low water. There is, therefore, a primary necessity, if the United States is to get its money promptly out of that project, and if it is to be an effective project—in other words, if the taxpayer's money is to be saved—then there is a present necessity that two things be done: One, that there be constructed a steam plant, a stand-by steam plant, to firm up that power so that it can be sold at fair rates as firm power; second, that there be constructed a transmission line from these dams to load center to carry that energy to the places where it can be consumed and to places, mind you, where this governmental agency, which has spent public money on this project, can have a decent market where it can market the power at a fair price for the benefit of the people of that region and for the benefit of our whole Nation and its defense program.

Last year the Committee on Appropriations turned down the steam plant at Antioch. I protested about it. This year we find that the item of $3,000,000 recommended by the Bureau of the Budget and the Bureau of Reclamation for the construction of a transmission line from these dams to load center was also turned down, and the committee report turned us down in the following language:

> The sum of $3,000,000 for transmission lines for the Central Valley project, Calif., has been eliminated, the committee being of the opinion that the appropriation is not now urgent.

Referring to the hearings, I find that the chairman asked Mr. Page when the plants at the Shasta and Keswick Dams would be completed. Mr. Page answered that they would be in operation in 1943 or the first part of 1944. Then—

> The CHAIRMAN. How long will it take to build the transmission lines?
> Mr. PAGE. About 3 years.

In other words, if we start now to build those transmission lines they will not be ready when the power is available. How, under these circumstances, it can be said that this transmission line is not now urgent I am utterly unable to see.

Now, why the opposition? At this point I want in no uncertain terms to pay my respects to a gigantic public-utility corporation in the State of California, the Pacific Gas & Electric Co., the same corporation which today is attempting to prevent the city of San Francisco from fulfilling the contract with the Federal Government embraced in the so-called Raker Act, which made possible the construction of the Hetch Hetchy Dam.

[Here the gavel fell.]

Mr. SHEPPARD. Mr. Chairman, I yield 5 additional minutes to the gentleman from California.

Mr. VOORHIS of California. One tactic being pursued by the P. G. & E. in this connection is to spread it abroad among the people of San Francisco that they can get the Raker Act amended or repealed in Congress. I happen to be a member of the Committee on Public Lands, and I am one member of the Committee on Public Lands who will not vote to amend the Raker Act, who will fight to the bitter end any attempt to amend it, especially in view of the fact that this utility corporation has implied it could deliver the votes necessary to do that. I resent such an implication very deeply indeed, and every other Member of this House should feel the same way.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I would rather not yield just at this time. I will yield to the gentleman in just a moment.

As you read further in this testimony you find the reason this $3,000,000 was left out, because the question is asked whether it would not be possible for the private utility to transport the power and the answer of Mr. Page is "No," that it would not be. They have only room for 50,000 kilowatts of additional capacity on their lines and hence would have to themselves construct a new line to take care of the upwards of 450,000 kilowatts which will be produced if they were to take care of the transmission. So a new line has got to be built by somebody. If it is going to be built, it should be built in the public interest so you can market the power in the public interest and so you can market it effectively, or else you are going to let that power hang up there in the air at Shasta and Keswick Dams and be unable to sell it except to one customer, namely, the Pacific Gas & Electric Co., the only people who can take it unless we build this transmission line.

I do not believe the Congress wants to do this. I do not believe the Appropriations Committee wants to do this, and I am going to offer an amendment to restore this $3,000,000 because I am positive it is a sound business proposition and because I know that without it the benefits of all the money that has been spent on this project cannot get to the people of my State and will not be available on the terms it should be available, for the turning of the wheels essential to our national defense.

I now yield to the gentleman from Washington.

Mr. LEAVY. I feel I am rather familiar with the problem the gentleman presents in connection with the construction of this transmission line. Being a member of the Interior Subcommittee on Appropriations, I know the fight that was made and I know the forces that made the fight to keep a steam plant from coming into being. But at that time we were not asked to give consideration to this item of $3,000,000 to build the transmission line that was brought before the deficiency subcommittee.

Mr. VOORHIS of California. I understand that.

Mr. LEAVY. The gentleman is absolutely correct and right in the interest, not alone of the people of California but of the whole United States. That line ought to be built and work ought to commence on it now. If this is not done the same situation will prevail that prevailed at Bonneville 3 years ago, power comes on at the generators and no transmission line to carry it away, and then your private utility says: "We will step into the breach and solve your problem," and the public pays twice or thrice for the power. I trust that the amendment which the gentleman is going to offer tomorrow will prevail; it should.

Mr. VOORHIS of California. I thank the gentleman very, very much, and may I add that this project is not only a power project but also a reclamation and water project, and the price the farmer is going to have to pay for water will be greater in proportion as the revenue from power is reduced. In other words, the more power revenues there are, the cheaper the water will be to water that land and enable farm families to farm the land, which is an additional argument in this connection.

Mr. DITTER. Mr. Chairman, I yield myself 30 minutes.

Mr. Chairman, I should like to make one preliminary statement. It is my conviction that the patriotism of a man is not measured by his willingness to approve and accept blindly the administration's policies; neither do I believe that the morale of the American people is dependent on an ignorance of those facts which are pertinent to their own security. There has been some dispute on both of these questions and I want to make my own position very clear; first, with reference to the matter of a yardstick on a man's patriotism and, secondly, on the matter of the maintenance of morale by keeping people in the dark.

I believe this lease-lend appropriation is definitely related to our whole national-defense program. I believe a fundamental part of that program is production. So to the extent that my time

is available I should like to make a review of what the objectives have been and how those objectives have been attained and accomplished since we embarked on the defense program.

The passing of the summer of 1941 marks the completion of the first full year of the emergency national-defense program. It was in May 1940 that the President requested of Congress the first billion dollars for the new program; announced his goal of 50,000 airplanes a year, made his famous "on hand or on order" radio speech to the Nation, and appointed the now practically defunct National Defense Advisory Commission of seven members to coordinate the defense program. During the summer months came the passage of the necessary legislation and appropriations to implement the program. The act of July 19, 1940, authorized the two-ocean Navy. The Selective Service Act was signed by the President on September 16, 1940. Following the regular Army and Navy appropriation acts, came in quick order three supplemental national-defense appropriation acts. Between June 1 and October 9, 1940, Congress provided about $8,350,000,000 in cash appropriations and $3,802,000,000 in contractual authorizations for the Army and Navy. An additional $4,500,000,000 for naval and other construction was authorized but not appropriated.

As the United States goes into the second year of the important emergency effort the program has been greatly expanded. Congress has now provided some $53,000,000,000 in appropriations and contract authorizations for defense purposes. I believe it is high time that we pause to take stock of progress to date. On May 27, 1941, a year and a day after the "on hand or on order" speech of May 26, 1940, the President addressed the Nation again on the subject of national defense and foreign policy. But that part of the Nation which was awaiting a report on the progress of the defense effort in the past year and information as to how many guns, tanks, airplanes, and ships, "on order" a year before were then "on hand" was doomed to disappointment. The President had much to say about stopping Hitler, but little to say about what we had on hand with which to accomplish the task. He proclaimed very dramatically the existence of some sort of a nebulous state of an "unlimited national emergency," but no definite proposals were made by which the ineffective administrative efforts were to be transformed into instruments of competency and efficiency.

Nor has the President clarified the situation in his speeches and statements during the last summer. Out of his rendezvous with Winston Churchill in the North Atlantic in August came a joint statement of common objectives in the struggle against the Axis Powers. In his radio speech of September 11, 1941, he announced the policy of clearing German and Italian vessels of war out of the waters of the Atlantic, "the protection of which is necessary for American defense." But there was an ominous silence on the subject of progress in the defense program. True, there has been a profusion of phrases, but they have little value in creating confidence or in challenging the courage of an intelligent people. We have had phrases rather than frankness. When well-informed men, whose intentions cannot be questioned, have felt compelled to criticize the administrative failures of the defense program and to give facts to the people, their charges have been flippantly dismissed, or evasively answered, or their motives impugned.

All of us are aware of the influences which are at work to bring about our actual involvement abroad. Cabinet members who have first-hand information on the state of our unpreparedness, seem to take a fiendish delight in trying to wage a war of words. When forces of this kind are active, pushing as they do to an inevitable end, it seems to me the people have the right to know the facts of the situation. One thing they should know is how well prepared we are to fight now. What and how many men, guns, planes, and ships do we have and how fast are they being produced? Generally speaking, the American people do not have that information and the administration has shown an amazing lack of candor in failing or refusing to inform the people of the cold, hard facts of the progress of the rearmament program. The President himself has evaded speaking specifically on that point and defense officials usually try to exhort industry and the people to greater effort without giving adequate factual accounts of the production process. The Office for Emergency Management published in May 1941 a pamphlet entitled "Defense, One Year," which gives many facts about the defense program but fails to provide an adequate over-all picture of how we stand today. It is often said that such information is a military secret and must be kept from the enemy. But unfortunately Hitler seems to be far better informed as to the progress of our defense program than the American people.

The facts also bear out the conclusion that the progress of the defense program during the past year or more has been much less than planned and evidences an incompetency that is alarming. These conclusions can best be drawn by outlining the objective of the program and the schedules set for the production of defense materials and then showing that the objectives have not been achieved and that we do not have the guns, planes, tanks, and ships which should be on hand. This is not a simple and easy task, for the objectives and schedules are almost constantly being changed and the administration's policy in this respect shows much the same vacillation and inconsistency which has been glaringly apparent in other fields of endeavor.

I wish I might share the optimism of my distinguished friend from Virginia [Mr. WOODRUM] and my able and distinguished colleague from New York [Mr. TABER] in the rosy picture that was painted during the colloquy this morning. I hope they are right. I hope that all of these estimates of improvement in production are carried out. But as I evaluate these estimates I cannot get away from the fact that there have been estimates made in the past, and that those estimates have been entirely too optimistic. Then I am brought face to face with the inevitable conclusion that either the estimates themselves were not well founded, or that there was a sinister purpose in projecting the estimates in an effort to mislead our people. Neither one of these conclusions is encouraging.

It is not to be inferred that considerable progress has not been made in the national-defense program. It is true that the transformation of our economy to a defense basis takes time. Undoubtedly, an earlier start would have put us far ahead of where we are today. The basic groundwork of providing the necessary facilities for the production of defense materials is under way. Tooling up has been proceeding fairly rapidly and defense officials keep contending that mass production of articles and weapons for defense is "just around the corner." Priorities have been enforced for critical materials and products. But we do not have the guns, tanks, planes, and ships yet, and the conclusion is inescapable that the administration's promises have been entirely out of line with its program of production. Our Navy is reasonably ready for an emergency. The magnitude of such an emergency, however, cannot be ignored in making an estimate. Our munitions reserves are inadequate, and the President's report to Congress on the operation of the Lease Lend Act during the first 6 months shows that we have given Britain little aid in the way of implements of war.

The responsibility for the unsatisfactory status of our defense program lies at the door of the administration. Congress has promptly provided practically all of the money requested for national defense. To date some $53,000,000,000 have been provided. But during the fiscal year ending June 30, 1941, only $6,000,000,000 were spent for national defense and monthly expenditures did not pass the $1,000,000,000 mark until July 1941. In the meantime the President has permitted an unprecedented series of strikes in defense industries to go unchecked, which has resulted in the loss of millions of sorely needed man-days of labor—the equivalent of hundreds of bombers, tanks, and guns. The President has failed to develop an efficient and satisfactorily integrated and coordinated organization, with adequate powers to administer the emergency defense program. His deeds and actions in arming the Nation and in seeking to make the United States the great arsenal of democracy have not kept pace with his pronouncements of our policy of opposition to the Axis forces and our promises of aid to Britain and the other opponents of totalitarian aggression.

Let me say that I am not putting a thing in the RECORD and I am not giving any information that has not either appeared in the public press or that is not a part of the public record. I recognize the responsibility resting upon the membeen imposed, and I want to make that very clear. In other words, the discretion that has been exercised by certain Cabinet officials in their insistence on "off the record" remarks in many instances is farfetched. I know the excuse bers of the committee when the order is given that certain information should not be divulged. I may not always agree with the need for the secrecy that has

of "off the record" has been seized upon in some instances where no possible harm could be done by a disclosure of the facts.

But let us turn more directly to the consideration of objectives of our defense program and the progress of the past year in the production of the much-needed war materials.

The general objectives of our foreign policy and defense program are not very clear or settled. It is clear that we are engaged in a gigantic armament program so as to be able to defend the United States and the Western Hemisphere. But we are also now pledged by the Lease Lend Act and the President's pronouncements to provide Britain with the sinews of war. It should be emphasized, however, that each of the steps which have been taken and which have had congressional authority have been advanced as measures to keep us out of war. No more solemn duty rests upon the shoulders of the President than the duty to abide by the constitutional restraints imposed upon the Executive that he has no power to make the fateful decision of peace or war.

The specific objectives of our defense armament program are, however, fairly definite and working plans for their achievement have been made and some put into operation. The objectives for the Army which have been the guide for the past year are generally as follows:

First. To provide a completely equipped Army of 1,418,000 men, the so-called protective mobilization force. It was planned that the full strength of personnel would be reached by July 1, 1941, but complete equipment is not expected for at least another year. This force is to be expanded to about 1,727,000 during the present fiscal year. The next objective, only planned and not yet authorized, is to expand the total force to approximately 3,000,000 men.

Second. To procure critical items of equipment for the proposed augmented force of 3,000,000 men. The First Supplemental National Defense Appropriation Act for 1942, signed August 25, 1941, provides funds for the acquisition of a considerable amount of critical items above the demands for the 3,000,000 Army.

Third. To create and develop manufacturing facilities for the production of the critical items of reserve stocks required to equip and maintain in combat approximately 4,000,000 men. The initial objective was for production facilities for 2,000,000 men, but that has now been expanded.

Fourth. To procure 18,000 additional planes for the Army Air Corps by mid-1942 and develop productive capacity to provide 18,000 planes a year for the Army. This was in addition to the 5,500-plane program already provided for and 200 bombers and 1,700 training planes appropriated for in June 1940. Added to the original 18,000-plane program have been the 3,600 heavy bombers and the 13,000 planes provided for in the Military Establishment Appropriation Act for 1942. Thus the over-all program calls for around 42,000 planes for the Army.

The major objective of the Navy is to carry forward the naval-expansion program designed to build up a two-ocean Navy to meet any possible combination of hostile naval forces. The act of June 14, 1940, authorized the increase of under age naval combatant tonnage by 167,000 tons, or 11 percent. The act of July 19, 1940, authorized the increase of such tonnage by an additional 1,325,000 tons, or 70 percent. The tonnage of auxiliary vessels has also been increased considerably. Appropriations for construction of the new ships have been made and practically all are classified technically by the Navy as under construction since contracts have been awarded. However, it is not contemplated that all of the ships authorized in these acts can be completed before 1946 or 1947. The combatant ships to be built under the authorization of the two 1940 acts include 7 battleships, 10 aircraft carriers, 38 cruisers, 155 destroyers, and 57 submarines. It is estimated that the enlisted personnel of the Navy will have to be increased from 139,554 on June 30, 1940, to 532,000 when the two-ocean Navy is completed in 1946 or 1947, but such increase has not as yet been authorized. Likewise, the officer complement will be 35,500 then, as compared with about 11,000 in 1940.

The total authorized size of the Navy air service was set at 15,000 planes by the "two-ocean" act. The immediate objective was for the procurement of about 7,000 planes in 2 years so as to bring the total strength up to around 10,000 planes. In July of 1941 funds were provided for 2,236 more planes.

To these objectives must be added the British-aid program, the details of which have not been made public. British orders placed in this country total about three and seven-tenths billion dollars and seven billions have already been appropriated for our lease-lend program. In the late summer of 1940 the British had about 14,000 planes on order in the United States, and more may have been ordered later. The lend-lease program calls for about 10,000 planes. Canada and other British dominions have an undisclosed number of planes on order.

Roughly these are the objectives which have been before us in the year or more since the beginning of the defense program. They are being constantly shifted and expanded. But let us examine the record of progress so far.

The first part of the Army's objective of a force of 1,418,000 men has been achieved. The War Department reported on July 24, 1941, that there were 1,398,000 enlisted men and 99,900 officers in the Army. Since that time the total force has grown to nearly 1,600,000. There will probably be little difficulty in increasing the force to the 1,727,000 protective mobilization force planned for this fiscal year.

But it is fallacious to assume that because we have the men the full objective has been achieved. The Army is only partially equipped and is short on artillery, antiaircraft guns, tanks, and planes. The equipment problem will get better, no doubt as time goes on, but an "on order" status presently prevails.

That the Army is not ready for war has been attested by several of its officials and leaders. On May 6, 1941, Secretary of War Stimson said in a radio speech that we have only just begun to build up our military and air defense and that at least another year will pass before we can have an Army and air force adequate to meet the air and ground forces which could be brought against us. In testifying before the Senate Committee Investigating the National Defense Program on April 23, 1941, General Twaddle, of the General Staff, said the following about the Army's ability to fight now:

> We couldn't make a very good showing, I don't believe, sir. We could fight defensively with some units, a few of our units.

General Marshall's recent remarks that the Army is "now over the hump" and possessed of a very high morale cannot be interpreted as meaning that we have an effective fighting force ready.

The question of procuring the necessary heavy equipment for the Army will be discussed later, but attention should be called to the fact that Army inefficiency has slowed up the recruitment and training program. In the first place, the Army did not have housing facilities ready so that the induction of the selective-service trainees could proceed according to schedule. Funds for the construction of shelter for National Guard and the selective trainees became available on September 9 and September 24, 1940, respectively. Although the Army stated that it could provide the facilities in 90 days, delays occurred and cost increased. By January 1, 1941, only 19,327 selectees had been inducted into service and it was not until June 1941 that 600,000 had been entered. As a result the training program is behind schedule.

Not only was the camp construction program delayed but it cost more than half again as much as the Army originally anticipated. The original estimates formulated by the War Department, together with all supplements subsequently made thereto for increases of the projects, amounted to $515,755,478 for 229 camp and cantonment projects. On May 31, 1941, when nearly all of the projects were substantially completed and the actual costs were largely known, the total cost was estimated to be $828,424,102. This resulted in a request by the War Department for a deficiency appropriation of $338,880,000. Investigations have proved that although increased labor and material costs accounted for about one-third of the increase, poor planning and execution were responsible for the major share.

The military airplane is coming more and more to occupy the key position in our whole defense program. The lessons of the war have demonstrated how important air power is and how necessary it is that air superiority be wrested from the Germans. Since the outbreak of the war our aircraft production facilities have been continually expanding to supply both Britain and our own air forces with the much-needed military planes. Only recently and belatedly has the emphasis been placed upon the production of bombers. But although we have done a great deal we are still short of real quantity production.

Obviously we should not demand or expect the impossible of our airplane fac-

tories, but we can evaluate the progress of the administration's plane program by showing what was planned and promised in comparison with what was produced and delivered. This is not a simple job for the whole program has constantly been changed as more planes were ordered and production schedules adjusted to changing conditions. Furthermore, the administration has refused to give out much detailed information of the progress of the plane program. However, the following facts stand out:

First. Our responsible public officials have consistently overestimated our future production of military aircraft;

Second. They have repeatedly overstated our current production;

Third. According to their own estimates of our needs, our production schedules are lagging behind our needs; and

Fourth. Our own armed forces are not getting the planes they say they need.

The President stated on May 16, 1940, that he should like to see the Nation geared up to produce at least 50,000 airplanes a year and that we should plan a program that would provide us with 50,000 military and naval planes. At that time, May 1940, about 450 military planes were being produced a month, and in the entire year of 1939 only about 2,600 had been manufactured. On May 1, 1940, the Army had only 2,794 planes on hand and the Navy had 2,300. Obviously the President's desire was nothing but a strategic dream then.

We have seen that the Army's immediate objective was the procurement of about 18,000 additional planes and that the Navy's program called for 7,000 more. The British had orders for about 14,000. During the summer of 1940 the Defense Commission drew up a 2-year production program which called for the aircraft industry to produce by the middle of 1942 approximately 40,000 planes. In 1941 funds were appropriated for 16,600 more planes for the Army and 2,236 planes for the Navy. The President's 50,000 plane goal is now provided for. Furthermore, the lease-lend appropriation calls for 10,000 more planes.

What about the production and delivery of these planes? On the 3d of September 1940 the Defense Commission issued primarily for the newspapers a publication entitled "Building for Defense." In this the Commission set forth a schedule of what it expected airplane production would be in the United States for the next year and a half. Just note this statement:

> We are turning out roughly 1,000 planes a month now. Early next year we will be turning out 2,000 a month. By the end of next year we will be turning out 3,000.

Let us see whether this schedule has been lived up to. On May 29, 1941, the O. P. M. issued a press release showing airplane production month by month since the previous July. It showed that 586 planes were produced in August 1940, and 670 in September 1940, at the very time the Defense Commission publication, "Building for Defense," stated, "We are now producing 1,000 planes a month." At that rate we were 33 percent behind schedule in September 1940.

The publication further stated that—

> Early next year we will be turning out 2,000 a month.

February 1941 would be "early next year," and in that month only 972 planes were delivered. Thus we were producing less than half of the number the Defense Commission said we would be producing then. The statement went on to say that—

> By the end of next year we will be turning out 3,000.

We have not reached the end of the calendar year 1941, but the O. P. M. figures show that we produced 1,476 planes in June, 1,460 in July, and 1,854 in August. Thus we are still short of the figure set for early in the year, and it is idle to think that production will reach 3,000 by the end of the year.

In October 1940 we had some revised estimates of airplane production. This new schedule called for production of 2,068 airplanes in April 1941 and 2,466 in June 1941. What were the facts? In April 1941 we produced 1,389 planes, as against the 2,068 estimated, and in June 1941 we produced 1,476 planes, as against an estimated 2,466.

A little later in 1940 Mr. Knudsen presented a still lower schedule of airplane production. This called for 1,000 planes in December 1940, more than 1,600 in April 1941, 2,200 in July 1941, and 2,700 in February 1942. On December 13, 1940, in his address before the National Manufacturers Association, Mr. Knudsen was forced to admit that production was behind even the newer schedule. He said:

> Frankly, we are not doing anything compared to the forecast by the manufacturers and the Commission in July, and our hoped-for production figures for January 1, 1941, of 1,000 planes per month have to be scaled down by 30 percent to be correct.

The actual production in December 1940 was 900, better than Knudsen anticipated early in the month, but still short of the 1,000 estimate. But in April we produced only 1,389 as against the estimate of 1,600. And in July the actual production was 1,460 as against the estimate of 2,200.

Revised schedules have continued as deliveries kept falling behind the schedules. It is reported that the latest O. P. M. estimate calls for a monthly output of 4,000 by July 1942 and that it is estimated that the goal of 50,000-a-year production will be reached in another year. But if the experience of the past is a guide to the future we will not achieve that objective.

The following table shows the actual deliveries of military planes to the Army, Navy, and British, month by month, since the beginning of the emergency program:

1940:	
July	561
August	586
September	670
October	742
November	779
December	900
1941:	
January	1,036
February	972
March	1,216
April	1,389
May	1,334
June	1,476
July	1,460
August	1,854

The total output of military planes in 1940 was about 5,800. During the fiscal year 1941 deliveries totaled 11,461, a little more than one-quarter of the originally planned 2-year program. In the first 8 months of 1941 but 10,737 planes were produced and if all goes well we may get 18,000 for the full year. Fifty thousand planes a year is still a strategic dream.

But what is more important is the number of combat planes produced. What we need now is tactical or combat planes and particularly 4-engine bombers for the British. Yet only about half of our total production is of such combat planes. It has been stated, without refutation, that during the past year we have produced upon the average only 500 combat planes per month. About 700 combat planes were produced in July, 16 less than in the previous month of June, and this number was 200 less than the schedule. The 700 combat planes were composed of 14 heavy 4-motor bombers, 95 medium bombers, 243 light bombers, and 348 fighter planes. We cannot wrest air superiority from the Germans at this rate.

In May 1941 came the announcement that the President had set a goal of the production of 500 heavy four-engine bombers a month, apparently to be reached by late 1942. During the previous month, April, only 21 such planes were produced, and production declined to 12 in June and only 14 in July. The production and delivery of the four-engine planes is way behind schedule and it will be 2 years or more before the goal of 500 planes can be reached. Plant facilities are supposedly now available for the production of 100 planes a month, but only a handful are forthcoming. We will not reach a production of 200 a month until late spring or early summer of 1942, and it appears that 500 a month is another strategic dream.

The progress of the plane-expansion program of the Army Air Corps during the past year cannot be evaluated with any accuracy, since the War Department refuses to release to the public information about its plane procurement. Secretary of War Stimson has placed the production data on aircraft on the Army's secret list. "Bouncing" output figures are said to be "confusing to the public." The 1940 program called for the delivery of 13,000 planes by late 1942. The 3,600 bomber program will not yield any planes until well into 1942. And 13,000 more planes were appropriated for in June 1941.

On May 1, 1940, before the expanded program went into effect the Army had a total of 2,794 planes, of which 863 were combat planes, and of these only 500 were suitable for modern war. Secretary of War Stimson is reported to have testified before the Senate Foreign Relations Committee in the hearings on the lend-lease bill, February 25, 1941, that the Army then had nearly 4,000 planes, of which slightly less than half were tactical planes. But only 650 of the combat group were of first-line quality and few were up to present battle standards. At Stimson's request, this testimony was deleted from the hearings, but it was reported in the New York Times February 26, 1941. Apparently most of the planes delivered to the Army in recent months

have been from programs previous to the 1940 ones.

Reports vary as to the number of planes the Army received in 1940. The New York Herald Tribune, January 16, 1941, reported that Under Secretary of War Patterson told a group of Senators that only 83 bombers, a little more than 200 fighters, and about 1,000 trainers were procured in 1940. Hanson Baldwin reports that the Army Air Corps received only 50 combat planes in December 1940.

As to the general progress of the Army plane-procurement program, the following testimony of General Brett, Chief of Army Air Corps, on March 7, 1941, before the House Appropriations Subcommittee holding hearings on the fifth supplemental national-defense appropriation bill, 1941, page 162, is worthy of note:

Naturally in a program of this magnitude there have been some delays due to various causes. However, most of these had been anticipated and all of them have now been ironed out. In this connection, you will remember I told you previously that an air force could not be built up overnight.

We have not begun to get our maximum deliveries under the airplane contracts. This peak will not be reached until about October of 1941, although deliveries gradually increase up to that time.

However, it will start rolling very well in April and May.

In the same bill the Army asked for and received a supplemental appropriation of $63,000,000 for the deficiency in the current airplane procurement program created because of the additional cost of aircraft. The cost of aircraft has gone up approximately 20 percent over the time when the program was started. The increase in labor costs and the cost of raw materials are largely responsible for the increase.

Even if the Army now has 6,000 or 7,000 planes, only a small dent has been made in the total program authorized and appropriated for. Furthermore, the number of combat planes added is not large and few of the planes are up to the battle standards of the present war.

The facts about the progress of the Navy's plane-procurement program are well known, and it is easy to show that the deliveries are considerably behind schedule even though Secretary Knox apparently tries to give a contrary impression. It will be remembered that the authorized strength of naval aircraft is now 15,000 and that the 1940 program called for the procurement of about 7,000 planes over a period of 2 years so as to bring the total strength to around 10,000 planes. In July 1941 funds were appropriated for only 2,236 more planes. Yet on May 22, 1941, according to the New York Times, Secretary Knox "expressed confidence that the Navy would attain its 15,000-plane goal by July 1, 1943."

What are the facts about the Navy's procurement of airplanes? First, the over-all strength. On January 1, 1940, the Navy had on hand 2,145 planes; on May 1, 1940, the number had grown to only 2,300; and by July 1, 1940, it had slipped to 2,172, due mainly to transfers to the British. On January 1, 1941, the Navy had 2,590 planes on hand, showing a net gain during the year 1940 of only 445 planes. On May 1, 1941, naval-plane strength was 3,476 and the latest report is for 4,624 planes on September 1, 1941.

But how does this square with the schedules of procurement? On January 7, 1941, Rear Admiral Towers, Chief of the Bureau of Aeronautics, testified before the House Committee on Naval Affairs that deliveries were consistently running behind schedule and the Navy received in 1940 about 300 less planes than it expected. The net increase in naval aircraft during 1940 was only 445. The November figure of 119 planes delivered was 30 percent below expectations. At the same time Rear Admiral Towers gave the plane procurement schedule for 1941, as follows:

January	334
February	263
March	229
April	334
May	393
June	372
July	352
August	365
September	365
October	329
November	279
December	299

In a press conference on May 21, 1941, Secretary of the Navy Knox presented the figures on the actual deliveries during the first 4 months of 1941. In January, 297 planes were delivered, as compared to the schedule of 334. In February, only 183 were delivered instead of the scheduled 263. In March, the deliveries amounted to 243 planes as against the projected 299, and in April 273 planes were delivered instead of the scheduled 334. Thus, the Navy got in the 4 months only 996 planes as against a scheduled 1,230. The deliveries were 19 percent behind schedule. Yet in the press conference Secretary Knox attempted to leave the impression, without directly saying so, that the production of naval airplanes was ahead of schedule.

Moreover, the situation has become worse in recent months. Admiral Towers testified before the House Committee on Naval Affairs on July 22, 1941, that the Navy had received only 1,547 planes during the first 6 months of 1941, as compared to 1,995 scheduled. Deliveries were 22 percent behind schedule. And since the Navy had 4,624 planes on hand on September 1, 1941, as compared to 2,590 on January 1, 1941, it appears that the 1941 plane-procurement program is 25 percent behind the schedule of 2,712 planes for the first 8 months of the year.

In January 1941, Admiral Towers stated that the delays were due to the following reasons: Shortage of tools, shortage of tool-making personnel, delays in expansion of plants, increased engineering time on all modern aircraft development, delays in furnishing raw materials, and failure of subcontractors to meet obligations. In July, he stated that he no longer entertained the hope that deliveries would pick up so that the total year's delivery would approximate the total deliveries scheduled.

Furthermore, on February 14, 1941, Admiral Towers appeared before the Deficiency Subcommittee of the House Committee on Appropirations in the hearings on the fourth supplemental national-defense appropriation bill, 1941, to justify a request for $61,809 in cash and $15,000,000 in contract authorizations to procure 189 airplanes. That deficiency request was due to the fact that by the time that contracts were let under the 7,000-plane program the original estimated costs had risen and the Navy was 189 planes short. The request was granted.

It is clear that the Navy's plane-procurement program is a fifth to a fourth behind schedule. Although it was stated in 1940 that the 7,000-plane program was a 2-year affair, the Navy now tells Congress that they expect to have only 7,300 planes on hand on the 1st of July 1942, and 10,400 by July 1, 1943. Yet Secretary Knox is on record as having said on May 21, 1941, that the Navy would attain its 15,000-plane goal by July 1, 1943.

Another aspect of the aircraft problem is the production of military planes for export. After the repeal of the arms embargo in November 1939, American manufacturers started exporting a considerable number of planes to foreign countries. France received 750 planes in the first 6 months of 1940, and the British Empire 386 planes in the same period. Total exports were about 1,532 in the first half of 1940. With the fall of France and the launching of our defense program, the picture changed somewhat. We have taken charge of the allocation of all airplane production and permit only such exports as we choose. The British have been getting the lion's share of all planes exported and a goodly share of all planes produced in the United States.

Unfortunately we do not have available very much exact information of what the British expect of us in the way of planes and their delivery dates and actually what she has been getting recently, so that it is difficult to pass judgment on that part of our plane-production program. We bear some criticism of American planes by the British, but it is clear that Britain would like many more planes than we are supplying, particularly the 4-engine "flying fortresses." The British and Canadians are reported to have had 16,000 planes on order in the United States. The present lease-lend program calls for about 10,000 planes.

What has been done? In a speech before the Chamber of Commerce of the United States on April 30, 1941, Col. John Jouett, president of the Aeronautical Chamber of Commerce of America, stated that in the first 20 months of the war nearly 3,500 American-built military planes were exported to the British. He evidently meant the whole British Empire, since Great Britain alone had by no means received that many planes from us by April.

Some time ago the President announced that we would divide our airplane production with the British 50–50. It does not appear that that rule has been applied to total production. On one hand, it appears that the British have been getting more than half of the combat plane production; it has been estimated as high as 90 percent at times. On the other hand, the British have probably not been getting half of the training planes produced. So far the

British have received little aid in the form of aircraft under the Lend Lease Act, for only $6,016,145 of aircraft and aeronautical material was exported to them as of August 31, 1941. Furthermore, only $8,876,730 of aircraft and aeronautical material procured under the Lease Lend Appropriation Act and appropriations made prior to March 11, 1941, had been transferred as of August 31, 1941.

The failure of the administration's airplane production program to meet the anticipated schedules has kept the British from getting as many planes as they expected and when they wanted them. But it also appears that the British have received preference in the delivery of combat planes, so that our Army and Navy Air Services are considerably short on up-to-date combat ships. It may well be a good policy to give the British the bombers now, but the facts remain.

True enough our production of military planes has trebled in the past year. But that is far less than was anticipated and what the administration told us we would have.

The tank ranks next to the airplane as the most potent of the implements of modern mechanized warfare. Taking heed from the demonstrations of the Germans, the Army has belatedly embarked upon an extensive program of mechanization and motorization. It has now organized 4 armored divisions and may eventually have 8. In addition, 10 G. H. Q. tank battalions are planned. The original tank procurement program apparently called for about 6,000 tanks. Light tanks to the number of 3,500 were to be acquired by early 1942 and 2,500 medium tanks were to be procured by mid-1943. In his speech before the National Association of Manufacturers on December 13, 1940, William S. Knudsen stated that including British orders then placed the production of 9,200 tanks was called for under the defense program. At a press conference on November 1, 1940, President Roosevelt stated that 4,900 light, medium, and heavy tanks were on order. He reported that the British had expected to buy 4,000 tanks but their orders had been reduced to 1,500. In July 1941 the Army asked for funds for 1,500 more light tanks and 4,600 more medium tanks. Since Congress granted only half of the request for the special ordnance equipment above the demands of the proposed 3,000,000-man Army, it might be assumed that the Army will order only about one-half of the 6,100 additional tanks originally requested.

Despite this ambitious program the facts show that tank production is behind schedule and that the Army does not have the tanks to equip its newly developed armored divisions. On May 1, 1940, the Army reported that it had only 10 modern light and 18 modern medium tanks on hand. It did have, however, perhaps 350 to 400 additional World War tanks not suitable for combat but which could be used for training purposes. In September 1940 some 229 of the World War tanks were sold to Canada for training purposes. By August 1, 1940, the Army had increased the number of modern light tanks on hand to 67, but it still listed only 18 modern medium tanks.

In the past year the production of light tanks has increased considerably. In testifying before the House Committee on Military Affairs early in April 1941 both William S. Knudsen and John D. Biggers of the O. P. M. stated that light tanks were then being produced at the rate of 100 a month. Later reports indicate that about 725 light tanks were produced in the year ending in May 1941. And the O. P. M. reported on August 23, 1941, that the one thousandth light tank had recently been delivered. But the Army apparently received only about one-half of the light tanks produced, for it is reliably reported that 500 have gone to the British, nearly all in Africa and the Near East. The monthly production of the light tanks is rumored to be now about 300 a month. It will probably be another year before the Army gets even its original quota of about 3,500 light tanks.

In the summer and fall of 1940 contracts were let to five or six companies for the production of the M–3 medium tanks. Considerable time was necessary to construct plants and tool up. But in a speech at the American Legion convention in Boston on September 23, 1940, William S. Knudsen said:

> Eventually—say, next spring or early next summer—we will have medium tanks and a few heavy ones.

But by May 1941 only a few handmade model M–3 medium tanks had been turned out. The latest report is that 2 or 3 a day are being produced, and September or October production may reach 100. The optimists state that by the end of the year monthly production of tanks may reach 500, half light and half medium. General Wessen, Chief of Ordnance of the Army, told the Senate Appropriations Committee on July 31, 1941, that the Army expected to have "well over a thousand of those medium tanks before the 1st of January." This hardly seems probable in view of the way things are going now. However, the newer model medium tank, the T–6, will not get into production until May 1942.

The heavy tanks which Knudsen said we would have this summer are still in the experimental stage and no orders have been placed. So, 2 years after the war began in Europe and more than a year after the start of the emergency defense program, our tank-production record is pitiful. The Army is being held up in the organization and training of its armored divisions and has to use light tanks for medium tanks in maneuvers.

At the start of the defense program last year the Army was very weak in modern up-to-date ordnance. The list of equipment on hand on May 1, 1940, showed a great dearth of antiaircraft guns, effective field artillery, and nearly every type of modern ordnance. We had large quantities of World War rifles, machine guns, revolvers, old French 75's, and small ammunition. These were of some value, as is shown by the fact that many were sold or turned over to the British. Prominent in that list as of January 1, 1941, were 970,000 Enfield rifles, 24,494 machine guns, 62,988 antiaircraft machine guns, 200,500 revolvers, and millions of rounds of ammunition. But there was a crying need for up-to-date ordnance of nearly every category.

The munitions program of June 30, 1940, called for critical items of equipment, with some exceptions, for a force of about 2,000,000 men, and the essential items of equipment for the then protective mobilization force of 1,200,000 men. Then the protective mobilization force was increased to 1,418,000 and provision was made in October 1940 for the essential items for the expanded force. In the appropriation made in June and August of 1941 provision is made for all critical items for the projected augmented force of 3,000,000, with special reserves beyond that, and essential items for the expanded protective mobilization force of 1,727,000 men.

The munitions-procurement program put into effect in the summer and fall of 1940 called for approximately the following chief items of equipment:

Item	Number	Scheduled delivery date of final item
Mortars, 81 mm	8,300	Fall of 1941.
Rifles, M–1, Garand, semiautomatic	202,559	July 1941.
Mortars, 60 mm	10,000	Middle of 1942.
37-mm. antitank gun	4,600	Fall of 1942.
20-mm. antiaircraft	700	Do.
37-mm. antiaircraft	3,000	Middle of 1942.
3-inch antiaircraft	52	March 1941.
37-mm. aircraft cannon	1,000	Spring of 1943.
37-mm. tank cannon	6,000	Middle of 1942.
75-mm. tank gun	2,500	Do.
Pack howitzers, 75-mm	1,000	Middle of 1943.
105-mm. howitzers	2,700	Fall of 1942.
155-mm. guns	400	Middle of 1942.
8-inch howitzers	50	Spring of 1942.
8-inch guns	29	Middle of 1941.
Motor vehicles	230,000	Late 1941.

Of course, many additions and changes have been made since, but the table gives a good idea of what the original program was.

What has been done? Unfortunately the Army refuses to give out much information about the progress of the ordnance program, so it is hard to get a clear picture of the situation. In May 1941 the O. E. M. published a pamphlet entitled "Defense—One Year," which described the ordnance program as follows:

> Ordnance: Because they are easiest to produce, machine guns, rifles, and ammunition are being turned out in vastly increased volumes. Powder output has risen 1,000 percent, small-arms ammunition 1,200 percent in less than a year. Twice as many Garand rifles are coming out monthly as in July 1940. The output of .30-caliber machine guns has trebled, .50-caliber machine guns quadrupled. Gains of 40 and 35 percent, respectively, have been made in the manufacture of field and antiaircraft artillery.

That statement is not of much value, for it tells little or nothing about actual production. In general, it seems that the production of practically all types of munitions is unsatisfactory. Small-arms production is fairly good, but the heavy arms and ammunition situation is serious. The production of important antiaircraft, tank and antitank guns, and other artillery pieces is slow and unsatisfactory. There is an urgent need for all sorts of guns, particularly antiaircraft

guns, but quantity production is still far away. Many of the new guns being produced are unsatisfactory in some respects and new ones are being planned and tested. Ordnance production is handicapped also by the fact that it rates below aircraft and shipping on the priorities list.

In the past year the Army has refused to give out much information on the number of guns on hand and being produced. A list of guns and items on hand August 1, 1940, was published and it showed very few increases over May 1, 1940. The following bits of information about the progress of the ordnance program have been gleaned from various sources:

First. The Army's antiaircraft defense until recently has depended upon about 500 of the old 3-inch-type guns, which are good up to 15,000 to 18,000 feet, but which have been largely outmoded by the advent of high-altitude bombers. The Army has adopted the modern 90-mm. gun as basic for antiaircraft defense. The original program called for 700 of these, but it is reported that 1,200 are now on order. But only a few have yet been delivered, and the War Department confirms President Roosevelt's statement that an average of only 61 will be produced in each of the next 1 months. It will be several months before we will have sufficient of these guns to protect the city of New York alone, which, it is said, would require 300. Large numbers are needed in the Canal Zone. Moreover, the British contend that the 90-mm. gun will fall at least 6,000 feet short of the necessary range for fighting modern bombers. The Army is now turning toward the larger and more powerful 4.7-inch antiaircraft gun, but at latest reports such gun had not even been ordered, and it will be over a year before we can hope to get any.

Second. The Army plans call for the replacement of the famous French 75-mm. gun with a new 105-mm. howitzer. None was on hand either in May or August of 1940 and the first model was turned out in May of 1941. Only a few have been delivered, and it will be in 1942 that we will get quantity production, 200 a month.

Third. In antitank guns production is centering on the 37-mm. type, which the Army now admits to be ineffective against heavily armored tanks. In July 1941 only 72 were produced and in August 160. The schedule calls for 260 in September and 320 in October. The Army has now adopted 3-inch and 4.5-inch antitank guns, but General Wesson stated to the Senate Appropriations Committee on August 1, 1941, that it would be October or November before the contracts are placed. In the meantime we are spending $4,600 apiece for the 37-mm. antitank guns, which may be practically useless.

Fourth. On May 16, 1941, the first 20-mm. automatic aircraft cannon ever produced in the United States was delivered to the Army.

As compared to the Army, the Navy is far better prepared, and could undoubtedly give a good account of itself in case of need. Secretary of the Navy Knox and other administration officials have been stressing the Navy's strength and boasting of its performance in patrolling the Atlantic. The enormous two-ocean Navy expansion program is under way. The Navy proudly declares that "every vessel authorized by law has been contracted for" and that it has 353 combat ships building. The public is also informed that the scheduled time for building all classes of combat ships has been shortened considerably.

But without disparaging the Navy's strength it should be pointed out that there are serious faults in the Navy today and that the expansion program is not proceeding as smoothly as it could and should be. In the first place, it is now admitted that the Navy is not ready and will not be ready for some time to give its combatant ships the type of antiaircraft protection which modern warfare has dictated as desirable. Secondly, it must be remembered that for a considerable period the two-ocean Navy as contemplated in law must remain a strategic dream rather than a reality. Thirdly, there are serious bottlenecks in the expansion program, such as machine tools and armor plate, which are holding up ship construction and keeping the building time schedules from being reduced as much as they should. And, finally, the airplane procurement program, as already noted, is 25 percent behind schedule.

It is now generally admitted, even by the Secretary of the Navy, that the Navy has underestimated the effectiveness of aircraft against ships and has failed to provide enough protection for antiaircraft crews on the decks of its vessels as well as adequate antiaircraft guns. The Navy is trying to correct this mistake but it takes time to produce the guns. The new ships are being reasonably well taken care of but there is the problem of strengthening the antiaircraft defenses of the older ships. Recently the Navy was given $300,000,000 to improve the antiaircraft defenses of 58 vessels, including 15 battleships, 6 aircraft carriers, 18 heavy cruisers, and 19 light cruisers. This program will take 5 years to complete. The program will require some 452 5-inch guns and many 1.1-inch guns. The whole program will have to wait on the guns, and the 5-inch guns only started coming in April 1941.

The Navy also received $75,888,820 in the Fifth Supplemental National Defense Appropriation Act, 1941, to arm merchant vessels taken over by the Navy. Such a program will require 1,445 guns and 1,344 mounts above those on hand or on order. Admiral Blandy testified on March 11, 1941, that it will take 29 months to complete the job. It will be 15 months before the guns start coming in quantity and then it will take another 14 months to get them.

Furthermore, the Navy has recently informed Congress that "some antiaircraft equipment and ammunition is behind schedule, due primarily to lack of machine tools." The lack of adequate antiaircraft defense is a serious factor which must be taken into account in a patrol program. It is a pressing problem which cannot be settled for some time to come.

The Navy states that it had 353 combat ships building on September 1, 1941. Technically this is true since the Navy considers a ship building as soon as the contract is awarded. But it may be several weeks or months after the contract is awarded before the keel is laid. The Eleven-Percent Expansion Act of June 14, 1940, was substantially geared to the estimated normal productive capacity of American shipyards in the 2 years 1940–42. To add the Seventy-Percent Expansion Act of July 19, 1940, to already crowded ways meant that few of the newly authorized ships could actually be started until new ways were provided. As a result not a single keel of a ship authorized by either the Eleven-Percent or the Seventy-Percent Expansion Act was laid in 1940. Even today several of the ships authorized by the Eleven-Percent Act have not had their keels laid. And, apparently, only the keels of 8 destroyers authorized by the Seventy-Percent Act had been laid before April 1, 1941. It will not be until late 1942 at the earliest that even a destroyer authorized by the Two-Ocean Navy Act will be delivered to the fleet.

On August 10, 1941, the Navy stated to the press that the construction of the ships for the two-ocean fleet had been speeded up so much, that barring labor trouble or actual war, the two-ocean fleet will be completed in 1944, 2 to 3 years ahead of the originally scheduled date of 1946–47. It was admitted, however, that some of the 17 battleships authorized and perhaps some other large units will not be completed at the earlier date.

To say that the two-ocean Navy will be ready in 1944, when several battleships and "other large units" will not be constructed then, is certainly misleading. What are the facts which the people should know? Although 17 battleships are technically building we shall get only the *North Carolina* and the *Washington* in 1941, 1 or 2 in 1942, 2 or 3 in 1944, 2 or 3 in 1945, and 4 in 1946 or early 1947. How can we have the two-ocean fleet in 1944 with 6 or 7 battleships still building? Under revised construction schedules deliveries in the 3 calendar years 1941, 1942, and 1943 will probably total 151 destroyers, 19 light cruisers, and 15 submarines. This schedule may and should be improved upon somewhat, but the fact remains that the two-ocean Navy is still a strategic dream which can hardly be realized in 1944. A great deal of publicity was given to the commissioning, in April and May of 1941, of the two battleships *North Carolina* and *Washington*. But it must be remembered that commissioning does not make a ship ready for action. The ships must have their trial runs and gunnery practice, which the *North Carolina* recently went through. Both battleships were still classed as building on September 1, 1941. The contracts were let on August 1, 1937; more than 4 years has elapsed and they still are not ready. It is fair to assume that the Navy never expected that the ships would be completed and in actual service before late this fall or in the early winter.

The Navy intimates that practically every ship is ahead of schedule and that the construction time on the new men-of-war has been cut by an average of 12½ percent for each vessel. Battleships are now expected in 48 months as compared to 54 or 56 months before. Contracts now placed call for the completion of our newest cruisers within 32 to 33 months as compared with 40 months 3 years ago. Submarine building time is now 23 to 33 months as compared to 29 to 36 months 3 years ago. And the Navy expects to build destroyers in 18 months while it used to be about 24 to 30 months.

Significant as these gains are it should be noted that the original building schedules were set some time ago on the basis of a one-shift, 40-hour week for labor and the old rate of armor-plate production. Now three shifts of 6 days—48 hours a week—are being used so that the gain in time constitutes only a small portion of the increased labor being applied. Take, for instance, the construction of a battleship. It used to take about 54 to 56 months to build and now the schedule calls for 48 months, about a 15-percent reduction in the construction time. Yet by working three shifts there is a potential increase of labor by 200 percent. Actually this is not the case, for the second and third shifts are smaller than the first. Furthermore, the rate of production of armor plate is being increased so that construction schedules should be reduced still more. In view of these circumstances the announced reduction in building time is not as impressive as would appear on the surface.

The construction program is being held up by the shortage of machine tools and armor plate. On July 11, 1941, Captain Allen, Budget officer of the Navy, submitted the following statement to the House Appropriations Subcommittee holding hearings on the first supplemental national defense appropriation bill for 1942:

> Machine tools: This program is progressing slowly. During the first 5 months of this year, only 40 percent of those due were delivered. This is at present one of the vital controlling factors of production.

Since the lack of such tools holds up construction all along the line, it can readily be seen that this constitutes a very important bottleneck in the naval expansion program. If this bottleneck is not broken and machine tools delivered to the Navy, we cannot get a two-ocean Navy in the time estimated.

The production of armor plate also constitutes a very serious bottleneck in the naval construction program. When the two-ocean Navy was authorized heavy armor production was barely sufficient for the completion of two capital ships a year, although the productive capacity had been doubled between 1938 and 1940. The Government's own armor plant at South Charleston, W. Va., had been idle since the World War period. It was not until late October 1939 that a contract was entered into to put the plant in order. It was not until June 1940 that preparations for the production of armor plate were actually begun. And it will not be until 1942 that the Charleston plant will be producing large quantities of armor plate. The Navy has entered into contracts for the expansion of private armor plate production facilities, and it is expected that by sometime in 1942 the annual productive capacity will be more than quadrupled—from 20,000 tons to 84,000 tons. We are now producing 4,700 tons per month, or at the rate of 56,400 tons a year.

The Navy admits that the shortage of armor plate is holding up the construction program, particularly of battleships and cruisers. Secretary of the Navy Knox wrote Senator BYRD on October 2, 1940:

> The armor capacity will not be sufficient to meet the requirements of the building program on the dates desired.

Rear Admiral Blandy, Chief of the Bureau of Ordnance, testified before the House Committee on Naval Affairs on July 11, 1941, that the shortage will hold up the construction of battleships for probably 2 more years. The admiral stated:

> The delay amounts on some battleships to as much as a year. Present indications are that the *Iowa* (23 percent complete) may be delayed 8 or 10 months for lack of armor.

The admiral also admitted that there was some shortage in the production of rolled plates, under 3 inches, which are used for light vessels. But the Navy is trying to adjust armor manufacture so as not to delay the construction of destroyers and other light vessels. But battleships are definitely being held up, and the situation will not improve for probably 2 more years.

In view of these factors it is difficult to put much credence in the administration's boasting of efficiency in the naval construction program. The speed-up is but a part of what it should be. And the administration is either deceiving itself or trying to deceive the American people by promises of a two-ocean Navy in 1944.

In view of the administration's policy of patrolling the Atlantic and trying to keep Axis warships out of "our waters," it is imperative that great emphasis be placed upon destroyers. The Navy is speeding up the construction of destroyers and light cruisers at the expense of heavy cruisers and battleships. It is building 40 extra destroyers under the 11 percent and 70 percent expansion acts by using some 70,000 tons left over after the contracts were let for other types of ships. But although it is reported that a destroyer was recently completed in 10 months, it still takes, on the average, about 18 months to build them. Our total strength of destroyers, new and old, is 168; 196 are building and the completed two-ocean Navy will carry 364. The Navy states that we will be building at the rate of 100 a year by the end of 1943. But only 12 have been commissioned so far this year and the schedule calls for about 45 in 1942 and a total of 151 by the end of 1943.

With the passage of the Lend Lease Act on March 11, 1941, the policy of giving material assistance to Britain was made a definite part of our national-defense program. To carry out the policy Congress appropriated $7,000,000,000 in the Defense Aid Supplemental Appropriation Act of March 25, 1941.

Now that practically a half year has elapsed since the $7,000,000,000 was made available for lend-lease operation, we may well ask what has been done with the money. How much aid has been given to the British and other nations? On June 11, 1941, President Roosevelt reported to Congress, as required by law, that only $75,202,426 worth of defense articles had been transferred to other countries under the Lease Lend Act as of May 31, 1941. Of this amount only $10,729,684 came from funds provided by the $7,000,000,000 appropriation of March 25, 1941, while $64,472,742 came from appropriations made prior to March 11, 1941. On September 15, 1941, at least 4 days late—the President reported to Congress that as of August 31, 1941, only $246,394,372 of defense articles had been transferred to other nations. Of this amount $148,584,649 came from the $7,000,000,000 fund and $97,809,723 from appropriations made prior to March 11, 1941. An additional $78,169,378 in aid was provided in the form of completed defense services and partial transfers on defense projects. Actual exports totaled only $190,447,670 as of August 31, 1941.

These figures indicate clearly that actual aid to the British under the Lease Lend Act in the first half year has been comparatively little. Furthermore, the figures show that more than a half of the value of defense articles transferred, $128,465,806, is accounted for by food and other nonmunition articles. Only $8,876,730 worth of aircraft and aeronautical material was transferred and only $6,016,145 exported. And the total amount for all types of munitions and military and naval services is, indeed, small.

Although $6,281,237,421 of the $7,000,000,000 fund has been allocated, $3,555,587,895 obligated, and $388,912,115 expended, the important fact is that only $324,563,750 of articles and services have been transferred and only $190,447,670 in defense articles exported as of August 31, 1941. The President may talk of the flow of defense goods abroad becoming a torrent, but it is now no more than a trickle. Despite its declarations of the urgency of the need, the administration has failed to provide the sinews of war for Britain under the Lease Lend Act just as it has failed to provide the badly needed defense articles for our own armed forces.

I want to direct your attention as the full summary is given to the pathetic record of production in the Navy aircraft field. Oh, there have been excuses given and reasons have been advanced, but the fact of the matter is we do not have the planes. If the records of the past are to be a standard or criterion for the future, it looks as though a lot of our pilots will have to use something other than airplanes to do their flying.

I refer in passing to the Navy situation I repeat an expression of confidence such as was voiced by the distinguished gentleman from Virginia with reference to Admiral Stark. I believe just as he does about Admiral Stark, but I am just a bit concerned as to what the latitude and

the power of the Chief of Naval Operations may be. I am wondering whether the administrative part of that establishment is hitting on all fours in the same splendid way that the operations are functioning. The lag has not been due to men like Admiral Stark. It has not been due to the bureau chiefs. They can only go as far as the administrative policies will permit. I do not believe that Admiral Robinson, for instance, in charge of construction and repair of ships in the Navy, is to be held accountable for the action taken at Kearny. That comes from higher up. But let us look for a minute at what this program of the Navy is to be. I throw out this question to those of you who have good memories. Do you remember what the President's attitude was when the proposal was made for a two-ocean Navy? Look up the record. After all, probably it would be better for you to convince yourselves than to permit me to try to persuade you. Go back of the record and see what the attitude was when the proposal was first made that we might establish a two-ocean Navy.

That two-ocean Navy program is a colossal program. I realize that. It will not be built, it will not be completed, it will not be floating on the words and provocative utterances of the Secretary of the Navy. It will get to floating by the brain and brawn of the great industrial machine of America. It will provide security for our people when the leadership of the Nation challenges that brain or brawn to do its utmost to get that Navy afloat. All the words and phrases of the Secretary of the Navy will not turn one gun or lay one keel.

The Secretary of the Navy has made some estimates. He has made some promises, but it is now generally admitted, even by the Secretary of the Navy, that the Navy has miscalculated the effectiveness of aircraft against ships and has failed to provide enough protection for antiaircraft crews on the decks of its vessels, as well as adequate aircraft guns. The Navy is trying to correct this mistake, but it takes time to produce the guns.

Right in point, let me say I in no sense want to intrude upon the prerogatives of the Foreign Affairs Committee, but the occasion simply prompts passing reference. This matter of a change in the Neutrality Act is going to require guns if this new proposal is to be carried out.

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I yield myself 10 additional minutes.

And those are guns in addition to the present needs of the Navy.

I have tried to give you the facts in the case. It is the evidence on which you can pass judgment. That evidence is unimpeachable.

It proves that the administration's performance is sadly out of step with its promises. It is a pathetic record—all the more pathetic as we contemplate not only the lost effort but the lost time, and as we realize the potential driving force which could have been developed had it been properly set in motion and competently directed. It is a record which is startling but not surprising. How could it be otherwise when we consider some of the fundamental philosophies of the administration? Today the administration is reaping the harvest of its own sowing. And the Nation must suffer from the ingathering. The bone and sinew, the strength and sturdiness of a people, are weakened and worn away by profligacy just as the wealth of a nation is wasted by the adoption of the extravagant style of a spendthrift. What the prodigal frittered away in dollars was only a part of the heritage he dissipated in riotous living. His confidence, his self-reliance, his independence—the characteristics which gave him a claim to an inheritance were bankrupted by the process which emptied his purse. Industry is not the child of indolence. Thrift is not the offspring of indulgence. Competency does not come from coddling. And courage is not rooted in the contentment of an unearned comfort. Men become strong as they discipline themselves by hardship and toil. For almost a decade the Government has condoned indolence, taken pride in its indulgences, boasted of its coddling, and given every encouragement to claims for unearned comforts.

The pathetic record now before us compels a reference to the antagonism to private enterprise and the sabotage of our industrial machine which highlighted the administration's policies prior to the inauguration of the rearmament program. Those forces which have recently been called upon to respond in the emergency had for a long time been discredited, abused, and maligned. Of course, it is absurd to think that these policies would not have their after effect. Has not the Government suggested a distrust of businessmen and a disregard for business methods? Fields of discontent and dissatisfaction between management and men were made fertile for the seeds which have yielded their harvest of agitations, disagreements, and prolonged work stoppages. Is it surprising that the objectives which were established more than a year ago have not been attained? The surprising thing is that we have accomplished as much as we have. But, despite the optimistic estimates, the cunning evasions, the accumulated excuses, we do not have the planes, the tanks, and the guns now which were planned for and which the administration promised we would have. And the American people have the right to ask why?

But, in addition to the evident effects of the policies of the past, there are present-day factors which must be taken into account. We have been told the program which has been undertaken requires our total effort. As yet there has been nothing done to establish a coordinated organization with proper authority to challenge such an effort. Things have been going on at sixes and sevens. Hit or miss has been the order of the day. First things have not been put first. We have a cyclone of contending interests and of competitive ambitions. The tumult of the confusion has been deafening. Instead of a pulling together there has been a pulling in opposite directions. Jealousies and antipathies on the part of selfish and ambitious appointees in their relations with the business leaders, whom the President has drafted, have been permitted to grow like malignant sores. The genius of the productive leadership of the Nation has been forced to accommodate itself to the capricious demands of impractical theorists. Some of the reformers have threatened to break off diplomatic relations with the clear-thinking, common-sense, practical business executives. Men whose records of administrative incompetency have shocked every fair-minded citizen have been entrusted with even larger responsibilities than those with which they previously established their shameful failures. A well-manned and a well-paid publicity staff maintained at the expense of the taxpayers has carefully concealed the frictions, the contentions, the jumble, and the disorder which has resulted in wasted time, effort, and money. The inauguration of a plan carries with it the responsibility for its adequate and efficient execution. The more serious the plan the greater the responsibility. No better stimulant could be provided for the morale of our people than the assurance which springs from competent and common-sense administration.

To those who are concerned about the maintenance of the morale of our people, so much concerned as to whether some cold, hard fact will disturb that morale, let me say that concealment contributes nothing to confidence.

Obviously, our defense program is closely related to our foreign policies. They are a part of each other. They are bound up together. To attempt to separate the one from the other is impossible. A part of our foreign policy has been imposed upon us by the President. In part it has had congressional approval. In part it has been evolved without the action or the concurrence of the Congress. If the latter course is persisted in, either by direction or indirection, the impotency of the legislative arm of the Government will become a painful fact rather than a dangerous threat. Our duty is to be on guard against this eventuality. This is especially true as we realize the significance of the record of the objectives and the accomplishments of the defense program. To dismiss this record unconcernedly or to disregard it complacently would invite danger. Certainly it should be a deterrent to those who impetuously and, as I see it, imprudently urge steps of a more drastic nature. Weapons, not words, make for security.

To close our eyes to present-day perils would be suicidal. Our every effort should be directed to the production of a defense adequate for our every need in any emergency. This was my position long before the fateful days of 1939. I have consistently maintained that position. I believe it to be one of common sense. But common sense also dictates following a course which does not ignore pertinent facts and figures, which is cold-bloodedly realistic rather than fantastically idealistic, which permits a study of the chart and compass of experience, and which sets as its destination a port that can be reached.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield such time as he may desire to the gentleman from Vermont [Mr. PLUMLEY].

Mr. PLUMLEY. Mr. Chairman, for me to take part in this discussion at this time reminds me of a somewhat similar situation in which I found myself in a political campaign in Vermont some years ago when our colleague the gentleman from New York, JOHN TABER, the ranking Republican member of the Appropriations Committee, had delivered a very scholarly, forceful, and effective address, to be followed by our distinguished colleague the gentleman from Missouri, DEWEY SHORT, who had them all "down at the altar" and who wound up by saying, "Let us then follow Jefferson, Lincoln, and Theodore Roosevelt," and so forth. Then the chairman of the meeting said, "We will now hear from our Congressman, Mr. PLUMLEY." I said, "I am in favor of following Jefferson and Lincoln and Theodore Roosevelt, but if anybody wants to follow DEWEY SHORT they may take my place."

So I feel now that if any of you would like to follow the distinguished gentleman from Pennsylvania [Mr. DITTER] who has just preceded me, who has just made a record-making-breaking speech that is entitled to, and that deserves, and should have, the consideration of every voter, you may take my place.

Smoke screen it as you will or may and hide behind your alibis as you see fit to do or not, yet this is an appropriation for national defense. Are you opposed to it? Are you for it? Or have you an alibi to offer? The American people have a right to know where you stand. Hitler knows.

Incidentally, for your information if not your comfort, I recall that in Pickwick Papers a certain Dickens character, hard pressed, was heard to say, "Oh, Sammy, Sammy, vy warnt there a alleby?"

We hear a lot about the cost of war. What should startle you complacent complainers into a realizing sense of the present is, What will a Hitler peace cost?

What about the price of liberty? Are you for it? What are you willing to pay? We must agree with Cervantes that, "It is past all controversy that what costs dearest is and ought most to be valued."

These debates involving national defense are no radio forums held for the delectation of the public, or for the exploitation of one's pet idiosyncracies. There has been too much idle talk.

We are down to brass tacks. We are voting the people's money for their defense. They know it. The time for everything else has long gone by, though too many do not sense it or realize the fact that we are at war, willy-nilly. The people are not so dumb as some folks think.

Yet, do you know, I sometimes think it may take a declaration of war to waken the American people to a realization of the peril that stalks them day and night. That applies to us, their representatives, particularly, for, after all, the people are substantially of one mind.

A declaration of war would put all and each of us for or against the United States of America. It might lead to that unity, without which we are lost. It might save us as a Nation. Some people definitely and positively believe this is the way out.

We are at war. Why not declare it, they say? Except for the fact that I hate to recognize that war-crazy, brutal beast, Hitler, as an antagonist entitled to such recognition as is ordinarily accorded in warfare to an honorable enemy, I might favor it.

Reserving the right to change my mind, I am inclined to think I might be outspokenly for such action by Congress. I would listen to wiser counsel. It presently seems to me, however, that such a move possibly would clarify and solidify the situation. Without such action, I am afraid we are bound to blunder along, some for and some against, ununified, playing politics, and fanning the fire of retribution.

Of course, every man has a right to his own opinion as to what he should say and do. That does not mean, however, that he can forever cram down my throat, without a protest, his obvious intent to hamstring national defense because of his selfish disinclination to face facts or because of his deep-seated antagonism to any foreign policy promulgated by this administration.

Hear me when I tell you that we will fight with our dollars now, or our men later. If we do not fight with our dollars now—and until we are bled white if necessary—then the time will surely come when those so obtuse as not now to appreciate their own danger will rue the day they preferred to save a dollar rather than a life. That is what it breaks down to in the last analysis. It does not make sense.

The amounts covered by this bill directly traceable to national defense total $6,152,383,495, a staggering sum; but in my judgment America is worth it.

The committee report covers the items but does not magnify the fact that of the tremendous sum a subtotal of $5,985,000,000 is for the purpose of enabling the President to furnish aid to those countries whose defense he may deem vital to our own defense, pursuant to the provisions of an act to promote the defense of the United States, approved March 11, 1941. The resources of the United States, and that means your pocket, are definitely committed to that end. There shall be no turning back.

As is well said in the committee report:

In any consideration of the magnitude of the conflict raging in the world, one significant fact stands out. The forces of production will determine the outcome. Munitions superiority must be achieved to insure the defeat of the Axis. Production in the countries opposed to the Axis has not reached the point at this time to achieve this. Germany has for several years been devoting the effort of approximately one worker out of every two to her war effort and is now aided by the subjugated labor of many millions in the nations she has overrun. The battle of production must intensify and increase until the torrent of war supplies pouring from this country and the aided nations completely overwhelms the productive efforts of the Axis. Our first line of defense lies in the lend-lease operations. We must move forward to the limit in our production to meet these and our other defense needs.

I desire right here and now to direct your attention to a portion of the report which is entitled to your consideration as well as that of every citizen.

The estimates upon which the $5,985,000,000 is predicated have been prepared by the agencies of the Government entrusted with that duty by the President, have been passed upon by the Office of Production Management as to manufactured articles, and have been reviewed by the Division of Defense Aid Reports and the Bureau of the Budget and by the President. They were prepared after consultation with the representatives of the nations proposed to be aided. The committee has been given as complete a list of necessary defense articles as it is possible to furnish in connection with an operation of this magnitude and character. It should be remembered that defense aid is the furnishing of material aid to nations that are engaged in fighting a crucial war. No one has the vision or imagination to foresee to a nicety what the specific requirements will be. The theaters of action shift and as they change the specific requirements are altered. One of the outstanding characteristics of this war is the element of surprise. The territorial extent is vast and the moves are not published in advance. It is not possible to bring to the House the same kind of a statement as to the minute purposes of the appropriations for lend-lease as it is in connection with our regular governmental appropriations. It would be misleading to do so because those who are charged with the administration of these funds would be denied the flexibility in administration which is so highly essential if the purposes for which the funds are granted are to be achieved within the time limits of prompt action and to meet the constantly recurring emergencies that arise from day to day due to changes in the direction and character of the combat. The committee has gone over the requirements in as great detail as it is possible for them to be presented. Most of the data supplied are of a highly confidential nature and they must be kept so. The public discussion of them will not contribute to the success of the nations we are aiding in our own defense, and the divulgence of them may contribute unwittingly to the plans of those whom we are seeking to defeat.

Then, again, let me call your attention to the following statement, also incorporated in the committee report:

The sum of $5,985,000,000 in this bill, plus the $7,000,000,000 heretofore appropriated for lend-lease, makes a total of $12,985,000,000. This is a large amount and to many it may seem it should be sufficient. The committee wishes to be frank with the House and the country. The hearings disclosed that so long as the present conflict goes on it will be necessary to provide additional funds. The amount allowed in this bill is estimated to be obligated by March of 1942, at which time it is now contemplated that additional funds will be requested. The program is one of continuous planning, continuous production, and continuous delivery to implement fighting forces with everything at our command in the form of defense articles. The flow must be steady, increasing, and effective. In this connection the committee desires to quote from the very pertinent testimony of the Chief of Staff of the Army, General Marshall:

"The War Department has foreseen the necessity for additional appropriations for defense-aid purposes from the time the original requirements for defense aid were presented to the Department. The allocations made to the War Department from the amounts appropriated under the Defense Aid

Supplemental Appropriation Act, 1941, were inadequate to meet the demands upon the Department by those countries approved for aid under the act. The amounts proposed in these estimates are still inadequate to meet those requirements of the countries requesting aid, which have been recommended after careful consideration by the War Department agencies concerned. The items included in these estimates represent in money value less than half of the outstanding requirements reported at this time by the countries to be aided. From the War Department viewpoint there is an immediate and pressing need for the funds in these estimates if the Department is to meet the responsibilities placed upon it under the policy established by the Congress in the enactment of H. R. 1776, and thus furnish its maximum contribution under the act toward aiding those countries which are assisting in the defense of the United States."

Of course, there are items in the bill of which I do not approve. I admit, however, that it is perhaps because I do not comprehend the entire situation, although I listened as attentively as one could to the testimony respecting such matters. In a national emergency, however, I am disposed to yield to the judgment and opinion of those who are competent to assert positively that the necessity is urgent and that time will justify their insistence that they are correct. On them rests the responsibility for the defense of my country. I propose to cooperate with them rather than to obstruct, the while I hold them responsible, and I demand that they make good their assertions.

I do not propose to cut off my own head while splitting hairs.

All kinds of questions have been asked by those for whom I have too much respect not to realize that they did not know that to answer their questions would be a violation of confidence loaded with potential dynamite for our enemies. I will say, for their benefit but not for their justification, that the interrogators should have known that no answer could be made.

Everybody knows that much of the data on which the Appropriations Committee bases its report came from evidence adduced during the hearings. This evidence was of a most highly confidential nature—so confidential that no record was made of it. Other portions of the testimony were given and transcribed with the distinct understanding it was to be expunged from the record. It had to be so. Your committee had the facts. It has given the country the benefit of such facts as could be made public, even to Congress.

It would be treachery for a member of the Committee on Appropriations to disclose any data so confidentially given that might lead to the disclosure of information that would be of military value to those who should not have it. Why ask for it? You would not get it from me or any of the members of the committee who were present at the hearings.

Right here I might as well say that my position should be understood in this connection as one who is also in favor of the repeal of the Neutrality Act.

I told a newspaperman in Vermont what I thought, and he quoted me in the Barre Times of Monday, October 6, as follows:

Declaring that "we should untie our hands so we can fight to defend ourselves," Congressman CHARLES A. PLUMLEY clearly made known his stand on repeal of the Neutrality Act, when interviewed in Barre today during a brief visit to Vermont.

Congressman PLUMLEY added that we Americans are not neutral in thought or in act and that we might as well come right out and admit it.

Said PLUMLEY: "I think we should untie our hands so we can fight to defend ourselves. I would vote to repeal the Neutrality Act which has been largely nullified by the Lease-Lend Act and by events. The policy and state of mind also of the country has changed. We are not neutral either in thought or act."

He added: "The transfer of the merchant ships to Panamanian register was a hypocritical act, made necessary, perhaps, by the law, and so have been many changes we have had to do in self-defense. It [neutrality] should be repealed and the material we are manufacturing we should deliver if necessary. That means convoys, armed merchantmen and whatever it takes.

"We should stop living a lie. We know we purpose and propose to back England and Russia to lick Hitler. The destruction of Hitlerism is the only guaranty we can have for our own safety and the sooner we make it possible to deliver the product of our factories the quicker the war will be won. It is our responsibility whether or not we like it."

Speaking of the reluctance of some Americans to aid Russia, PLUMLEY asserted, "And those who hesitate to help Russia better not be too 'choosy.' Not to help Russia is to help Japan. With a defeated Russia we will have to fight the world, if England loses."

Summing up his viewpoint, PLUMLEY declared: "We are in this war and have been for some time and we should realize it and act accordingly, and for our own defense—and I do not mean maybe."

Off the record, it seems that great minds move in the same channels, if I can believe what I read in the papers as having taken place the evening of Monday, October 6, at the Lord Halifax dinner. The answer is found in the fact that it is just plain, common horse sense, as goes the Vermont colloquialism.

I am going to vote for this bill in the best form it can come from the Committee of the Whole. That is to say, it should be passed as written. I shall not support a motion to recommit. Such a step would be playing partisan politics, as I see it now. This is no time for that. Every day and every hour the danger to us approaches and increases, and yet our alarm clocks are set to go off when the first Hitler attack is made on us. How absolutely inane.

We should be so powerfully prepared to defend ourselves that such an attack should never come. We should contribute even our last dollar to aid those who are fighting Hitler and making it possible for us to make ourselves impregnable. All the talk in the world does not fool the people of this country as to the situation which confronts them. Their danger is concrete, not abstract. Anybody who contributes by vote or word to the possibility of an increasing threat of Hitlerism does himself, the people, and his party a distinct disservice. My colleague, the gentleman from Pennsylvania [Mr. DITTER] has told you the story.

We will take care of the New Deal extravagance and mismanagement and communism, and corruption after this war is over, else we ought not to survive. That is that. The New Deal record of accomplishment is a blank sheet and daubed at that. We will talk about that after we save ourselves from Hitler.

We are at war. This bill provides the funds to ensure adequate national defense. I shall vote for it. I will vote to stop Hitler every chance I get to do it. I will approve such measures as in my judgment seek to do that very thing. I will not be too fussy about who fights for me, either. I am out to lick Hitler now.

Those who say "We are not at war" or "We are being led into war," and use it as an alibi for not supporting appropriations for national defense, and also say: "If war were declared I would wholeheartedly support the Commander in Chief in his effort to win the war" furnish a perfect picture of a political paradox.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. PLUMLEY. I will not yield.

It has been suggested that we should take these people at their word. It is argued that in order to unify and solidify our defense, provided these men mean what they say, we should declare war. Maybe we ought to do just that. Perhaps we owe it to our country to put these people to the test. Some of them are afraid that that is just what is going to happen. Some of them would welcome the relief such action would bring them from the very embarrassing situation in which they find themselves today, branded as they are, as opponents of national defense.

Mr. LAMBERTSON. Mr. Chairman, will the gentleman yield?

Mr. PLUMLEY. I will not yield.

Germany has followed, and is following with respect to us, exactly the same procedure she has followed from the beginning, as one after another she has commenced undeclared war against the democracies and all the countries she has engaged in war. She has not declared war against us, and will not declare war, for that is not the way she does business. There is, however, no question in the minds of the German high command, but that the United States is in this war, and that Germany is at war with the United States. The only question with respect to the matter seems to be in the minds of some people in the United States.

The question we will eventually have to decide is whether or not we should declare war and put everybody on record as for or against national defense.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. PLUMLEY. You can keep on asking me and you will get the same answer. I will not yield.

Mr. HOFFMAN. But I have not been here.

Mr. PLUMLEY. Well, you are here now and you have heard what I said.

Mr. HOFFMAN. Is it a funeral oration, or what is it?

Mr. PLUMLEY. That is not even funny. It may be your funeral. It is not mine. Do not forget that I could be nasty, but the gentleman knows very well that my wish is not the father of his thought.

I believe these people ought to put on their fighting clothes, get into the game, play it for all it is worth, whether they carry the ball, call the signals, or sit on the bench, for we can only win this war by team work.

I am in agreement with at least 70 percent of the people of the United States, and my advices are that the percentage is considerably higher than that as compared to 60 percent as of last January, who have decided that it is more important to them and to us to defeat Hitler than to keep out of war.

Must we wait for a declaration of war, or actual invasion, or the loss of the freedom of the seas, or our own Dunkerque, or our loss of liberty before we close ranks?

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 20 minutes to the gentleman from Michigan [Mr. ENGEL].

Mr. ENGEL. Mr. Chairman, this debate which has been going on for almost 2 days ought not to close without the RECORD showing that some consideration has been given to the financial aspects of this question. I want to discuss the matter from a financial point of view. I want to discuss it as Mr. Stettinius, the able gentleman who is to administer these funds, would discuss it were it presented to him as chairman of the board of the United States Steel Corporation, the position he occupied previous to coming to Washington to take charge of this program. I want to discuss it as Mr. Knudsen would discuss it were the problem presented to the General Motors Co. of which he had been head for some time before he came to Washington. And I want to discuss it strictly on a nonpartisan basis. I concede to every individual regardless of party the same sincerity, the same honesty of purpose I claim for myself; and I hope those listening to me will concede to me at least that same sincerity and honesty of purpose. I believe we are all trying to decide this question in the light of what is best for our Nation's welfare. It is proper that we should pause a moment to see just where we are going financially. It is proper that someone should call attention to the status and the condition of our national pocketbook.

Several months ago Jesse Jones, head of the Reconstruction Finance Corporation, made the statement that our national debt would in the near future reach $90,000,000,000. David Lawrence in the issue of the United States News which will come out tomorrow, October 10, makes the statement that the United States national debt would exceed $100,000,000,000 within a short time. In view of the fact that the amount carried in this bill will make a total of about $59,000,000,000 that has been appropriated by Congress for national defense and lend-lease purposes since July 1, 1940, I am compelled to say I agree with Mr. Lawrence and Mr. Jones. When we add to this $100,000,000,000 debt $20,000,000,000 of State and local indebtedness we find we shall have a public debt without further commitments beyond this bill of $120,000,000,000. In 1939 I compiled and placed in the RECORD the latest figures available on the assessed valuation of the property in each of the 48 States of the country. I sent to the proper officials of each State and got the latest reports available, which were for the years 1935 and 1936. I found that the assessed valuation of all the property in the 48 States at that time, 1935–36, was $135,000,000,000. Naturally anyone who studies the financial aspect of this or any other national question becomes alarmed when he sees that the public debt—national, State, and local—is approaching the assessed valuation of every piece of property placed on the assessment rolls by the assessing officers of the 48 States that make up this Nation.

I want to discuss next, unpleasant and unpopular though it may be, this old unpaid World War debt the amount of which, including interest, exceeds $13,000,000,000, and which is a part of this $100,000,000,000 public debt above referred to. The people of America borrowed this money and reloaned it to European countries during the last war. I also want to discuss the $13,000,000,000 lend-lease money which we are giving to these same foreign countries under these two lend-lease bills, one of which was passed last March and the one which will undoubtedly pass tomorrow.

There is only one way I can figure out just who is going to pay this debt. Some months ago in speaking on the floor of this House I told of a lecture I heard several years ago on the subject of taxation. The lecturer had on the platform a pair of overalls and a gingham dress. On each garment he had a patch for every tax, direct and indirect, reflected in the cost of the garment with the name of the tax on the patch. There were 43 patches on the gingham dress and 47 patches on the overalls. This recalls again, unpopular though it may be to recall it, a statement made by the President in 1932 at Pittsburgh, Pa., when he believed in my philosophy of economy. In this statement he said "Taxes are paid in the sweat of every man who labors." This debt will ultimately be paid by the sweat of somebody's brow.

Someone is going to have to pay these taxes and pay this debt if it is to be paid. The only way I can figure it and figure it fairly is upon a per capita basis. The automobile tax collected in Michigan is paid by the purchaser of the automobile in Texas, North Carolina, and Tennessee, or some other State. The tobacco tax collected by Virginia and North Carolina is paid by the tobacco and cigarette user in my State, your State, and all the other States.

If my State of Michigan and the other 47 States that go to make up these United States of America are not going to pay this $100,000,000,000, if they are not going to pay this $13,000,000,000 lend-lease money, who is going to pay it? If my home county and your home county and the other 3,014 counties that go to make up this Nation of ours are not going to pay this debt, who is going to pay it?

I tried to figure out just how much of this $100,000,000,000 debt of which we talk so glibly will have to be paid by the people of Michigan. Michigan's share will be over $4,000,000,000. Each man, woman, and child in America will have to pay $770. A family of four will pay $3,080, plus interest, as their part of this $100,000,000,000 debt. The $13,000,000,000 which we have coming from European countries and which we are not supposed to talk about is a part of that $100,000,000,000. Michigan's share of that old debt of $13,000,000,000 is $525,000,000. I am placing into the RECORD a statement showing the share upon a per capita of every State in the Union.

Mr. Chairman, I ask unanimous consent to place in the RECORD three tables compiled by myself pertaining to these matters.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. ENGEL. Mr. Chairman, Michigan's share of that $13,000,000,000 which is still owing to us from various foreign governments is $525,000,000. We have been paying the interest on that sum since 1919, and for some 10 or 12 years we have received no reimbursement from European countries.

Michigan's share of this $13,000,000,000 lend-lease program which we will have passed by these two bills is $525,000,000, or exactly $100 per capita. The is $9,450,000. Missaukee County, with only 8,000 population, will have to pay $800,000. The per capita share of the $13,000,000,000 lend-lease bills for the other counties of my district are as follows: Newaygo, $1,928,600; Oceana, $1,481,200; Wexford, $1,797,600; Lake, $479,800; Grand Traverse, $2,339,000; Leelanau, $843,600; Benzie, $780,000; Manistee, $1,845,000; Mason, $1,937,800. My old home town of Lake City has a population of 700 and has been paying on a waterworks plant for 20 years. These two bills mean that that little town is ultimately going to pay on a per capita basis $100,000 as its proportion of the $13,000,000,000 which we are turning over to foreign countries. That is five times the cost of that little waterworks plant that that town has been 20 years in paying for.

Michigan has a constitutional provision prohibiting the legislature from borrowing over $250,000 without a vote of the people. In 1916 we issued $50,000,000 in highway bonds and in 1921 $30,000,000 in soldier bonus bonds. The people voted these bonds. Would the people of Michigan vote to bond themselves for $525,000,000 to be turned over to Europe under a $13,000,000,000 lend-lease program? The answer is emphatically "No." These two lend-lease bills place upon Michigan a debt of $525,000,000, with the same liability as though Michigan had issued State bonds for that sum. But the voters and taxpayers of Michigan have no voice in the matter.

Mr. Chairman, 19 men from Michigan—17 Representatives and 2 Senators—are going to determine this question and cast a vote for over 5,000,000 people in Michigan, saying whether or not Michigan's name is going to be signed to a bond issue for $13,000,000,000, of which Michigan's share is going to be $525,000,000.

The State of Minnesota's share is $279,000,000. Nine Representatives and

two Senators are going to vote and say whether Minnesota's name will be signed to that bond issue which means that Minnesota is going to pay $279,000,000 to be turned over to European countries.

Nebraska's share is $131,000,000. New York's share is $1,347,000,000. Forty-five Representatives and two Senators are going to say whether or not New York must pay and turn over to Europe $1,347,000,000. Indiana's share is $340,000,000. Twelve Representatives and two Senators from Indiana are going to sign the name of the State of Indiana to a bond issue for $340,000,000 if they vote for this bill.

For my own congressional district it means a debt of approximately $25,000,000. Does the gentleman from Minnesota think that the people of Minnesota would vote a bond issue and bond themselves for $279,000,000 to be turned over to foreign governments under these two bills? If voters had a chance to vote, would Indiana bond itself for $342,000,000? Would Iowa bond itself for $253,000,000; Kansas, $180,000,000? Would Ohio bond itself for $690,000,000 to be turned over to European countries, when the gentleman from Virginia, the very able and distinguished gentleman, tells us we would be gullible if we thought any material part of this money was ever coming back?

Mr. Chairman, I voted for $46,000,000,000 in national-defense appropriations since July 1, 1940. Congress will have voted, with the passage of this bill, for a total of $59,000,000,000 since July 1940, including this $13,000,000,000 which is to be turned over to Europe.

Incidentally, here in this little blue book marked with a great big "Secret," covering 32 letterhead pages, are all the written justifications we had for the entire bill of $6,000,000,000. There are 8 pages in this book, justifying the appropriation of $2,250,000,000 which we are turning over to the Secretary of War and to the War Department for expenditure under the lend-lease bill.

The Secretary of War appeared before our subcommittee in justification of this appropriation of $2,250,000,000. He testified that he had never read the eight pages of justifications which the War Department presented to us in behalf of this appropriation.

In this bill is included an appropriation of $1,500,000,000 to be turned over to the Navy. While the Secretary of the Navy was able to find time to go through the country to make speeches and, despite the request of several members of the committee, including the gentleman from Pennsylvania [Mr. DITTER] and myself, he could not find time to appear before the committee in justification of the appropriation of this $1,500,000,000 which we are turning over to him as Secretary of the Navy.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from Virginia.

Mr. WOODRUM of Virginia. I know the gentleman would not want to be unfair about it. While it is true that Secretary Stimson stated that he did not know anything about the details of the estimates, yet the gentleman will agree that the aides of the War Department in every division and every category were there. They had studied the matter and knew all about it, and they were ready to give the committee every bit of information we desired on the subject.

Mr. ENGEL. Mr. Chairman, I want a Secretary of War who will run the War Department, not a Secretary of War who is being run by the War Department. That is the trouble over there.

Here is the record. Mr. Stimson is testifying:

> Mr. ENGEL. Now, have you examined this book, which is practically the only justification we have—this blue book, which purports to give, and undoubtedly does give, as far as you could do at the time, a detailed break-down of the defense-aid appropriation proposed for procurement by the War Department for the United Kingdom? Have you examined that detailed break-down?
>
> Secretary STIMSON. I have not hitherto.
>
> Mr. ENGEL. You have not?
>
> Secretary STIMSON. I do not think I have.

Mr. Chairman, I do not believe it is too much to ask the Secretary of War to read eight pages of a little booklet, the only written matter submitted to the committee, justifying the appropriation of $2,250,000,000 of the taxpayers' money that we are turning over to the War Department to handle for the benefit of European countries.

Mr. Chairman, I voted for the appropriation of $46,000,000,000 for national defense, and nearly all of you voted for it. There is $13,000,000,000 more, $7,000,000,000 of which I did not vote for and $6,000,000,000 of which I am not going to vote for. That totals $59,000,000,000 for national defense and lend-lease.

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, I yield 5 additional minutes to the gentleman from Michigan.

Mr. ENGEL. Mr. Chairman, now let us look at the other angle of this question. I asked the Secretary of War what proportion of the total war cost of Britain this $13,000,000,000 represented. I felt and the record will show that I so stated, that we were entitled to know what percentage of the European war cost we were paying in addition to our own. The Secretary of War said he had no such information, and his officers said they had no record of these facts.

Mr. Chairman, the newspaper reports state that the cost to England of this war has been $44,000,000 a day. If you will multiply $44,000,000 by 365 days you will find that this war has cost England a little over $16,000,000,000 during this past year. In other words, if these newspaper reports are accurate, and neither the Secretary of War nor anyone else seems to have any other figures on the subject, then England is spending $16,000,000,000 a year on her war. We are giving her $13,000,000,000 of our taxpayers' money in addition to spending $46,000,000,000 more to prepare us for a war in which we are not supposed to be.

I am placing in the RECORD a table showing the cost of this $13,000,000,000 lend-lease appropriation to each State. I want each of you to take that table home and read it. I want you to figure with me the cost of this war on a per capita basis. If your county and the other 3,014 counties that go to make up this Nation are not going to pay this $13,000,000,000, let those who vote for this bill tell you who is going to pay it. If your State and the 47 other States of this Nation are not going to pay this $13,000,000,000 lend-lease money, let those who vote for this bill tell you who is going to pay.

Above all, let them tell you where this country is going with a $120,000,000,000 public debt and a $135,000,000,000 assessed valuation, in view of the statement in the committee report that this is only the second bill and that next March we can expect further billions to be appropriated for the same purpose.

How am I going to vote, Mr. Chairman? I am going to vote on this bill just as the people in my district would vote if they were putting the name of their county or their State upon a bond issue for $13,000,000,000. I am going to vote just as the people in the State of Michigan would vote if they were voting a bond issue on themselves for $525,000,000 to be turned over to Europe when an old World War bond issue of a like amount is still due from Europe and has remained unpaid for more than 15 years.

In the meantime I am not worrying about Hitler's coming over here. I served 2½ years in the World War, including 23 months in France and Germany. I have been waiting for 20 years for someone to tell me what we got out of that war except a chance to pay for it. I do not know what we can gain in this war that is worth more to us than to keep the financial structure of our country on a sound basis, avoid bankruptcy and national chaos which is sure to follow if we proceed much further along present lines. I am going to try to guard the taxpayers' money in the same way that Mr. Stettinius would guard the money of his stockholders while acting as chairman of the United States Steel Corporation or as Mr. Knudsen would guard the money of the General Motors Corporation, of which he was president.

But they tell us that this lend-lease money will keep us out of war. When Mr. Knudsen appeared before the regular War Department Subcommittee of the Appropriations Committee I asked him how long he thought it would be before we would be in the war. He re-echoed the sentiment of 90 percent of official Washington when he replied, "Where do you think we are now?"

The testimony by Mr. Stimson on page 318 of the hearings along this same line is interesting. It concerns title to lease-lend weapons, and follows:

> Mr. ENGEL. I just do not want any mistake about the question of delivery.
>
> Now, when we send this equipment over, all of those guns and weapons and equipment, under lend-lease, they will be fighting with our weapons—if we lend or lease to them? That is true, is it not?
>
> Secretary STIMSON. If you are speaking from a legal standpoint, I think that would be true.
>
> Mr. ENGEL. In other words, at the end of the war they have a right to return those weapons; so they are fighting the war with our weapons and then, to the extent they fight the war with our weapons, we are in the war, are we not?
>
> Secretary STIMSON. Now, you are getting there to the question——
>
> Mr. ENGEL. It is a matter of policy. That is true, is it not, Mr. Secretary?

Secretary STIMSON. You might say in the same way if we repair their warships we are in the war.

Mr. ENGEL. Well, did not England pay the United States some $19,000,000 for doing the very same thing to Confederate vessels during the War between the States?

Secretary STIMSON. Yes.

Mr. ENGEL. Did not England, pursuant to an award made by an arbitration board, pay the United States Government a sum for doing that very thing?

Secretary STIMSON. I think they did.

Mr. ENGEL. Then, of course, to that extent, again, we are in the war, are we not?

Mr. WOODRUM. Mr. Chairman——

Mr. ENGEL. This is a matter of policy now.

Mr. WOODRUM. I do not think so. I want to be heard on that, Mr. Chairman.

Mr. ENGEL. Just a minute. Mr. Chairman, the Secretary of War is not testifying now in answer to the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM. But I can say something.

Mr. ENGEL. Well, you can say something when the Secretary is interrogated by you.

Mr. WOODRUM. I want to make the point there is no occasion for cross-examining and pressing the Secretary of War on a question of policy. That is not involved in this hearing, and the Secretary has been here for 2 hours and has manifested every courteous intention to try to give any information that would be helpful to the committee, and I do not think as a matter of public policy it is helpful to this procedure for this kind of examination to be conducted, and I want to lodge a complaint about it and call on the Chair for a ruling.

Mr. ENGEL. Of course, you can pour cold water upon it if you want to.

EXHIBIT I

Cost of the $13,000,000,000 lease-lend program to each State of the Union on a per capita basis

State	1940 census	Cost
Alabama	2,832,961	$283,296,100
Arizona	499,261	49,926,100
Arkansas	1,949,387	194,938,700
California	6,907,387	690,738,700
Colorado	1,123,296	112,329,600
Connecticut	1,709,243	170,924,200
Delaware	266,505	26,650,500
District of Columbia	633,091	63,309,100
Florida	1,987,414	189,741,400
Georgia	3,123,723	312,372,300
Idaho	524,873	52,487,300
Illinois	7,897,241	789,724,100
Indiana	3,427,796	342,779,600
Iowa	2,538,268	253,826,800
Kansas	1,801,028	180,102,800
Kentucky	2,845,627	284,562,700
Louisiana	2,363,880	236,388,000
Maine	847,226	84,722,600
Maryland	1,821,244	182,124,400
Massachusetts	4,316,721	431,672,100
Michigan	5,256,106	525,610,600
Minnesota	2,792,300	279,230,000
Mississippi	2,183,796	218,379,600
Missouri	3,784,664	378,466,400
Montana	559,456	55,945,600
Nebraska	1,315,834	131,583,400
Nevada	110,247	11,024,700
New Hampshire	491,524	49,152,400
New Jersey	4,160,165	416,016,500
New Mexico	531,818	53,181,800
New York	13,479,142	1,347,914,200
North Carolina	3,571,623	357,162,300
North Dakota	641,935	64,193,500
Ohio	6,907,612	690,761,200
Oklahoma	2,336,434	233,643,400
Oregon	1,089,684	108,968,400
Pennsylvania	9,900,180	990,018,000
Rhode Island	713,346	71,334,600
South Carolina	1,899,804	189,980,400
South Dakota	642,961	64,296,100
Tennessee	2,915,841	291,584,100
Texas	6,414,824	641,482,400
Utah	550,310	55,031,000
Vermont	359,231	35,923,100
Virginia	2,677,773	276,777,300
Washington	1,736,191	173,619,100
West Virginia	1,901,974	190,197,400
Wisconsin	3,137,387	313,758,700

EXHIBIT II

Cost of $13,000,000,000 lease-lend program to each county in the State of Michigan on a per capita basis

County	Population, 1940 census	Cost
Alcona	5,463	$546,300
Alger	10,167	1,016,700
Allegan	41,839	4,183,900
Alpena	20,765	2,076,500
Antrim	10,964	1,096,400
Arenac	9,233	923,300
Baraga	9,356	935,600
Barry	22,613	2,261,300
Bay	74,981	7,498,100
Benzie	7,800	780,000
Berrien	89,117	8,911,700
Branch	25,845	2,584,500
Calhoun	94,206	9,420,600
Cass	21,910	2,191,000
Charlevoix	13,031	1,303,100
Cheboygan	13,644	1,364,400
Chippewa	27,807	2,780,700
Clare	9,163	916,300
Clinton	26,671	2,667,100
Crawford	3,765	376,500
Delta	34,037	3,403,700
Dickinson	28,731	2,873,100
Eaton	34,124	3,412,400
Emmet	15,791	1,579,100
Genesee	227,944	22,794,400
Gladwin	9,385	938,500
Gogebic	31,797	317,970
Grand Traverse	23,390	2,339,000
Gratiot	32,205	3,220,500
Hillsdale	29,092	2,909,200
Houghton	47,631	4,763,100
Huron	32,584	3,258,400
Ingham	130,616	13,061,600
Ionia	35,710	3,571,000
Iosco	8,560	856,000
Iron	20,243	2,024,300
Isabella	25,982	2,598,200
Jackson	93,108	9,310,800
Kalamazoo	100,085	10,008,500
Kalkaska	5,159	515,900
Kent	246,338	24,633,800
Keweenaw	4,004	400,400
Lake	4,798	479,800
Lapeer	32,116	3,211,600
Leelanau	53,110	5,311,000
Livingston	20,863	2,086,300
Luce	7,423	742,300
Mackinac	9,438	943,800
Macomb	107,688	10,768,800
Manistee	18,480	1,845,000
Marquette	47,144	4,714,400
Mason	19,378	1,937,800
Mecosta	16,902	1,690,200
Menominee	24,883	2,488,300
Midland	27,094	2,709,400
Missaukee	8,034	803,400
Monroe	58,620	5,862,000
Montcalm	28,581	2,858,100
Montmorency	3,840	384,000
Muskegon	94,501	9,450,100
Newaygo	19,286	1,928,600
Oakland	254,068	25,406,800
Oceana	14,812	1,481,200
Ogemaw	8,720	872,000
Ontonagon	11,359	1,135,900
Osceola	13,309	1,330,900
Oscoda	2,543	254,300
Otsego	5,827	582,700
Ottawa	59,660	5,966,000
Presque Isle	12,250	1,225,000
Roscommon	3,668	366,800
Saginaw	130,468	13,046,800
St. Clair	76,222	7,622,200
St. Joseph	31,749	3,174,900
Sanilac	30,114	3,011,400
Schoolcraft	9,524	952,400
Shiawassee	41,207	4,120,700
Tuscola	35,694	3,569,400
Van Buren	35,111	3,511,100
Washtenaw	80,810	8,081,000
Wayne	2,015,000	201,500,000
Wexford	17,976	1,797,600

EXHIBIT III

Cost of $13,000,000,000 lease-lend program to each county of the Ninth Congressional District of Michigan on per capita cost basis

County	Population, 1940 census	Cost
Muskegon	94,501	$9,450,100
Newaygo	19,286	1,928,600
Oceana	14,812	1,481,200
Wexford	17,976	1,797,600
Lake	4,798	479,800
Missaukee	8,034	803,400
Grand Traverse	23,390	$2,339,000
Leelanau	8,436	843,600
Benzie	7,800	780,000
Manistee	18,450	1,845,000
Mason	19,378	1,937,800
Total	226,861	23,686,100

Mr. KNUTSON. Mr. Chairman, I make the point of order there is no quorum present. I observe there are only 14 Democrats here to listen to this wonderful statement and about 60 Republicans, and I am going to insist on the point of no quorum. It is an outrage the way the majority is neglecting its duty.

The CHAIRMAN. The Chair will count.

Mr. KNUTSON. Mr. Chairman, at the urgent request of a number who wish to be heard on this important question, I withdraw my point of no quorum.

Mr. FITZGERALD. Mr. Chairman. I believe the gentleman from Minnesota [Mr. KNUTSON] is right, and I insist that there is no quorum present, and I make the point of order there is not a quorum present.

The CHAIRMAN (Mr. BLAND). The Chair will count. [After counting.] Eighty-eight Members present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

[Roll No. 109]

Bates, Ky.	Harris, Va.	Ramsay
Beam	Hartley	Ramspeck
Bell	Healey	Randolph
Bolton	Hess	Richards
Buckley, N. Y.	Hill, Colo.	Rivers
Bulwinkle	Hinshaw	Robinson, Utah
Byron	Hobbs	Romjue
Camp	Houston	Sabath
Carlson	Jacobsen	Sacks
Carter	Jarman	Satterfield
Casey, Mass.	Johnson, Lyndon B.	Scanlon
Celler	Johnson, Okla.	Schaefer, Ill.
Cluett	Kee	Schuetz
Cole, N. Y.	Kennedy, Michael J.	Shafer, Mich.
Cooley	Keogh	Sheridan
Costello	Kilburn	Simpson
Courtney	Kleberg	Smith, Va.
Creal	Kocialkowski	Snyder
Crowther	Kopplemann	Somers, N. Y.
D'Alesandro	Kramer	Sparkman
Dickstein	Lanham	Starnes, Ala.
Dies	Lesinski	Stearns, N. H.
Douglas	McArdle	Sumners, Tex.
Eberharter	McGranery	Sweeney
Edmiston	McIntyre	Tarver
Elliott, Calif.	McKeough	Thomason
Fish	McLean	Traynor
Flaherty	Maciejewski	Van Zandt
Flannery	Mansfield	Vorys, Ohio
Fogarty	Marcantonio	Vreeland
Folger	Martin, Iowa	Ward
Ford, Leland M.	Mason	Wene
Ford, Thomas F.	Merritt	West
Geyer, Calif.	Mitchell	Wheat
Gifford	Nichols	White
Gilchrist	O'Day	Winter
Granger	O'Leary	Youngdahl
Patton	Patman	
Grant, Ind.	Patrick	
Harrington	Pearson	
	Pfeifer, Joseph L.	
	Rabaut	

Accordingly the Committee rose; and the Speaker pro tempore [Mr. MCCORMACK] having assumed the chair, Mr. BLAND, Chairman of the Committee of

the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 5788) making supplemental appropriations for the national defense for the fiscal years ending June 30, 1942, and June 30, 1943, and for other purposes, and finding itself without a quorum, he had directed the roll to be called, when 315 Members answered to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The SPEAKER pro tempore. The Committee will resume its session.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union, with Mr. BLAND in the chair.

Mr. CANNON of Missouri. Mr. Chairman, I yield to the gentleman from Arizona [Mr. MURDOCK] such time as he may desire.

Mr. MURDOCK. Mr. Chairman, in spite of the distressing fact that so little of the war materials which we have produced for our allies have reached them from the first lease-lend bill, yet I favor the appropriations to the present measure to make war upon aggression and to help our allies. It is more than a distressing fact, however, that so small a part of what we have already voted for defense against aggression in the $7,000,000,000 lease-lend bill—probably less than two hundred million has been sent where we want it to go—it is more than a distressing fact—it may be a tragic fact, if it should result in failure to give sufficient aid to our hard-pressed friends in the very critical time when aid is most needed.

Why has only about 3 percent of what we intended to produce and send them actually been sent to them? I have heard many explanations. Of course, I know that this great industrial country has been organized on a peacetime basis and I know that it is a very difficult thing in such a vast country as ours to convert it into wartime economy. I am willing to make some allowances for that, but are we to be charitable enough with those in charge of this program of producing war supplies to excuse this long delay? Of course, I know there are other factors entering into and causing the delay other than the inherent difficulties of shifting from peacetime output to wartime output, for I see great evidence of human selfishness on the part of some productive factors and a lack of that cooperation for which we have so earnestly prayed. Strikes in defense industry have been continually pointed out as one of the main factors in retarding production. Reluctance of capital or management to start on the program until assured of profits and amortization of capital outlay is undoubtedly another factor in retarding production. Without thinking of unpatriotic motives, I can imagine that business as usual, with a hope of more than usual profits, has caused some of this delay. However, there is no use of crying over spilled milk, if we are to play the part as a Nation we have set for ourselves, for we must attempt to make up lost time. I want Congress to do the legislative part by making the money legally available and assessing the taxes to meet this great emergency need.

What is the task we have set for ourselves? We are the arsenal of freedom. We have determined to use our productive capacity to stop Hitlerism. It was our assurance from the beginning that there is sufficient manpower in the Old World eager to fight aggression and safeguard their own freedom, if weapons were made available for all. If American labor and capital falls down completely in the task that America has assigned for herself, our labor may not remain free very long and our capital will not exist much longer to pay any taxes or yield any profits, and we shall have failed in our task no matter how many men may be called on to complete it after our initial failure. It is yet time for American labor and management, without the use of our soldiers to carry through to victory. If we fail in production, we may fail in the alternative of battle. If we are ultimately forced to battle with armies for our very existence, the present slow factors of production will be to blame. It is with this in the back of my mind that I am willing to vote for this supplemental appropriation. That is the thought in my mind but the emotion which fills my soul is—for God's sake, for our country's sake, for our own sake, American businessmen, American laboring men, American officials, wake up, produce the goods and furnish the implements of our national security.

Mr. CANNON of Missouri. Mr. Chairman, I yield 15 minutes to the gentleman from Montana [Mr. O'CONNOR].

Mr. O'CONNOR. Mr. Chairman, I want to assure you that I did not make the point of no quorum.

First, I want to read some figures that are included in a bulletin dated October 1941, issued by the National City Bank of New York:

> The authorized defense program has now reached a total of $56,536,000,000, according to the latest figures compiled by the Office of Emergency Management and published in the official weekly bulletin Defense, issue of September 23. Nearly six billions more will be added if the request for the second lend-lease appropriation is approved as expected. These figures do not include $3,674,000,000 of foreign orders for military supplies and materials. Adding this, the total amount to be expended in this country, chiefly from June 1940 on, and to be supplied by American producers, has reached practically $66,000,000,000.
>
> This total is so stupendous as to be virtually incomprehensible. It is almost twice the total expenditures by the United States in the last war. It is equivalent to three times the value of the country's railroad systems, which required half a century to build. The great bulk of it is for arms, although it includes Army pay and subsistence, lend-lease foods, etc.

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield right there?

Mr. O'CONNOR. I yield.

Mr. COFFEE of Nebraska. I might also add it is also twice the value of all the farm lands and buildings in the United States.

Mr. O'CONNOR. I am so informed.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. KNUTSON. It is four times the total value, may I say to the gentleman. That amount is $15,000,000,000 and this is $66,000,000,000.

Mr. COFFEE of Nebraska. I want to correct the gentleman. The total value of all farm lands and buildings in the United States, according to the last census, is $33,000,000,000.

Mr. KNUTSON. I thought the gentleman was talking about the value of the farms. It is four times the value of all the farms.

Mr. O'CONNOR. I regret to be compelled to say that the bill up for consideration is not entirely an honest one, in that lease-lend material for foreign countries is coupled in the same measure with funds for the defense of our own country. I doubt if there would be a vote cast against items carried in this bill for our own defense. I have consistently supported and will continue to support all measures that are designed to build up our national defense.

When the lease-lend bill was under consideration it was said that there was no harm in passing it as Congress would still hold the purse strings. Yes, theoretically this is true, but, of course, only in theory. A message to the Congress for $6,000,000,000 or any other sum of Americans' hard-earned money put into material that will be sent to foreign countries, or the money itself, is about all that is required for the Congress to act. Of course hearings were held in an attempt to justify such a move. Now let us assume that we want to help Britain in every way we can short of war, which I am willing to do, yet I do not want to give her one thing that she is not in need of. No representatives of those governments that we are helping or no person from those countries appeared before this committee to show need. Consequently all of the evidence as to need that is in the record is hearsay evidence. It would not be admitted in any court of justice. The only evidence comes from some of our roving representatives trying to find some place where we can spend money and the departmental heads here in Washington giving their views, and so forth. I, for one, am not going to vote away my people's property and money on such evidence.

I also want to call your attention to this. The British Empire has an entire population of 400,000,000 and only 1 percent of them is under the colors today. She has matchless resources strung all over the world.

Mr. FADDIS. Mr. Chairman, will the gentleman yield there?

Mr. O'CONNOR. I am sorry, I have not the time.

Out of Africa alone $700,000,000 a year is taken in gold, by England, a large part of which is sold to this country at a profit. I do not believe there is a scintilla of evidence in this record that would be admitted in any court of justice in any place in the world that

shows Britain in need of money. It is hearsay. No representative of those countries has ever appeared before the committee here and submitted a statement backed up by facts and figures showing that she is in need. I am talking of need now. We have some needy people in this country who had better be thought of at some time in the game.

Of course this bill will pass. We are thinking not with our heads, we are thinking with our hearts. My judgment is that those who favor this measure are the real defeatists. They do not believe that we can whip the Nazi economy in the after-war struggle. They have no faith in the American capitalistic system or in ingenuity of the American people. They do not believe that we can meet Nazi competition in world markets. They have no faith in themselves but are like ostriches burying their heads in the sand of some dreamer's social philosophy. My friends, the great Cleveland once said, "It is the duty of the people to support the government, not the duty of the government to support the people." And I am wondering if after all we are not chasing fools' gold. I quote from the President's speech delivered at Chautauqua, N. Y., on August 14, 1936, and this at a time when the shadows of war in Europe were commencing to appear; in fact, they were lengthening out. The President had that in mind when he uttered these words. I quote:

> Nevertheless, if war should break out again in another continent, let us not blink the fact that we would find in this country thousands of Americans who, seeking fool's gold, would attempt to break down or evade our neutrality.

That is the policy that I have been following. I followed the President when he uttered those words. And those words still ring true. Fundamental principles have not changed within that short length of time. Hitler was known to the President at that time. Every nation on the face of the earth has its intelligence bureau. We have an intelligence bureau in Germany and Germany has an intelligence bureau here, as has England, and we have one in England. We are not fools. I am just wondering when the Congress will stop this spree of making appropriations for other countries under such circumstances.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. Just let me complete this sentence. Mr. Chairman, when the full impact is felt by the American people of what the Congress is doing here in Washington, they will put a stop to this, if they have to make some changes here.

Mr. KNUTSON. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. Well, inasmuch as the gentleman was kind enough to withdraw his point of order I yield.

Mr. KNUTSON. Yes; but there was some benighted New Dealer who renewed the point of order of no quorum and I could not help that. The preceding lend-lease bill and this one will saddle upon the people of Montana $559,500,000. Does my good friend believe if that proposal were submitted to the people of Montana they would go to the polls and voluntarily vote to assume such a tremendous load?

Mr. O'CONNOR. Oh, everybody wants to do things so it will get into the newspapers, but when it gets down to the cold facts, there would not be a vote in Montana for it.

Mr. KNUTSON. And of course every Member who votes for this bill will have that put up to him in the campaign either by a Democratic or Republican opponent.

Mr. O'CONNOR. I cannot yield further. This measure is designated as an appropriation bill to implement the lease-lend bill. I doubt if there is a Congressman who has ever seen a contract stating the terms and conditions under which the materials and money are being loaned and leased. At least I have never seen a public record of such a contract. The distinguished gentleman from Wisconsin [Mr. KEEFE] raised that question yesterday. In addition, incorporated in the bill is a trick play to gain votes by attaching a national-defense provision of which we are all in favor. Such legislation is not unlike a bill that is in the making, as I understand, concerning the St. Lawrence seaway proposal, which seemingly was found to be unpalatable. It now has some pork in it for everybody. They have fixed it so that it may go through by distributing pork in nearly every State in the Union.

Mr. NORRELL. Mr. Chairman, if the gentleman will permit, that is not the Flood Control Committee. The gentleman is referring to the Rivers and Harbors Committee.

Mr. O'CONNOR. The gentleman is correct. We are carrying out a foreign policy which is contrary to the American traditions. We already have a division of our Regular Army in a foreign country, namely, Iceland, and I understand that it is officered with British officers. That is something new. I am not criticizing this move. It is water under the bridge. I think, however, it is well to consider this matter in canvassing the subject just to see where we are. I cannot by any possible argument persuade myself to think that we are in danger of invasion by Hitler, and by that I mean physical invasion. Of course, ideas and philosophy may invade us, and you cannot stop ideas and philosophy with bullets.

It is said that our continuance as a free country depends on the British Navy. If that is true, we made a great mistake when we got out of the British Empire, which, of course, I deny. If we are required to rely on the British Navy for assistance and because of that fact that we must bail her out of her trouble every 25 years with money and men, then if we were in the British Empire we would have something to say about the preliminary decisions that cause these wars. We had better think through on this and make up our minds which we want to be, a free nation or part of the British Empire.

I quote from Hanson Baldwin:

> We need not fear being outbuilt in a naval race, even should Hitler be able to turn all Europe and England to the task. One authority has estimated the shipbuilding capacity of Germany, her conquered lands, and her allies at 3,200,000 tons and of Britain at 2,500,000 tons—a total of 5,700,000 tons a year. Assume that Hitler could get the full benefit of this, an assumption which disregards damage already done to shipyards by bombs and ignores the inefficiency of sullen, conquered labor. Still we could meet the challenge, for we shall turn out 1,100,000 tons of merchant ships alone this year, next year 3,000,000, and more than 5,000,000 tons in 1943. And simultaneously we are pushing forward a naval building program just about equal to the combined programs of all of the rest of the world, including the British Empire.
>
> Furthermore, we can expand shipbuilding incomparably more than can Europe. There most of the sites for ways from which big ships can be launched into deep water have long been utilized, while we have scores of sites yet undeveloped. Shipbuilding is limited by steel and armor production. One American steel company will this year produce more steel than all of Germany; our expanded capacity soon will outmatch all the rest of the world. Our armor production, steadily increasing, is believed already to exceed that of England plus that of Germany.

The good will live. The bad will die. But once you jar our economy out of gear, which this will do—Henry Ford already has let out 20,000 men—once you put us out of gear and put idle men and women on the streets and hungry people in their homes, you will sow the seed for something to spring up here. There is an old saying which is still true, "Any port in time of a storm." We had better stop, look, and listen as we proceed with this mess.

Another thing: They say we have to save Britain. Lord Halifax is quoted the other day as saying the survival of the British Empire is assured. It is now a question of licking the enemy. To whip the enemy or enemies an invasion of continental Europe will be necessary. That will take manpower, huge manpower. They are going to ask us for manpower when that invasion is attempted, and if we are not careful we are going to give it to them.

Now, let us think through on that, "licking the enemy." It is not a question of going out and whipping somebody to make them say "enough." That is not the question. When you undertake this job you are going to have to save Soviet Russia. Russia looks like she is in a bad way now. We would have to bring freedom to China. We would have to crush imperialistic Japan. We would have to reconstitute Poland, Czechoslovakia, Greece, Belgium, Holland, France, Norway, Yugoslavia, Bulgaria, Rumania, Hungary, Albania, Ethiopia, and countless other nations, besides conquering Germany. How in the name of God is this going to be done?

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. O'CONNOR. How many years, how many lives, how much money is this going to take? Let us take the chief belligerent in the Senate. Senator PEPPER says from 5 to 10 years. I guess he knows what he is talking about.

It is said "The die is cast"; that we are in the war and that we cannot stop or turn back or change our minds I believe that is what our distinguished

friend said yesterday, except he did not say we were in the war. This I deny. We are going hog-wild in a venture that God only knows where and when and how it will end.

It is even suggested that we join forces with Great Britain and police the world for a hundred years. Knox said that out at Indianapolis. Is that our mission in this world?

Mr. JACKSON. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. I am sorry. I only have a few minutes. I must pass on.

I am amazed at the adoration that is shown by one of our administration leaders for "His Majesty's Government." I imagine, if we dig deep enough, we will find this gentleman belongs to this Union With Britain Club that has been organized. I think a man from Montana is at the head of it.

Mr. KNUTSON. To what man is the gentleman referring?

Mr. O'CONNOR. I will say it is not Senator WHEELER, however. My colleagues, on page 53 of the hearings, we find this: Mr. Young, in a prepared statement, not answering spontaneously or instantly under fire of examination, used these words, but he used them in a prepared statement:

> On September 10, 1941, His Majesty's Government——

Mr. KNUTSON. Whose government?

Mr. O'CONNOR. The United Kingdom. He is talking about "His Majesty's Government."

Mr. KNUTSON. I thought this was a war to preserve democracy.

Mr. O'CONNOR. That is the way a British subject would speak. We call it the "British Empire," but a British subject calls it "His Majesty's Government."

Mr. LAMBERTSON. Mr. Chairman, will the gentleman yield right there?

Mr. O'CONNOR. In just a minute. But just think of the closeness, the intimacy, the adoration, the subserviency suggested in that statement. Think of it. You may say this is a small matter, but these small things grow into big things. This may be a small thing. It may be just a minor matter, but it shows which way the wind is blowing. You know, after all, there is an old saying that "coming events cast their shadows." Here is a man close to the administration, testifying for the support of this bill, speaking the same as if he were a British subject.

Mr. LAMBERTSON. Will the gentleman yield right there?

Mr. O'CONNOR. Yes. I want to say that I have never heard a Member of this House refer to the British Empire except as a foreign country, "the British Empire."

Mr. LAMBERTSON. On page 52 of the hearings in his formal statement, Mr. Young, who is administrative assistant to Mr. Stettinius, spoke of the British Government as "His Majesty's Government, the United Kingdom." That is the way he refers to England himself in his own formal statement.

Mr. O'CONNOR. We ought to pause and not be in a hurry to send this $6,000,000,000 to Europe. Suppose Russia goes down. The aid we are giving Russia may hit us right in the face. Suppose Russia goes down or makes peace with Germany. The stuff we are sending Russia now may come over here in hostile hands. Let us be realistic about this thing, let us be a little cautious, a little careful about arming somebody who might be our enemy.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I yield 2 additional minutes to the gentleman from Montana.

Mr. O'CONNOR. Another thing about that, you cannot tell much about this Joe Stalin. He might double-cross us overnight, he might make peace with Hitler. Remember, human monsters are all yellow. He will do anything to save his hide. I do not have much faith in him since he double-crossed the President on his letter. The President wrote him a very nice letter. It got to the public somehow. Joe let that out. I am glad the President did not call him "My Dear Joe."

May we not pause for a moment in our hurry to spend this money and think a bit of this country? There are poor over there all right, but we have them here in our own midst. I am thinking right now of the Indians we have robbed; Indians living in tents, living in squalor, living in poverty. I cannot help but think of the old people of this country who are living in poverty, some of them living on as little as $7, $8, or $9 a month, the people who helped make this country. Let us pause once in a while in our mad hurry to look after our own people. Let us not be in a hurry to get into this war. It is going to be a long one and I have never seen any evidence that it is a private war. I think anybody can get into it if he pays, and I think he can get in on his own terms.

Mr. COFFEE of Nebraska. We bought our ticket.

Mr. O'CONNOR. I know we bought our ticket, and we can get in any time.

What a great job the diplomats of England have done in the sale of all of this to us. They are, indeed, to be admired and congratulated, but what about us who are going to have to pay through the nose for this sentimental plunge which we are taking. No, Washington was not wrong. He was right when he together with his followers made the sacrifices they did to bring this country into a free Nation. Let us keep it free.

What about this aiding Russia? Hitler and Stalin are conceded to be the two supreme human monsters of the world. Each has sacrificed more innocent blood than any person has done in the history of the world heretofore. A victory by either over the other would make no difference excepting it would place the victor in a position where he might try to impose his views on the world. I think it is the secret hope entertained by all that these forces that are at grips now will continue until each finally wipes the other out and removes each as a menace to the world. The helping of either to final victory as between them would be a mistake. Why, they now say that Stalin will guarantee religious freedom if you will give him a billion dollars or materials of equal value. Of course, he would make such a promise. Who is there who could trust him? As I said before, he will make any promise now that is necessary to save his skin. I am not impressed with death-bed restitutions. A leopard does not change his spots overnight.

What are the economy considerations of carrying on with these huge billion-dollar appropriations for Europe? A war economy in its very nature curtails civilian activities with closed factories for our little man who is not engaged in military production. Social unrest will follow the change. Priorities will make bootleggers out of now honest men because many of them will get needed materials in some way. Of course, they will have to pay the price. You will see the small people will eventually be affected by the policy we are pursuing in Europe. Remember war production is artificial and not creative for the wants of man. It is only temporary. We will pay the cost of this. Our standard of living will be lowered to the competitive life of Europe unless we avoid the waste of such measures. Every man, woman, and child including every Member of Congress would give up their lives and every dollar they had in defense of our country, but the American people will not support a declaration of war. We are unprepared for war. I quote from an article in the Reader's Digest of August entitled "What Would We Fight With?" Among other things it is stated in the article as follows:

> Where does all this leave our Army? The new Army possesses sufficient rifles and machine guns, but an inadequate supply of all other weapons, from antitank guns to airplanes and tanks, and it will remain inadequately supplied for many months to come.

I commend the reading of this article to all of the Members of the House.

I am not going to vote one dollar to establish the four freedoms thousands of miles away among people whose wants I do not know until such time as those four freedoms are established in this country. Charity with me begins at home. I am not hopeful of accomplishing this, as we have been endeavoring to do this very thing for 150 years and have not succeeded.

Let us consider that we are at the crossroads of this country, whether we are going on as a free and independent Nation and stand on our own feet or whether we are going back and undo what was done to bring this Nation into existence. Let us look at history. In 1776 there were two factions. One was the appeasement group, better known as Tories. They believed that the colonies should remain under the British Crown; that we were not strong enough to stand alone in a hostile world. They pointed to the fact that English troops were all around us and that other greedy European powers—France, Spain, and Portugal—all had footholds in this hemisphere. The other group, headed by George Washington, the Father of our Country, well, you might call them isolationists; they believed we should break with the Old World; that we should live our own lives and not involve ourselves in European troubles and that we should not submit to dictation and interference and meddling from across the Atlantic;

that we would and could be a democratic republic in a world of monarchs and autocracies. This was the group which won the fight in the First Congress, and we boldly proclaimed our intention to govern ourselves. Washington, Franklin, Adams, and Jefferson carried the day, the die was cast, and freedom was born. If we are going to be called upon every quarter of a century to defend the British Empire upon the theory that her existence is necessary for our continuance as a free country, by furnishing money, credits, materials, and our sons in war, then it simply adds up to this—that Washington was wrong; that instead of fighting to be able to form these United States of America as a free country we should have remained a part of the British Empire. To underwrite Britain's wars every quarter of a century, without the right to participate in the preliminary decisions that cause these wars, is disastrous and will lead to our ultimate destruction. My friends, I think Washington was right, and I prefer to see America a free country.

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Chairman, we have before us a very important bill. It is the second lend-lease give-away bill. Last March Congress, at the behest of the President, voted $7,000,000,000 for Great Britain. Bluntly stated, section 1 of this bill provides for approximately $6,000,000,000 more.

I yield to no man or woman in my loyalty and patriotic devotion to our country. No man or woman on the floor of this House could be more anxious to see our country thoroughly prepared and defended than I. Each one of us should be willing to vote every dollar necessary for the defense and protection of the United States.

We should have a two-ocean Navy, the best mechanized and equipped Army in the world, the biggest and best air force in the world, and we should be so thoroughly prepared on land, in the air, on the seas, and under the sea that we could successfully defend the United States and her possessions, and so much of the Western Hemisphere as is necessary for our own protection and defense, against any nation or combination of nations of the earth. For this program I have voted for every dollar the President has asked, and each and every Republican in this House has done likewise.

The Republican Party stands 100 percent for the defense of this country. There is complete unity on that point. The division comes when the administration undertakes to have this Nation meddle and intervene in the wars of Europe, Asia, and Africa. I have and shall continue to oppose this part of the President's program, as the President did in the last election. I have and shall continue to follow our historic foreign policy denouncing meddling in the wars and quarrels of the nations of Europe, Asia, and Africa. This is the policy that was laid down by President Washington, adhered to by Adams, Jefferson, and Madison, and crystallized as our foreign policy by Monroe, and has been followed by every other American President except President Wilson and President Franklin D. Roosevelt. We got away from this policy in 1916, 1917, and 1918 and became involved in the costly, bloody World War. That will be the logical result of our meddling in the present quarrels and wars of Europe, Asia, and Africa.

Recently, Congress passed and the President approved a new tax bill. It is the biggest tax bill ever passed by this country or any other nation in peacetime or wartime in the world's history. Secretary of the Treasury Morgenthau says that it will take about $14,000,000,000 in taxes annually from the American people, and the administration has announced there will be another tax bill some time this fall, and a real tax bill next winter.

Last March Congress passed and the President approved the first lease-lend-give-away bill for $7,000,000,000. The bill before us carries an additional $6,000,000,000. If we add the administrative costs, we will give away—practically all to Great Britain—these $14,000,000,000. Yes; we will give away this enormous sum of money. It represents more than $100 for every man, woman, and child living under the American flag, and about $500 for every American family. Practically all taxes collected by the Federal Government, either direct or concealed, are paid by the consumers. Under this last tax bill nothing escapes. Concealed taxes and much of what we consume in the way of shelter, clothing, food, transportation, heat, and light must also pay a direct tax. Taxes must be paid on the swaddling clothes of the newborn babe, on the burial of the aged. The needy widow, orphan, and blind must pay. Everything that is consumed must bear a part of these taxes, either concealed or both concealed and direct.

The people of the State of Kentucky on a basis of $100 in taxes per person on the average will pay $284,000,000. The people of the Ninth Congressional District of Kentucky will pay $41,000,000. The people of my own home county of Knox, with an assessed valuation of about $5,000,000, would pay $2,400,000, and the people of each county of my congressional district would pay on an average of $100 per person, either of concealed or both concealed and direct taxes, and we propose by this bill, and the one passed last March, and the cost of administering the amount set out in these two bills, to take $14,000,000,000 from the American people and give these enormous sums of money to foreign nations. In fact, this great sum of money represents, together with the State, county, and city taxes, 25 percent of the entire income of the American people. In other words, 25 cents out of every dollar earned. The British, 22 cents of each dollar of income. These enormous taxes are responsible in a large measure for the increased cost of living. I wonder how many people in the State of Kentucky would vote for this lease-lend-give-away bill if they knew that Kentuckians would have to put up $284,000,000 of the sum, and I wonder how many people in my congressional district would vote for this give-away bill if they knew that $41,000,000 of taxes would come off the people of that district, and I wonder how many people in my home county of Knox would vote to give this enormous sum to help finance wars in Europe, Asia, and Africa, if they knew that their pro rata part was $2,400,000.

The Democratic leaders in charge of this bill frankly admitted that the chances are that we will not get any part of this money back. Neither Great Britain nor any other country has made any pledge that they would pay any part of it back. We were also told that another lend-lease give-away bill would be urged before the Congress about next March. No one knows how many billions that bill will call for, and no one knows how many of these lend-lease give-away bills will be forced through the Congress, or how many tens of billions may be demanded to finance our meddling in the wars of Europe, Asia, and Africa. I am against section 1 of the bill under consideration for what I consider several good and sufficient reasons. In the first place, it is unnecessary. Six months have passed since the first lend-lease give-away bill was passed. Only about half of that sum of $7,000,000,000 has been let to contract, and of the actual finished products and materials only $388,000,000 worth have been delivered. In other words, less than 6 percent of the $7,000,000,000 have been translated into the finished equipment, materials, or products. Now, when will they use up the other 94 percent? Quite a lot of it cannot possibly be used before the latter part of 1942 and July 1, 1943. Why soak the American taxpayers now for another $6,000,000,000? This money could not possibly be used before the end of 1943; because American plant facilities have billions of dollars' worth of orders for national-defense equipment and materials on hand. Great Britain does not need this $6,000,000,000 now, and could not possibly get action on it for the next year or 18 months. This bill is being railroaded through now, so as to have our country tied up to pay it before the American people find out just what is being done to them and their country.

We are not only neglecting our own defense equipment and materials and sending them to Great Britain, but we are paying high transportation rates to British ships for transporting these free war equipment, munitions, materials, and food. I am informed that this Nation is already obligated and has paid out $375,000,000 as shipping charges, mostly for British ships, for carrying munitions of war from this country to Great Britain. These include a lot of shipping charges on equipment, munitions, and materials that do not come under the lend-lease bill. This bill provides a lot of money to send farm tractors to England. They claim there are 4,000,000 acres of land in England that have never been plowed up. This is made up largely of the big English estates. I cannot understand just why the American taxpayers should furnish to the English tractors with which to plow up and cultivate their lands when we do not do this for our own American citizens. This bill also authorizes the purchase of a great quantity of farm products to send to Great Britain. How

many millions of people in the United States now are also in need of food, clothing, and shelter? We are sending milk and expensive canned chicken to the British. How many of our children and older people are without milk or chicken?

Mr. COFFEE of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. I cannot yield; I am sorry.

I voted against the first lend-lease-give-away bill, and I am going to vote against this bill for the further reason, as stated in my speech against the first bill, it gives to the President unlimited powers, with almost unlimited money and credits to carry on undeclared wars for or against any nation in the world. Congress should insist upon its constitutional power to pass upon the question of peace and war. It should not surrender this power to the President. Until our American Revolution, emperors, kings, queens, and princes made war at such times as they chose, and then their subjects were forced to fight these wars, however unjust or uncalled for they might be. The American colonist had suffered under that kind of rule. After the Revolutionary patriots had won their war and had met in convention at Philadelphia to write a Constitution to protect and secure the freedom they had won, and in order to prevent some Chief Executive from involving them in a war without the consent of the people, they provided in article I, section 8, of the Constitution, among the other powers granted to Congress and used these words:

> To declare war * * * to provide and maintain a Navy * * * to raise and support an Army.

They were determined that no President of this Nation should have the power or the right to declare war. They were determined to keep this extraordinary power in the hands of the people by expressly providing that the duly elected representatives of the people, the Congress, and that alone should have the power to declare war, to raise and support armies, and to provide and maintain a navy.

When the lend-lease bill was passed and the $7,000,000,000 given to the President with the extraordinary powers granted him, he proceeded and has been for more than a year carrying on undeclared wars with various countries. Let us not be deceived. We are at war now and have been for many months. The President has furnished the threats and denunciations. He has been given money, guns, ships, tanks, and planes to carry on war, and he and the war lords of other countries have met from time to time. He, as the Commander in Chief of our Army and Navy, with the heads of our Army and Navy, have met with Mr. Churchill, the head of the Army and Navy of Great Britain, and many of the leaders of the Army and Navy of Great Britain, and together they have been planning a shooting war.

If this Nation ought to make war on any country or countries, the President should submit all the facts to the Congress, and a resolution should come before the Congress proposing a declaration of war. This resolution should be thoroughly discussed by the Congress, the representatives of the American people, as provided by the Constitution. Let the Members of the House and Senate vote it up or vote it down. If the Congress, after hearing all the facts, should vote a declaration of war, it would at once unite practically all of the American people in the prosecution of the war. The efforts of the President to flout the Constitution and to carry on undeclared wars creates discord and divides the American people. The liberty and the freedom of the American people cannot be preserved unless Congress faithfully adheres to the Constitution. If this country has been wronged in such a manner as would justify our going to war and fighting a war, the President ought to say so. I do not think that up to this time the facts justify our going into the ghastly, bloody second World War in Europe, Asia, and Africa, and, as the record stands today, I would speak and vote against it.

Section 1 of the measure before us continues the power of the President, implemented with $6,000,000,000 more of money, to carry on these unauthorized and undeclared wars. It violates the spirit and the letter of the Constitution. It takes away from the Congress this extraordinary power. There is no necessity for appropriating this sum at this time, when our own national defense is being stripped and neglected, and I, therefore, shall vote against section 1 of this bill.

Our own defenses have been neglected. It has not been due to any fault on the part of Congress. Congress has appropriated and given contractual authority for our own national-defense program the sum of fifty billions and when this bill is passed Congress will have voted thirteen billions for Great Britain, Russia, and China. It amounts altogether to more than $62,000,000,000. The war between China and Japan, and, as the President has said, a threat to us, has been going on for more than 4 years. The war in Europe has been going on for more than 2 years, and what are the conditions of our defense? While the warring nations of Europe have equipped and trained divisions by the hundreds, from the reports I have received, we do not have as many as four trained and equipped divisions, but I shall let the President describe our unprepared and undefended condition. In his message to Congress today urging the arming of our merchant ships and that they be permitted to go into the war zones, the President took occasion to describe how unprepared we are and used this language: "We know that we could not defend ourselves in Long Island Sound, or in San Francisco Bay." He means of course that we could not defend the two principal seaports in this country, New York City on the Atlantic and San Francisco on the Pacific.

No person has made such a severe indictment of this administration's failure to provide for the defense of our country. Fifty billion dollars for our own defense program, and New York City nearly 4,000 miles from Germany, and we have the finest and best Navy in the world, while Germany and Italy have second-rate navies, and would have to come 4,000 miles to attack us. Japan, our potential enemy in the Pacific, is twice that distance from our western shores, and its navy is not nearly as powerful as ours, and its war vessels have not been built for long cruises like ours. Statements like those from the President of the United States would encourage attacks from abroad more than anything that I have heard or seen yet.

When Congress passes this bill, we will have voted for war purposes, twice as much money as the entire cost of the other World War. Congress will have voted, in 18 months, approximately the same amount of money that was appropriated and spent by this Nation from March 4, 1789, up to and including the signing of the Armistice on November 11, 1918, covering all of our wars, and a period of more than 129 years, and yet our President says that we could not defend either of our chief sea ports—New York City or San Francisco.

As between Hitler and Stalin, I have a conflict of emotions. Hitler is a pagan—a cruel and ambitious dictator and killer. On the other hand, Stalin is a Communist, an atheist, and has torn down practically all of the churches, synagogues, killed practically all the priests and ministers, and is one of the bloodiest and most cruel rulers the world has ever seen. I have expressed the hope that Hitler and Stalin were evenly enough matched and would fight long enough so that there would not be a greasy spot left of either one of them. I think such an end for them and the cruel men that have been aiding and abetting them would be a blessing to mankind. Like many others, I prefer to see the Russians win because I want to see Britain win. We should not place too much faith in Stalin. I have no faith in either Hitler or Stalin. My mind goes back to the first World War. Russia was an ally of the United States, Great Britain, France, and other countries fighting Germany and the other Central Powers. We loaned $800,000,000 to Russia. Stalin was a part of that communistic crowd, led by Lenin, Trotsky, and others, that overthrew the Russian Government, ruthlessly and cruelly murdered Czar Nicholas, his wife, his children, and tens of thousands of other leading people of Russia, and made a separate peace with Germany. This action destroyed one of our valuable allies, and it is said on reliable authority literally millions of Russians have been put to death or starved to death under this cruel regime of communism. Neither Presidents Wilson, Harding, Coolidge, nor Hoover would recognize it; however, when President Roosevelt came into office in 1933, one of his first acts was to recognize the Russian Government. We put them in good standing; we threw open our gates to them, with the understanding that they would not engage in their communistic propaganda in our country. They disregarded their promise and proceeded to fill up our country with Communists. They bored into our churches, schools, farm and labor organizations, secretly plotting the overthrow of our country.

Their evil work was manifested in many sections of the country against our Government until Russia was attacked by Germany.

In my honest opinion, there would have been no second World War but for Joseph Stalin and his associates. England and France made unusual efforts to have Russia line up with them against Hitler. They thought Stalin would do this, but the world was amazed one day when it was announced that Stalin had entered into a treaty with Hitler. Hitler had hesitated to attack Poland, and, as subsequent events have proved, he would not have attacked Poland with an unfriendly Russia on his eastern flank. No more dastardly deal was ever entered into than this treaty between Stalin and Hitler. Stalin gave Hitler the green light to attack Poland. Stalin agreed to protect the eastern front for Hitler, but Stalin had to be paid. He forced Hitler to agree to give Russia about half of Poland and to give Stalin a free hand to attack little Finland and overthrow the free Governments of Latvia, Estonia, and Lithuania. Hitler plundered, raped, and murdered one part of Poland while Stalin took possession of the other part. Stalin proceeded to attack little Finland, murdered a lot of her people, and took a part of her territory. He overthrew, put to the sword, and placed under his heel with his mighty Russian Army the people of Estonia, Latvia, and Lithuania.

Let us not overlook the fact that these four small democracies were created partly through the blood and treasure of the soldiers and people of the United States. These four countries are now fighting Russia to regain their liberties and their rights. Let us not overlook the fact that whatever money and materials we vote for Russia they will be used against these four little democracies. When this war started France was fighting Germany, and we set out to help France. Today France is with Germany, and the heads of her Government are saying to us that they will tend to their own affairs and do not want our help or advice. In the other war Italy, Rumania, and Japan were on our side. We helped to restore a lot of territory belonging to Rumania. Russia took that territory away from Rumania. Rumania is now fighting Russia to get her territory back. She, with Italy and Japan, are lined up with Germany. George Washington and our other early Presidents and statesmen knew how fluid and changeful were the governments of Europe, Asia, and Africa. They knew the hates, jealousies, and bitterness of the peoples of those nations. They said it would be a wise thing for us to stay out of the quarrels and wars of the people over there and to forbid those people from meddling in the affairs of the people of the United States and the Western Hemisphere. If we had followed their advice, we would not have been in the first World War, and we would avoid this war. We cannot settle their quarrels and differences.

Mr. Knox, our Secretary of the Navy, now comes along with some others seconding the motion, and proposes that the United States and Great Britain police the world for the next hundred years. These two lend-lease bills may be only a drop in the bucket. Before we get through this war, if we get into it, and police the world after the war, unless there is a big change, it will require millions of American soldiers and at least a hundred billion dollars to take actual possession of Germany, as urged by the President and Churchill, and to restore the conquered countries and China. It is too much of a job for the American people. We have no right to call upon them to assume any such undertaking. I wish to repeat again that this country has no business being in any war except in a war of defense of the United States, its possessions, and defense of so much of the Western Hemisphere as is necessary for our own defense. About May 1940 the President created a great lot of fear in this country that Hitler would be over here in a short time. That statement was made for political purposes. No one now contends seriously that Hitler or Mussolini and Japan could land an army in the United States. To bring 1,000,000 men it would require 20,000,000 tons of good ships. All three of those countries put together do not have 20,000,000 tons of seaworthy ships for that purpose. But it is insisted that we must fight in the Dutch East Indies, Singapore, the Red Sea, in Russia, and in Scotland and Iceland, which are from 2,500 to 10,000 miles or more from the United States. We have no business in any war except in a war of self-defense and we can defend our country, if we will spend our money and resources in building up our Navy, air force, and Army, instead of giving away our ships, guns, planes, and other equipment to foreign countries.

I am reminded of a story that I heard in my section of Kentucky. A man had received a letter from a man residing in San Francisco or some other distant point threatening this Kentuckian, and stated that he would visit Kentucky perhaps some time and do violence to the Kentuckian. The Kentuckian began to get his pistols and traveling equipment together, and his wife says, "Bill, what are you doing?" Bill told his wife about these threats, and he said he was going to make the trip to a distant city and fight it out with the man. He wanted to keep any fighting away from his home. His wife says, "Bill, you blamed fool, that man may never come, and you would have a lots better chance killing him, protected by your own house, than you would to travel that distance and fight him concealed in his barricade." Bill did not go to San Francisco and the man did not come to the hills of Kentucky. There was no war and nobody hurt. I have never believed that Hitler would win this war, and I do not believe it today. I have never believed that Hitler would do the foolish thing of undertaking an expedition to the United States or to the Western Hemisphere, but I do know also that we could defeat him more easily for him to bring his army and other war equipment 4,000 miles and attack us behind our fortifications and other defenses than for us to travel 4,000 miles and attack Hitler and his force behind their fortifications and other defenses. Let us arm this Nation to the teeth and not dissipate our financial resources and our war equipment and supplies throughout the earth.

I would not be surprised to see Stalin quit and again become the enemy of Great Britain and the United States before this war is over and to see the Russians fighting on the side of Hitler.

No nation has been in as big a war and has done as little fighting as Great Britain. What help did she give France? She urged France to enter the war in order to induce Hitler to draw his forces from the west coast. Britain gave it out that Germany would be attacked through the Balkans. Hitler prepared for the attack, but he made the attack and overran Yugoslavia and Greece. Great Britain put merely a handful of men in the fight. Britain did fight, however, when her own territory was threatened in Africa and she secured perhaps a million square miles of other territory. Russia is really fighting Great Britain's battle. It has been going on since June 22, but what has England done for Russia except to urge us to help her? Why has she not sent a thousand planes and bombers? Great Britain has never given either blood or money for any other country. She never fights except to save her own skin. A very intelligent Democrat in my home town recently asked me the question: The name of what Englishman is recorded in history as having died in battle in defense of the United States? I said I do not recall any Englishman having given his life in defense of the United States. He remarked that history does not record any English citizen who ever gave his life in defense of the United States. I admire the English. They are for their country first, last, and all the time. An Englishman does not have to place China, the United States, or Russia before Great Britain in order to be a good Englishman, and a lot of us insist that in order to be a good American citizen we do not have to place China, Russia, or Great Britain before our own country, and I am one of those who refuse to sacrifice the lives of millions of our American boys or place great taxes and financial burdens upon our people unless they are necessary for our own defense.

Mr. TABER. Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. FISH].

Mr. FISH. Mr. Chairman, the statement of President Roosevelt claiming that religious liberty existed in Soviet Russia under article 124 of the Communist Constitution is utterly misleading, contrary to well-known facts and repugnant to millions of Protestants and Catholics in America and throughout the world who have faith in God and religion. The Communist persecution of all religion, the killing of priests, the destruction of churches or turning them into atheistic museums or dance halls has been written into a record of blood and tears for the past 24 years, nor can all Mr. Roosevelt's piety or wit lure it back to cancel any of these acts.

Ever since the Communists came into power in 1917 one of their main objectives has been to destroy every vestige of

religious life. The school children of Russia have been taught to hate God and to disobey and hold their parents in contempt if they have the temerity to maintain any religious faith. Millions of Christian martyrs slaughtered by our pal and comrade Bloody Joe Stalin would turn in their graves if they knew that the President of the United States had publicly given a religious bill of health to Soviet Russia.

President Roosevelt could just as well have given his sanctimonious endorsement of article 125, guaranteeing freedom of speech, of the press, and of assembly in Soviet Russia, which are nonexistent there except on paper.

Lend-lease aid to the Communists, if it is based on freedom of religion or that Soviet Russia is a democracy, is a fraud and a contemptible sham. President Roosevelt's attempt to delude the American people into believing that freedom of religion exists under the Soviet constitution as it does under our own Constitution, is untrue, a reflection on the American people and unworthy of the President.

Practically every churchman, Catholic and Protestant, has denounced it in scathing terms. If lend-lease funds are to be made available to godless Soviet Russia, it must be exclusively on military grounds—that Stalin is fighting Hitler and the Communist Army the Nazi Army.

It is preposterous to attempt to make out a case that Russia is a democracy and that freedom of religion exists there, as even the interventionist New York Times said in a recent editorial—

If Stalin's Russia is a democracy, then so is Hitler's Germany.

In conclusion, I want to quote Roosevelt versus Roosevelt. The following is an extract from President Roosevelt's speech proclaming a full emergency, on May 27, 1941—

Even our right of worship would be threatened. The Nazi world does not recognize any god except Hitler for the Nazis are as ruthless as the Communists in the denial of God.

Under Secretary of State Sumner Welles, on June 23, last, wrote—

This right (of human beings to worship God as their consciences dictate) has been denied to their people by both the Nazi and the Soviet Governments. To the people of the United States this and other principles of communistic dictatorship are as intolerable, and as alien to their own beliefs, as are the principles and doctrines of Nazi dictatorship.

I am in entire accord with the historic encyclical on communism issued by Pope Pius XI, which reads as follows:

Communism is intrinsically wrong, and no one who would save Christian civilization may collaborate with it in any undertaking whatsoever. Those who permit themselves to be deceived into lending their aid toward the triumph of communism in their own country will first fall as victims to their error.

Mr. KNUTSON. Mr. Chairman, I make the point of order that a quorum is not present. I observe there are only 16 Democrats here, 1 of whom is asleep.

The CHAIRMAN. The Chair will count.

Mr. CANNON of Missouri. Does the gentleman insist upon his point of order?

Mr. KNUTSON. Mr. Chairman, I withdraw the point of order, if we can have some more Members here.

The CHAIRMAN. The point of order is withdrawn.

Mr. CANNON of Missouri. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Chairman, my vote in behalf of the second supplemental national defense appropriation bill, known as the lend-lease, is not predicated upon any altruism or because of any love for Stalin, for everybody knows that with me murderous Joe rates about as highly as his erstwhile partner in crime, the arch murderer, Schickigruber alias Hitler.

The membership of this House remembers that nearly 2 years ago, so far as possible by an expression, I consigned the carcasses of these soulless, depraved biped monsters to hell's fire. With me it is a practical cold-blooded matter of self-defense. I am supporting the bill because I consider it a military necessity and the surest way I know, in fact the only way I know, of defeating Hitlerism and all that it stands for and thus to keep America out of the war and our manpower free from involvement and away from the bloody carnage of Europe.

I am willing to pave the way for Schicklgruber's destruction with American dollars far into the future, in advance of anticipated necessity, because I want to save American lives and make sure that this German philosophy, this madness, is to be destroyed for an absolute certainty. It is because I consider the support of Stalin and the Russian armies as a justifiable expedient that I am willing to extend aid to Russia. Communism and the philosophy of Stalin, together with its godlessness, plunder, and murder is as vicious and depraved, though not as aggressive and dangerous as the same vile beliefs and practices of Nazi Germany. The stench of nazi-ism is as foul and reprehensible as the communistic philosophy. It is more infectious; in fact, it is—because of the so-called German efficiency—positively contagious; and the menace of nazi-ism to the free institutions, to the democracy, and to the religious practices of our American people is a direct and most dangerous threat.

I am willing to spend dollars to aid Britain and her valiant ally, Poland; to aid Czechoslovakia, Norway, the Low Countries, and, when the time comes, valiant Greece and Turkey; and, please God, the day may come when we may send substantial aid to betrayed and battered France. Yes; I would be willing to send lend-lease aid to Italy and to any other country that will oppose nazi-ism, to any people who are now fighting or may in the future come to grips in defense of their liberties and God-given rights.

Doubtlessly, it has occurred to many of you, and more than once, that the valiant and liberty-loving Poles should receive every encouragement and substantial assistance in their fight for freedom and democracy and in the reestablishment of an independent Poland.

In the discussions during the presentation of the conference report in connection with the first lease-lend bill it was definitely established that it was the intent of Congress to include Poland as a beneficiary of this legislation.

I know of the magnanimous attitude of most Members which coincides with this action and the attitude of the Congress. Heretofore there has been a very definite and well-nigh insurmountable obstacle in the attainment of any such grant in aid to the Polish Army. Now, however, with the advent of the Russo-Nazi war the Polish armies which have been held captive in Russian camps are available for immediate and effective service, but they need planes, tanks, field guns, and rifles, together with the necessary bombs and munitions. Russia, it seems to me, is not in a position to properly equip them, and since there is a disposition on the part of some Americans to object to outright aid to Stalin under the Lease Lend Act I believe that there could be no objection from any sincere American element to any plan of supplying the trained Polish armies with offensive weapons of every kind under the Lease Lend Acts.

These men to whom I refer are well trained. They are eager and determined and they will fight like madmen if they are given arms and munitions in substantial quantities with a guaranty of an uninterrupted flow until victory is attained.

It would be a test of the sincerity of the opposition in this country. Such opposition could emanate from but one source and from but one element, and that is the pro-Nazi, anti-British coalition which constitutes a very small proportion of our people. The great mass of our people will approve any plan which has for its purpose the earliest possible mobilization and arming of the Polish soldiers recently liberated from Russian prison camps and providing them with an uninterrupted flow of military supplies under the act.

If it is argued that it is impracticable, or impossible, or undesirable for whatever cause or reason to supply the Russian armies because of any obstacle or objection, I want to appeal to you at any rate to lend your assistance toward the attainment of this very same objective and effectiveness by providing arms for the available Poles.

The various estimates of available trained Polish manpower are generally within the figures of between one-quarter and one-half million men. This is a formidable army. If they will fight as the Polish R. A. F. flyers in England are fighting, and I have no doubt of it, you may rely upon it that such equipment as we might send will be put to proper use and will hurry the day of retribution for the murderous Nazi bandits.

I feel that there is no disagreement amongst us and that you will give this suggestion your most earnest consideration and that you will agree with me that substantial, not token aid, given to the Polish Army in Russia and in Canada will be an indirect aid to Russia while at the same time it will aid in the reestablishment of a powerful nucleus of the Polish Army which will be essential to a reconstituted and a permanent Poland.

Mr. TABER. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota [Mr. MAAS].

Mr. MAAS. Mr. Chairman, I call attention to the unfortunate comment made here reflecting upon the people of Minnesota, particularly the Scandinavian population. Minnesota is largely made up of people of Scandinavian and German descent. Their loyalty cannot be questioned. They have contributed out of proportion to their population to every war in which we have fought and to all present defense efforts.

Mr. Chairman, I should like to read a telegram from the Governor of Minnesota, which I have received as chairman of the Minnesota delegation:

I have sent the following wire to Congressman FADDIS regarding the exchange with Congressman KNUTSON yesterday, which has been headlined in our Minnesota papers as "Minnesota under fire" and "Solon calls Minnesotans pro-German—Hurls charge at Scandinavians": "I deeply regretted your attack on the people of Minnesota of Scandinavian descent. Our citizens of all nationality backgrounds yield to no one in their loyalty to the Stars and Stripes and their willingness to sacrifice to preserve freedom. There are sincere differences of views upon what is best to do, but they have responded splendidly to every request of the President and the National Government. Thousands of our lads are in the armed forces of the Nation—on land, at sea, and in the air. Our defense contracts are ahead of schedule and there has not been a single serious stoppage of defense work. The vital supply of iron ore has moved to the furnaces in your State, without interruptions, in tremendous volume. I have personally taken a strong and early position in support of the foreign policy of the President and have urged the unity of the States of the Union. We recognize that your controversy with individual Congressmen may become heated. But please, sir, do not contribute disunity by casting intolerant aspersions on the patriotic people of our beloved State or the descendants of a courageous, liverty-loving nation."

HAROLD E. STASSEN,
Governor.

Mr. TABER. I yield 10 minutes to the gentleman from Michigan [Mr. HOFFMAN].

DEFEND AND PRESERVE OUR NATION

Mr. HOFFMAN. Mr. Chairman, this lend-lease bill, calling for the authorization of an expenditure of $5,985,000,000, is similar in one aspect to other legislation which has been proposed and put through by the administration. Almost invariably, every bill which comes before us is so drafted as to carry two objectives. Ordinarily, one is a proposal which practically all of us agree should be adopted. It is for the accomplishment of a worthy objective. The other purpose is to give the Chief Executive more power, more money; to subordinate in some particular the legislative to the executive branch of the Government. Thus we have been forced time and again, in order to obtain needed legislation or a needed appropriation, to swallow, although it gagged us, a measure tending to destroy our constitutional form of goverment.

This lend-lease bill is no different in that respect from the other measures which we have been called upon to adopt. Labeled as a defense measure, which, if it was only that, all could conscientiously, enthusiastically support, in effect it is not a national-defense measure but a measure to give, at the expense of the American taxpayer, to other nations and to the people of other nations the very things which we need for the preservation of our own Nation, our own Government, and to also give to the Chief Executive additional dictatorial power.

To justify their action in voting for this bill, several Members have said that, inasmuch as Congress adopted the President's policy of lease-lend as a measure of national defense, they are therefore committed to that policy and required to follow the President wherever he may lead us.

I deny the soundness of that proposition. It is quite true that the country reelected Mr. Roosevelt, but we all know that he obtained that election by the making of certain promises, which he has since repudiated.

It might, therefore, be said at the outset that we are not obligated to follow him when he leaves the placarded, designated highway and travels off down a side road, which so many of us believe leads to a destination which none of us want to reach.

But, aside from that, it does not follow that, because Congress adopted one lend-lease bill, we must forever follow the suggestions of the President as to the appropriations of other sums for a like purpose. Knowing, as we all do, the spending characteristics of this administration, no man in his right mind would venture to predict the sum total of the appropriations which the President may recommend in his campaign to give our national resources to Great Britain and her allies.

We all know that there must sometime be an end to the demand for successive appropriations, each calling for billions of dollars. There must be an end because there is a limit to the amount of money which can be raised by taxation and by borrowing.

Nor, because a law was passed, are we under any obligation to always adhere to the policy there enunciated. It is quite true that, as long as the law is upon the books, all should give it unquestioning obedience—obedience both as to the letter and to the spirit. But it does not follow that we who believe that the adoption of that policy was wrong, was injurious to our Nation, must cease our efforts to change that policy. As well might it have been said that, the Nation having adopted prohibition as a national policy, those who objected to its adoption should have ceased to oppose it; should not have worked for repeal.

I, for one, opposed the original lend-lease bill and the grant of power and money to the President, because I did not believe, and I do not now believe, that it was a defense measure. In my judgment, it was a bill, the passage of which weakened our national defense.

I shall vote against this bill because I believe that it likewise is not a defense measure.

As was so clearly pointed out a few days ago by Chesly Manly—the editorial comment on his article will be found on page A4541 of the RECORD of October 7 and is well worth reading—national defense does not call for the appropriations carried by this bill. It was pointed out by this writer that the last war, when we sent an A. E. F. of more than 2,000,000 men to fight in Europe, cost us around $22,000,000,000.

The present program of the Roosevelt administration calls for an expenditure of $65,000,000,000, or approximately three times the whole cost of the last World War.

Mr. Manly's analysis of the figures shows that $20,323,000,000 would be available, out of the $65,000,000,000, for ordnance and fighting equipment. He further found that $20,000,000,000, to provide for an army of 10,000,000 men—and for what purpose do we need an army of 10,000,000—would still leave nearly $45,000,000,000 untouched.

The making of appropriations of billions of dollars, without any consideration of the manner in which the money is to be raised or the ability of our people to pay, indicates a lack of good sense.

The average American should not forget that he is now paying a tax which is $3 more per capita than that paid by the people of Great Britain. The American workingman should not forget that one result of this lend-lease policy is already creating unemployment; that hundreds of thousands of men are being thrown out of work. The American businessman, the American factory operator, and the men who work in those factories should not forget that Secretary Morgenthau said on the 24th of September, last, that "business as usual is out the window."

This bill, if I heard correctly the statements of members of the Appropriations Committee, carries a billion dollars which is to be given to the President to spend as he may see fit.

In my judgment, and I make this statement without questioning the sincerity of any Member, when Congress, charged with appropriating the taxpayer's money; charged with the duty of seeing that it is honestly and efficiently expended, gives to any man, even though he be the President, $1,000,000,000 to spend without check or supervision, it shirks its duty; it betrays the trust which the people have imposed in it.

Moreover, recent acts show that this administration's first objective is not national defense. Nor is it even aid to Britain and her allies. Those of you who listened to what I had to say a few days ago from the well of the House as to the action of the O. P. M. in connection with the bid of the Currier Lumber Co. for the construction of 300 homes for defense workers in Wayne, Mich., an action which added $1,440 to the cost to the workingman of every home; those of you who yesterday heard the distinguished gentleman from Virginia [Mr. HOWARD SMITH] speak on the same subject, know that this administration is playing politics; purchasing the support, in this instance of the A. F. of L., with money voted for national defense.

In days gone by, we learned from a Senate committee that money voted for the relief of the unfortunate, the cold and the hungry, had been used by this

administration to purchase political support.

Now we learn that the administration is continuing to use public funds for the furtherance of its political ambitions. There is no question about it.

The gentleman from Virginia [Mr. SMITH] yesterday called upon every Member of this House; he called especially upon the members of the Appropriations Committee, and by inference he challenged the administration, to show the inaccuracy of his statements. I look forward with interest to the acceptance of that challenge.

The truth is that the O. P. M. and the National Defense Mediation Board are more interested in using the present situation; in taking advantage of our national danger, to further the interests of certain labor organizers and union leaders than they are either in national defense, aid to Britain, or the protection of the American citizen.

The Government agency headed by Mr. Carmody, which has supervision over the letting of these contracts, has conspired, as was shown yesterday by the gentleman from Virginia [Mr. SMITH] with the officials of the A. F. of L., to create a monopoly of national-defense construction work, which, in this one instance, will cost the Government $431,000. This governmental agency in this particular instance has entered into a conspiracy with the A. F. of L. to violate that provision of the N. L. R. A. which provides that employees shall have the right to bargain collectively through representatives of their own choosing.

In this particular case the conspiracy is with the A. F. of L. It is said—and it has not yet been denied—that the reason for the yielding of the Government was a threat by the A. F. of L. to call a general strike. If that be true, and if it be equally true that our national existence is at stake, depends upon the success of the defense program, what excuse can there possibly be for the A. F. of L. to refuse to cooperate—to refuse to permit other men to aid in national defense?

Equally true is it that if, in this instance, an agency of the Government will conspire with the officers of the A. F. of L., tomorrow it will be called upon by the C. I. O. to enter into a like conspiracy against the A. F. of L.

Mr. Nelson, of the O. P. M., and Mr. Carmody are following a ruinous policy. If today they are coerced by the A. F. of L.'s threat of a general strike, tomorrow they can be coerced by the threat of a general strike by the C. I. O. No one is so foolish as to think that the C. I. O., especially that branch of it which has the militant, forceful, and determined John L. Lewis at its head, is going to let its members be taken from it, jobs to its members be withheld, by the threat of a general strike from the A. F. of L. without retaliation, without threat of a general strike by the C. I. O.

If the A. F. of L., by threat, can successfully secure jobs for its members, so likewise can the C. I. O. in the automobile industry, in the coal mines, in the steel mills, by strike secure for its members employment which it seeks.

The O. P. M. will be nothing but a Punch and Judy show, manipulated one day by the A. F. of L., the next day by the C. I. O. Already there is rumor of retaliation through general strike by the C. I. O.

Instead of following the straight and narrow way, instead of doing the right thing, unswervingly, without fear or favor, this administration has sought first to please one group, then the other, and that course, if followed, will inevitably lead to confusion, continuous labor disputes, a succession of strikes, first by one union, then by the other, as the Government, like a drunken man, goes swaggering down the street, first on one side, then on the other.

It is time that Congress insisted that the administration think first of America, of the preservation of our institutions, of the protection of the rights guaranteed to the individual citizen by our Constitution.

There is another phase of this subject which to me shows the hypocrisy of the administration.

For months the President, instead of treating our people as women and men of courage, of determination, of ability, has treated us as children so lacking in mentality that we cannot be trusted with the facts.

An illustration of that was given yesterday here on the floor of the House when, after it had been stated that any Member of Congress had available to him but could not give to his constituents the facts on which were based the figures of this bill, it was disclosed by Members of the House that, notwithstanding the previous statement, they, on demand yesterday, were refused access to a part of the hearings had before the Appropriations Committee.

When not only the taxpayer but the taxpayer's representative is denied access to the testimony put in by departmental officials in support of their application for taxpayers' money, it is time for us to insist, not only that we but the taxpayers themselves be told the truth, be given the facts which justify the appropriation of their money. Any other course is but the method of a dictator and a tyrant.

Again and again—and I will not take the time to cite the incidents, for they are already familiar to most of us—the President has sought by deception to push us along the road toward war.

Just a few days ago he made a statement to the press in which, in substance, he told us that the people of Russia enjoyed religious freedom, the right to worship the God of their choice.

That statement was immediately characterized by prominent churchmen—Protestants and Catholics alike—as being obviously untrue, deceptive, misleading. Moreover, the average American knew that it was untrue.

It is true that the constitution of Russia provides for religious freedom, but that constitution also provides for the making of rules and regulations, and we know that religious freedom has been, and is being, denied to the people of Russia. Certainly, the President is not unaware of conditions in Russia.

As evidence of the conditions which existed there, let me read to you the statements of the distinguished majority leader, the gentleman from Massachusetts [Mr. MCCORMACK], made on the floor of this House on November 1, 1939, and found on pages 1169 and 1170 of the CONGRESSIONAL RECORD:

> Communism is the arch enemy of religion and every ideal for which decent mankind stands. Soviet Russia, in its constitution, states definitely that it is the enemy of religion—communism that would try to stop you and me from exercising our religious conscience; communism that went into Poland only a few weeks ago and took over 13,000,000 of liberty-loving and religion-loving people—Catholics, Protestants, and Jews. Today no churches exist in that part of Poland.

Let me repeat that statement:

> Today no churches exist in that part of Poland.
>
> Within the past few weeks there came from Moscow itself the admission that Catholic priests were murdered, with the lying statement that they were resisting the Communist army. They were murdered in Christian Poland for the same reason that they have been murdered for 20 years in Soviet Russia—priests, ministers, rabbis—because they were messengers of God and doing the work of God on earth.
>
> The world knows that Nazi Germany stands for the same objective that communistic Russia stands for. Nazi Germany is attempting to dominate all religion, and the domination of religion means its suppression and destruction. Nazi Germany and Communist Russia have clasped hands. They are both in this conflict. They are both anti-God forces. They are both trying to destroy religion.

Then, from page 1170 of the permanent RECORD of the Seventy-sixth Congress, second session, I read:

> Do you suppose religious Poland is going to be reconstituted by a Nazi victory or by a Communist victory? Oh, no.

Let me repeat this statement by the distinguished gentleman from Massachusetts [Mr. MCCORMACK], the majority leader:

> Do you suppose religious Poland is going to be reconstituted by a Nazi victory or by a Communist victory?

The gentleman answered his own question, and the answer was, "Oh, no." I continue to read:

> I hear few expressing any words of sympathy for those fine people of Poland, who are, like you and me, human beings, possessed of a religious conscience—Catholic, Protestant, and Jew—who have seen religion destroyed, temporarily at least, by communistic Russia. Today in that part of Poland dominated and controlled by communistic Russia they cannot go to their churches. They are denied the free exercise of their religion, and today priests, ministers, and rabbis alike are and will be murdered. I do not care for England, but I have nothing but contempt for Hitlerism and Stalinism.

Yet today, October 9, we are asked to vote a billion or several billions of dollars to aid Stalinism and communism, and right here in America we have schools opening in the city of Chicago to teach communism. Here in America we have political campaigns carried on for the purpose of electing Communists to public office. Let me read you this political campaign document put out in behalf

of a Communist candidate in the city of Detroit not so long ago. It was put out in behalf of a man who was twice convicted, who served time because of his defiance of draft legislation in the first World War, who was convicted of distributing subversive literature, and who was later restored to his rights of citizenship by a pardon from President Roosevelt, and who is now an active political leader in the city of Detroit and the State of Michigan. That campaign document reads as follows:

Comrades, workers, friends; to all enemies of oppression; to all fighters for the social revolution:

The hour of the working class has struck at last. At last we are being given the chance of electing to the Common Council of the city of Detroit a member of the Communist Party, a man who knows our needs, and who will lead us in obtaining the good things of life for ourselves. A man who knows what it is to suffer from the damnable government which oppresses the working class. A man who has served time in one of the dungeons of capitalism for refusing to fight in the last war. The man we refer to is Maurice Sugar, who is nationally known as a fighter for the Communist Party.

Negroes: This man will fight for your right to marry white women. This man will fight for your right to live in any white neighborhood in which you choose. Follow him and he will show you how to kill the white capitalists who are grinding the Negro race back into a condition worse by far than slavery.

Foreign born: Do not vote for the misleaders of the Democratic and Republican Parties, vote for Comrade Sugar, who is the friend of the foreign born, and he will aid in making the revolution against the exploiters of the foreign born.

Comrade Sugar has come out definitely against the church which has kept the people in darkness and ignorance for 1,900 years. His slogan is: Close the churches and make these buildings into shelters for homeless men and women. Down with religion, which is the opium, which the ruling class feeds you to keep you satisfied with the miserable existence which you lead. There is no God.

To all friends of suffering humanity, to all whose hearts bleed at the sight of starving babies in the midst of plenty, to all those brave fighters for a better world, to all who hate the smug priests of the Catholic Church, and the slimy, hypocritical ministers of the Protestant churches. There are a few exceptions to the above, such as our good comrade, the Rev. J. H. Bollens. To all those who are oppressed by this damnable government we address this message. Vote for our candidate, the candidate of the only party which fights for the workers, the Communist Party. Our candidate is Maurice Sugar, the international labor defense attorney and member of the Communist Party.

Remember the election is November 5. The only candidate the Communist Party is running this election is Maurice Sugar. For further information about the Communist Party, call or write to 5969 Fourteenth Street, telephone Tyler 4-9660.

Comradely yours,

DISTRICT ORGANIZER,
District No. 7, Communist Party.

And do not forget that it was the President's wife, the First Lady of the land, who lent her support to the Communists summoned to appear before the DIES committee as witnesses. It was the First Lady of the land who entertained the Communists at the White House and at her home in Hyde Park. Comrades of those who murdered priests and ministers, who tell us that there is no God, that religion is a fraud, were entertained and upheld by the wife of the Chief Executive.

Congress appropriated $100,000 or more to aid the DIES committee in exposing the Communists, and the Communists broke bread in the President's household.

Would it be impertinent to inquire whether before they ate thanks were returned to the God whose existence they denied?

I listened this morning with a great deal of interest to what the gentleman from Virginia [Mr. WOODRUM] had to say. He knows and we all know that this money we appropriate by this bill will get us further into this war. There is no question about that. Our men are already in Iceland. But let me read you what the gentleman from Virginia said on June 28:

The man who stands before the American people and advocates a declaration of war, either does not know anything about what he is talking or else he is utterly stupid, or both.

And yet while there is now no declaration of war and no proposition to declare war because the administration is afraid of that issue, by our acts we furnish the money which permits the President to go in and carry on an undeclared war. I continue the quotation. And get this:

The idea of this country going off now and trying to settle the conflicting emotions and ideologies of Europe to me is ridiculous, even if we were prepared to do so, and we are not.

Yet that same gentleman, Mr. WOODRUM, appears before you today and advocates the appropriation of some $6,000,000,000. For what purpose? To go off to Europe and settle the conflicting emotions and ideologies of that continent. Think of it. A quick change since last June; is it not?

Feeling obligated to keep the promises which I made to my people prior to the last November election to secure my seat in this body; believing as I do that this is not a national-defense measure; that much of the money will be wasted; that some of it will be used in violation of law for political purposes, I feel no hesitancy whatever in casting my vote against this bill.

When the administration will bring in, or permit a vote on, an appropriation for needed national defense or a measure necessary for national defense, I will go as far in support of that legislation as any Member of this House, and that regardless of the burden which may be imposed upon the taxpayer. But neither now or at any other time will I vote to impoverish our people to provide and give away materiel necessary for our national defense or for funds to further the political ambition of any man or group of men.

Mr. TABER. Mr. Chairman, I yield to the gentleman from North Dakota [Mr. BURDICK] 10 minutes.

WILL INTEREST CHARGES DESTROY THE NATION?

Mr. BURDICK. Mr. Chairman, the majority leader of this House is one of the able men of the Congress. No one questions his forensic ability, and no one can charge him with not being pretty well acquainted with the facts that surround us in legislation.

Day before yesterday, on the floor of this House he gave a demonstration of unfairness that surprised many of his friends. He read the speech of Josef Terboven, German Commissioner in Norway, and drew conclusions from that speech that many thousands of Norwegian women and children would starve to death unless they embraced the new order of the Nazis. He emphasized the fact that this starvation, if it did occur, would be entirely the fault and responsibility of the Nazis. In my judgment these conclusions were drawn just ahead of the proposed neutrality legislation to inflame the people of the United States to such a degree that the existing Neutrality Act would be wiped off the books.

I am not a supporter of the Nazi regime in Norway or elsewhere—far from it, but if the Norwegians starve in Norway, let us make sure to put the blame where it belongs. Former President Hoover has offered his services to supply citizens of occupied countries with food. He has the ability and the organization ready to do this humane work, but who says "No"? It is not the Nazis—it is no less a person than Winston Churchill, Prime Minister of Great Britain. He will not permit a food ship to enter the harbors of any occupied country, and his reasons are that some of the food might find its way to the German Army. Mr. Hoover states that during the First World War, very little of his food was diverted from its original purpose, and Mr. Hoover's greatest service to mankind was his provision of food for the starving Belgians. Mr. Hoover also assures us that if permitted to ship food, millions of civilians can be saved from starvation and illness.

We have the power to correct this situation without making inflammatory speeches. We can say to Great Britain: "Withdraw your objections to American food entering occupied territories of Europe." You may ask, Mr. Chairman, what gives us this great power to tell England to get down off her high seat and act the role of a human being. I will tell you why we have this power. This House has it—no other body in the world has it. We have it through the power of appropriation.

Under our Lend Lease Act, it is enlightening to know just how appropriations are made. Who advises the committee on what funds shall be needed? Anyone would think that the Bureau of the Budget, the leaders of the Army, Navy, Maritime Commission, and the President of the United States would be the proper persons to make these demands and show the reasons for them. But that is not the case. A large body of men appear before Army and Navy boards—not even citizens of the United States—and, strange as it may seem, these men get about all they ask for. These men are the British representatives in the United States who are now using the major portion of the taxpayers' money. They set forth what they shall need and we do a lot of talking and

squirming, but in the end England gets our money. They are back for more now—about six billion more—and I presume we will follow the same course as before. England will tell us what she wants and we will do a lot more talking, but finally give her what she wants.

Suppose now the House should suddenly rise and show more stiffening than a laundered flour sack. Suppose we should say: "England, we will not appropriate another cent to you, and remember it is a gift and nothing else—unless you permit our ships to carry food to starving Norway and starving France, and all the rest of Europe." That would end this bulldog tenacity of the British to withhold food from starving civilians in Europe. Mr. Speaker, there is our power and if we want to talk about the starving people in Europe, let us take one more step and clear the way for our surplus foods to reach the people of the earth who are starving for the want of it.

Will this Congress have the courage to make this demand, or shall we cringe before the power of Great Britain and let that nation continue to spend our gift money as they please and starve innocent people under the pretext that feeding them will injure Great Britain?

We never have an opportunity to vote our convictions on important legislation. It seems that every important bill has at least two separate and distinct propositions, and we are compelled to take all or none. The objectionable feature is evidently injected into the bill for fear that standing alone it could not be passed.

So it is with the present bill. No American would want to vote "No" on a bill raising funds for our own defense, but in order to vote "Yes" we must approve another feature of the bill which I cannot support. In this bill we are making another gift to England of $6,000,000,000 under the guise that we are voting funds for the defense of this Nation.

I do not subscribe to the proposition that before we can defend America we must first defend England. The time will surely come in the history of our country, as it has come before, when we shall have to defend it. When that time comes I want to assure you that we alone will do the defending.

Those of us who vote "No" on this bill because we do not want to give away another $6,000,000,000 will be criticized in the British-paid press and charged with voting against our own defense, but let come what will, I will oppose this gift.

To date we have already appropriated $53,000,000,000 for defense purposes, and here comes another bill for $6,000,000,000. If this bill passes, we shall have then appropriated $59,000,000,000 since July 1940. Another $60,000,000,000 will be asked for without a shadow of a doubt if we continue the philosophy that we cannot defend ourselves unless we first defend Great Britain. What have we done in order to raise the money to pay this $59,000,000,000? We have passed a tax bill, about all the people can stand, in the amount of three and one-half billion—scarcely a drop in the bucket compared with the debt.

Raising three and one-half billion to apply on the war debt means nothing, because we obtain this credit by the issue of interest-bearing bonds. We do not have the common sense to issue currency drawing no interest, but we seem everlastingly bound to continue the practice of issuing bonds instead, and it is common knowledge that they have no greater standing as security than the currency itself. We perform the idiotic performance of issuing the bonds, selling them, getting nothing but a book-entry credit, and then cap the climax by accepting the same bonds as security for the issue and delivery of our own currency. We could have issued the currency in the first place, and if we had we would now save $2,000,000,000 in annual interest on the public debt—it will soon be much more than two billion.

Our experience in bond issues demonstrates that for every bond issue we pay twice, once in interest and once in principal. This will undoubtedly hold good with the present war debt, though I am willing to predict that the bonds will have to be refunded and in that case, the interest will approximate twice the amount borrowed. But, assuming that we can pay these bonds at maturity, we will have to take from the people, not only $59,000,000,000, but twice that, or $118,000,000,000. Remember that this calculation is based on the appropriations so far, including the present bill. That is not half the story. We will appropriate sixty billion more and perhaps another sixty billion before this war is over if we intend to finance every nation on earth. You will thus see that it will not be many months before the three and one-half billion raised in the last tax bill will be insufficient to pay the interest on the public debt. What will be the end if we keep up this process? The least we can do now, and I do not believe even that will avoid a chaotic condition in this country, is to stop issuing bonds and issue the currency direct, drawing no interest. This interest load in America is more dangerous to our liberties than all the guns of the Nazis. If we keep on with these appropriations and tax the people in direct, and far greater indirect taxes, until food cannot be bought, we will have a greater war in America than Europe ever had.

Besides that, this bill is a forerunner of sending our men to Europe. At first England wanted our good-will. She received it. Then she wanted billions under the lease-lend bill. She received it. But now she not only wants a gift of six billion, but with the next turn of the wind she will want our men. It seems evident from statements made by British generals and desk generals and War and Navy Secretaries here, that if the Nazis are defeated, it will be on German soil. If we send our men, where will they land? They could be landed in England, but England now has twice as many men under arms doing nothing, than we have in all our training establishments. England has been driven off every foot of continental Europe. Does she intend to have us lose a million men to gain a foothold which she cannot?

A bill for the further defense of this country can be written overnight and brought in here for discussion, and such a bill would pass, but today we have before us no such bill. Even the proponents of this bill admit that all of the money will be given to the allies of England, and mostly to England.

I am not willing to swallow two handfuls of salt to get a pinch of sugar.

Mr. TABER. Mr. Chairman, I yield to the gentleman from Illinois [Mr. DAY] 15 minutes.

Mr. DAY. Mr. Chairman, we have reached the point in this debate where the atmosphere is beginning to clear. I want to compliment the chairman of the committee [Mr. CANNON of Missouri] and the gentleman from Virginia [Mr. WOODRUM] that they did not yield to any subterfuge, but they have stated here plainly and frankly that every dollar of this appropriation, even to the total of $6,000,000,000, in the sole discretion of the President of the United States can be given to the Soviet Union, if he so desires. It was therefore idle to quibble over what was the testimony of Mr. Stettinius or whether anybody said some for Russia or some part for Russia. The testimony before the committee amounts to nothing. The Lend-Lease Act, the substantive law, for which this is but an appropriation, is the guiding law before us here today. It is our function, then, only to implement it. We cannot alter or amend it.

I want to say to you as a constitutional lawyer—one who has been familiar with the history of this country for many years, because I came here as a boy with President McKinley when I was 14 years old, and I have been in and out of Washington over that long period—I want to say to you, and I say this with all feeling, please do not in this Chamber haul down the flag of the Constitution. The President of the United States did not even wait for another appropriation before he, himself, violated the principle and the letter of the Lend-Lease Act, for the very moment that he sought to exercise his powers as Commander in Chief, under the Constitution, he had no need of the Congress. So as we stand here today for every dollar we appropriate it can be taken directly into the war zone. You are thinking of the Atlantic. I am not. I am thinking of the Pacific, because what will happen when the measure comes here to arm merchant ships? There are no war zones in the Russian war. There is no war recognized by the President between Germany and Russia. So those armed merchant vessels carrying these various lend-lease materials will proceed directly into the war zone, and you will be confronted with the fact "we did not realize that." He has said so. He has asked for it. He has asked not to wait for this Chamber in our deliberations, not for us to exercise that responsibility we owe to our constituents. I believe we were all pledged not only to not send the son of an American mother or an American father to Europe, but not to send any money. I think we all said—I know Senator LUCAS said it and I know Senator BROOKS said it, and every one of

the Republican candidates for Congress in Illinois, of whom we elected 16 in 1940—we all pledged that we would not only send no sons but we would not vote one dime to carry on a foreign war in Asia, Europe, or Africa. The President made that same pledge. Now, let us not be childish. We are not to be pushed around. We are men of sense and judgment, and just as surely as we vote this $6,000,000,000, unlimited as it is in the sole discretion of the President, he can take that material, place it on that armed merchant vessel, and carry it across the ocean into Vladivostok or the Japanese Sea, and if this war in Russia continues to go against Stalin, you will see Japan stiffen again, and you may have your war in the Pacific rather than in the Atlantic, or in both. We will face a war in two oceans with a Navy that will not be prepared until 1946.

I will not waste any of my few moments speaking to you on the financial transactions. That has been done by men far more able than myself. I am not a man of figures. But I hope it will be the sense of this Chamber—millions of men and women, mothers who must educate their children, anxious minds and hearts all over America—and I have heard from hundreds of thousands of them during this last summer when I led the fight to prevent any aid for atheism, and they have come to me prayerfully and begged me to come here and raise my voice, as I have tried to do. But let no one fool you that the spurious philosophy of Karl Marx can be anything that is spiritual.

Let no one fool you that article 124 of Stalin's constitution is the same as the American Bill of Rights, it cannot be; but it can raise this danger signal. If the President of the United States in whose hand, in whose heart, and even on whose soul rests the responsibility now of guiding our future through the dangerous waters of the world, if he is so unmindful that he cannot tell the difference between that article of Stalin's constitution and our own Bill of Rights, I beg of you men of the South, men of the North, the East, and the West, my fellow Representatives, let us be true to our own oath and remind and rebuke those who would depart from it that we stand on that right of religious freedom and we mean it; we stand for that right of freedom of speech and freedom of the press and we mean it; we hold to the right of free assembly, we hold to the right to exercise within our conscience and our hearts every ounce and iota of the privilege and prerogatives which the Constitution has given us.

Perhaps I have spoken out of turn from time to time since I have been here, but I have fought 20 years to become a Member of this body, to be here as a Congressman, to have the right to raise my voice where I could say what was in my heart in the freedom of debate, and I could not sit quiet during this debate. I have fought communism and Communists for 25 years all over America. I have lectured in almost every State at my own expense when I hardly knew where the next meal was coming from. Then to ask me to come down here and vote a gift of $6,000,000,000 to Joe Stalin and his infidels and atheists with no guarantees, with no restraints, is too much. I could not go back to Illinois and look in the faces of those small businessmen and workingmen, my friends, and have them say to me, "STEVE DAY, how could you give $6,000,000,000 to Stalin and not think of me?" The taxes are high and are getting higher. This committee report states that 15 to 20 percent of our factories are in the war work now. It soon will rise to 50 percent, and every dollar we put into lend-lease will raise that percentage of all-out effort for war materials. Each time the level of that percentage rises you increase the cost of doing business to the small businessman, you increase his heartaches and the heartaches of the workingman. They sent me here. I am proud of it. I shall remain true to them. And so I ask of you not to be hurried and pushed around in so important a matter when such haste is not necessary. It will take until June of 1943 before the materials to be produced under the first lend-lease bill will actually get into use. The scheme of having lend-lease appropriations follow in a series is to have a continuous flow of materials. This bill is only one of a series. One bill will follow the other into more and more billions, more unemployment, higher prices, more inflation, more wreck and disaster to free America. So I say to you we are asked to follow a road which has no end, a road of continuous appropriations.

They will say to us in reply that the President fixes the foreign policy. It is true the President does have the right to fix the foreign policy of the country, but the thing will finally come back to you. Your constituents will say: "You stood up there in that Congress and voted the money; now tell me why I should send you back again." It will be a hard thing to meet, because these taxes now reach down into the pocket of the little fellow making $750 a year. This is not much money, but even that little fellow has been brought into the direct Federal tax picture.

My time is limited, but in conclusion let me say we are going to offer a motion to prevent the use of this $6,000,000,000 for aid to the Soviet Union. I do not believe such a motion is out of place. It is the only way we can register our opposition to that policy, and we oppose it because such aid will be used only to increase Communist propaganda in America. I, for one, and I hope others will join me, would rather leave this Chamber than have it said of me I forgot my fellow citizen in Illinois but became a mighty close admirer and buddy of old Joe Stalin after I got to Washington.

Mr. TABER. Mr. Chairman, I yield such time as he may require to the gentleman from Michigan [Mr. DONDERO].

INCREASING AMERICA'S BURDENS

Mr. DONDERO. Mr. Chairman, the bill before the House to appropriate $6,000,000,000, in the name of national defense, has generated a sharp difference of opinion. It presents one of the gravest responsibilities that can come to a Member of Congress. Let there be a decent respect for opposing opinions. Those who vote against this second lease-lend bill do so because they believe that it is for the best interest of the people of the United States and for the security and defense of our country. Those who vote for it undoubtedly do so for the same reasons. Those who vote against this bill are no more pro Hitler than those who vote for it. That is not the issue. The one test and the only question involved in this proposal is, what is best to promote the general welfare of the United States.

The present bill authorizes the President of the United States to lend aid to any government of any country whose defense the President deems vital to the defenses of the United States.

The RECORD shows that I have voted for every appropriation bill to provide for the national defense of our country. I voted against the lease-lend policy and the appropriation of $7,000,000,000 which was intended to implement it. There is no obligation or responsibility on the part of the United States to police the entire world. To be the world's arsenal of democracy, in my opinion, does not mean that we must be the Santa Claus of the earth.

Under the first lease-lend bill, $200,000,000 was given to the President as a blank check to use as he saw fit. Under this bill aproximately $1,000,000,000 is given him as a blank check to dispose of as he sees fit. For example, subsection C, section 101, title I, provides for $285,000,000 for necessary services and expenses—not specified. More than $2,000,000,000 of the $6,000,000,000 is provided for materials of war. All of this could be sent to Russia under the present bill; a government which has given notice to the world that it proposes to destroy or overthrow every capitalistic form of government on earth; that includes the United States. Godless Russia stands for the things which we oppose.

The hearings and report on this bill, consisting of nearly 1,000 pages, were released and given to the Members of the House of Representatives on the day that debate began on this floor, namely, yesterday. To read the hearings and report before a vote is taken on this bill is not possible.

Our Nation is committed to a policy of giving outright aid to every country on earth willing to fight the Axis Powers on the ground that it is in the interest of our national defense. The amount that this policy might cost the American people is unknown and unlimited and may well mean the economic collapse of the United States.

To provide the means for building our own defenses or providing for adequate national defense of our own country would be a very small sum compared with the colossal sums already provided to assist the countries now engaged in a second World War in Europe. It is said that the purpose and reason for this philosophy is to keep the war away from the United States. As much as we abhor and detest Hitlerism and everything that his new order in Europe stands for, yet no nation on earth—not even Germany—has threatened the peace or security of

our country. We have irritated and committed deliberate acts of unneutrality which would warrant Germany or Italy to declare war against us, yet those nations have not threatened an attack or invasion of this hemisphere. Had the tables been reversed, we would have gone to war against the Axis Powers long ago.

The end is not yet. On page 6 of the committee report appears this ominous and disheartening statement:

> The amount allowed in this bill is estimated to be obligated by March of 1942 at which time it is now contemplated that additional funds will be required.

The greatest danger menacing the United States today is not invasion or attack by the Axis Powers but the trend of socialism and communism threatening the destruction of our republican form of government. Men and women who apparently have no sympathy with our form of government and who are notorious for their socialistic theories and leanings are appointed to and hold high places in the administration of national affairs. Within our gates, and not without, lies the great danger to our American system of government and way of life. With every passing day the American people will owe more, have less, and enjoy less of the fruits of a free government.

That we should impose upon the world our concept of government is preposterous and runs counter to the very things we have insisted upon for ourselves, namely, the right to govern our own affairs. Such proposals are the very "foreign entanglements" which Washington warned his countrymen to avoid. We ignored and disregarded it once before in 1917 and placed upon the backs of the people of this Nation a burden which this and succeeding generations must toil and sweat to pay. We are again meddling in foreign affairs with very questionable justification, and have in 15 months appropriated a large percentage of the assessed valuation of our country—all in the name of national defense—but in fact under a policy of sustaining government abroad engaged a second world war. We may soon learn to our sorrow that a policy which includes policing the entire world may be the downfall of this Republic.

Under the provisions of the previous lease-lend bill, amounting to $7,000,000,000, passed by Congress on March 27, 1941, 7 months ago, only 3 percent of the war materials provided thereunder has been delivered, less than 6 percent has been expended, and approximately 50 percent has been obligated, and the balance is on hand, amounting to more than $3,000,000,000.

In the face of this record we are now asked to take $6,000,000,000 more of the taxpayers' money and throw it to the remorseless and relentless god of war—not for the defense of the United States but for building up the military might and establishment of other nations, one having given public notice of its determination to destroy this Government.

One of the prerequisites of national defense is a sound financial structure, and yet no effort has been made to curtail the cost of government or to reduce internal expenditures for nondefense purposes. On the contrary, in the face of a mounting national debt, impending financial disaster, and economic collapse, with inevitable inflation, with all the misery that follows in its train, this Government proceeds to spend more and more every day without any thought of economy.

Believing that the course we are now pursuing will lead to consequences I have pointed out, I cannot support this bill. Every step that has been taken since that first fatal step in the special session of 1939 to repeal the embargo on arms has led this Nation, in my opinion, toward the brink of war. The latest move has been the issuance of an order by the President to the Navy to "shoot at sight." That act was an act of undeclared war.

This bill fulfills a prophecy I made in March of this year that with the passage of the colossal sum of $7,000,000,000 for the defense of other countries that it would be the beginning of a demand for other huge sums. That prophecy is fulfilled today in this demand for $6,000,000,000 more, and in March of next year we are already warned that other billions will be demanded. To my mind, the end of this course may be the end of this Government and the end of freedom in the United States. With it will vanish our standard of living, our way of life, and every principle and fundamental thing cherished by the American Nation. Let me warn my countrymen again that the credit of this Nation is not inexhaustible. We grow weaker and not stronger with every passing day, and when we have been reduced to poverty and the resources of the Nation have been exhausted the enemies of America and all its subversive interests may step forward and administer the coup de grâce to the Republic of the United States.

I can reiterate today everything that I said on this floor in March of this year in opposition to the $7,000,000,000 bill. Events which have occurred since then have strengthened my convictions that this Nation is being led to war.

Mr. TABER. Mr. Chairman, I yield 15 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Chairman, I am glad to note there are about 15 Democrats present and about 40 Republicans. Notwithstanding the lateness of the hour, there are a few of us opposed to this legislation who wish to express ourselves on the floor of this House. We deem it our duty to remain here, though it be to midnight.

A great question confronts the American people, not so much in my judgment the question of appropriating $6,000,000,000 as the question whether America shall enter the war through the means employed by this administration. And I want it understood I am against this country entering the European war. It is suicide for American form of government and American liberty, and American independence. I do not question the sincerity of any man in Congress when he speaks his mind, nor do I want anyone to question my sincerity, because I stand 100 percent for America, 100 percent for American institutions, American freedom, and American liberty.

It has come to the point where anyone expressing any opposition toward this administration and its policies is condemned. We have a man who was supposed as head of the Republican Party going around over the country—and I refer to Mr. Willkie—saying that any Republican who does not support this administration and its war policy, he will go out and campaign against him at the next election. May I say to Mr. Willkie, Mr. Roosevelt, Mr. Stimson, Mr. Knox, or anybody else—I do not care who it is nor where he comes from—that he has the right to go into my district and force a vote—it is undemocratic and un-American. If the people of my district do not want me to represent them, then, God forbid, I do not want to represent them. When the time comes that I have to carry this Nation into war and ruin nation, as I honestly believe will happen if we keep on the way we are headed, then I will cease to represent them; I will part company with those people, because I have a right to my own belief. I have a right to believe in the things that I think are for the best interest of America. That is what I am trying honestly and fearlessly to do.

As we sit here in this Chamber we see the picture of Washington and Lafayette, and we see our flag. I just want to quote the following from George Washington's Farewell Address:

> Excessive partiality for one foreign nation and excessive dislike for another cause those whom they actuate to see danger only on one side and serve to veil and even second the arts of influence on the other.

George Washington did not want this country to take an active part in the turmoils of Europe. George Washington had the interests of America at heart just the same as those of us who speak against the pending legislation

What is this lease-lend appropriation bill and why do we have it? It is because we had neutrality legislation on our statute books which the President is now by this message of this afternoon asking us to repeal. That is the reason we have the lease-lend bill. No one but the President of the United States would have dared suggest any such legislation as the lease-lend bill. It is crazy, foolish legislation, enacted to get around the Johnson Act and the Neutrality Act. This administration has a happy faculty in doing that, beating around the bush as it were.

On March 11 this year, when you appropriated $7,000,000,000 to carry on his ideas of lend-lease, we gave him the power to distribute that money as he saw fit. Now he comes in and asks for an additional $5,985,000,000, which means for every man, woman, and child in America the sum of $99.85. That means the people have got to dig down in their pockets at some time in the future and pay out that amount just because the President wants to give it away or lend it, never to have it returned, in order to aid countries 3,000 or more miles away from the American shores. I am of the same opinion as the gentleman from Kentucky, who spoke a few moments ago and referred to the man in Kentucky who was going to go after the man

in California because he wanted to protect himself. Let the man from California come to him. I say to Hitler or to any other foreign country, if they want to invade America come to our shores. Our protecting shores are the Atlantic Ocean and Pacific Ocean on our own continent, and not over on the continent of Europe, 3,000 miles away, or over on some isolated island, such as Iceland, or some other distant point from our shores. Iceland is 500 miles from the British Islands and 2,500 miles from New York City.

Great Britain owed us $5,000,000,000 before they talked about this second World War. She repudiated that debt. Since that time we have reduced the value of our dollar, while at the same time paying Great Britain $35 an ounce on gold. Great Britain has made a profit on the gold that it has sold us to the tune of about $4,000,000,000. Including the debt they owed us for World War No. 1, and adding what we are going to give them in these two lease-lend bills, it will make a gift of about $22,000,000,000. When you pick up the statement of the Treasury Department you find that we have now about $22,761,000,000 worth of gold buried down in the hills of Kentucky and in Federal Reserve banks. What good is it? What good does that gold do us? No earthly good at all any more than to say that we control about 83 percent of the gold of the world. When this administration came into power we had about $11,000,000,000 worth of gold.

The other day the Chancellor of the Exchequer, Sir Kingsley Wood, made a speech in the House of Commons, in which he bragged about the fact that Great Britain is spending $44,000,000 a day on the war. What is the United States doing? We are spending $65,000,000 a day right now, and we are going in the "red" at the rate of $35,000,000 a day. So Sir Kingsley Wood has not anything on America helping Great Britain when he speaks of the British trying to do something to help themselves. Why, we are doing more for them than they are doing for themselves.

When we passed the conscription law, we made it possible to raise an army of about 2,000,000 men. When Lord Halifax came to our shores the other day he stated that Great Britain has everything it needs except manpower. That is an invitation for us to send our men over there to help England out of its dilemma. It means that they want us to send our Army over there and if the British had their way, and if the President of the United States has his way, and I think he will, our men will be sent over there.

Look over on the Democratic side and you will see eight or nine Members right now, and I will ask the gentleman from North Carolina [Mr. DOUGHTON] to count them and see if I am making a correct count; and if there are any more than that, let me know. There are not more than eight Democratic Members present, yet when the Democrats come to vote on this bill you will see that it is almost a unanimous vote. What power this Chief Executive has over the New Deal Members of Congress. It shows the power that man exercises in this country. He is leading us, as I feel within my own conscience, to destruction, and he has been doing it for 8 or 9 years. He has fooled the American people like no man in public office has ever fooled the American people. We will find it out some day, but that day, I am afraid will be too late to save that grand old flag and to save our liberty and independence when this country comes to the final crucial test—when it repudiates its debts or goes in bankruptcy.

Let me quote the President of the United States:

> By the Neutrality Act and by other steps—in all these ways we made it clear to every American and to every foreign nation that we would avoid becoming entangled through some episode beyond our borders. These were measures to keep us at peace. And through all the years of the war since 1935 there has been no entanglement and there will be no entanglement.

The President said that last autumn in his campaign speech in New York City.

He was the one that wanted the Neutrality Act, and you men, the 10 of you that are over here now and the 250 of you that are not here, were the ones that voted for it, and so did I. I supported that bill. Mighty few of the bills this administration has brought on this floor have I supported, but that is one of them. I am going to stay put on it and I am not going to vote to repeal it. I am not going to let them put cannon on ships. I am not going to let them do the very thing he said a year ago he would not do. I am not willing to deceive the people and do what he said in his message this afternoon was being done, that they had been putting American ships under the registry of little Panama. Little Panama had the sense to say, "Uncle Sam, we will not let you put your ships, armed, into those danger zones under our banner." I take my hat off to little Panama. She knows it is not right. I think it is a great honor for a little nation like that to take such a step.

What has the administration been doing? You have been trying to get around Robin Hood's barn by telling our shipowners to get their ships registered under the flag of little Panama, and then send them over into the danger zone with war supplies. The President would not allow them to send their ships under the American flag into the danger zone. He declared those waters to be a danger zone which our ships should stay out of. So what is he doing? He is now sending our ships right over into Iceland, right over where he said he would not let American shippers send their ships. He is not only sending them over there, he is sending them there under the protection of our own Navy. Remember the President said "to convoy means to shoot, and to shoot means war."

Now he wants you to let him put guns and cannon on those ships. Are you going to do it? Not I; I am against it; and I am going to remain against it. Why? Because it means war.

I am against this bill because it is only leading to our financial ruin. Earlier this afternoon I heard a Member on the Democratic side, a former superintendent of schools, say that he was going to vote for this bill because they have furnished only about $300,000,000 worth of materials to Great Britain under the other Lease Lend Act. Then he said he was going to support this bill. I could not help but laugh at a statement of that kind. Some argument for giving away more of the people's money.

We talk about freedom of the seas. Secretary Hull said in reference to the freedom of the seas that we should set aside international law as far as Germany is concerned. If international law is good for one country it ought to be good for all nations. International law represents the respect of all nations for all laws, and the President of the United States and Secretary Hull, no less than any individual, any humble citizen of America, ought to be obedient to all the laws we have.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. Is it not a fact that Great Britain is sinking the ships of any country that is carrying contraband of war to Italy or Germany? In fact, Great Britain boasts of the fact that in July it sank 450,000 tons of shipping, and Germany and Italy sank only 157,000 tons.

Mr. RICH. I believe Great Britain would sink any ships carrying contraband of war to the Axis Powers.

Do you believe the people of Germany or of Italy are big enough fools to permit the United States to send implements of war for their destruction without sinking them? They are not that crazy, even if Mr. Roosevelt thinks they are. We are giving away our airplanes, our ships, our guns, our cannon, our powder when they are needed for our own national defense, and they may be used against us some day; that is my fear. I fear the Communist more in America than I fear Hitler ever coming to our shores.

We are making a bedfellow of Russia, a nation who drove religion out of the country and spilled more cruel blood than any nation in the world in the past 20 years. Yet much of the money of this appropriation will go to them in implements of war to do more shedding of blood. I am against this legislation because I fear it will be the means of our financial wreck—the last straw, as it were. Let me give some figures.

Director of the Budget Harold D. Smith predicted on last Saturday that the defense expenditures out of the Treasury will total $18,000,000,000 this fiscal year, or $135 for every man, woman, and child in America. In the near future, he said, defense costs will take 18 percent of the national income. This is more than the defense costs during the World War. Director of the Budget Smith says that the Treasury will spend $24,581,000,000 this year, and that they would take in $11,998,000,000 in taxes and other revenue, and that our deficit at the end of this fiscal year would be $12,583,000,000. That, you can see, will be over a billion dollars a month. Now, make your comparison with the last fiscal year, when our expenditures were $12,710,000,000, our receipts $7,607,000,000, and our deficit for

last year was $5,103,000,000. Director of the Budget Harold D. Smith says that by New Year's we will be going in the red at the rate of a billion and a half dollars a month, and by next June, 1942, we will be going in the red at the rate of $2,000,000,000 a month. Think of it. Does anybody think that, unless something unforeseen happens, this rate of spending does not mean bankruptcy for this Nation? Mr. Chairman, Members of the House, are you going to sell America down the river? Are you one that will destroy her?

Let us keep our country out of European and Asiatic affairs, stay at home, and attend to our own business, as the Monroe Doctrine said we should do. If we can lend our good offices in a peaceful way to aid any country, we should do that, but that is the only extent to which we should interfere in the Eastern Hemisphere.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 11 minutes to the gentleman from Ohio [Mr. JONES].

Mr. JONES. Mr. Chairman, we have before us for consideration a bill for $5,985,000,000 for aid to the democracies. The principal beneficiary is Great Britain. At the time the lend-lease bill was passed we were told that England was on her knees, fighting for her very life, and that unless we passed the lend-lease bill England would fall. Whether that is true or false remains for the historian to decide and record.

Our wisdom, or lack of it, in passing the bill is beyond the discussion in the consideration of this case. Our full responsibility today, it seems to me, rises above the division of opinion that has torn the Nation apart and has made national unity impossible.

Many millions of people in America are convinced that we should not give more lend-lease aid to Britain. An overwhelming majority in Congress voted $7,000,000,000 for the British war machine.

I appeal to you who are on both sides of this question to follow the observations made after a careful and judicious study of the impact of the lend-lease appropriation upon our internal economy. It makes no difference in this discussion whether you are for aid to Britain or against it. I want to point out facts to you, as reasonable men, elected to represent your people and to represent your Government and do the best for her.

This is no fight between interventionists and isolationists.

It is not necessary for us to tear at each other's throats and accuse each other of being unpatriotic for the position that our opponents have taken. I question the patriotism of no man, and hope that the same charitable attitude will be afforded me.

In the first place, you who favor aid to Britain, as well as you who are against it, should examine the selfish activity of the British regarding the production of materials for our own Western Hemisphere defense. Let us look at the record of one phase of American defense production: By order of the President a joint aircraft committee was organized, consisting of two Army Air Corps representatives, two Navy representatives, two Office of Production Management representatives, and two British representatives. They were organized for the sole purpose of scheduling and allocating our aircraft production in the United States. I mean by scheduling and allocating production, they had the authority to determine whose planes should be on the assembly line and how many planes should be on the assembly lines of American aircraft factories. American aircraft factories cannot produce all that is needed for Western Hemisphere defense and for British needs. Somebody's orders have to be thrown on the sacrificial block in favor of other orders. The questions they decide are: Shall the Army fighters be given preference? Shall the British fighters be given preference? Shall the Navy fighters be given preference? Whose planes will come off the assembly lines first? How many planes of each branch of our own national-defense arms shall be carried into the air on their own power?

As I say, this Joint Aircraft Committee answers these questions. For them to make a decision, a unanimous vote must be had. For instance, if the British and our United States want transport planes at the same time, and the British decide they will not wait for our army defense planes to be sent through the assembly lines, they can refuse to vote in the affirmative, and tie up our defense production of airplanes for our national defense.

Remember, if the British members of this committee do not vote aye when our Army or Navy or Marine Corps want planes first, there is no action taken by the committee. That is exactly what has happened under the operation of the lease-lend bill.

Our Army needed transport planes in case there was an emergency in any part of the Western Hemisphere, and the British wanted transport planes. The American representatives voted against giving the British the transport planes. In this case they were planes which had been ordered some time previously by the commercial air lines of the United States. They had been delivered, in some instances. The British members walked out of the meeting, and left the fate of these passenger planes hanging in the air. Not only did they hamstring the Joint Aircraft Committee's decision and delay it, but they appealed direct to Harry Hopkins, the then Administrator of Lease Lend. He lobbied the American members of the committee, so I am told, and our experts rescinded their former vote and gave 12 planes to the British.

Bear in mind the British made their plea to the Joint Aircraft Committee, then to Harry Hopkins, that they needed transport planes in the Near East conflict. After the political orders came down from Harry Hopkins, then Administrator of Lease-Lend—the former discredited W. P. A. Administrator—the commercial air lines were given instructions from Colonel Clay of the Civil Aeronautics Authority, to deliver the planes to Douglas Aircraft for the removal of the passenger seats to convert them into transports.

The commercial lines obeyed the orders, and after a period of a month and a half long delay, the planes were flown by the Pan American Air Lines from Los Angeles to Mexico City, to Panama, to Natal, and then to Africa.

Mr. Chairman, I was astounded when I was informed on high authority that the seats were never removed from these planes to transform them into army transports.

An order was given by Jesse Jones, I am reliably informed, on the instructions of Harry Hopkins, that the planes be leased by our Government to Pan American Airways to operate their civil transportation service. They are now operating, not as army transport planes as claimed, but in a commercial flying service.

Further than that, Mr. Chairman, the British got the 12 planes for this purpose, on the representations of those two British members of the Joint Aircraft Committee that they were needed for the defense of Britain as troop transports in the Far East. They represented that they needed 25 transports. The 12 planes I have described were to be delivered in July and the balance the first of August.

I charge that the British are guilty of colossal deceitful misrepresentations of their dilemma, when they make this kind of a plea, to short-circuit the needs of our Army for Western Hemisphere defense. You men who are for all-out aid to Britain should resent this procedure—this misrepresentation and fraud—on the part of the British members of that Joint Aircraft Committee. At least we should be alert to the serious damage to our own national defense from this sort of attitude on the part of the British Government.

I charge further, Mr. Chairman, that it is a damnable short-sighted policy to leave the internal production of United States industry under the control of a joint aircraft committee composed of 25 percent British, non-American members. It is disheartening, and it should be corrected at once. We should now, in this bill, by proper limitation, dissolve the unwarranted and unjustified administration which allows two British representatives to veto, by merely walking out of the meeting in a huff, the sound and considered judgment of 75 percent of the committee who are Americans, when they cannot get what they want.

I suggest now that we appraise our relationship with Great Britain or any other country that comes to our door as beggars if you will, as friends if you will, asking for a hand-out from American toil and sweat.

From the standpoint of those who are steadfast for all-out aid to Britain, I know of no better way to put the point of view than the way the editor of American Aviation Magazine has said it:

> A neighbor who fails to repair electric wiring in his house after inspectors have issued repeated warnings and whose house inevitably burns down is certainly not to be barred from hospitality and aid. But the neighbor

who is playing host does not turn over the running of his entire household to the fire victim.

Does not this example I have given you show that perhaps we have gone a little too far in permitting another government to exert such a powerful voice in decisions vital to the welfare of our own country and our Western Hemisphere defense?

Mr. Chairman, we dare not tie up the production of fighters, transport planes, or light bombers for Western Hemisphere defense, by this veto power of foreign representatives.

Mr. Chairman, this Congress dares not overlook the reaction and the resentment and the creation of disunity in this country by letting these things continually happen with reference to our lease-lend program.

This is only one example of the modus operandi of the British Government in their relationship to the United States. I have many more examples, and only time and effort and the ability to travel around and visit the people of America to give you thousands of similar cases of selfishness on the part of the British, limit the exposé.

Mr. Chairman, I cite another example of the operation of the Joint Aircraft Committee's action.

First, let us examine the statement of the Secretary of War about threats to our national security in South America. Secretary Stimson, speaking to the selectees on August 15, 1941, said:

> We also know that Germany and Japan, with their "fifth columnists" and subversive agents, have been very active in South and Central America. From our observations of what has happened in Europe, we have learned to recognize the symptoms which invariably forecast the coming of a new Axis attack. Today, some of the most significant of those symptoms are occurring in South America. Any reader today of the American press can read of unrest and excitement in various South American republics, which are being attributed by the governments of those republics to the machinations of foreign secret agents. If by combining an air attack with a "fifth column" revolution, an Axis Power should succeed in making a lodgment upon the coast of South America, we should have a real task, indeed, for it would not be difficult for any enemy lodged there to get within easy bombing distance of the Panama Canal.

Here is what President Roosevelt says on the same subject. On September 11, 1941, in an address to the world, he said:

> This Nazi attempt to seize control of the oceans is but a counterpart of the Nazi plots now being carried on throughout the Western Hemisphere. * * *
>
> Last year a plot to seize the Government of Uruguay was smashed by the prompt action of that country, which was supported in full by her American neighbors. A like plot was then hatching in Argentina, and that Government has carefully and wisely blocked it at every point. More recently, an endeavor was made to subvert the Government of Bolivia. Within the past few weeks the discovery was made of secret air landing fields in Colombia, within easy range of the Panama Canal. I could multiply instance upon instance.

The Commander in Chief translated his fears into action. The President authorized the incorporation of the Latin American Republics Aviation Committee. It was created by the Reconstruction Finance Corporation and given $7,000,000 by the President, from the personal funds voted by this Congress—the funds, if you please, that he does not have to give an accounting for to the American people or to Congress.

Our Government desired to replace the South American Nazi air lines. The proposal was made before this joint committee. Here is the answer of the British members of that committee to your Commander in Chief, to your Secretary of War—to your Government: The British members of the committee objected to the allocation of plane production for this South American line. Think of it, Mr. Chairman, the British objected to what our Government determined was for the welfare of Western Hemisphere defense. Their only argument was that they needed transports much more than these South American countries.

Mr. Chairman, I submit again that no questions regarding the allocation of the industrial production of planes for our Army or Navy or for the production of commercial planes for the Western Hemisphere should be vetoed by non-American members of the committee.

Before I leave this subject, I want to go back a couple of years, when Secretary Morgenthau was in full charge of the production of airplanes in the United States. At that time, Lockheed and Douglas airplane factories had unused facilities and Secretary Morgenthau begged the British 2 years ago to give us orders for transport planes at that time. They did not give the orders. A little later, the commercial airlines sold them some of their own equipment, on the assumption that new planes on order in the American airplane plants would be delivered. At that time, Pan American and T. W. A. had 250 planes on order as follows: 80 Lockheed 4-engine planes, 66 Douglas DC–4 type 4-engine planes, 75 twin-engine Douglas DC–3 type and the balance were a little smaller than the DC–3's, known as the Lockheed Lodestar.

Mr. Chairman, here is another example of the neighbor refusing to take the necessary precautions that were apparent, and then sitting in on our councils with a veto vote. Here is the result: Our own commercial air lines are hanging on the ropes, because of a shortage of equipment due to British negligence, Britain refused to act in late 1939 and early 1940, and today our own commercial air lines suffer.

That is not all, Mr. Chairman. The Canadian Government started a commercial air line from Toronto to New York, and they purchased six planes from us. Although the British Government is willing to take airplanes from our commercial air lines; although she is willing, if necessary, to cripple our commercial air-line service, she did not ask for any of the six planes owned by the Canadian commercial air line, until after the American Aviation Magazine exposed them. Then, and only then, belatedly, did Britain request two planes of the six from the Canadian company.

A few months ago the President was impressed by the fact that 4-engine bombers were needed by Britain more than anything else to win the war. But see the ramifications of the decision by the President to deliver these bombers to Britain. He gave a high priority rating to the 4-engine bomber manufacturers. This left all the other manufacturers of airplanes for our own Army and Navy with a deferred priority rating. The 4-engine bomber was given an A–1–B rating and the American fighters, the American transports, and the American light bombers and every other item of national defense was deferred. The machine tools for which the manufacturer of the 4-engine bomber requested a priority was given gladly and willingly by the O. P. M. in pursuance of the President's order. If the 4-bomber manufacturer did not need a jigbore for 6 months, and a fighter plane manufacturer of our own Army and Navy needed a jigbore today, our Army and Navy assembly lines were held up in favor of the 4-engine bomber manufacturer who did not need the bore for 6 months.

In addition to the production of planes, Mr. Chairman, all of the aviation related industries are affected by this procedure. When the full impact of the lease-lend appropriations hit this country full blast—when we spend billions on lease-lend instead of millions, will it be possible for the repairman to get the material to overhaul the airplanes of the private flyers, the C. A. A. trainees and the commercial air lines of America?

Today radio equipment, the absolute essential in modern war, is seriously hamstrung and hampered by the allocation of materials of this same Board. Already Bendix Radio will not give anyone a promise when they can fill orders. There is no reason for any division, Mr. Chairman, on the effect of the action of this joint committee and other committees similiarly composed, and of the British Purchasing Commission, on vital related necessary equipment to "keep 'em flying" in America.

It is the same thing, Mr. Chairman, as building a giant dreadnaught without having the motors to move it out of the harbor. It is the same thing as sending a ship down the ways and turning it over to the crew, without a compass.

Mr. Chairman, our ship of state under the lease-lend program appears to be a ship of state without a compass. If you think that our ship of state has a compass in this hysteria for aid to Britain, let us look at the record of the British infiltration in our industrial production in every part of our national defense.

The British are in every airplane factory, in every tank factory, in every ordnance plant, in every engine plant. In any plant where anything is being made for the British, they are on the side of the assembly lines in our country. They learn the latest technique of our factories. They are in our scientific laboratories, watching what we are developing now, and will be producing 20 years hence.

Mr. Chairman, how generous have the British been with Americans in this hour of their crisis, in this hour when we have come to their rescue, in this hour when they represent that they are on their

knees and look to us solely for help. I charge now that the British keep us from knowing the extent of their production.

An American spark-plug manufacturer whose name I will not disclose is sending spark-plugs to England. It makes no difference whether it is lease-lend or whether it is out of the program. He was supposed to find out whether the plugs were "keeping them flying over there." He asked for a report. The British spark-plug manufacturer had organized a parent company to service these American plugs. The American manufacturer failed to get a report from them. So he asked the British to see for himself the result of American genius. What was the British answer to our lease-lend hospitality? Here is the record:

The British told this American manufacturer of spark-plugs that they would not allow him to see anything in the official field. They would not allow him to go inside the plant that was servicing his own spark-plugs. They would not allow him to see their latest technique of building or servicing spark-plugs. Mr. Chairman, this man was not a sightseer. He is a producer of American national defense—the spark-plug—the heart of "keeping them flying."

Is it not necessary and vital that those industries upon whom we depend to "keep them flying" for our own national defense be allowed to see how their product is holding up in this laboratory of war? The Members of this House should resent this attitude of the British who come knocking at our door asking for gifts of American genius.

Mr. Chairman, another case worthy of note and representing considerable interest in view of the fact that American small business today is having an extremely difficult time to obtain priorities and necessary material to continue business is the case of a certain marine engine works located in Ohio. This certain company received an order for approximately 20 engines to be used in patrol boats in Chinese waters. In order to construct these engines it was necessary to obtain reverse gears from a certain company located in Massachusetts. In order to obtain these reverse gears a priority was demanded, and the engine company representative immediately came to Washington to make the necessary contact with the O. P. M.

Here he discovered it was necessary for him to make contact with the Colonial Supply Liaison of the British Government, located here in Washington, who would, in turn, make a recommendation to the O. P. M. for the type of priority to be granted to this company.

This was claimed necessary, since the British are reported to have jurisdiction of the patrol boats in Chinese waters.

This recommendation was made by the British and in due course of time a rating was given to the Ohio concern for the reverse gears. When this rating was forwarded to the producer of reverse gears in Massachusetts it was found that the rating of the British was so low that the company cannot get the materials to produce the engines. The business is lost because the credit extended by the New York bank has expired.

Think of it, Mr. Chairman, the British Government gives priority ratings to American manufacturers for merchandise to be shipped to a foreign country.

Let us look at this case: A certain industry in the United States has a branch plant in London. The British Purchasing Commission contacted the officials of the company in America and ordered 500 units of their product, needed by the British Army. A few days later, while the company was trying to get priority ratings at the Office of Production Management for needed materials, someone in the American company discovered that they had the identical units desired by the British Purchasing Commission available in their London warehouse. They so advised the British Commission. The British Purchasing Commission said to the American company:

We do not want the 500 units that are in your London warehouse because we would have to pay cash on the barrelhead for them. We want them purchased in America so we can get them out of lease-lend funds.

Mr. Chairman, let us take the case for the enamel industry in the United States. Its industry's supplies are principally steel, and the manufacturers of enamel products cannot expect to get the same tonnage in 1942 as they had in 1941. The industry is told steel is needed for national defense and for the lease-lend program. One manufacturer I know of is losing his market in a Western Hemisphere island, and listen to the reason:

England is giving better service to the island customers on enameled ware than those same customers are able to get from the United States.

The enamel industry will be curtailed or shut down in America, Mr. Chairman, so that England can fabricate her steel into cooking utensils and other items of commerce. On top of that, England can give better service to the customers in the Western Hemisphere island.

Let us take British exports to Argentina. Mr. Chairman, there has been an increase of 17 percent of these British exports to Argentina instead of a 10-percent expected seasonal drop. The biggest shipments were machinery, $1,920,000 for the first 6 months of 1941; tin plate, $1,530,000; iron and steel products, $1,080,000; copper and bronze products, mostly wire, $750,000. These are all competitive United States products, and the United States is short of them.

Mr. Chairman, let us take the case for shipping. Our Maritime Commission has been given huge appropriations for British ships. Latin-American shipping companies in the midst of an alleged world shortage are unable to get navicerts unless they insure their cargoes with British companies. In April 1941 all Argentine insurance companies were advised by London to reinsure only with Britain. Whoever refused were put on the British blacklist. This, Mr. Chairman, prevailed in Western Hemisphere shipping.

Mr. Chairman, let us take a typical example of competition between American firms and British firms. I quote from Time magazine.

The British (Metropolitan-Vickers) underbid General Electric on a $10,500,000 electrification program for the Brazilian Central Railway, which carries manganese for the United States. Vickers could not fulfill its contract, but it kept General Electric out so long that the road will probably get no new equipment for the duration. This means the United States must ship it coal instead.

Shall we put it this way, Mr. Chairman? We were Uncle Shylock in the twenties, Uncle Sam in the thirties, and Uncle Sucker in the forties.

Mr. Chairman, I hold in my hand an advertisement from a British company to an American manufacturer. I quote from it:

To business houses and fire squad leaders: Give confidence to your men and reduce their danger by supplying them with our shields. Price each, $5, carriage paid. Cash with order. No c. o. d. Constructed on 20-gage best British sheet steel. * * * As supplied to leading industrial concerns for their fire squads and to nobility and gentry throughout England.

Who is the advertiser of this product containing 20-gage, best British steel, which is refused to our own industries in the United States, causing shut-downs and unemployment of workers here in our own country, putting men in the breadline? The name is Herrs, 217–219 Greenwich High Road, London.

Now let us dip back into the pages of a free press on the 20th of March 1941. We cannot read these pages of the 20th and the days that followed without gaining the impression that $7,000,000,000 worth of guns, ammunition, tanks, and supplies were on their way to England within 48 hours. You cannot read the paper of March 20 without coming to the conclusion that the opponents of lease-lend, foreseeing these dangers in the last great deliberative body in the world, were obstructing the welfare of our Nation. These opponents were not vindicated until the President revealed that only $85,000,000 was spent by our Government in the first 90 days.

That does not mean that we delivered $85,000,000 worth of material to England for her defense in the first 90 days.

As of August 31, 1941, only $388,000,000 was spent by our Government out of the $7,000,000,000 that this Congress appropriated for lease-lend aid to the democracies, and particularly to Britain. Please remember that the $388,000,000 figure is not the amount of stuff that we delivered to England under this lease-lend appropriation.

Why has not more than this amount been spent of the original $7,000,000,000 appropriated? The answer obviously is that the entire productive capacity of our Nation at this very hour according to the release of Secretary Morgenthau is $1,300,000,000 per month.

To date there has been over $50,000,000,000 appropriated by Congress for our national defense and for lease-lend. The productive capacity of American industry cannot absorb at this time more than $1,300,000,000 per month. The vain hopes for more than $1,300,000,000 will

not be answered by adding to the enormous appropriations heretofore passed by this Congress. Words and oratory of this House will not produce one more plane or tank for America's defense or for Britain's war.

We are united for making America the strongest Nation in the world. Our votes on appropriations for national defense testify to our unanimity. But we cannot throw off the cloak of responsibility by telling the American people that we have safeguarded our homes and the four freedoms by answering "yes" on every appropriation bill requested by the President. We must pull the false whiskers off all of the propaganda that we hear in America, emanating from abroad. If we are disunited today there is certainly no reason for it. You who favor more and more aid to Britain, and you who oppose giving Britain another dime, can look at the hard cold facts that present themselves today.

Mr. Chairman, our problem is not one of $5,985,000,000 additional lease-lend funds. This appropriation will not buy one dime's worth more for aid to Britain. You cannot get away from the hard cold facts. American industrial capacity can only consume $1,300,000,000 per month at the present time. Therefore, the Treasury Department cannot possibly start to spend the funds provided in this bill until July 1, 1942. I think that means no deliveries out of this bill to the friends you want to aid probably until January 1, 1943.

Our problem is not more money. Our problem is expanding American industrial capacity. Fifty-one billion dollars already appropriated will do that as fast as American ingenuity can make dollars into production lines of raw materials and finished products.

Appropriate $100,000,000,000 for aid to Britain and the wheels of industry in America can accelerate no faster than they are today without such a dreamy-eyed, unrealistic program of appropriating money. $6,000,000,000, $25,000,000,000, or $100,000,000,000 passed by this House next Friday and by the Senate in 2 weeks, and signed by the President by November 1, will not put one more pound of material in Britain's hands within this fiscal year. It will cause less material to be sent to Britain.

Here is the hard, cold logic you cannot escape. This $6,000,000,000 will impound $6,000,000,000 worth more materials. They cannot be fabricated for over a year. It will destroy the small businessman of the Nation. He cannot produce if you impound his materials today that national defense and the democracies cannot fabricate until a year from now. We decide on Friday which school of thought this House will adopt in transforming this Nation's industrial output from a minimum of production to satisfy the wants of everybody to the maximum production of armaments.

If we pass title I of this bill we will join the ruthless school. When an American businessman comes to Washington in a panic seeking priorities on materials already impounded here is what your vote for the bill will answer:

I quote Mr. Knudsen in the October 4, 1941, issue of the Saturday Evening Post:

> All right, shut down; you'll have to hustle for something to open up with.

Your vote against title I places you in the other school who would do it gradually, with as little damage as possible to the internal economy. Your vote will be on the side of the greatest productive genius America has. I quote again from the same Post article:

> I happen to belong to the latter school, as I see no particular object in having idle men and idle machines in the transition period between civilian curtailment and increased defense production.

You can stagnate the program of our own national defense and break down completely aid to Britain, by voting all other appropriation bills that will follow before July 1942. Our Government cannot spend the money faster than $1,300,000,000 per month.

We are lured into a false sense of security by appropriating more money. I say that the entire defense program will bog down and lease-lend aid to Britain will falter because these appropriations, the same as the last $50,000,000,000 appropriated, has bought only $1,300,000,000 per month, and has only succeeded in impounding more and more materials with priorities, that cannot be fabricated until 1942 and 1943.

Tie up the sheet steel if you will by these appropriations. Tie up 10,000,000 additional tons of sheet steel. They cannot make it into ordnance and equipment for America and the democracies of the world until 1942. And what have you left in America? I will tell you the result now, and there is no doubt about it. Five million men will be out of work; the small businessmen will be ruined; the internal economy of the country will be wrecked; nobody will have raw materials lying in the warehouses except the British Purchasing Commission and the Army and Navy, while 5,000,000 men and their families will walk in the bread lines of America. You will break the backbone of our people; you will break down their morale, and convert the American way of life into state socialism and complete regimentation and control from Washington. You cannot get away from these facts, Mr. Chairman.

We must ask ourselves these questions here and now. What is the purpose of the lease-lend bill? What is the purpose of billions and billions of appropriations if they cannot buy anything now; if materials cannot be fabricated into useful defense equipment until 1942 and 1943? We cannot escape this hard, cold question. Is the purpose of the lease-lend bill to give aid to Britain? Is it to make America the arsenal of the democracies? Or is it to give America state socialism? At this very moment nobody can tell when the first billion dollars' worth of material will be delivered to Britain under the original $7,000,000,000 appropriation. Nobody on the committee, nobody in the Congress, nor the President himself can tell when the second billion dollars' worth is going to be delivered to Britain. Assuming for the purpose of argument that we are in an undeclared naval war; that we are in the war now; it cannot be won by dreamy promises and orations on this floor or by fireside chats. It cannot be won by impounding materials that the factories cannot fabricate, that throttle and choke the small business man of America. The question is, When will the first billion dollars' worth of material—I mean ordnance, tanks, guns, and planes—be delivered?

All of the "four freedoms" of the President, the seven points of the Churchill-Roosevelt conference, are idle promises to a troubled world, if America cannot produce. Remember that the $1,300,000,000 is the top production figure to date.

Your vote against title I of this bill will in no way affect, hurt, harm, or destroy our national-defense program, aid to Britain, aid to any other democracy, bloody Joe Stalin, or the friends we think we have, until the material is off the assembly line.

Your vote on this bill will not "keep 'em flying." Your ardor and your enthusiasm for title I of this bill, or your opposition to it, will not determine the battle of Europe, nor will it have any effect in any shape or form, because not one penny's worth of the money you are voting in this bill can come from the assembly line of American factories until the latter part of 1942.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. VORYS of Ohio. I have been listening with great interest to your analysis of lease-lend administration. I have been informed that the lease-lend Commissioners go around the country offering American manufacturers higher prices for the same product than our own armed services are offering. I was told of an instance where this was done. Does the gentleman know whether that is typical or whether that is exceptional in the case of the Administration of lease-lend?

Mr. JONES. If you will look in the RECORD tomorrow, you will see one case after another of the selfishness of the British Government in dealing with the American Government under this lease-lend program, which I, as a lawyer, believe is substantiated by competent evidence. I believe this brief raises a presumption that the example you state could be typical.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentlewoman from Illinois [Miss SUMNER].

Miss SUMNER of Illinois. Mr. Chairman, if tomorrow you pass this bill appropriating an additional $5,000,000,000 of lend-lease aid you need not be surprised if within 4 months there will be such a paroxysm in the national economic system caused by inflation that people all over the country will be crying, "Why did you do it?" The only reply you can make will be a feeble "I didn't want to vote aid which would be 'too little and too late,' so I went to the other extreme and voted 'too much too soon.'"

So far in this debate nobody has hardly mentioned the inflationary consequences of this appropriation. There has been some talk of the cost in terms of soldiers' lives and taxes to be paid currently and in the future. Apparently, however, even some of those who, like me, launched their congressional campaigns in 1938 because they believed that the country was maneuvering toward war, dictatorship, and bankruptcy do not appreciate that the inflation has already begun. Perhaps like me you explained to the people that national bankruptcy is extreme inflation and showed them, as I tried to do, how with continually increasing spending there comes a time when prices leap up so frantically that here, as in Germany, people will have to demand dictatorship because without it they are unable to secure the necessities of existence. If you did, your people may find it difficult to forgive your vote for this appropriation.

Up until a couple of months ago the country as a whole seemed not yet to have had enough inflation. Prices were still going up only limpingly. A little inflation would be wholesome, would help pay private debts long overdue, and would raise incomes and wages abnormally low for many years.

Now, however, those of us who have been sitting in the Banking and Currency Committee hearing evidence on the price-control program are perceiving that already we have reached the point where the rate of rise causes suffering. Prices are going up too rapidly for wages, salaries, and pensions to keep abreast of them. Prices of some articles are vaulting out of line. While the cost of living in general has increased around 10 percent, prices of some articles and in some communities have risen as high as 50 percent in a few months. Worse still, the impact of the first tremendous lend-lease appropriation is only beginning to be felt. The money has just begun to spin around. There are billions under the first appropriation yet to be spent that Congress has already said shall be spent. We do not know where we are. It seems quite certain that the effect of this appropriation will be like flooding the engine of an automobile.

In many communities the effect of the spending has already been heartbreaking. Scarcity of raw materials has already closed down factories all over the United States, turning many thriving little towns into skeletons of themselves, forcing multitudes of our people to go on relief. Already, millions of persons on fixed pensions or incomes which, even in normal times, would be near the subsistence level are suffering real privation due to price rises. Unfortunately, the people of our Nation have been led to believe that the price-control bill proposed by the administration will keep down the cost of living. The evidence I have been hearing on the committee, however, does not substantiate that optimistic claim. I tremble to think of the effects of the big dose of inflation contained in the present appropriation.

There are two big things you have to watch when you are causing inflation—two pressure gauges: You must watch the amount; you must also watch the speed of your spending.

The business of holding down prices of hundreds of thousands of commodities of various kinds and qualities and weights with infinite opportunities on the part of producers, manufacturers, wholesalers, and retailers and bootleggers for chiseling on the consumer will not be the same problem here as it is in a relatively small country like England or Germany or Canada. The amounts we are spending here are much larger than in the past war, so the price-control problem is correspondingly more intricate. I believe that it cannot be effectively accomplished except with a mighty army of policemen and Federal inspectors and hordes of uninformed persons going to Federal jails—a situation which will be almost intolerable to our freedom-loving people.

The matter of estimating the amount of raw materials and allocating them for defense and nondefense uses has already confounded the Government agency charged with the job. They have not yet thought of any satisfactory formula for solving the problem. I am safe in predicting that the expenditure of this $5,000,000,000 will throw out of production many more industries than the first appropriation of eight billions.

You can hold down the prices of some commodities as you did in the last war and take some little pressure off consumers and make the producers of those commodities pay, through diminished incomes, an increased share of the cost of the war. It is apparent, however, from the protests of farmers and wage earners, more aware of their political strength this time than in the last war, that this time they refuse to become the scapegoats. This time they will not let you take from their economic rights while you permit others to go free. They are demanding the right which is implicit in the Constitution—the right of equality before the law.

Recognizing this, the National Association of Manufacturers yesterday endorsed the proposal that everybody should be blanketed under restriction equally. Inflation, their spokesman told us, is more to be feared than dictatorship.

In spite of all our experiments with pump-priming, no scientist that we know of has yet worked out rules concerning inflation which would furnish a reliable guide enabling us to predict with anything like certainty the amount of price rise which would be caused by this appropriation, nor the time in which the full effect would have been felt, nor even the rate at which prices might be expected to rise.

In this serious moment, however, I feel that I, as a member of the committee considering price control, should offer you my opinion for what it is worth, if anything. I believe that to appropriate anything like the sum of money contained in this bill at the present time will close down many more factories than the same sum did 6 months ago. I further believe that it will send us into an accelerated price inflation, which, in turn, will cause the spending of infinitely larger sums of Government money for defense, for wages and salaries, for pensions, and so forth. Inflation is like drinking. The first drink stimulates and whets the appetite. But you have to be careful lest, as you keep on drinking, you will not be drunk before you know it.

The classic example of inflation is Germany after the last war, when money kept growing cheaper and cheaper, prices ever rising, rising, rising, until even those who most feared communism demanded a system which put the same yoke around their necks as communism.

Some of the business leaders who are already demanding the strait jacket to cover every price, wage, income, and activity in the Nation believe that, at the end of the war, we can shift back into a peacetime economy by simply going into production of goods long denied the people. But neither they nor anybody can tell how long this war will endure. Certainly it will be utterly difficult to transform a people who have been without self-reliance for any long period of time back into an economy where the individual is required to be self-reliant.

To get out of the economic strait jacket—a whole nation trying to squirm like Houdini—without a terrible depression worse than our last is certain to be the most difficult feat this Nation has ever attempted, and it will not give us much confidence to remember that until the war we never really began to get out of the last depression.

In a few weeks the price-control bill will be presented to you. You will then have to choose one of three alternatives, any one of which will cause you excruciating anguish:

First. A plan forcing one or more groups of the people to bear an unfair share of the cost of the war—groups sufficiently powerful to retaliate politically.

Second. A plan to put the entire Nation under economic dictatorship.

Third. To vote down any plan and leave the country without price-control measures and subject to an inflation which, they will soon see, is worse than dictatorship.

The only opportunity you have to avoid making that choice is right here and now. If you do not spend this money now, you may still perhaps avoid disastrous inflation.

I do not wish to be understood as saying that the economy might not absorb this sum 5 months from now. I want you either to cut down the amount of this bill to the items needed for home defense, or send it back to the committee to be held there for at least 4 months, or until we have a chance to observe the effect of the previous dose of inflation and determine whether or not the country can safely take another one.

I have never feared the imposition of slavery upon our people from without. I think that any living foreign dictator would be insane to try to invade us. I do, however, fear the slavery which our people will impose upon themselves when and if they are led to believe that it is for the best interest of their country.

Roosevelt and his henchmen have shown an insatiable appetite for power and have always refused to give up any power you granted to them. It is too much to believe that they will relinquish without a desperate struggle the absolutism which increasing inflation is going to put into their hands within the next few months.

Mr. TABER. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Chairman, during the last 2 days this bill has been thoroughly debated. Any Member of Congress who has remained on the floor throughout the debate must understand fully the arguments on all sides. When 435 Members of Congress have had sufficient time to study proposed legislation, and ample opportunity to debate, the vote should at least be intelligent. Of course, much of the debate has been irrelevant to the issue to be decided in the passage of this measure.

In short, this bill appropriates $5,985,000,000. This money goes to the various departments to be expended as follows:

Proposed appropriation under pending title 2 of Defense Aid Appropriation Act of 1941—by departments

War Department	$2,255,575,667
Navy Department	1,498,129,333
Maritime Commission	374,225,000
Treasury Department	562,070,000
Agriculture Department	1,000,000,000
Services and expenses	285,000,000
Administrative expenses	10,000,000
Total	5,985,000,000

Proposed appropriation under pending title 2 of Defense Aid Appropriation Act of 1941—by appropriation categories

Ordnance and ordnance stores	$1,190,000,000
Aircraft and aeronautical material	685,000,000
Tanks and other vehicles	385,000,000
Vessels and other watercraft	850,000,000
Miscellaneous military and naval equipment	155,000,000
Facilities and equipment	375,000,000
Agricultural, industrial, and other commodities	1,875,000,000
Testing, reconditioning, etc., of defense articles	175,000,000
Services and expenses	285,000,000
Administrative expenses	10,000,000
Total	5,985,000,000

The Congress has heretofore appropriated $7,000,000,000 to implement the lease-lend bill. This appropriation of approximately $6,000,000,000 is supplemental to the original lend-lease appropriation. There are some items in this bill that are to be used for our own national defense exclusive of lend-lease activities, so that technically the entire $6,000,000,000 does not go for lend-lease purposes. That is, there is in this bill some aid for lend-lease and some aid for our own defense.

Generally speaking, the fundamental reasons prompting one's vote on the first lend-lease appropriation are still good and should have great weight in determining the course to be pursued in voting on the bill presently under consideration.

When that first bill was being discussed in the House, I gave my reasons for voting for the appropriation. I have not changed my views and, with your permission, I read from that speech which is found in the CONGRESSIONAL RECORD of March 18, 1941. I said:

I voted against the lend-lease-give bill, and I have no apologies to make for that action. I did what I could legitimately to prevent the enactment of that bill, because I was opposed to the power granted to the President and because I was convinced that the bill led to war and not to peace.

The lend-lease-give law establishes a new foreign policy. The bill passed the House and the Senate by substantial majorities and is now the law of the land. The people, through their chosen Representatives in the Congress, have spoken. The verdict has been rendered. In the language of the gentleman from New York [Mr. TABER] the die has been cast.

Under this law the United States is today the official arsenal for the democracies of the world. The law provides all-out aid for those democracies. The President is authorized to determine if, when, where, and to what extent this aid shall be given. The members of the Committee on Appropriations tell us that the democracies—our allies in this venture—have filed requests with the President covering the aid immediately necessary if England is not to capitulate. The members of the committee in debate have told us that Mr. William Knudsen, Chairman of the Office of Production Management, as well as our own military and naval experts, have justified the amounts carried in this bill. We are told that in the confidential files of the committee is to be found an itemized list of the defense articles to be purchased in this country with this $7,000,000,000. Therefore this is not a blank-check bill. Of course, I should like to know what that list contains. However, our military experts and our own committee assure us that such publicity at this time would not be in the best interest of our national defense. I, therefore, must trust these authorities.

In voting for this $7,000,000,000 I am in no way endorsing the general principles of the lend-lease-give law. I realize, however, that this is a democracy. The majority must rule, even though it be momentarily. Right will in the end assert itself.

I am confident that a majority of the constituents whom I represent are opposed to our country getting into this World War. However, we are not voting on that question today. In effect, the lend-lease-give law puts us into the World War economically, morally, and officially. It only remains for Hitler to decide if and when the shooting is to begin. Therefore I am convinced that my patriotic duty requires that I vote for this bill, even though it implements a law I opposed. Regardless of what I may think personally about the policy involved, the law is clear and there is no choice so far as I am concerned. To refuse to make provision for carrying out the law is, in effect, to sabotage it. The machinery is already set up and functioning. To abandon it now would mean disaster. Again, I repeat, the die has been cast. We have but one job, and that is to win.

The only material change I would make in that speech, to make it applicable to the present bill, is to change the amount of the appropriation from $7,000,000,000 to $6,000,000,000.

However, one is not warranted in voting for additional lend-lease funds unless there is convincing testimony that such additional funds are necessary to our national defense. The committee hearings contain such proof.

The bill before us, as has been pointed out, carries a total of $5,985,000,000. Added to the $7,000,000,000 already appropriated, this makes a total of almost $13,000,000,000 for lease-lend purposes. This figure added to the $46,000,000,000 which has been made available for national-defense purposes, gives a total of $59,000,000,000 appropriated either for lend-lease or national-defense purposes since the 1st of July 1940, all for expenditure in respect of commodities to be furnished for the most part prior to June 30, 1943.

On September 15 last the President submitted his second report on lend-lease activities. In the debate on yesterday the very able and reliable gentleman from Massachusetts [Mr. WIGGLESWORTH], a member of the Subcommittee on Appropriations reporting this bill, included a table of allocations, obligations, and expenditures by departments as of August 31, 1941. These tables are most enlightening and, as pointed out by the gentleman from Massachusetts, show that out of the $7,000,000,000 appropriated on March 27, 1941, only 50 percent has been obligated, only 5 percent has been expended, and only 3 percent actually converted into goods and exported to Great Britain. Incidentally, over half of that 3 percent covers agricultural commodities which were not produced especially to meet lend-lease requirements. Not a very happy record of accomplishment.

Under these conditions, how can this $6,000,000,000 appropriation be justified at this time? The testimony before the subcommittee, appearing in the printed hearings, can be summarized as follows: Every dollar of the $7,000,000,000 already appropriated, plus every dollar of the $6,000,000,000 carried in this bill, can and should be obligated by February 28, 1942—5 months hence. We are assured that this will be done. If this is a fact, and if our program of lend-lease assistance is to be continuous and without interruption, some additional funds and authority for obligation must be given at once. The pending bill provides these funds and authority.

The entire $13,000,000,000 can be absorbed by existing facilities, manufactured or produced, and delivered, with the exception of 4 or 5 items particularly specified, before June 30, 1943. I want to stress that to accomplish this end, 53 percent of all our existing manufacturing facilities will be required. The country is just beginning to realize the extent to which our economy must be disarranged. All-out aid to the so-called democracies means all-out deprivation and sacrifice at home.

The hearings indicate that the Budget request is based on a period of 20 months; that is, the balance of this fiscal year, or up to July 1, 1943. We are told that $5,000,000,000 in actual cash will be necessary by June 30, 1942, and another $5,000,000,000 by the end of the calendar year 1942, leaving about $3,000,000,000 out of the $13,000,000,000 for goods to be delivered in the last 6 months of the period.

It will be observed that this lend-lease policy is an expensive one, yet that issue

is not before us today. The lend-lease policy is water gone over the dam.

I want to impress upon the House the very important fact—already mentioned two or three times in the debate—that a very large percentage of all these materials to be manufactured for lend-lease purposes is of such character as to be useful for our own defense purposes in case the necessity for distributing them as contemplated by the lend-lease law ceases to exist.

To summarize, many of these national-defense materials being manufactured in our factories for lend-lease purposes are also needed for our own national defense now; and, if perchance, our country should cease sending these implements of war to those countries designated by the President, they would be available for and welcome in our own national-defense program. If the Congress does not want to carry out the lend-lease policy, then the law should be repealed. If men like Mr. Knudsen and Mr. Stettinius, who are charged with carrying out the national-defense program, present proof as to the necessity for this appropriation, I do not feel justified in setting up my uninformed opinion against their informed and expert judgment. I repeat, we are not writing policy in this law. We are only implementing a policy heretofore established by the Congress.

Our constituents are not all agreed as to the President's foreign policy. Indeed, our Members are far from agreement in many particulars. Generally speaking, the Congress may be divided into three groups: First, those who follow blindly any foreign policy suggested by the President at this time; second, those who are apparently diametrically opposed to any foreign policy suggested by the President at this time; and, third, those opposed to this country entering total war, and opposed to an A. E. F., but who, when a policy has been established according to law by a majority vote in the Congress, feel that they are bound to implement that policy. I think I qualify pretty well for the third group.

The very persuasive Member from Illinois [Miss SUMNER], who just preceded me, points out the danger of inflation if an additional $6,000,000,000 is to be spent in this country at this time. My distinguished colleague the gentleman from Michigan [Mr. ENGEL] has spectacularized the fact that all money appropriated by the Congress must be raised by taxation, and in the end becomes a lien on the earnings and the property of our people. Others have expressed the fear that some of this money will be used to assist Russia in her fight against Hitlerism. Indeed, every possible objection to the appropriation has been presented. All of these arguments have been interesting. All of them have been important. However, all of them have not been germane to the issue involved in the passage of this bill. None of us want inflation. None of us want additional taxes. None of us want to help Communist Russia, yet most of us want to keep out of war, and all of us are agreed on an impregnable national defense. If this is true, and the lend-lease policy has already been accepted, and is being effectuated as a part of our national defense, then it seems to me there can be but one answer to the question which we must decide by our votes before adjournment tomorrow night.

President Roosevelt has promised to keep us out of foreign wars unless our country is attacked. He has promised that our boys shall not be sent to fight on foreign soil. He demanded the lend-lease law as one of the instrumentalities to be used by him to keep this country at peace. He demanded the first $7,000,000,000 lend-lease appropriation to make it possible for him to fulfill these promises to the American people. He now tells us that amount is not sufficient to do the job and demands the additional appropriation carried in this bill. Remember there is nothing in this bill providing that any of this money shall go to Russia. The President has the discretion. We are assured, even at this late hour, that the lend-lease law is a peace measure and not a war measure, and that only by means of this additional lend-lease appropriation can we hope to keep out of total war. I do not accept the accuracy of this assertion. However, inasmuch as our course has been charted by the President and a majority of the Congress, I shall not be a party to denying the President what he asks in this bill.

Mr. Chairman, I shall vote for this appropriation.

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. WILLIAM T. PHEIFFER.]

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, I have the rather dubious distinction of closing the general debate on this most important measure. I must confess to a sense of guilt for keeping this vast assemblage here for another 10 minutes so near the vesper hour and when the dinner pots are boiling, but I do want to make a few observations that would give me a feeling of remissness if I left them unsaid.

First of all, I want to correct what seems to be a misapprehension or an error in nomenclature on the part of the newspapers and other sources of information whereby the people have obtained the impression that we are again debating a lease-lend bill. This morning's Washington Post, for example, carried a headline saying, "House opens debate on second lend-lease." Likewise the Washington Daily News of this morning carried a headline, "Lend-lease wins vote tomorrow." We have even heard this bill referred to on the floor of the House and in the cloakrooms as the lend-lease bill. This is far from being exact. The measure now under consideration is simply another appropriation bill to further implement our avowed lend-lease policy. If it was a lend-lease bill, I would oppose it as vigorously as I did when the original lend-lease bill was up. I voted against that bill and made my maiden speech against it. I have no misgivings and no regrets for having done so, because, in my judgment, that type of legislation does violence to the basic concepts and ideals of our American form of government. It does violence to the Constitution itself, but when H. R. 1776 became Public Law No. 11 on March 11, 1941, by virtue of the President's signature, then I felt that it was my duty as a Member of the Congress and as a real American to go along and make it possible to implement that measure, for the good and sufficient reason that it had ripened into the law of the land.

Consequently, despite my qualms as to the effect on our domestic economy, I voted for the first appropriation bill of $7,000,000,000 and I have no hesitancy in saying that I am going to vote for this bill, subject to reservations with regard to eliminating the excessive padding that exists in some of the items of the bill. Do not think for a moment that I am backsliding on my position that our country shall not and must not be engulfed by the bloody tide of the wars of Europe. If we should ever—God forbid—have to vote on a war resolution in this Chamber that would involve again sending American boys to fight and die on the soil of Europe, I would oppose and fight that resolution with every fiber of my being, but if the American Congress, representing the majority of the people of the United States, declared a foreign war and said we must send an expeditionary force over to invade the continent of Europe, I would want to be the first off the troop transports on the other side.

Consequently, I believe that our main attention should be devoted now, not to attacking the recommendations of the experts, who have come before the committee and said these funds are needed, but rather to closely scrutinizing each item in the bill in an effort to save some of the taxpayers' money that might otherwise be needlessly spent.

For example, we find in the bill an item of $10,000,000 for administrative expenses. Is it not significant or it might have been just poor timing, that yesterday, when we started debate on this bill, the newspapers told of a new glamorous defense agency of information rising above the alphabetical horizon, which is to be known as O. F. F.—the Office of Facts and Figures. Its duties will be to coordinate the coordinators, to press agent the numerous press agencies we are now saddled with, and to interpret the interpreters and explain the explainers. As the New York Herald Tribune so trenchantly remarked in its leading editorial today:

> The capstone will have been set upon the pyramid and we can all die happy, strangled in the very best red tape, when the Office of Utter Confusion and Hysteria, to be known as OUCH, is created.

Mr. Chairman, passing to title 2 of the bill, we find there some items which to me are inexplicable. On page 14 there is an item of $53,500, which is to be used primarily for the installation of electric wiring in the concrete test track at the Public Roads Administration proving grounds near the District of Columbia. While the ratio of $53,500 to $5,985,000,000 is infinitesimal, yet this item is symptomatic of the fact that, as I stated on the floor of the House 2 weeks ago, the administration is giving only lip service to the cause of economy in non-defense spending. Also, we must not lose sight of the fact that $53,500 is approximately one-half of the amount of money that the average man earns during his

life time. Consequently, if that item for electric wiring were but $1,000, I would still feel it my duty to question the wisdom of spending the money at this time. It may be desirable later on, but cannot it be deferred?

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. WILLIAM T. PHEIFFER. In a moment. I have read the report of the committee from cover to cover, and I have failed to find an explanation of that item of $53,500. I hope that some member of the committee will enlighten me on it, otherwise I shall feel duty bound to offer an amendment to strike the item from the bill. I yield to the gentleman from Michigan.

Mr. HOFFMAN. Mr. Chairman, does the gentleman have any confidence in his ability or the ability of anyone else on the floor to strike out any one of these items or to reduce them?

Mr. WILLIAM T. PHEIFFER. We are probably whistling in the dark, but it behooves us as conscientious Members of Congress to try to keep the fiscal affairs of the Government on an even keel, and to constantly try to curb the spending of money which has no relation to defense needs.

Mr. HOFFMAN. I think the gentleman is right, but even after we have made that effort time and time again are we to swallow the whole case, regardless of what is in the bottle—are we to drink her empty? That is the thing that bothers me.

Mr. WILLIAM T. PHEIFFER. The gentleman, I believe, knows that it has never been my practice to swallow anything blindly, but the point I make is that after we enact a law it behooves us to see that it is properly implemented and to scrutinize every item in the bill, trying to call the attention of our colleagues to the expenditures which might well be curtailed.

Mr. HOFFMAN. I think you are correct, but do you think we should go along with this policy? I recall that when we had prohibition some folks worked and finally it was repealed. Is there any reason why we should not try to change this policy?

Mr. WILLIAM T. PHEIFFER. In my judgment we are trying constantly to do that very thing. I am glad to know that every now and then we have the assistance and joinder of some of our Democratic brethren in that effort.

Another item, on page 8, is $250,000 for farm-labor statistics. That quarter of a million dollars, I believe, should be stricken from the bill. The explanation in the report is not all convincing to me as to the present need of it.

Those are just a few of the items that we should put under the microscope before voting on the bill tomorrow.

In conclusion, I am very hopeful that from now on all of the debates on the floor of the House may be conducted in the same temperate spirit as has characterized this debate. We are dealing with large matters and our decisions may go far toward shaping the destinies of our country. It behooves us to keep our feet on the ground and our good spirits constantly.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I ask that the Clerk read the first paragraph of the bill.

The Clerk read down to and including line 6 on page 1.

Mr. CANNON of Missouri. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BLAND, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill H. R. 5788, had come to no resolution thereon.

ORDER OF BUSINESS

Mr. CANNON of Missouri. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CANNON of Missouri. At what time does the House meet tomorrow?

The SPEAKER. At 11 o'clock.

Mr. CANNON of Missouri. I take it for granted that the pending bill will be the first order of business?

The SPEAKER. It will be.

Mr. CANNON of Missouri. And that we will begin to read the bill for amendment as soon as the House convenes?

The SPEAKER. As soon as the Speaker's desk is cleared.

EXTENSION OF REMARKS

Mr. TABER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and to include therein a sample of the revocation clause in defense contracts that is to be applied when the war ends; and also a copy of the letter of the President appointing Mr. Stettinius Lease-Lend Administrator and giving him certain powers.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

RESIGNATIONS FROM COMMITTEES

The SPEAKER laid before the House the following resignation from committee:

OCTOBER 9, 1941.

Hon. SAM RAYBURN,
Speaker of the House of Representatives, Washington, D. C.

DEAR MR. SPEAKER: I hereby tender my resignation as a member of the Committee on the Post Office and Post Roads, same to become effective immediately.

Respectfully,

JOE HENDRICKS.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

The SPEAKER laid before the House the following resignation from committees:

OCTOBER 9, 1941.

Hon. SAM RAYBURN,
Speaker, House of Representatives, Congress of the United States, Washington, D. C.

DEAR MR. SPEAKER: I hereby tender my resignation from the following committees: World War Veterans' Legislation; Claims; and Irrigation and Reclamation, the same to become effective immediately.

Respectfully,

VICTOR WICKERSHAM.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mrs. BYRON (at the request of Mr. BOLAND), for 10 days, on account of illness.

To Mr. JACOBSEN (at the request of Mr. LECOMPTE), for 1 week, on account of important business.

EXTENSION OF REMARKS

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. HOLBROCK] have permission to extend his remarks in the RECORD and to include an editorial from the Hamilton Journal-News.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

SPECIAL ORDER

The SPEAKER. Under previous order of the House the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

Mr. HOFFMAN. Mr. Speaker, I yield back that time.

SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 493. An act conferring jurisdiction upon the United States District Court for the Southern District of Florida to hear, determine, and render judgment upon the claims of Frank P. Walden in his individual capacity and as husband and legal representative of the estate of Anice Walden, deceased, and Viola Harp in her individual capacity and as legal guardian of her daughter, Marjorie Gayle Harp, a minor;

S. 605. An act for the relief of Pherne Miller;

S. 874. An act relating to allowances for rental quarters of certain naval officers stationed in the Canal Zone;

S. 1051. An act relating to the payment of fees and costs of witnesses and jurors and the accounting therefor;

S. 1052. An act relating to the traveling and subsistence expenses of judges and retired judges of the Court of Claims;

S. 1228. An act for the relief of Mrs. A. B. Tanner;

S. 1344. An act to authorize employees of the United States to testify on behalf of the District of Columbia and employees of the District of Columbia to testify on behalf of the United States and of the District of Columbia without loss of salary or annual leave;

S. 1392. An act for the relief of Homer J. Swope;

S. 1398. An act for the relief of Elinor Leugers;

S. 1512. An act to amend the Alien Registration Act, 1940, by making it a criminal offense to reproduce alien registration receipt cards;

S. 1570. An act to further amend the acts for promoting the circulation of reading matter among the blind;

S. 1579. An act to authorize the President of the United States to requisition property required for the defense of the United States;

S. 1608. An act for the relief of the Neal Storage Co.;

S. 1649. An act to authorize the payment of certain claims of employees of the Bureau of Reclamation arising out of loss of tools destroyed by fire at Parker Dam, Ariz.;

S. 1655. An act for the relief of Victor M. Lenzer, former special disbursing agent, Department of Labor; and

S. 1709. An act conferring jurisdiction upon the United States District Court for the Western District of North Carolina to hear, determine, and render judgments upon the claims against the United States of I. M. Cook, J. J. Allen, Radiator Specialty Co., and the R. & W. Motor Lines, Inc.

BILLS PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 3827. An act for the relief of Mr. and Mrs. Clyde Thatcher and their two minor children, Marjorie Thatcher and Bobby Thatcher; and

H. R. 5202. An act to amend an act entitled "An act to protect the lives and health and morals of women and minor workers in the District of Columbia, and to establish a Minimum Wage Board, and define its powers and duties, and to provide for the fixing of minimum wages for such workers, and for other purposes," approved September 19, 1918.

ADJOURNMENT

Mr. CANNON of Missouri. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 3 minutes p. m.), the House, pursuant to its order heretofore entered, adjourned until tomorrow, Friday, October 10, 1941, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on Tuesday, October 14, 1941, at 10 o'clock a. m., to consider H. R. 3254, to safeguard and protect further the lives of fishermen at sea and to place fishing boats under the supervision of the Department of Commerce, Bureau of Marine Inspection and Navigation, and for other purposes.

CENSUS COMMITTEE

There will be a meeting of the Census Committee on Tuesday, October 14, 1941, at 10 o'clock a. m., for hearings on the Quinquennial Census.

COMMITTEE ON AGRICULTURE

The Committee on Agriculture will hold hearings on Tuesday, October 14, 1941, at 10 o'clock a. m., in room 1324, to consider H. R. 5366, marketing quotas on potatoes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

976. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 21, 1941, submitting a report, together with accompanying papers, on a preliminary examination of Iowa and Cedar Rivers, Iowa, authorized by the Flood Control Act approved August 28, 1937; to the Committee on Flood Control.

977. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 21, 1941, submitting a report, together with accompanying papers and illustrations, on a preliminary examination of canal from Ouachita River to Huttig, Ark., authorized by the River and Harbor Act approved August 26, 1937; to the Committee on Rivers and Harbors.

978. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 16, 1941, submitting a report, together with accompanying papers, on reexamination of Connecticut River between Hartford, Conn., and Holyoke, Mass., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted April 17, 1940; to the Committee on Rivers and Harbors.

979. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 21, 1941, submitting a report, together with accompanying papers, on reexamination of Pee Dee River, S. C., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted March 26, 1940; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 5784. A bill to consolidate the police and municipal courts of the District of Columbia, and for other purposes; without amendment (Rept. No. 1236). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLAND: Committee on the Merchant Marine and Fisheries. H. R. 5509. A bill to authorize the Secretary of the Treasury to requisition or purchase motorboats, yachts, and similar vessels for Coast Guard use; with amendment (Rept. No. 1239). Referred to the Committee of the Whole House on the state of the Union.

Mr. CURTIS: Committee on Immigration and Naturalization. H. R. 5554. A bill to amend the Nationality Act of 1940, to preserve the nationality of a naturalized wife, husband, or child under 21 years of age residing abroad with husband or wife a native-born national of the United States; without amendment (Rept. No. 1240). Referred to the House Calendar.

Mr. MAAS: Committee on Naval Affairs. S. 1731. An act to authorize the Secretary of the Navy to provide salvage facilities, and for other purposes; with amendment (Rept. No. 1241). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 5653. A bill to extend, under certain conditions, the time for examination of monthly accounts covering expenditures by disbursing officers of the Army after the date of actual receipt by bureaus and offices of the War Department, and before transmitting the same to the General Accounting Office; without amendment (Rept. No. 1242). Referred to the Committee of the Whole House on the state of the Union.

Mr. McGEHEE: Committee on Insular Affairs. Senate Joint Resolution 105. Joint resolution transferring the administration of the homestead projects established in the Virgin Islands from the government of the Virgin Islands to the Department of Agriculture; with amendment (Rept. No. 1243). Referred to the Committee of the Whole House on the state of the Union.

Mr. O'CONNOR: Committee on Irrigation and Reclamation. H. R. 5142. A bill to authorize the Secretary of the Interior to investigate the extent of damages suffered by landowners and water users on the Owyhee reclamation project, Oregon, due to a break in the North Canal of such project; with amendment (Rept. No. 1244). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 2922. A bill for the relief of Albert Edward Whiteside; with amendment (Rept. No. 1237). Referred to the Committee of the Whole House.

Mr. LESINSKI: Committee on Invalid Pensions. H. R. 5798. A bill granting pensions and increase of pensions to certain dependents of veterans of the Civil War; without amendment (Rept. No. 1238). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. H. CARL ANDERSEN:

H. R. 5799. A bill to repeal the act entitled "An act to authorize the construction of bridges across a portion of the Minnesota River in the State of Minnesota," approved March 15, 1904; to the Committee on Interstate and Foreign Commerce.

By Mr. RANDOLPH:

H. R. 5800. A bill authorizing advancements from the Federal Works Administrator for the provision of certain defense public works and equipment in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. SUTPHIN:

H. R. 5801. A bill for a complete survey of the physical-education resources existing within the United States now in use as outdoor recreative and competitive areas, gymnasia, stadia, swimming pools, parks, etc., and for other purposes; to the Committee on Education.

By Mr. IZAC:

H. R. 5802. A bill to amend certain provisions of law relative to the withdrawal of brandy for fortification of wines and production of wines, brandy, and fruit spirits so as to remove therefrom certain unnecessary restrictions; to the Committee on Ways and Means.

By Mr. SCHULTE:

H. R. 5803. A bill to amend H. R. 5049 entitled "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1942, and for other purposes"; to the Committee on the District of Columbia.

By Mr. TOLAN:

H. R. 5804. A bill to amend an act of June 26, 1940, to authorize defense training in the Civilian Conservation Corps; to the Committee on Labor.

By Mr. BLOOM:

H. J. Res. 237. Joint resolution to repeal section 6 of the Neutrality Act of 1939, and

for other purposes; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LESINSKI:

H. R. 5798. A bill granting pensions and increase of pensions to certain dependents of veterans of the Civil War; to the Committee on Invalid Pensions.

By Mr. ANDERSON of New Mexico:

H. R. 5805. A bill for the relief of Mr and Mrs. Juan Ramirez; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1878. By Mr. MARTIN J KENNEDY: Petition of the Chamber of Commerce of the Borough of Queens, city of New York, opposing the proposed omnibus river and harbor bill; to the Committee on Rivers and Harbors.

1879. By Mr. SMITH of West Virginia: Resolution unanimously adopted by the West Virginia Industrial Union Council at its meeting held in Bluefield, W. Va., in July 1941, supporting the President and Government; to the Committee on Foreign Affairs.

1880. Also, three resolutions adopted at the twenty-third Annual Department Convention of the American Legion of West Virginia, held at Huntington on August 31 and September 1 and 2, 1941; to the Committee on Military Affairs.

1881. By Mr. WASIELEWSKI: Petition of the Employees of the Veterans' Administration at Wood, Wis., petitioning the Congress to investigate the cause of employees' dissatisfaction; to the Committee on Rules.

1882. By the SPEAKER: Petition of the American Association of State Highway Officials, Washington, D. C., petitioning consideration of their resolutions with reference to legislation relative to public roads; to the Committee on Roads.

HOUSE OF REPRESENTATIVES

FRIDAY, OCTOBER 10, 1941

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Infinitely Holy God, by night and day we are guarded by Thy care. Joined by faith in Moses and the Lamb we would seek that inrush of life that comes through the gateway of the spirit of our blessed Saviour. Thus humanity would forget its forced marches, its smiting aches, and its unbrotherly hatreds. Heavenly Father, increase the power of faith in us; drive from all breasts bewildering suspicion and dizzy imaginations, remembering our Elder Brother and walking in His ways. Look pityingly down upon all wearying people and send them dreams that shame doubt and fear, stretching our hand of help to touch the hands that pulsed once with human love. In this harsh and benighted day enable us to foster the ideal type of Christian brotherhood. Let us live to trust men, thus engaging in the chivalry of earth, being helpful to the poor, gracious to the unthankful, with a loving heart to hold our faith in men undimmed and our trust in God unquenched; and Thine shall be the praise in the name of our Redeemer. Amen.

The Journal of the proceedings of yesterday was read and approved.

DISTRICT OF COLUMBIA CODE

Mr. KEOGH. Mr. Speaker, I have just received from the Government Printing Office an advance copy of volume 1 of the District of Columbia Code, 1940 edition, which has been prepared under the supervision of the Committee on Revision of the Laws, of which I have the honor to be the chairman. The Members' supply will be in the folding room today.

This edition is a complete revision of the structure of the Code, although, of course, no substantive changes have been made in existing laws relating to the District of Columbia. It contains all the laws of a general and permanent nature in force in or relating to the District of Columbia on January 3, 1941 except such laws as are of application to the District of Columbia by reason of being laws of the United States, general and permanent in nature.

The Committee on Revision of the Laws has spared no effort to make every improvement in the Code which was suggested by those who responded to a questionnaire circulated by the committee among the members of the bench and bar and other officers and employees of the District; as well as those improvements which the committee's own experience suggested. As a result, I am hopeful that this edition will be found extremely useful and usable by the public.

In line with the rearrangement of the subject matter, this volume contains four parts, namely: Part I, Government of the District; Part II, Civil Procedure; Part III, Probate Law and Procedure; Part IV, Criminal Law and Procedure.

Volume 2 will contain Part V, General Statutes, arranged by titles in alphabetical order.

Complete cross-reference table showing the location in this edition of the sections of the 1929 edition is set forth, which will be found very helpful by those who have familiarized themselves with the arrangement of the 1929 edition; also the corresponding 1929 section number is set out in parentheses immediately following each section number of this edition. A new numbering system has been adopted which indicates in one number the title, chapter, and section.

The size of the pages of each volume has been reduced so that the Code will be more convenient to handle and with the new cover it will be a more attractive book. The index to volume 1 will be found at the end of that volume and a cumulative index, with the cross-reference tables and the tables of cases, will be found at the end of volume 2. This edition, for the first time, will be completely annotated and the annotations given with the amendments and changes in the laws will be kept up annually by pocket parts which can be inserted in the pocket inside the back cover of each volume.

ELECTION TO COMMITTEE ON AGRICULTURE

Mr. DOUGHTON. Mr. Speaker, I offer a privileged resolution (H. Res. 313), which I send to the desk.

The Clerk read as follows:

Resolved, That VICTOR WICKERSHAM of the State of Oklahoma be, and he is hereby, elected a member of the standing Committee of the House of Representatives on Agriculture.

The resolution was agreed to.

ELECTION TO COMMITTEE ON APPROPRIATIONS

Mr. DOUGHTON. Mr. Speaker, I offer the following privileged resolution (H. Res. 314).

The Clerk read as follows:

Resolved, That JOE HENDRICKS of the State of Florida be, and he is hereby, elected a member of the standing Committee of the House of Representatives on Appropriations.

The resolution was agreed to.

CALL OF THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

Mr. CANNON of Missouri. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 110]

Barry	Gavagan	Mason
Bates, Ky.	Geyer, Calif.	Merritt
Beam	Gifford	Moser
Bell	Gilchrist	O'Connor
Buck	Harrington	O'Day
Burdick	Harris, Va.	Osmers
Byron	Hinshaw	Patrick
Carter	Hook	Rivers
Celler	Houston	Romjue
Chapman	Jacobsen	Schaefer, Ill.
Clark	Jarman	Smith, Pa.
Cluett	Kennedy, Michael J.	Somers, N. Y.
Connery	Kilburn	Sparkman
Courtney	Kleberg	Starnes, Ala.
Douglas	Kopplemann	Tolan
Eliot, Mass.	McArdle	Van Zandt
Englebright	McGranery	West
Fish	Marcantonio	Wheat
Flannagan		Winter
Flannery		

The SPEAKER. On this roll call 374 Members have answered to their names, a quorum.

By unanimous consent, further proceedings, under the call, were dispensed with.

SECOND SUPPLEMENTAL NATIONAL-DEFENSE APPROPRIATION BILL, 1942—LEASE-LEND

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 5788) making supplemental appropriations for national defense for the fiscal years ending June 30, 1942, and June 30, 1943, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 5788, the second supplemental national-defense

appropriation bill, 1942, with Mr. BLAND in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. The Chair desires to make a statement. When the Committee rose last night the first paragraph had been read.

Mr. TABER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. TABER. This is an appropriation bill, and in fairness to the Members of the House I think it would be better if we had a definite understanding as to the method of its reading. It will, I understand, be read by paragraphs and not by sections. The first paragraph, for instance, will end on line 8 of page 2, the second on line 14, the third on line 17, and the fourth on line 19, and so on; and with reference to each paragraph amendments may be offered to that particular paragraph and that particular paragraph only. After the Clerk has read another paragraph amendments to the preceding paragraph will not be in order.

The CHAIRMAN. The gentleman has correctly stated the situation. This is an appropriation bill. The statement of the gentleman is correct.

The Clerk read as follows:

(1) Ordnance and ordnance stores, supplies, spare parts, and materials, including armor and ammunition and components thereof, $1,190,000,000.

Mr. CASE of South Dakota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: Page 2, line 17, strike out "$1,190,000,000" and insert in lieu thereof "$1,090,000,000."

Mr. CASE of South Dakota. Mr. Chairman, I sat in the hearings on the lend-lease items of this bill as a member of the War Department appropriations subcommittee. I intend to vote for this bill on final passage. I hope that no crippling amendments will be adopted. I am just as much interested as anyone could be in having the proper ordnance supplies for our own Army and also to carry out the decided policy of the Congress and the country with respect to aid to the countries that are fighting the aggressor nations.

This particular item proposes a total of $1,190,000,000 for ordnance supplies of various kinds. Of that there is a lump sum of $300,000,000 for spot-cash purchases. In the whole bill under the lend-lease items there are approximately $1,000,000,000 for spot-cash purchases. Spot-cash purchases under the interpretation we were told covers the unforeseeable requirements. After the Division of Defense Aid has gone over the requisitions of the British, and after they have gone over the requisitions from the other nations they have made a guess on extras and have suggested lump amounts for unforeseeable items, unspecified items. I wish it were possible for every Member of the House to have heard the hearings in detail and to have heard the specified items. They covered everything that the experts could suggest. We had some confidential data put before us that gave specified items, but in this item of $1,190,000,000 there is $750,000,000 for the War Department to expend, and of that $750,000,000, $300,000,000 is for spot-cash purchases or unforeseeable requirements.

The purpose of my amendment in reducing the total amount by $100,000,000 is to apply that $100,000,000 to a reduction of the $300,000,000, which is the lump sum for spot-cash purchases. It leaves $200,000,000, which should be ample for the unforeseeable requirements in this category until we pass another appropriation bill.

Those of you who have struggled with the tax bill, those of you who are bothered by the size of the figures, those of you who are looking at what we are spending and what we are raising in taxes ought to be concerned with finding out where it may be possible to reduce the amount of money that we shall seek to raise in taxes.

In reducing this item by $100,000,000, it is merely reducing from $300,000,000 to $200,000,000 the lump sum for spot-cash purchases or for the unforeseeable requirements. The Congress of the United States and this House know that there is no hesitation on the part of this House to vote appropriations for every specific item that has come along. Not only that, but we have been generous in making emergency funds available to the President and to the War Department. But here, after setting up in our regular appropriation bills all that the Army has asked for for our own requirements, all that the British and the Defense Aid Division have thought are desirable for particular and specific purposes for ordnance, I am merely suggesting that the lump sum of $300,000,000 be reduced to $200,000,000 in the case of this particular item. That is one way we will get at this over-all $1,000,000,000 of spot-cash or lump-sum items in the total bill.

Mr. HOPE. Will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Kansas.

Mr. HOPE. Unless the gentleman makes the amendment more specific, what assurance does he have that the reduction will be applied in the way he suggests?

Mr. CASE of South Dakota. The method of interpretation that has always been put upon reductions of an appropriations total has been to examine the legislative history. The purpose stated in the offering of the amendment will be a part of the legislative history of the bill.

Mr. HOPE. Of course, that would be given consideration, but the gentleman has no assurance that that will be done.

Mr. CASE of South Dakota. I do have the assurance that this is the customary method and that the Treasury and the General Accounting Office have been so guided in the past. The hearings and the data submitted to the committee do show specific items to the extent that they were allocated, and they specifically show that, of the total in this paragraph, $300,000,000 is a lump sum for unforeseen spot purchases. My amendment is to reduce that item by $100,000,000, still leaving $200,000,000 as an emergency fund in this general category.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, we much appreciate the assurance by the gentleman from South Dakota that he expects to support the bill. And in that connection, may I express the appreciation of the majority members of the committee for the cooperation he has given us at all stages of the hearings, and in the consideration and preparation of the bill pending its report to the House. But the amendment here strikes at one of the vital parts of the bill, one of the essential provisions in lend-lease appropriations; that is, the spot-cash purchases.

A thing that is true of any war, but particularly true of this war, is that you may always expect the unexpected. Conditions, situations, alinements, objectives change overnight. It is impossible to tell from day to day, impossible to predict even 12 hours in advance, what is going to happen and where it is going to happen. Out of a clear sky, within the brief interval of half an hour, or less, a bomb may destroy a key factory producing essential ordnance for the Allies.

Mr. TABER. Will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from New York.

Mr. TABER. No part of this item would be available to build a factory or facility.

Mr. CANNON of Missouri. Certainly not, but it would be necessary for us to supply, or make arrangements to supply, the ordnance which that factory was producing when bombed and that would come out of this fund. With 12 hours' notice we might have to supply munitions and critical equipment essential to the prosecution of the defense of England and therefore to our own defense which could not be provided in any other way.

An illuminating statement which completely answers any suggestion for reduction in this item is found in General Marshall's statement on page 332 of the hearings. Every Member should read that statement. In the light of that testimony it is evident that this amendment strikes at a vital part of the lend-lease program. He testifies that amounts ranging from ninety to ninety-eight million dollars are being spent by the War Department alone for these miscellaneous purposes every month. In other words, the War Department is spending at the rate of twelve hundred million dollars a year. The gentleman now proposes to strike out the provision for 1 entire month. If his amendment is agreed to there will be 1 month in which we will be helpless in event of such an emergency, and in emergencies which are materializing every week and on which the War Department is now spending $98,000,000 every month.

Let me call the attention of members who are interested in the enactment of

this program to the fact that this is but the first of a series of related amendments. It is the entering wedge and the forerunner of similar raids of every category in the bill. There are similar items in every category, spot-cash items throughout the bill, supplying funds which must be available for instant use on a minute's notice. Emergencies are arising almost daily which make it necessary to have these emergency funds for "spot" or miscellaneous purchases.

Mr. Chairman, this amendment involves vastly more than the specific appropriation to which it applies. If agreed to, it opens the way to attacks on similar items throughout the bill. Encroachment upon these spot-cash items must be stopped now with the defeat of the first amendment.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. CASE].

The question was taken; and on a division (demanded by Mr. CASE of South Dakota) there were—ayes 84, noes 133.

So the amendment was rejected.

The Clerk read as follows:

(3) Tanks, armored cars, automobiles, trucks, and other automotive vehicles, spare parts, and accessories, $385,000,000

Mr. ENGEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ENGEL: On page 2, line 22, strike out "$385,000,000" and insert "$325,000,000."

Mr. ENGEL. Mr. Chairman, this item provides for $385,000,000 to be expended for tanks, armored cars, automobiles, trucks, and other automotive vehicles, spare parts, and accessories.

Of this amount, according to the justifications we had in the committee, approximately $319,000,000 is for the War Department. It was stated by my colleague the gentleman from South Dakota that $1,000,000,000 of the total amount carried in this bill is for spot purchases or undetermined and unspecified amounts. This is approximately 20 percent of the total. Of the $319,000,000 in this item for the War Department, $135,000,000 was specified and $184,000,000, or 60 percent of the item as given us for the War Department, was unspecified.

I have always felt, and I feel now, that one of the reasons why we have had such tremendous waste and extravagance in our Government is that we have turned over money to the departments in lump sums without earmarking the appropriations. Of course, the departments have to spend this money for particular purposes. However, to turn over to the War Department $135,000,000 for specified items and then turn over to them $184,000,000 for unspecified items—items for which they cannot even specify a purpose—I believe is absolutely wrong and conducive to waste and extravagance.

The cut which I propose by this amendment is only 33 percent and will leave the Department $120,000,000 for spot purchases. It will leave them almost as much for spot purchases as for those they have specified. In other words, besides the $135,000,000 which they will have for specified items, they will have another $120,000,000 for unspecified items. That, it seems to me, ought to be adequate.

If they need additional money, this Congress is in session, the Committee on Appropriations is in session, and they can come back here and get it at a time when they can specify the purpose for at least a part of it, and after we know what they have done with the other $120,000,000.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. ENGEL. I yield to the gentleman from Michigan.

Mr. CRAWFORD. Does this situation hold generally true all the way through this bill?

Mr. ENGEL. Approximately $1,000,000,000 of the $6,000,000,000, or around 20 percent, represents unspecified items of this kind.

Mr. CRAWFORD. In the gentleman's opinion, is that 20 percent justified based on the showing before the committee?

Mr. ENGEL. It may be justified in connection with some items, but certainly that 60 percent of this item should be unspecified is not justified. I believe that in connection with certain items they must have some money for spot purchases, but certainly not as much as 60 percent.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, my good friend the gentleman from Michigan, who has been very helpful as a member of both the subcommittee and the committee, has a slight misconception on this item. He suggests that only a portion of it is for the War Department; as a matter of fact, all of it is for the War Department. It should be observed that the item is not limited to one country alone, and also that it is handled exclusively by the War Department. A comment made yesterday by a representative of the United States Army, and reported in this morning's press, is particularly in point. He said that the question as to whether Russia would be able to hold the line today depended on one thing; on whether Russia has sufficient reserves of tanks and antitank equipment to meet the attack. According to his statement it is purely a matter of equipment. If they have the reserve equipment, they will repulse the attack. If they do not have the equipment, the line would break and disaster would follow.

It indicates the importance of making full provision in advance so that if the test ever comes, and, through some unfortunate turn of fate, our reserves are called, we shall not find that due to the fact that we wanted to delay the appropriation of money we know we must eventually provide, we lack the equipment necessary to repel a foe striking at the vitals of the Nation. If, unhappily, that time should ever come and the men at the front call for equipment, we want to be ready to produce it. We want to be equipped to hold the line.

Mr. ENGEL. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. With pleasure.

Mr. ENGEL. This $184,000,000 item to which I refer as unspecified is a part of the War Department item of $319,000,000. Does the gentleman believe we ought to give them 60 percent unspecified as against 40 percent specified?

Mr. CANNON of Missouri. The entire amount is for the War Department, and, as we have said before, the unpredictable is happening every day, and when this particular situation arises we want to be prepared for it. I cite all Members who are interested in carrying out the purposes of the Lease-Lend Act and making provision for our defense to the statement of General Marshall, appearing on page 332 of the hearings:

The Defense Aid Supply Committee of the War Department has been clearing requests for miscellaneous items of equipment at the rate of about $90,000,000 per month. Contrary to expectations, there has been no slowing up of this rate. Because of the exhaustion of the funds provided the War Department from the Defense Aid Supplemental Appropriations Act, 1941, it has in some instances been necessary to forego or cancel the purchase of complete items of military equipment in order to provide sufficient funds for miscellaneous purchases.

Mr. BRADLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Michigan.

Mr. BRADLEY of Michigan. Do I understand the gentleman to say that part of this aid now is for Russia? I understood the other day in general debate that none of this aid was for Russia.

Mr. CANNON of Missouri. It is for the aid of those nations whose defense involves our defense. It is for the defense of America.

Mr. WHITE. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Idaho.

Mr. WHITE. When the Japs were running over China we did not say anything about our defense over there then. Why should we take it up as our defense now?

Mr. CANNON of Missouri. As the gentleman knows that the Lend-Lease Act was passed last March, and since that time, in compliance with it, and as rapidly as conditions permitted, we have been assisting, and will continue to assist, as opportunity offers, all nations whose defense contributes to our own defense.

Mr. WHITE. Mr. Chairman, will the gentleman yield further?

Mr. CANNON of Missouri. Certainly.

Mr. WHITE. In reviewing the struggle between China and Japan, does not the gentleman think our aid is a little belated?

Mr. CANNON of Missouri. Delaying these funds will not expedite it, and that is what this amendment seeks to do.

The author of the amendment proposes that we defer the appropriation and come back another time. We must prepare for all contingencies and conditions that might arise under which there would be no time to rush back for more money.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered b, the gentleman from Michigan [Mr. ENGEL].

The question was taken; and on a division (demanded by Mr. ENGEL) there were—ayes 83, noes 135.

So the amendment was rejected.

The Clerk read as follows:

(4) Vessels, ships, boats, and other watercraft, including the hire or other temporary use thereof, and equipage, supplies, materials, spare parts, and accessories, $850,000,000.

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: On page 3, line 2, strike out "$850,000,000" and insert "$810,000,000."

Mr. RICH. Mr. Chairman, I offer this amendment to cut this item $40,000,000. My reason for this is that although I am a member of the Appropriations Committee we did not have access to the break-down on these items. The subcommittee did not state what the items were for, but they submitted the statement that $120,000,000 was for miscellaneous and spot items. They were not enumerated even to the subcommittee, but this additional $120,000,000, or 20 percent of the total amount was to be placed in the hands of the Navy to do with the money as they deemed proper. With the great extravagances that are going on and the great amount of appropriations being made, do you want to place all your confidence in the Army, in the Navy, and in the Chief Executive? Do you not believe you ought to be guardians of the funds being appropriated and at least know something about what they are to be used for? There is $120,000,000 in this item for miscellaneous and spot items, and I am asking that it be cut down to $80,000,000. I am interested in the spot items, and I think we ought to be able to save $40,000,000 here.

The gentleman from South Dakota [Mr. CASE] tried to cut one of the other spot items $100,000,000, and it was rejected. The gentleman from Michigan [Mr. ENGEL] tried to cut one of the spot items $60,000,000, and the committee rejected that. Now I am asking you to give your attention to a matter of $40,000,000. Do you not think, under present-day conditions and in view of the situation of the Treasury, we should cut this item? Mr. Smith, the Director of the Budget, states we are running in the red over $1,000,000,000 a month right now and that we will be running in the red over $1,500,000,000 a month by February, and by next June we will be running in the red $2,000,000,000 a month. Do you not think that you certainly ought to have enough sense of responsibility for the Government to try to save it from bankruptcy? Certainly you men are not going to permit this country to be run by the bureaus. Are you going to sell or give away your birthright? Are you expecting the taxpayers of this country to be able to stand the pressure you are placing upon them? Certainly you cannot expect that, and is there not some help somewhere for those of us who are trying to bring about some economy in government and cut down these exorbitant expenditures? Greater appropriations have been made by this Congress than any other Congress in the history of the world, and the end is not in sight. Something must be done, or I can see nothing but bankruptcy.

I fear for the safety of the American Republic; I fear that the pressure that will be placed upon the Treasury Department to finance the things that we are doing in the near future would bring about a crash because you cannot finance them. Then, if you give these officials the opportunity to take $120,000,000 and do with it what they choose, it certainly does not seem to me to be a reasonable thing to do. I would not do that in an organization in which I had the responsibility, and I certainly cannot grant that power here in Congress to anyone with my vote, and I think that if ever the time demanded that we be considerate, that we be alert to the dangers that we are placing our Nation in, it is now. Let us adopt this amendment.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that debate upon this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WOODRUM of Virginia. Mr. Chairman, it would be very unfortunate for our effort to aid the democracies if any part of this billion dollars that is in this bill under the subject of unspecified items or spot purchases were curtailed. As I tried to point out when I addressed the Committee yesterday, we are not dealing with the ordinary appropriation bill. All of this fund goes to the Navy and the Maritime Commission for the purchase of boats, the thing that we need more than anything else, perhaps—for bottoms. Ordinarily when the Navy Department or the Maritime Commission come to Congress for $850,000,000 for boats for their program for the next fiscal year, they can sit down and tell us the type of boats they want to buy, the size and the tonnage, the cost, and where they are going to have them built, and we can form some estimate of our own as to the cost or the necessities, and if in addition to that the Navy Department should say that in addition to the specified items they would like to have forty or fifty million extra, we would say "Nothing doing" and ask them to tell us what they wanted it for. But that is not the case here. Our defense effort is such here that we do not know today what the requirements of tomorrow are going to be. We are not trying to prevent the spending of this $40,000,000.

Let us hope and pray that the Maritime Commission and the Navy will be able to spend the $40,000,000 in the purchase of ships which we so badly need. That is the danger of taking it out. These requisitions come over to the Division of Defense Aid Reports, and every time it is a changing picture. If the crisis on the Russian front should go against Russia and the whole battle scene should shift from one place to another, it is entirely possible that many of the items set out in this estimate presented to the Committee would not be needed, and that entirely different items would be required to be purchased in order to help the Allies.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. Yes.

Mr. RICH. If what the gentleman says should happen to Russia, does the gentleman feel then that the United States should take the initiative, when Great Britain has not been on the Continent for a long time, and this country go over there and fight this war?

Mr. WOODRUM of Virginia. Oh, nobody has said anything about this country going over there and fighting any war. We are talking here about providing funds to buy naval and maritime ships to send supplies over there to the people who are doing the fighting of the war. In God's name, it has never been in history that a great nation was caught in the situation in which America is, and the only thing that she is asked to do is to furnish the implements of war. You are not to shoulder a gun; all you are asked to do is to furnish the implements of war, and to pay a little taxes, and some people are bellyaching about that.

Mr. RICH. The gentleman will find that we are paying more than a little taxes.

Mr. WOODRUM of Virginia. Oh, I do not care about the taxes.

Mr. RICH. That is the trouble. And they are not bellyaching, and you will find out also that the leaders of this administration are trying to get us into this war—not only the leaders of this administration but Wendell Willkie as well.

Mr. WOODRUM of Virginia. Why does not the gentleman quit thinking about politics for a minute?

Mr. RICH. I am not thinking about politics; I am thinking about the safety of this Nation.

Mr. WOODRUM of Virginia. Why not start thinking about licking the pants off Hitler? That is what the gentleman ought to do.

Mr. RICH. I am thinking about America and her safety, and I do not want to wreck America to save some European countries asking us to do for them what they should do for themselves.

The CHAIRMAN. The time of the gentleman from Virginia has expired. The question is on the amendment offered by the gentleman from Pennsylvania.

The question was taken; and on a division (demanded by Mr. RICH) there were—ayes 69, noes 116.

So the amendment was rejected.

The Clerk read as follows:

(7) Agricultural, industrial, and other commodities and articles, $1,875,000,000.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: Page 3, line 11, strike out "$1,875,000,000" and insert in lieu thereof "$1,575,000,000."

Mr. TABER. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York to proceed for 10 minutes?

There was no objection.

Mr. TABER. Mr. Chairman, I have voted for every item of appropriation that was in any way justified that has been sent up here by the administration. I voted for the $7,000,000,000 that was appropriated for the lend-lease item last spring. Frankly, I expect to vote for this bill, regardless of whether it is put in shape or not. To my mind, we are just as much sabotaging the defense program when we appropriate funds that are not in the slightest degree justified as we are when we do not appropriate enough, when we permit people to waste our money, and when we appropriate money beyond all reason for things for which there is no justification before the committee. That is this particular case.

Let me say to you that the tables that have been submitted to us upon the obligation of funds and upon expenditures indicate that this fund clearly could not be properly obligated with reference to this situation within any reasonable time. Let me say to you that it provides funds beyond all reason for such things as butter, cheese, eggs, and all that sort of thing to be sent to Great Britain—beyond what they told us would be a comparable percentage of the requirements of the British people.

In addition to that, there is an item for spot purchases of $187,000,000 on things that they could clearly specify.

In addition to that, there is an item for the construction of facilities in places which would take away from our own production for our own defense and for the supplying of things that are needed, millions of dollars. On one particular spot that I am personally well acquainted with—I am unable to mention it because of the situation—$50,000,000 was asked; $10,000,000 was allowed, and because of the size of the place not over $1,000,000 could possibly be justified.

Now, are we going to be honest? Are we going to be for defense or are we just going to be foolish? That is the question I am presenting to you here. Are we going to be patriotic? Are we going to meet our responsibilities, or are we going to run out on them?

Now, this question was raised. I happened to be on the floor in connection with a matter when this lend-lease bill itself was passed. I told the House in response to a question from the majority side of the aisle that every item that was in requests for appropriations would be scrutinized by me just as carefully and just as thoroughly as any item for our own defense and just as thoroughly and just as carefully as any item for other purposes for this Government, and that I should come to the House and I should tell them when those funds were asked for, if they were not justified. That case is so clearly presented here that I would feel as if I were unpatriotic, as if I were sabotaging the defense program if I did not come to you and say that this item ought to be cut. I am not trying to cut it as much as the hearings would seem to justify. I am cutting in two what my own figures would be as to what ought to be cut off of this figure. I am asking you to reduce this appropriation $300,000,000—from $1,875,000,000 to $1,575,000,000. I do it because I do not want to see things wasted. I do not want to see things allowed that are not for national defense and that are not needed. I do not want to see things that we are going to require, things that we need to send to Great Britain, cut down. I do not want to see things that we require for our own defense cut down, when it is not necessary because we have wasted our substance on things that we do not need.

I present this to you from the strongest and most sincere and patriotic motives, and I hope that this amendment will be adopted, and that this vote will not be on partisan lines, but will be upon American lines.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Iowa.

Mr. JENSEN. I am sure the gentleman does not want to keep food from hungry people in England. Did I understand the gentleman to say he thinks we are sending too much food over there?

Mr. TABER. We have not been, but the money I have left in here will more than take care of all it is proposed to send over there in over a year. The money I have left in there will take care of every needed item. I have cut less than half of what the hearings would justify being cut. There are other items, industrial articles and commodities included in here, and it is absolutely without any justification whatever for such an enormous amount.

Mr. JENSEN. Does not the gentleman think that if the English people knew they were assured of plenty of food they would do a better job and fight a little harder and know that America was really backing them with food as well as bullets?

Mr. TABER. Of the things they have asked for through their own representatives, the funds that I have left in here would provide all the food that they have asked for and 50 percent more, for over a year.

Mr. JENSEN. I want to say to the gentleman that I am not going to take any chances. I am going to have to oppose his amendment.

Mr. TABER. I am sorry the gentleman does not want to go along with the hearings and justifications that have been presented to the committee. I am sorry the situation does not permit me to go into all the details I would like to.

Mr. CRAWFORD. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. CRAWFORD. And if this extra $300,000,000 is ruthlessly used it serves the purpose of advancing prices in this country against our own people in an unnecessary and inflationary manner and cuts directly across the whole program of national defense.

Mr. TABER. It does.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. RICH. If this money were appropriated, would any of it be used to feed the starving people in Belgium, in Norway, in Holland, and some of those other conquered countries?

Mr. TABER. I do not know. That would depend upon the military situation that might result.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. DITTER. I think the gentleman from Iowa should be reminded of the fact that the figures upon which the justifications were based provided a food over-all cost of $100 per year per person. Our own over-all food estimate—that is, for our own people in our own country—is only $114 per person. Certainly that which we provide for somebody else should be reasonably in line with what we provide for our own.

Mr. TABER. They tell us that we were asked to provide only 25 percent of their requirements.

Mr. DITTER. In other words, we should not provide their requirements 100 percent.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 5 minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. CANNON of Missouri. Mr. Chairman, the gentleman from New York [Mr. TABER] has exhibited during the crowded days devoted to the preparation of this bill a painstaking industry and a statesmanship of the highest order, and I am glad to have this opportunity to express the appreciation of the majority members of the committee for the nonpartisan and patriotic attitude taken by him, and the minority members of the committee under his leadership, particularly the invaluable cooperation and assistance they have rendered in bringing the bill to the floor in its present form.

I fully concur in all the gentleman says on the importance of scrutinizing every item in the measure. With that in view, we took exceptional precaution to insure a closer study of the bill than is usually accorded the supply bills. For example, instead of entrusting it to the one subcommittee, as is the custom, we assembled three subcommittees, comprising the more experienced members of both parties. Every facility was provided for examination and a cross-examination of all witnesses who might be in position to supply information and no witnesses were dismissed until each member indicated he had completed his inquiry. At the close of the hearings the subcommittees and the full committee, by overwhelming majorities of both parties, approved the bill in the form in which submitted to the House.

May I call attention also to the fact that this bill and the estimates compris-

ing it are not the recommendation of any one man or of any one group of men. It is a collaboration by the most eminent scientists, the most experienced experts, specialists and technicians, the highest ranking officials of the United States Army and Navy, and last but not least the most successful businessmen, labor leaders, and captains of industry, some of whom gave up large salaries and made other sacrifices in order to serve their country. All had their part and contributed to their particular phase in the drafting of the measure. Nothing was left to surmise or conjecture. It is the composite product of the best minds in America and represents the considered judgment and combined wisdom of the ablest array of authorities which could be assembled.

Now the gentleman does not specify just what particular amounts he wants to cut. This item includes a number of things. It includes $1,000,000,000 for food; it includes $92,500,000 for tanker service, which is indispensable for transportation purposes; it includes $217,750,000 for the Navy for oil and bases; it includes $562,000,000 for the Treasury for agricultural machinery, road machinery, railway machinery, other equipment, supplies, and other expenses of that sort. The gentleman asks us to make a blind slash here, but does not tell us just what it is he wants particularly to eliminate. However, since the greater part of the item is for food, it is to be taken for granted that it is proposed to take the $300,000,000, or larger part of it, out of food. Let us have one or two authoritative opinions on that from people who are in a position to know. For example, we find in this morning's press the opinion of Surgeon General Parran, of the United States Public Health Service, who this summer made a personal inspection of health conditions in England with special reference to nutrition—and that means food. Upon his return to America he reported: "There is a narrow margin between the present British food ration and widespread malnutrition." In other words, there is a very close line between a subsistence diet and a starvation diet in England today. Then he goes on to make a further statement, which is of particular interest to us at this time. He says:

> In the interest of their strength and our own safety the British food position must not be allowed to worsen. We dare not permit the diet of the British worker to be less than now. Only from America can they get this food.

Now, General Marshall tells us they asked for more than twice the amount carried in this bill. The presumption is, therefore, that they asked for a great deal more for food than we gave them. We cut down the amount of food they asked, yet this amendment proposes to cut it still further when, according to the head of our own Public Health Service, their food ration is already within a narrow margin of "widespread malnutrition."

Let us note the testimony of one more witness on the subject. Secretary of Agriculture Wickard, in his testimony before the committee—testimony which was not questioned—said the amount provided for food in this bill for the next 5 months was essential for British sustenance, for British morale, for our defense for the next 5 months. Yet this amendment proposes to reduce the amount of food even below the cut made before it reached the committee.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. In just a moment I shall be glad to yield.

We are dealing with a vital matter. There is more than the military aspect to be considered, as serious as that is. It has its humanitarian phase as well as the strictly military phase. This appropriation provides for the sustenance of women and children behind the lines. It has the elements of suffering and tragedy. The amendment should be rejected.

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Missouri has expired, all time has expired. The question is on the amendment offered by the gentleman from New York.

The question was taken; and on a division (demanded by Mr. TABER) there were—ayes 71, noes 97.

So the amendment was rejected.

Mr. H. CARL ANDERSEN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. H. CARL ANDERSEN: On page 3, after line 11, insert a proviso as follows: "*Provided*, That none of the funds in this item or any other items in this bill shall be used for the purchase of farm tractors."

Mr. CANNON of Missouri. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CANNON of Missouri. Is this amendment offered to paragraph 7?

The CHAIRMAN. It is offered to paragraph 7.

Mr. CANNON of Missouri. Mr. Chairman, permission was asked and given to close debate on all amendments to this section.

Mr. TABER. That was upon my amendment.

Mr. CANNON of Missouri. We asked to close debate on the paragraph and all amendments thereto.

Mr. TABER. No.

The CHAIRMAN. The request, as the Chair recalls it, was on the paragraph and all amendments thereto.

Mr. TABER. The request has been on every amendment as to the particular amendment only.

Mr. CANNON of Missouri. In this instance it was to the paragraph and all amendments thereto.

Mr. H. CARL ANDERSEN. Mr. Chairman, may I state that had we been able to hear any such request we certainly would have objected.

Mr. TABER. It was made the other way, and I ask for the record.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that the gentleman from Minnesota [Mr. H. CARL ANDERSEN] may have 5 minutes in which to present his amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. H. CARL ANDERSEN]?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Chairman, I believe all of us are in sympathy with one thing in this particular bill and that is to see to it that the people of Britain and other democracies obtain all necessary food. I regret that no plan has yet been worked out whereby the occupied nations of Europe, conquered by the Nazi oppressor, can receive of the surplus we have in this United States. Surely there should be some way for the Red Cross, for instance, to handle the delivery of our flour and food to Norway, Denmark, Holland, Belgium, Poland, and other occupied countries, where the people face a winter of starvation. If this bill provided for such plan, I would gladly vote whatever money was necessary to accomplish such a humanitarian purpose. No such plan is contemplated, however.

My amendment to prevent the using of any of these funds contained in this $6,000,000,000 gift to Britain and other nations is offered in order to prevent our taxpayers from donating more than 10,000 farm tractors with which to break up new agricultural land in Britain, when we here in America are paid to remove our land from production. Far better to ship Britain and China and other nations the wheat, corn, and other foods of which we have a surplus, and at the same time give our farmers the opportunity to till our good soil to capacity. Our corn and wheat is not at parity level, and until our farmers receive parity prices for what they produce, I am going to refuse to vote for any $10,000,000 expenditure in farm tractors, designed to put 50 percent more farm land under the plow in Britain. Yes; just that much more competition for our own farmers, and our people will have to later pay huge taxes to clean up these billions of dollars—$13,000,000,000—given in lease-lend aid to foreign nations.

Mr. Chairman, we have hundreds of millions of bushels of sealed corn and wheat, let alone other grains, in storage in the United States. Is it not foolish, Members of this House, to hold on to our surplus and instead ship 10,000 tractors, along with gasoline and fuel oil, to Britain to open up new farming acreage of 4,000,000 acres of land? We have the manpower here to produce corn and wheat; we have land we are being paid to keep out of production; why not let our farmers produce this food for Britain?

It seems utterly foolish to me that we should take $10,000,000 or more of our own taxpayers' money to furnish our own farmers with further competition when our people are not as yet receiving a decent price in the Midwest for the grains they produce.

Our farmers today find difficulty to secure farm machinery they order. Steel is becoming difficult to obtain, even for grain storage bins. Yet, in this bill, you appropriate money for a huge quantity of tractors, the material contained in which we need badly in America for other purposes, national defense and otherwise.

Would it not be much better to ship our stored grain to Britain and China and let them use their manpower to fight against the aggressors, instead of plowing up 4,000,000 acres of pasture land needed for dairy cattle? Is it right, my friends, to not permit our own farmers to produce this grain, which we can easily produce? I am willing to give Britain, China, and the oppressed peoples of Europe all of our surplus food.

Mr. REES of Kansas. Will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from Kansas.

Mr. REES of Kansas. Has the gentleman been furnished any figures as to the amount of funds that have been expended for the purpose of buying tractors to be sent abroad under the $7,000,000,000 appropriation bill that has already passed?

Mr. H. CARL ANDERSEN. The Acting Secretary of Agriculture in a letter to the committee stated that requisition has been made for 10,285 agricultural tractors. We do know that a good many farm tractors have been exported to Britain under the original lease-lend appropriation of seven billions.

Miss SUMNER of Illinois. Will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. We have information that they obtained a large order under this previous lend-lease bill and that is what we want to know.

Mr. H. CARL ANDERSEN. We know that. We also know that 1,000,000 pounds of oleomargarine instead of butter has gone across to Britain, and that is another thing I object to strenuously. Argentine butter is beginning to come into the United States to depress our butter prices, while oleo is leaving our shores for Britain.

Do you want to send steel out of our country in the form of tractors, do you want to offer competition to our own farmers, do you want to make it so that we must export gasoline and fuel oil—to Britain to operate tractors so they can produce food, when we have here in America hundreds of millions of bushels of grain, of corn, of wheat in the Midwest awaiting only parity price for sale? Should not Britain's manpower be fighting against the Nazis on a second front, rather than to be riding farm tractors? Must the farmer of America be refused an opportunity to sell his surplus today, when it is needed, at a fair price, when industry is waxing rich on lease-lend profits?

Mr. CRAWFORD. Will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from Michigan.

Mr. CRAWFORD. And all of this going on when our own farmers cannot purchase new corn binders to harvest their present crop?

Mr. H. CARL ANDERSEN. Exactly. One of my neighbors in Minnesota has been trying all fall to obtain delivery on a corn picker, even though prices have advanced.

Mr. CRAWFORD. And when they cannot even buy repair parts for the old machines, to say nothing about new ones, according to the testimony of Mr. Donald Nelson before the Banking and Currency Committee last week?

Mr THOMAS of Texas. Will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from Texas.

Mr. THOMAS of Texas. The gentleman has just stated that he is very much opposed to sending a quantity of oleomargarine over to Britain.

Mr. H. CARL ANDERSEN. I do not care to go into that as my time is limited but surely I can see no good in exporting oleo when we have at the same time Argentine butter clamoring at our ports for entry.

Mr. THOMAS of Texas. How about pork products? Are we going to send them over there?

Mr. TABER. Does not the gentleman think it would be the worst thing in the world for the British to plow up their pasture land and get rid of their cattle and sheep?

Mr. H. CARL ANDERSEN. Exactly. If anything is needed for dairy products it is good pasture land. Moreover, the British do not have the farm labor available for the purpose of farming it. They say they do not have enough manpower to create a second front against Germany, now when Russia seems to be collapsing. Surely they do not have the men to produce food, while we have an unlimited quantity of food over here. Let our farmers produce it. All we ask for it is a fair price, based on parity with the things we must buy.

Miss SUMNER of Illinois. What is more, the British cannot do it efficiently. They are trying to teach the people to farm and the gentleman knows from his experience that you cannot do that in 6 months or a year.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that I may have 2 minutes in which to close the debate on this amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

Mr. DITTER. Reserving the right to object, Mr. Chairman, I wonder whether the distinguished gentleman from Missouri would agree to a unanimous-consent request that 5 minutes be allowed the gentleman from Minnesota [Mr. O'HARA].

Mr. CANNON of Missouri. Mr. Chairman, they have already had 5 minutes, and we asked for only 2 minutes.

Mr. DITTER. Mr. Chairman, I know my friend from Missouri wants to be fair. There was a misunderstanding with reference to the original request.

Mr. CANNON of Missouri. Five and two seems to be fair enough. I hope the gentleman will be fair.

Mr. DITTER. Mr. Chairman, I hope the gentleman will hear me through.

Mr. CANNON of Missouri. I am always willing to hear the gentleman from Pennsylvania.

Mr. DITTER. There was a misunderstanding with reference to the gentleman's original request. To straighten that out, we now ask that the gentleman from Minnesota be allowed 5 minutes.

Mr. CANNON of Missouri. To straighten it out, we voluntarily gave the gentleman from Minnesota [Mr. H. CARL ANDERSEN] 5 minutes.

Mr. DITTER. Of course, Mr. Chairman, if the gentleman wants to roll roughshod over us, then we shall resort to tactics of the same kind.

Mr. TABER. Mr. Chairman, I ask for the production of the record.

Mr. DITTER. What is more, we shall ask for a quorum call.

Mr. TABER. I understood the request to be to close debate on the amendment only, and I am sure I am correct.

Mr. CANNON of Missouri. Mr. Chairman, I shall be glad to have the record produced, but in the meantime I withdraw my request and ask for a vote on the amendment, without any representation from the committee at all.

The CHAIRMAN. The record is called for and will be read.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that the gentleman from Minnesota [Mr. O'HARA] be allowed to proceed for 2 minutes.

Mr. RICH. I object, Mr. Chairman.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that the gentleman from Minnesota be allowed to proceed for 5 minutes, which will make 10 minutes on that side, and that the committee be allowed 2 minutes to reply.

The CHAIRMAN. The gentleman from Missouri asks unanimous consent that the gentleman from Minnesota may have 5 minutes and that he may have 2 minutes to reply, at which time the debate will close. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. The Chair assumes that the request for the production of the record is withdrawn.

Mr. TABER. It is, Mr. Chairman.

Mr. O'HARA. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Minnesota [Mr. H. CARL ANDERSEN], to strike from this bill the appropriation for 10,285 tractors to be sent to England.

In addition to the reasons that have been advanced by the gentleman from Minnesota, I wonder how many Members of the House have ever viewed the agricultural lands of England, Scotland, and Wales, on whose cultivation and productive capacity the British Isles are in part dependent. You may have in mind that they are large tracts of land cultivated in the same manner as our farms in this country. I assure you as one who has seen them that the great majority of these farms are very small fields. How in heaven's name the British Empire could use on these lands for agricultural purposes the 10,285 tractors they are asking for is beyond my comprehension as a reasonable individual, and this at a time when we need for our own agriculture and for our own national defense the steel that will be required to make those tractors for our farms and our own national defense.

It is my hope that Mr. Stettinius will use the same practical judgment in handling requests from the British Empire

for this sort of implements that he used when he managed the great corporation of which he was formerly the head. I think this is absolutely making a gift to England of tractors for which they have so few persons trained to operate them. The operators would have to be trained, and, further, these tractors would be of no practical use to the British Empire.

I rise in support of this amendment and strenuously object to the appropriation of this vast amount of money for an absolutely impractical purpose that would be of no benefit to the people of the British Empire, unless the tractors are to be sold commercially in competition with our own manufacturers and our own farm industry, and I certainly rise in objection to such use.

I hope, Mr. Chairman, that the members of the Committee will support this amendment of the gentleman from Minnesota.

Mr H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. May I say to the Committee that just the other day I heard from home that it is impossible to secure a piece of machinery that has been ordered for some time, even as far back as last spring, from the International Harvester Co. It seems foolish to spend money to send 10,000 tractors abroad when we farmers in Minnesota cannot obtain the machinery we need.

Mr O'HARA. The gentleman is correct.

Mr. O'CONNOR. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Montana.

Mr. O'CONNOR. Has it occurred to the gentleman that the purpose of getting these tractors is to send them into South Africa to develop the millions and millions of fertile acres of land owned by the British Empire, so that that country will be one of our principal competitors in the production of agricultural products? I am for the amendment. I think we should not forget our own people.

Mr. O'HARA. I think the gentleman may be absolutely right in his observation. Whether these tractors are sent to South Africa or used in England, they will be used to produce agricultural products in direct competition with our own farmers.

Mr. HOOK. Mr. Chairman, will the gentleman yield?

Mr. O'HARA. I yield to the gentleman from Michigan

Mr. HOOK. Just yesterday a city in my district asked for a priority for one tractor for the purpose of carrying on a necessary W. P. A. job, and it could not even get that.

Mr. O'HARA. I thank the gentleman for his observation.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, this item was put in the bill and the amount of the appropriation agreed to on the recommendation of the Department of Agriculture. I trust Members will find occasion to read the letter addressed to Director Stettinius by the Department on this specific subject under date of September 30 and quoted at page 449 of the hearings before the committee. The provision is included first because it is cheaper to encourage them to produce their food rather than for us to produce it and ship it over. And it goes without saying that under such circumstances they are much more nearly certain of getting it.

Furthermore, in view of the fact that we cannot give them more than $1,000,000,000 worth of food at this time and especially in view of the fact that they need much more than this item calls for, it is difficult to understand the theory on which we should deny them both the food and this essential food-producing machinery.

So far as the farmer is concerned, no later than this morning I took up this phase of the matter with responsible officials of one of the representative farm organizations—perhaps the most widely distributed of all the national farm organizations geographically—and was assured that they had no objection to the encouragement and facilitations of the domestic production of food in England by the English themselves. On the question of the curtailment of the supply of cattle in England, it is a matter of common knowledge that due to the exigencies of war, particularly the reduced supply of food formerly imported from the Continent, large numbers of herds have had to be sacrificed because of lack of provender, and as a result vast areas formerly devoted to pasturage must lie fallow unless some provision is made for their cultivation. This item is included in order to make possible the utilization of these idle acres for the production of foodstuffs which otherwise would have to be grown, dehydrated, processed, transported, and delivered with all attendant hazards and expense.

It is difficult to harmonize the inconsistent and contradictory positions taken by the proponents of this amendment who on one item vote to cut down the amount of food sent and in the next object to measures permitting them to produce their own food. And that in the face of evidence that both provisions combined will not supply the full amount needed and the further fact that the Secretary of Agriculture testified that American farmers will get $700,000,000 of the $1,000,000,000 appropriated for food under the bill. The amendment should be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

The question was taken; and on a division (demanded by Mr. H. CARL ANDERSEN) there were—ayes 78, noes 89.

Mr. H. CARL ANDERSEN. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. H. CARL ANDERSEN and Mr. CANNON of Missouri.

The Committee again divided; and the tellers reported that there were— ayes 95, noes 137.

So the amendment was rejected.

The Clerk read as follows:

(c) For necessary services and expenses for carrying out the purposes of the act of March 11, 1941, not specified or included in the foregoing, $285,000,000.

Mr. JONES. Mr. Chairman, I offer an amendment, which is as the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. JONES: On page 3, line 20, strike out "$285,000,000" and insert "$235,000,000."

Mr. JONES. Mr. Chairman, the total amount of this item is $285,000,000. I have cut the amount $50,000,000. In this item of $285,000,000 there is an item of $90,000,000 for construction of warehouses. I call your attention to page 431 of the hearings, where this subject was taken up and the gentleman from New York [Mr. TABER] asked this question:

Suppose you tell us how much you have stored right now.

General SPALDING. Yes, sir; I can tell you. We have about 300,000 square feet now in use that is under my control. * * *

Mr. LUDLOW. You have an item of $185,000,000, and I want to know how much of that is for construction work.

General SPALDING. About half of it.

Then the gentleman from Kentucky [Mr. O'NEAL] questioned him a little further down about the cost:

Mr. O'NEAL. Will you give us a break-down showing how much the cost per square foot is estimated to be?

General SPALDING. The cost per square foot of covered storage in this country is estimated to be about $5. The cost for open storage is considerably less, as in open storage no buildings are erected. But the railroad tracks and roads must be laid and laid far enough apart to allow for storage between the tracks. * * *

Mr. O'NEAL. I would like to see something about where the $90,000,000 is going.

General SPALDING. Well, it is more than $90,000,000.

Mr. O'NEAL. It is what?

General SPALDING. It is more than $90,000,000.

Mr. O'NEAL. I am talking about the construction item. You certainly do not expect to ask us to turn over to you $90,000,000 and let you spend it any way you wish without giving us a break-down on it?

General SPALDING. Yes; I do expect that.

Now, Mr. Chairman, it seems to me we are making a dangerous departure from the regular procedure of this Congress in Budget financing for the needs of our own Government and for the needs of lease-lend. We should raise the flag of caution when this sort of procedure is attempted. I join in the sentiments expressed by the gentleman from New York when he said that we cannot claim to wrap ourselves up in the flag exclusively because we answer "yes" to every call that is made on the recommendation of the Budget Bureau for funds for lease-lend. It seems to me we owe a responsibility as Members of the last great deliberative body in the world to scrutinize every expenditure if justified, and especially if not justified. There is absolutely no justification for this item. I have proposed to cut down the amount only $50,000,000. Certainly this is not an unreasonable request. It seems to me that if we had all the facts before us, $90,000,000 should be cut.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. JONES. Yes.

Mr. JENSEN. Did I understand the gentleman to say that somebody had

testified that it costs $5 per square foot to build storage space?

Mr. JONES. That is correct.

Mr. JENSEN. Five dollars will build four square feet of storage space of the kind of storage necessary for this equipment. Being in the building game for 24 years, I want the House to know that a dollar per square foot is very adequate for good, even permanent storage space. The gentleman's amendment certainly is justified, and I trust that it will be adopted.

Mr. JONES. I thank the gentleman for his observation, and I know of his experience in the construction game. I hope the members of the Committee will listen to the words of an experienced contractor at this hour.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. JONES. Mr. Chairman, I ask unanimous consent, as a member of the Committee of Appropriations, that I may continue for three additional minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. JONES. Mr. Chairman, that brings up another phase of our Appropriations Committee proceedings, that I think we should appraise at this time. The Appropriations Committee largely devotes its time to hearing the members of the Cabinet and their subordinates on estimates for funds. The hearings on this bill were conducted no differently.

One witness, an Army general, just pulls the request out of his hat. His testimony raises a question that should be answered by numerous witnesses to give the Appropriations Committee a comprehensive view of the storage problem. The committee should have time to determine the entire amount of available storage space in England and America. The Federal Works Agency has a comprehensive file of available unused warehouse space. The Defense Contract Service has the same. Before passing a $90,000,000 warehouse construction item, it seems to me, there ought to be a comprehensive report in the hearing on the space offered to the Government for warehouse storage. The officials of the British Government should make a report of the space available for warehousing in England. I quote from a letter sent from Birmingham, England, to an Ohio manufacturer. This is only one letter. If proper publicity were given the facts that this letter presents, no doubt it could be multiplied manyfold. I read it to show the House that our procedure is unfortunate, because we have no facilities under the established practice to hear evidence from private individuals that might give the American Congress a more comprehensive view of need, or lack of need, of this sort of item. Here is the letter, dated June 20, 1941:

ANGLO AMERICAN EQUIPMENTS, LTD.,
June 20, 1941.

MESSRS. BARR RUBBER PRODUCTS CO.,
Sandusky, Ohio.

DEAR SIRS: We are in a position to supply you with all kinds of rubber goods either finished or unfinished which are manufactured in this country.

As you know there is a great deal of export trade at the present time, and we shall be very pleased to receive a definite inquiry from you, to which we will give our immediate and best attention. If possible, we should welcome any inquiry by cable, so that we can settle the matter without any delay.

In the hope that we shall have the pleasure of doing business with you to our mutual advantage, we remain.

Yours faithfully,
FOR ANGLO AMERICAN EQUIPMENTS, LTD.,
M. SPINGLER,
Managing Editor.

Mr. Chairman, how much storage space is available in England now used by private commercial interests of England at this time, when they claim that they are on their knees? Nobody knows. This committee does not know, the President does not know. It behooves us to make appraisal so that we are not robbed under the guise of generosity to those who come as friends or as beggers to our doors. I hope the Committee will sustain the amendment.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, I move to strike out the last word. I believe that the best way to eliminate nazi-ism and to lick the pants off Adolf Hitler, as our friend from Virginia [Mr. WOODRUM] said a little while ago, is to eliminate items that we consider in the best of our judgment to be waste in this bill; and when an amendment such as that proposed by the gentleman from Ohio [Mr. JONES] is under consideration, I feel that one is doing his duty to rise in support of this. Therefore at this time I say that I believe that only by a careful scrutiny of the various items which are brought up from time to time and which are incorporated in this bill may we arrive at an intelligent appraisal and final passage of a bill to adequately aid the democracies of the world. It is now some 15 months since the President called both Houses of Congress together and expressly announced the necessity for a vast military and rearmament program. I responded, as did most of the Members, to that call, and have not been hesitant in voting upon measure after measure which called for the appropriation of billions of dollars for defense which this House authorized.

At this time I want to say that my patriotism is once more aroused, and I am glad to pass, as I did last March upon $7,000,000,000, upon the $6,000,000,000 which we are called upon today by this House to approve in defense of our way of life and our form of government.

I say at this time, Mr. Chairman, that only by close scrutiny and examination of this bill or any other measure before the Congress can the American people realize the absolute necessity of careful spending and of careful administration of every item which is appropriated.

Mr. WOODRUM of Virginia. Mr. Chairman, would the gentleman care to yield?

Mr. EDWIN ARTHUR HALL. Yes; I yield to the gentleman.

Mr. WOODRUM of Virginia. I appreciate the very fine statement the gentleman has made, and I know he wants information on the subject. As the gentleman, of course, will realize, in the next 4 or 5 months American industry will begin to reach the peak of its production for all of these billions of dollars we have been appropriating. At that time planes, tanks, guns, powder, ammunition, processed food products, and all of the various categories that we have appropriated billions of dollars for and building factories to produce will be rolling off the lines. The experts who know tell us that they do not have storage space to put that stuff and that this is needed for that purpose until it can be transferred from storage into bottoms to be carried abroad.

Mr. EDWIN ARTHUR HALL. What the gentleman says may be true, but I feel there is enough elasticity in the administration of this bill to allow such procedure to go along unhampered.

In conclusion, Mr. Chairman, I wish to emphasize my desire to see every effort launched both by this country and by the countries that are interested in the form of government which the United States espouses to the end that the aggressors throughout Europe may be throttled, may be stopped in their tracks. It is my sincere hope, and I am sure the majority of my colleagues and a majority of the American people share that hope with me, that upon the battlefields of Russia the vicious, ugly outlaws of communism and nazi-ism may find themselves so hard-pressed that in battle they will exterminate each other, with the result that the American form of government will be preserved for generations to come.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. O'NEAL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, there is certainly a duty and responsibility on the part of Members of Congress to scrutinize every item in this bill. But it is equally important that when we do take action we take it upon a sound basis of reasoning. We may say that the estimates were prepared hurriedly or they were padded, but in order to be equally intelligent we must be able to put our finger on the part that is extravagant and that should be cut down, and we should not issue a blanket order and say, "It does not sound right to me, therefore I want to cut it down."

We found in the committee that when you go into these items as presented by the bureau heads they are the result of conscientious thought. The administration has done the best job they could. On this particular item I questioned the man who testified, and I realized that somewhere possibly there was some extravagance, if you wish to call it that, but I made no motion after hearing all the testimony to cut it down, because I could not tell where I could intelligently make that motion and where the estimate could intelligently be cut.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. In just a moment.

In the first place, this does not provide for one dime out of America for any

of these warehouses. The statement was made that it was something for England. There is not one cent here for any warehouse facility other than in this country.

Another statement was made that you can build storage at a cost of $1 per square foot. I would like to say to the gentleman who made the statement that the gentleman can do the Government a great service by going to any of our departments, because they have not been able to get a price less than from $3 to $5, and that has been the testimony for a long period of time.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. In just a moment. If I have time, I will be very happy to yield.

I do not believe it has been brought out that this amount of money provides facilities not only for the $5,985,000,000 here appropriated, but for the previous $6,000,000,000 that has been provided under the former appropriation for lend-lease. These are facilities for $12,000,000,000. Is it not ridiculous to talk about foodstuffs being prepared and sent to the point of shipment, without a single place to put them, to keep them out of the weather? Is it not ridiculous to talk about fragile machinery, airplanes, and other articles to be used, and not to have a place to take them out of the weather? This provides for export facilities, for docks, for piers, for freight houses, for switches, and for warehouses. As essential a part as the very production itself is keeping these products in proper shape so that when they arrive they will be able to render the service for which they were intended.

There is no question in my mind that this amendment would not represent wise or sound business on the part of this Committee. I trust the amendment will be defeated.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. I yield.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. O'NEAL. I am sorry I do not have an opportunity to make an explanation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. JONES].

The amendment was rejected.

The Clerk read as follows:

(d) For administrative expenses, $10,000,000.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIAM T. PHEIFFER: On page 3, line 21, after the word "expenses", strike out "$10,000,000" and insert "$5,000,000."

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, for the past 2 hours we have been trying to wring some of the water out of this bill. Thus far we have not succeeded in wringing a single dollar out of it, but I weigh my words in saying to you now with all the sincerity of which I am capable that, if we do not adopt this amendment, every Member of the House of Representatives will justly stand charged before the bar of public opinion with simply giving lip service to the cause of economy and common sense in national-defense spending.

Let us go back to the time of the hearings on the original $7,000,000,000 appropriation bill for implementing Public Law No. 11, the Lease-Lend Act. Reading from page 61 of the hearings, we find that the gentleman from New Jersey [Mr. POWERS] interrogated Mr. Smith, Director of the Budget, as follows:

Mr. POWERS. Mr. Woodrum has gone into the items (c) and (d), $40,000,000 and $10,000,000 thoroughly. As I understand it now very definitely you will not have to come back for any further administrative expense or any further contingent fund.

Mr. SMITH. So far as I can see, that is true.

Now, Mr. Chairman, on the basis of that testimony we appropriated $10,000,000 for administrative expenses. Mr. Chairman, that was back in March. Under the terms of the Lease-Lend Act the President was required to submit every 90 days a statement of operations under that act. His second 90-day statement was submitted on September 15. The figures he then gave were as of August 31, 1941. What do we find with regard to the cost of administering this $7,000,000,000 during that period of 5½ months? We find that of the $10,000,000 only the sum of $206,424.74 had been actually spent as of the last day of August. Obligations totaled only $325,352.16, and allocations, that broad chimerical term the exact meaning of which none of us know, was $5,058,574. Adding the obligations and the expenditures we find we have left out of the original appropriation of $10,000,000 the sum of $9,500,000. We are given to understand quite clearly that we may be called on again next March to pass another appropriation bill to implement lend-lease. In the name of the economy in which we all profess an interest let us really put into effect, into practice, what we are always saying about saving the people's money. My amendment offers a grand opportunity for us to practice that which we are always preaching.

Mr. Chairman, this item of $10,000,000 under the circumstances might well be stricken entirely, because the original appropriation is practically intact. Only one-twentieth of the original appropriation has been spent or obligated. Then why in the name of common sense do we have to saddle the American people with another burden of $10,000,000? Is it for publishing such beautiful and profusely illustrated books and brochures as I hold in my hand and which are samples of the mostly useless literature being published and distributed in carload lots by the glamorous publicity offices which are conducted by many of the official defense agencies? These things cost money. They are fine examples of the printers' and engravers' arts. Is it to establish more agencies like the totally unnecessary agency of Office of Facts and Figures which really means "off" and which was only, as far as I am able to perceive, created the day before yesterday for the purpose of coordinating the coordinators, press agenting the press agents, redigesting the digesters, and explaining the explainers. Let us consider this amendment very carefully, Mr. Chairman. It should be passed and I appeal to the membership for their support.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 5 minutes.

Mr. DITTER. Mr. Chairman, reserving the right to object, I would like to have 5 minutes.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes, 5 minutes to be allotted to the gentleman from Pennsylvania.

Mr. HOFFMAN. Mr. Chairman, reserving the right to object, to make an inquiry, Is all that is covered section (e) or the next one, too?

Mr. CANNON of Missouri. It covers the paragraph that has just been read.

Mr. HOFFMAN. Line 21.

The CHAIRMAN. Let the Chair state the request.

The gentleman from Missouri asked unanimous consent that all debate on this paragraph and all amendments thereto close in 10 minutes, of which 5 minutes shall be allotted to the gentleman from Pennsylvania and 5 to the gentleman from Missouri. Is there objection?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. DITTER] for 5 minutes.

Mr. DITTER. Mr. Chairman, to begin with, I should like to make a declaration of my own convictions. There has been a persistent effort on the part of the majority to make it appear that all politicians are on this side of the aisle and that all patriots are on the other side of the aisle. I am not ready to concede that the middle aisle makes any such division. I accord to my distinguished friends of the majority the same sincerity of purpose and the same patriotic motives as I believe are the purposes and the motives of those of the minority. It is becoming increasingly distasteful to many of us of the minority to have the majority continually answer the criticism of the minority by charging that such criticism evidences a lack of patriotism and that it springs from partisan motives.

Mr. TABER. Will the gentleman yield?

Mr. DITTER. I yield to the gentleman from New York.

Mr. TABER. The reason for that is because as to the amendments that have been offered this morning they have no way to justify their position.

Mr. DITTER. Speaking as a very humble Member of the minority, may I say that, so far as this international question goes, I believe that politics should stop at the water's edge. I do not believe patriotism stops on your side of the aisle. Many of us on the minority side resent the attitude of the majority in its treatment of our criticism, not only of policies but of the administrative efforts—the maladministration and the misadministration. Repeatedly the answer is made by getting hold of a flag and catching hold of an eagle and charging us with being actuated only by partisan motives, while the majority wraps itself in the flag.

Mr. HOFFMAN. Which flag?

Mr. DITTER. Let us look at this item we are considering now. I suppose my distinguished friend from New York would be charged with partisanship because he calls attention to this $10,000,000 gravy fund. That is what it is. This $10,000,000 is to take care of the faithful. This $10,000,000 is to be used just the way Hopkins used a lot of his W. P. A. administrative fund. Ten million dollars was appropriated a few months ago for the same purpose. What has been done with it? I wonder what the basis of allocation is when it comes to personal services? I suppose that is picking the choice future appointees and giving them a promise to keep them encouraged.

Of that whole sum, $206,000 has been spent. We are told that we will have another lease-lend bill by February. Will that mean that we will have $10,000,000 more for administrative expenses? I would like to know where the justification for this item is. So far we have spent $206,000 out of this administrative fund. A part of it is for salaries. I know some of them have been earned. I believe there has been some competency of service. I am exceedingly hopeful that as the days come a greater degree of competency will prevail. I cling to the hope that Stettinius will do something different than Hopkins did. I am encouraged with that. I believe even the majority is encouraged with that hopefulness. But if only $206,000 has been spent, why can we not get down to brass tacks and cut this fund in half?

We will provide for the faithful in due time. You of the majority will have ample opportunity if further gravy is necessary to take care of additional numbers to be added to the lists of the faithful.

Let us go to the country and say that we are going to make some effort at a reasonable common-sense economy and cut out some of the pork and the gravy. Let us get down and do an honest job. Again, I repeat, the center aisle in the House is not a dividing line on patriotism or on partisanship. The Republican minority stands steadfast in its devotion to the Republic, and to the substance, as well as the form, of our system of self-government.

[Here the gavel fell.]

Mr. SHEPPARD. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New York [Mr. WILLIAM T. PHEIFFER].

Mr. Chairman, I found it rather interesting listening to the gentleman from Pennsylvania [Mr. DITTER], particularly in view of the fact the gentleman has reached out and picked Mr. Hopkins up by the seat of the pants and put him into the middle of the bill, whereas in reality the gentleman he has eulogized on the floor of the House ever since this bill was originally presented as a wonderful administrator, Mr. Stettinius, is going to be the man to exercise the governing judgment over the expenditures involved in this proposal. I would hate to think that the splendid gentleman from Pennsylvania would want to put a white collar and a necktie upon Mr. Stettinius, on the one hand, and add a boquet of crepe on the other. That does not sound consistent to me. So far as Mr. Hopkins is concerned, may I say that the gentleman from Pennsylvania was very definitely advised in the committee hearings that Mr. Hopkins will have nothing to do with the administration of this particular bill.

Mr. DITTER. Will the gentleman yield?

Mr. SHEPPARD. I will always yield to the gentleman.

Mr. DITTER. I know that the gentleman wants to be fair and give a complete statement to the House. The gentleman will remember that there was some confusion as to the nebulous state of Mr. Hopkins since the time that there was created originally this activity or agency. There seemed to be a division of opinion between Mr. Stettinius and Major General Burns—I think that is the name of the gentleman—as to whether Hopkins was involved or not. Major General Burns said he was an administrator. There seemed to be some nebulosity about our friend Mr. Hopkins' status. I wonder if the gentleman will explain that to some of us who are in the dark in reference to that matter.

Mr. SHEPPARD. I do not believe there is any necessity for explaining what Mr. Stettinius testified to in response to the gentleman's question. Mr. Stettinius plainly stated that Mr. Hopkins' title as administrator was a newspaper misnomer. The gentleman then accepted the statement so far as Mr. Hopkins was concerned.

Now, let me talk about the amendment. In the first place, this $10,000,000 is for administrative expenses and covers the total of $6,000,000,000 that is involved until 1943. It covers the War Department, the Navy, Maritime Commission, Procurement, Treasury, and the Department of Agriculture. I would like to call the gentleman's specific attention to the fact that, broken down in mathematics, it resolves itself into $1 per 600.

I ask for rejection of the amendment.

Mr. WOODRUM of Virginia. Will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from Virginia.

Mr. WOODRUM of Virginia. Will the gentleman point out the fact that under the lease-lend arrangement with Great Britain we are protected for this administrative expense, as we will be and to the same extent for goods furnished, and if this money, for instance in the Navy Department or in the War Department, is used for personnel, for purchasing, processing, manufacturing, and handling these lease-lend materials, those pay rolls are reimbursed from this $10,000,000, and in that way all of this fund is charged to the lease-lend allotment in order to prevent our own Navy and our own War Department's funds paying the cost of the lease-lend program.

Mr. SHEPPARD. The gentleman's statement is correct, and I thank him for the contribution.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. WILLIAM T. PHEIFFER].

The question was taken; and on a division (demanded by Mr. WILLIAM T. PHEIFFER) there were—ayes 75, noes 105.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. WILLIAM T. PHEIFFER and Mr. CANNON of Missouri.

The Committee again divided; and the tellers reported that there were—ayes 80, noes 123.

So the amendment was rejected.

The Clerk read as follows:

(c) In all, $5,985,000,000, to remain available until June 30, 1943.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 11 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. DWORSHAK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the debate in the last few days has developed the fact that the bill submitted by the Committee on Appropriations is based upon much testimony and evidence submitted at the hearings, which were considered to be confidential, and much of which was deleted. Nevertheless the Members of the House were urged to have confidence in the members of the Committee on Appropriations, notwithstanding the lack of information dealing with this legislative proposal.

The debate yesterday also disclosed the fact that the report brought in by the committee on the bill, involving approximately $6,000,000,000 under lease-lend, had not one single change nor revision submitted by the committee; and the progress of the debate today indicates that not a single amendment will be adopted by the House. In other words, we are told as Members of this legislative body that we should have confidence in the Committee on Appropriations, that the Committee on Appropriations should have confidence in the Budget Bureau, that the Budget Bureau should have confidence in the President, and I presume the President should have confidence in Mr. Churchill and the British Purchasing Commission.

I ask you, in whom should the American taxpayers have confidence?

The report brought in by the committee contains this statement:

> Since the beginning of the war, over $4,500,000,000 of exports have been shipped to the British Empire and Egypt. These goods were bought and paid for by the British.

Let me refer briefly to a statement which I have had prepared by the Department of Commerce covering the shipments of gold which have come into the United States from February 1934 to the end of August 1941 under the $35-an-ounce purchasing program.

During that period, our Government paid a total of $10,918,715,690 to countries included in the British Empire. If you divide that sum by $35, the amount paid per ounce, you will have 311,963,305 ounces. If you multiply that number of

ounces by $14.33, the difference between the acknowledged price of gold, which is $20.67 an ounce, and the fictitious value of $35 an ounce placed on it by this administration, you will have approximately $4,500,000,000.

In other words, during the 7 years in which these gold imports have come into this country our Treasury has paid the British Empire a subsidy of approximately $4,500,000,000 for gold, representing the difference between $20.67 and the arbitrary value of $35 an ounce. Therefore, the British Empire has not actually invested a single dollar of the funds of the British Empire in purchasing the $4,500,000,000 worth of equipment acquired here since the beginning of the war; and now under the lend-lease program, the British Empire is receiving approximately $13,000,000,000 out of our Federal Treasury. It is noteworthy that, while the United Kingdom shipped us $1,826,463,264 in gold during 1939, these imports amounted to $633,099,869 in 1940, and only the meager total of $3,190,221 during the first 8 months of 1941. Thus it is apparent that Britain is not shipping us gold as formerly because under the Lease-Lend Act supplies are furnished free.

In the first lease-lend bill about thirty-seven and one-half million dollars were allocated for purchase of tobacco for Britain, and in this bill there is provided $51,700,000, making almost $90,000,000, to purchase this nonessential. Possibly American taxpayers would prefer to apply this sum for furnishing tobacco for the men in our own armed services.

It was only recently that there was a great deal of criticism because we passed a tax bill providing for levying $3,500,000,000 in additional revenue, only about one-quarter of the amount included in these two lend-lease bills.

They call this a national-defense bill to strengthen the preparedness of our country, but we know we are dissipating our resources and depriving our armed forces of needed and essential equipment. I say to you that, by pursuing this program, we are weakening our own financial and economic structure and hastening that day in the post-war period when we shall subject our country and its government to the assaults of subversive elements.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOFFMAN] for 5 minutes.

Mr. HOFFMAN. Mr. Chairman, I just want to call attention to the fact that here is $5,985,000,000 appropriated to bring peace to all the world, so it is said. We are going to do it by shooting and bombing peace into all those who do not adopt our ideas as to what they should do as to their internal affairs. Part of that money, of course, is to carry the four freedoms to all the world—democracy. For a number of years we have had a policy of being good neighbors. We now have a committee of Congressmen down in South America preaching democracy, love, and forbearance, and all of those delightful virtues, to the people of the Southern Hemisphere.

Mr. WOODRUM of Virginia. They have come back.

Mr. HOFFMAN. Have they come back? Apparently they did not accomplish much, or, if they did, they found that the Republic of Panama was not being operated the right way—that is, as our President desires—because the Department of State evidently has gone down there and kicked out the President elected by the people of this sister republic who live in Panama. We are not only going to spread democracy but we are going to spread the kind of democracy the President wants, which is just another brand of dictatorship—the President's brand.

That President down there in Panama did not suit. He did not wish ships under the flag of Panama, armed by the United States, going into war zones. He objected to being used as a cat's-paw by the new dealers. If you doubt that our Government had a hand in the ousting of the President of Panama, I would be glad to have the Secretary of State and those employees who have been fussing around there submit themselves to an examination under oath, and you will find the truth in this situation. They will not be able to hide behind the statement that whatever they might say would not be a good thing for the American people to hear if they submit to such an examination. We are so young and so lacking in mental development, according to the administration, that we should not know about many of these things. So the President, having found that the President of Panama, his neighbor—not Father Divine—I do not mean that neighbor, but the President of Panama—was not doing things as in the opinion of our President they should be done, the Department of State and American money got rid of the President of that Republic, and they are to have another one. Is not that a delightful situation? The administration of our Republic meddling in the internal affairs of a sister republic. Is not that a fine thing for this great Republic of the Northern Hemisphere to do? Oh, I am sure we will get a lot of good will from Brazil and those other countries farther south when they get the inside of the way in which we are interfering with the affairs of Panama—or will we not?

Are there any other fellows down south, any other heads of governments in South America, that do not suit the President that we ought to get rid of or that he thinks he ought to get rid of? Bless your heart, that man in the White House is a long, long way on this road, so he thinks, to being President of all the world. And is he going to let those people hold a state election, or will he do like they do over in Britain and have one party and all vote for those candidates, or will he personally select the presidents of those different republics? We sure will have a good neighborly feeling there if the President would just take a short cut. Why does he not send the four Roosevelt boys down there, those who are not fighting America's battles, who are not with the armed forces of their country. Why does he not send them down there and make them presidents of this country and that country? Or will he do that later? There are four presidents right there in his own family, and he could send Harry Hopkins and Eleanor along and have a queen and a prince down there, and they could spread some more of this good-neighbor policy.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield for one question?

Mr. HOFFMAN. After hearing what you said on June 28. You will find it on page 5673 of the RECORD, where you said:

> The idea of this country going off now and trying to settle the conflicting emotions and ideologies of Europe to me is ridiculous—

I do not think it is necessary.

Mr. WOODRUM of Virginia. I was wondering whether the gentleman was going to tell us whether he is going to support this bill or not.

Mr. HOFFMAN. No; I am not. I do not intend to give away our shirts and socks and everything we can borrow and steal; nor do I intend to render my own country defenseless by giving away or lending those things which we must have to protect it.

Mr. CREAL. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. CREAL. Will the gentleman also be shedding those crocodile tears when the Nazi leaders fall elsewhere?

Mr. HOFFMAN. I am not shedding crocodile tears or any other kind of tears for any Nazi, and I will hail the defeat of Hitler with as much joy as will the gentleman from Kentucky [Mr. CREAL]. The tears I shed are for those who, here in America, are forced by this administration to buy a license to work in order that they may earn a livelihood. The tears I shed are bitter tears shed for those who are being deprived of the right of free speech, who are being coerced by this administration into blind obedience at the orders of bureaucrats. The tears I shed are tears for the laboring men who are being deprived of their jobs because of the priority orders issued by an administrative agency. The tears that I shed are not only bitter tears but they are tears caused by the heartache which comes to me when day after day and week after week over a period of years I see this administration use the powers which this Congress has given the Chief Executive to destroy the liberties of the people; depriving our people, by Executive action, of liberty, of freedom, of their confidence in themselves, of their faith in their Government. The deliberate undermining of our Constitution, the premeditated denial of constitutional rights, the drive carried on by this administration to replace the Declaration of Independence with a declaration of interdependence, this substitution of the Stars and Stripes, or at least the flying above it of the Union Jack of Great Britain, should wring tears from the heart of every loyal American, should inspire him to fight unceasingly and determinedly for the preservation of our Nation.

[Here the gavel fell.]

Mr. RICH. Mr. Chairman, we are now considering whether or not we are going

to appropriate $5,985,000,000. We have offered not less than 8 or 10 amendments trying to cut these appropriations just a few million dollars, but we have been unsuccessful. During our attempt to do this we have been criticized as being politicians and, as has been said before, it has been stated that all the politicians are sitting on this side of the aisle, while all the statesmen are sitting on the other side of the aisle. They admit it themselves. Now, Mr. Chairman, when the time comes that you have got to go back to the people of this country and tell them that the New Deal is putting them into bankruptcy just because we have all statesmen on that side of the aisle where they get the votes I will venture the assertion that it will not be very long until the people of this country will show you where the statesmen ought to sit. The people will find out they are being sold down the river.

[Here the gavel fell.]

The Clerk read as follows:

(f) Each of the foregoing appropriations shall be additional to, and consolidated with, the appropriation for the same purpose contained in sections 1 (a), 1 (b), 1 (d), and 1 (e), respectively, of the Defense Aid Supplemental Appropriation Act, 1941: *Provided*, That, with the exception of the appropriation for administrative expenses, not to exceed 20 percent of any such consolidated appropriations may be transferred by the President to any other of such consolidated appropriations, but no such consolidated appropriation shall be increased more than 30 percent thereby.

Mr. RICH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. RICH: On page 4, line 10, after the word "thereby", strike out the period, insert a colon, and the following: "*Provided*, That no part of the funds contained in this section shall be used to aid the Union of Soviet Socialist Republics."

Mr. RICH. Mr. Chairman, the greatest heritage the American people enjoy is religious freedom and the fact that this country for 150 years has permitted its people to worship in their own churches as they deem right and proper. There has been no interference on the part of the Government and there has been no interference by people in authority to religious freedom. I want to see this situation continued in this land of ours and it will continue unless the people let the present form of government get away from them, and I am not too sure that we are not now about to do such a thing. The only way that can happen would be to set up a dictator in the White House instead of a President, and whenever the time comes that you have a dictator ruling this Nation of ours you can rest assured that you will not have freedom of religion. I do not want to see anything in this bill that would permit the President of the United States to transfer 20 percent of these funds that have been appropriated in this measure, carrying $5,985,000,000, to any country that practices communism or that crucifies its citizens because they go to church. I am not in sympathy with any nation who closes their churches. I do not want to get in bed with those nations.

I am against communism in every possible way, and I am not for any country that practices it. I believe the time is here when the American people, who enjoy the freedom of religion and the freedom of our Nation, should speak and speak at once. If they do not, it may be too late. We are placing a great sum of money in the hands of the President of the United States, and later on, if he sees fit to help communistic and socialistic countries, he can do so. We should not say that we did not intend to have that money so spent; and if you let this bill go through without this amendment, that can happen.

I want to read now a few articles in reference to some of the countries the administration has proposed to help. I quote now from a letter of Pope Pius XI, dated the 24th of December 1927, replying to the good wishes of the Sacred College:

Unhappily, cries of grief have been and still are heard on many sides. In the last few days, and even in the last few hours, from Russia we have received saddest news of barbarity unparalleled, or cruelties and atrocities scarcely believable of the twentieth century in the full light of civilization; and scarcely believable is it that in the face of these things the nations do not rise with a cry of horror and execration.

Let me quote further from Pope Pius XI, letters to His Excellency Cardinal Pompili:

The generous gifts of the Catholic world saved from starvation and from a horrible death more than 150,000 children fed daily by our envoys until the latter were obliged to abandon their work of mercy, since the Soviet Government preferred to condemn thousands of innocent children to death rather than see them fed by Christian charity.

Our dearest children, the Catholic priests and religious, imprisoned, deported, condemned to hard labor with two of their bishops.

Mr. O'NEAL. Mr. Chairman, will the gentleman yield?

Mr. RICH. Yes.

Mr. O'NEAL. Would the gentleman be against letting some food supplies go into Russia to feed some of the starving people in Russia?

Mr. RICH. No; I would not be against feeding the starving people of Russia, because they have such a damnable government over there. I think somebody ought to go there and feed them. Also I think you ought to go into Holland and give them a little food, and into Belgium and give them a little food, and also into Norway, where they are are starving to death, and save all these people; but instead of that you put the money into the hands of the President, and he says he is not going to do anything with any of these lowland countries, but he is going to turn it over to Great Britain. If that is Christianity, I do not know anything about it. I am for feeding all the starving of Europe, not just one country. Why pick out just one or two countries to feed? Why not Belgians, if English? Why not Norwegians, if Russians?

Mr. O'NEAL. But under the gentleman's amendment no food could go to Russia.

Mr. RICH. If the gentleman wants to amend that so that we can give the starving people of Russia food, I am willing to do that part of it, but I am not willing to further any communistic countries when they are sending propaganda here to wreck us.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate upon this amendment and all amendments thereto close in 34 minutes.

Mr. JONES. Mr. Speaker, I object.

Mr. CANNON of Missouri. Mr. Chairman, I move that all debate upon this amendment and all amendments thereto close in 34 minutes.

The motion was agreed to.

Mr. COLMER. Mr. Chairman, I rise in opposition to the amendment. I am surprised at the attitude shown by the gentleman from Pennsylvania [Mr. RICH] who is usually trying to conserve money, and usually he has my sympathy with him in that attempt; but to attack this proposition from a religious angle, as he has done here today, is entirely foreign to his usual policy. Let us see just where we are on this proposition. Here is an appropriation to do one thing, and we are either going to appropriate this money to do that one thing or we ought not to appropriate one cent or any part of it. We have set out on a foreign policy to defeat Hitlerism in the interest of saving our own land. What difference does it make if we obtain that objective as to the means that we pursue to obtain it? War is a cold, realistic thing. We do not like rattlesnakes, yet we use venom extracted from them as an antidote for other poisons.

Why are we raising a religious issue upon a proposition where we have set out to gain a certain objective? As far as I am concerned, I have no more regard for the Russian doctrine of government than the gentleman from Pennsylvania [Mr. RICH] or anybody else. I loathe it; but does the gentleman from Pennsylvania contend for one moment that Hitlerism permits freedom of religion or freedom of worship? We have set out to destroy Hitlerism. Who is destroying Hitlerism today? It is the people of Russia. Who is making the fight; whose backs are against the wall today in the fight against Hitlerism? It is Russia.

Mr. RICH. Will the gentleman yield?

Mr. COLMER. Not now. My time is too limited.

I say, with all due deference to the English people, I wish the English people today would heed the call from Moscow and put up the same kind of a fight that the Russian people are putting up to stop Hitlerism. As far as I am concerned, I would be agreeable to see this lend-lease money go to Russia, the people who are really putting up a fight to stop Hitlerism. Now, let us not be misled. Let us not start out on some extraneous issue. Let us not chase any rabbits on the fox hunt. Let us keep our eyes on the main objective and permit any part of this money to go to people who are really putting up a fight at this time.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Georgia [Mr. COX] is recognized.

Mr. COX. Mr. Chairman, I believe it was Cicero who said that law and truth sleep in time of war. I think we

are at war. This bill presents a difficult situation for some of us. No one likes to feel that he is being deceived or taken for a ride. The original, of which this bill is an amendment, was offered as a peace measure, and some, in order to appear consistent, still cling to that fiction. I supported the original bill because it was a war measure. Accepting it at what it was rather than at what it was called, made possible giving it my support. Since then the war picture has changed. Communist Russia, which I have always regarded as a threat to the world, is now on our side, though she did not come of her own choosing. Although effort has been made to create the impression that no part of the funds set up in this bill will be used in aid to Russia, no one believes it and no informed person is expected to believe it. Mr. Stettinius will not make the decision. While he is an able and fine man, somebody has made a water boy out of him for somebody else.

There are dangers involved in making common cause with Russia, and we all know it. Russian ideology has already penetrated too deeply into American life and the Government of the United States. In extending aid we must guard against defending communism. We must not accept the obligation of defending Russian ideology, the Russian constitution, or anything Russian. We are and will continue to aid Russia because she is on our side. I have no interest in her survival except that she may be used to help crush the bloodiest tyrant that has ever cursed the world. But let us not forget, Mr. Chairman, that Stalin, whether "Mr." or "Friend," like the leopard, has not changed his spots. There is not enough water in all the tumbling seas of this world to wash away the human blood that stains his hands.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Pennsylvania [Mr. FADDIS] is recognized.

Mr. FADDIS. Mr. Chairman, I am indeed amazed that there are individuals in this Nation so unalarmed, so indifferent, so apathetic toward the advance of Hitlerism and its threat to the world and the institutions which we so highly value and which we so enjoy, that they would be willing to reject any ally or any assistance that we could have today to defeat this German juggernaut which threatens to crush the world and to destroy everything that has contributed to our way of life.

As far as I am concerned, I care nothing about the Russian system of government. I care nothing whatever about their political or social matters. That is a matter for their internal administration. I am not a crusader with the desire to carry democracy into the far corners of the earth. As a practical matter, however, we must recognize here today that unless we render every assistance to those fighting Hitlerism, sooner or later we must face it alone. Russia is aggressively and courageously fighting the armies of Germany. We could do nothing more foolish and more shortsighted than to refuse to supply the Russians, who are just as much concerned in defeating Hitler as we are or as Great Britain is, with the munitions of war that they are bound to need in the very near future if they are to continue their resistance.

I wish to repeat the words of the gentleman from Mississippi [Mr. COLMER] when he said, "I wish the British today would exhibit as much willingness to fight the German war machine as the Russians are exhibiting."

Whether or not we like to admit it, we owe a debt of gratitude to the Russians, and, whether or not we want to admit it, somehow in the last 20 years the present system of government in Russia has brought something to the Russians that at least has convinced them that they have an interest in that vast nation that warrants them to fight and die for their homeland.

By so doing, in spite of the fact that their institutions are repugnant to us, we must admit that they have set a worthy example in patriotism and self-sacrifice that some other nation might well emulate.

If we are to be statesmen we must look upon this matter not as an economic, social, religious, or political question, but as a strategic question, which it is. We must realize the importance of expediency. We must destroy Hitlerism or it will destroy our American way of life and all the privileges, liberties, and freedoms which we now are privileged to enjoy. I sincerely hope this amendment will be defeated.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. JONES].

Mr. JONES. Mr. Chairman, this amendment has been presented to the House and the arguments leave no doubt that Russia is a murderer of clergymen and priests. The President's "four freedoms," the objective of our Government in early 1941, is beside the point in the arguments on the floor today. So I take this opportunity to summarize the approach of two governments to all-out aid to Russia.

England demands a dollar for every dollar's worth of material she sends for her all-out aid to Russia. The British Government is in war now by the side of Soviet Russia. Churchill, speaking for Britain in June 1941, endorses this all-out aid policy. I hold in my hand a report of British aid to Russia from the United States Department of Commerce publication entitled "Foreign Commerce Weekly":

UNITED KINGDOM—EXCHANGE AND FINANCE—PAYMENTS AGREEMENT WITH UNION OF SOVIET SOCIALIST REPUBLICS SIGNED

A payments agreement between the United Kingdom and the Union of Soviet Socialist Republics was signed and became effective on August 16. It provides that the two governments agree to deliver goods to one another at world prices with contracts in sterling. All payments will be made through an account in the Bank of England in the name of the State Bank of the Union of Soviet Socialist Republics. * * * The account shall be balanced quarterly.

Any debit balance shall be discharged as follows: (a) 40 percent by sterling received by the State bank of the U S S. R. by the sale to the Bank of England of United States dollars or gold or by the delivery of platinum up to specified amounts; sales of United States dollars shall be made at the official middle rate of exchange for United States dollars in London on the day of sale.

Britain has no lease-lend aid for Russia.

Here is the American approach:

The New York Times of June 25, 1941, makes the following report of the President's press conference of June 24:

President Roosevelt declared today that the United States will give all the aid it possibly can to Soviet Russia.

From the New York Times of July 28, 1941, by the Associated Press.

LONDON, July 27.—Harry L. Hopkins, President Roosevelt's Lease-Lend Coordinator, tonight pledged all possible aid—"and immediately"—to Russia in her war with Germany.

From the New York Times of July 31, 1941, by the Associated Press.

Moscow, July 30.—Harry L. Hopkins heard from Joseph Stalin in a Kremlin conference tonight what kind of United States equipment would help the Red Army.

New York Times, July 31, United Press:

On Sunday night, speaking to the British people by radio, Mr. Hopkins had promised extensive aid to Russia.

Washington Evening Star, August 5, 1941, Associated Press. Acting Secretary Sumner Welles' note to the Russian Ambassador:

I am pleased to inform you that the Government of the United States has decided to give all economic assistance practicable for the purpose of strengthening the Soviet Union in its struggle against armed aggression. * * * The Department of State is also issuing unlimited licenses permitting the export to the Soviet Union of a wide variety of articles and materials.

New York Times, August 16, 1941. The Churchill-Roosevelt message to Stalin:

We are at the moment cooperating to provide you with the very maximum of supplies that you most urgently need. Already many shiploads have left our shores and more will leave in the immediate future.

Washington Star, September 16, 1941, Associated Press:

W. Averill Harriman, head of the United States delegation to the Moscow war needs conference, said today United States products and raw materials already were reaching Russia in substantial quantities. "They will continue to reach the Russians in increasing amounts."

New York Times, September 19, 1941:

WASHINGTON, September 18.—Secretary of the Treasury Morgenthau announced at a press conference today that on August 15 he had granted Soviet Russia an advance of $10,000,000 against future deliveries of Russian gold.

Information Digest, September 17, 1941:

Federal Loan Administrator Jones announced Defense Supplies Corporation, an R. F. C. subsidiary, "has contracted with Amtorg Trading Corporation, a United States corporation owned by Russian interests, for the purchase of manganese, chromite, asbestos, and platinum to the approximate value of $100,000,000, and has agreed to advance * * * $50,000,000. * * * Mr. Jones said $10,000,000 was advanced today. * * * Mr. Jones announced the contract was made in

compliance with a specific request from President Roosevelt."

Information Digest, September 18, 1941:

Secretary of the Treasury Morgenthau told his press conference the Government advanced $10,000,000 to the Soviet Union on August 15.

Information Digest, September 22, 1941:

Secretary of the Treasury Morgenthau told his press conference the Soviet Government has repaid in gold "a little more than half" of the $10,000,000 advanced by the United States Treasury.

Today, Mr. Chairman, Congress will decide the next step, whether we endorse giving the products of American toil and sweat to Russia. None of this money in this particular bill will be available for Russia's needs now. However, the vote will be a green light for the President to make gifts to Russia. After the vote on this amendment, Mr. Chairman, if it is rejected, what will be the date line on this announcement: "President allocates $1,000,000,000 from original $7,000,000,000 lease-lend appropriation for aid to Russia."

Shall we summarize then: England is in the war and gets a dollar for every dollar's worth of material sent to Russia. The United States Congress has not declared war, and gives the green light for gifts to Russia.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. Chairman, I ask the indulgence of the committee for the reading of a short but thought-provoking editorial published in the New York Times bearing directly on the subject matter of the pending amendment. The editorial reads:

IDEALIZING RUSSIA

A strong argument can be made and has been made for American aid to Russia, but this argument does not rest on the preposterous notion that Russia is a democracy. It rests, instead, on military grounds—and on these grounds exclusively. Russia is fighting Hitler, and Hitler is the one great threat to our security. American aid to Russia thus becomes a question of military strategy. It ought to be treated as such. We shall merely delude ourselves if we try to justify aid for Russia on the ground that the Soviets share our democratic theories.

A case in point is President Roosevelt's discovery that the Soviet Constitution guarantees freedom of worship in Russia. It is right there in article 124. But the Soviet Constitution guarantees a large number of things—in the abstract. For example, the very next article, No. 125, guarantees "freedom of speech, freedom of the press, freedom of assembly and of holding mass meetings, freedom of street processions and demonstrations." The imagination balks at conceiving of any minority group in Russia exercising in slightest degree any one of these fine freedoms. The jails are full of those who tried.

It ought to be possible for us to keep our thinking straight.

Those are words, Mr. Chairman, which I keenly feel should be the determined expression of the membership of this House. I continue to read, as follows:

We can honor the splendid courage of the Russian people now fighting against Hitler for the defense of their own soil. We can recognize the advantage from the point of view of the democracies of keeping Russia in the war, though the question of how much actual aid we can give at this time must necessarily be considered in relation to such other factors as our still lagging production of war materials, the problem of transportation, and the strong case to be made for sending the great bulk of our aid to Britain. But there the matter ought to stand. If Stalin's Russia is a democracy, then so is Hitler's Germany.

That penetrating comment, Mr. Chairman, reflects, I am sure, the sentiment of hundreds of my colleagues in this House. It squares with the underlying understanding of the facts. It is the solemn judgment of thinking patriotic Americans by the million.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOOK].

Mr. HOOK. Mr. Chairman, I think a great many of us at this time could be likened to football players who were thoroughly disgusted with the coach and the schedule. The game is on now and the season has begun; the schedule is made. We are part of the team and must go in to win. We cannot let the team down. We must play our part and play it well in the interest of America, the land I love above all else.

I hope that in the deliberations and negotiations the President of the United States and our diplomats in Russia before they extend aid will insist on receiving from Russia a definite, clear-cut, unequivocal schedule and program, not just promises that she will guarantee freedom of religion, freedom of speech, and freedom of the press, freedom of assembly, and all other guaranties that go to make up a real democracy. I hope they will realize that that great and valiant little country, Finland, that valiant little democracy for whom we all expressed our admiration such a short time back, is not an ally of Germany by choice but by accident, and that the Finns are willing and ready to lay down arms in peace when their lands and their territories that were taken from them by Russia are restored to them. I hope that in the negotiations those representing this great Nation will insist that Finland be given back the territory Russia took from her. It would be only right and proper. This should be done in the interest of the democratic spirit expressed here today.

Yes; I think we should give all-out aid, but in giving this aid we should demand that it be used for the purpose of bringing about those things we so valiantly fight for, and insist that Russia never again go on the bloody sprees she has in the past. That we further insist that she accord to all nations that which she expects other nations to accord to her. That she refrain from her doctrine of world revolution and give to all the rights of free men. Let us use Russia to help crush Hitler, but in crushing Hitlerism I hope that the baptism of blood will be such that she, too, will become a democracy. That in this hour of peril her leaders will recognize the teachings of Christ and worship and thank God for all his love of man. We must insist that she stop sending agents over here to try to overthrow the Government of the United States. Let that baptism of blood that she is now undergoing make an impression to such an extent that she, too, will recognize that democracy is the finest thing in the world and that she will adhere to it in spirit, in word, act, and deed. Let us hope that out of this will come peace on earth, good will toward men.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. DAY].

Mr. DAY. Mr. Chairman, we have reached the point in the consideration of this bill when we can no longer rely on hope or mere promise or expectation. We have the right now to follow the spirit of laws which have been passed by this Congress, and what a mockery it will be if we refuse to deny any part of these funds to the Soviet Union when in this very law that we are going to pass here today title III of the general provisions, section 301, reads:

No part of any appropriation contained in this act shall be used to pay the salary or wages of any person who advocates or who is a member of an organization that advocates the overthrow of the Government of the United States by force or violence.

No part of the funds appropriated could go to pay the salary or wages of Josef Stalin. He has not recanted in his communism, which has been found by the Dies committee, by the Dickstein investigation committee, by Congressman McCORMACK'S committee, and by the committee headed by Congressman FISH, and also Secretary of State Hughes held the same way. Everyone of us knows that communism and the Communist Party is devoted to the overthrow of the Government of the United States by force and violence.

Mr. REED of New York. Will the gentleman yield?

Mr. DAY. I yield to the gentleman from New York.

Mr. REED of New York. That is perfectly consistent. It has to be there. They may want to pay the 500 Communists on the pay roll out of that fund.

Mr. DAY. I see. I thought this was all for exportation purposes.

Mr. FADDIS. Will the gentleman yield?

Mr. DAY. I yield to the gentleman from Pennsylvania.

Mr. FADDIS. They are also devoted to the overthrow of Hitlerism by force and violence?

Mr. DAY. Yes. Let us see how much Stalin recanted. Here is a speech he made on his birthday, when he was 60, reproduced from the New York Times of Friday, December 22, 1939, and here is what Joe said then:

Do not doubt, my comrades, that I am ready to devote all my efforts and ability, and, if necessary, all my blood, drop by drop, to the cause of the working class proletarian revolution and world communism.

That same world communism is here in this country today, and I would not want to leave this floor without saying to you as one who has fought communism, fascism, nazi-ism, and every other form of

subversive influence, that I cannot stand for this appropriation.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from Virginia [Mr. WOODRUM].

Mr. TABER. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from New York.

Mr. TABER. I feel obliged to say to the membership of the House that I think it would be very unfortunate if this amendment should be adopted. I have no use for Soviet Russia and its form of government, but I do not think it would be wise to say at this time that we will not permit the President to handle the materials that are provided in such manner as the military chieftains of our country might advise.

Mr. WOODRUM of Virginia. Mr. Chairman, I appreciate that splendid statement from the distinguished gentleman from New York. It is but further evidence of the fine statesmanlike, patriotic attitude which he has maintained all the way through our efforts in this defense program.

The amendment presented here today should have the very thoughtful consideration of every member of this committee. It is very vital and very important as a matter of national policy. I do not have to tell you or to repeat what I said yesterday that I abhor with every fiber of my being some of the tenets of sovietism, some of the practices of Soviet Russia—their persecution of the church, their bloody purges, and all those things that are so contrary to everything for which we stand. There is no difference amongst us on that score. But I hope that no member of this committee today will vote on this amendment or on this bill on the theory that by doing so he is either expressing approval or disapproval of internal conditions in Russia. That is entirely beside the point.

Our country is committed as a matter of national policy to the defeat of Hitlerism, to furnishing aid to those countries that are fighting the scourge of Hitlerism. Certainly he is not a thoughtful citizen or an observing citizen who cannot read the signs in the skies today of the menace that hangs over the democracies of the world. At this very hour while we are debating this question, the armies of Russia are in a life-and-death struggle with the armies of Hitler, and whatever you may think of internal conditions in Russia, remember, if you please, that to date the Soviet armies are the only ones who have been able to slow down the Hitler machine.

I only wish that we had processed, and available to land on the Russian front today, the total amount of $6,000,000,000 worth of planes, tanks, ammunition, and so forth, because if we had that then we would not have to have another sleepless night about the fate of the democracies and of our own country.

Mr. McCORMACK. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. May I call the gentleman's attention to this: It is not a question in these trying days of our dislikes alone, but of our loves. Our first love is the United States of America, and we should cold-bloodedly do everything that we consider to be essential for the best interests of the country we love and not react to our hates or dislikes.

Mr. WOODRUM of Virginia. I thank the gentleman. That is stated very splendidly. We have committed ourselves to the task of saving the democracies. If Hitler is defeated, the democracies will win. If the democracies win, no man need fear for freedom of speech and freedom of religion in the world. I do not know what is coming out of this great tragedy that has enveloped the world. I do not know what sort of a government Great Britain is going to have after all of this is over. Certainly, I believe we are going to live in a different world. But I am heartened by the fact that if the democracies win we will have here in the western world a civilization spared the scourge of war, with its manhood and its womanhood and its resources and its ideals intact, a civilization that can stand and hold aloft again the torch of liberty and freedom and peace and love to the beknighted peoples of the world.

The task today is the defeat of Adolf Hitler. No man should hesitate today to place in the hands of any man who can bring about that defeat the instrumentalities by which it may be accomplished. It would be a terrible thing to write an inhibition of that kind in this bill.

Mr. DAY. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Illinois.

Mr. DAY. Suppose Stalin should make a separate agreement with Hitler, as he did before. Then what would the gentleman say?

Mr. WOODRUM of Virginia. That might happen. No man can tell in this war what is going to happen. I heard on the radio broadcast from London this morning a quotation from General Burns, a great representative of the War Department, whom many of us know and respect for his fine judgment. He is just back from Moscow. In this broadcast he was quoted as saying the Russian people are putting up a valiant defense, and that even though Moscow falls the Russian armies are going to fight on, and there will be time to give them material aid to help them defeat the armies of Hitler.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Minnesota.

Mr. O'HARA. Did the gentleman, as a member of the subcommittee in these hearings, have any information as to what might be required by the Russian Government in the way of military supplies?

Mr. WOODRUM of Virginia. There has been no request whatever from Russia. I am glad the gentleman suggested that, because I want to make that very plain. Up to the time we had these hearings there had been no requests of any kind from Russia for the furnishing of materials, but it was made very plain to the committee—and the gentleman will find it in the committee's report—that under the lend-lease law any of these funds may be available to be used to furnish aid to Russia if the President in his wisdom finds that it is the thing to do. There has been no misrepresentation of that by anyone. All of the facts presented to us were the requisitions from Great Britain, but all of us realize that undoubtedly after the mission comes back from Moscow there will be a request for aid to Russia. I only hope that it will not be too late.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. Earlier in the debate I quoted from the New York Times. I now quote from Paul's message to the Corinthians:

> For if the trumpet give an uncertain sound, who shall prepare himself to the battle?

Should we not have a certainty here, rather than an uncertainty? Our fullest efforts must be extended to those who fight against Hitler. We must not tie the hands of the President in this instance.

Mr. WOODRUM of Virginia. I believe that is a very good observation.

Mr. MAGNUSON. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from Washington.

Mr. MAGNUSON. I wish the gentleman would also point out to the House another cold, practical, military reason for the defeat of this amendment. I do not know how many Members of the House realize it, but if Russia should fall and Germany should conquer Russia, she would have Japan with its naval power as an ally in the Pacific, and German-occupied territory would lie within 26 miles of this hemisphere.

Mr. WOODRUM of Virginia. I thank the gentleman.

Mr. Chairman, I hope the amendment will be defeated.

[Here the gavel fell.]

The CHAIRMAN. All time has expired.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. RICH].

The question was taken; and on a division (demanded by Mr. FADDIS) there were—ayes 21, noes 162.

So the amendment was rejected.

Mr. CASE of South Dakota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. CASE of South Dakota: On page 4, line 10, strike out the period and insert "*Provided further*, That balances in funds allocated to specific projects by the President which remain unexpended after the items have been procured or the project completed shall revert to the Treasury and not be available for expenditure unless reappropriated."

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CASE of South Dakota. Mr. Chairman, after the amendment which has just been considered, my amendment brings us back to the rather prosaic subject of the money in the bill.

The amendment which I have offered is not in any sense a crippling amendment, nor is it a partisan amendment; as a matter of fact, it is an amendment which was offered in the committee by a member of the majority, and it received considerable support at that time. Let me read it again in order that you may get the full force of it.

At the conclusion of the paragraph which has been read, and which provides that there may be transfers between the various categories in this appropriation and the balances that were carried in the first lease-lend appropriation bill, my amendment would insert the following:

Provided further, That balances in funds allocated to specific projects by the President which remain unexpended after the items have been procured or the project completed shall revert to the Treasury and not be available for expenditure unless reappropriated.

During the consideration of the bill in the committee the question was asked by the gentleman from New York [Mr. TABER] of Secretary Stimson whether he did not feel it was up to the members of the committee and of the Congress to pass appropriations or provide funds according to the result of the hearings and as they felt they were needed. Secretary Stimson's reply was:

I think that is your responsibility as a Representative in Congress.

And it is the responsibility of the Members of this House, meeting as a Committee of the Whole, to pass upon the items in this bill according to their best judgment.

Now, it is a little strange when these specialists and experts who have passed upon these items add them up that they all come out in round figures. The gentleman from Missouri, referring to the billion dollars for agricultural commodities, said that the nutrition specialists and experts had canvassed the situation and they added up the items to the figure that was asked—an even billion dollars.

Every one of us knows, when he stops to think of it as a reasonable matter, that when a project is specifically allotted funds in round figures it is a guess, not an exact figure. In expenditure there will always be some odd dollars and cents as balances.

Mr. TABER. Mr. Chairman, will the gentleman yield for a question?

Mr. CASE of South Dakota. I yield to the gentleman.

Mr. TABER. Perhaps the gentleman will recall that Mr. Young, in answer to a question with reference to these estimates that I asked him, said:

It is a figure which was used as the approximate amount required for spot-purchase items to make the total round off to an even figure and make it easier for everyone to work with.

Mr. CASE of South Dakota. Yes; and this is the reason why we find these appropriations not in exact dollar and cents. They are rounded off. The effect of my amendment is simply to provide that after the President has specifically allotted a certain round figure to the procurement, we will say, of 1,000 airplanes or to the building of a certain facility, the balances remaining in that allocation after the items have been procured and the project completed shall revert to the Treasury. This does not cripple one single project and it does not cripple one single item. We have got what we wanted and the unexpended money is recaptured by the Treasury. This House many times will strain at an appropriation of $50,000 and spend a couple of hours debating such an item in some conference report, and yet the saving of $1,000,000 would mean the saving of 20 such $50,000 items. It is my belief that this amendment will save many millions of dollars.

Mr. PATRICK. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman.

Mr. PATRICK. I am interested in the proposition the gentleman is developing, and I would like to ask what will happen under the program or what will be the disposition of it if the gentleman's amendment is not adopted?

Mr. CASE of South Dakota. If the amendment is not adopted, the funds can be spent by the agency allotted for additional frills or can be transferred to some other agency for some other unscheduled project or for some item not specifically approved by Congress. The amendment cannot possibly harm the program, because these are only the balances after the allocation has been specifically made and the item procured or the project completed. Then the odd dollars and cents, instead of remaining with some agency for expenditure for some new object, would go into the Treasury and Congress could reappropriate it as and when needed.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota [Mr. CASE].

The amendment was rejected.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. ROGERS of Massachusetts: On page 5, after line 10, insert a new section:

"SEC. 102. No part of the appropriations made in this act shall be expended for any defense article for loan or lease to any foreign country in which there is a law or decree prohibiting the free exercise of religion."

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

Mr. LAMBERTSON. I would like to have 5 minutes sometime this afternoon.

Mr. SMITH of Ohio. Mr. Chairman, I would like to have 1 minute.

Mr. CANNON of Missouri. Then, Mr. Chairman, I amend the request and ask unanimous consent that all debate on this amendment and all amendments thereto close in 16 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Chairman, this amendment simply provides that the law shall not apply to countries where there is a law or decree prohibiting religion. This does not prohibit the sending of supplies to any country. It simply provides that any foreign country to which supplies are sent shall not have a law prohibiting religion or a decree prohibiting religion. In order for a foreign country to secure the benefits of this act would mean simply to do away with any such law or decree. It is simply, Mr. Chairman, a quid pro quo for obeying the rule of freedom of religion.

Mr. Chairman, the gentleman from Massachusetts has spoken of the love we must legislate with rather than hate—the love of the United States. It seems to me, Mr. Chairman, my amendment is an amendment of love, not only to the United States, but to the entire world.

Mr. Chairman, freedom of religion is the greatest boon to any man or to any country that can be known or enjoyed. Mr. Chairman, it has been said, and truly so, that the Russians have put up a magnificent fight. I believe, Mr. Chairman, that this has demonstrated that Russia, so to speak, is growing to realize that efficiency and loyalty and cooperation and character mean success. I believe, Mr. Chairman, that the nations of the world that do not have freedom of religion would welcome this provision and I believe that Russia herself would be glad to give herself an excuse to allow, and not to prohibit, freedom of religion.

Mr. PATRICK. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. Not now. We hate the people of no country. We do not hate the Russians, individually or collectively. We do not hate the Germans as a people. We hate their form of government. We dislike, we loathe some of the things that have been done by their leaders. I believe, Mr. Chairman, that this will give the nations of the world that are not allowed freedom of religion a chance to grow. Surely Russia must see that this country is the greatest country, the most powerful, the most prosperous, and the happiest Nation there is, and largely because we have freedom of religion. I earnestly hope that my amendment will be adopted.

Mr. PATRICK. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. Yes.

Mr. PATRICK. I am sure that we sympathize with the gentlewoman's position, but would not this throw us into a moot question when the matter arose as to the interpretation to be put upon the amendment?

Mrs. ROGERS of Massachusetts. Oh, it is not a matter of interpretation; it is a matter of either law or decree in a particular country.

The CHAIRMAN. The time of the gentlewoman from Massachusetts has expired.

Mr. LAMBERTSON. Mr. Chairman, I did not care to speak on this amendment, but if nobody objects, I shall speak at this time. I emphasized day before yesterday in the talk that I made that the main objections that I had to this bill at this time was that it should not be passed until we have had a declaration of war, and I want to carry that thought a little further today.

On the 10th of January 1938 we had under consideration the Ludlow resolu-

tion in respect to a referendum before going to war, and it came to a show-down in the House. We had at that time the unusual spectacle of the then Speaker of the House leaving the rostrum and coming into the well of the House and arguing against the Ludlow resolution. In doing so he read a message from the President of the United States in the form of a letter, and that letter was as follows:

THE WHITE HOUSE,
Washington, January 6, 1938.

MY DEAR MR. SPEAKER: In response to your request for an expression of my views respecting the proposed resolution calling for a referendum vote as a prerequiste for a declaration of war, I must frankly state that I consider that the proposed amendment would be impracticable in its application and incompatible with our representative form of government.

Our Government is conducted by the people through representatives of their own choosing. It was with singular unanimity that the founders of the Republic agreed upon such free and representative form of government as the only practical means of government by the people.

Such an amendment to the Constitution as that proposed would cripple any President in his conduct of our foreign relations, and it would encourage other nations to believe that they could violate American rights with impunity.

I fully realize that the sponsors of this proposal sincerely believe that it would be helpful in keeping the United States out of war. I am convinced it would have the opposite effect.

Yours very sincerely,
FRANKLIN D. ROOSEVELT.

Mr. Chairman, the President today is steering our course directly away from a representative form of government in not allowing the Congress of the United States to pass on the question of war, directly contrary to the fine, noble sentiments he expressed on the 10th of January, in a letter to the then Speaker of the House, in opposition to the Ludlow resolution. I should remind the House that the Ludlow resolution was defeated on a yea-and-nay vote by only 188 to 209. That was providing for a direct vote of the people on the question of war. The representative form of government was then recognized by the President of the United States, less than 4 years ago, and yet today we have a deliberate attempt upon his part to steer us away even from the representatives of that republican form of government.

Next Wednesday will mark the end of the first year that we have not shipped scrap iron to Japan. The President of the United States, under the Neutrality Act and the National Defense Act, had it within his power to discontinue scrap-iron shipments to Japan, and before he did that the people of the United States were pleading with him in lengthy petitions day after day to do that very thing. They were the friends of China—the people of the United States—and today we are in terrible need of iron. The only reason that Japan is near Singapore today is because the people of the United States were not heard by the President in respect to the scrap-iron shipments, and those shipments were not discontinued for 2 years before that time. The people were right, were they not? Yet the representatives of the people in Congress assembled cannot even be trusted, although referred to so beautifully in that letter to the Speaker used on the Ludlow resolution 4 years ago.

I want to say a word now about what the gentleman from Virginia [Mr. WOODRUM] said a few moments ago in respect to the ranking member of the Committee on Appropriations in praise of his patriotism in going along with the majority on this bill, carrying the insinuation that those who have not gone along were not patriotic. I want to say with all due respect to the same fine patriotism of the gentleman from New York [Mr. TABER]—and nobody questions his patriotism or his motives—I think that some of us are just as patriotic and that our motives are just as pure as are those of any other Member, while we oppose steps in the path that leads directly to war and chaos.

Mr. O'NEAL. Mr. Chairman, will the gentleman yield?

Mr. LAMBERTSON. Yes.

Mr. O'NEAL. Mr. Chairman, oh, I am sure that the gentleman from Virginia holds the opinion, as does every man on the Committee on Appropriations, of the gentleman from Kansas, that there is no finer patriot, no more courageous man, and no better Member of the House than is the gentleman from Kansas, and we all feel that the gentleman from Kansas is entitled to his opinion just as much as any other man on the floor of the House.

Mr. LAMBERTSON. I appreciate that.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

The gentleman from Ohio [Mr. SMITH] is recognized.

Mr. SMITH of Ohio. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, knowing what I do of the gravely diseased condition of our finances and economy, I cannot persuade myself to vote for this second so-called lease-lend appropriation. I feel certain our Nation will be injured and our essential defense will be weakened by this sort of financial procedure.

Furthermore, any amount or all of this appropriation can be used to give military support to Russia. How do we know but that the arms we are now giving Stalin may not be used against us? I cannot lend my efforts to a program that will tax the people of the Eighth Ohio Congressional District and every other congressional district in order to make arms and war materials available to Communist Russia.

If this House will just stop and think—you are asking the American people to slave and sweat and buy guns, tanks, airplanes, and munitions for Communist Russia. To buy these weapons for a government whose leaders take party oath to overthrow by violence our form of government and who already have spent millions of dollars to accomplish this in our country.

To me legislation such as this is so wrong that it is indescribable.

I look upon Joe Stalin and Hitler as twins of the same egg—treacherous, both of them, and just as apt as not to conspire and gang up against us.

Also, in view of our gravely diseased finances, the debt apparently is out of control and soaring to dizzy heights. I feel it is my duty to do everything within my power to conserve our resources. This is essential to our own safety and defense. I think our interests demand that we should, as much as possible, receive pay for the armament we are sending to Great Britain. She has in this hemisphere $15,000,000,000 or more that she could use as security against the purchase of arms in this country. I cannot see that our aid to England would be any less effective if she used these assets to pay for her purchases. Even now England is demanding cash on the barrel head for supplies she gives to Russia, as shown in Foreign Commerce Weekly, September 27, 1941, on page 22. I believe the law of self preservation demands that I take this position for my own country.

On January 3, 1939, and again on January 3, 1941, I stood on the floor of this House and held my right hand up to God Almighty and took oath in His presence that I would protect and preserve the Constitution of these United States of America. That was a solemn pledge. In view of this fact, I cannot vote for this measure without feeling that I am violating my supreme duty to my constituents and my country and also without violating my own conscience.

The CHAIRMAN. The Chair recognizes the gentleman from Missouri [Mr. CANNON].

Mr. CANNON of Missouri. Mr. Chairman, I yield back the remainder of the time, and I ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment of the gentlewoman from Massachusetts [Mrs. ROGERS].

The amendment was rejected.

The Clerk read as follows:

SEC. 103. Any defense article procured pursuant to this title shall be retained by or transferred to and for the use of such department or agency of the United States as the President may determine, in lieu of being disposed of to a foreign government, whenever in the judgment of the President the defense of the United States will be best served thereby.

Mr. JOHNS. Mr. Chairman, I move to strike out the last word.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this title close in 5 minutes.

Mr. TABER. Mr. Chairman, I would have to make a point of order against that. The title has not been read.

Mr. CANNON of Missouri. Then I will modify the request. I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. JOHNS. Mr. Chairman, this bill calls for an appropriation of $6,159,416,229.30. Under title I the President may, if he sees fit, give to foreign nations $5,985,000,000 of this amount. Many of the items making up the other $174,416,229 are items that the Government may need. These could be presented in a separate bill, to be voted on separately, which the committee could bring in at any time. But in the pending bill this lesser amount is tied to a large appropriation to be given to foreign countries,

and for that reason I shall be compelled to vote against this bill. I know how the people in my district would feel about it—a large portion of them, anyway—if I told them that the enactment of this bill will mean that the district that I represent will have to pay the sum of $32,981,500 for the first lend-lease bill of $7,000,000,000, together with this one, making a total of $13,000,000,000. I know that if a proposition of this kind came up for consideration within the district itself to appropriate such a large sum of money, the people would turn it down, and I am representing the people in my district.

If I felt that an additional $6,000,000,000 was necessary at this time to save the country, it would be a different matter, but I am satisfied in my own mind, from all that has been divulged here in debate and all we are able to find out, that such an amount is not needed at this time. I have before me the latest report that I have from the United States Treasurer, that of October 6, and under the heading of amounts paid out for national defense I find, under lend-lease, that we had on that date actually paid out only $282,066,140.90 from the first appropriation of $7,000,000,000. They can talk about allocations of the balance of the $7,000,000,000, but nobody as yet has performed any services or given any materials for which this large amount appropriated has to be paid at this time. It is a good deal like the report we had from the President, in which he gave us a certain amount of material that had already been delivered, but most of it was on order. That is the way with the bill we have before us today.

Nobody needs to doubt that, if the time comes when it is absolutely necessary for Congress to appropriate money to keep the Government going for the national defense of this country, Congress will do so; but to appropriate such a large sum of money at this time when it is not necessary is a bad thing for the country and certainly does not help to bolster up the morale of the people who are taxed to death the way it is. If it becomes necessary for me to vote for appropriations for the defense of this country, instead of financing the world and also policing it, then I will gladly vote for it, and I am sure that my constituents in my district and others throughout the Nation will support me in that position.

[Here the gavel fell.]

The pro forma amendment was withdrawn.

The Clerk read as follows:

Arbitration and emergency boards: For an additional amount for arbitration and emergency boards, fiscal year 1942, including the objects specified under this head in the Labor-Federal Security Appropriation Act, 1942, $55,000.

Mr. COCHRAN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COCHRAN: On page 8, after line 7, insert a new paragraph, as follows:

"DISTRICT OF COLUMBIA

"METROPOLITAN POLICE

"For an additional amount for pay and allowances of officers and members of the Metropolitan Police force, in accordance with the act entitled 'An act to fix the salaries of the Metropolitan Police force, the United States Park Police force, and the fire department of the District of Columbia' (43 Stat. 174–175), as amended by the act of July 1, 1930 (46 Stat. 839–841), including uniforms and equipment, fiscal year 1942, $117,570, to be paid from the general revenues of the District of Columbia; and for an additional amount for the expenses necessarily involved in the police control, regulation, and administration of traffic upon the highways, payable from the special fund created by the act entitled 'An act to provide for a tax on motor-vehicle fuels sold within the District of Columbia and for other purposes,' approved April 23, 1924, and the act entitled 'An act to provide additional revenue for the District of Columbia, and for other purposes,' approved August 17, 1937, fiscal year 1942, $19,000, which amount shall be transferred to the appropriation contained in the District of Columbia Appropriation Act, 1942, for pay and allowances of officers and members of the Metropolitan Police force; in all, $136,570."

The CHAIRMAN. The gentleman from Missouri is recognized.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. I yield.

Mr. TABER. Is this the item with reference to which the gentleman spoke to me the other day?

Mr. COCHRAN. This is the item.

Mr. TABER. This is the item, is it not, with reference to which this House passed a resolution authorizing the appropriation by unanimous consent, somewhere around the first of July or a little thereafter?

Mr. COCHRAN. It is the item.

Mr. TABER. There has been no action on it in the Senate?

Mr. COCHRAN. That is correct.

Mr. TABER. And if it is contained in this general deficiency bill, it is hoped that some action may be taken on it?

Mr. COCHRAN. That is the idea.

I may say that the amount has been reduced because of the fact that a month has passed and this is in keeping with the amount necessary to carry on for the remander of the fiscal year.

I have talked to the gentleman from New York [Mr. TABER], the gentleman from Missouri [Mr. CANNON], the gentleman from Virginia [Mr. WOODRUM], and other members of the committee. This is to take care of a situation in the District of Columbia that we hope will stop the attacks upon women and will give the police department sufficient personnel so that they will properly enforce the laws. Briefly it means 100 additional uniformed policemen which your new superintendent of police, Major Kelly, says are absolutely necessary. The District government pays the bill. Only by such legislation can the police force be increased. It is clearly our duty to provide proper police protection for this city. I appreciate the cooperation I have received from the entire membership of the Appropriations Committee on this question.

Mr. WILSON. Mr. Chairman, will the gentleman yield?

Mr. COCHRAN. I yield.

Mr. WILSON. A few months ago there were some pickets in front of the White House and, as I remember, there was a Member of Congress there picketing Joe Stalin and his gang. I wonder if these police would be so efficient that they would remove that Member of Congress so we can get the money to Joe Stalin which we are appropriating in this bill?

Mr. COCHRAN. That, of course, has no bearing on this amendment.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, in view of the fact that this amendment has been passed upon by both the committee and the House, the committee accepts the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri [Mr. COCHRAN].

The amendment was agreed to.

Mr. BOREN. Mr. Chairman, I think we should have a division on this amendment.

The CHAIRMAN. The gentleman was not on his feet, as the Chair noted, when the Chair declared the amendment was agreed to.

Mr. BOREN. I will withdraw the request, in recognition of the Chairman's speedy action.

The Clerk read as follows:

FEDERAL CROP INSURANCE ACT

Administrative and operating expenses: For an additional amount for administrative and operating expenses, Federal Crop Insurance Act, as amended by the act entitled "An act to amend the Federal Crop Insurance Act," approved June 21, 1941, including the objects specified under this heading in the Department of Agriculture Appropriation Act, 1942, and printing and binding, fiscal year 1942, $3,000,000: *Provided*, That out of the funds appropriated hereby, the Secretary of Agriculture may transfer to the appropriation for the Office of the Solicitor, Department of Agriculture, the sum of $19,460, which shall be in addition to the sums transferred to said appropriation pursuant to the provisions of the Department of Agriculture Appropriation Act, 1942: *Provided further*, That out of the funds appropriated hereby, the Secretary of Agriculture may transfer to the appropriation "Salaries and expenses, Bureau of Agricultural Economics," not to exceed $21,380, which shall be in addition to the sums transferred to said appropriation pursuant to the provisions of the Department of Agriculture Appropriation Act, 1942.

Mr. TARVER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have secured the floor for the purpose of propounding an inquiry to the chairman of the committee.

The deficiency item for $3,000,000 for the Federal Crop Insurance Act Administration is intended, as I understand, to take care of the administration of the cotton crop insurance portion of the act. The Budget estimate was $4,000,000. The amount has been decreased to $3,000,000, which is only a little more than 50 percent of the amount which has heretofore been made available for the enforcement of the act in its relation to wheat. I understand that this reduction has been made not with the thought that the amount appropriated would be sufficient for the purpose of administering the Crop Insurance Act as it relates to cotton, but with the idea that the regular committee on the Department of Agriculture appropriations would review the subject matter during its hearings in the early part of the next calendar year and make such additional provi-

sion as may then appear to be necessary. Am I correct in that understanding?

Mr. CANNON of Missouri. The gentleman is entirely correct. This appropriation was predicated upon the fact that this is a new provision which has never before appeared in an appropriation bill and is offered in compliance with a new statute recently adopted. We provided what we thought was a sufficient amount to initiate the program. We left the fixing of the full amount to the committee. It will be taken up in the next appropriation bill. We will then have much more data at hand and will be in much better position to say what amount should be finally appropriated.

Mr. TARVER. I thank the gentleman.

By unanimous consent the pro forma amendment was withdrawn.

The Clerk read as follows:

Testing, inspection, and information service: For an additional amount for testing at the National Bureau of Standards, including the objects specified under this head in the Department of Commerce Appropriation Act, 1942, and the installation of electric wiring in the concrete test track at the Public Roads Administration Proving Ground near the District of Columbia, fiscal year 1942, $53,500.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WILLIAM T. PHEIFFER: On page 13 after line 25, strike out all of line 25 on page 13 and all of lines 1 through 6 on page 14.

Mr. WILLIAM T. PHEIFFER. Mr. Chairman, I trust the committee will not consider me presumptuous in offering an amendment to strike out the mere sum of $53,500 when we are dealing with an astronomical figure reaching almost $6,000,000,000, and I certainly would not adopt, nor have any desire to adopt, a captious or obstructive attitude in connection with any part of this bill. I am going along with it just as far as I conscientiously can.

For the benefit of those who do not have the bill before them I shall read that portion at which my amendment is directed.

Testing, inspection, and information service: For an additional amount for testing at the National Bureau of Standards, including the objects specified under this head in the Department of Commerce Appropriation Act, 1942, and the installation of electric wiring in the concrete test track at the Public Roads Administration proving ground near the District of Columbia, fiscal year 1942, $53,500.

I read the able report of the committee from cover to cover. There is not a word of explanation contained therein with regard to this item of $53,500.

The ratio of $53,500 to $5,985,000,000 is infinitesimal; it is true; but is not this item symptomatic of the fact, as I have stated from the well of this House on many occasions before, that the administration is simply giving lip service to the cause of economy in nondefense spending and giving actual service to extravagance? Now, please do not misunderstand me. A project of this sort may be entirely proper and desirable from the standpoint of the national interest during normal times when we are not confronted with an overwhelming tax burden brought about by the need of building an unassailable national defense. I submit that this item of $53,500 for electrical equipment and testing devices, and so forth, can very well wait until this emergent period is over. I submit that it is worth taking the time of the House the next few minutes to pass this amendment and thereby, for the time being, at least, save the already overburdened taxpayers the not inconsiderable sum of $53,500.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

Mr. BOREN. Mr. Chairman, I object.

Mr. CANNON of Missouri. How much time does the gentleman desire?

Mr. BOREN. I do not desire any myself, but there are others who may.

Mr. CANNON of Missouri. I move, Mr. Chairman, that all debate on this paragraph and all amendments thereto close in 5 minutes.

The CHAIRMAN. The gentleman from Missouri moves that all debate on this paragraph and all amendments thereto close in 5 minutes.

The motion was agreed to.

Mr. CANNON of Missouri. Mr. Chairman, this is one of the most indispensable items in the bill. It provides for three services: The testing of aviation spark plugs in connection with the defense program; the testing of aviation fuels and batteries, for defense purposes; and the testing of cement, falling in the same category. It is merely for the protection of the Government against inferior materials in purchases made by the Government in connection with the defense program. It is an economy provision and is the only method of seeing that Government purchases come up to specification. There is no reason on earth why this should be eliminated, and every reason why it should be included.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

The Clerk read as follows:

Grand Coulee Dam project, Washington, $6,000,000; and Tucumcari project, New Mexico, $750,000; in all, $6,750,000.

Mr. VOORHIS of California. Mr. Chairman, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. VOORHIS of of California: Page 15, line 9, after the semicolon, insert "Central Valley project, California, $3,000,000."

Mr. VOORHIS of California. Mr. Chairman, this amendment is the one about which I spoke on yesterday. The purpose of the amendment is to restore an item of $3,000,000 which was recommended by the Bureau of the Budget and the Bureau of Reclamation to be used for construction of a transmission line, already authorized, from Shasta Dam in northern California to the load center of the market for the electric power to be there generated.

The committee has eliminated the item and has declared in the report that its reason for doing so was that this expenditure at the present time is "not urgent." In the hearings on the bill, however, Mr. Page, of the Reclamation Bureau, was asked the question as to when the power will be available at Shasta Dam, and he answered that it will be available late in 1943 or early 1944. He was then asked how long it will take to build a transmission line, and he answered, "Three years."

If this transmission line is to be constructed in time to carry this power to the place where it can be effectively marketed, it has to be constructed now. The answer to the real opposition to the construction of the power line is very simple, for as we go on in the hearings we find not only in the hearings on this item in this year's consideration but in the hearings on the item last year for a steam-power plant at Antioch that the real effect of leaving out these appropriations is that unless this transmission line is built by the people for the benefit of the people it is going to be built by the Pacific Gas & Electric Co., who will then be in position to be the only possible customer for the entire output of these necessary dams built by public funds. The failure to appropriate this $3,000,000 to push ahead this construction of the power line will therefore mean that you will place the Representatives of the people and the Bureau of Reclamation across the table from the representatives of this great utility corporation without a single card in the hands of the representatives of the Government, thus compelling yourselves, having expended millions of dollars on the construction of the dam, to sell this power on whatever terms that the utility agrees to. It will enable this utility to sell the power to the people at any prices which it chooses to charge.

It does not seem to me this is the sound or proper way to proceed. There is no transmission line at present available to be used. The power company itself will have to construct a transmission line unless the Government does so; therefore, there is no argument from that standpoint.

Mr. BUCK. Will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from California.

Mr. BUCK. I am very glad the gentleman has offered this amendment and I hope it will be accepted by the Appropriations Committee and the Committee of the Whole, because the argument that he has made is sound, tenable, and equitable.

Mr. VOORHIS of California. I thank the gentleman from California [Mr. BUCK] very much. It is altogether possible, since he comes from this particular district, that he might be able to give the House information better than I can about it, but I shall proceed to give you the general principles upon which this is based.

Here is another point, and I have all kinds of figures here. I thought somebody might object and I have books full of it. At Muscle Shoals before the T. V. A. was constructed the Government

revenue from Muscle Shoals was 2 mills per kilowatt-hour. Why? Because the power had to be sold to private companies for distribution. Today the Government revenue from Muscle Shoals is 4.17 mills per kilowatt-hour, over twice as much.

If you want to have an effective market for this power in Central Valley, if you want to get the Government's money out of it, you ought to build this power line, and you ought to construct it now. In the next place, under the basic law that governs the Central Valley project, it is provided that the Federal Government's money shall be repaid to it out of two sources—first, out of the power revenues; and, second, out of the farmers' payments for water. The amount that the farmers are going to have to pay for that water is therefore in inverse relation to the amount of revenue from the power. Build the power line, enabling the power to be sold to a variety of customers where it is needed, and your revenue will be substantial. Fail to build your power line and neither consumers nor the people of the United States or their Government will get any benefit.

[Here the gavel fell.]

Mr. VOORHIS of California. Mr. Chairman, I ask unanimous consent to proceed for 4 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from California [Mr. VOORHIS]?

There was no objection.

Mr. VOORHIS of California. Mr. Chairman, all through this fight for the right of the people to control this essentially public business we have found representatives of the utilities saying, "We have no objection to the construction of dams to generate power, with public money, but we are opposed absolutely to the construction of the transmission lines." That is what Wendell Willkie said about the T. V. A.; that is what Mr. Kinzie Robinson, of the Washington Water & Power Co., an Electric Bond & Share subsidiary, said about Bonneville. They do not object to the dam, but they do not want the transmission line built. For they want to be able to distribute the power for the benefit of their utility companies. I could read you from the hearings here, but I will not have time, obviously. I refer you to pages in the hearings—page 270 in particular—where it is brought out that the P. G. & E. has already made an offer to buy the entire amount of this power.

In the hearings on page 270 you find that the chairman asked this question of Mr. Page:

> Have you a market that would absorb that power immediately?

Mr. Page said:

> Yes, sir; according to the best information we have. As a matter of fact, the power company has offered to buy it all, if there is no other market.

The point is that under the law when a reclamation power project is built the power must be sold to public bodies for the public benefit if any public bodies are in a position to take it. What is known is that if this power line can be prevented, then the public bodies will either have to build their own transmission line clear to the dams or there will be no other customer except the P. G. & E.

The question with which you are confronted here is whether or not the money which has gone into this dam at Shasta and the dam at Keswick is going to be for the benefit of the people of the United States or for the benefit of the Pacific Gas & Electric Co.

I find in comparing the rates for power publicly generated but in the one case distributed by a private power company and in the other case by public distribution that, for example, at one Alabama city, the city of Gadsden, the rate for the first 100 kilowatt-hours, residential, is 3½ cents per kilowatt-hour, while in the case of public distribution at Decatur, Ala., the rate is only 2½ cents per kilowatt-hour. The power in both cases is T. V. A. generated power.

I could run all the way through these figures I have here in the same way. With industrial power, for example, 200,000 kilowatts at Gadsden costs $22.80, and at Decatur $18.10.

In the case of California, in my own section, Boulder Dam power in both cases, in Los Angeles distributed by the city-owned distributing system and in the city of Long Beach by the Southern California Edison, we have for residential power, 100 kilowatt-hours, a rate of $2.97 in Los Angeles and $3.63 in Long Beach.

[Here the gavel fell.]

Mr. PATRICK. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. PATRICK. Mr. Chairman, may I ask the gentleman if his amendment means merely that the transmission lines would be completed and ready by the time they finished the program?

Mr. VOORHIS of California. Precisely so, from the dam to the load center of the market, where the power has to be used for the very national-defense work being carried on around San Francisco Bay, as well as to meet a multitude of other needs.

Mr. PATRICK. If that is not done, it leaves it just simply without that?

Mr. VOORHIS of California. That is right; it leaves it hanging up in the air at the dam. There is only one outlet that can possibly take care of it, and that is the Pacific Gas & Electric Co., and they themselves must build a power line there to get it because they do not have any power line in existence now with capacity to carry more than 10 percent of the power to be generated.

[Here the gavel fell.]

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and all amendments thereto close in 33 minutes, the last 5 minutes to be consumed by the gentleman from Kentucky [Mr. O'NEAL].

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. LEAVY].

Mr. LEAVY. Mr. Chairman, I rise in support of the amendment offered by the gentleman from California.

I feel that I am not altogether a stranger to the proposal here made. This matter of the development of the Central Valley project has been carried forward now for 5 years in the regular supply bill for the Interior Department. When we were writing the bill this year we had in it an item of $4,000,000 for a steam plant at Antioch. That was a matter of considerable controversy and the committee deleted it, although it was a divided decision.

However, later request was made by the Interior Department, both the Secretary and Mr. Page, that at least transmission lines should be built to coordinate with the completion of the construction of the power facilities at Shasta Dam. The appropriation of $3,000,000 was then given consideration, and it was definitely understood that if the defense needs as time went on showed that there was a need and a market for this power, provision would be made for it.

This $3,000,000 item was justified before the Bureau of the Budget as a defense item. Why? Because the newest and largest and latest magnesium plant in the United States is located in this territory and just came into production on a small scale in the last 10 days. This activity alone, when it expands in just a normal way, would use the power that would be carried over this line; but, as has been indicated by the gentleman from California, if provision for this transmission line is not made and time is permitted to pass on, 3 years hence, when the defense needs may still be as critical as they are now, hundreds of millions of kilowatt-hours of electrical energy will be turned out at Shasta Dam, and there will be no lines to carry it away except the P. G. & E. lines and they are totally insufficient. The region is badly in need of power.

The next proposal by the P. G. & E. Co. will doubtless be this: "Let us take this power, as we are taking it in many places where reclamation is producing power, at a dump-power rate of one-half a mill." It is not a mill but half a mill. That is what they are buying part of the reclamation power for today, because the Government does not have the medium by which to transmit the power from the point of generation to the point of use.

I believe this amendment by all means ought to prevail. I know it is difficult to expect the House to override the intelligent and powerful Deficiency Appropriations Subcommittee. I am not criticizing them in any way. In a bill appropriating approximately $6,000,000,000, a relatively small item of $3,000,000 very naturally could not receive the consideration and attention it received in the Interior Department Appropriation Subcommittee itself.

I had an opportunity before the hearings were closed to work with my colleagues and develop this subject, and I know that here is a request that is highly meritorious and in the interest of national defense and in the interest of the general welfare.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield to the gentleman from California.

Mr. VOORHIS of California. The gentleman mentioned the need for power in northern California. I would like to point out to him at the present time that there is being sent to northern California from southern California 75,000 kilowatts of Boulder Dam power to make up for the shortage that there exists, and southern California is not going to be able to spare that power very much longer, with all the aircraft factories and other work that is being done there.

Mr. LEAVY. The gentleman is correct.

[Here the gavel fell.]

Mr. GEARHART. Mr. Chairman, if this amendment does not pass and the $3,000,000 which it affects is not made available, we will be confronted with the absurd situation in the latter part of 1943 or the first part of 1944 of the Government having on its hands fully completed and ready for operation two great dams equipped with turbines capable of generating 450,000 kilowatt-hours of electricity, with not a wire over which to transmit it to the places where it can be consumed.

The committee tells us in its report that the appropriation of this money is not urgent. Mr. Chairman, that statement is not supported by any evidence which is contained in the hearings of the committee itself. On the contrary, the hearings make very, very clear that the dam will be completed and the turbines will be installed ready to generate electricity by January of 1944, and that if we do not begin to build the lines right now they will not be completed by that time. It will take every minute of the time which intervenes to build these transmission lines and get them ready for use. There are absolutely no other facilities available by which the generated electricity can be gotten to the San Francisco Bay district where it is very much needed today. The people of that metropolitan area want this electricity not in 1943 or 1944; they need it right now.

Mr. SHEPPARD. Mr. Chairman, will my colleague from California yield?

Mr. GEARHART. I yield to my distinguished colleague from southern California.

Mr. SHEPPARD. I would like to ask the gentleman if he does not feel there is as much justification for this money being put in for the Central Valley as there was for Grand Coulee and similar projects?

Mr. GEARHART. There is no doubt in the world but that this is an emergency matter. It is not just a question of producing electricity and getting it to a great American city. There is a perfectly good and logical national-defense reason to justify this appropriation at this time. The imperative need of electricity in connection with national-defense activities in the San Francisco Bay area is appreciated by everybody. The President has seen fit to issue a proclamation to declare the Central Valley project a national-defense activity. The Federal Power Commission has called attention to the pressing need of more power in this area. And still the committee says that the project is not urgent.

Mr. LEAVY. Mr. Chairman, will the gentleman yield?

Mr. GEARHART. I yield to the distinguished Representative from Washington.

Mr. LEAVY. On Monday, when we passed a bill extending the borrowing power of R. F. C., it was shown that $63,000,000 has just been allocated for magnesium plants in Nevada that are going to call on Boulder Dam for their power. Does not that mean that Central Valley and northern California will have to surrender the power they are now taking in large part?

Mr. GEARHART. It would seem entirely logical that that should be true. If they are not able to produce enough electricity in northern California to supply the San Francisco Bay area and they have to bring electricity from far away Los Angeles, how can it be said in the light of the growing scarcity of electrical energy in southern California that we do not have an emergency on our hands? This small appropriation of $3,000,000 should be made now so that these transmission lines may be ready the first moment the turbines begin to turn at the Keswick and Shasta Dams.

These are Government dams. These dams are being built by the United States Government in accordance with plans perfected by the Bureau of Reclamation. Congress and the executive departments are often accused of silly business methods, of utter disregard of common sense in the management of its public affairs. If we are going to permit the Shasta and Keswick Dams to be finished and turbines to be installed without making timely provision for the efficient conveyance of the generated electricity to its intended market, the Members of Congress will in this instance subject themselves to merciless ridicule, to say nothing of the biting criticism we would merit.

Mr. Chairman, there is but one alternative. The transmission lines of the Pacific Gas & Electric Co., a privately owned public utility, run by within 7 miles of Shasta. These lines could take 50,000 kilowatts of the 450,000 that will be developed at Shasta and Keswick. A fine commentary upon the intelligence of the membership of this body, providing for the transmittal of 50,000 kilowatts and letting 400,000 kilowatts go to waste. And still our colleagues of the Appropriations Committee say that there is no urgency.

It would seem to me we should look after the public business a bit more efficiently than that.

Mr. ENGLEBRIGHT. Mr. Chairman, will the gentleman yield?

Mr. GEARHEART. I am happy indeed to yield to my colleague from California.

Mr. ENGLEBRIGHT. And this power line is part of the original project and plan of the Central Valley project. It is not a new addition, but simply providing the money at this time, and this is very necessary, and I am in full accord with the gentleman's statement.

Mr. GEARHART. I thank the gentleman very much for that helpful suggestion. The transmission lines are a part of the original plan. They are nothing new. Their necessity has been fully investigated. The adoption of the amendment would merely move the project forward toward completion. I hope the amendment of the gentleman from California [Mr. VOORHIS] will prevail.

[Here the gavel fell.]

Mr. RANKIN of Mississippi. Mr. Chairman, I sincerely trust the amendment offered by the distinguished gentleman from California [Mr. VOORHIS] will be adopted. If you do not adopt it, you will put the Congress and the Government in the ridiculous position of building one of the great power dams of the Nation and then bottling it up for want of a transmission line.

They talk about the Pacific Gas & Electric Corporation. There is no power on earth to compel the Government to turn Government power over to the Pacific Gas & Electric Co., and so far as I am concerned, it never will be done if I can help it, unless we fix the retail rates to be charged the ultimate users. The people of California are overcharged more than $30,000,000 a year for their electricity, and if it were not for the public system in Los Angeles the overcharges for electricity in California now would amount to around $120,000,000 a year. I am surprised at my distinguished friend from Kentucky [Mr. O'NEAL] opposing this proposition. It is only a matter of time until they will complete the great Gilbert Dam in his own State, and no man has labored harder for that project than I have. Suppose when that time comes we should say to the people of Kentucky, Indiana, and the surrounding territory, "We have built this magnificent dam, we have provided for this great wealth of power, but we are going to seal it up and not permit you to use it." Mr. Chairman, I never was more sincere in my life than I am in supporting this amendment. We have a shortage of power in this country now. We produced only 118,000,000,000 kilowatt-hours last year and we will need more than 200,000,000,000 next year. We are clamoring for power all over the country and here we are putting ourselves in the ridiculous position of building a great dam and appropriating $6,000,000,000 to lend to foreign countries and then bottling up this power for the want of a transmission line. It does not make sense. I trust every Member of the House will vote for the amendment of the gentleman from California.

Mr. THOMAS F. FORD. Mr. Chairman, it seems to me that if the Army or the Navy had come to the committee and asked for a billion dollars no questions would be asked. Why then should the committee refuse the Commissioner of Reclamation, Mr. Page, when he asks for the money to build this transmission line? This power is urgently needed in California; it is urgently needed for national-defense production. If the $3,000,000 is allocated and the line built,

the dam will be amortized way in advance of the time it would be if this power is sold to private corporations. The dam will be paid for 100 percent with interest, every dollar of which will go back into the Treasury of the United States, and why at this time we should refuse to grant that, small amount of money is beyond my comprehension. It reminds me somewhat of a story I heard in our committee this morning. A man had an elephant and came to a bridge and wondered if the elephant could safely cross the bridge. He found that the elephant had some fleas on him, and he finally decided to brush off the fleas, and then thought that the elephant could safely cross.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. THOMAS F. FORD. Yes.

Mr. VOORHIS of California. Mr. Chairman, I ask the gentleman to emphasize once again the point that the transmission line must be built from this dam by somebody. There is no question of saving material. If this power is to be available to defense industries in the San Francisco Bay district, or elsewhere, the power line must be built either by the P. G. & E. or by the Reclamation Bureau.

Mr. THOMAS F. FORD. The P. G. & E. would walk in and get the priority upon it in 10 minutes, because they would make the point that it is for defense purposes.

Mr. TABER. Mr. Chairman, the committee went into this thing very carefully. It will cost about $21,000,000, according to my information, to finish this job of putting in the power line. I put the question to Mr. Page, the Commission of Reclamation, on page 271 of the second volume, at the bottom of the page, as to whether or not it were not possible in connection with this matter to put an aluminum plant near the dam and avoid the expense for the time being, so far as defense purposes are concerned or the construction of this great power line, which would cost so much money, composed of three lines, carrying 150,000 kilowatts each. This is the answer I got:

> There are so many factors that enter into the location of a plant that I would not be competent to say.

My question was:

> If that aluminum plant were set up near the Shasta Dam and used its power there, instead of going ahead and spending this $21,000,000 on a power line, that would be a more intelligent proposition, would it not?

I have already read you the answer that Mr. Page gave. In other words, the Bureau of Reclamation is coming in here, as other bureaus and departments of the Government have been doing, without having a proper study and allocation of the units of the defense program presented to the Congress. Under those circumstances, what could the committee do except turn the thing down?

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. TABER. Yes.

Mr. VOORHIS of California. Does not the gentleman feel it is much more sensible to transport electric energy over a line than it is to haul all materials and everything else necessary for heavy construction work many miles up into the mountains somewhere?

Mr. TABER. Aluminum plants require very little labor, and it is customary to put them right next door to the power plant. If we are going into a defense program and going to get anywhere, we are not going to build a great, big, long power line when it is not necessary. For all the load that would temporarily have to be carried, I am satisfied that this 50,000-kilowatt line could be used and a large part of it could be arranged on an interchange basis of power that would avoid for the time being tying up all this money, all this copper, and all that sort of thing in a power line. I do not see why we should tie ourselves up in a program which will cost us $21,000,000—not $3,000,000, but $21,000,000—to complete. I hope that this Committee will not do that sort of thing.

Mr. GEARHART. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. GEARHART. In view of the fact that there is only the unused capacity of the Pacific Gas & Electric line of 50,000 kilowatt-hours—and they are going to produce 450,000 kilowatt-hours—how are you going to get that 400,000 kilowatt-hours down to the San Francisco Bay area?

Mr. TABER. My information is that there is a possibility of interchange of power in places that are nearer than this central station and that you can avoid a very large percentage of this transmission-line business and save a lot of money. There is a railroad right close by this dam and you would be in a position to put an aluminum plant close by it with small expense and hook it up I cannot see the sense of going ahead with that kind of work when you do not need to do so. That is the trouble with the defense program. That is why we have had so much trouble with curtailing things that are required for the ordinary uses of our people and for our own defense program. We spread ourselves out so thin without balancing the thing up and taking all the factors into consideration. I would like to see the House follow the requirement that there be an intelligent power program.

[Here the gavel fell.]

Mr. O'NEAL. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it appears to me that this full Committee should go into the facts as to why your subcommittee did not put this item in the bill.

I was somewhat surprised when the gentleman who offered this amendment injected into the debate the suggestion that your committee had some ulterior motive; that some way or other some big power company or some utility, some criminal, bad utility, had influenced your committee to take this out of the bill.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. When I have finished I will yield.

Of course, that has nothing to do with it.

I am reminded, however, that when many reclamation projects came before the Interior Department subcommittee and before the full Committee it was based, first, by the people who were asking for this money, on a business set-up, as to where they could sell the power and where the money would be returned to the Federal Government. Those same gentlemen were very proud to make the statement to us that already there were private power companies that would take the power from these developments and would immediately start paying back the amount the Government had advanced on these reclamation projects. It seems to me it comes with very bad taste now for them to speak against the power companies when they were used as an argument to cause the spending of so much money on our reclamation projects.

Now, we are all interested in furnishing cheap power, but we are not distraught on the subject. I think those gentlemen should be a little grateful for what has happened in the past. There was quite a controversy about Central Valley before it was authorized, and already a very generous Congress has voted to the Central Valley project $108,000,000 of money. They will furthermore need $120,000,000 before it is completed. Now, what happened here? This is primarily a national-defense bill. Mr. Page made no statement that this was a national-defense project and we, as a committee, tried to eliminate all nondefense items. There were some emergencies that we included in this bill under title II, but primarily we attempted to hold in this bill defense items and real emergency items. Now, what will happen if this is dropped out as it should be? It means that the Interior Department subcommittee will take up this item, as the Interior Department subcommittee has voted out the entire $108,000,000. The deficiency committee is not an expert on Central Valley or on any reclamation project, but the Interior Department subcommittee knows all about it. Just as a matter of common sense, let the Interior Department subcommittee handle this thing. We cut it out of this bill and we expect that it be referred to the Interior subcommittee. No doubt it will come before the Interior Department subcommittee, and there it will receive the intelligent study that it deserves.

I am distrustful of anything that a salesman brings to me and who says, "You must take it now or some dire consequence will happen." Let us pass this back to the Interior Department subcommittee and let them give it the sensible, sound study it warrants, and we will get a more just accounting when it comes to the interests of the people of America.

I hope the amendment will be defeated.

The CHAIRMAN. The time of the gentleman from Kentucky has expired.

Mr. VOORHIS of California. Mr. Chairman, I ask unanimous consent that the gentleman may have 1 more minute.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. I just wanted to say to the gentleman that if I said—and I do not believe I did—that I thought the Appropriations Committee had some ulterior motive or was interested in some wrong way, that certainly I did not mean to say that; and that, furthermore, as I am sure the gentleman knows, I have sincere respect for him and the committee.

Mr. O'NEAL. Let me in turn say to the gentleman from California there is no member of this committee who would ever feel that the gentleman had done any intentional wrong to any of them.

Mr. VOORHIS of California. What I was trying to do was to show what forces were behind it.

Mr. ENGLEBRIGHT. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL. I yield.

Mr. ENGLEBRIGHT. I know the gentleman from Kentucky has made a study of the Central Valley project, has been one of its friends, but I would like to call the gentleman's attention to the fact that the President several months ago declared the Central Valley project a national-defense project; gave it that status for the purpose of priorities in order to develop that much-needed power.

Mr. O'NEAL. Answering the gentleman, I may say it did not come to our committee as a defense item.

[Here the gavel fell.]

The CHAIRMAN. The time of the gentleman from Kentucky has again expired.

The question is on the amendment offered by the gentleman from California.

The question was taken; and on a division (demanded by Mr. VOORHIS of California) there were—ayes 66, noes 95.

So the amendment was rejected.

The Clerk read as follows:

Investigation of bauxitic deposits: For all necessary expenses for investigations, including laboratory research and procurement of materials therefor, concerning the extent, mode of occurrence, and quality of bauxite ores in order to determine domestic sources of supply; to explore and develop on public lands and, with the consent of owners, on private lands, deposits of such ores, including geologic studies and geophysical prospecting; construction, maintenance, and repair of necessary camp buildings and mining structures and appurtenances; including not to exceed $33,000 for personal services in the District of Columbia; purchase (not to exceed $6,000), exchange as part payment for, operation, maintenance, and repair of motor-propelled vehicles; professional and scientific books and publications; printing and binding; purchase of such wearing apparel and equipment as may be required for the protection of employees while engaged in their work; and other items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior, fiscal year 1942," to remain available until June 30, 1943, $415,000, of which amount $70,000 (including not to exceed $17,500 for personal services in the District of Columbia) shall be made available to the Geological Survey to carry out the purposes of this appropriation: *Provided*, That the Secretary of the Interior, acting through the Directors of the Bureau of Mines and the Geological Survey, is hereby authorized to accept buildings, equipment, and other contributions from public or private sources offering to cooperate in carrying out the purposes of this appropriation, and to carry out the projects in cooperation with other departments or agencies of the Federal Government, States and State agencies, and other organizations: *Provided further*, That section 3709 of the Revised Statutes shall not be construed to apply to this appropriation.

Mr. LEAVY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LEAVY: On page 16, line 4, after "Investigation of", strike out "bauxitic" and insert "bauxite and alunite ores and aluminum clay."

Amend line 7, page 16, by adding after the word "bauxite" the words "and alunite", and after the word "ores", by adding the words "and aluminum clays."

Amend line 10, page 16, by adding after the word "ores" the words "and clays."

Mr. WIGGLESWORTH. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman will state it.

Mr. WIGGLESWORTH. I think the amendment comes too late.

The CHAIRMAN. The paragraph has just been read down to "Government in the Territories," so the amendment is in order.

Mr. CANNON of Missouri. Mr. Chairman, I reserve a point of order against the amendment.

Mr. LEAVY. Mr. Chairman, I am conscious this amendment may be subject to a point of order.

Mr. CANNON of Missouri. The gentleman concedes the point of order, but I am glad to reserve it.

Mr. LEAVY. I do not want to concede it, but I say I am conscious it may be subject to a point of order. I hope the chairman will reserve his point of order to give me an opportunity to state my purpose in offering the amendment.

Mr. CANNON of Missouri. I reserve the point of order, Mr. Chairman, to permit the gentleman to make a statement.

Mr. LEAVY. Mr. Chairman, this matter of bauxite and of sources for the production of aluminum and magnesium has come to the front so rapidly in the last 8 or 10 months that it has the American people all deeply interested. Two years ago our light-metal production was, in round numbers, 400,000,000 pounds. This year it amounted to 800,000,000 pounds, and next year, if we carry through our plane program, it must go up to 1,600,000,000 pounds.

Aluminum, practically without exception, is being made from bauxite. The only known deposits of bauxite in the United States are in Arkansas—that is, commercial deposits. The great amount of bauxite that we use now comes from British and Dutch Guiana. It is a known fact in the Bureau of Mines that there are millions of tons of alunite both in Utah and in the State of Washington from which alumina can be made, and from alumina we make the aluminum. It is a known fact that there are hundreds of millions of cubic yards of rich aluminum-bearing clays found at least in 20 States in this Union. So when the Interior Appropriations Committee wrote the bill—and you remember it was 6 months ago—we provided $85,000 for research to cover the whole field, production of aluminum from bauxite, aluminum clays, and alunite. All I am asking here is that this additional $415,000 here provided for be used to expand an existing program that came into being on July 1 of this year, the beginning of the fiscal year. I am satisfied that had the committee had sufficient time to have had called to their attention the ground work that was laid by the regular committee that handles these appropriations they would have had no objection whatever to writing in this language and then broadening the provisions of the appropriation. This could have been done in the Committee of the Whole last Monday when we met, but I refrained from offering the amendment there, and I was under the impression that I had an understanding the amendment would be acceptable to the committee.

In the interest of proper and orderly procedure and in the interest of an expanded program in a most critical and essential material, why should we confine ourselves to only one source of aluminum when we have already started the Bureau of Mines on an investigation of all three of the known sources?

Mr. EDMISTON. Mr. Chairman, will the gentleman yield?

Mr. LEAVY. I yield.

Mr. EDMISTON. Further supporting the gentleman's argument, I may state that a subcommittee on aviation of the Military Affairs Committee flew over the bauxite mines of Dutch Guiana and found that that ore has to be brought down 80 miles of a narrow jungle river in boats that reach practically from bank to bank. It would not be a very difficult matter to stop that supply of bauxite from Dutch Guiana.

Mr. LEAVY. That could readily occur, and it would be virtually a complete shutting off of aluminum production in a few years. Dr. Sayres stated that if we were compelled to rely upon American bauxite resources alone we would completely exhaust our entire reserves in the next 3½ years. Why not permit this expansion program to move forward on three fronts? We know that if they can once find a method of separating the silica from the aluminum in the clay there will be no limit to the amount of raw material we will have for this essential light metal.

Mr. TABER. Will the gentleman yield?

Mr. LEAVY. That is all I ask.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I make a point of order against the amendment offered by the gentleman from Washington [Mr. LEAVY].

The CHAIRMAN. The gentleman will state his point of order.

Mr. TABER. It is not authorized by law.

Mr. LEAVY. If the gentleman makes the point of order, I am not going to resist it.

Mr. Chairman, I submit the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

The appropriation "Cooperation with the American Republics," contained in the Department of State Appropriation Act for 1942,

is hereby made available for the payment of actual transportation expenses in the United States and abroad and not to exceed $10 per diem, in lieu of subsistence and other expenses, to citizens of the other American republics as specified in said appropriation under such regulations as may be promulgated by the Secretary of State.

Mr. SCRUGHAM Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this present bill to aid in stopping the onrushing Nazi conquest of the world's raw-material supplies will pass with no substantial opposition in this House. Possibly every Member can find some fault with its structure, method of operation, or its after effects, but we must bear in mind that the dark shadow now sweeping eastward across Russia can easily spread to the Western Hemisphere, carrying with it death, destruction, and chaos.

This is no time for partisan haggling or controversies over petty matters as to where the aid should go. I have no sympathy for hysterical scare crusades, but there are certain basic fact which cannot be overlooked. This World War is fundamentally for the control of supplies of raw materials. This country possesses a very great preponderance of these supplies. We will inevitably become a target of attack for military autocracies if we fail to arm ourselves and to furnish all practicable aid to the Allied Powers.

Aggression and conquest of weaker nations and seizure of their resources is as natural an expression of autocracy as the stalking of prey for food by predatory animals. Human history contains a continuous record of such performances. The organization and employment of armies for effecting conquests appeals strongly to national pride and accustoms a people to severe regimentation on the pretext of temporary necessity while providing armed forces they cannot resist when later employed against them in suppression of domestic opposition. The law of survival of the fittest continues to rule the affairs of man, notwithstanding his efforts to raise himself above conditions which Nature imposes on all living things.

These harsh facts should be squarely faced. The vast expenditure called for in this bill cannot be avoided if we are to safeguard our country. We will be recreant to our trust if we permit the appropriation and expenditure of hard-earned moneys of taxpayers on unneeded projects or for obsolescent and useless implement of warfare. Billions and billions of dollars are involved, but we will be more recreant to our duty if we fail to fully provide those instrumentalities of defense and training that will save our Nation from the horrible and brutal slaughter of human life that occurs daily on European soil. The committee has conscientiously tried to understand things as they really are and to look through the curtains of inspired propaganda and of glib-tongued oratory to see what is behind the scenes of this greatest of tragic dramas ever played before the human race.

Of course, mistakes in our defense program are being made, but they are minor and petty in character, when considered in the perspective of the vast necessities before us.

Great and inevitable problems are being created for us to consider, which must not be left entirely for future generations to solve. Who is to own and operate the vast number of plants which the Government is now financing? What shall we do with the large excess of manufacturing capacity we are now creating? Where shall we continue to find jobs for the men we are training for the production of war munitions? What shall we do about the vast Federal debt being necessarily incurred by the defense program? What about the metallic base for money, when we own almost all of the gold and silver in the world? How can we best utilize our great stores of precious metals to prevent a crushing tax burden on the Nation? The responsibility for answering these grave questions lies squarely with the elected representatives of the people, and not with dollar-a-year men or self-appointed committees. What I wish t emphasize is that, while vast national effort and huge sums of money are being spent on the conversion of our peacetime economy into wartime economy, it is just as important to the future of our Nation that we now begin to prepare plans for the reverse process. Regardless of what we do, days of sacrifice and of trouble are ahead. Price values will be dislocated. The tax burden on each and every one will be increased. Many needed improvements must temporarily be sacrificed to the defense program. In spite of these things, there is no real reason why our Nation should be halted in its progress toward better living conditions and more happiness for all of our citizens. It is possible for us to build an economy and a standard of living far better than hitherto known to the human race. We certainly have men with the brains and the patriotism and the reasoning power to accomplish the task, if they are given opportunity.

Even if the Axis Powers are decisively defeated we will still face grave problems in connection with these lease-lend advances. In payment we propose to take over vast supplies of raw materials and even finished products from South America and the British Empire. These products will be in competition with our own industries with inevitable resulting dislocations. But we must first stand shoulder to shoulder against the common foe. When victory is finally assured we can then unitedly work in solving our problems of domestic economy. But something more is needed. I here strongly urge that the Congress, in the near future, to take definite cognizance of these post-war problems and create a responsible agency for their study.

The Clerk read as follows:

Establishing and improving aids to navigation: For an additional amount for establishing and improving aids to navigation and other works, $436,200, which sum shall be available for all expenditures directly relating thereto.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to compliment the members of the subcommittee, and this applies to members on both sides of the aisle, for the great diligence they have employed in the hearings on this bill, and in reporting it, and the fine spirit of unity that prevailed among the members of the subcommittee during debate.

I want to call the attention of the members of the subcommittee to a matter which, while small in dollars, to me seems to be a matter of great importance; and if the Senate should include the item in the bill, I hope the members of the subcommittee on both sides of the aisle will keep in mind the question as to whether or not such item should be concurred in by the House conferees.

The Department of Justice asked for an appropriation of either $75,000 or $125,000 for the purpose of more thoroughly prosecuting those individuals and elements in our country who are violating the criminal laws on our statute books relating to the national defense. One of the most prominent laws on the statute books happens to bear my name, and I do not say this with any boastfulness; however, it grew out of an investigation of 6 years ago by a special committee of which I was chairman. This law compels foreign propagandists in this country to register with the Secretary of State and to disclose the truth of their activities in this country.

The amount sought was mainly for the purpose of enforcing the provisions of that law. Only a few days ago a very notorious Nazi propagandist in this country, George Sylvester Viereck, was indicted by a grand jury of the District of Columbia. Six years ago the committee of which I was chairman investigated this man and it was mainly as the result of the evidence we obtained against him, which definitely showed he was in the employ of the German Government at that time, together with evidence obtained of other activities in this country, that the special committee recommended that an act be passed, as a result of which I drafted the bill and the Congress passed it.

I do not propose to pass on the merits of the case, because that is a matter for the jury to pass upon and, thank God, any person charged with a crime in the United States can still be tried by the peers of his land. A few days ago George Sylvester Viereck was indicted. All his life he has been engaged in Nazi and German propaganda in this country. After his indictment he said, in part:

My indictment is only an incident in the perfidious plot to smother and smear all opposition to the arbitrary forces cunningly at work to destroy the America we know and love.

That comes from a man who has been a propagandist of a foreign government in this country all his life. He states, "The country we know and love." The country that if he had his way he would destroy.

Several years ago I investigated Vierick. He was then a Nazi propagandist. He admits now that he is a Nazi propagandist here and is registered in the State Department as such.

You will note his statement is an attack upon the grand jury which indicted him and also the United States courts.

I cannot sit idly by in this Chamber and permit that type of a person to attack or attempt to smear our grand-jury system and our courts. Let me call to his attention the fact that if he were in Nazi Germany he would not have had the benefit of a grand-jury inquiry nor the constitutional right of a trial by jury.

It is a bad situation when anyone of his type attacks our courts and the grand jury as he was done. It simply shows more clearly the utter contempt he has for our Government. Under the smoke screen of citizenship he has been an active propagandist in this country for a foreign government and in a manner inimical to the best interests of our country.

I simply rise to compliment the members of the subcommittee and to impress upon them the importance of this law and other criminal statutes that the Department of Justice is enforcing in the hope that if the Senate should insert in the bill in that body an appropriation that the House conferees will have in mind the necessity for it and extend every consideration possible to an agreement in conference for the acceptance of the same.

Mr. CANNON of Missouri. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Missouri.

Mr. CANNON of Missouri. May I say that I fully appreciate the strength of the gentleman's argument. In view of the merit of the proposition, and especially in view of the interest of the gentleman from Massachusetts, I am certain the conferees will approach it from a very sympathetic point of view.

Mr. McCORMACK. I thank the gentleman, and I appreciate his statement very much.

[Here the gavel fell.]

Mr. LAMBERTSON. Mr. Chairman, I rise in opposition to the pro forma amendment merely to make an announcement.

Mr. Chairman, I am going to offer a motion to recommit to strike out the section that deals with the lease-lend proposition. That leaves in the bill what is necessary for our own defense in the deficiency items. The membership will know what my motion will be.

The pro forma amendments were withdrawn.

The Clerk read as follows:

TITLE III—GENERAL PROVISIONS

SEC. 301. No part of any appropriation contained in this act shall be used to pay the salary or wages of any person who advocates or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation in this act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law.

Mr. HOFFMAN. Mr. Chairman, I make the point of order against the paragraph that it is legislation which would interfere with our relations with our friend and ally, Joseph Stalin, and the Soviet Government.

The CHAIRMAN. Does the gentleman from Missouri desire to be heard on the point of order?

Mr. CANNON of Missouri. I concede the point of order, Mr. Chairman.

The CHAIRMAN. The point of order is sustained.

Mr. TABER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. TABER: Page 23, after line 18, insert the following:

"TITLE III—GENERAL PROVISIONS

"SEC. 301. No part of any appropriation contained in this act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence."

The amendment was agreed to.

Mr. CASE of South Dakota. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: On page 24, after line 13, insert a new paragraph as follows:

"SEC. 301 (a). No part of any appropriation contained in this act shall be used to pay the salary or wages of any person who is on the pay roll of any individual, firm, corporation, or organization holding a contract with the Government of the United States or any association of employers or employees working on defense contracts: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit is not on the pay roll of any individual, firm, corporation, or organization holding a contract with the Government of the United States or any association of employers or employees working on defense contracts: *Provided further*, That any person who in violation of such affidavit accepts employment the salary or wages of which are paid from any appropriation in this act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than 1 year or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law."

Mr. CANNON of Missouri. Mr. Chairman, I make the point of order that that is legislation on an appropriation bill.

The CHAIRMAN. Does the gentleman from South Dakota desire to be heard on the point of order?

Mr. CASE of South Dakota. Mr. Chairman, the amendment was drawn to conform entirely with section 301, which relates to membership in organizations which advocate the overthrow of the Government of the United States, and it is in the language of a limitation. It is possible that portions of it are legislation, but if so they are no more so than the section 301 which was in the bill. If the gentleman insists on his point of order, I shall offer a modified amendment.

The CHAIRMAN. The Chair rules that the amendment is out of order, on the same ground that section 301 of the bill was held to be out of order.

Mr. CASE of South Dakota. Mr. Chairman, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. CASE of South Dakota: On page 24, line 13, insert a new paragraph, as follows:

"SEC. 301 (a). No part of any appropriation contained in this act shall be used to pay the salary or wages of any person who is on the pay roll of any individual, firm, corporation, or organization holding a contract with the Government of the United States or any association of employers or employees working on defense contracts."

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 13 minutes.

Mr. HOFFMAN. Reserving the right to object, Mr. Chairman, that does not apply to other amendments which may be offered to this section?

Mr. CANNON of Missouri. No; this is offered as a new section.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CASE of South Dakota. Mr. Chairman, the purpose of this amendment is very clear and simple. It is to keep anyone from getting on the pay roll of the Government and there boring from within either to secure favoritism in the placing of contracts or to secure favoritism in the negotiation of working contracts for the benefit of any particular firm, corporation, or association of employers or employees.

Mr. COCHRAN. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman from Missouri.

Mr. COCHRAN. If what the gentleman says were the sole purpose of the amendment and would correct a situation of the kind he just referred to, I would undoubtedly be for it, but this amendment goes far beyond that and means that you remove from office hundreds of honorable and patriotic men in the Office of Production Management and other agencies, from Mr. Knudsen down. Surely we do not want to get rid of men of that character.

Mr. CASE of South Dakota. If the gentleman will permit me to proceed, it would not deprive us of men of that character. Mr. Knudsen resigned from the pay roll of his firm, General Motors, and Mr. Stettinius testified before the committee in the hearings on this bill that he had resigned his $100,000 salary from the United States Steel Corporation. It is my conviction that every other man in the O. P. M. who has been borrowed from a private firm should be paid by the Government and not by that private firm. My amendment applies only to those whose firms are dealing in Government contracts; it would not affect professors or research men borrowed from universities. But I am aiming at this business of trying to serve two masters.

Reference has been made to the type of labor agreements negotiated by the Labor Division of the O. P. M. It is my conviction that if Mr. Sidney Hillman or any of his staff are drawing any

money from any association of employees that is negotiating working contracts with the Government, they should not be in their present positions. My amendment applies to employer and employee associations alike; it applies to the men who negotiate contracts. I want to see in such positions only men who have one loyalty. That should be to the United States and they should be paid by the United States.

It is my contention that in this kind of a proposition, when we are dealing with defense contracts, we want men in office who are here to serve only one master, and that is the welfare of the United States Government.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. KEOGH].

Mr. KEOGH. Mr. Chairman, I ask unanimous consent to proceed out of order for 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

(Under subsequent order of the House, Mr. KEOGH's remarks appear at the beginning of today's proceedings.)

Mr. CANNON of Missouri. Mr. Chairman, in respect of this amendment, I think it is only necessary to say that it would be in any event wholly ineffective. It applies to a few who are here either serving for a dollar a year, or serving without any pay. It would deprive the Government of the services of valuable men like Mr. Knudsen, Mr. Stettinius, and others who are here at great sacrifice to themselves.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman.

Mr. CASE of South Dakota. I am sure the gentleman would not want to leave the impression that Mr. Knudsen is still on the pay roll of General Motors. He resigned the same as Mr. Stettinius and many others did.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. May I call attention to the fact that there are many fine men and women who are responding to their patriotism in coming down here, and they are to be congratulated and complimented. In the case of Mr. Knudsen, he probably has resigned, but what about the small businessman? Patriotism is not confined to the men of extreme wealth who can make the sacrifices necessary to come here. I have many friends in Boston, some in my district and some outside, who want to render patriotic service, who say to me that they are willing to make the sacrifice. I believe most of the Members have had the same experience, and if this amendment were adopted compelling them to relinquish the compensation they are receiving in their private business, we would be placing a penalty upon the man of average means coming down here and giving his Government the services that he wants to give.

Mr. DITTER. Mr. Chairman, will the gentleman from Missouri yield to me that I may ask a question of the majority leader?

Mr. CANNON of Missouri. I yield to the gentleman from Pennsylvania.

Mr. DITTER. I wonder whether the majority leader would explain where a sacrifice is being made by men who continue to receive their incomes from the private enterprises with which they are identified and come down here and carry on the extra work. I cannot see where any sacrifice is being made in a case like that. Men like Mr. Knudsen and men like Mr. Stettinius who have relinquished their claims to salaries from the organizations with which they were identified, are making a sacrifice and this amendment is directed at some other folks who are presently in the same status and who should make the same sacrifice.

Mr. McCORMACK. The answer to the gentleman from Pennsylvania is that men having a reasonable income may be associated with a law firm or may be associated with some small business. These men may be men of capacity and, certainly, they are making great sacrifices in coming down here. Furthermore, this amendment is so far reaching that being introduced here on the floor suddenly no one knows how far reaching it may be and, certainly, no one wants to have an amendment adopted that might seriously interfere with the main objectives of the measure which we are now passing.

Mr. McKEOUGH. Mr. Chairman, will the gentleman from Missouri yield?

Mr. CANNON of Missouri. I yield to the gentleman from Illinois.

Mr. McKEOUGH. As I understood the language as read by the Clerk, it occurs to me that by reason of its being so far reaching it might serve to defeat the purpose that is sought to be served. Let us assume that some one of these gentlemen who come to work for the Government is a stockholder in one of the corporations that may be receiving some business from the Government If he receives a dividend check from that corporation, is he then infringing upon this particular language?

Mr. TABER. They would not be affected.

Mr. CASE of South Dakota. No; they would not be affected.

Mr. McKEOUGH. What about the gentleman who comes from some big corporation in the industrial field that is now seeking some contract?

Mr. TABER. He would not be affected if he did not receive pay.

Mr. McKEOUGH. He may receive pay while he is temporarily working for the O. P. M. in connection with their efforts to distribute contracts to the small industrial units of the country. I think the purpose is good, but I think the language is too broad.

[Here the gavel fell.]

Mr. TABER. Mr. Chairman, I ask unanimous consent to proceed for 1 minute.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that the gentleman from New York and I may each have 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. TABER. Mr. Chairman, it seems to me the question of divided loyalty is a very embarrassing question in connection with all these defense operations. I think we should have the undivided loyalty and devotion of the men who are drawing salaries from the Government of the United States, and I hope this amendment will be adopted so that we can proceed in that direction. I feel that there are so many cases where people who are on the pay roll are also on the pay roll of corporations or associations who have contracts with the United States, that we ought to protect the Government along those lines.

Mr. CANNON of Missouri rose.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield to me?

Mr. CANNON of Missouri. I regret that I have but 1 minute. Mr. Chairman, it is very difficult to tell what the full effect of this amendment would be. The committee has not had a chance to study it or consider it. This may involve not only captains of industry and small businessmen, but also members of labor organizations who help with labor problems in connection with preparedness industries. It may even include men in great colleges that are now giving some of their time in important defense research work. It may be an indictment against these men who are loyal and patriotic, who are trying to help us in this hour of the country's great need. Furthermore, except for some scientific and technical research, there is no money provided in the bill for paying salaries of the character referred to, and therefore the amendment is inapplicable.

Mr. WOODRUM of Virginia. Mr. Chairman, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM of Virginia. Is it not a fact that the amendment has such far-reaching potentialities that it certainly ought not to be adopted here without careful study by some committee of Congress?

Mr. CANNON of Missouri. That is true. It should have the most careful consideration to see that we do not impair our defense effort.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Dakota.

The question was taken; and on a division (demanded by Mr. CASE of South Dakota) there were—ayes 76, noes 137.

So the amendment was rejected.

Mr. DITTER. Mr. Chairman, I offer the following amendment which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. DITTER: After section 301, insert a new section, as follows:

"SEC. 302. In the procurement of defense articles under this act not less than 10 percent of the total amount of funds appropriated in this act shall be expended on contracts for the manufacture of defense articles by going plants which are not at the time of the approval of this act engaged in the

manufacture of defense articles for the United States Government: *Provided*, That if the President finds that a sufficient number of such plants are not equipped, staffed, or otherwise prepared to perform such work, or no not signify a desire or readiness to undertake such work, or if such course would injuriously retard the national-defense program, the President may reduce the total amount of expenditures made on such contracts to not less than 5 percent of the total amount of funds appropriated in this act and shall certify the reasons for taking such action to Congress in the report required to be made by section 5 (b) of the act to promote the defense of the United States, approved March 11, 1941: *Provided further*, That contracts so placed shall be negotiated on a fixed-price basis, the price not to exceed the highest price contracted to be paid for similar articles under contracts heretofore concluded, or, in the case of articles not heretofore produced, the price shall not exceed the estimated cost of the article, approved by the head of the department or establishment making the procurement, plus a profit margin of not to exceed 10 percent."

Mr. CANNON of Missouri. Mr. Chairman, reserving the point of order, I think the gentleman from Pennsylvania must realize that this amendment is subject to the point of order.

Mr. DITTER. Mr. Chairman, I wonder whether the gentleman would withhold his point for a moment?

Mr. CANNON of Missouri. Mr. Chairman, I shall be glad to reserve the point of order and give the gentleman an opportunity to discuss it.

Mr. DITTER. Mr. Chairman, it is not my purpose at this late hour to discuss the amendment which I have offered at great length. I would rather plead with the distinguished Chairman of the Committee, that rather than resort to parliamentary technicalities, he be considerate enough of the small businessmen to permit legislation of this type, meritorious as it is, to become a part of the law. Of course I recognize that if my distinguished Chairman wants to hide behind the screen of parliamentary technique, then, of course, the small businessman, the small industrialist will continue to find himself in the same position after the close of this day that he has found himself in all of the time since this accelerated defense program was put into force. Everyone knows that this amendment has merit. It has been carefully framed so that the defense program cannot suffer. A degree of discretion is accorded to the President, so that in the event the small concern could not handle the orders, the President would have the authority to proceed otherwise.

Therefore, on behalf of that great group of small industrialists, that group which as yet had little, in fact, only an infinitesimally small part of this increased production opportunity, I plead with the distinguished chairman of the committee to cast aside his knowledge of parliamentary procedure, his love of parliamentary technique, and permit consideration of the amendment.

On June 17, 1941, Mr. Peter Nehemkis, of Defense Contract Service, stated:

> It is one of the profound ironies of our defense effort that its total effect may well be to abolish the small enterprises from the American scene.

The New Deal may well worry about small business under the defense program, but it is quite apparent that that is all the New Deal has done. To date the New Deal has done nothing constructive to insure that small business will be kept alive during the defense emergency. In fact, the defense program in many ways has been most detrimental to small business. Up to the present time the New Deal has done nothing but talk about what it was going to do to help small business under the present circumstances.

Small business has been his in two ways by the defense program: (1) Most of the orders for defense materials have been let to large enterprises; (2) those small business enterprises that have not received defense contracts have had great difficulty in securing necessary supplies of raw materials that they might continue to function in supplying ordinary civilian needs.

According to the Office of Production Management itself, 50 large manufacturing concerns have received about 75 percent of all defense contracts. Some of these corporations have received contracts of well over a billion dollars. With a defense program the size of ours, this will have far-reaching implications on the national economy as a whole.

It should be remembered that during the fiscal year 1942 we will probably spend close to $16,000,000,000 for national defense, and it is estimated that during the fiscal year 1943 we will probably spend between $25,000,000,000 and $30,000,000,000 for this purpose. The expenditure of this vast sum of money by the Federal Government for defense purposes certainly will affect the national economy, and if 75 percent of the money is received by 50 large corporations, those corporations are going to benefit tremendously from the defense program. And the thousands of small business enterprises which have a large amount of the productive resources of the country and which employ a large proportion of the American workers will not be utilized to their fullest extent in this great national effort.

It is evident to any thinking person that this country has not been getting production of defense goods in anything like the quantity we should have. One reason for this is that defense production is being concentrated in but a few hands and consequently a large portion of our productive capacity is not being fully utilized. Thus, on May 12, 1941, Mr. J. L. Trecker, then cochief of the Defense Contract Service for the O. P. M., said at San Francisco:

> It is the estimate of the Defense Contract Service that the productive capacity of this country is not more than 50 percent engaged, either from the standpoint of the total number of machines or the total volume of machine-hours available.

Mr. T. M. Brennan of the National Association of Manufacturers testified before the Senate Committee on National Defense that only 50 percent of the machine-tool capacity of this country was being utilized at the present time. Further, the Army and Navy Joint Munitions Board maintains a list of facilities that could be used for the production of armament, munitions, and implements of war. This list contains 12,000 names; but even at the beginning of September 1941 only 6,657 of these facilities were being utilized in any way in the production of munitions and armaments. Thus it must be evident that a large portion of the productive capacity of this country is not being utilized now for the production of defense materials that are so urgently needed. One reason for this is that defense production has been concentrated in the hands of but a few large enterprises. There are several reasons why defense production has been concentrated in the hands of a few large enterprises. The Army and Navy procurement officers are very interested in dealing with large producers whom they have known for many years and who have a reputation to uphold and consequently are known to be responsible dealers. Further, many small enterprises have been slow to participate in bidding for Government contracts for a number of reasons. Many small enterprises are not familiar with the method of doing Government business, and in some instances there is a feeling that Government standards are overly rigid. In other instances adequate information is not brought to the attention of small business enterprises as to what they can produce for the Government. The dissemination of information on Government contracts about to be let is far from satisfactory

Allegedly the desire for speed and the desire that contracts be let to responsible parties has been largely responsible for the letting of most of the contracts to large contractors. The Army Ordnance Service testified at the end of April 1941 that only 20 percent of the contractors had financial rating according to Dun & Bradstreet of $125,000 or less; 28 percent had financial rating of $750,000 or less. Thus 72 percent of the contractors with the Army Ordnance Service had a financial rating of $750,000 or more.

For the armed forces to sit around and hope that large prime contractors will be willing to subcontract a large part of their orders to small industries is but a pious hope. It is quite evident that the large contractors, for a number of reasons, are not interested in subcontracting. For one thing, it will undoubtedly reduce their margin of profit, for to share his profits with the subcontractors will inevitably reduce the prime contractors' profit.

The efforts of the New Deal to bring about subcontracting have been pitiful, to say the least. Late in January there was created in the Office of Production Management a defense contract service which was designed supposedly to facilitate the distribution of defense orders to small producers, especially through subcontracting. But whatever efforts it has exerted have been pitifully inadequate. Thus in May 1941, when $2,000,000,000 of contracts were let, the Defense Contract Service facilitated subcontracting on these orders to the extent of only $16,000,000. And in June and July, when the Army let $3,500,000,000 in contracts, the Defense Contract Service was able to secure subcontracting up to the end of August on these contracts only to the extent

of $26,000,000. During the month of June the Defense Contract Service was able to bring about subcontracting on all orders that had been placed only to the extent of $20,000,000; in July, $50,000,000; and in August, $97,000,000. Since Congress has appropriated more than $56,000,000,000 for national defense, and since well over half of this sum has been obligated, it is quite apparent that these efforts on the part of the Defense Contract Service have been most insignificant.

It should be remembered at all times that the Defense Contract Service never has been in a position wherein it could exert any compulsion upon the procurement officers of the armed services in order to secure subcontracting or in order to secure the letting of contracts to small enterprises. Legal obligation for letting contracts was not in their hands. Defense Contract Service could only advise on such matters when its advice was requested, and it had no way of checking up to insure that its advice was followed by the procurement officers after it had been given.

In the middle of August the Defense Contract Service was reorganized in order to promote the letting of contracts to small enterprises. It was announced that negotiated contracts would be used for small business enterprises, and in such cases contracts might be made at not more than 15 percent above the last letting on a competitive bid of a contract for comparable goods and services. This was to encourage high-cost producers to bid on such orders, and such orders were also viewed in an educational sense. Further, it was stated that trial orders would be placed with small contractors on a cost-plus-a-fixed-fee basis. It was also asserted that contracts would be placed with pools of producers—such as the York plan, which had only worked on subcontracts—the elimination of performance bonds; the inspection of products at the plant in order to facilitate payment; and the elimination of latent defect clauses from contracts. It was also stated that in the case of all contracts for more than $250,000 the contractor would be required to furnish plans for subcontracting as much as possible of the work.

Suddenly, on September 4, 1941, the President completely shook up the Defense Contract Service. In fact, it was abolished, and the President created, by Executive order, the Division of Contract Distribution in the Office of Production Management. Mr. Floyd Odlum was made head of this Division. Mr. Odlum himself remarked late in September, "The creation of this office probably came 6 months to a year too late." The complete reorganization that has taken place has resulted in the elimination of most of the staff of the Defense Contract Service, and the new organization is functioning far from effectively.

There is no reason for believing that the procurement offices of the armed services are any more desirous of letting contracts to small enterprises nor is there any reason for believing that large prime contractors are any more desirous of subcontracting than they were 3 months, 6 months, or even a year ago.

At the very time that small enterprises are having a difficult time securing defense contracts, the operation of the defense program is making it difficult for such enterprises to continue to produce for ordinary civilian needs. There are distinct shortages in many critical and strategic materials that are needed for defense as well as for our ordinary consumers' needs. Aluminum, tin, zinc, copper, rubber, and silk are but a few of the products in which acute shortages now exist. Congress has passed legislation providing for the creation of stock piles of strategic and critical materials, but the administration has done little to build up such stock piles. For example, despite the fact that our relations with Japan have been strained for several years, no stock pile of silk was built up in this country. When we froze Japanese funds late in July 1941 there was on hand in this country a supply of silk sufficient for only 5 months of ordinary civilian needs or for 18 months of defense needs. No stock pile had been built up, and as a consequence 175,000 workers in the silk industries were immediately placed in jeopardy of losing their jobs; and let me assure you many of them actually lost their employment.

The New Deal has failed to take steps required to expand the productive capacity of many of these strategic and critical materials which are produced in this country, and as a consequence even defense orders are not being filled promptly. And many small producers who did not have defense orders are having to shut down their ordinary civilian production. One of the best illustrations of this is aluminum. Although a year ago it must have been apparent to any informed person that there was not sufficient aluminum production capacity in this country for all the defense needs as well as for our ordinary civilian needs, the administration took but slow and faltering steps to bring about an expansion of the aluminum industry. We are now producing about 600,000,000 pounds of aluminum a year. It is estimated that within another year we will require close to 1,750,000,000 pounds for defense purposes alone. But not until the Senate investigating committee had aired the situation did the administration take steps to bring about any expansion of alumminum production. And yet on the 15th of September of this year spokesmen for the O. P. M. and for the R. F. C. admitted before a Senate committee that no contracts had even then been let for plant expansion for aluminum production. Already 16,000 persons engaged in the production and marketing of aluminum household utensils have been thrown out of work because of a shortage of aluminum.

These shortages of many strategic and critical materials have necessitated the establishment of a priorities system in this country. The priority system, however, has been poorly administrated. It has worked for the benefit of the large enterprises and to the detriment of the small manufacturer. Thus, Mr. Donald Nelson, Executive Director of the S. P. A. B., testified before the House Banking and Currency Committee recently:

> Now, what has happened in many cases with small business with priorities, as I have observed in my studies, has been the fact that the small man usually bought his goods in small amounts of material in the open market. He did not have one supplier that supplied him. He bought here and there and elsewhere as the opportunity afforded itself for him to get what he wanted at as good a price as he could get.
>
> During a time like this the larger suppliers have attempted to serve their larger users; and I think that in that area they have not done enough to see that goods were diverted into the channels from which the smaller man got his material.

The small producer finds it difficult to secure priorities for many reasons. Small-business enterprises are not used to the red tape involved in doing Government business. Priorities are secured much more readily if the producer comes to Washington to ask for them and this is a disproportionately heavy burden upon the small producers. As a consequence small-business enterprises have not been able to get either defense contracts or to continue in the production of goods for their normal civilian demand.

In the light of this situation it is imperative that Congress take steps to insure by law that there is an adequate distribution of defense contracts to smaller business enterprises in order to insure that in the present defense emergency they are not squeezed out of business. For if they are squeezed out of business it will probably mean the end of our system of economic democracy that has made possible the competitive form of business enterprise in this country.

I therefore repeat the plea which I have made that the chairman of the committee withdraw the objection which he has made, that he waive the parliamentary technicality to which he has resorted, and permit the small business to continue as a part of our way of life.

Mr. CANNON of Missouri. Mr. Chairman, I much regret—especially in view of my high regard for the gentleman from Pennsylvania [Mr. DITTER]—the necessity of interposing a point of order. But in view of the fact that his proper remedy is to introduce legislation and take it up with a legislative committee where he can have hearings and give the matter the time and attention and the long study the subjects merit, I am certain I am rendering both him and the House a service by insisting that he follow the orderly procedure laid down by the rules. For that reason I am reluctantly constrained to make the point of order that the gentleman's amendment constitutes legislation and is not in order at this time or on any appropriation bill.

The CHAIRMAN (Mr. BLAND). The Chair sustains the point of order.

Mr. MUNDT. Mr. Chairman, I move to strike out the last word.

Mr. MUNDT. Mr. Chairman, it is most unfortunate that the chairman of the Appropriations Committee, the gentleman from Missouri [Mr. CANNON], undoubtedly reflecting the attitude of the majority leadership in this matter, has insisted on making a point of order against the amendment offered by the gentleman from Pennsylvania [Mr. DITTER] to protect the interests of the small

businessmen of America in the crucial economic problems which confront them. Unquestionably the chairman is correct in his ruling that this amendment would be in the nature of new legislation, but if ever new legislation were badly needed to protect the small businessmen of America that time is now and the occasion for that need is the lend-lease legislation which we are now considering. It is a great blow to hundreds of thousands of small businessmen, factory owners, and laborers in America's smaller business and industrial enterprises that the Democratic leadership has today resorted to a parliamentary technicality to prevent the enactment of the remedial legislation offered by the gentleman from Pennsylvania [Mr. DITTER] in the preceding amendment.

Mr. Chairman, I want to take this opportunity to publicly express the hope and make the recommendation that when this legislation is considered in the Senate the Ditter amendment will be written into the law, since parliamentary procedure in the other body is not as technical as it is in the House and the interests of America's small businessmen cannot be sacrificed upon a cross of technical procedure when this bill is discussed in the Senate. It is imperative that this Congress without further delay recognize what the present method of handling defense contracts is doing to the small businessmen who comprise the real backbone of American business and that we take effective action to keep these loyal businessmen from being driven into bankruptcy and from having to discharge the hundreds of thousands of employees whose livelihood depends upon the small business establishments of this country. Unless Congress soon prescribes a remedy for the malady of malnutrition from which America's small businessmen and processors are now suffering we shall be forced to perform the sorry task of naming an undertaker for hundreds of thousands of them throughout the length and breadth of this Republic.

The effect of priorities upon America's small businessmen, coupled with the effect of higher taxes and the failure of defense authorities to distribute any significant amount of defense contracts among the country's smaller processors and factories is one of the crying tragedies resulting from hasty action and tardy planning in the big job of gearing up our production to produce the defense materials we all so hopefully desire. This is a Nation-wide problem, although it is especially acute in the great inland empire of America where nine mid-Western States with about a fourth of the country's population and even a larger percentage of its area have received but a comparatively insignificant portion of the Government's huge defense contracts. Out in this territory, which is the home of the small businessman and the farmer, patriotic Americans pay their taxes, support their Government, maintain communities which are the most free of subversive influences of any in the country, and fail to receive anything remotely resembling equitable consideration in the distribution of Government contracts or the development of new defense industries or projects.

The Middle West has become the great "forgotten land" in the distribution of defense business of any kind under the present program of defense production. If the heart of America is in this way shut off from the rest of the body politic in participating in the defense production of this country, the administration will be striking a serious blow at one of the most productive and patriotic sections of the country. This area abounds with small businesses, machine shops, factories, processing plants, assembly units, and capable workmen who are eager to be put to work but who remain idle or working on part time because the "big fellows" in Washington fail to give consideration to the capacity and the needs of the "little fellows" in the interior of this country.

Mr. Chairman, the amendment of the gentleman from Pennsylvania [Mr. DITTER] was carefully drawn, and I have compiled much data with which I had hoped to join him in a fight on this floor to win approval for his suggestion. I shall now relay my facts and figures to Members of the Senate, where I hope the battle can be successfully fought to win fair and equitable consideration for the small businessman, who is almost without representation on the defense boards in Washington and whose capacity to produce and eagerness to work has failed to impress the Army and Navy procurement officials and others charged with allocating the defense contracts during this emergency. These small producers of mighty products have been deluged with promises from Washington and surfeited with schemes to set up subcontracting systems, but in the practical matter of jobs on the bench and contracts in the shop they are still as free from defense patronage as a Chinese laundryman in Tokyo.

More than a year ago I was made chairman of a congressional committee of 65 Members of this body, Mr. Chairman, and our committee worked long and diligently to secure at least some semblance of justice in the distribution of defense activities in the States which we represent which are North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Arkansas, Iowa, Minnesota, and Missouri. We were extended every courtesy but our constituents received few contracts.

We helped devise and recommend a procedure for subcontracting large orders to small processors which was to be handled through men stationed in each of the Federal Reserve bank districts. The district offices were established, but still the contracts for small businessmen did not materialize. Now we are told another program is being established with an office in every State in the Union to help the little fellow get some share in the big parade of defense business. But up to date all these well-meaning officials can do is to politely recommend to the giant industries and the great corporate contractors that they subcontract some small part of their lucrative Government orders to the smaller processors. In a few cases this is being done, but in the vast majority of instances the little fellow who goes hat in hand to get an opportunity to put his shoulder to the wheel and help in the production pick-up in this country returns with his hat on his head, but no subcontracts in his pocket.

Mr. DITTER's amendment would have corrected this calamity. It would have put some teeth in the effort to secure some reasonable portion of this defense business for the small businessman who is ready to produce, equipped for the job, and eager to go to work. It is a mandatory provision that not less than 10 percent of the money appropriated in this bill shall be expended through the enterprises operated by the smaller business units of this country—provided that in so doing there shall be no increased delay in defense production—and would provide a tangible ray of hope to thousands upon thousands of distressed business operators. It would save many of them from closing their doors and discharging their men. It would still direct to them less than $600,000,000 worth of production out of the $13,000,000,000 appropriated through the lend-lease policy. It would put some authority in the hands and some force behind the recommendations of defense officials now requesting the great industrial plants to subcontract some of their orders but apparently unable to require them to do so. It would help break the traditional policy of Army and Navy procurement officials of giving the biggest orders to the biggest outfits and of collecting smaller orders together so that more and more of them fall into the classification of "big orders."

Mr. Chairman, I again express the hope that the Senate will meet the problem which parliamentary tactics of the majority have prevented us from even considering today.

It has been stated by members of the Appropriations Committee that despite the fact the Lend-Lease Act has been in effect for nearly 7 months, less than 3 percent of the manufactured products to be made available under it have actually been delivered. Mr. Chairman, the big fellow may be becoming too fat for speedy action. I am sure the small-businessman would have been able to increase this pitifully small production figure by many points had he been given a chance to fully cooperate in our national-defense program. It is apparent from the sad production figures before us that he could not have retarded the procedure very much.

Mr. Chairman, let me mention one other matter and I am through. I speak now of taxes and profits. Many ugly rumors are now abroad about the vast profits which in certain cases are being made from defense contracts and the inability of existing tax laws to recapture any substantial portion of these profits for the Government. We have Mr. Morgenthau's repeated word for it that something new and different must be done and that most speedily if we are to prevent an era of defense profiteering which will beggar the smelly record of profiteers during the World War. May I respectfully suggest, sir, that parceling out a liberal portion of these defense contracts is one of the best safeguards the country has against profit raiders upon the Public Treasury.

The small businessman pays his taxes without deception and without resorting to highly paid legal advisors to scheme out for him legal ways of avoiding legitimate tax payments. Many big taxpayers now employ lawyers to serve as "tax-evasion experts" to explore legal avenues for dodging and ducking taxes which Congress expected them to pay. Thus the national income is reduced, the national morale imperiled. Not so, Mr. Chairman, with the typical small processor or factory operator or businessman. He pays his taxes on the line without benefit of advice on how to juggle his operations or how to manipulate his holdings to deprive the Government of tax income and to enrich himself by taxes which a cunning lawyer might help him to avoid. Thus, not only could production be speeded up but national tax income could be increased by a wise distribution of defense spending rather than the present policy of channeling such a gigantic portion of it through the offices of a selected few of America's largest corporations. Mr. DITTER's amendment provided the solution, sir, and this House is derelict in its duty in failing to meet a problem which has reached such acute proportions in this Republic.

I hope the Senate will respond to this challenge and that this House will approve of any action taken by the Senate to bring the small producer back into the economic family of the United States.

Even Mr. Morgenthau, however, seems to be blinded to the needs and the opportunities which are presented by the status of the small businessmen in this country. Mr. Morgenthau is quoted in the Washington News for September 30, 1941, as having stated that he is not much impressed by the opposition to certain of his proposals on the basis of their effect upon the small businessmen. This paper quotes him as having said in that connection—

> I can't help but be amused at some of the crocodile tears that are being shed for the small businessmen.

Think of it, Mr. Chairman, what hope is there for the small businessman in America when a prominent Cabinet officer refers to him with such callous disregard and such supreme contempt.

True, I would be the first to deny to Secretary Morgenthau the right to be amused at something these days because surely a Secretary of the Treasury who throughout his long term in office has never succeeded in balancing the Budget for a single year or witnessed a Government column of figures written in the black must find very little in official life about which to be amused. However, for the future of America, it is to be hoped that upon further examination Mr. Morgenthau will find some form of amusement other than the pagan custom of spectators at ancient gladiatorial contests who found their fun in watching the slow bleeding and painful dying of innocent victims of superior forces. I hope this is not to become the fate and future of the small businessmen who have helped so mightily to make America great. Such amusement for Secretary Morgenthou would indeed be an atrocity for America.

Mr. Chairman, Members of this House, let us not blind ourselves to the plight of the small business people and producers of this country. We have too long paid scant heed to their petitions and their productive powers. We have just now missed a glorious opportunity to extend some degree of justice to this group. Let us here resolve to compensate for this failure at our first opportunity and to recognize by appropriate and early action the importance of preserving and utilizing the vast resources of production represented by hundreds of thousands of small businessmen located in thousands of towns and cities in America.

Mr. HOFFMAN. Mr. Chairman, I have an amendment at the desk.

The Clerk read as follows:

> Amendment offered by Mr. HOFFMAN: On page 24, line 13, after the last word in that line, insert the following: "*Provided further*, That no part of any appropriation contained in this act shall be used to pay for any material or services when the one furnishing such material or services has discriminated against any corporation, firm, or individual because such corporation, firm, or individual had, or did not have, a contract with any labor organization or because such individual was, or was not, a member of any labor organization."

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

Mr. WALTER. Mr. Chairman, reserving the right to object, I have an amendment at the desk.

Mr. CANNON of Missouri. My request applies only to this amendment and all amendments thereto.

The CHAIRMAN. Is there objection? There was no objection.

Mr. HOFFMAN. Mr. Chairman, this amendment is offered to prevent those who are charged with national-defense production getting that program into such a snarl that the whole thing will be rendered impossible of being straightened out.

One agency of the Government is about to build 75,000 houses for defense workers. The gentleman from Virginia [Mr. SMITH] day before yesterday called your attention to the situation with regard to 300 of those houses, where the O. P. M. has refused to let a contract to the lowest bidder, even though $431,000 will be saved on less than a $1,000,000 bid. If you will notice the papers of today you will learn that in Detroit the A. F. of L. teamsters union has stated that unless that contract is denied to the lowest bidder, unless this contract, which will cost us that $431,000 for these 300 houses is given to an employer using members of their organization, they are going to call a general strike and tie up all construction.

If you will read other papers you will learn that the C. I. O. has announced that if they do not get their share of these contracts—what they consider their share of the jobs—and this Currier contract is a C. I. O. contract, that is, the work is to be performed by C. I. O. men—they will call a general strike. Now, you see where we are getting. On Monday if you make one contract with an A. F. of L. contractor the C. I. O. will strike, and on Tuesday if you make a contract with an employer whose men are C. I. O. then the other organization, the A. F. of L., will strike, and perhaps on Wednesday the independents will strike if they feel they have not been treated fairly.

Why should we not fix the whole thing by requiring these contracts to be let regardless of the organization to which those who are to do the work belong? Why require every individual who wants to work to buy a license to work? But if you must do that, why not tell those men what sort of a license or membership they should buy? If we are going to have the work all done by the A. F. of L., let us know it. If we are going to have it all done by the C. I. O., let us know that. If it is all to be done by open shop, let us find that out.

The majority party has claimed for several years that it wanted to do away with labor disputes. Here is a situation where, if the O. P. M. continues the way it is going now, it cannot help but create labor disputes and strikes.

Everyone who reads the papers day after day knows that these strikes are increasing in number. I think it was 15,000,000 man-days lost in the last year as compared with one-third or one-fifth of that number the preceding year. Why should we not let everyone work? Why not fix it so the O. P. M. cannot play favorites?

I wish the majority leadership would look at this situation as people outside of Congress, outside of labor organizations, look at it, and adopt a policy which will carry out the purposes announced in the preamble, in the first clause of the N. L. R. A. and give to all men the right to bargain collectively through representatives of their own choosing. You have talked a lot about that on the majority side, and yet the employer in this Currier Lumber Co. case has bargained with the men and because it came to an agreement with the C. I. O. it is deprived of a contract. It is the lowest bidder. When it came down here and made a bid which will save the Nation $431,000, it is turned down by the O. P. M. because forsooth its men made the mistake of picking the wrong union, of joining the C. I. O. rather than the A. F. of L. Tomorrow, if they pick the other union, the C. I. O. will say, "No. We are not going to fabricate the steel or other material for these houses because A. F. of L. men are to do the work." Where then is your national defense? Let us be sensible for once and adopt this amendment.

[Here the gavel fell.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan.

The amendment was rejected.

Mr. WALTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. WALTER: On page 24, line 13, insert a new paragraph, as follows:
>
> "The money herein appropriated shall be used only in payment of contracts awarded to the lowest responsible bidder or, in the case of a negotiated contract to a contractor

willing to negotiate a contract at a price within the funds allocated, or hereafter to be allocated, for a particular project."

Mr. CANNON of Missouri. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. CANNON of Missouri. Mr. Chairman, I make the point of order that the amendment is legislation on an appropriation bill.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to be heard on the point of order?

Mr. WALTER. Mr. Chairman, unquestionably this is not legislation but a limitation. It applies to the manner in which the funds can be expended. That is as far as the amendment goes.

The CHAIRMAN. In the opinion of the Chair the amendment offered by the gentleman from Pennsylvania deals not only with funds allocated but with funds hereafter to be allocated for a particular project, and, therefore, is legislation.

The point of order is sustained.

The Clerk concluded the reading of the bill.

Mr. CANNON of Missouri. Mr. Chairman, I ask unanimous consent to extend my remarks and include a statement relative to the Joint Aircraft Committee in response to a speech made yesterday by the gentleman from Ohio [Mr. JONES] under a misapprehension as to the procedure of the joint committee.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. JONES. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I do not know what is in the statement to be included by the gentleman from Missouri in regard to the composition of the Joint Aircraft Committee, but I received the information I gave on reliable authority. As a lawyer I considered it competent evidence upon which to base my statement, and until the witnesses are called in and testify under oath that it is not true I shall consider it to be true.

Mr. CANNON of Missouri. Mr. Chairman, as I understand it, the statement by the Department is included?

The CHAIRMAN. Consent has been given to the gentleman upon his request. Whether it has been included the Chair cannot say.

Mr. HOFFMAN. Mr. Chairman, reserving the right to object to this statement——

The CHAIRMAN. It is too late to object; consent has already been granted.

Mr. CANNON of Missouri. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BLAND, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 5788) making supplemental appropriations for the national defense for the fiscal years ending June 30, 1942, and June 30, 1943, and for other purposes, directed him to report the same back to the House with sundry amendments with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question on the bill and all amendments to final passage.

The motion was agreed to.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. LAMBERTSON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. LAMBERTSON. I am.

The SPEAKER. The gentleman qualifies.

The Clerk read as follows:

Mr. LAMBERTSON moves to recommit the bill to the Committee on Appropriations with instructions to report the bill back forthwith with title I eliminated from the bill.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. LAMBERTSON. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER. Forty-four Members arose; not a sufficient number. The yeas and nays are refused.

The yeas and nays were refused.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. CANNON of Missouri. On that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. The Chair desires to make a statement. When the House is crowded and there is a small amount of conversation it makes it very difficult for the Clerk calling the roll to hear the responses of Members. Will the Members please be in order while the roll is being called?

The question was taken; and there were—yeas 328, nays 67, not voting, 36, as follows:

[Roll No. 111]

YEAS—328

Allen, La.	Bates, Mass.	Bonner
Anderson, Calif.	Baumhart	Boren
Anderson, N. Mex.	Beam	Boykin
	Beckworth	Bradley, Pa.
Andresen, August H.	Beiter	Brooks
	Bender	Brown, Ga.
Andrews	Blackney	Brown, Ohio
Angell	Bland	Bryson
Arends	Bloom	Buck
Arnold	Boehne	Buckler, Minn.
Baldwin	Boggs	Buckley, N. Y.
Barden	Boland	Bulwinkle
Barnes	Bolton	Burch
Burgin	Harter	Pfeifer, Joseph L.
Byrne	Healey	
Camp	Hébert	Pheiffer, William T.
Canfield	Heffernan	
Cannon, Fla.	Hendricks	Pierce
Cannon, Mo.	Hess	Pittenger
Capozzoli	Hill, Wash.	Plauché
Carlson	Hinshaw	Plumley
Cartwright	Hobbs	Poage
Case, S. Dak.	Holbrook	Powers
Casey, Mass.	Holmes	Priest
Celler	Hook	Rabaut
Chapman	Hope	Ramsay
Clark	Howell	Ramspeck
Clason	Hunter	Randolph
Claypool	Imhoff	Rankin, Miss.
Cochran	Izac	Reece, Tenn.
Coffee, Wash.	Jackson	Rees, Kans.
Cole, Md.	Jenkins, Ohio	Richards
Cole, N. Y.	Jenks, N. H.	Rivers
Collins	Jennings	Rizley
Colmer	Jensen	Robertson, N. Dak.
Cooley	Johnson, Ind.	
Cooper	Johnson, Luther A.	Robertson, Va.
Costello		Robinson, Utah
Courtney	Johnson, Lyndon B.	Rockefeller
Cox		Rodgers, Pa.
Cravens	Johnson, Okla.	Rogers, Mass.
Creal	Johnson, W. Va.	Rolph
Crosser	Kean	Russell
Culkin	Kee	Sacks
Cullen	Kefauver	Sanders
Cunningham	Kelley, Pa.	Sasscer
D'Alesandro	Kelly, Ill.	Satterfield
Davis, Ohio	Keogh	Scanlon
Davis, Tenn.	Kerr	Schuetz
Delaney	Kilday	Schulte
Dewey	Kirwan	Scott
Dickstein	Klein	Scrugham
Dies	Kocialkowski	Secrest
Dingell	Kopplemann	Shannon
Dirksen	Kramer	Sheppard
Disney	Kunkel	Sikes
Ditter	Lanham	Simpson
Domengeaux	Larrabee	Smith, Conn.
Doughton	Lea	Smith, Maine
Downs	Leavy	Smith, Pa.
Drewry	LeCompte	Smith, Va.
Duncan	Lesinski	Smith, Wash.
Durham	Lewis	Smith, W. Va.
Eaton	Ludlow	Snyder
Eberharter	Lynch	Somers, N. Y.
Edmiston	McCormack	South
Eliot, Mass.	McGehee	Spence
Elliott, Calif.	McGranery	Springer
Ellis	McGregor	Steagall
Elston	McIntyre	Stearns, N. H.
Englebright	McKeough	Sullivan
Faddis	McLaughlin	Sumners, Tex.
Fellows	McLean	Sutphin
Fenton	McMillan	Taber
Fish	Maas	Talle
Fitzgerald	Maciora	Tarver
Fitzpatrick	Magnuson	Tenerowicz
Flaherty	Mahon	Terry
Flannagan	Manasco	Thom
Fogarty	Mansfield	Thomas, N. J.
Folger	Marcantonio	Thomas, Tex.
Forand	Martin, Iowa	Thomason
Ford, Leland M.	Martin, Mass.	Tibbott
Ford, Miss.	May	Tolan
Ford, Thomas F.	Meyer, Md.	Traynor
Fulmer	Michener	Treadway
Gale	Mills, Ark.	Vincent, Ky.
Gamble	Mills, La.	Vinson, Ga.
Gathings	Mitchell	Voorhis, Calif.
Gearhart	Monroney	Vorys, Ohio
Gerlach	Moser	Vreeland
Gibson	Mott	Wadsworth
Gillie	Mundt	Walter
Gore	Murdock	Ward
Gossett	Myers, Pa.	Wasielewski
Granger	Nelson	Weaver
Grant, Ala.	Norrell	Weiss
Grant, Ind.	Norton	Welch
Green	O'Brien, Mich.	Wene
Gregory	O'Brien, N. Y.	Whelchel
Guyer, Kans.	O'Leary	Whittington
Gwynne	O'Neal	Wickersham
Haines	Osmers	Wigglesworth
Hall, Edwin Arthur	O'Toole	Williams
	Pace	Wolfenden, Pa.
Hall, Leonard W.	Paddock	Wolverton, N. J.
	Patman	Woodrum, Va.
Halleck	Patrick	Worley
Hancock	Patton	Wright
Hare	Pearson	Young
Harness	Peterson, Fla.	Youngdahl
Harris, Ark.	Peterson, Ga.	Zimmerman
Hart		

NAYS—67

Allen, Ill.	Bennett	Burdick
Andersen, H. Carl	Bishop	Butler
	Bradley, Mich.	Chenoweth

Chiperfield	Johns	Reed, N. Y.
Clevenger	Johnson, Calif.	Rich
Coffee, Nebr.	Johnson, Ill.	Robsion, Ky.
Copeland	Jones	Sauthoff
Crawford	Jonkman	Shafer, Mich.
Crowther	Keefe	Shanley
Curtis	Kennedy,	Short
Day	Martin J.	Smith, Ohio
Dondero	Kinzer	Smith, Wis.
Dworshak	Knutson	Stefan
Engel	Lambertson	Stevenson
Gehrmann	Landis	Stratton
Graham	McArdle	Sumner, Ill.
Harrington	Murray	Sweeney
Hartley	O'Connor	Thill
Heidinger	O'Hara	Tinkham
Hill, Colo.	Oliver	White
Hoffman	Ploeser	Wilson
Hull	Rankin, Mont	Wolcott
Jarrett	Reed, Ill.	Woodruff, Mich.

NOT VOTING—36

Barry	Harris, Va.	Rogers, Okla.
Bates, Ky.	Houston	Romjue
Bell	Jacobsen	Sabath
Byron	Jarman	Schaefer, Ill.
Carter	Kennedy,	Sheridan
Cluett	Michael J.	Sparkman
Connery	Kilburn	Starnes, Ala.
Douglas	Kleberg	Van Zandt
Flannery	Maciejewski	West
Gavagan	Mason	Wheat
Geyer, Calif.	Merritt	Winter
Gifford	Nichols	
Gilchrist	O'Day	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Nichols for, with Mr. Mason against.
Mr. Merritt for, with Mr. Barry against.
Mr. Van Zandt for, with Mr. Wheat against.

General pairs:

Mr. Gavagan with Mr. Winter.
Mr. Harris of Virginia with Mr. Gilchrist.
Mr. Geyer of California with Mr. Douglas.
Mrs. O'Day with Mr. Gifford.
Mr Maciejewski with Mr. Kilburn.
Mr. Starnes of Alabama with Mr Cluett.
Mr. Michael J. Kennedy with Mr. Carter.
Mr. Jarman with Mr. Flannery.
Mr. Kleberg with Mr Sparkman.
Mr. West with Mrs. Byron.
Mr. Romjue with Mr. Sheridan.
Mr. Connery with Mr. Jacobsen.
Mr. Schaefer of Illinois with Mr. Bates of Kentucky.
Mr. Houston with Mr. Sabath.
Mr Bell with Mr. Rogers of Oklahoma.

Mr. JENSEN. Mr. Speaker, did the gentleman from Iowa [Mr. GILCHRIST] have a pair?

The SPEAKER. The gentleman is not paired.

Mr. JENSEN. Mr. Speaker, he left word with the gentleman from Iowa [Mr. GWYNNE] to pair him for the bill. I am sorry if he did not get a live pair.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL PERMISSION TO EXTEND

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that all Members who spoke on the bill just passed may have 5 legislative days in which to extend their own remarks in the RECORD on that bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri [Mr. CANNON]?

There was no objection.

ADJOURNMENT UNTIL TUESDAY NEXT

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Tuesday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

DISTRICT DAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on District Day, Monday, may be taken up on Tuesday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman from Massachusetts tell us about the program for next week?

Mr. McCORMACK. On Tuesday we will take up District business. Wednesday is Calendar Wednesday, and the Calendar of Committees will be called.

Mr. MARTIN of Massachusetts. What committee has the call?

Mr. McCORMACK. I am informed that the Public Lands Committee has the call. The gentleman from Missouri [Mr. COCHRAN] so informs me. Last week I was asked by the chairman of the Public Lands Committee whether or not there would be a call because, he stated, he had bills coming up. That is the only information I have.

I am hopeful that a bill will come out of the Foreign Affairs Committee on Wednesday relative to the arming of American merchantmen and vessels, and if so, that bill will be brought up for general debate on Thursday. I do not know what the committee will agree upon, but assuming that the bill is reported on Wednesday, general debate on it will begin on Thursday, and we are hopeful of passing it by Friday.

Mr. FISH. Reserving the right to object, Mr. Speaker, I am sure no one on the minority side wants in any way to delay the consideration of the amendment to the neutrality bill, but this is a very important proposal. The Committee on Foreign Affairs has not met for several months. The minority members want a free, open, and fair discussion of the issue in the committee, and proper and adequate hearings. The minority members, speaking to me, have largely said that they believe they need at least 5 days of consideration in the committee before they can file a report. I cannot see, Mr. Speaker, how they can possibly report the bill by Wednesday. I hope that program will not be pressed, because we would have to have 2 days of general debate in the House and a day's consideration of the bill under the 5-minute rule, so we could not finish it next week anyhow. I hope the majority side will not press it too severely.

Mr. McCORMACK. My distinguished friend from Massachusetts [Mr. MARTIN] has asked me to advise the House as to the probable program for next week, and that is what I have been doing. Of course, the Committee on Foreign Affairs will determine in the committee, I assume, the length of the hearings, and they will probably agree among themselves as to the amount of general debate desired. It is my hope that the bill will pass by Friday of next week. That depends, of course, upon the action of the members of the Committee on Foreign Affairs.

It seems to me that all the Members know their views one way or the other on the simple question involved in the resolution that will be before the committee of the gentleman from New York [Mr. FISH]. I recognize the fact that he might believe 5 days of hearings should be required. Personally, I may say, my mind is made up now, and I believe that the people in the gentleman's district and in my district; in fact, most of the people of the country, have made up their minds one way or the other on the question of arming American merchant vessels.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, I do think there ought to be fair and open debate, and plenty of it, on the subject.

Mr. McCORMACK. I cannot speak for the Committee on Foreign Affairs, and would not undertake to do so. I assume that that matter will be passed upon by the members of the committee. I am sure the gentleman from New York [Mr. FISH] has always received from his colleagues on the committee the tolerant consideration that he merits.

Mr. MARTIN of Massachusetts. If by any chance the consideration of that bill does not begin on Thursday, and it has to go over to the following week, does the gentleman know of any other legislation that would be considered this next week?

Mr. McCORMACK. Then I would have to bring in some other legislation that would probably not be controversial. I have been informed by the chairman of the Committee on Roads—he spoke to me about it the other day—that a bill has been reported out of his committee which meets the objections of the President as stated in his veto message on the other bill. A great majority of the Members of the House are eager to have legislation of that type passed, and I understand that the bill reported out meets the objections contained in the recent veto message of the President.

Miss SUMNER of Illinois. Reserving the right to object, Mr. Speaker, some of us are interested in the conference report on the joint resolution which was originally before the Committee on Ways and Means relative to civilian inspection of contracts made by the Army. Can the gentleman tell whether that will come up next week or not?

The SPEAKER. The report has not yet been filed.

Mr. McCORMACK. I could not answer that question, of course, as the report has not been filed.

Miss SUMNER of Illinois. If it is filed, have we the gentleman's assurance that it will not come up next week?

Mr. McCORMACK. I cannot give such assurance, because, of course, conference reports have precedence and I would not want to put myself in the position of agreeing to anything when I have no knowledge of the situation that may then exist. I may say to the gentleman from Illinois: In talking with some of our lady Members a few weeks ago they said they would like to be called

gentlemen, and so therefore I will say to the gentleman from Illinois that she will appreciate why I cannot give an exact answer.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following letter of resignation:

WASHINGTON, D. C., *October 10, 1941.*

Hon. SAM RAYBURN,
Speaker of the House.

MY DEAR MR. RAYBURN: Because of the pressure of duties as a member of the Appropriations Committee, I herewith tender my resignation as a member of the Special Committee on Wildlife Conservation.

Very sincerely yours,
FRANK B. KEEFE.

The resignation was accepted.

SPECIAL COMMITTEE ON WILDLIFE CONSERVATION

The SPEAKER. Pursuant to the provision of House Resolution 49, Seventy-seventh Congress, the Chair appoints the gentleman from Illinois [Mr. BISHOP] to fill the vacancy on the Special Committee on Wildlife Conservation.

COMMITTEE TO INVESTIGATE FEDERAL EXPENDITURES

The SPEAKER. Pursuant to the provisions of the Revenue Act of 1941, Public Law No. 250, Seventy-seventh Congress, the Chair appoints as members of the Committee to Investigate Federal Expenditures the following members of the Committee on Ways and Means: Mr. DOUGHTON, Mr. CULLEN, and Mr. TREADWAY, and the following members of the Committee on Appropriations: Mr. CANNON of Missouri, Mr. WOODRUM of Virginia, and Mr. TABER.

EXTENSION OF REMARKS

Mr. PATRICK asked and was given permission to revise and extend his remarks.

REGINALD H. CARTER, JR.

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to vacate the proceedings whereby the bill (S. 1695) for the relief of Reginald H. Carter, Jr., was amended, read a third time, and passed.

The Clerk read the title of the bill.

The SPEAKER. Is there objetion to the request of the gentleman from Louisiana?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted etc., That the Comptroller General of the United States is authorized and directed to settle and allow under the applicable appropriation for fees of commissioners, United States courts, the claims of Reginald H. Carter, Jr., United States commissioner, at New Orleans, La., for fees otherwise properly due for services rendered by him during the periods December 17, 1940, to January 31, 1941, and February 1 to 19, 1941, such claims having been disallowed by the General Accounting Office on settlements of claims Nos. 064391 (1) and 064391 (33), dated April 28, 1941, and June 9, 1941, respectively, for the reason that such services were rendered by the said Reginald H. Carter, Jr., between the date his appointment as United States commissioner expired and the date he was reappointed.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL PERMISSION TO EXTEND REMARKS

Mr. PLUMLEY. Mr. Speaker, may I ask the majority leader, in the absence of the chairman of the Committee on Appropriations, if it is his purpose to ask unanimous consent that all Members may have 5 legislative days within which to extend their remarks in the RECORD on the lend-lease bill just passed?

Mr. McCORMACK. The chairman of the Committee on Appropriations has previously made that request.

The SPEAKER. The Chair would say to the majority leader that the request of the gentleman from Missouri [Mr. CANNON] was to give Members who had spoken on the bill 5 legislative days within which to revise and extend their remarks.

Mr. McCORMACK. Then, Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the lend-lease bill just passed by the House.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. PLUMLEY. Further, Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Pennsylvania [Mr. DITTER] may have permission to extend his remarks and I also ask unanimous consent that I may revise and extend my remarks and include an article which appeared in the Los Angeles Times.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. STEARNS of New Hampshire. Mr. Speaker, I ask unanimous consent to extend my remarks and include a newspaper article.

The SPEAKER. Is there objection?

There was no objection.

Mr. TINKHAM. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the last edition of the Saturday Evening Post.

The SPEAKER. Is there objection?

There was no objection.

Mr. LEWIS. Mr. Speaker, I ask unanimous consent to extend my remarks and include a eulogy on the late Edward T. Taylor.

The SPEAKER. Is there objection?

There was no objection.

Mr. JACKSON. Mr. Speaker, I ask unanimous consent to extend my remarks and include an article from Liberty magazine.

The SPEAKER. Is there objection?

There was no objection.

Mr. McGRANERY. Mr. Speaker, I ask unanimous consent to extend my remarks and include a speech I delivered before Lincoln Post, No. 89, American Legion.

The SPEAKER. Is there objection?

There was no objection.

Mr. KRAMER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in reference to the annual convention of the California State Bar Association and include an address of the Honorable Francis Biddle, Attorney General of the United States.

The SPEAKER. Is there objection?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. HOFFMAN] be permitted to extend his remarks in the RECORD and include an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks and include a radio speech.

The SPEAKER. Is there objection?

There was no objection.

Mr. DWORSHAK. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. ALLEN of Louisiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a speech.

The SPEAKER. Is there objection?

There was no objection.

Mr. WALTER. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address by the Assistant Attorney General at the Colorado State Bar Association.

The SPEAKER. Is there objection?

There was no objection.

Mr. MACIORA. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. TENEROWICZ. Mr. Speaker, I ask unanimous consent to extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to extend my remarks and include a speech made by myself.

The SPEAKER. Is there objection?

There was no objection.

Mr. KELLY of Pennsylvania. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address by Father Cornelius McArdle, of Brooklyn.

The SPEAKER. Is there objection?

There was no objection.

ORDER OF BUSINESS

Mr. McCORMACK. Mr. Speaker, during the consideration of proceedings today the gentleman from New York [Mr. KEOGH] made remarks which were not related to the debate, in which he announced for the benefit of the Members that the first edition of the new District of Columbia Code had been published and was available for Members. The gentleman from New York asked me to submit a request that his remarks appear after the reading of the Journal, and I make that request.

The SPEAKER. Is there objection?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. CONNERY, for an indefinite period, on account of illness.

To Mr. VINSON of Georgia, for an indefinite period, on account of important business.

SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 755. An act for the relief of W. W. Carlton;

S. 807. An act for the relief of Eva Mueller;

S. 1251. An act to amend Private Act No. 446, Seventy-sixth Congress, approved July 2, 1940, and for other purposes;

S. 1345. An act to authorize the sale of certain Government-owned lands in the Territory of Hawaii to the Honolulu Plantation Co.;

S. 1698. An act to amend the act reorganizing the administration of Federal prisons;

S. 1613. An act for the relief of Harry F. Baker; and

S. J. Res. 29. Joint resolution for the relief of South Dakota Wheat Growers Association, Inc.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 51 minutes p. m.), in accordance with the order heretofore made, the House adjourned until Tuesday, October 14, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will hold public hearings on Tuesday, October 14, 1941, at 10 o'clock a. m., to consider H. R. 3254, to safeguard and protect further the lives of fishermen at sea and to place fishing boats under the supervision of the Department of Commerce, Bureau of Marine Inspection and Navigation, and for other purposes.

CENSUS COMMITTEE

There will be a meeting of the Census Committee on Tuesday, October 14, 1941, at 10 o'clock a. m., for hearings on the Quinquennial Census.

COMMITTEE ON AGRICULTURE

The Committee on Agriculture will hold hearings on Tuesday, October 14, 1941, at 10 o'clock a. m., in room 1324, to consider H. R. 5366, marketing quotas on potatoes.

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs will hold a hearing on H. R. 5359, 4578, and 5704 at 10:30 o'clock a. m., Wednesday, October 15, 1941.

EXECUTIVE COMMUNICATIONS, ETC.

980. Under clause 2 of rule XXIV, a letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated August 27, 1941, submitting a report, together with accompanying papers on a preliminary examination of Auglaize, Blanchard, and Ottawa Rivers and their tributaries, Ohio, authorized by the Flood Control Act approved August 11, 1939, was taken from the Speaker's table and referred to the Committee on Flood Control.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALTER: Committee on the Judiciary. H. R. 1433. A bill to prohibit making or collecting loans to Government employees on Government property; with amendment (Rept. No. 1245). Referred to the House Calendar.

Mr. WALTER: Committee on the Judiciary. H. R. 3390. A bill to amend section 117 of the Judicial Code, as amended, with respect to the constitution of circuit ccurts of appeals; without amendment (Rept. 1246). Referred to the House Calendar.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 5708. A bill to amend the District of Columbia Unemployment Compensation Act; with amendment (Rept. No. 1247). Referred to the House Calendar.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 5757. A bill to define and punish vagrancy in the District of Columbia, and for other purposes; without amendment (Rept. No. 1248). Referred to the Committee of the Whole House on the state of the Union.

Mr. IZAC: Committee on Naval Affairs. H. R. 5783. A bill to authorize the construction or acquisition of certain naval-defense vessels, and for other purposes; with amendment (Rept. No. 1250). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE of New York: Committee on Naval Affairs. S. 1701. An act to provide for pay and allowances and mileage or transportation for certain officers and enlisted men of the Naval Reserve and Marine Corps Reserve and retired officers and enlisted men of the Navy and Marine Corps; with amendment (Rept. No. 1251). Referred to the Committee of the Whole House on the state of the Union.

Mr. PETERSON of Georgia: Committee on the Territories. H. R. 5458. A bill to amend the Organic Act of Alaska; without amendment (Rept. No. 1252). Referred to the Committee of the Whole House on the state of the Union.

Mr. FADDIS: Committee on Military Affairs. H. R. 5750. A bill authorizing the procurement and issue of an Army of Occupation of Germany Medal for each person who served in Germany as a member of the Army of Occupation; without amendment (Rept. No. 1253). Referred to the Committee of the Whole House on the state of the Union.

Mr. WARD: Committee on the Post Office and Post Roads. H. R. 5692. A bill amending section 204 of the act of March 4, 1909; without amendment (Rept. No. 1255). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WILLIAM T. PHEIFFER: Committee on Immigration and Naturalization. H. R. 5071. A bill for the relief of Catherina Migliore and Anthony and Rose Migliore; without amendment (Rept. No. 1249). Referred to the Committee of the Whole House.

Mr. MAAS: Committee on Naval Affairs. H. R. 5135. A bill to appoint Capt. Porter M Hoidale, United States Marine Corps, a lieutenant, senior grade, in the United States Navy Medical Corps; with amendment (Rept. No. 1254). Referred to the Committee of the Whole House.

Mr. KRAMER: Committee on Immigration and Naturalization. H. R. 3469. A bill for the relief of Maria Azucena Alvarez Canga; without amendment (Rept. No. 1256). Referred to the Committee of the Whole House.

Mr. KRAMER: Committee on Immigration and Naturalization. H. R. 5539. A bill for the relief of Umberto Danta Annibali; without amendment (Rept. No. 1257). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HARE:

H. R. 5806. A bill relating to payments in the case of certain producers of cotton whose 1941 crop was substantially reduced by excessive rain, boll-weevil infestation, or other natural causes; to the Committee on Agriculture.

H. R. 5807. A bill relating to payments in the case of certain producers of cotton whose 1941 crop was substantially reduced by excessive rain, boll-weevil infestation, or other natural causes; to the Committee on Agriculture.

By Miss RANKIN of Montana:

H. R. 5808. A bill conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and render judgment in any and all claims which the confederated Salish and Kootenai Tribes of Indians of the Flathead Reservation in Montana, or any tribe or band thereof, may have against the United States, and for other purposes; to the Committee on Indian Affairs.

By Mr. VINSON of Georgia:

H. R. 5809. A bill to expedite shipbuilding, and for other purposes; to the Committee on Naval Affairs.

By Mr. CARTWRIGHT:

H. R. 5810. A bill to supplement the Federal Aid Road Act, approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes; to the Committee on Roads.

By Mr. DIRKSEN:

H. R. 5811. A bill to amend certain sections of the Internal Revenue Code pertaining to the production of alcohol; to the Committee on Ways and Means.

By Mr. CASE of South Dakota:

H. J. Res. 238. Joint resolution to provide for the issuance of a special postage stamp in commemoration of the two-hundredth anniversary of the planting of the Verendrye Plate on the bluffs of the Missouri River near the present site of Fort Pierre, S. Dak., and constituting the bases of the French claim to the Louisiana Territory and the first written record of the white man's visit to the great trans-Mississippi Northwest; to the Committee on the Post Office and Post Roads.

By Mr. FULMER:

H. J. Res. 239. Joint resolution authorizing the distribution of 500,000 bales of Government-owned cotton and 25,000,000 bushels of Government-owned wheat to the American National Red Cross and other organizations for relief of distress in the crop-failure areas; to the Committee on Agriculture.

By Mr. VINSON of Georgia:

H. Res. 315. Resolution providing for the consideration of S. 1731; to the Committee on Rules.

H. Res. 316. Resolution for the consideration of H. R. 5783; to the Committee on Rules.

By Mr. TENEROWICZ:

H. Res. 317. Resolution authorizing an appointment of a select committee to investigate the Detroit office of the Federal Housing Administration; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BULWINKLE:

H. R. 5812. A bill for the relief of William E. Averitt and United States Casualty Co.; to the Committee on Claims.

By Mr. CULKIN:

H. R. 5813. A bill granting an increase of pension to Maggie Sanford; to the Committee on Invalid Pensions.

By Mr. GATHINGS:

H. R. 5814. A bill for the relief of Rex Baker; to the Committee on Claims.

By Mr. HEALEY:

H. R. 5815. A bill for the relief of Ralph Del Verde; to the Committee on Naval Affairs.

By Mr. KLEIN:

H. R. 5816. A bill for the relief of Max Geissler; to the Committee on Claims.

By Mr. PETERSON of Georgia:

H. R. 5817. A bill for the relief of Lawrence A. Von Dolteren; to the Committee on World War Veterans' Legislation.

By Mr. ROBSION of Kentucky:

H. R. 5818. A bill granting a pension to Lillie B. Reynolds; to the Committee on Invalid Pensions.

By Mr. ROBINSON of Utah:

H. R. 5819. A bill directing the Attorney General to record the lawful admittance for permanent residence of Vivian Chang; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1883. By Mr. LAMBERTSON: Petition of C. G. Steele, of Waterville, Kans., and 78 others, protesting against the standards for "oleo" and petitioning Congress to suspend these standards; to the Committee on Agriculture.

1884. Also, petition of R. O. Strang, of Atchison, Kans., and 219 others of the First District of Kansas, requesting the release of the Townsend bill out of the Ways and Means Committee; to the Committee on Ways and Means.

1885. By Mr. LUDLOW: Petition of Mrs. A. R. Young, corresponding secretary, and 59 other members of the Service Mothers of America, Inc., adopted at their regular meeting on October 1, 1941, protesting against the repeal or modification of the Neutrality Act and further appropriation under the Lend-Lease Act; to the Committee on Foreign Affairs.

1886. By Miss RANKIN of Montana: Petition of Karl Michel and 119 other dairymen of Gallatin County, Mont., protesting against the ruling of Mr. McNutt, Federal Security Administrator, permitting oleomargarine to be colored, etc., to resemble butter and to be sold on the market in imitation of butter and requesting an investigation thereof; to the Committee on Agriculture.

1887. Also, petition of Charles H. Swaney and 30 other dairymen of Whitefish and Columbia Falls, Mont., protesting against the ruling of Mr. McNutt, Federal Security Administrator, permitting oleomargarine to be colored, etc., to resemble butter and to be sold on the market in imitation of butter and requesting an investigation thereof; to the Committee on Agriculture.

SENATE

MONDAY, OCTOBER 13, 1941

The Chaplain, Rev. Z. Barney T. Phillips, D. D., offered the following prayer:

Almighty and everlasting God, Father of all the sons of men: We adore Thee as the God of light and power, and as this world which Thou hast committed unto us is radiant with Thy Presence, so do Thou fill our hearts with love and understanding like unto Thine own. Make us ever mindful of the hungry hearts about us, strangers in the midst of many people, that, with ready insight and tender sympathy, we may discover the hidden tragedies lodged deep in many a soul and minister healing and redemption.

As the Members of the Congress are now faced with problems of the gravest, deepest import, fill them, we beseech Thee, with the noblest faith in God, in man, and in human destiny; quicken in them the spirit of complete obedience to duty, the response of the highest consecration to Thy will, and animate their purpose with such love as shall enable truth to enter every door of life, full-orbed, full-statured, and entire. So may our deliberations reveal the wise counsels of the Most High, for what shall it profit our Nation if in asserting its own sufficiency it lose the sense of dependence on the living God, and the joy of human brotherhood which should ever be the goal of all our striving?

Help us, dear Lord, to think on these things and to follow in the footsteps of the Master, in whose name we pray. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, October 9, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had passed without amendment the bill (S. 1695) for the relief of Reginald H. Carter, Jr.

The message also announced that the House had passed a bill (H. R. 5788) making supplemental appropriations for the national defense for the fiscal years ending June 30, 1942, and June 30, 1943, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the Vice President:

S. 493. An act conferring jurisdiction upon the United States District Court for the Southern District of Florida to hear, determine, and render judgment upon the claims of Frank P. Walden, in his individual capacity and as husband and legal representative of the estate of Anice Walden, deceased, and Viola Harp, in her individual capacity and as legal guardian of her daughter, Marjorie Gayle, Harp, a minor;

S. 605. An act for the relief of Pherne Miller;

S. 755. An act for the relief of W. W. Carlton;

S. 807. An act for the relief of Eva Mueller;

S. 874. An act relating to allowances for rental quarters of certain naval officers stationed in the Canal Zone;

S. 1051. An act relating to the payment of fees and costs of witnesses and jurors and the accounting therefor;

S. 1052. An act relating to the traveling and subsistence expenses of judges and retired judges of the Court of Claims;

S. 1228. An act for the relief of Mrs. A. B. Tanner;

S. 1251. An act to amend Private Act No. 446, Seventy-sixth Congress, approved July 2, 1940, and for other purposes;

S. 1344. An act to authorize employees of the United States to testify on behalf of the District of Columbia and employees of the District of Columbia to testify on behalf of the United States and of the District of Columbia without loss of salary or annual leave;

S. 1345. An act to authorize the sale of certain Government-owned lands in the Territory of Hawaii to the Honolulu Plantation Co.;

S. 1392. An act for the relief of Homer J. Swope;

S. 1398. An act for the relief of Elinor Leugers;

S. 1512. An act to amend the Alien Registration Act, 1940, by making it a criminal offense to reproduce alien registration receipt cards;

S. 1570. An act to further amend the acts for promoting the circulation of reading matter among the blind;

S. 1608. An act for the relief of the Neal Storage Co.;

S. 1649. An act to authorize the payment of certain claims of employees of the Bureau of Reclamation arising out of loss of tools destroyed by fire at Parker Dam, Ariz.;

S. 1655. An act for the relief of Victor M. Lenzer, former special disbursing agent, Department of Labor;

S. 1698. An act to amend the act reorganizing the administration of Federal prisons;

S. 1709. An act conferring jurisdiction upon the United States District Court for the Western District of North Carolina to hear, determine, and render judgments upon the claims against the United States of I. M. Cook, J. J. Allen, Radiator Specialty Co., and the R. & W. Motor Lines, Inc.;

S. 1813. An act for the relief of Harry F. Baker; and

S. J. Res. 29. Joint resolution for the relief of South Dakota Wheat Growers Association, Inc.

STOCKS OF FOOD IN ENGLAND

Mr. VANDENBERG. Mr. President, under date of September 30 I wrote the following letter to the Secretary of Agriculture:

SEPTEMBER 30, 1941.

Hon. CLAUDE R. WICKARD,
Secretary of Agriculture,
Washington, D. C.

MY DEAR MR. SECRETARY: A recent Associated Press dispatch, under a Washington date line, quotes you as follows:

"Testifying that England now was on short rations, Secretary Wickard said a minimum of $1,000,000,000 was needed to supply England with food in the next 5 months."

Immediately following this item was an Associated Press dispatch from London reading as follows:

"Baron Woolton, British Minister of Food, said in a speech at Norwich Tuesday that Great Britain now had bigger stocks of wheat than at any time in history. Britain is entering the third year of war with plentiful stocks of all sorts, he added."

A large number of citizens have written me about this apparent inconsistency and this apparent disagreement regarding fundamental facts. I think the matter is of substantial importance. Therefore, I shall welcome a letter from you dealing with these exhibits and the apparent contradiction involved in them. I am very hopeful that I may hear from you by return mail.

With warm personal regards and best wishes,

Cordially and faithfully,

ARTHUR H. VANDENBERG.

Mr. President, I have had no answer to my letter, I am sorry to say. I know nothing of the facts involved, and it is simply the facts that I am seeking. It seems quite improbable to me that any of the belligerents are not under short rations of some sort, because certainly our own people, in many places, are or will be shortly.

There may be a complete and adequate explanation for this apparent inconsistency. I am simply suggesting, not critically, at all, but purely in an exploratory frame of mind, that some of these apparent anomalies in the lend-lease situation may be frankly clarified for the benefit of an enlightened and satisfied public opinion.

I regret the necessity of presenting this letter ahead of a reply, but I think, after waiting for 2 weeks, that I may be absolved upon that score. I am simply presenting it with the request that it be referred to the Appropriations Committee now that the new lend-lease appropriation bill has reached the Senate, and I hope it may be indicative of the type of information which may be developed for the basis of the Senate's subsequent action.

The VICE PRESIDENT. The letter will be referred to the Committee on Appropriations, as requested.

EXECUTIVE COMMUNICATION

The VICE PRESIDENT laid before the Senate the following communication, which was referred as indicated:

SUPPLEMENTAL ESTIMATE FOR FOREIGN WAR RELIEF (S. Doc. No. 117)

A communication from the President of the United States, transmitting a supplemental estimate of appropriation for foreign war relief, fiscal year 1942, amounting to $50,000,000 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

PETITIONS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the San Joaquin County, Calif., Industrial Union Council, favoring the inclusion of certain safeguards in pending price-control legislation; to the Committee on Banking and Currency.

A resolution of the convention of the International Typographical Union, favoring the enactment of legislation to reduce the age for granting social-security pensions to workers from 65 to 60 years; to the Committee on Finance.

A letter from Mrs. C. N. Dunmire, of Sausalito, Calif., relative to social security plans and legislation; to the Committee on Finance.

A resolution adopted by the second annual convention of the Associated Portuguese Welfare Association of Hawaii, at Honolulu, T. H., pledging support and loyalty to the United States of America; to the Committee on Foreign Relations.

A resolution of the city government of Chelsea, Mass., relative to the removal, for burial in the family lot in the United States, of the remains of Capt. Daniel Joseph Duggan, a native of Chelsea, Mass., who recently lost his life in a plane crash in Scotland; to the Committee on Foreign Relations.

A resolution of the board of managers of the Johnstown, N. Y., Historical Society, favoring the proper observance of November 12, 1941, as Elizabeth Cady Stanton Day; to the Committee on the Judiciary.

A petition of delegates of the Jackson Baptist Association, of Eaton Rapids, Mich., praying for the prompt enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. CAPPER:

A petition, numerously signed, of sundry citizens of Waverly, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. TYDINGS:

Petitions of the Woman's Christian Temperance Union of Carroll County, and sundry other citizens, all in the State of Maryland, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

ADMINISTRATION OF THE LEND-LEASE ACT

Mr. DAVIS. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred a letter addressed to me by Mr. George W. Elliott, general secretary of the Philadelphia Chamber of Commerce, together with a resolution adopted by the foreign-trade committee of that assembly and approved by the board of directors on October 1, 1941, relative to the administration of the Lend-Lease Act.

There being no objection, the letter and resolution were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

PHILADELPHIA CHAMBER OF COMMERCE,
Philadelphia, October 2, 1941.

Hon. JAMES J. DAVIS,
The United States Senate,
Washington, D. C.

DEAR SENATOR: I transmit herewith a resolution adopted by the foreign-trade committee of the Philadelphia Chamber of Commerce, which has been duly approved by our board of directors.

This resolution offers suggestions and recommendations in connection with the administration of the Lend-Lease Act, to the end that a minimum dislocation of established commercial trade channels may result.

We respectfully urge that consideration be given to these matters, and would appreciate your informing us in this regard.

Yours respectfully,

GEORGE W. ELLIOTT,
General Secretary.

Whereas the Philadelphia Chamber of Commerce has as its object the promotion and protection of the commercial, business, and manufacturing interests of the city of Philadelphia, which includes the substantial interests and investments, both for the past and future, of such Philadelphia enterprises in trade with British Empire countries; and

Whereas since the approval on March 11, 1941, of an act to promote the defense of the United States (the Lend-Lease Act) increasing volumes of products of the United States which formerly moved through regular commercial trade channels are now purchased by the British Government on behalf of United States subsidiaries, branches, agents, and other established customers of United States enterprises in British Empire countries through the administration of said Lend-Lease Act; and

Whereas the Philadelphia Chamber of Commerce recognizes the need for lend-lease commitments with those countries resisting aggression, and particularly with those countries whose available supply of dollar exchange does not permit continued purchases through normal channels; and

Whereas this chamber is fully aware of the many difficult problems involved in the administration of the Lend-Lease Act and the virtual impossibility of administering it without causing some dislocation to establish trade channels; and

Whereas the Philadelphia Chamber of Commerce, with specific reference only to those orders that originate with United States subsidiaries, branches, agents, and other established customers of United States firms, is concerned because of the reports of grave dislocation in normal trade, which unquestionably are also a matter of concern and interest to administrators of the Lend-Lease Act: Therefore be it

Resolved, That the following suggestions and recommendations be made to the administrators of the Lend-Lease Act to the end that a minimum dislocation of established commercial trade channels may result:

1. That competitive bidding be eliminated on specific-brand requirements of subsidiaries, branches, agents, and other established customers of United States firms who are required to place their orders through the British Ministry of Supply, thus eliminating the possibility of such purchasers being unnecessarily compelled to stock and distribute competitive merchandise.

2. In certain Empire countries it has been suggested or proposed that purchases be made upon a 12-months' requirement basis. Such practices when not absolutely necessary would impose a needless hardship on United States production facilities and raw-material stocks. It is therefore urged that orders for merchandise under the Lend-Lease Act should not exceed in quantity immediate requirements.

3. Consideration should be given to the elimination of the possibility that existing contracts and other arrangements between United States firms, on the one hand, and their subsidiaries, branches, agents, and other established customers, on the other hand, may be broken because of any regulations precluding the payment of the usual commissions.

4. That secrecy surrounding the origin and destination of orders placed in the course of normal trade by subsidiaries, branches, agents, and other established customers of United States firms should be eliminated.

5. It is understood that on certain commercial transactions the Ministry of Supply

turns over the merchandise to distributors at a profit. It is urged that such merchandise should be turned over to the distributing channels without profit, and only the normal forwarding expenses to destination should in any event be added to the purchase price in the United States; and be it further

Resolved, That copies of these resolutions be transmitted to the appropriate United States governmental administrative offices and to such other parties as may be deemed interested.

RESOLUTION OF HARTFORD, CONN., TRADE-UNION DIVISION OF COMMITTEE TO DEFEND AMERICA BY AIDING THE ALLIES

Mr. MALONEY. Mr. President, I ask unanimous consent that there may be inserted in the RECORD, as a part of my remarks, a communication which I have received from William S. Zeman, secretary of the Hartford trade-union division of the Committee to Defend America by Aiding the Allies, and which contains a resolution adopted at a meeting of the aforementioned division on October 10.

I ask that the matter be referred to the appropriate committee.

There being no objection, the communication was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

HARTFORD CHAPTER, COMMITTEE TO DEFEND AMERICA BY AIDING THE ALLIES,
Hartford, October 10, 1941.

Hon. FRANCIS T. MALONEY,
Senate Office Building, Washington, D. C.

DEAR SENATOR MALONEY: For your information, we quote herein resolution which was passed last evening at a meeting of the trade-union division of the Committee to Defend America, Hartford Chapter:

"Whereas the Hartford trade-union division of the Committee to Defend America is on record as being in full support of President Roosevelt's program of all-out aid to all nations fighting Hitler and his Axis partners; and

"Whereas the Roosevelt administration is taking all possible steps to send more and more war matériel to Great Britain, the Soviet Union, and China as soon as possible: Therefore be it

"*Resolved*, That the Hartford trade-union division of the Committee to Defend America go on record as being in favor of the following two proposals now being made to Congress by the Roosevelt administration:

"1. Any revision of the Neutrality Act or repeal, if necessary, to insure the safe delivery of war matériel to Great Britain, the Soviet Union, and China.

"2. Inclusion of the Soviet Union in the new lend-lease bill along with Great Britain so that the United States may make the maximum contribution of war matériel to those armies fighting against Hitler in this crucial phase of the war."

Respectfully yours,
WILLIAM S. ZEMAN,

RELIEF OF LITHUANIANS EXILED TO SOVIET RUSSIA

Mr. MALONEY. Mr. President, I ask unanimous consent that there may be inserted in the RECORD, as a part of my remarks, a letter which I have received from Mr. J. Marchulonis and Mr. V. Vitkauskas, chairman and secretary of the Lithuanian Alliance of America, and a copy of a resolution adopted by the aforementioned Alliance at a meeting held at New Haven, Conn., on October 5, having reference to the unfortunate plight of Lithuanians exiled in Soviet Russia.

I ask that the letter and resolution be referred to the appropriate committee.

There being no objection, the letter and accompanying resolution were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

NEW BRITAIN, CONN., *October 7, 1941.*

Hon. Senator FRANCIS T. MALONEY,
United States Senate,
Washington, D. C.

DEAR SENATOR: Herewith submitting to you a copy of our resolution and we humbly beg you, Sire, to extend your helping hand to the unfortunate Lithuanians forcibly exiled into the Soviet Russia during the Russian occupation of Lithuania, whose destiny is unknown, presumably is very tragic. We beg you to intercede for their safety so they may live and eventually may return to their native land, Lithuania, may be again united with their families, and be able to live in peace and to worship the God Almighty in their native land.

We shall be very grateful to you, dear Senator, for your kind humanitarian effort and interest in the unfortunate Lithuanians' behalf.

Very truly yours, we are:
J. MARCHULONIS,
Chairman.
V. VITKAUSKAS,
Secretary.

Whereas the United States of America and President Franklin Delano Roosevelt are helping democratic governments of Europe in their struggle against the aggressors and giving great support to the Soviet Russia; and

Whereas during the Soviet Russian "red" army occupation of Lithuania about 100,000 of Lithuanians and their national, civic, and army leaders were forcibly exiled to the Soviet Russia and their destiny is unknown: Therefore be it

Resolved, That we, American-Lithuanians, loyal citizens of the United States of America, supporters of the United States Government, request the President, Franklin Delano Roosevelt; Secretary of State, Hon. Cordell Hull; Foreign Relations Committee of the United States Senate; and the United States Senators of Connecticut State to intercede for the unfortunate Lithuanians exiled to Soviet Russia, to use their power and influence upon the Soviet Russian Government not to persecute and prosecute exiled Lithuanians, to give them their freedom to return to their native Lithuania; and, further, be it

Resolved, That copies of this resolution be sent to the President, Franklin Delano Roosevelt; Secretary of State, Cordell Hull; Foreign Relations Committee of the United States Senate; and United States Senators of Connecticut State, Hon. FRANCIS T. MALONEY and Hon. JOHN A. DANAHER.

RESOLUTION OF BOARD OF DIRECTORS OF NATIONAL COTTON COUNCIL OF AMERICA

Mr. CONNALLY presented a letter with an accompanying resolution of the board of directors of the National Cotton Council of America, which were referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

NATIONAL COTTON COUNCIL OF AMERICA,
Fort Worth, Tex., September 30, 1941.

Senator TOM CONNALLY,
United States Senate,
Washington, D. C.

DEAR SENATOR: Enclosed is copy of a resolution recently adopted by the board of directors of the National Cotton Council of America which we shall appreciate your having inserted in the CONGRESSIONAL RECORD. A great deal of unjustified abuse has been heaped upon the administration for the fair stand it has taken on behalf of margarine, and we want Congress to know that the cotton industry supports such action.

Will you please advise if and when this resolution is so inserted.

With regards, I remain,
Respectfully yours,
PHILLIP TOCKER,
Director, Trade Barriers and Penalties Section.

Whereas margarine is an important outlet for cottonseed oil which is the major factor determining the value of cottonseed; and

Whereas the Federal Security Agency is authorized by the Food, Drug and Cosmetic Act to promulgate standards for various foods; and

Whereas pursuant to the mandatory provisions of the Federal Food, Drug and Cosmetic Act, the Federal Security Agency, upon due notice, conducted public hearings to establish a definition and standard of identity for margarine, at which hearings consumers, representatives of the margarine and butter industries, and all other interested parties, besides governmental officials, were represented; and

Whereas from the testimony and evidence presented, and after due consideration the Federal Security Agency promulgated the definition and standard of identity for margarine; and

Whereas said definition and standard is fair and equitable, and will promote honesty and fair dealing in the interest of consumers; and

Whereas the dissemination of a fair and just explanation of the standard is in the interest of all consumers: Now, therefore, be it

Resolved, That the board of directors of the National Cotton Council of America, in regular session assembled, on this 1st day of September 1941, hereby express its approval of the action by the Federal Security Agency; and be it further

Resolved, That the National Cotton Council of America express to the Honorable Paul V. McNutt, Administrator of the Federal Security Agency, and to the Consumer's Counsel Division of the Department of Agriculture, and all other governmental departments and officials, the appreciation of the raw cotton industry for the fairness and impartiality in conducting the hearings, promulgating the definition and standard and advising the public of same; and be it further

Resolved, That copy of this resolution be sent to the Honorable Paul V. McNutt, and to such other individuals as the secretary of the council may deem proper, and that a copy be spread upon the minutes of this meeting.

RESOLUTIONS OF CHIPPEWA COUNTY (WIS.) FARMERS EQUITY UNION

Mr. WILEY presented resolutions of the Chippewa County (Wis.) Farmers Equity Union, which were referred to committees and ordered to be printed in the RECORD, as follows:

To the Committee on Agriculture and Forestry:

Whereas the dairy industry is the backbone of Wisconsin agriculture and is of prime importance to the general welfare of the people of Wisconsin; and

Whereas the Secretary of Agriculture has formulated a policy of promoting the use of synthetic products, such as oleomargarine, in a manner detrimental to the welfare of the dairy industry: Now, therefore, be it

Resolved by the Chippewa County Farmers Equity Union in convention assembled on this 13th day of September 1941, protesting the action of the Secretary of Agriculture, and requesting him to remember the needs and welfare of Wisconsin's dairy farmer.

Copies of this resolution be sent to the Secretary of Agriculture, to Hon. MERLIN HULL, and to Senators ROBERT M. LA FOLLETTE and ALEXANDER WILEY.

To the Committee on Military Affairs:

Whereas war is a profiteering enterprise of big business, and an act to lower the morale and living standards of the common class of people: Therefore

We, the members of the Chippewa County Farmers Equity Union, assembled in convention this 13th day of September 1941, wish to support our President, Franklin D. Roosevelt, in the national-defense program at any price, but to keep our boys at home; be it further

Resolved, That a copy of this resolution be sent to our Senators, Representatives, and to the President himself.

RESOLUTION OF MILWAUKEE COUNTY, WIS., INDUSTRIAL UNION COUNCIL

Mr. WILEY presented a resolution of the Milwaukee County (Wis.) Industrial Union Council, which was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

U. P. W. O. C. LOCAL 40,
Cudahy, Wis., October 6, 1941.

The Honorable Senator WILEY,
Senate Office Building,
Washington, D. C.:

Stop malnutrition, undernourishment, starvation, among the South's millions of sharecroppers and wage workers.

Whereas many hundreds of thousands of American citizens among the sharecroppers and cotton wage workers throughout the rural South are undernourished (in many cases face starvation), and have disastrously unbalanced diets; and

Whereas many food crops have large surpluses which could be purchased and distributed to these deprived American workers by the Surplus Commodities Corporation through its food-stamp plan or a modified form of it. Especially important are such surpluses as fruit juices, milk, dried and fresh fruits, canned fruits and vegetables, eggs, cheese, and meats which the Surplus Commodities Corporation is already purchasing: Therefore be it

Resolved, That the Milwaukee County Industrial Union Council, representing 65,000 organized C. I. O. workers, petitions you immediately to take such steps as are necessary to get these surplus foods to these hundreds of thousands of sharecroppers and cotton wage workers, under some modified form of the food-stamp plan which can meet the pocketbooks of these shamefully exploited workers and will safeguard that the food gets distributed to these people without interference or discrimination by landlords or their agents.

Yours truly,

WALTER KARAS,
Corresponding Secretary.

RESOLUTION OF WISCONSIN STATE BOARD OF AGRICULTURE

Mr. WILEY presented a resolution of the Wisconsin State Board of Agriculture, which was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

Be it resolved by the Wisconsin State Board of Agriculture, That if the Congress of the United States authorizes any price ceiling placed on farm products that said ceilings be not less than 110 percent of parity and furthermore no ceiling be placed on the prices of farm products at the farm unless wholesale and retail prices are fixed for the same products and unless comparatively low ceilings are fixed on all goods and service going into the production, handling, and selling of farm products.

RESOLUTION OF LOCAL UNION NO. 24, UNITED CANNERY, ETC., WORKERS, BLOOMER, WIS.

Mr. WILEY presented a resolution of Local Union No. 24, United Cannery, Agricultural Packing and Allied Workers of America (C. I. O.), of Bloomer, Wis., which was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Whereas the security and peace of the United States is being threatened by the conquests of the Hitler Nazi regime and its aggressions, by the enslavement of the conquered peoples, by the smashing of labor unions, by the Hitler destruction of civil liberties and rights, by the acts against religious freedom and worship; and

Whereas the ever widening scope of Fascist aggression means the eventual encirclement of the United States by a Fascist world through the engulfment of all nations of Europe and Asia, unless immediate all-out aid is given to those engaged in fighting the Hitler menace; and

Whereas organized labor is intensely patriotic in its desire to assist in the defense effort, to push production upward without interruption, and considers all antilabor legislation now pending as an insult to our patriotism and a hindrance to national defense: Therefore be it

Resolved, That we, the membership of Local 24, United Cannery, Agricultural Packing and Allied Workers of America (C. I. O.), in meeting assembled, call upon our Government to rush lend-lease aid to Great Britain, Soviet Union, China, Free France, Free Poland, and all other forces fighting Hitler and his Fascist allies; and be it further

Resolved, That we call upon the President and the leaders in Congress to put a stop to the attacks upon labor in the Senate and House and to stop all legislation aimed at the rights of labor; and be it further

Resolved, That copies of this resolution be sent to President Roosevelt, Senator La Follette and Wiley, to Representative Hull, the State C. I. O. council, and to the Eau Claire papers.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WALSH, from the Committee on Naval Affairs:

S. 1850. A bill to authorize officers and enlisted men of the United States Navy and United States Marine Corps to accept such medals, orders, decorations, and presents as have been tendered them by governments of the Western Hemisphere, other than Canada; without amendment (Rept. No. 702);

S. 1870. A bill for the relief of John Paul Murray; without amendment (Rept. No. 703); and

S. J. Res. 80. Joint resolution providing for the celebration in 1945 of the one hundredth anniversary of the founding of the United States Naval Academy, Annapolis, Md.; without amendment (Rept. No. 704).

By Mr. TRUMAN, from the Committee on Military Affairs:

S. Res. 175. Resolution increasing the membership of the Special Committee to Investigate the National Defense Program (submitted by Mr. MEAD on October 2, 1941); without amendment.

INVESTIGATION OF VIOLATIONS OF RIGHT OF FREE SPEECH AND ASSEMBLY, ETC.—LIMIT OF EXPENDITURES

Mr. LUCAS. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate I report favorably Senate Resolution 173, and ask for its present consideration.

Mr. McNARY. Mr. President, there is considerable confusion in the Chamber, and I did not understand the request of the Senator from Illinois. May I ask the able Senator if he desires immediate consideration of the resolution?

Mr. LUCAS. Yes. The amount called for by the resolution submitted by the Senator from Wisconsin [Mr. LA FOLLETTE] is the sum of $500 for the purpose of closing up the hearings. The committee which investigated alleged violations of the right of free speech and assembly, and other matters, has some hearings and reports to print, and all the Senator desires is that sum of $500 for the purpose of concluding the printing of hearings and reports. The resolution does not provide for a continuation of the hearings, I will say to the Senator.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 173) submitted by Mr. LA FOLLETTE on September 29, 1941, was considered and agreed to as follows:

Resolved, That, for the purpose of concluding the printing of hearings and reports, the limit of expenditures under Senate Resolution 266, Seventy-fourth Congress, second session, agreed to June 6, 1936, and under Senate Resolution 70, Seventy-fifth Congress, first session, agreed to February 19, 1937, and under Senate Resolution 154, Seventy-fifth Congress, first session, agreed to August 12, 1937, and under Senate Resolution 266, Seventy-fifth Congress, third session, agreed to May 18, 1938, and under Senate Resolution 126, Seventy-sixth Congress, first session, agreed to August 4, 1939, and under Senate Resolution 135, Seventy-seventh Congress, first session, agreed to June 28, 1941, to investigate violations of the right of free speech and assembly and interference with the right of labor to organize and bargain collectively is hereby increased by $500.

CHARLES J. KAPPLER—COMPILATION OF VOLUME V, INDIAN LAWS AND TREATIES

Mr. LUCAS. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate, I report favorably without amendment Senate Resolution 115, and ask unanimous consent for its present consideration.

There being no objection, the resolution (S. Res. 115) submitted by Mr. THOMAS of Oklahoma on May 13, 1941, was considered and agreed to, as follows:

Resolved, That the Secretary of the Senate is hereby authorized and directed to pay from the contingent fund of the Senate to Charles J. Kappler the sum of $2,000 for the work of compiling, annotating, and indexing the fifth volume of Indian Laws and Treaties (S. Doc. No. 194, 76th Cong.), same having been authorized by Senate resolution of February 11, 1937.

ENROLLED BILL PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on Octo-

ber 9, 1941, that committee presented to the President of the United States the enrolled bill (S. 1579) to authorize the President of the United States to requisition property required for the defense of the United States.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters.

By Mr. WALSH, from the Committee on Naval Affairs:

Sundry captains to be rear admirals in the Navy, for temporary service; and

Sundry officers for promotion and citizens for appointment in the Marine Corps.

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

Sundry officers for appointment, by transfer, in the Regular Army; and

First Lt. George Rosse Smith, Air Corps (captain, Army of the United States), to be major, with temporary rank, in the Air Corps, Regular Army, under the provisions of law.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DAVIS:

S. 1969. A bill for the relief of John A. Auge; to the Committee on Military Affairs.

(Mr. WILEY introduced Senate bill 1970, which was referred to the Committee on Post Offices and Post Roads, and appears under a separate heading.)

By Mr. ELLENDER:

S. 1971. A bill to legalize a bridge across Bayou Lafourche at Valentine, La.; to the Committee on Commerce.

(Mr. DANAHER introduced Senate bill 1972, which was referred to the Committee on Commerce, and appears under a separate heading.)

By Mr. THOMAS of Utah (for Mr. REYNOLDS):

S. 1973 A bill to provide for the pay and costs of transportation of civilian employees appointed for duty beyond the continental limits of the United States, and in Alaska; to the Committee on Military Affairs.

By Mr. WALSH:

S. 1974. A bill for the relief of Francis Howard Robinson;

S. 1975. A bill to authorize the construction of certain naval local defense vessels, and for other purposes; and

S. 1976 A bill to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes; to the Committee on Naval Affairs.

By Mr. ANDREWS:

S. 1977. A bill for the relief of Louis B. Zeller; to the Committee on Naval Affairs.

(Mr. HATCH introduced Senate bill 1978, which was referred to the Committee on Finance, and appears under a separate heading.)

(Mr. O'DANIEL introduced Senate bill 1979, which was referred to the Committee on Interstate Commerce, and appears under a separate heading.)

(Mr. WILEY introduced Senate Joint Resolution 109, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

THE CONGRESSIONAL FRANK

Mr. WILEY. Mr. President, I introduce a bill relating to the use of the frank by Members of Congress. I ask unanimous consent to comment very briefly on the bill. In recent weeks there has been considerable discussion and newspaper comment on alleged abuses of the franking privilege. It is not my purpose to comment on this situation, although I believe it is one which warrants serious study. Nor do I presume to comment on the theory behind the use of the franking privilege. I realize that there are a number of interpretations ranging from an extremely restricted use of the frank to a more liberal interpretation which would permit a more extensive use of the frank.

If I may be pardoned a personal reference, permit me to say that I personally favor a sharply restricted use of the frank. The franking law appears to me to be very definite and specific in its restrictions, but apparently, if recent newspaper accounts are to be believed, it is not adequate.

The bill which I introduce seeks further to limit the use of the frank. I do not present it as a final answer to the problems which have been raised in recent discussions of the franking privilege. I present it merely in the thought that it may stimulate discussions on this problem in the proper committee.

I ask that the bill be referred to the appropriate committee.

The VICE PRESIDENT. The bill introduced by the Senator from Wisconsin will be referred to the Committee on Post Offices and Post Roads.

The bill (S. 1970) relating to the use of the frank by Members of Congress, was read twice by its title and referred to the Committee on Post Offices and Post Roads.

THE LATE GENERAL WILLIAM L. MITCHELL

Mr. WILEY. Mr. President, sometime ago I introduced a bill in relation to restoring the rank of the late Brig. Gen. William L. Mitchell. That bill, like many others, has gone dead in the committee. I now introduce a joint resolution which has the approval of those who seek to dominate proposed legislation in committees and have been successful so far. I ask that the joint resolution be referred to the appropriate committee. I understand it has a clearance on the other side of the Capitol.

The VICE PRESIDENT. The joint resolution introduced by the Senator from Wisconsin will be referred to the Committee on Military Affairs.

The joint resolution (S. J. Res. 109) to restore the rank of brigadier general to the late William L. Mitchell was read twice by its title and referred to the Committee on Military Affairs.

INTERSTATE COMPACT FOR BETTER UTILIZATION OF ATLANTIC SEABOARD FISHERIES

Mr. DANAHER. Mr. President, by virtue of the authority conferred by Public Resolution No. 79, Seventy-sixth Congress, many States have entered into an interstate compact dealing with the subject of the utilization of marine, shell, and anadromous fisheries on the Atlantic seaboard.

First, I ask that Public Resolution No. 79 of the Seventy-sixth Congress be printed in the RECORD at this point.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

[Pub. Res. No. 79, 76th Cong., ch. 295, 3d sess., H. J. Res. 302]

Joint resolution to authorize compacts or agreements between or among the States bordering on the Atlantic Ocean with respect to fishing in the territorial waters and bays and inlets of the Atlantic Ocean on which such States border, and for other purposes

Resolved, etc., That the consent of Congress is hereby given to any two or more of the States of Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, and Florida, to enter into compacts or agreements, not in conflict with any law of the United States, for cooperative effort and mutual assistance for the uniform, common, or mutual regulation of fishing or of any species of fish, mollusks, or crustacea in the territorial waters and bays and inlets of the Atlantic Ocean on which such States border or to which their jurisdiction otherwise extends and of anadromous fish spawning in the inland waters of those States.

SEC. 2. The consent of Congress is hereby granted to States other than those specified but which have jurisdiction over inland waters frequented by anadromous fish of the sea to enter into compacts or agreements authorized by this act.

SEC. 3. The consent of Congress is hereby given to any of the aforementioned States to establish such agencies or authorities, joint or otherwise, as they may deem desirable for making effective compacts or agreements herein authorized.

SEC. 4. Any such compact or agreement shall not be binding or obligatory upon the signatory States unless it has been approved by the legislatures of such States and by the Congress of the United States.

SEC. 5. The right to alter, amend, or repeal this resolution is hereby expressly reserved.

Approved, June 8, 1940.

Mr. DANAHER. The President previously had vetoed a bill in advance of the submission of the proposed compact to the Congress for its approval, but since that time the Committee on Commerce revised the original measure and by virtue of the later authorization thus granted an interstate compact has been entered into by the States of New Hampshire, Rhode Island, New York, New Jersey, Delaware, and Maryland.

I now introduce a bill granting the consent and approval of the Congress to the interstate compact thus negotiated to be referred to the Committee on Commerce.

The VICE PRESIDENT. Without objection, the bill will be referred, as requested by the Senator from Connecticut.

The bill (S. 1972) granting the consent and approval of Congress to an interstate compact relating to the better utilization of the fisheries—marine, shell, and anadromous—of the Atlantic seaboard and creating the Atlantic States Marine Fisheries Commission, was read twice by its title and referred to the Committee on Commerce.

APPLICATION OF SOCIAL SECURITY ACT TO MEMBERS OF MILITARY OR NAVAL FORCES

Mr. HATCH. Mr. President, some time ago there occurred some debate regarding a bill which sought to preserve some of the benefits under the social-security program to the men in the military and naval services. I now introduce a bill on the subject. The bill is rather complicated, and I have prepared a statement which I ask unanimous consent to have printed in the RECORD, together with the bill. I ask that the bill and the explanation be referred to the Committee on Finance.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the bill and the explanation will be referred to the Committee on Finance, and printed in the RECORD.

The bill (S. 1978) to preserve for persons who serve in the military or naval forces during the present emergency benefits under the Social Security Act, as amended, and under the Railroad Retirement Act of 1937, as amended, to provide unemployment compensation allowances for such persons, and for other purposes, was read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That this act may be cited as the "National Service Benefits Act of 1941."

OLD-AGE AND SURVIVORS' INSURANCE PROVISIONS

SEC. 2. Title II of the Social Security Act, as amended, is amended by adding at the end thereof the following new section:

"MILITARY SERVICE BENEFITS

"SEC. 210. (a) For the purposes of this title, an individual who is engaged in military service within the period beginning with September 1, 1940, and ending with the termination of the emergency declared by the President on May 27, 1941, shall be deemed to have been paid for each month in which he performs any military service within such period wages equal to the greater of the following: (1) $100, or (2) the monthly average (not counting any part of such monthly average which exceeds $250) of the wages received by him during the four calendar quarters immediately preceding the calendar quarter in which he began a period of military service which commenced after September 9, 1939.

"(b) The term 'military service' as used in this section means active service in the land or naval forces (including the Coast Guard) of the United States, but the service of any individual in any reserve component of such forces who is ordered to active duty for a period of 30 days or less shall not be deemed to be active service in such forces during such period.

"The Secretary of War, the Secretary of the Navy, and the Secretary of the Treasury shall, at the request of the Social Security Board, furnish to the Board such information with respect to individuals who render military service under their respective jurisdictions as may be necessary for the purposes of this title.

"(d) There are hereby authorized to be appropriated from time to time to the trust fund, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to meet additional costs of payments under this title, and of administration arising by reason of the provisions of this section."

RAILROAD RETIREMENT ACT PROVISIONS

SEC. 3. (a) Subsection (a) of section 3A of the Railroad Retirement Act of 1937, as amended by the act of October 8, 1940 (54 Stat. 1014), is amended by inserting before the first colon therein a comma and the following: "and any military service of an individual during the period beginning with September 1, 1940, and ending with the termination of the emergency declared by the President on May 27, 1941."

(b) Subsection (m) of such section 3A is amended by striking out "prior to January 1, 1937."

UNEMPLOYMENT-COMPENSATION ALLOWANCES

SEC. 4. The Social Security Act, as amended, is amended by inserting at the end thereof the following new title:

"TITLE XII

"UNEMPLOYMENT-COMPENSATION ALLOWANCES ON TERMINATION OF MILITARY SERVICE

"Eligibility for allowances

"SEC. 1201. (a) Each individual who shall have completed a period, ending after December 31, 1940, and prior to the expiration of 6 months after the termination of the emergency declared by the President on May 27, 1941, of not less than 90 days' military service shall be entitled to an unemployment-compensation allowance for each week of unemployment (as defined in sec. 1208), beginning in his benefit period (as defined in sec. 1208) until the total of such allowances is an amount equal to $240.

"(b) The provisions of this title shall not apply to any individual whose military service is terminated under dishonorable conditions.

"Amounts of allowances

"SEC. 1202. The unemployment compensation allowance for a week of unemployment shall be $15, except that for any such week in which an individual earns any remuneration, such allowance shall be determined with regard to his remuneration for work or the extent of his unemployment in such week, or both, in accordance with regulations prescribed by the Board, and if such allowance so determined is not a multiple of $1, it shall be increased to the next higher multiple of $1. The Board shall provide by regulation for a fair proportional reduction of the allowance for a week of unemployment, any part of which is included within a disqualification period specified in section 1203; and may by regulation prescribe the extent to which remuneration of $3 or less for odd jobs or short time or subsidiary work in a week shall be disregarded in determining the allowance for such week.

"Disqualification periods

"SEC. 1203. (a) No unemployment compensation allowance shall be payable to an individual—

"(1) for a 14-consecutive-day period beginning with any day (i) he was discharged for misconduct connected with his most recent work, or (ii) he failed without good cause, to accept or retain available suitable work, or to apply for such work when so directed by an employment office; or

"(2) for any day his unemployment is due to a labor dispute in active progress at the establishment at which he is or was last employed, unless such day occurs more than 41 days after the day such active progress began; or

"(3) for any day in a period with respect to which he has received, or has application pending for, unemployment compensation under any other Federal law or any State law.

"(b) (1) In determining whether or not any work is suitable for an individual, for the purposes of subsection (a) (1) of this section, the Board shall consider, in addition to such other factors as it deems relevant, the degree of risk involved to his health, safety, and morals, his physical fitness and prior training, his experience and prior earnings, the current practice recognized by management and labor with respect to such work, his length of unemployment and prospects for securing work in his customary occupation or his customary self-employment, and the distance of the available work from his residence and from his most recent work.

"(2) Unemployment compensation allowances shall not be denied under this title to any otherwise eligible individual for refusing to accept new work under any of the following conditions: (i) If the position offered is vacant due directly to a strike, lock-out, or other labor dispute; (ii) if the wages, hours, or other conditions of the work offered are substantially less favorable to the individual than those prevailing for similar work in the locality; (iii) if as a condition of being employed the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization.

"(c) Subsection (a) (2) of this section shall not be applicable to any individual who (1) is not participating in or directly interested in the labor dispute which caused his unemployment; and (2) does not belong to a grade or class of workers some members of which were employed at the establishment at which the dispute occurs immediately before the commencement of the active progress of such dispute, and any of whom are participating in or directly interested in the dispute: *Provided*, That if, in any case, separate branches of work which are commonly conducted as separate businesses in separate establishments, are conducted in separate departments of the same establishment, each such department shall, for the purposes of this subsection, be deemed to be a separate establishment.

"Administration

"SEC. 1204. This title shall be administered by the Board, under the direction and supervision of the Federal Security Administrator. Said Administrator may appoint a director of unemployment compensation allowances who shall receive a salary at the rate of not more than $8,000 per annum. The Board may utilize, in accordance with such regulations concerning supervision, procedures, and administration as it may prescribe, the facilities and the services of appropriate agencies charged with the administration of State unemployment compensation laws or employment offices. The Board is authorized to delegate to any officer or employee of the Board or to any such State agency which may from time to time be designated by it, any of the powers conferred upon the Board under this title, excluding, however, the power to prescribe rules and regulations. The Board is further authorized to designate any officer or employee of the Board or of any such agency to make the certifications provided in section 1205 (c). The Board may require surety bonds for any such officers or employees and any expenses incurred in connection with any such bonds may be paid out of the sums appropriated for the administration of this title. Appropriations and payments to States authorized in sections 301 and 302 of this act shall be available for, and determination of amounts certified for payment shall include the cost of, financing expenses incurred by any State agency eligible to receive payments under title III of this act, in connection with the administration of this title.

"(b) To the extent agreed upon between the Board and the Railroad Retirement Board, the Board may also utilize the facilities and services of the Railroad Retirement Board and may delegate to it any of the powers conferred upon the Board under this title,

including the power to make certifications provided in Section 1205 (c), but excluding the power to make rules and regulations. All moneys credited to the Railroad Unemployment Insurance Administration Fund shall be available for financing such expenses as the Railroad Retirement Board may incur in connection with the administration of this title.

"SEC. 1205. (a) The Board is directed to make decisions as to the rights of any individual applying for an unemployment compensation allowance under this title and shall provide for each individual whose claim for an unemployment compensation allowance under this title has been denied, an opportunity for a fair hearing thereon.

"(b) Insofar as such provisions are not inconsistent with the provisions or purposes of this title, the provisions of section 204, of subsections (a), (d), (e), (f), (g), (h), (j), and (k) of section 205 and of sections 206 and 207 shall be applicable to payments under this title: *Provided*, That the provisions of such section 206 shall be applicable to agencies designated under section 1204 of this title to such extent as the Board may by regulations provide.

"(c) Upon determination by the Board, or an agency designated by it as authorized in this title, or upon final judgment of a court of competent jurisdiction, that any individual is entitled to any payment under this title, the Board shall certify to the Secretary of the Treasury the name and address of the person to whom such payment is to be made, the amount of such payment, and the time such payment should be made; and the Secretary of the Treasury, through the Division of Disbursement of the Treasury Department, and prior to audit and settlement by the General Accounting Office, shall make payment in accordance with the certification of the Board.

"SEC. 1206. The term 'reports,' as used in section 303 (a) (6) of this act, shall include reports with respect to any matter which the Board deems pertinent in connection with the administration of this title, and, for the purposes of section 303 (c) of this act, this title shall be deemed to constitute an unemployment insurance law.

"Appropriation

"SEC. 1207. For the purpose of enabling the Board to carry out the provisions of this title, there is hereby authorized to be appropriated, for the fiscal year ending June 30, 1941, and for each fiscal year thereafter, a sum sufficient to carry out the purposes of this title, including appropriations of funds for transfer to the Railroad Unemployment Insurance Administration Fund.

"Definitions

"SEC. 1208. As used in this title—

"(a) the term 'employment office' means a free public employment office or branch thereof operated by a State or maintained as a part of a State-controlled system of public employment offices, a free employment office operated by the Railroad Retirement Board, or such other agencies within the United States as the Board may designate;

"(b) the term 'week' means any period of 7 consecutive days the Board may by regulation prescribe;

"(c) the term 'benefit period' with respect to any individual means the 1-year period commencing (1) on the day of his first registration at an employment office after he has completed the period of service prescribed in section 1201, or (2) the seventh day after the completion of such period of service, whichever day first occurs;

"(d) the term 'week of unemployment' means, with respect to an individual, a week (1) in which he performed no work or work for which his remuneration was less than $15, (2) during at least part of which he was able to, and available for, work, (3) during which work performed by him for remuneration was less than a full-time week's work, and (4) with respect to which he has met the requirement of Board regulations as to registering and reporting at an employment office;

"(e) the term 'remuneration' means money paid or payable for work;

"(f) the term 'military service' means active service in the land or naval forces (including the Coast Guard) of the United States, but the service of any individual in any reserve component of such forces who is ordered to active duty for a period of 30 days or less shall not be deemed to be active service in such forces during such period.

"SEC. 1209. Whoever, in any claim for any payment under this title, or in any document required for such claim, makes any statement of a material fact knowing it to be false, shall be guilty of perjury and shall, upon conviction thereof, be punished by a fine of not more than $5,000 or by imprisonment for not more than 2 years, or both.

"SEC. 1210. If any individual entitled to any payment under this title whose right to such payment ceases upon the happening of any contingency thereafter fraudulently accepts any such payment, such individual shall, upon conviction thereof, be punished by a fine of not more than $2,000 or by imprisonment for not more than 1 year, or both.

"SEC. 1211. Whoever shall obtain or receive any payment under this title without being entitled thereto with intent to defraud the United States or any individual in the military or naval forces of the United States shall, upon conviction thereof, be punished by a fine of not more than $2,000 or by imprisonment for not more than 1 year, or both."

SEC. 5. (a) Subdivisions (1) and (2) of section 1101 (a) of the Social Security Act, as amended, are amended to read as follows:

"(1) The term 'State' (except when used in section 531) includes Alaska, Hawaii, and the District of Columbia, and when used in titles V, VI, and XII of such act (including section 531) includes Puerto Rico.

"(2) The term 'United States' when used in a geographical sense means the States, Alaska, Hawaii, and the District of Columbia, and when so used in title XII includes Puerto Rico."

(b) Section 1101 (a) of the Social Security Act is amended by adding at the end thereof the following:

"(7) The term 'Board' means the Social Security Board unless some board other than the Social Security Board is specified."

The statement presented by Mr. HATCH in relation to the bill is as follows:

MEMORANDUM EXPLANATORY OF A BILL TO PRESERVE FOR PERSONS WHO SERVE IN THE MILITARY OR NAVAL FORCES DURING THE PRESENT EMERGENCY BENEFITS UNDER THE SOCIAL SECURITY ACT, AS AMENDED, AND UNDER THE RAILROAD RETIREMENT ACT OF 1937, AS AMENDED, TO PROVIDE UNEMPLOYMENT COMPENSATION ALLOWANCES FOR SUCH PERSONS, AND FOR OTHER PURPOSES

SHORT TITLE

The first section of the bill contains a short title for the act.

OLD-AGE AND SURVIVORS' INSURANCE

Section 2 of the bill adds a new section to title II of the Social Security Act. Under this section service in the military or naval forces during the present emergency would be counted as covered employment under title II of the Social Security Act for the purpose of determining eligibility for and computing the rate of old-age and survivors' insurance benefits under such title for the persons rendering such service. Service rendered during the period beginning with September 1, 1940, and ending with the termination of the unlimited national emergency declared by the President on May 27, 1941, would be counted. For such service a person in the military or naval forces would get at least as much credit under title II of the Social Security Act as if he were earning $100 a month in private employment. This would be true whether or not he was engaged in employment covered by the act prior to his entry into the military service. In the case of persons who prior to entry into the military service were engaged in employment covered by the act and whose wages for the four calendar quarters next preceding such entry exceeded an average of $100 a month, credit would be given for each month of military service for an amount equal to this monthly average (not exceeding $250 a month), if such service began after September 9, 1939.

Subsection (b) defines the term "military service" as active service in the land or naval forces of the United States, including the Coast Guard, except that it does not include periods of active duty for less than 30 days by persons in the Reserves.

Subsection (c) provides for furnishing to the Social Security Board the information necessary for administering the section.

Subsection (d) authorizes the appropriation of such sums as are necessary to pay the additional costs of benefits under the Social Security Act, which are due to credit for military service allowed under this section. Such additional costs would be paid for entirely by the Government.

RAILROAD RETIREMENT ACT

Section 3 of the bill amends section 3A of the Railroad Retirement Act of 1937, as amended. Section 3A of that act was added by the Second Revenue Act of 1940. That section now provides that for the purpose of determining eligibility for annuities and computing annuities, the years of service of persons to whom the act applies shall be deemed to include military service rendered during a war period prior to January 1, 1937, so that they receive credit for such service as if it were rendered in the employ of a carrier. This bill amends section 3A so as to provide that like credit will be given for any military service rendered during the period beginning with September 1, 1940, and ending with the termination of the emergency declared by the President on May 27, 1941.

UNEMPLOYMENT COMPENSATION ALLOWANCES

Section 4 of the bill adds a new title to the Social Security Act providing for a Federal system of unemployment compensation allowances for the benefit of persons who are unable to find employment after their discharge from military service. This system would operate in much the same manner as do the present unemployment-compensation systems of the various States.

Benefits under this title would be available to individuals who have completed a period of at least 90 days' military service, ending after December 31, 1940, and before the expiration of 6 months after the termination of the emergency declared by the President on May 27, 1941. The maximum total payment to any individual would be $240. The maximum weekly payment would be $15. Benefits would be payable for periods of unemployment occurring within 1 year after the termination of military service. No benefits would be payable to an individual—

(1) within a 14-day period after (a) he was discharged from his most recent employment because of misconduct or (b) he refuses to accept or retain suitable employment which is made available to him;

(2) when he is unemployed because of a labor dispute at the place of his most recent employment, during the first 41 days of such labor dispute;

(3) when he receives, or has pending an application for, unemployment compensation under some other law.

The bill provides that this unemployment compensation allowance system shall be administered by the Social Security Board. The Board is authorized to utilize the facilities and services of State agencies and of the Railroad Retirement Board to aid in administering the system and in determining eligibility for payment thereunder. Payments would be made by the Treasury Department upon certification by the Social Security Board.

CONSTRUCTION OF INTERSTATE PETROLEUM PIPE LINES

Mr. O'DANIEL. Mr. President, on July 30 of this year H. R. 4816 was approved and became Public Law 197—Seventy-seventh Congress, chapter 333, first session—"An act to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce." I now introduce a bill to amend that act. I also want to explain the reason for offering the amendment to the act.

I construe, after reading the record at the time this bill was under consideration, that the Congress intended this act to be a national-defense measure which would permit the building of facilities for transporting crude oil from the Texas oil fields and other oil fields to the Atlantic Coast States. I am familiar with the fact that some of our oil tankers previously used for this purpose have been transferred to other nations, and that, therefore, additional transportation facilities are needed to bring oil and gasoline from Texas and other oil-producing States to the eastern seaboard. I offer no objection to pipe lines being built for this purpose. But I want to point out, Mr. President, that unless the act is amended and some safeguards established, the authority granted by the act may be used as authority for constructing pipe lines that can, may, and possibly will be used for the transportation of another product, a product which the Members of Congress no doubt did not contemplate at the time the act was passed, and that product is natural gas. The act itself specifies "petroleum or petroleum products," and there is some difference of opinion as to whether natural gas may properly be termed a "petroleum product."

One of the main reasons I am bringing this matter to the Senate's attention today is because I am opposed to the construction of pipe lines which will be used for the transportation of natural gas from Texas to other sections of this Nation. I am not opposed to pipe lines for the purpose of transporting crude oil or gasoline from Texas to the Atlantic Seaboard States, and Texas is wholeheartedly back of our national-defense program and is willing to furnish all the crude oil and gasoline that we possess for the defense of our Nation. Our estimated crude-oil reserves now total the staggering amount of about 11,000,000,000 barrels.

Texas has always objected to proposals to pipe our natural gas out of the State, because it is a great natural resource which is needed in Texas for use in our homes and in the great industries of our State. Natural gas has been one of the strongest inducements for those large and small industries locating in Texas, and it is a great inducement for many more large and small industries to locate there in the future. These industries provide employment for thousands of our Texas laboring people, and as new industries come to our State and others expand, it creates additional jobs for our laboring people and additional markets for the vast surpluses of agricultural products which we produce. It would help to destroy our whole economic structure to move our great natural-gas supplies to other States by means of natural-gas pipe lines.

I do not believe that the Senators and Members of Congress intended at the time this act was approved that it should become a vehicle for robbing Texas or any other State of its rightful heritage of natural gas under the guise of national defense.

I do believe that under the broad provisions of the act there is a possibility that some commercial interests, who promoted this plan, and who will furnish the money to build the pipe lines, and who expect to profit by their operation, may undertake at some future time to use such pipe lines for the purpose of transporting natural gas unless the purposes of the act are more clearly defined at this time by amendment. I do not believe that any Member of the Congress or the responsible heads of any of our Federal Government departments intended to authorize transportation facilities for natural gas.

Let me tell the Senate why I believe that selfish commercial interests might at some future time attempt to transport natural gas under the broad authority granted under the original act. There have been several attempts in previous years to construct large-diameter pipe lines from Texas to the Eastern States for the purpose of transporting natural gas, but every venture has failed because most of the Texas citizens oppose the plan. I admit there may be a few citizens of Texas who own vast fields of natural gas who would like to have a broader market for their gas, but most of our citizens believe that the citizenship of the State as a whole will be best served by using the natural gas for our homes and industrial purposes in the State of Texas.

As an illustration I will refer to only one of the several instances in which attempts were made to build natural-gas pipe lines. On August 1, 1940, the Reserve Gas Pipe Line Co. was organized in Texas for the purpose of building a 24-inch pipe line 1,500 miles long from Texas to New York, costing $80,000,000. Please note that the 11 major oil corporations under the authority granted by this act now propose building a 24-inch pipe line 1,500 miles long from Texas to New York costing $80,000,000. The similarity of these two proposals make us wonder if they are not in fact one and the same idea. The first attempt failed to materialize because it was plainly stated in their application for charter and in their application to the Federal Power Commission that the purpose of the pipe line was to transport natural gas.

One of the three organizers of the Reserve Gas Pipe Line Co. of August 1, 1940, was Mr. Gardner Symonds, of Chicago, who is also vice president and treasurer of the Chicago corporation of which Mr. C. F. Glore, of Glore, Forgan & Co., is chairman of the executive committee and a director. Reports also show that Glore, Forgan & Co. has participated in the financing of Standard Oil Corporation of California. The records also show that since the Reserve Gas Pipe Line Co. failed to get permission to build its natural-gas pipe line, Mr. Davies was appointed by Mr. Ickes as Assistant Oil Coordinator, and Mr. Davies was or is a vice president of the Standard Oil Corporation of California on leave with pay, drawing $57,500 annually from the Standard Oil Corporation of California and $10,000 annually from the Federal Government. In view of these circumstances, there may be reasons to believe that the National Defense Pipelines, Inc., and Emergency Pipelines, Inc., which are to operate under the authority of this act, have the same plan of operation in mind as far as transporting natural gas is concerned that the Reserve Gas Pipe Line Co. had on August 1, 1940.

Mr. President, I do not propose to offer any objection to the spirit of this act as I believe the spirit existed in the minds of Congress at the time the act was approved, but I do want to offer an amendment that will hold all activity under the authority of the act to what I believe was the spirit which Congress intended. I do not believe that the Congress wants to be responsible for the enactment of a law that will permit natural gas to be transported when only crude oil and gasoline were advocated and petroleum and petroleum products were specified, and when there is a difference of opinion as to whether natural gas is a petroleum product. If at some later date Congress desires to consider the transportation of natural gas, it surely should be considered on its merits at that time. But right now the provision of the act should be plainly defined by amendment so that no misunderstanding can result.

I believe the commercial proponents of the present plan had in mind all the time that transportation of natural gas was authorized by the act because the records of our alleged gasoline-shortage hearings showed that pipe lines cost more money to construct than tankers cost, that will transport the same quantities of oil. It showed that it requires more steel to build pipe lines than it does to build tankers for the same capacity. It showed that it would take longer to build the pipe lines than it would to build the tankers. And last but not least, Mr. President, testimony showed that it would cost more money per barrel to transport oil by pipe lines than by tankers. Furthermore, tankers are much more flexible in their operation than pipe lines. Tankers can go from many and various originating points to many and various destinations on water. The pipe lines have only permanent originating points and permanent destinations. This act was intended as a national-defense measure. If our past policy had been one of building pipe lines instead of tankers, we could not have aided England in her oil and gasoline

transportation problem because she could not have accepted pipe lines from us and used them. She needed tankers. Our original plan of building tankers was a much better national-defense plan because we had tankers when England needed them. If we continue our tanker plan we will have more tankers when England and other nations need them. Why change our policy now and build pipe lines instead of tankers? England and other nations may later need more oil transportation facilities, but if we build pipe lines instead of tankers how can we supply them? However, I am not opposing the building of pipe lines for the transportation of oil or gasoline, if those public officials who shoulder the great responsibility of carrying out our national-defense program want pipe lines built. If we had plenty of steel, it might be a good idea to build both pipe lines and tankers, but unfortunately we are short on steel, and it is a question of choosing which means of transportation we should build from our limited supply of steel.

Mr. President, I have here a copy of an agreement between 11 major oil corporations drawn under the terms of this act, and while I do not want to take time here to read the agreement, I offer it to be inserted in the RECORD as a part of my remarks.

There being no objection, the agreement was ordered to be printed in the RECORD, as follows:

AGREEMENT

Agreement entered into this 5th day of September 1941, by and among Standard Oil Co. (New Jersey); Consolidated Oil Corporation; Sun Oil Co.; the Atlantic Refining Co.; Cities Service Co.; Socony-Vacuum Oil Co., Inc; Tide Water Associated Oil Co.; the Texas Corporation; Shell Oil Co., Inc.; Gulf Oil Corporation; Pan-American Petroleum & Transport Co.; and such other companies as may, subsequent to the date hereof, become parties hereto in the manner hereinafter set forth. Any commitment hereinafter undertaken by any party may be performed in whole or in part by a subsidiary or parent company of such party. Similarly any right granted to any party may be exercised by or assigned in whole or in part to such parent or subsidiary company.

This agreement is entered into under the authority and pursuant to the provisions of the act of Congress entitled "An act to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense and to promote interstate commerce" approved July 30, 1941, and shall become effective if there shall have been promulgated or received within 90 days after the date of execution thereof:

(a) A proclamation of the President of the United States issued under and pursuant to the authority of said act of Congress declaring his finding that the pipe lines hereinafter more specifically described are necessary for national-defense purposes and prescribing, subject to the provisions of section 8 (a) of said act, the terms and conditions under which said lines shall be constructed, completed, owned, operated, and maintained, and finding that it is necessary for national-defense purposes for the corporations hereinafter proposed to be organized to exercise the right of eminent domain in accordance with section 3 of said act;

(b) A written recommendation from the Petroleum Coordinator for National Defense addressed to the above-mentioned parties, requesting that the pipe lines hereinafter described be constructed, completed, owned, operated, and maintained in the manner hereinafter set forth, an executed original of which shall be made a matter of public record by the filing of the same in the National Archives of the United States and the printing of the same in the Federal Register;

(c) The approval of the general character of all activities hereinafter set forth, by the Assistant Attorney General of the United States in charge of the Antitrust Division, in accordance with the procedure set forth in the letters of the Attorney General of the United States to the Secretary of the Interior dated June 3, 1941, and June 18, 1941, and his letter to the General Counsel of the Office of Production Management dated April 29, 1941, and incorporated by reference in said letters to the said Secretary.

(d) A decree of the District Court of the United States for the District of Columbia entered in the matter of *United States of America* v. *American Petroleum Institute et al.* (Civil Action No. 8524), wherein it is adjudged and decreed that the concerted activities of the parties hereto hereinafter set forth are not in violation of the antitrust or other laws of the United States.

1. ORGANIZATION OF CORPORATIONS TO CONSTRUCT AND OPERATE PIPE-LINE FACILITIES

The parties agree to organize a corporation under the laws of the State of Delaware to be known as National Defense Pipelines, Inc., (or by such other name as may hereafter be selected) for the purpose primarily of constructing, completing, owning, operating, and maintaining the following facilities for the transportation of crude oil:

(a) Twenty-two-inch pipe line originating in the vicinity of Brightstar, Ark., near the Texas border and extending in a northeasterly direction to a point near Salem, Ill.;

(b) From junction near Salem, Ill., 24-inch pipe line to be constructed to the Bayonne and Philadelphia areas, with branches to refining centers;

(c) Sixteen-inch connecting line from Salem to Wood River, Ill., to tap the presently existing facilities now carrying oil from Oklahoma, Kansas, Texas, midcontinent, and Illinois areas;

(d) Necessary tankage, pumping stations, and equipment to deliver an aggregate of 250,000 barrels of oil daily to terminal points in the Bayonne and Philadelphia areas.

Socony, Shell, Pan American, Cities Service, and Consolidated agree to organize a second corporation under the laws of the State of Delaware to be known as Emergency Pipelines, Inc. (or by such other name as may hereafter be selected), for the purpose primarily of constructing, completing, owning, operating, and maintaining such additional pipe lines and facilities for the transportation of crude oil as shall be required to supplement existing lines and make possible the delivery of sufficient crude oil in the vicinity of Brightstar, Ark., to meet the tender commitments hereinafter referred to, said line to originate at a point in the east Texas oil field near Longview, and extend in a northeasterly direction to a point in Arkansas near Brightstar to connect with the pipe line to be constructed by National Defense Pipelines, Inc.

2. FINANCING OF NATIONAL DEFENSE PIPELINES, INC., AND EMERGENCY PIPELINES, INC.

As of the date hereof the parties anticipate that the cost of the lines and facilities to be constructed by National Defense Pipelines, Inc., and Emergency Pipelines, Inc., will not exceed $80,000,000. National Defense Pipelines, Inc., shall borrow approximately 80 percent (or more, if the director shall so determine) of the estimated cost of the lines and facilities to be constructed by it and by Emergency Pipelines, Inc., by private placement of notes maturing over a period of not more than 5 years, commencing as of the first day of the month following the month in which the pipe lines and facilities are completed and begin to deliver oil to the Bayonne and Philadelphia areas.

The balance of funds and capital required to construct and commence operation of the lines and facilities of the two pipe-line corporations will be furnished through the purchase by all present and future parties to this agreement (including Socony, Shell, Pan American, Cities Service, and Consolidated) of the capital stock of National Defense Pipelines, Inc., and through the purchase by Socony, Shell, Pan American, Cities Service, and Consolidated of the capital stock of Emergency Pipelines, Inc. The sum to be paid by said companies for said stock of Emergency Pipelines, Inc., shall not be less than the minimum share capital required by Delaware law and no company's subscription shall be more than its percentage hereinafter specified of the total amount to be paid by all parties for the stock of the two pipe lines. National Defense Pipelines, Inc., shall from time to time lend Emergency Pipelines, Inc., such sums as may be required by the latter, in addition to the share capital purchased by said companies, to construct and commence operation of its lines and facilities, said loans to be evidenced by notes bearing interest at a rate not greater than the rate paid by National Defense Pipelines, Inc., upon its private placement notes, and maturing over a period of not more than 5 years, commencing as of the first day of the month following the month in which said lines and facilities are completed and begin to deliver oil to the Bayonne and Philadelphia areas. Each party agrees to purchase stock (whether of one pipe-line corporation or both) in an aggregate amount to be determined by the proportion which the number of barrels of crude oil and petroleum products transported in 1940 for it and its subsidiaries in tankers owned by or under charter to it or its subsidiaries or through contracts of affreightment from the United States Gulf area to or for distribution in North Atlantic States (as hereinafter defined) bears to the aggregate barrels of crude oil and petroleum products transported in such manner for all the parties hereto and their subsidiaries from said area to or for distribution in said States during the same period. For purposes hereof the parties agree that their respective percentages based upon the above-stated formula and after adjustments thereof are as follows:

Name of company:	*Percentage*
Pan-American	6.21
Jersey	21.83
Sun	8.46
Atlantic	8.92
Consolidated	10.00
Texas	7.00
Tide Water	5.35
Gulf	7.61
Cities Service	7.63
Shell	5.17
Socony	11.82
	100.00

The amounts of such subscriptions shall be paid to the new corporations when and as required and called for by them.

North Atlantic States when referred to in this agreement shall mean and include the New England States, New York, Pennsylvania, New Jersey, Delaware, Maryland, and the District of Columbia.

3. RETENTION AND DISPOSITION OF AND RESTRICTIONS UPON VOTING STOCK OF PIPE LINES CORPORATIONS

Until 5 years from the first day of the month following the month in which the pipe lines and facilities are completed and commence delivering oil to the Bayonne and Philadelphia areas, each party hereto agrees, subject to the succeeding paragraphs of this section, not to sell, transfer, hypothecate or

otherwise dispose of any voting stock of said pipe-line corporations, except to its successor, subsidiary, or parent corporation without having first offered for a period of 20 days, said stock to the other parties hereto proportionately at cost less any liquidating dividends paid thereon. No such sale shall affect any commitment to tender or take crude oil or any obligation or right with respect to tanker space.

The parties agree that (a) 5 years after the first day of the month following the month in which the lines and facilities have been completed and commence delivering oil in the Bayonne and Philadelphia areas, or (b) at such earlier time as the stockholders of the pipe-line corporations shall by a two-thirds vote of all the issued and outstanding stock determine that the availability of other transportation facilities makes the continued operation of the pipe lines uneconomical and the above-mentioned private placement notes shall either have been paid in full, with any interest payable thereon, or provision satisfactory to the lenders for the payment thereof shall have been made, then and upon the happening of either such event, the parties will offer all of the shares of stock of each of said corporations for open bidding at public sale upon the following terms and conditions:

(1) The sale shall be conducted by a commission of three persons, one nominated by the Secretary of the Interior, one by the parties hereto, and the third by the two so nominated, or (in the event of their failure to agree) by the Chief Justice of the United States, or (in the event of his failure or unwillingness to make such nomination), by the Chief Justice of the Court of Appeals of the District of Columbia.

(2) The said Commission after having first deducted and paid the expenses of said sale (a) shall distribute to the parties, as they may each be entitled, such sums as shall be required, when added to such sums as they may already have received from the two pipe-line corporations as liquidating dividends upon their stock, to return to each party the cost of its stock without interest or dividends thereon, and (b) shall pay one-half of the balance of the proceeds of such sale into the Treasury of the United States and distribute the remaining one-half among the parties hereto, or their assignees, in accordance with the percentages set opposite their respective names in section 2 hereof (as the same may have been modified by reason of the joinder of additional parties).

(3) The parties hereto, or any of them, and any other person, firm, or corporation, including any duly authorized department or agency of the United States, may bid at such sale, and the purchaser shall hold said shares free of all obligations contained in this agreement.

(4) The said Commission shall have power to make and publish Terms and Conditions of Sale consistent with this section.

In the event that the unlimited national emergency declared to exist by the President of the United States in his proclamation dated May 28, 1941, should be terminated by proclamation prior to the time the pipe lines are completed and commence delivering oil to the Bayonne and Philadelphia areas, the two pipe-line corporations may be liquidated if the parties hereto acting as stockholders thereof shall so determine and shall have made provision satisfactory to the lenders for the payment in full of the above-mentioned private placement notes. In such event, the stock of said corporations shall not be sold by said Commission.

Upon the sale of said stock by said Commission or a liquidation of the two pipe-line corporations pursuant to the terms of this section, all commitments, obligations, and rights assumed under or granted by other sections of this agreement, except such as have accrued and remain unfulfilled at said time, shall cease and be of no further force or effect.

Appropriate limitations and restrictions embodying the agreements contained in this section 3 shall be included in the charters of the two pipe-line corporations and notice thereof shall be printed or stamped upon the stock certificates.

So long as the United States shall have a future interest under this section in the sale of the stock of said corporations, stock shall only be issued for cash.

4. COMMITMENTS TO TENDER AND TAKE CRUDE OIL

For a period of 5 years from the first day of the month following the month in which the pipe lines and facilities are completed and commence delivering oil to the Bayonne and Philadelphia areas (or until the above-mentioned notes of each of said pipe-line corporations have been paid in full, with any interest payable thereon in the manner provided in section 8 hereof, and funds are available to retire the outstanding stock) each of the parties severally agrees to tender, or cause to be tendered, to the pipe-lines at the points of tender specified below, and to take or cause to be taken from the lines in the Bayonne or Philadelphia areas the number of barrels of crude oil per day set opposite its name.

Name of company	Daily barrels to be tendered	Daily barrels to be taken	Point of tender
Pan-American	10,000	None	East Texas or Arkansas.
Jersey	35,000	48,333	Do.
Sun	30,000	43,333	Do.
Atlantic	30,000	43,334	Do.
Consolidated	25,000	25,000	Wood River.
Texas	5,000	None	East Texas or Arkansas
Do	5,000	None	East Texas or Arkansas or Salem.
Tide Water	17,500	17,500	East Texas or Arkansas.
Gulf	10,000	None	Do.
Do	10,000	10,000	Wood River
Cities Service	12,500	12,500	Wood River or Salem
Do	12,500	12,500	East Texas or Arkansas.
Shell	5,000	None	Do.
Do	5,000	None	East Texas or Arkansas or Salem.
Socony	20,000	20,000	East Texas or Arkansas.
	232,500	232,700	

Actual points of tender in the areas designated shall be at places acceptable to the pipe-line corporations. Parties may make tenders at places other than those designated to the extent permitted by the pipe-line corporations.

The pipe-line corporations shall themselves purchase sufficient crude oil initially to fill the lines.

5. ADDITIONAL PARTIES

All other companies who in the year of 1940 were engaged in the business of refining crude oil in the United States Gulf or North Atlantic States areas and transporting in tankers owned by or under charter to them either crude oil from said Gulf area to be refined in the North Atlantic States, or petroleum products from the said Gulf for distribution in the North Atlantic States, will be offered an opportunity to become parties to this agreement on such fair and equitable basis with respect to share of cost, subscriptions to stock and commitments to deliver and take quantities of oil as may be mutually agreed upon.

In the event of a dispute between the original parties and any other above-described company desiring to become a party respecting the terms of participation in this agreement, such dispute shall be submitted to the Petroleum Coordinator for National Defense as arbitrator and his decision shall be final and binding. In reaching his decision the arbitrator shall give due weight to the number of barrels of crude oil or petroleum products transported for the parties hereto and such other company during 1940 from the United States Gulf area to North Atlantic States in tankers owned by or under charter to them, or their subsidiaries, or through contracts of affreightment. He shall then determine the amount of the commitment for tenders and takes which the company desiring to become a party hereto shall make, and the proportion of the subscription to stock to be borne by said company.

The commitments and rights of the original parties with respect to tenders and takes shall be reduced proportionately if, as, and when, by reason of the joinder of additional parties, the capacity of the lines is exceeded. The financial obligations and rights of the original parties shall be adjusted proportionately upon joinder of any additional parties hereto. The right herein granted to other companies to become parties to this agreement shall cease 3 months after the effective date of this agreement.

6. TANKER SPACE AND CRUDE-PURCHASE OBLIGATIONS

Parties whose percentages of the aggregate daily barrels taken from the lines of National Defense Pipelines, Inc., exceed the percentages set opposite their respective names in section 2 hereof shall be obligated to furnish space from the United States Gulf area to ports on the Atlantic coast between Cape Hatteras and New York in tankers owned by or under charter to them, to parties whose percentages of takes from the lines are less than their percentages stated in said section 2 (except that for all purposes of this section 6 the percentages of Cities Service and Socony set forth in section 2 shall be deemed to be 6.63 and 12.83 percent, respectively, instead of the percentages therein set forth). The number of daily barrels of tanker space thus to be furnished by each of the former parties shall be determined by applying to the aggregate of the daily takes from the lines, the difference between such party's percentage of takes from the lines and its percentage stated in section 2. The gravity of crude oil taken from the lines and not the type or character of oil or petroleum products tendered for shipment in tankers, shall be the basis for determination of space to be furnished in tankers.

Similarly, the parties, whose percentages of the aggregate daily barrels taken from the lines of National Defense Pipelines, Inc., are less than the percentages set opposite their respective names in section 2, shall be entitled to receive space from said area to said ports in tankers owned by or under charter to the other parties hereto. The number of daily barrels of tanker space to which each of the former parties shall be entitled, shall be determined by applying to the aggregate of the daily takes from the lines the difference between such party's percentage stated in section 2, and its percentage of takes from the lines.

Parties whose takes of crude oil from the lines exceed their tenders shall be obligated to pay parties in a reverse position for the oil corresponding to the excess taken at the average of the prices posted for the grade tendered by the latter on the day of tender to the pipe lines by the three largest purchasers of crude oil in the field where said oil was produced and to reimburse the seller for transportation charges paid the said pipe-line corporations and gathering charges equivalent to the prevalent rate in the east Texas field.

Each party entitled to tanker space under the provisions of this section shall be obligated to accept and pay for the same, at the same rates per barrel for the haul from United States Gulf ports to Philadelphia or

New York as is charged by the pipe-line corporations for transportation from east Texas to Philadelphia, if the tanker owner (or charterer) receives its oil from the pipe lines in Philadelphia, or at the same rates per barrel for the haul from United States Gulf ports to Philadelphia or New York as is charged by the pipe lines for transportation from east Texas to Bayonne if the tanker owner (or charterer) receives its oil from the pipe lines in Bayonne. If said owner (or charterer) receives oil at both of said destinations, the tanker rate shall be the same as would be the weighted average pipe-line rate for the oil so received if it were all tendered in east Texas. Said obligations to charter and accept charters shall be coextensive in duration with the above-mentioned commitments to tender crude oil to the pipe lines.

For the purpose of making more specific the provisions of this section respecting the furnishing of tanker space by parties whose proportions of takes from the lines of National Defense Pipelines, Inc., exceed their respective percentages specified in section 2, such parties shall make definite agreements, consistent with the provisions of this section with parties whose proportions of takes from the lines are less than their said percentages, respecting use by the latter of space in tankers owned by or under charter to the former for the transportation of crude or refined products from the United States Gulf area to points on the Atlantic coast between Cape Hatteras and New York. In the event that at any time the former shall have available insufficient tanker space to comply with the provisions of such tanker agreements, then and in such cases such parties shall offer refined products at their respective refineries in North Atlantic States to the latter substantially equal in amount and kind to the refined products manufacturable in the ordinary course of its business by the former from an amount of crude oil delivered to it from the lines, equal in total volume to the products unable to be transported in tankers. Said refined products shall be of the specifications desired by the offeree. In determining whether available tanker space is insufficient, it is understood that the parties entitled to tanker space hereunder shall be given priority over the requirements of the parties furnishing the tanker space. The price to be paid for such refined products shall be the full manufacturing cost of the seller, cost of crude at the refinery, and direct manufacturing overhead.

If and when additional companies shall become parties, like agreements shall be executed as required to effect the intent hereof.

7. CONSTRUCTION, COMPLETION, OPERATION, AND MAINTENANCE OF THE LINES

The pipe lines shall be constructed, completed, owned, operated, and maintained by the pipe-line corporations. National Defense Pipelines, Inc., and Emergency Pipelines, Inc., shall enter into an agreement or agreements respecting delivery of oil by the latter to the former, division of through rates and such other matters as may be necessary or appropriate to carry out the intent and purpose hereof. From the time the pipe lines commence delivering oil to the Bayonne and Philadelphia areas, and thereafter until the sale of stock provided for in section 3 hereof shall have been made, National Defense Pipelines, Inc., shall be operated as a private contract carrier and not as a common carrier and shall not be required to transport oil for shippers other than parties to this agreement. To the extent permitted by law, Emergency Pipelines, Inc., shall be similarly operated. During said period neither National Defense Pipelines, Inc., nor Emergency Pipelines, Inc., shall file tariffs or reports with the Interstate Commerce Commission, or subject themselves to the regulatory jurisdiction of the Interstate Commerce Commission. At the termination of the above-mentioned period, if either line or both lines should be operated as a carrier of crude oil or petroleum products in interstate commerce, the corporations owning and operating said pipe lines shall become common carriers and subject themselves to the jurisdiction of the Interstate Commerce Commission. Liquidating dividends in retirement of capital stock may be declared and paid in the discretion of the boards of directors of the pipe-line corporations if, as, and whenever funds are available for the purpose.

8. CHARGES FOR TRANSPORTATION

National Defense Pipelines, Inc., and Emergency Pipelines, Inc., shall from time to time fix charges for transportation of crude oil which shall be fair and equitable to all subscribers to the stock of said corporations, and shall produce sufficient revenues to pay all operating expenses, depreciation, and charges of every character, taxes, interest and principal of all indebtedness, and provide funds sufficient to retire all stock issued at the cost thereof without any dividends or interest of any kind or character thereon, over a 5-year period. Tenders to the lines at points in east Texas or Arkansas shall bear the rate to destination established for transportation from the origin of the lines near Longview, Tex. In the event of a dispute respecting any transportation charges so fixed, the matter shall be determined by the arbitrators hereinafter referred to. Said corporations shall establish and issue to those shipping over their respective lines reasonable rules and regulations respecting batching, tenders, specifications of crude oil to be tendered, and all other matters customarily included therein. Tenders shall be blocked through the lines in reasonable batches as determined by the pipe-line corporations for the purpose of enabling each party who takes oil from the lines to receive oil of substantially the same kind and character tendered or paid for by it. The pipe-line corporations shall only transport sweet noncorrosive crude oil and shall not be required to accept for transportation crude oil with a sulfur content in excess of seventy-five one-hundredths of 1 percent or gravity of less than 32 A. P. I.

9. CRUDE OIL TRADING AGREEMENTS

The parties may from time to time make agreements among themselves with respect to sale or exchange of crude oil for the purpose of equitably adjusting excesses and deficiencies and enabling each to carry out its commitments hereunder. Any party which shall be unable to meet its respective commitments to tender shall nevertheless pay to the new corporations the charges established for transportation with respect to oil not shipped, this being the sole penalty for such failure.

10. DISPOSITION OF EXCESS CAPACITY

If, after the right granted by section 5 hereof to other companies to become parties hereto has expired by limitation, the pipe lines should from time to time have capacity to transport crude oil in excess of the aggregate of all commitments to tender, such capacity shall be divided and offered to all parties hereto in accordance with the percentages set forth in section 2 hereof. If any party should fail for 10 days to accept any capacity thus offered to it, such capacity shall be divided and offered to the other parties proportionately. This process shall be continued until all the capacity of the pipe lines has been taken or all the parties have failed to take some of the available capacity. Commitments to take any such excess capacity shall be for a period of 6 months. If the parties fail to take all the available capacity of the pipe lines, then to the extent necessary to make full use of the capacity the pipe-line corporations may (if the directors so order) purchase and transport crude oil and sell the same.

11. HYPOTHECATION OF COMMITMENTS

The pipe-line corporations shall be authorized by the parties to pledge or hypothecate their respective several commitments to tender oil with the persons or institutions loaning National Defense Pipelines, Inc., funds for the construction and completion of the pipe lines.

12. ARBITRATION

In the event a controversy shall arise respecting any matter covered by this agreement (except section 5 hereof) or any transactions entered into pursuant to the terms hereof, any party involved in such controversy shall have the right to submit the matter to arbitration. One arbitrator shall be selected by the party or parties advocating one side of the dispute, one by the party or parties advocating the other side of the dispute, and a third by the two arbitrators thus selected. In the event that the two arbitrators thus selected should fail to designate a third arbitrator, or if either side in the controversy should fail or neglect to designate its or their arbitrator, the unselected arbitrator or arbitrators shall be designated by any United States district court having jurisdiction of the party making the application for such appointment, pursuant to the provisions of the United States Arbitration Act of February 12, 1925, and any supplements or amendments thereto. The decision of a majority of the arbitrators shall be final and binding and there shall be no appeal therefrom. Judgment may be entered upon any award made by such arbitrators in the manner provided by said act of Congress.

13. GOVERNMENTAL COOPERATION

The construction of the proposed pipe lines shall be contingent upon the new corporations having when organized or receiving within 90 days after the execution hereof:

(a) Assurance from the Supply priorities and Allocations Board, the Office of Production Management, or other proper governmental agencies of a continuous supply of materials as and when required for construction and equipment of the lines;

(b) A certificate issued pursuant to the provisions of the United States Internal Revenue Code permitting amortization of the entire cost of the construction, reconstruction, erection, installation, and acquisition of the above-described pipe lines and facilities over a period of 60 months, commencing with the month following the month in which the said pipe lines and facilities are completed.

14. COUNTERPART EXECUTION

This agreement may be executed in several counterparts, each of which, so executed, shall be deemed an original, and such counterparts shall together constitute but one and the same instrument.

In witness whereof, the parties hereto have caused these presents to be duly executed the day and year first above written.

Standard Oil Co. (New Jersey), by R. W. Gallagher, vice president; attest: A. C. Minton, secretary. Consolidated Oil Corporation, by Harry F. Sinclair, president; attest: J. von Bevern, assistant secretary. Sun Oil Co., by J. Howard Pew, president; attest: Frank Cross, secretary. The Atlantic Refining Co., by Robert H. Colley, president; attest: W M. O'Connor, secretary. Cities Service Co., by W. Alton Jones, president; attest: G. H. Maurer, assistant secretary. Socony-Vacuum Oil Co., Inc., by J. A. Brown, president; attest: W. D. Bickham, secretary. Tide Water Associated Oil Co., by B. I. Graves, president; attest: W. J. Burker, secretary. The Texas Corporation, by W. S. S. Rodgers,

president; attest: W. G. Elicker, assistant secretary. Shell Oil Co., Inc., by Alexander Fraser, president; attest: C. S. Gentry, secretary. Gulf Oil Corporation, by J. F. Drake, president; attest: David Proctor, secretary. Pan American Petroleum & Transport Co., by Robert E. Wilson, president; attest: L. M. Wilson, secretary.

Mr. O'DANIEL. By studying the terms of this agreement, it can be seen that these large oil corporations are permitted to build and operate a transportation system which will compete with other transportation systems, and charge rates which will pay for this whole system in a period of 5 years or less. During this period, while competing transportation systems will be paying our Federal Government income taxes on their earnings, the transportation companies operating under authority of this act will pay none. They will invest $80,000,000, and they will get back all of their $80,000,000 within 5 years or less, together with interest on 80 percent of the investment; and during this period the Government will get no income taxes on this $80,000,000 income. Then the property is to be sold, or the stock representing the property is to be sold, and one-half of the net proceeds of the sale will go to the owners of the pipe lines or of the capital stock, and the other one-half will go to the Federal Government in lieu of taxes. This simply means that the owners of the pipe lines can buy them for just one-half of the amount for which any other company or individual can buy them or the capital stock representing the property when they are sold at the end of 5 years or sooner. This is by reason of the fact that if the owners of the property buy the pipe lines or the capital stock themselves at the sale, they will pay the full sale price, but one-half of the sale price will be refunded to them. It is not probable that anyone other than the owners will bid for the property on these terms; but if no one else does bid, it is quite likely that the property will sell at a ridiculously low price. Few outsiders would bid on such pipe lines or capital stock when the owners against whom they would bid would be about the only potential customers who thereafter would use pipe lines for transporting oil or gasoline. It is quite likely that the pipe lines so built will sell at no higher than junk prices of the basic metal, less the cost of dismantling.

I am simply calling this matter to the attention of the Senate, Mr. President, because I fully realize that the national-defense program must go forward, and must go forward at any cost, and I am not advocating that the pipe lines not be built, if the public officials in authority deem it advisable that they be built. But I am advocating and insisting that, on top of this lucrative project being offered to the 11 major oil corporations, they not inadvertently be given by this act the further franchise to transport from the State of Texas its God-given heritage—natural gas—when our Government officials want only crude oil and gasoline transported for national-defense purposes.

Therefore, I introduce the following bill, being an amendment of Public Law No. 197, Seventy-seventh Congress, chapter 333, first session, and urge its prompt consideration by this body, so that the work of constructing pipe lines for national-defense purposes may proceed promptly and rapidly and on a definite understanding by all parties concerned, as to the purposes for which the pipe lines are to be used, which I shall now read:

Be it enacted, etc., That the act entitled "An act to facilitate the construction, extension or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce," approved July 30, 1941, is amended by adding at the end thereof the following new sections:

"SEC. 10. Any land or interest in land acquired pursuant to the provisions of section 3 or section 4 of this act shall be acquired subject to the condition that should the pipe line with respect to the construction, completion, extension, operation, or maintenance of which such land or interest in land is acquired ever be used for the transportation or distribution of natural gas, such land or interest in land shall revert, upon the completion of the dismantling of such pipe line as provided in section 11 of this act and the removal from such land of all materials salvaged in connection with the dismantling of such pipe line, to the person from whom it was so acquired, or to the heirs or assignees of such person.

"SEC. 11. In the event any pipe line constructed, extended, completed, operated, or maintained upon any land which or an interest in which was acquired pursuant to the provisions of section 3 or section 4 of this act should ever be used for the transportation or distribution of natural gas, the President shall forthwith, through department or agency of the Government as he may designate for such purpose, take over such pipe line, provide for the prompt dismantling thereof, and the sale of any materials salvaged in connection with such dismantling, and distribute the net proceeds realized from the sale of such materials to the owner or owners of such pipe line. The decision of the department or agency designated by the President to provide for the dismantling of any such pipe line with respect to the distribution of the net proceeds realized from the sale of any materials salvaged upon the dismantling of such pipe line shall not, in the absence of fraud or mistake in mathematical calculation, be subject to review by any other administrative or accounting officer, employee, or agent of the United States, or by any court."

The VICE PRESIDENT. The bill introduced by the Senator from Texas will be referred to the Committee on Interstate Commerce.

The bill (S. 1979) to amend the act entitled "An act to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce," approved July 30, 1941, to prohibit the use of any pipe line constructed under such act for the transportation or distribution of natural gas, and for other purposes, was read twice by its title and referred to the Committee on Interstate Commerce.

HOUSE BILL REFERRED

The bill (H. R. 5788) making supplemental appropriations for the national defense for the fiscal years ending June 30, 1942, and June 30, 1943, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

THANKS OF CONGRESS TO THE SENATE AND CHAMBER OF DEPUTIES OF MEXICO

Mr. LEE. Mr. President, on behalf of myself and the Senator from New Mexico [Mr. CHAVEZ], I submit a concurrent resolution which I wish to have the clerk read; then I shall ask consent for its immediate consideration.

The VICE PRESIDENT. The clerk will read the concurrent resolution.

The Chief Clerk read the concurrent resolution (S. Con. Res. 18), as follows:

Whereas the congressional members of the United States delegations to the Fourth Pan American Highway Congress and the Second Inter-American Travel Congress, recently held in Mexico City, Mexico, were welcomed by the Senate and the Chamber of Deputies of the Republic of Mexico at special sessions of such bodies held for such purpose; and

Whereas the Congress of the United States is appreciative of the friendly sentiments expressed by the members of the Mexican Congress in welcoming the congressional members of such delegations and of the courtesy extended to such congressional members in permitting them to respond to the speeches of welcome: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the thanks of the Congress of the United States are hereby extended to the Senate and the Chamber of Deputies of the Republic of Mexico for the courtesies extended by them to the congressional members of the United States delegations to the Fourth Pan American Highway Congress and the Second Inter-American Travel Congress, recently held in Mexico City.

Resolved further, That the Secretary of the Senate and the Clerk of the House of Representatives are directed to communicate copies of this resolution through appropriate channels to the Senate and the Chamber of Deputies of the Republic of Mexico.

Mr. LEE. Mr. President, I ask unanimous consent for immediate consideration of the concurrent resolution.

The VICE PRESIDENT. Is there objection?

Mr. McNARY. Mr. President, I think there is one precedent for action of this kind set by the Senate some years ago. This seems to be a gesture in the direction of the good-neighbor policy, and, under the circumstances, I have no objection.

There being no objection, the concurrent resolution was considered and agreed to.

OTIS THOMPSON

The VICE PRESIDENT laid before the Senate the amendment of the House of Representatives to the bill (S. 1426) for the relief of Otis Thompson, which was, on page 2, line 4, after "20", to insert a colon and the following proviso:

Provided, That said claim shall be filed with the United States Employees' Compensation Commission not later than 60 days after the approval of this act: *And provided further*, That no benefits shall accrue prior to the approval of this act.

Mr. KILGORE. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

REPEAL OF CERTAIN SECTIONS OF THE REVISED STATUTES

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 377) to repeal sections 512, 513, 514, 515, as amended, 3744, as amended, 3745, 3746, and 3747 of the Revised Statutes, which were, to strike out all after the enacting clause and insert "That sections 512, 513, 514, 515, as amended, of the Revised Statutes; sections 1 and 3 of the act approved February 4, 1929 (45 Stat. 1147); and section 3744, as amended; 3745, 3746, and 3747 of the Revised Statutes (41 U. S. C., secs. 1, 2, 3, 4, 4a, 16, 17, 18, and 19) are hereby repealed."; and to amend the title so as to read "An act to repeal sections 512, 513, 514, 515, as amended, of the Revised Statutes; sections 1 and 3 of the act approved February 4, 1929 (45 Stat. 1147); and section 3744, as amended; 3745, 3746, and 3747 of the Revised Statutes."

Mr. WALSH. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

AMERICANS ALL—ADDRESS BY SENATOR THOMAS OF UTAH

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD the address delivered by Senator THOMAS of Utah on October 10, 1941, under the auspices of the American Committee for Protection of Foreign Born, which appears in the Appendix.]

THE ADAMS ELECTRIC COOPERATIVE—ADDRESS BY SENATOR GUFFEY

[Mr. HATCH asked and obtained leave to have printed in the RECORD the address delivered by Senator GUFFEY before the annual meeting of the Adams Electric Cooperative, at Caledonia Park, Pa., on October 11, 1941, which appears in the Appendix.]

THE HARTFORD COMMUNITY CHEST—ADDRESS BY SENATOR MALONEY

[Mr. MALONEY asked and obtained leave to have printed in the RECORD an address delivered by him at Hartford, Conn., on October 11, 1941, in the Hartford Community Chest campaign, which appears in the Appendix.]

ADDRESS BY SENATOR LEE ON BEHALF OF DELEGATION FROM THE UNITED STATES TO FOURTH INTER-AMERICAN HIGHWAY CONGRESS

[Mr. LEE asked and obtained leave to have printed in the RECORD the response to greetings by the Mexican Senate made by him on behalf of the delegation from the United States to the Fourth Inter-American Highway Congress, which appears in the Appendix.]

ADDRESS BY SENATOR WILEY AT EAU CLAIRE, WIS.

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address delivered by him at Eau Claire, Wis., on October 4, 1941, which appears in the Appendix.]

REVISION OF THE NEUTRALITY ACT—STATEMENT BY SENATOR BROOKS

[Mr. BROOKS asked and obtained leave to have printed in the RECORD a statement made by him before the American Forum at the Willard Hotel Sunday, October 12, 1941, which appears in the Appendix.]

THE EQUAL RIGHTS AMENDMENT

[Mr. TUNNELL asked and obtained leave to have printed in the RECORD a discussion by Senator GILLETTE and Mrs. Emma Guffey Miller, Democratic national committeewoman of Pennsylvania, of the equal rights amendment, on October 1, 1941, which appears in the Appendix.]

INVITATION TO EDUCATIONAL REVOLUTION—ADDRESS BY PAUL V. McNUTT

[Mr. DAVIS asked and obtained leave to have printed in the RECORD an address delivered by Hon. Paul V. McNutt, Federal Security Administrator, at the inauguration of Dr. Paul S. Douglass as president of American University Memorial Continental Hall, Washington D. C., October 10, 1941, which appears in the Appendix.]

FREEDOM AND DEMOCRACY—ADDRESS BY WILLIAM S. KNUDSEN

[Mr. HERRING asked and obtained leave to have printed in the RECORD an address by William S. Knudsen, Director General, Office of Production Management, before the Fight for Freedom Rally at Madison Square Garden, New York, on October 5, 1941, which appears in the Appendix.]

THE ONE-HOUSE LEGISLATURE—ARTICLE BY SENATOR NORRIS

[Mr. McNARY asked and obtained leave to have printed in the RECORD an article from the Annals of the American Academy of Political and Social Science for September 1935, by Senator NORRIS, entitled "The One-House Legislature," which appears in the Appendix.]

GOVERNMENT EXPENDITURES—ADDRESS BY SAMUEL B. PETTENGILL

[Mr. VAN NUYS asked and obtained leave to have printed in the RECORD an address delivered by Hon. Samuel B. Pettengill on Friday, September 19, 1941, regarding Government expenditures, which appears in the Appendix.]

JOHN HANSON OF MULBERRY GROVE

[Mr. VAN NUYS asked and obtained leave to have printed in the RECORD a letter from Cornelia E. Kremer and Ann Kremer Post to Mr. George W. Straubinger, Assistant Librarian, United States Senate Library, enclosing copy of book by J. Bruce Kremer entitled "John Hanson of Mulberry Grove," which appears in the Appendix.]

THE SUPREME COURT OF PENNSYLVANIA—ARTICLE FROM TIME

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an article from Time for October 13, 1941, regarding the Supreme Court of Pennsylvania, which appears in the Appendix.]

THESE UNITED STATES—POEM BY WILLIAM B. LARKIN

[Mr. DAVIS asked and obtained leave to have printed in the RECORD a poem by William B. Larkin, published in the Boston Sunday Post of September 28, 1941, entitled "These United States," which appears in the Appendix.]

THE TENNESSEE VALLEY AUTHORITY

[Mr. BANKHEAD asked and obtained leave to have printed in the RECORD an article from the Birmingham News of October 3, 1941, relating to a decision on an attempt to remove the principal offices of the Tennessee Valley Authority, which appears in the Appendix.]

RELIGION AS THE FOUNDATION OF FREEDOM—ADDRESS BY MONSIGNOR JOHN A. RYAN

[Mr. MURRAY asked and obtained leave to have printed in the RECORD a radio address on the subject Religion as the Foundation of Freedom, delivered by Rt. Rev. Msgr. John A. Ryan, on September 29, 1941, which appears in the Appendix.]

ARMED MERCHANTMEN—EXTRACT FROM REPORT OF SPECIAL SENATE COMMITTEE ON INVESTIGATION OF MUNITIONS INDUSTRY

[Mr. CLARK of Missouri asked and obtained leave to have printed in the RECORD chapter III of part 5 of Senate Report No. 944, under the heading "Armed merchantmen," submitted by him on June 5, 1936, which appears in the Appendix.]

CONSTRUCTION OF DEFENSE WORKS IN THE PHILIPPINE ISLANDS

Mr. TYDINGS. Mr. President, there is on the Senate calendar Senate bill 1929, to amend section 19 (a) of the Philippine Islands Independence Act of March 24, 1934, so as to authorize certain sugar excise-tax funds and other funds to be used for military- and naval-defense purposes in the Philippine Islands. All sides have agreed upon the text of the bill—the War Department, the Filipinos, and the Committee on Territories and Insular Affairs—and later during the day I shall call it up for consideration of the Senate.

CERTIFICATION FOR AMORTIZATION PURPOSES OF NATIONAL-DEFENSE FACILITIES AND CONTRACTS—CONFERENCE REPORT

Mr. BARKLEY (for Mr. GEORGE) submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 235) to amend section 124 of the Internal Revenue Code by extending the time for applications, and changing the procedure, for certification of national-defense facilities and contracts for amortization purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, and 5; and agree to the same.

WALTER F. GEORGE,
TOM CONNALLY,
ROBERT M. LA FOLLETTE, JR.,
Managers on the part of the Senate.

R. L. DOUGHTON,
JOHN W. BOEHNE, JR.,
ALLEN T. TREADWAY,
FRANK CROWTHER,
Managers on the part of the House.

The report was agreed to.

EXTENSION OF LENDING AUTHORITY OF RECONSTRUCTION FINANCE CORPORATION

Mr. BARKLEY. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 731, House bill 5667, increasing the authorization of the Reconstruction Finance Corporation to issue bonds, notes, debentures, and so forth.

Mr. McNARY. Mr. President, I understand the bill is on the calendar, and I think it is the one the able Senator spoke to me about on Thursday last?

Mr. BARKLEY. Yes; it is.

Mr. McNARY. I have no objection to its immediate consideration.

The VICE PRESIDENT. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 5667) to authorize the Reconstruction Finance

Corporation to issue notes, bonds, and debentures in the sum of $1,500,000,000 in excess of existing authority.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which is as follows:

Be it enacted, etc., That the amount of notes, bonds, debentures, and other such obligations which the Reconstruction Finance Corporation is authorized to issue and have outstanding at any one time under existing law is hereby increased by $1,500,000,000.

Mr. TAFT rose.

Mr. BARKLEY. I inquire if the Senator from Ohio desires to be recognized.

Mr. TAFT. I desire to be recognized and to speak on the bill.

Mr. BARKLEY. I will make a very brief statement with reference to the bill first, if I may.

Mr. TAFT. Very well.

Mr. BARKLEY. Prior to the defense program or to the Reconstruction Finance Corporation's entry into the defense program in the way of financing plants and the purchase of materials, Congress had authorized the Reconstruction Finance Corporation to issue some $3,000,000,000 and a little more of debentures, notes, and so forth, for the purpose of obtaining money to lend to institutions of various kinds. There was subsequently an act passed increasing their authority by $1,500,000,000, which amount was absorbed. Then Congress passed another act increasing it by another $1,500,000,000, which made, as I recall, $6,300,000,000. Those are not the exact figures, but the amount is approximately $6,300,000,000. The figures are set out in the hearings and in the statement made before the committee by Mr. Jones, Administrator of the Federal Loan Agency.

All those funds have been allocated; there have been commitments of all of them; indeed, as a matter of fact, there have been commitments or tentative commitments in excess of the authority of the Reconstruction Finance Corporation to issue, those commitments depending upon the enactment of this proposed legislation.

The pending bill provides another billion and a half dollars authority for the Reconstruction Finance Corporation to issue its obligations, its debentures, notes, bonds, and so forth, in order to obtain funds to carry on still further the defense program.

I may say that practically a billion dollars of this one and a half billion dollars is for the purpose of increasing our capacity in the production of steel. It is desirable on the part of the Government, according to the recommendations of the O. P. M. to the Reconstruction Finance Corporation, to increase our capacity by about 10,000,000 tons of steel a year. In order to do that additional plants must be constructed, and it will take a billion dollars to provide the necessary industrial expansion to produce the increased tonnage of steel for our defense program.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BARKLEY. I will yield in a moment. In addition to the billion dollars for steel, approximately $225,000,000 has been committed for other activities, so that, if this bill is enacted, almost immediately the entire amount will be absorbed in the expansion of the steel industry, and also in the expansion of other industries, in the purchase of critical materials and in other activities in connection with defense plants in which the Reconstruction Finance Corporation, through its subsidiaries, has been engaged.

I now yield to the Senator from Wyoming.

Mr. O'MAHONEY. Can the Senator give any information as to where it is proposed to make the expansion in the steel industry, and by whom?

Mr. BARKLEY. I cannot tell the Senator where the expansions are to be located, if that is what the Senator has in mind. Of course, it is contemplated that the expansions, in large measure, will be made by those already engaged in the steel industry. I do not assume that very much of it will go through inexperienced organizations not already familiar with the steel industry, but I do not know that it has been decided by the O. P. M. where plants are to be located. They consult with the War and Navy Departments on the entire set-up, and then the Reconstruction Finance Corporation comes into the picture when the various departments involved have decided on the increased capacity needed and make recommendations to the R. F. C. for the purpose of making the loan. Then, when the loan recommendation is received by the Reconstruction Finance Corporation, it is the function then of that Corporation to look into the matter and to negotiate the terms, and all that. But the Reconstruction Finance Corporation itself does not decide on the location of plants if they happen to be new ones or expansions if they happen to be expansions.

Mr. O'MAHONEY. May I suggest to the Senator that the geographical location of newly established plants is perhaps not of a great deal of importance, but the control which is to be exercised over these plants is of tremendous importance?

The Senator used the word "inexperienced" to push aside, as it were, consideration of new enterprises in this field. It should be recalled, I think, that at the outset of the defense effort the most experienced persons in the steel industry were asked to give an estimate of the capacity as compared with the demand. A report was prepared by Mr. Gano Dunn, an engineer whose reputation is so great that he is recognized throughout the country as one of the leading, if not the leading engineer, in the New World. His estimate was that there was sufficient capacity. Therefore, the term "experienced" seems to me to be rather unfortunate, and I think there is grave danger that unless a good deal of attention is paid to this matter the net result of the defense effort will be an expansion of capacity by those who in the past have suppressed capacity; in other words, there is grave danger that the control of our entire steel industry will be in the hands of those who in the past have been more concerned with keeping the prices of steel up and production down than in any other phase of the whole industry.

Mr. BARKLEY. I will say to the Senator from Wyoming that I recall the estimate made by Mr. Gano Dunn, for whom personally and for whose engineering capacity I have the greatest respect. Of course, there was some question at the time, and there has arisen greater question since then, as to whether that estimate was correct.

Mr. O'MAHONEY. Of course, it was not correct, and we all know that now.

Mr. BARKLEY. We know now that it was not correct, and even at the time it was disputed. But all of us who did not really know the extent to which steel would be necessary in the defense program, as well as in the private-industry activities of our country, were led to believe by Mr. Dunn's honest mistake that there was no need for immediate expansion of the steel industry. We have all learned better now, and the O. P. M. and the War Department, and all the other defense activities, have learned that it is necessary to expand our steel industry.

I will say in frankness that there are some of the steel people themselves who entertain the fear that we may expand the steel industry so greatly on account of the emergency that we may have more than we need after the emergency is over. Of course, that is a risk we must run with respect to the expansion of the aluminum industry and industries interested in the production of all other strategic materials necessary for national defense. But I think we must keep in mind that the greater capacity we have in order to fill defense needs, the greater the probability that we will not have to withhold from private industry, or the small factories in the country, the steel which they need in order that they may go ahead with their industrial program.

Mr. O'MAHONEY. If I may interrupt further, the question in my mind is not so much whether we must have expansion—we should have expansion, there is no doubt about that—but whether the expanded facilities are to be controlled by the restrictive influences which have controlled steel in this country in the past—the United States Steel Corporation, the Bethlehem Steel Corporation, big business in steel. Is big business in steel, under the guise of being the only experienced enterprises in steel, to have control of the expanded facilities for which we are now about to provide by increasing the loaning capacity of the R. F. C. by a billion and a half dollars? That, I think, is one of the most important questions before the country at this time.

Mr. BARKLEY. I agree with the Senator about that, and it is not contemplated that any steel company will be given a monopoly in the financing of the expansion. There are a goodly number of long-existing steel corporations in the country, and of course the matter will be under the control and direction of the O. P. M. and the War Department, by whatever arrangement they make. In other words, it will not simply be left to any one company to determine the policy

as to how much expansion there shall be, or what company shall get a loan to enable it to expand. As was the case before the emergency arose, any given company might control its own operations. All this matter is now more or less under the direction of the defense agencies of the Government of the United States, and I assume that any number of companies now engaged in the production of steel will be allowed an opportunity to participate, if they desire, in the loans which will make it possible for them to expand, if they cannot now do so with their own funds.

Mr. O'MAHONEY. Do I understand from what the Senator has said that the program of expansion has not as yet been adopted?

Mr. BARKLEY. Tentatively it has been. There have been negotiations and conversations, but it cannot be adopted without the money which will be authorized to be loaned under the pending measure.

Mr. O'MAHONEY. Will the Senator be good enough to tell us with whom such tentative arrangements and conversations have been had?

Mr. BARKLEY. I doubt whether I can give the information entirely to the Senator, but up to now there have been commitments to the Carnegie Steel Co.

Mr. O'MAHONEY. Which is a subsidiary of the United States Steel.

Mr. BARKLEY. The Illinois Steel Corporation, and the Republic Steel Corporation, contingent, of course, upon the R. F. C. receiving authority to make the loans.

Mr. O'MAHONEY. There have been commitments to those concerns?

Mr. BARKLEY. Tentative commitments; yes.

Mr. O'MAHONEY. In what amounts?

Mr. BARKLEY. The Carnegie commitment, I think, is $85,000,000; the Illinois Steel Corporation commitment, $32,000,000; and the Republic Steel Corporation commitment, $58,000,000.

Mr. O'MAHONEY. If I may trespass upon the Senator's time for one more moment, the special committee of the Public Lands Committee of this body, authorized by the Senate to investigate the possibilities of developing raw materials in the public-land States, recently held extensive hearings in the West. One of those hearings was held in Salt Lake City, and the Senator from Utah [Mr. MURDOCK] was present at the hearing. Unfortunately, the transcripts of the hearings have not as yet been printed, but some very persuasive testimony was submitted at the hearing in Salt Lake City indicating that the private agencies, which in the past have controlled the steel industry of the United States, have deliberately suppressed the development of the industry in the Rocky Mountain area of the West.

Mr. TRUMAN. Mr. President, will the Senator permit an interruption at that point?

Mr. O'MAHONEY. Certainly.

Mr. TRUMAN. I should like to add to the statement of the Senator from Wyoming that that condition exists not only in the steel industry but it exists in the aluminum industry; it exists in the copper industry; it exists in the brass industry. Every effort has been made to prevent a proper expansion of those metal industries for the welfare and benefit of this Nation, so as to hold them in the hands of the groups which now control them. That has been very definitely proven before my committee.

Mr. O'MAHONEY. I am very grateful to the Senator for that statement in the time of the Senator from Kentucky. But I was about to say that the testimony before our committee was clear that the great deposits of the Rocky Mountain area in the West might have been developed years ago if it had not been for the restrictive policies of the very interests which it now appears will be the beneficiaries of the loan which is about to be made.

Mr. MURDOCK. Mr. President, will the Senator yield to me?

Mr. O'MAHONEY. If I may, I yield.

Mr. BARKLEY. I will yield to the Senator, if the Senator from Wyoming is through.

Mr. MURDOCK. Inasmuch as the distinguished Senator from Wyoming has mentioned the hearing held in the West with reference to iron and other mineral resources, I should like to ask the Senator from Wyoming whether he has read the report from the O. P. M., which outlines the expansion in the steel industry.

Mr. O'MAHONEY. I have not had an opportunity yet to do so.

Mr. MURDOCK. My reason for interrupting the discussion was to call his attention particularly to the proposal of Mr. Henry Kaiser, which was presented months ago, to expand on the Pacific coast in the amount of $150,000,000. In his proposal he takes into consideration the iron-ore deposits and the coking coal deposits of Utah, as well as of California, and he makes what I consider to be a very comprehensive proposal of a large independent steel operation on the coast.

I am sure the distinguished Senator from Wyoming will be very much interested in reading how the O. P. M. has disposed of the proposal of Mr. Kaiser. I am also certain that he will be very much interested to note that while the plan of O. P. M. does include the Bethlehem Steel Corporation, the United States Steel Corporation, and one or two other major steel companies, the result of the proposal, if and when carried out, will be that the grasp and the monopoly of the big steel interests will have been enhanced and expanded and financed by the Government of the United States.

Mr. O'MAHONEY. Mr. President, I do not intend to interfere with the development of the explanation of the Senator from Kentucky and will probably seek an opportunity a little later to pursue the discussion, but I should like to ask the Senator now whether the Committee on Banking and Currency held hearings upon the manner in which this expansion is to be carried on, the type of loan, the character of the loan, and the restrictions which are to be placed about it, and the considerations which are being evolved for the protection of the public interest in connection with the money that is to be loaned?

Mr. BARKLEY. The committee had before it Mr. Jesse Jones, Administrator of the Federal Loan Agency, whose testimony has been printed and is available.

Mr. O'MAHONEY. It has been printed?

Mr. BARKLEY. It has been printed, and copies of it are available. We did not have members of the O. P. M. before the committee, because this was really an effort to increase the authority of the Reconstruction Finance Corporation; but Mr. Jones did make a very comprehensive statement with respect to the operation of his own agency in regard to these loans.

As I said a while ago, it would be impossible for any one man or any one agency to have charge of all the processes by which the decisions are reached in the War Department, in the Navy Department, in the O. P. M. and in other agencies, as to the needs for materials of certain types. That is done in cooperation between these departments and the O. P. M., the Priorities Division, and the entire defense set-up. I am sure the Senator from Wyoming will agree, as I think it is manifest, that no one man, as the head of any organization, could do all that himself. There were suggestions made in the committee, in questioning Mr. Jones, that some members of the committee would be better satisfied if he had charge of the thing from the very beginning, but Mr. Jones indicated and admitted that that would be utterly impossible.

Mr. Jones stated that these three commitments had been made, and that no other commitments had been made. I think it would be unwise to name any other company which is now talking about a commitment, because we have no power here to do anything about it, and it is probably good business and good horse trading not to be talking about too many people who are trying to get some of this money. It may be that the Government will have to persuade some of them to take on this expansion program. It is not certain that all of them want it.

Mr. Jones stated very frankly in regard to the development of the ore and metal situation, not only in the West, but in all the other sections of the country—and he had particular reference to copper and to manganese and to other critical materials—that any substantial organization which desired to develop such ores in the western section or anywhere else in the country where there was any prospect of such development, would have a sympathetic hearing from him; in other words, that the R. F. C. were going just as far as they could in safety, exercising business judgment and discretion, to give financial assistance to any groups of men or any corporations that were seeking to develop the ores which the Senator from Wyoming has in mind in his section of the country, and throughout the West, and, as I said, anywhere else in the country where they are discovered.

It is not the purpose to concentrate the control of the expansion within the hands of a few persons, but it so happens that in the past there has been such concentration, and when the defense program came along it became necessary for the Government to deal with corporations and with men on the ground; with

men, metaphorically speaking, who had been in the business, who knew the various phases of various forms of metallic production. The Government has done so, and in line therewith has made, as I said, tentative commitments with three concerns.

I believe we can trust Mr. Jones to see that business judgment and acumen is given some weight in the matter of making the loans, for he does look into financial ability and other considerations which he has a right to look into in making the loans, although he does not necessarily participate in the preliminary surveys and negotiations that go on elsewhere as to how much of any particular material is needed. That is not for him to decide. I believe that Mr. Jones and his R. F. C. organization will encourage, whenever they can do it with a reasonable amount of sound judgment, the development of any ores in the United States which are able to be produced in sufficient quantities and in time to justify our reliance upon them for use in the defense program.

Mr. O'MAHONEY. Mr. President, I am glad to hear the Senator express his confidence in the good will and ability of Mr. Jones. I share his estimate of Mr. Jones' capacity and intentions. I agree with the Senator from Kentucky that no one person can be expected to look into all these matters. The danger, however, is that we are going to permit one group, which is highly expert in watching its own interest and suppressing the development of any competing interest, to gain control of the new instrument of expansion and production which we are creating with public funds. It is for that reason that I asked the Senator whether in the committee hearings anything was developed with respect to the safeguards which are to be written into the contracts under which the money will be loaned.

I will take the opportunity immediately to read the hearings, which apparently are not very long; but it occurs to me that it is of the greatest importance that we should here upon the floor express our desire and our intention to see that competitive enterprise is given an opportunity to share in this expansion, because all our history teaches plainly that if competitive industry is not given an opportunity to share, the result will be higher prices to the Government.

One of the very unfortunate facts about the development in question is that such a great amount of capital is required to expand production of any kind that it is difficult to obtain the investment of private capital in enterprises of this kind. The result is that we have to turn to "experienced" institutions or concerns, to use the polite phrase which the Senator from Kentucky has used. But unless we protect ourselves against these "experienced" concerns, the public as a whole will be the sufferer.

The unfortunate fact is that the country is suffering from what might be called a Santa Claus complex. We want money from the Government, or we want money from big business, to develop our resources. We shall not succeed in obtaining the result for which the whole defense effort is being made unless we make certain that free private enterprise is given an opportunity.

The great danger which confronts the country right now, it seems to me, Mr. President, is that in making the effort to defend democracy we are destroying the very thing we seek to defend.

Mr. BARKLEY. Mr. President, I agree with the Senator from Wyoming that every possible precaution should be taken to see that these enormous amounts of Government funds are not to be utilized by private interests to fasten any control they heretofore may have had upon any industry, or to do anything else that would not be in the interests of the American people.

We have been referring to these advancements and allocations as loans. They are not really loans, except in a technical sense. There is a Defense Plant Corporation in the Reconstruction Finance Corporation set-up, which is a subsidiary authorized by law. These funds are not to be loaned to the Cornegie-Illinois, or to the Republic Steel, or to any other steel corporation; but plants are to be built by the Government and owned by the Government, and operated by the concerns under a lease, so that the property which these funds are to construct or to expand, will be the property of the Government of the United States.

We did not have Mr. Jones submit to us a copy of the lease contract which was entered into between him or between his subsidiary corporation or between any of the departments and the various corporations. That may have been an oversight, but we did not do it. I can assure the Senator, however, that insofar as it is possible to safeguard these funds against their appropriation or spoliation by any private concern, such precautions will be taken. I think we need not entertain any fears on that score; and from now on, I will say, the commitments will be for the construction, expansion, and ownership of such plants by the Government of the United States, the plants to be operated by private corporations under a lease.

Mr. GILLETTE. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from Iowa.

Mr. O'MAHONEY. Mr. President, will the Senator from Iowa permit me to ask another question before he makes his statement?

Mr. GILLETTE. Insofar as I have permission to yield, I do so.

Mr. O'MAHONEY. Mr. President, I observe that the disinguished general counsel of the R. F. C. is within calling distance of the Senator from Kentucky. Let me suggest that he arrange to have printed in the RECORD of today's proceedings a copy of a typical contract entered into by the R. F. C. or the Defense Plant Corporation and some of the beneficiaries under the bill.

Mr. BARKLEY. I shall be very glad to obtain such a contract and have it included as part of my remarks.

I desire simply to say further that the only sense in which this money is to be loaned is in the sense that it is to be loaned by the Reconstruction Finance Corporation to the Defense Plant Corporation. Of course, that will fulfill the requirement that it be a loan; but it will not be a loan to a private corporation.

I now yield to the Senator from Iowa.

Mr. GILLETTE. Mr. President, I merely wish to ask one question of the Senator from Kentucky. I had some difficulty in hearing his opening statement. As I understood him, he stated that the purpose of the proposed enlarged loaning power or base for the loaning power is in large measure to increase plant capacity, especially in the steel industry. Did I also correctly understand the Senator to say that it is to be used for the purchase of raw materials in connection with enlarged plant expansion and the utilization of it?

Mr. BARKLEY. It would be possible, yes, to purchase some raw materials as well as finished products.

Mr. GILLETTE. Both within and without the country?

Mr. BARKLEY. I presume so. But I may state to the Senator that the testimony of Mr. Jones shows that with respect to copper, for instance, not enough copper is being produced in this country to supply the needs, and that there are required about a million pounds, or tons—I have forgotten whether it is pounds or tons; probably it is tons.

Mr. GILLETTE. The consensus seems to be that it is pounds.

Mr. BARKLEY. I have forgotten whether the unit of measure is pounds or tons; whatever it is, it is a million. [Laughter.] However, of course, so long as that situation exists it would be within the power of these organizations not only to purchase copper, but it would be their duty to purchase copper, and they are now purchasing copper from foreign countries. I mention copper simply as an example of what the needs are in regard to the metals which go into our defense program.

Mr. GILLETTE. Mr. President, will the Senator yield for one moment further?

Mr. BARKLEY. Yes; I yield.

Mr. GILLETTE. My reason for asking the question is that, while this bill is in no sense of the word an appropriation bill, yet in the lease-lend bill we very specifically provided that no future appropriation or utilization of funds for any governmental agency should be used for the purchase of defense materials without specific direction of the Congress; and this bill would very definitely violate the spirit of that limitation. That is why I call attention to it at this time.

Mr. BREWSTER. Mr. President, will the Senator from Kentucky yield to me?

Mr. BARKLEY. I will yield in a moment.

Let me say to the Senator from Iowa that while that is true as to the lend-lease measure, the theory of that act was that, insofar as possible, unless Congress specifically authorized otherwise, we would undertake to buy in the United States the things we are lending or loaning. The R. F. C. now has authority under the law to buy critical and stra-

tegic materials from any sources from which it can obtain them, and it is doing so—not any more than is necessary, but it is necessary to buy considerable quantities.

I yield to the Senator from Maine.

Mr. BREWSTER. As I understand, a copy of one of the contracts will be printed in the RECORD?

Mr. BARKLEY. I shall endeavor to obtain a copy of a typical contract and insert it in the RECORD, for the information of the Senate.

Mr. BREWSTER. I assume that the steel contracts have not yet been consummated, for lack of this specific authority.

Mr. BARKLEY. The specific contracts to be entered into under this authority have not been consummated, but there may be other contracts already entered into which are typical.

Mr. BREWSTER. As the Senator may know, considerable question has been raised regarding the aluminum contracts. Question has been raised before the Senate committee. If one contract is to be selected, I do not know whether one of the contracts with one of the aluminum companies would be considered as typical; but without discussing its provisions, it is a matter which has been under considerable debate. Mr. Jones has testified about it before the Senate committee. Unless there is reason why such a contract would not be considered typical, I should like to have one of them printed in the RECORD.

Mr. BARKLEY. I do not know that any one contract is strictly typical, because there may be necessity to vary the individual contracts according to the circumstances of the production, sale, and so forth, of aluminum.

Mr. BREWSTER. Yes. The particular matter about which I desired to inquire was whether any consideration was being given to the concentration of power under this program.

Mr. BARKLEY. Not by the Banking and Currency Committee considering this bill.

Mr. BREWSTER. I do not mean economic power, but I mean Government procurement power. In the aluminum situation we found that Mr. Jones had made a contract with the Aluminum Co. of America for four plants. Without entering into the question of the wisdom of that contract, there developed very definitely the fact that in at least one instance one of the plants was entirely dependent upon the approval of Mr. Ickes, Secretary of the Interior; and there was before our committee a very bitter letter from the Secretary of the Interior denouncing the contract.

Mr. BARKLEY. What contract was that?

Mr. BREWSTER. The aluminum contract. As the Senator may know, the thing which has interested me from the beginning is the failure to coordinate our program so that we may get results. In other words, as Mr. Jones testified before our committee, unless Mr. Ickes approved the contract for the plant in the Northwest there would be no functioning; and apparently the Secretary of Commerce and the Secretary of Interior had arrived at a point where their communications were by letter—in fact, they were not even communicating with each other.

I have wondered whether the committee considered any method by which that failure to function can be rectified.

Mr. BARKLEY. I will say to the Senator that the committee did not go into that question in considering the bill. As the Senator will notice when he reads the record of the committee hearings, there was in the committee considerable discussion with regard to the distribution of the new aluminum plants. I can give the Senator that information.

Mr. BREWSTER. I have the information, because we had Mr. Jones before us.

Mr. BARKLEY. I might put it in the RECORD. The Aluminum Co. of America was given a contract with respect to a new plant in Arkansas with an estimated capacity of 130,000,000 pounds, costing approximately $15,000,000. It was also given a contract with respect to a plant at Massena, N. Y., with an estimated capacity of 60,000,000 pounds, at a cost of approximately $8,000,000; a contract with respect to a plant at Troutdale, Wash., with 90,000,000 pounds capacity, at a cost of $11,000,000; a contract with respect to a plant at Spokane, Wash., with 60,000,000 pounds capacity, at a cost of $8,000,000; and a contract with respect to a plant at Los Angeles, Calif., with 70,000,000 pounds capacity, at a cost of $9,000,000.

The Olin Corporation, of East Alton, Ill., with a plant at Tacoma, Wash., was given a contract for an estimated capacity at 30,000,000 pounds, at a cost of $4,000,000.

The Reynolds Metals Co., of Richmond, Va., was given a contract for a plant located at Listerhill, Ala., with a capacity of 60,000,000 pounds, costing approximately $8,000,000; and also two more plants at the same place, one with a capacity of 40,000,000 pounds and another with a capacity of 60,000,000 pounds, costing $4,000,000 and $8,000,000, respectively.

Also it is contemplated that the capacity of the Aluminum Co. of America's plant at Los Angeles will be increased by an additional 50,000,000 pounds, costing $6,000,000.

The total is an increase of about 600,000,000 pounds per annum, costing for construction and the establishment of the plants about $75,000,000.

Mr. BREWSTER. Did Mr. Jones, before the committee, comment on the question whether the functioning of one of the Washington plants was entirely dependent on approval by Mr. Ickes?

Mr. BARKLEY. No, sir; we did not go into that.

Mr. BREWSTER. That is the unfortunate situation. Whether the Secretary of the Interior is right or the Secretary of Commerce is right, I do not presume to say, but what concerns me a great deal is that there is a failure of decision. I do not presume we can summon before us the distinguished Presiding Officer of this body, who is now chairman of a committee of coordination, but I think we can very definitely point out that the failure to coordinate is going to have a most unfortunate effect.

Mr. BARKLEY. That may be. I am not familiar with that controversy. I will say, though, that if the Secretary of the Interior declines to give the authority, the department involved will have to relocate the plant and secure the power elsewhere. In my judgment, that, of course, would bring about delay.

Mr. BREWSTER. That is correct. Also there is a very great shortage of power. This power is now idle, it is imperatively needed in our production program, and I am impressed with the view that some competent authority in the Government should determine that issue, for better or worse, rather than to have a debate between two agencies each of whom has power, but who really reach no decision at all.

Mr. BARKLEY. Each may have power but neither has the right kind of power, perhaps, to develop this industry.

Mr. BREWSTER. That is exactly the situation.

Mr. DANAHER. Mr. President, will the Senator from Kentucky yield to me for the purpose of reading three or four questions and answers which bear out the last statement of the Senator?

Mr. BARKLEY. I am glad to yield.

Mr. DANAHER. Pointing the attention of the Senator from Maine to the hearings on pages 16 and 17, the Senator from Arkansas [Mr. SPENCER] asked Mr. Jones the following question:

> Did I understand you to say that O. P. M. requests you to make a deal with a company to build a plant and operate it, and then you go ahead and make a contract? Does the Aluminum Co. know that O. P. M. has done that?
>
> Mr. JONES. Long before we do.
>
> Senator SPENCER. Does it make it difficult to bargain?
>
> Mr. JONES. Yes; it makes it very difficult.
>
> Senator SPENCER. I should think they would leave that to your discretion and let you do the trading.

Mr. Jones, with remarkable restraint, I may say, to the Senator from Maine, answered:

> There is a lot in what you say, Senator.
>
> Senator SPENCER. I would like to trade with you if you had to trade with me.
>
> Mr. JONES. That is the situation in which we are placed. We ask a man to come and see us and he knows more about the proposal than we do; he has been talking to O. P. M. and he knows what he is expected to do. In many cases the first time we see the steel companies they bring in a lay-out of the plant, showing an extra oven here, and another one over there, and so on. That is the first we know of it. I am not criticizing O. P. M., but it would have been better if we had been told, "See if you can make a trade with this gentleman for this particular material."
>
> Senator SPENCER. What would have to be done to change it so that you would have some trading power?

I take it that that is the point in which the Senator from Maine is interested. Mr. Jones answered:

> I do not know that it can be changed, Senator, because when a dozen people know anything everybody else knows it. It is like the story that you read in the paper; nobody is responsible for it.

I will say to the Senator from Maine that it became obvious to us on the committee that Mr. Jones had been placed in a very difficult position, to say the least.

Mr. BARKLEY. As I see it, the only remedy for that is to have the same agency that makes the loan go through all the other preliminary processes by which it is decided whether plant expansion is necessary, but Mr. Jones stated that that was humanly impossible for any one man to do. Mr. Jones testified very frankly that he is not an industrialist nor an economist, and I was surprised to hear him say that, because he has so many activities that it seems as if he comprehends almost everything, and he performs his duties in all respects with great ability and with fairness, I think, to the Government and to all the others concerned; but, of course, I can very well understand that if I go to someone for a loan and know he has got to give it to me in order that he may carry out some particular purpose, he does not have the same power to negotiate with me as to terms as he would otherwise have. As I say, I do not see how that is to be remedied, unless the loaning power and the power to expend are concentrated in some agency whose right hand does not know what its left hand is doing, or, at least, whose left hand does not know what the other fellow's right hand is going to do.

Mr. BREWSTER. A very amazing situation on that point developed before our committee when it appeared that the first draft of the aluminum contract which Mr. Jones assumed, and so testified, had been prepared in his office was actually prepared by the counsel of the Aluminum Co. of America, and Mr. Jones, apparently, first learned of that when he appeared before our committee, and it came out. It all seems to me to be cumulative evidence as to the necessity of a procurement program in accordance with the industrial mobilization plan considered by the War Department for 20 years, recommended repeatedly by the War Department, and still unacted upon except to the extent that the new Supplies Priorities and Allocations Board may exercise that coordinating authority. I, for one, very much hope that it is going to be considered their function, so that the division of authority between Mr. Jones and Mr. Ickes may at least be clarified. It certainly is an amazing position to put the Aluminum Co. of America in—that it cannot contract with Mr. Jones unless Mr. Ickes may be satisfied as to the contract. So the Government is in a ridiculous position.

Mr. TAFT. Mr. President, may I comment briefly on the fact that so far as the Supply Priorities and Allocations Board is concerned, they have not any authority over Mr. Ickes and no authority over Mr. Jones. They are no more a coordinating body except as to O. P. M. and possibly Mr. Henderson's Price Control Administration than any other agency of the Government. There is, as the Senator says, a complete lack today of any coordinating plan for the development of the defense program.

Mr. BARKLEY. Mr. President, I presume that the new organization known in the press as S. P. A. B. deals more intimately with the O. P. M. and with the various departments involved in the defense program and the need for it than it does with the Secretary of the Interior, who presumably has only an indirect activity regarding it, or with Mr. Jones. Of course, in this enormous expansion it was perfectly natural that many of these agencies required a long time to find home base, and some of them have not found it yet. I think they are headed in that direction, and very soon there will be a home run.

Mr. LUCAS. Mr. President, will the Senator yield for a question?

Mr. BARKLEY. I yield.

Mr. LUCAS. I understood the Senator in the course of his remarks to make the statement that it is rather difficult to persuade some companies to take contracts. That rather intrigued me, and I wondered why that is so.

Mr. BARKLEY. Mr. Jones, I think, stated in his testimony before the committee that there were some companies that did not want to expand, although they are not resisting expansion. I do not mean by that that it is not possible to negotiate contracts with them; but there is a feeling among some of them—and, of course, it is natural—that when the emergency terminates we will have greater capacity for the production of steel, aluminum, and other things than we will need. That may be so; but it seems to me that we cannot take the chance on doing less than we ought to do for the immediate program, in the hope that we can take care of that situation as part of our reconstructive operations when the emergency is terminated and we get back to the foundation stones.

Mr. LUCAS. I am in hearty accord with the statement the Senator last made. As I understood the Senator in the beginning, the Government will really hold these plants. I merely wonder in what position the Government will be after the emergency is over, after aiding in the expansion of these facilities to the extent, for instance, of a few plants at one place, or a few at another, or perhaps a new plant somewhere else. In other words, the money is to be used to merge facilities to the point where they can produce more, and in what position will the Government be, after the emergency is over, in connection with an industry which merges its facilities with those of the Government? How can any industry be hurt, under the circumstances?

Mr. BARKLEY. If the Senator has in mind the possible merging of the physical plants after the emergency is over——

Mr. LUCAS. That is the idea.

Mr. BARKLEY. That is a matter which will have to be taken up, of course, as a matter of policy when the emergency is over, as to individual contracts with any concern which may want to take over a plant which has been constructed and paid for by the Government. I imagine it is impossible now to be very dogmatic about what we will do with any of these plants when the emergency is over. That applies not only to steel and aluminum, but it applies to all other contracts the Government is financing in order that we may do what otherwise probably could not be done; that is, provide the necessary materials for defense.

Mr. LUCAS. My only reason for raising the question with the able Senator was because of the earlier statement that some of those connected with industry were afraid of what would happen after the emergency was over because of this tremendous program of expansion. In other words, if the Government is holding the sack and is furnishing all the money for these expanded facilities, I do not see how any industry will be hurt after the emergency is over. In other words, if they have to curtail production and as a result there is a loss from the standpoint of operation or from the standpoint of equipment or anything else, the Government of the United States will stand the loss, and the industry which now takes on the new contract or takes on the new facility will be placed in status quo, if I understand the situation correctly, after the emergency is over.

Mr. BARKLEY. I do not know what the seat of the fear is, unless it be that when the emergency is over the Government, having the ownership of all these plants, might either operate them in competition with private industry or might sell them to some new competitor. That is a question which I do not think we can answer at this time. We cannot see that far ahead. I have no doubt that when the emergency is over a policy will be adopted by the Government—and I have no doubt that Congress will participate in the adoption of the policy—as to what to do with the plants when the emergency is over, if there are more of them than are needed.

As to aluminum, I still think that when the emergency is over there will be an ample market. That may not be true as to steel and other metallic products. But it is impossible to give anyone a categorical answer to the question as to what we will do. I recall that during the World War the Navy Department was authorized to establish an armor-plate factory, and various communities desired to have the plant located in their vicinity. Among the number that wanted it was my own home community in Kentucky. They sent delegations here, and prepared blueprints and information, and submitted the material to the Department, as they had a right to do, as every other community has a right to do in regard to any plant. The Navy Department finally located that armor-plate factory near Charleston, W. Va., and about the time the plant was completed the war ended and the plant stood idle for about 21 years, until the present war came on, and now, I understand, it is manufacturing some shells.

There is no way to foresee what will happen to these plants. They may all stand as ghosts, reminding us of the terrible era through which we are passing. It may be that our consumptive demand will increase to such an extent that their capacity will be utilized; I do not know as to that. We cannot attempt to predict that far ahead. But the point is that, whatever may be the result after the emergency is over, we cannot take any

chances now on having less than we need to prepare ourselves for total defense.

Mr. LUCAS. I agree with the Senator that we need steel at this particular time. The O. P. M. says we need more steel and must have more steel in this emergency. The only thing that intrigued me in the beginning was the fear upon the part of some of the industrialists, insofar as taking on more contracts for the expansion is concerned. I wondered what the fear was at the present time. Certainly there could be no fear from the standpoint of any financial loss, if I understand the program correctly, because the Government guarantees that there will be no loss.

Mr. BARKLEY. The Government is putting up the money to build the plant.

Mr. LUCAS. That is correct.

Mr. BARKLEY. The Government owns it, and it is to be operated by a private corporation under a lease agreement.

Mr. LUCAS. As I understand, there are certain plants in this country which need only a couple of million dollars to implement them to enable them to produce more. Under those circumstances there still can be no loss.

Mr. BARKLEY. That is true, and I think that the Reconstruction Finance Corporation, by its record up to now and by its assurance for the future—and we can judge the future by the past, I think—proposes to deal fairly, and even go the limit where it is necessary, to encourage small companies in the development of metals and materials necessary for the national-defense program.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. ADAMS. Was I correct in understanding the Senator to say he felt that the type of arrangement which was being made by the Government with the steel companies was to the advantage of the Government, and would tend to protect free private enterprise?

Mr. BARKLEY. Protect what?

Mr. ADAMS. What the Senator from Wyoming spoke of as "free private enterprise"?

Mr. BARKLEY. I did not say that. I did not intend to create the impression that what the Government was doing was to the advantage of the Government, from a financial standpoint. I do not know whether it is or not. I doubt if we can stop now to consider whether it is to the financial advantage of the Government to expand these facilities. If it is necessary for our defense, the defense of our country is more important than the financial consideration involved. I did not mean to say that the arrangement entered into between the Government and the corporations was to the advantage of anyone except the whole country. I am assuming that those responsible for entering into the contracts from the very beginning are doing so on the best terms possible to produce the things necessary to protect the Government.

Mr. ADAMS. I gathered from the Senator's statement that he thought it was preferable for the Government to do as it is doing rather than to lend money to the corporations, and I was not able to follow that, because it occurred to me that if we are to provide additions to the plants of the Republic Steel Co., for instance, costing some $60,000,000, I should rather have the obligation of a sound, solvent company, than to have a plant for which we would have no use.

Mr. BARKLEY. That might be true if we were dealing with this matter purely from the standpoint of good business in private industry, but there is no way by which we can make any company borrow money unless it desires to do so.

Mr. ADAMS. I had thought we were going to pass a statute to put people in jail if they did not borrow.

Mr. BARKLEY. I am not for any such statute as that. The Senator realizes that many of these concerns hesitate to take on enormous loans, of $60,000,000, or $100,000,000, or $300,000,000. That is quite an obligation. In the event the war should terminate, they might find on their hands a half constructed plant which they would not want. The Senator can understand why they hesitate, representing the stockholders, to incur an obligation of that sort.

Mr. ADAMS. I do, but I gathered from the Senator's remarks that he thought it was more advantageous to the Government to furnish the money and own the plant, for instance, adjoining the Republic Steel plant, which could not be used by anybody else, than to lend them the money and have their obligation.

Mr. BARKLEY. I must be suffering from a peculiar infelicity of speech today, for I did not intend to convey any such impression.

Mr. ADAMS. The Senator never suffers from infelicity of speech. If there is any fault, it is on my part.

Mr. BARKLEY. I protest that that could not be true.

Mr. TAFT. Mr. President, we have before us a bill to increase the loaning power of the Reconstruction Finance Corporation by a billion and a half dollars. It is true that some of that money might be used for producing steel, but steel is not at all the issue. It may be that none of it will be used for steel; it may all be used for many other purposes.

One of the features of the kind of legislation we have been passing, for instance, the law creating the Reconstruction Finance Corporation and authorizing the Government to go into the banking business to the extent of billions of dollars is that we deprive ourselves of any power to determine the policy of the Government. There is no use in our attempting to say the money shall be used for steel, or what kind of contract there shall be, because we have given Mr. Jones the power to make any kind of contract he sees fit to make.

So far as I can see, if we are going into the banking business—an the R. F. C. has made thousands of loans during the past number of years—unless we are prepared to go into tremendous detail and to legislate as to each industry, because the conditions are different in the various industries, we will have to give Mr. Jones discretion. We can have perhaps some kind of limitation, but what it would be I do not know. Perhaps what we say may have some effect on Mr. Jones or the O. P. M., but, as a practical matter, we have delegated to Mr. Jones the power to make loans in any amount, and by increasing the authority by a billion and a half dollars, we do not greatly increase his discretion, because at the present moment he has committed, but not paid out, $3,998,000,000. There are $4,000,000,000 of loans already negotiated, and on which commitments have been made. In addition to that, he has increased that loan total, and I suppose there will be paid out actually another billion dollars since the 1st of January.

The effect of this bill, finally, is to provide for an expenditure of very close to $5,000,000,000 for defense, all of which money will be borrowed on the credit of the United States on notes of the R. F. C. guaranteed by the United States. So I think we should realize that what we are doing is really appropriating another billion and a half dollars for use in any way in which it may be desired to use it. Steel was mentioned as probably the next requirement. Some of the commitments which have already been made are for steel, some for aluminum.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. O'MAHONEY. I understood the Senator to say that the R. F. C. has already committed itself for something over $2,000,000,000.

Mr. TAFT. Four billion dollars; or, to be exact, $3,998,000,000. That has not actually been paid out, but it is already committed.

Mr. O'MAHONEY. Committed, but not paid out?

Mr. TAFT. Not paid out. On December 31 last they had committed themselves for $1,700,000,000, and now the amount is $3,998,000,000. At the same time they have actually increased their loans, since the 1st of January, by a billion dollars, which have been paid out.

Mr. O'MAHONEY. Have borrowings been made by the R. F. C. to balance these commitments?

Mr. TAFT. Not the commitments, but they have authority to borrow. Now they are asking for authority for more money with which to make other commitments. The Reconstruction Finance Corporation has actually increased its note issue by approximately a billion dollars since the 1st of January, I think.

Mr. O'MAHONEY. If the Senator will permit me, let me direct his attention to page 5 of the hearings. The Senator from Ohio asked Mr. Jones the following question:

> You mean that you have borrowed $2,100,000,000 and may have to borrow $2,800,000,000 more, making a total of $4,900,000,000, and that is approximately your total borrowing capacity?

Am I to understand from what the Senator now says that the $3,900,000,000 of committed obligations, for which no borrowings have been made, will have to be taken care of by an authorization by Congress?

Mr. TAFT. No. Mr. Jones sent for the figures, and he found he had made a mistake of $1,200,000,000. Persons who deal with billions make that kind of mistake. On page 10 of the hearings the

Senator will find that Mr. Jones corrected his testimony, and testified that the commitments were not $2,800,000,000 but were $3,998,900,000. In addition to having the borrowing power now to meet these commitments, he said the R. F. C. had only from $250,000,000 to $300,000,000 left in additional borrowing capacity. So he wants another $1,500,000,000 of borrowing capacity.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BARKLEY. I think it might clarify the situation if it is stated that at the present time the R. F. C. has outstanding about $2,000,000,000 worth of notes, debentures, and so forth. In addition to that, it has made commitments for money not expended, but it does not borrow the money until the disbursement is made. Therefore one can arrive at the figure of approximately $6,000,000,000 by stating that notes for $2,000,000,000 are now outstanding, that the amount of $3,900,000,000 or approximately $4,000,000,000 is committed, but not expended, and therefore the loans have not been made yet, which makes up the $6,000,000,000.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. O'MAHONEY. Would it be proper to say that if this authorization were not granted the R. F. C. would not have the money with which to meet commitments already made?

Mr. TAFT. No; they have the money with which to meet commitments already made, and they have about $250,000,000 left. I think there should be added to what the Senator from Kentucky has said that of the total of $2,100,000,000 in notes outstanding probably $1,600,000,000 represents loans made before the defense program started. One billion dollars has been actually loaned for defense purposes, $4,000,000,000 has been committed, another one billion and a half has been asked, making a total of $6,500,000,000 which the R. F. C. to date intends to spend on the defense program.

Mr. O'MAHONEY. Then, as I understand, unless this authorization were granted, it would be impossible for the R. F. C. to make any additional commitments?

Mr. BARKLEY. Yes.

Mr. TAFT. That is correct.

Mr. BARKLEY. And it would be impossible to reduce to contracts any tentative commitments it has made.

Mr. O'MAHONEY. But there are commitments outstanding of $4,000,000,000, the money for which has not yet been expended?

Mr. TAFT. That is correct, and that money has not yet been borrowed from the public, as it will have to be.

Mr. O'MAHONEY. Was there any statement made to the committee as to the purpose for which these applications were made, and by whom?

Mr. TAFT. Mr. President, a statement was submitted to every Senator, I think, on the 15th of September, which Senators will find on their desks. The R. F. C., I may say, has been very diligent every 3 months in providing us with all the information as to what it has done. It has not always told us what it intended to do. I think the statement which has been supplied includes all the commitments, as well as the payments. If the Senator will examine that statement, I think he will find a list of all those sums.

Mr. President, I wanted to call particular attention to the question of inflation in connection with this matter. During this current fiscal year we are facing a deficit of about $10,000,000,000 in appropriations. If we really want to estimate the effect of inflation, we have to add to that at least $5,000,000,000 which the R. F. C. is going to borrow and expend during the same time. It may be said that the R. F. C. is going to get value for that $5,000,000,000 which can be cashed. Perhaps that is so and perhaps it is not. Nevertheless, from the point of view of inflation, the R. F. C. is borrowing that much money and creating that much purchasing power. So, from the inflation standpoint, during the current 12 months we really face an increase in Government liabilities of $15,000,000,000, and even after allowing for the tax bill of three and one-half billion dollars which Congress recently passed it seems to me that presents a terrifically serious threat to the whole price structure. It seems to me that we stand in serious danger of a constantly more rapid increase in prices. I think we should at least consider the price-control bill at the earliest possible moment. I believe that we should consider the question of raising additional taxes so that there may not be that inflation. I believe that if we actually borrow $15,000,000,000 during the current year the great bulk of it will be merely manufactured out of thin air. I do not believe more than three or four billion dollars worth of notes can be sold direct to the savers and the investors; the rest of it is going to be just that much paper money—just that much additional purchasing power created to force up the price of everything in this country and increase the cost of living to every individual. I think we ought not to fool ourselves by this business of bypassing and not placing all this in our Budget. Besides the $10,000,000,000 deficit in our appropriations, we should also take into account the $5,000,000,000 of R. F. C. money, which is also a deficit in the operations of the Government. The mere fact that the R. F. C. loans it does not make it any less a Government expenditure. There are a great many indications that we are going into a considerable inflation.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. TAFT. Yes; I yield to the Senator from Wyoming.

Mr. O'MAHONEY. May I inquire whether from the Senator's study of this problem as a member of the Committee on Banking and Currency he can tell us what the position of the Government is with respect to a return, through the R. F. C., upon the loans and commitments that are made by virtue of the process we are discussing?

Mr. TAFT. No; I cannot tell the Senator that. I must say that I do not know. Frankly, I cannot say. What the Government would do with these steel plants when they get them back, and what the Government would do with these aluminum plants when they get them back, or what they will then be worth, I do not know. When the Government builds a plant, such as the Ravenna plant—I am not sure whether that is an R. F. C. plant or an Army shell-loading plant—I do not know whether that will be of any use to anyone after the war period is over. I do not know whether the Government will close down that plant after the war, and keep a watchman there to guard it, or whether it will continue to use it to manufacture powder and to load shells. I think it is impossible to say what that plant will then be worth.

Mr. O'MAHONEY. Mr. President, will the Senator again yield?

Mr. TAFT. I yield.

Mr. O'MAHONEY. It was my understanding that in the contracts made with the various industrial concerns, provisions for amortization of the plants were written into the contracts, so that there would be a return to the Government. If arrangements were made in the contracts to repay the loans which the R. F. C. made, and if the R. F. C. is thus repaid, is that not a factor which must be taken into consideration to balance the inflationary effect?

Mr. TAFT. I think that may well balance the permanent deficit, but that money which is spent on building the plant, no matter how good the plant may be, is money the Government creates and pays out to thousands of men working in the plant, and those men thus have additional purchasing power to throw into the general pool and force prices up. The fact that the plant is a good one does not have a favorable influence upon inflation.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BARKLEY. I presume the Senator, then, will interest himself in the proposed price-control legislation?

Mr. TAFT. Yes. I think we ought to do something in that line. As the Senator will remember, on last Thursday I introduced a substitute for the price-control measure.

Mr. BARKLEY. I agree with the Senator, and I am glad to have his cooperation.

Mr. TAFT. The Senator will find the bill I introduced now printed, and I hope he will study it with care.

Mr. President, there is also some indication of increases in private loans. In the last 3 months the city banks have increased their private loans by half a billion dollars, probably representing a total increase of about $1,000,000,000 in the last 3 months in private loans, which is at the rate of three or four billion dollars a year, which is an additional inflationary measure. I understand a loan is being made to Mexico, to buy a fair amount of silver, which is an additional inflationary measure.

We are still holding back a good many farm products, thus tending to raise the price of farm products. The different departments of the Government do not

seem to be any more coordinated on the subject of control of inflation than the defense agencies are on the subject of increase of steel capacity.

Mr. BARKLEY. Mr. President, will the Senator again yield?

Mr. TAFT. I yield.

Mr. BARKLEY. Congress cannot avoid at least part of the responsibility for holding back agricultural products. I think there are certain agencies of the Government which would like in an orderly way to dispose of some of those products which the Government is holding, but legislation is frequently introduced in Congress—and I am not passing upon its merits—to prohibit the Government from disposing of any of the farm products it now holds.

Mr. TAFT. Mr. President, I merely want to say that, while the pending bill probably must be passed in the interest of the defense program, I think we should undertake other measures as rapidly as possible to counteract the result that this kind of additional lending will bring about.

As to the increase of steel production, I think there is a serious question as to whether steel capacity should be increased. I am not familiar enough with the matter to know whether it should or not be increased but I want to point out that while in the case of aluminum we are using every pound of aluminum we can produce, and all we are creating for the defense program, in the case of steel, we have a capacity now of nearly 90,000,000 tons a year, and only about 35,000,000 tons are used for the defense program. So when we come to consider the matter of policy we have the question of whether we shall cut down further the nondefense use of steel, or whether we shall increase steel capacity. Incidentally, it will take over a year to provide additional steel capacity. It is said it will take 10,000,000 tons of steel to provide the additional steel capacity. That whole question is not one which is entirely clear. I do not think we can simply assume that the whole 10,000,000 tons is needed. Mr. Jones indicates it is his view that five or six million tons are certainly needed, but that after that the program ought to be reconsidered.

I do not understand that the S. P. A. B. has yet taken final action on the question of increasing steel capacity. They have taken final action on the matter of pig iron, which is generally agreed should be cut down. The argument against increasing capacity beyond actual necessity is that after the war we shall have the increased steel capacity; that steel plants are often for many months at a time operated at less than 50 percent of capacity, and that if we have additional steel capacity the plants will perhaps be run at 40 percent instead of 50 percent of capacity, and the result will be to throw a great many steel workers out of employment.

Mr. President, my chief point is that I do not think it does us much good to talk about the matter, because our legislation has been such as to delegate to the executive departments the power to determine whether they shall act or not act, what kind of loans they shall make, and so forth, and, frankly, I do not see that we are in a position seriously to determine whether 10,000,000 tons of additional steel capacity should be created. We have delegated that power to the executive branch.

Mr. BARKLEY. Mr. President, assuming that the defense program is to continue, and that more than 35,000,000 tons of steel per annum will be required for the defense program alone, that requirement, of course, will impinge upon the supply now available for private industry. We have just seen in the last few days what has occurred. For instance, when I was in my State I was called upon by farmers who could not obtain wire to bale their hay because of the defense program. Material necessary to build certain public projects could not be obtained. We have just seen that the S. P. A. B. have shut down on private construction because it requires steel.

Mr. TAFT. I may say that I do not understand that the S. P. A. B. have shut down on private construction. They have merely put into effect a rule that if a builder wants to use steel or any essential materials on private construction he must get their approval, or show that the materials are to be used for some public interest.

Mr. BARKLEY. They may have not shut down on such construction, but they require the builder to obtain their approval of a project; he must show that it is to be used for some public purpose, such as the public safety, the public health, or national defense.

The PRESIDING OFFICER (Mr. ELLENDER in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, viz, House bill 2665, to provide for apportioning Representatives in Congress among the several States by the equal-proportions method.

Mr. BARKLEY. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed with the further consideration of House bill 5667.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARKLEY. Mr. President, all of us are concerned about the dislocation of private industry, the throwing of men out of work in industries which are necessary in order to maintain our industrial economic organization. I do not contend, and I do not suppose anyone else contends, that all the extra 10,000,000 tons provided for, or at least asked for, in regard to the increased capacity of steel will go for defense; but if five or six million tons of it, added to the 35,000,000 tons now being used, are necessary for defense, certainly if they were not provided, that much more steel would be taken away from industries of all sorts, and the result would be greater dislocation.

Mr. TAFT. I desire to point out only that if we proceed with the additional capacity, the amount of steel available for all the industries which are being put out of business will be reduced by 2,000,000 tons in the next 12 months.

I am merely trying to indicate that there is a question of policy involved. Perhaps 10,000,000 tons are required. I do not mean to say they are not. There is an argument in the case of steel which does not exist with respect to aluminum.

But my point is that there is no use talking about it because I think we have delegated our power to do all such things, as we have delegated our power to do most other things; and only now and then at long intervals does any question of policy come any more to Congress.

So far as this bill is concerned, since we must go ahead with defense and since we cannot determine how Mr. Jones shall loan the money, I do not see anything to do except to pass the bill.

Mr. BARKLEY. Mr. President will the Senator yield to me for a moment?

Mr. O'MAHONEY. I yield.

Mr. BARKLEY. I stated a while ago that I should be glad to procure two or three of what might appear to be typical contracts, to appear in the RECORD. It is necessary for the Reconstruction Finance Corporation to go through the contracts in order to determine which ones are typical. I ask unanimous consent that if I do not obtain such copies today I may include them in the RECORD later on.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. O'MAHONEY. Mr. President, I do not know that I altogether agree with the closing remark of the Senator from Ohio, that it is not worth while discussing these matters merely because we have delegated so much power to the executive arm. My feeling is that it may tend to do considerable good to discuss them even though the delegation has taken place; because by expressing our point of view and by discussing the facts which have been developed in various legislative inquiries we contribute to the information upon which the executive arm of the Government acts in determining matters of policy.

My purpose in arising today has been not at all to oppose the consideration of the pending measure. I feel, as does the Senator from Ohio, that the measure must pass. But my purpose is to call attention to the necessity of adopting a certain line of policy the purpose of which is to encourage what we are pleased to call free private enterprise. If this debate illustrates anything, if this bill illustrates anything, if the loans and obligations and commitments which have been made by the R. F. C. indicate anything, they indicate the fact that we are rapidly building up in this country a controversy between big business and big government. It is not one that will have to be settled today, but it is one that will have to be settled eventually. The Senator from Kentucky tells us that the proceeds of these loans will be used for the purpose of building plants which the Government will own. The R. F. C. is doing what it can in the great emergency which confronts us to preserve what we are pleased to call private enterprise by making lease contracts with certain large firms to operate the Government-owned plants. But when the emergency shall have passed, when we are then confronted with the question of the employment of those who have been mobilized

in the new Government-owned plants, then we shall be asked to determine whether unemployment will be invited in the Government-owned plants or whether it will be invited in the plants which are owned by what we call private industry.

The Senator from Kentucky referred to the necessity of proceeding with total defense. I agree with him it is necessary. I rise merely to call attention to the fact that when we talk about total defense we are talking about totalitarianism; we are talking about an all-out, complete Government effort. That this is so is illustrated by the testimony given by Mr. Jones. It was brought out, for example, on pages 7 and 8 of the Senate hearings that the R. F. C. is today buying copper from Chile, paying 11½ cents a pound. It is buying domestic copper at 12 cents a pound. This purchase of Chilean copper at 11½ cents a pound means only that the R. F. C. is not paying the tariff upon Chilean copper; and Mr. Jones testified that copper is being brought in and the R. F. C. is not paying the tariff upon it. That is a matter which is of tremendous importance to the entire mining industry in this country. It is of tremendous importance to the mining industry of Montana, I will say to the Senator from Montana, to the mining industry of Utah, to the mining industry of Arizona, of Colorado, and of all the other mining States of the Union.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Montana.

Mr. MURRAY. I thoroughly agree with the Senator from Wyoming that it is of tremendous interest to Montana. As a result of the fact that no excise tax on the copper from Chile is collected, it becomes impossible for Montana to contribute to our defense as it otherwise could. We have in our State large deposits of copper which could be developed if the subsidy were given to Montana instead of to some foreign country. Therefore I am in full accord with the Senator from Wyoming in his very able remarks.

Mr. O'MAHONEY. Mr. President, the Senator from Utah [Mr. MURDOCK] questioned Mr. Jones during the progress of the hearing upon this bill before the Senate committee. He questioned him with respect to some testimony which was given by Mr. Jones in the House committee hearings.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield to the Senator from Kentucky.

Mr. BARKLEY. In regard to copper I will say that it might be interesting at this point to show that the normal annual imports of copper into the United States have been about 263,000 short tons. The R. F. C., in the defense program, so far has contracted for only 334,000 short tons, which is about 70,000 short tons more than the normal importation. That does not mean we may not have to buy more; because, as I said a while ago, if the defense program continues at its present impetus it will be necessary to import more copper in order that we may complete our program.

Mr. O'MAHONEY. The Senator from Kentucky is quite correct.

Mr. BARKLEY. They are now using all the copper produced in the United States. There is no shortage of market for it; and in all likelihood it may be necessary to increase the importation. But up to now, there has been no substantial increase.

Mr. O'MAHONEY. What the Senator from Kentucky says doubtless is quite correct, and I will say to the Senator from Montana that at the same hearing Mr. Jones said that so far as the R. F. C. and its subsidiary, the Metals Reserve Co., are concerned they are anxious to take advantage of every possibility of developing copper sources in the United States, and doubtless will try to do so.

Mr. BARKLEY. In regard to the tariff, the Senator will find that Mr. Jones stated that up to now they have not paid the tariff on it, and it is an open question whether they are required to do so. If they are required to do so, of course they will do so. But, as he described it, inasmuch as the Government is buying it, it is like taking money out of one pocket and putting it into another. The Navy is authorized to import copper without paying a tariff, on the theory, of course, that the Government does not have to pay a tariff to itself.

Mr. O'MAHONEY. Mr. President, I am referring to this matter not for the purpose of criticizing the policy but to illustrate what we are doing. I am strongly of the opinion that a great many of those who are in the very middle of this program do not understand the implications and the consequences of what they are doing.

The testimony of Mr. Jones before the House committee, to which the Senator from Utah referred, was as follows:

> We are buying every imaginable material from all sorts of countries. Some of these materials under the law bear an import duty, and we do not want to pay it, and we are not paying it, and we want that to be made according to law.

Mr. President, some months ago a bill was introduced in the House and a similar bill was introduced in the Senate, at the request of the War Department, the purpose of which was to authorize the executive arm of the Government to suspend any and all tariff duties. The excuse given for this requested authority was that in the all-out defense effort the Government and the agencies which are operating with the Government must seek raw materials wherever they can find them and must, in order to be able to get such materials, be permitted to suspend the tariff duties. The important thing to remember is that the tariff duties were levied by Congress as a policy the purpose of which was to encourage free private enterprise in the United States.

Mr. ADAMS. Mr. President, will the Senator yield to me?

Mr. O'MAHONEY. I yield to the Senator from Colorado.

Mr. ADAMS. With respect to the bill now under discussion, I merely desire to call the Senator's attention to the fact that such a provision was in the bill when it was originally introduced in the House. That provision was subsequently eliminated, by Mr. Jones' consent.

Mr. O'MAHONEY. Then, of course, the question arises, if that section was eliminated and if there has been no action upon the other bill, whether the R. F. C. can continue to decline to pay the tariff duties on materials which under the law must bear a tariff duty when they are imported into the United States.

The testimony which was presented to this committee revealed the interesting fact that the importations upon which the duty is not being paid, and upon which Mr. Jones says it is desired to avoid paying it, are being made under the representation that they are being imported for the Navy, for, by law, Congress authorized the Navy to make certain necessary importations free, to some extent at least, of the imposed duties under the tariff law. The Senator from Colorado, I observe, questioned Mr. Jones with respect to this practice and asked him whether as a matter of fact all these imports were being used by the Navy. The answer was "No." So that under the representation that the importations are being made for the Navy, the tariff duties are not being paid, and then the materials imported are being used in competition with the resources of every mining State in the United States.

Mr. President, that represents a complete repudiation of a policy of Congress. It illustrates, however, the fact that the conflict of which I spoke at the outset is developing, a conflict between private business and government. The excuse for not paying the tariff upon these importations is that it is merely a matter of exchanging funds between one pocket and another. Of what use is it, Mr. Jones will argue, to collect a tariff upon the one hand through the Treasury Department and upon the other to pay it to the R. F. C.? That, of course, is a good argument. What it illustrates, however, is that in this total defense effort we are continuing to build up a huge Government organization.

Mr. DANAHER. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Wyoming yield to the Senator from Connecticut?

Mr. O'MAHONEY. I yield.

Mr. DANAHER. Let me say to the Senator from Wyoming that I have no desire to characterize one way or the other his statement of a moment ago that that was a good argument when he referred to Mr. Jones' answer. Let me, however, point out that in questioning Mr. Jones on that very point I brought out from him that 30 percent of all tariff duties collected normally is used to provide funds for the operation of the surplus marketing corporation, and, consequently, when that corporation is deprived of some 30 percent of its revenues it means that there will be that much less surplus commodities purchased for distribution to relief clients throughout the United States under our program. That was a phase upon which Mr. Jones did not pass judgment; he did not, in fact, recall that the law was still in force; but

it is. Consequently, it is not nearly so simple a matter as Uncle Sam taking money out of one pocket and putting it into the other, as Mr. Jones had made it appear. I, therefore, suggest to the Senator from Wyoming that in the light of this latter point, perhaps the argument is not quite so good as might otherwise appear. I thank the Senator for permitting me to interrupt him.

Mr. O'MAHONEY. I am very glad the Senator interrupted. Of course, I have had an opportunity merely to glance through the hearing as the debate has been progressing, but I did note the questions which were addressed to Mr. Jones by the very able Senator from Connecticut, and I quite agree with him that this goes very much further than the mere transposition of money from one pocket to another. My purpose, however, in calling attention to these facts was not to suggest a study of the loss of tariff receipts and the effect of such loss upon other enterprises of the Government, but to illustrate and emphasize the growing controversy between big government and big business, which is the controversy at the basis of the World War.

Mr. ADAMS. Mr. President, will the Senator yield for another statement in reference to the soundness of the argument of Mr. Jones?

Mr. O'MAHONEY. I will be very happy to yield to the Senator from Colorado.

Mr. ADAMS. From another standpoint, I question whether the Senator has not unduly credited Mr. Jones' argument as being sound. A private industry builds a plant, and pays the cost, plus the tariff, of imported materials needed in its plant; the Government comes in and builds a plant to manufacture the same commodities and in the plant uses the same type of material, but pays no tariff. So ultimately, when peacetime comes, we have the original industry, built at a cost in which the tariff was included, competing with an industry built by the Government with tax-free material. Therefore the man who is operating an enterprise of his own, such as the Senator is interested in protecting, is placed at a great disadvantage.

Mr. O'MAHONEY. Mr. President, I was about to make the argument which the Senator from Colorado has just now made. When I said it was a good argument when Mr. Jones said that, so far as the R. F. C. and the Treasury Department are concerned, the refusal to pay the tariff was merely a transposition of Government funds from one pocket to another, I was referring, of course, to the argument itself and to the policy which is being followed. But it is the soundness of the policy itself we can properly question. We cannot question the desirability of or the necessity for the defense effort; we cannot question the soundness and desirability of producing the raw materials which are necessary to save private enterprise, but we certainly can question the soundness of a policy which deprives private industry of its capacity to compete with industry outside the United States.

So my point, Mr. President, is that in the formulation of our defense effort we should never lose sight of the essential necessity of preserving the local independent enterprise of this country, wherever it may be. It would be a tragic error if the O. P. M. and the Supply, Priorities, and Allocations Board should overlook the essential necessity of preserving free enterprise all the way along the line. If they do not do this, we will end with a Government organization so great that when the emergency effort is over it will be impossible to break it down.

So, Mr. President, I take advantage of the time of the Senate today to emphasize this point, because I believe it is of the utmost importance that the executive arm of the Government, the R. F. C., the Defense Plant Corporation, and all other Government corporations which have been created to carry on the defense effort should give immediate and continuous attention to the necessity of keeping up the operations of independent enterprise in this country.

The mines of the West will be closed down if we continue to import from abroad, without paying the tariff, materials which we can produce in this country.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. MURRAY. Was not that exactly the situation which existed in this country at the time the excise taxes on certain commodities were imposed? The copper mines of Montana were closing down and idleness prevailed in the mining regions of the West when copper was coming into this country from Chile and being delivered in New York City at approximately 5 cents a pound.

Mr. O'MAHONEY. The Senator is quite right. There are other phases of this matter; I do not intend to go into them all today, but let us consider, for example, the operations of the Export-Import Bank. It operates through money furnished by the R. F. C. That organization is using money provided by the act of Congress to build up a steel industry in Brazil, for example. What is the answer? If we build up a steel industry in Brazil with the savings of the people of the United States who are buying defense bonds, what opportunity will there be later on to export the products of the huge plants which we are developing; and if it is proper to build up the industrial enterprises of foreign countries with loans which we authorize, then, Mr. President, is it not proper and necessary to build up our own enterprises with the funds from the same source? I should like to see the R. F. C. operate under a law which would permit it to extend loans to independent enterprise in this country in such a way that such enterprise will know that it can be done. Under the system that now prevails, independent enterprise does not know, because whenever the development of any of these resources is suggested to the O. P. M., the answer there is made, as was made upon the floor this morning by the Senator from Kentucky, that the Government must turn to experienced agencies and corporations; and when we turn to experienced agencies, we turn away from those that are pioneers in the field.

The Senator from Utah will recall that at the hearing at Salt Lake City one of the witnesses appeared with an ingot of aluminum, which was more than a yard long and almost two feet in thickness, and laid it upon the table before the committee. I had understood when we went to Salt Lake City that the O. P. M. was cooperating in the development of this new aluminum enterprise in Utah, but when I got there I found that the cooperation of O. P. M. was so limited, so restricted that it would be impossible to expect any substantial contribution of new aluminum production from that effort.

Mr. President, I shall take time perhaps a little later to call the attention of the R. F. C. and of its members to the importance of developing the resources which we have in the United States. If we are going to preserve free enterprise, we had better be about it now and not wait until this crisis is over and a new crisis has come upon us, because, if we do wait, the issue which will be presented to us after this crisis is over will be the bare issue of big business controlling and regimenting the lives of the people of the United States or the Government doing the same thing. We must ask ourselves the question over and over again, What sort of a world do we want to live in after this crisis is over? If we want to live in a democratic world, then it is necessary for us to do everything in our power to maintain the democratic system, which is a system of free opportunity and free enterprise.

The PRESIDING OFFICER. The bill is still before the Senate and open to amendment. If there be no amendment to be proposed, the question now is on the third reading of the bill.

The bill (H. R. 5667) was ordered to a third reading, read the third time, and passed.

Mr. BARKLEY. Mr. President, I ask unanimous consent to have printed as a part of my remarks in connection with the bill just passed the report of the Federal Loan Agency to the President and to Congress dated September 15 last.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

FEDERAL LOAN AGENCY,
Washington, September 15, 1941.

To the President and the Congress of the United States:

On January 16, 1941, I submitted to you a summary of the activities of the Reconstruction Finance Corporation in the defense program as of January 6, 1941; and on May 7, 1941, I submitted a summary as of April 30, 1941. I now submit a similar statement as of September 13, 1941.

Section 5d of the Reconstruction Finance Corporation Act, as amended by Public Nos. 664 and 792, Seventy-sixth Congress, and Public Law 108, Seventy-seventh Congress, authorizes the Reconstruction Finance Corporation to aid the Government in its national-defense program in the following manner:

"(2) To make loans to, or, when requested by the Federal Loan Administrator with the approval of the President, purchase the capital stock of, any corporation (a) for the purpose of producing, acquiring, and carrying strategic and critical materials as defined by the President, and (b) for plant construction, expansion and equipment, and working capital, to be used by the corporation in the

manufacture of equipment and supplies necessary to the national defense, on such terms and conditions and with such maturities as the Corporation may determine; and

"(3) When requested by the Federal Loan Administrator, with the approval of the President, to create or organize, at any time prior to July 1, 1943, a corporation or corporations, with power (a) to produce, acquire, carry, sell, or otherwise deal in strategic and critical materials as defined by the President; (b) to purchase and lease land, purchase, lease, build, and expand plants, and purchase and produce equipment, facilities, machinery, materials, and supplies for the manufacture of strategic and critical materials, arms, ammunition, and implements of war, any other articles, equipment, facilities, and supplies necessary to the national defense, and such other articles, equipment, supplies, and materials as may be required in the manufacture or use of any of the foregoing or otherwise necessary in connection therewith; (c) to lease, sell, or otherwise dispose of such land, plants, facilities, and machinery to others to engage in such manufacture; (d) to engage in such manufacture itself, if the President finds that it is necessary for a Government agency to engage in such manufacture; (e) to produce, lease, purchase, or otherwise acquire railroad equipment (including rolling stock), and commercial aircraft, and parts, equipment, facilities, and supplies necessary in connection with such railroad equipment and aircraft, and to lease, sell, or otherwise dispose of the same; (f) to purchase, lease, build, expand, or otherwise acquire facilities for the training of aviators and to operate or lease, sell, or otherwise dispose of such facilities to others to engage in such training; and (g) to take such other action as the President and the Federal Loan Administrator may deem necessary to expedite the national-defense program, but the aggregate amount of the funds of the Reconstruction Finance Corporation which may be outstanding at any one time for carrying out this clause (g) shall not exceed $200,000,000; *Provided*, That nothing in this subsection shall be construed to authorize the Corporation to take any action, directly or indirectly, with respect to the proposals heretofore considered by the Congress and known as the Great Lakes-St. Lawrence seaway, Passamaquoddy, Florida ship canal, and Tombigbee River projects, or to the project known as the Nicaragua Canal. The powers of every corporation hereafter created or organized under this subsection shall be set out in a charter which shall be valid only when certified copies thereof are filed with the Secretary of the Senate and the Clerk of the House of Representatives and published in the Federal Register, and all amendments to such charters shall be valid only when similarly filed and published. The charters of corporations heretofore so created or organized shall be so filed and published before July 1, 1941, and amendments thereto shall be valid only when certified copies thereof are hereafter so filed and published. No corporation heretofore or hereafter created or organized by the Corporation pursuant to this subsection shall have succession beyond January 22, 1947, except for purposes of liquidation, unless the life of such corporation is extended beyond such date pursuant to an act of Congress. The Corporation may make loans to, or purchase the capital stock of, any such corporation for any purpose within the powers of the corporation as above set forth related to the national-defense program, on such terms and conditions as the Corporation may determine."

In aid of the defense program, under this and other authority, the R. F. C. has made commitments aggregating approximately $3,902,952,578. These include the creation on June 28, 1940, of the Rubber Reserve Company to acquire a reserve supply of raw rubber. Five million dollars was subscribed to the capital stock of this company, and with the approval of the Reconstruction Finance Corporation it has agreed with the International Rubber Regulation Committee, which controls the world output of raw rubber, to purchase up to 430,000 tons of far eastern crude rubber, costing approximately $190,000,000 and, in addition, has agreed to purchase up to 30,000 tons of Brazilian rubber in the years 1941, 1942, and 1943 at a maximum cost of approximately $20,000,000. Effective June 23, 1941, under arrangements worked out through the cooperation of the British and Dutch Governments and the International Rubber Regulation Committee, the Rubber Reserve Company has become the sole buyer for crude rubber exported to the United States from the Far East. The purpose of this action is to accelerate the accumulation of the Government reserve supply and to facilitate distribution to the manufacturing industry for defense and commercial requirements in accordance with programs established by the Office of Production Management and the Office of Price Administration and Civilian Supply.

On September 13, 1941, 140,318 tons had been delivered, 66,391 tons were in transit, and 150,601 tons awaited shipment. Of the total purchased, 157,972 tons were contracted for prior to the establishment of the central buying plan and 199,338 tons since such establishment. Through the operation of central buying the balance of the 430,000-ton reserve supply should be accumulated by June 30, 1942.

Rubber is currently being purchased at the top of the price range specified in the agreements with the International Rubber Regulation Committee, which is 18½ cents United States currency per pound for standard IX ribbed smoked sheets, f. o. b. transoceanic ships, Asiatic ports.

Through the Defense Plant Corporation the Reconstruction Finance Corporation has authorized lease agreements for the construction and equipping of four synthetic rubber plants with major rubber-manufacturing companies. These plants will have an initial capacity for the production of 10,000 tons each per annum.

On June 28, 1940, the Reconstruction Finance Corporation created the Metals Reserve Company, with a capital of $5,000,000, to acquire a reserve supply of critical and strategic materials. Purchases of such materials are in excess of current requirements.

To the close of business September 13, 1941, the Metals Reserve Company, with approval of the Reconstruction Finance Corporation, had made commitments to acquire the following metals at approximately the costs stated:

	Tons delivered	Tons afloat	Tons on order	Amount
Aluminum: Import			340,100	$180,034,000
Antimony:				
Import	7,014		19,623	6,403,000
Domestic	1,250		1,750	780,000
Asbestos: Import	197	273	1,090	215,000
Bauxite: Import		2,500	11,150	101,000
Cadmium: Import	67			139,000
Chrome:				
Import	59,579	50,000	298,803	12,015,000
Domestic			108,000	4,285,000
Copper: Import	269,246		[1] 231,254	140,110,000
Diamonds: Import				708,000
Graphite: Import	411	3,617	883	486,000
Iridium (765 ounces)				120,000
Lead: Import	88,871	5,203	151,053	31,819,000
Manganese ore:				
Import	271,456	30,967	1,034,038	41,766,000
Domestic	7,943		1,792,057	66,804,000
Mercury: Import		10	40	9,000
Mica: Import			2,757	3,069,000
Nickel: Import			11,600	4,749,000
Quartz crystals: Import			450	3,150,000

[1] Includes 195,800 tons for which purchase contract is not yet executed.

	Tons delivered	Tons afloat	Tons on order	Amount
Tin (refined): Import	30,592	3,150	[2] 143,258	$207,500,000
Tin ore: Import	13,645	1,773	263,127	122,434,000
Tungsten:				
Import	2,831	275	65,098	113,169,000
Domestic			2,850	4,165,000
Zinc (refined): domestic			86,000	13,470,000
Zinc ore: Import	2,112	9,580	187,100	3,843,000
Brazilian materials				[3] 3,625,000
Mexican materials				[3] 2,576,000
Peruvian materials				[3] 2,000,000
Total				969,544,000

[1] Includes 88,026 tons for which purchase contract is not yet executed.
[2] Balance of estimated amounts for expenditure in 1941

Defense Plant Corporation was created August 22, 1940, with a capital of $5,000,000 to build and acquire defense plants.

Defense Plant Corporation has made commitments aggregating $2,042,285,826.49 for the acquisition of plant sites, the construction of buildings, and the acquisition of machinery and equipment for the manufacture of airplanes and parts, aluminum and products, ordnance items, machine tools, magnesium, tanks and tank engines, steel and pig iron, etc., and for the construction of docks and shipyards. The plants and equipment are owned by Defense Plant Corporation and leased to the manufacturer. We are protected either by the rent we receive or by a contract of reimbursement from the Army or Navy Department or Maritime Commission. Commitments during the period May 1, 1941, to September 13, 1941, inclusive, and increases of amounts heretofore reported, are shown in the attached lists which supplement the list attached to my letter of May 7, 1941.

On August 29, 1940, Defense Supplies Corporation was created with an authorized capital of $5,000,000 to acquire and carry a reserve supply of critical and strategic materials and supplies and to make advances for other purposes desirable in the interests of the national-defense program.

The President has allocated $8,000,000 to the Federal Loan Administrator from the emergency fund for the President, contained in the Navy Appropriation Act, 1941, approved June 11, 1940, for the development of transportation facilities in the other American republics to facilitate trade between these countries and for other purposes affecting our national defense. This activity is being carried out through the Defense Supplies Corporation. To date, a total of $3,775,259.38 has been authorized for this purpose—$3,475,259.38 for the purchase of 30 airplanes (9 of which have been purchased) and $300,000 for working capital.

The Corporation is making arrangements to provide commercial trade scholarships to a number of young men from the other American republics, at least one from each country, such scholarships to include their transportation to this country and return. Positions will be obtained for these men in representative industries in the United States in order that they may learn something of our manufacturing methods. The estimated cost of this program is $100,000, to be provided by the Office for Coordination of Commercial and Cultural Relations Between the American Republics.

At September 13, 1941, the Corporation had committed an aggregate amount of $8,148,614 for loans and advances, as follows:

Twenty thousand dollars for the expansion of diamond-die manufacturing facilities.

Two million dollars to the Army Exchange Service.

Five million six hundred and twenty-eight thousand six hundred and fourteen dollars

to the War Department for the rehabilitation of the Newfoundland Railway, of which $1,000,000 has been disbursed.

Five hundred thousand dollars to the Pacific Development Co., Inc., to be used for the commercial development of Albemarle Island, one of the Galapagos group of islands.

Authorizations totaling $60,397,814.16 for the manufacture of arms, ammunition, and implements of war have been approved, of which $44,489,850 has been canceled. The remainder of $15,907,964.16 is still available.

At the request of the Advisory Commission to the Council of National Defense, the Corporation made arrangements for financing the purchase of 7,500,000 barrels of 100-octane aviation gasoline, to cost approximately $50,000,000 and 10,000,000 gallons of toluol, to cost approximately $3,250,000. Subsequently, the Office of Production Management canceled the recommendations of the Advisory Commission to the Council of National Defense with respect to the purchase of these materials, and for this reason the Corporation's arrangements to finance their purchase have also been canceled.

The Corporation has authorized the purchase of 12 transport planes from commercial air lines for the Department of Commerce, at the request of the President, at an estimated cost of $1,800,000. Nine of these planes have been purchased.

The Corporation is transporting to and storing in this country 250,000,000 pounds of Australian wool. The estimated cost of the transportation and storage of the wool is approximately $12,000,000. This amount has been provided by the President from the "Emergency Fund for the President" under the provisions of the Military Appropriation Act, 1941 (Public, No. 611, 76th Cong.). As of September 13, 1941, 82,388,885 pounds of wool had been received and several cargoes were loading. The wool belongs to Great Britain but the United States Government has the right to use any part of it that it may need.

In addition to the Australian wool program the Defense Supplies Corporation had made commitments through September 13, 1941, for the acquisition of commodities at approximately the costs stated.

	Authorized	
	Quantity	Approximate cost
Aconite root (pounds)	50,000	$50,000
Belladonna leaves (pounds)	200,000	450,000
Belladonna root (pounds)	60,000	135,000
Cork (metric tons)	100,000	$10,000,000
Diamond dies	[1] 9,000	232,500
Ergot (pounds)	200,000	400,000
Henbane (pounds)	100,000	300,000
Jute (metric tons)	20,000	3,200,000
Kapok (metric tons)	2,000	600,000
Leather—South American (bales)	2,439	200,000
Manila fiber (bales)	100,000	1,500,000
Nitrate of soda (short tons)	[2] 300,000	6,303,000
Quinine sulfate (ounces)	2,000,000	1,340,000
Raw silk (bales)	[3] 100,000	40,000,000
Santonin (pounds)	1,000	80,000
Wool—South American (bales)	7,794	3,000,000
Total		67,790,500

[1] 6,780 purchased.
[2] 211,703 tons purchased and 9,520 tons afloat.
[3] 400 bales purchased.

The Defense Homes Corporation was incorporated October 23, 1940, with a capital of $10,000,000, supplied by the Federal Loan Administrator from funds allocated by the President from the emergency fund for the President provided in the Naval Appropriation Act, approved June 11, 1940, and the Military Appropriation Act, 1941, approved June 13, 1940. Homes are constructed in defense areas with the approval of the Defense Housing Coordinator when private capital is not available, and where it is determined that the houses will be of permanent value to the community after the present emergency. As of September 13, 1941, Defense Homes Corporation had issued commitments for the purchase of real estate and the construction of homes thereon in amounts aggregating in excess of $11,900,000, and it is contemplated that additional construction commitments approximating $2,250,000 will be issued in connection with projects now under consideration. Defense Homes Corporation had also authorized four housing loans aggregating $305,000. Such funds in excess of its capital as may be needed by Defense Homes Corporation for its operations will be borrowed upon the security of mortgages upon its projects.

In addition to the creation and capitalization of the foregoing corporations, and loans to them as outlined, the Reconstruction Finance Corporation has authorized 421 loans to 289 private manufacturers in the defense program, aggregating $473,960,564. Commitments during the period May 1, 1941, to September 13, 1941, inclusive, and increases of amounts heretofore reported, are shown in the attached lists which supplement the list attached to my letter of May 7, 1941.

The R. F. C. cooperates with banks in making loans for production, plant expansion, or other national-defense purposes by taking participations in any such loans. Where the bank wishes to carry the entire loan, the Corporation gives a definite takeout agreement under the rates now in effect or as may be agreed upon. The Corporation has authorized participations to the extent of $12,676,475 in defense loans aggregating $21,672,107, practically all made by banks.

The construction of all defense plants and the acquisition of equipment are at the request of the War or Navy Departments, and the larger defense loans by the Corporation to manufacturers engaged on Government contracts are made in cooperation with the Defense Commission. The purchase of defense supplies and critical and strategic materials is made at the request of, or in cooperation with, the Defense Commission. Defense Homes Corporation operates in close cooperation with the Defense Housing Coordinator, the Army and the Navy, and the Federal Housing Administration.

All of these subsidiaries of the R. F. C. which were set up to aid in the national-defense program are managed and operated by directors, officers, and employees of the R. F. C. under the supervision of the Federal Loan Administrator.

Mr. Henderson, Chairman of the R. F. C., is president of Metals Reserve Company.

Mr. Klossner, director of the R. F. C., is president of Rubber Reserve Company.

Mr. Husbands, director of the R. F. C., is president of Defense Plant Corporation, Defense Homes Corporation, and Defense Supplies Corporation.

In summary: Provision for the reserves of rubber, metals, and other strategic and critical materials and supplies, construction of plant and acquisition of equipment, and loans direct to manufacturers to carry out contracts with the Government for defense involve total commitments of $3,902,952,578.

	Commitments
Rubber Reserve Company	$210,000,000
Metals Reserve Company	969,544,000
Defense Plant Corporation	2,042,285,826
Defense Supplies Corporation	207,162,188
R. F. C. defense loans	473,960,564
Total	3,902,952,578

Sincerely yours,

JESSE H. JONES,
Administrator.

Defense plant corporation commitments for national defense approved from May 1, 1941, to Sept. 13, 1941, inclusive

[$511,409,447.15 for acquisition of plant sites; construction of buildings and acquisition of machinery and equipment for the manufacture of airplanes, ordnance, and other items from Aug. 22, 1940, through Apr. 30, 1941]

Name	Amount	Purpose
Air Associates, Inc., Bendix, N. J.	$311,706.00	Construction and equipment for manufacture of aircraft accessories.
Air Cruisers, Inc., Clifton, N. J.	253,942.00	Construction for manufacture of barrage balloons.
Alabama Dry Dock & Shipbuilding Co., Inc., Mobile, Ala.	5,010,000.00	Construction and equipment for conversion, maintenance, and repair of ships.
Allis-Chalmers Manufacturing Co., Milwaukee, Wis.	9,066,964.00	Construction and equipment for manufacture of superchargers for bomber planes.
Do.	1,973,972.00	Construction and equipment for manufacture of marine turbines.
Aluminum Co. of America, Pittsburgh, Pa.	52,150,000.00	Construction and equipment for aluminum smelting plants.
American Propeller Corporation, Toledo, Ohio	7,226,044.00	Construction and equipment for manufacture of propeller blades for aircraft.
Anaconda Copper Mining Co., Butte, Mont.	1,740,000.00	Construction and equipment for mining and milling chromium-bearing ores.
Anaconda Wire & Cable Co., New York, N. Y.	353,723.70	Construction and equipment for manufacture of assault wire.
Arter Grinding Machine Co., Worcester, Mass.	150,469.00	Equipment for manufacture of rotary surface grinders.
Atlantic Basin Iron Works, Inc., Brooklyn, N. Y.	1,000,000.00	Construction and equipment for conversion maintenance and repair of ships.
W. F. & John Barnes Co., Rockford, Ill.	2,000,000.00	Construction and equipment for manufacture of ordnance equipment.
Basalt Rock Co., Inc., Napa, Calif.	150,000.00	Equipment for manufacture of cargo boats.
Basic Magnesium, Inc., Cleveland, Ohio	63,168,799.00	Construction and equipment for the production of magnesium.
Bell Aircraft Corporation, Buffalo, N. Y.	8,456,175.00	Construction and equipment for manufacture of pursuit airplanes and bomber parts.
Bendix Aviation Corporation, South Bend, Ind.	1,079,005.00	Construction and equipment for manufacture of magnesium castings.
Bloomfield Tool Corporation, Bloomfield, N. J.	220,177.14	Equipment for manufacture of gages and production tools.
Boeing Aircraft Co., Seattle, Wash.	15,943,480.00	Construction and equipment for manufacture of aircraft.
Boeing Airplane Co., Seattle, Wash.	17,500,000.00	Construction and equipment for manufacture of aircraft and parts.

Defense plant corporation commitments for national defense approved from May 1, 1941, to Sept. 13, 1941, inclusive—Continued

Name	Amount	Purpose
Boeing Airplane Co., Seattle, Wash	$272,500.00	Equipment for manufacture of aircraft and parts.
Bohn Aluminum & Brass Corporation, Detroit, Mich	289,102.00	Construction and equipment for manufacture of sand castings for aircraft.
Do	596,463.00	Do.
Bruening-Winans Corporation, Rochester, N. Y	93,519.00	Construction and equipment for manufacture of aircraft parts.
The Bullard Co., Bridgeport, Conn	1,900,000.00	Equipment for manufacture of machine tools.
Carbide & Carbon Chemicals Corporation, New York, N. Y	50,000.00	Designs and specifications for butadiene plant.
Carnegie-Illinois Steel Corporation, Pittsburgh, Pa	85,000,000.00	Construction and equipment for manufacture of steel.
Do	32,000,000.00	Do.
The Champion Machine & Forging Co., Cleveland, Ohio	2,699,680.00	Construction and equipment for manufacture of steel forgings for aircraft struts and engines.
Chrysler Corporation, Detroit, Mich	403,022.00	Equipment for aircraft engine development.
Cone Automatic Machine Co., Inc., Windsor, Vt	475,000.00	Equipment for manufacture of screw machines.
Consolidated Aircraft Corporation, San Diego, Calif	1,759,074.50	Construction and equipment for manufacture of aircraft and parts.
Henry L. Crowley & Co., West Orange, N. J	245,000.00	Construction and equipment for manufacture of radio grade ceramic parts.
Detroit Tap & Tool Co., Detroit, Mich	175,000.00	Equipment for manufacture of gages.
Diamond Alkali Co., Cleveland, Ohio	16,000,000.00	Construction and equipment for the manufacture of magnesium.
Douglas Aircraft Co., Inc., Santa Monica, Calif	522,170.00	Construction and equipment for manufacture of aircraft (bombers).
Dow Chemical Co., Midland, Mich	52,000,000.00	Construction and equipment for the manufacture of magnesium.
Eaton Manufacturing Co., Cleveland, Ohio	116,583.00	Equipment for manufacture of aircraft engine parts.
Do	173,950.00	Equipment for manufacture of aircraft engine valves.
Do	465,235.00	Construction and equipment for manufacture of aircraft parts.
Elastic Stop Nut Corporation, Union, N. J	608,736.00	Equipment for manufacture of self-locking nuts.
The Emerson Electric Manufacturing Co., St. Louis, Mo	10,529,173.00	Construction and equipment for manufacture of flexible gun turrets for aircraft.
Eureka Vacuum Cleaner Co., Detroit, Mich	103,017.00	Equipment for manufacture of hydraulic control cylinders for aircraft.
The Fafnir Bearing Co., New Britain, Conn	746,062.00	Equipment for manufacture of ball bearings for aircraft and marine instruments.
The Firestone Tire & Rubber Co., Akron, Ohio	2,750,000.00	Construction and equipment for manufacture of synthetic rubber.
Ford Motor Co., Dearborn, Mich	47,620,171.00	Construction and equipment for manufacture of aircraft and parts.
General Electric Co., Schenectady, N. Y	752,532.00	Equipment for manufacture of aircraft engine geared impellers.
Do	[1] 1,272,074.00	Construction and equipment for manufacture of turbines and reduction gears for cargo boats.
Do	2,407,756.00	Construction and equipment for manufacture of radio equipment.
General Motors Corporation, Detroit, Mich	894,001.00	Equipment for manufacture of aircraft parts and accessories.
Do	3,957,029.00	Construction and equipment for manufacture of aircraft parts and accessories.
Do	37,161,529.10	Construction and equipment for manufacture of aircraft engines.
Do	567,000.00	Equipment for manufacture of aircraft engine bearings.
Do	11,606,078.00	Equipment for manufacture of aircraft propellers and propeller parts.
Do	2,442,355.19	Equipment for manufacture of aircraft engine and propeller bearings.
The Goodyear Tire & Rubber Co., Akron, Ohio	2,750,000.00	Construction and equipment for manufacture of synthetic rubber.
Graham-Paige Motors Corporation, Detroit, Mich	[1] 900,000.00	Equipment for manufacture of marine-engine parts.
The Hanson-Whitney Machine Co., Hartford, Conn	325,000.00	Equipment for manufacture of thread gages.
The Heckett Corporation, Philadelphia, Pa	350,000.00	Equipment for recovery of iron and steel scrap.
The High Standard Manufacturing Co., Inc., Hamden, New Haven County, Conn.	4,300,000.00	Construction and equipment for manufacture of machine guns.
Holley Carburetor Co., Detroit, Mich	661,415.00	Construction and equipment for manufacture of aircraft carburetors.
Huck Manufacturing Co., Detroit, Mich	84,490.00	Equipment for manufacture of aircraft dural rivets.
Hughes Tool Co., Houston, Tex	3,725,001.00	Construction and equipment for manufacture of aircraft landing-gear struts.
Hydrocarbon Chemical & Rubber Co., Akron, Ohio	2,750,000.00	Construction and equipment for manufacture of synthetic rubber.
Isolantite, Inc., Belleville, N. J	972,774.00	Construction and equipment for manufacture of ceramic products for radio.
Kellett Autogiro Corporation, Philadelphia, Pa	95,957.00	Equipment for manufacture of airplane parts.
Kelsey-Hayes Wheel Co., Detroit, Mich	5,800,000.00	Construction and equipment for manufacture of 50-caliber machine guns.
Walter Kidde & Co., Inc., Bloomfield, N. J	2,242,323.00	Construction and equipment for manufacture of high-pressure gas specialties.
Koppers Co., Baltimore, Md	1,250,000.00	Construction and equipment for manufacture of piston rings for aircraft and Diesel engines.
The Lapointe Machine Tool Co., Hudson, Mass	200,000.00	Equipment for manufacture of broaching tools.
Lawrance Engineering & Research Corporation, Linden, N. J	663,000.00	Construction and equipment for manufacture of auxiliary power plants for Navy patrol bombers.
Leatham Smith Coal & Shipbuilding Co., Sturgeon Bay, Wis	150,000.00	Construction and equipment for the manufacture of cargo boats.
The Lees-Bradner Co., Cleveland, Ohio	300,482.60	Equipment for manufacture of thread millers and other machine tools.
The Maryland Dry Dock Co., Baltimore, Md	3,894,256.00	Construction and equipment for conversion, maintenance, and repair of ships.
Meisel Gear Co., Boston, Mass	1,682,504.49	Construction and equipment for manufacture of aircraft gears.
Menasco Manufacturing Co., Burbank, Calif	1,639,058.04	Construction and equipment for manufacture of hydraulic landing gear for aircraft.
Metal Cutting Tools, Inc., Rockford, Ill	250,000.00	Equipment for manufacture of small metal cutting tools.
Michigan Tool Co., Detroit, Mich	492,700.00	Equipment for manufacture of cone worms and worm gears.
Monsanto Chemical Co., St. Louis, Mo	15,000.00	Designs and specifications for proposed styrene plant.
Nash-Kelvinator Corporation, Detroit Mich	8,433,860.00	Construction and equipment for manufacture of aircraft propellers.
Do	15,150,744.00	Construction and equipment for manufacture of aircraft engine parts.
The National Acme Co., Cleveland, Ohio	488,000.00	Equipment for manufacture of machine tools.
The New Britain Machine Co., New Britain, Conn	650,000.00	Equipment for manufacture of screw machines and chucking machines.
Odenbach Shipbuilding Corporation, Maniton Beach, N. Y	870,000.00	Equipment for building ships.
The Okonite Co., Passaic, N. J	293,884.78	Equipment for manufacture of assault wire.
Olin Corporation, East Alton, Ill	3,900,000.00	Construction and equipment for the manufacture of aluminum.
Pacific Bridge Co., San Francisco, Calif	315,000.00	Equipment for building ships.
Packard Motor Car Co., Detroit, Mich	1,333,000.00	Equipment for manufacture of marine engines and spare parts.
Phelps Dodge Copper Products Corporation, New York, N. Y	3,100,000.00	Construction and equipment for manufacture of copper products.
The Pipe Machinery Co., Cleveland, Ohio	200,000.00	Equipment for manufacture of gages.
Remington Arms Co., Inc., Bridgeport, Conn	225,000.00	Equipment for manufacture of high explosives.
Republic Steel Corporation, Cleveland, Ohio	58,312,000.00	Facilities for the production of pig iron.
Revere Copper and Brass, Inc., New York, N. Y	3,100,000.00	Construction and equipment for manufacture of condenser tubes.
Robins Dry Dock & Repair Co., New York, N. Y	3,450,000.00	Construction and equipment for conversion, maintenance, and repair of ships.
Romec Pump Co., Elyria, Ohio	296,854.79	Construction and equipment for manufacture of aviation pumps.
A. O. Smith Corporation, Milwaukee, Wis	2,760,132.00	Equipment for manufacture of aircraft landing and tail gears.
Sperry Gyroscope Co., Inc., Brooklyn, N. Y	20,281,000.00	Construction and equipment for manufacture of scientific equipment for navigation, communication, fire control.
Standard Oil Co. of Louisiana, Baton Rouge, La	7,464,000.00	Construction and equipment for manufacture of butadiene.
Stupakoff Ceramic Manufacturing Co., Latrobe, Pa	320,699.00	Construction and equipment for manufacture of parts for radio equipment, etc.
Sullivan Dry Dock & Repair Corporation, Brooklyn, N. Y	1,710,500.00	Construction and equipment for conversion, maintenance, and repair of ships.
Tietjen & Lang Dry Dock Co., Hoboken, N. J	5,750,000.00	Do.
Titeflex Metal Hose Co., Newark, N. J	1,000,000.00	Construction and equipment for manufacture of radio equipment.
Todd-Johnson Dry Docks, Inc., New Orleans, La	3,140,000.00	Construction and equipment for conversion maintenance, and repair of ships.
Todd-Seattle Dry Docks, Inc., Seattle, Wash	1,000,000.00	Do.
Tycoon Tackle, Inc., Miami, Fla	81,650.00	Construction and equipment for manufacture of aircraft parts, instruments, and testing equipment.
United States Rubber Co., New York, N. Y	2,750,000.00	Construction and equipment for manufacture of synthetic rubber.
Do	719,400.00	Equipment for manufacture of assault wire.
Vega Airplane Co., Burbank, Calif	1,822,046.47	Construction for manufacture of aircraft and parts (bombers).
The Warner & Swasey Co., Cleveland, Ohio	550,000.00	Equipment for manufacture of machine tool equipment.
Woodward Governor Co., Rockford, Ill	152,656.00	Equipment for manufacture of aircraft parts.
The Weatherhead Co., Cleveland, Ohio	1,018,200.00	Equipment for manufacture of aircraft fittings, etc.
Westinghouse Electric & Manufacturing Co., Pittsburgh, Pa	22,000,000.00	Construction and equipment for manufacture of marine turbines and gears.
Do	271,002.00	Purchase of transformers in connection with aluminum expansion.
Wright's Automatic Tobacco Packing Machine Co., Durham, N. C	500,000.00	Construction for manufacture of gunfire-control equipment.
Commitments by Defense Plant Corporation for expansion of facilities to make products for national defense (specific projects not yet approved) and for purchase of machine tools.	[2] 716,431,974.20	

[1] Canceled in full.

[2] Of this amount, $161,004,426.29 has been canceled.

Defense Plant Corporation increases approved from May 1, 1941, to Sept. 13, 1941, inclusive, in commitments for national defense approved prior to May 1, 1941

Name	Amount of increase	Purpose
Aeronautical Products Inc., Detroit, Mich	$36,908.00	Increased from $495,880 to $532,788. For manufacture of precision aircraft parts.
Aero Supply Manufacturing Co., Inc., Cory, Pa	60,000.00	Increased from $600,000 to $660,000. For manufacture of aircraft parts and accessories.
Allegheny Ludlum Steel Corporation, Pittsburgh, Pa	1,500,000.00	Increased from $2,500,000 to $4,000,000. For manufacture of steel.
American Bosch Corporation Springfield, Mass	2,118,608.00	Increased from $761,409.20 to $2,880,017.20. For manufacture of aircraft magnetos.
The American Brass Co., Kenosha, Wis	500,000.00	Increased from $4,750,000 to $5,250,000. For manufacture of ammunition brass and ammunition cups.
The Aviation Corporation, Detroit, Mich	92,022.00	Increased from $1,500,000 to $1,592,022. For manufacture of aircraft engine parts.
Brewster Aeronautical Corporation, Long Island City, N. Y	350,000.00	Increased from $2,000,000 to $2,350,000. For manufacture of aircraft.
Consolidated Aircraft Corporation, San Diego, Calif	3,716,013.84	Increased from $14,446,929.27 to $18,162,943.11. For manufacture of aircraft and parts.
Crucible Steel Co. of America, New York, N. Y	1,000,000.00	Increased from $1,500,000 to $2,500,000. For manufacture of shells.
Edo Aircraft Corporation, College Point, Long Island, N. Y	5,629.00	Increased from $398,326 to $403,955. For manufacture of aircraft pontoons.
General Motors Corporation, Chicago, Ill	10,267,043.00	Increased from $31,075,150 to $41,342,193. For manufacture of aircraft engines.
General Motors Corporation, Detroit, Mich	76,049.00	Increased from $5,700,000 to $5,776,049. For manufacture of 20-mm. Cerilken guns.
Hudson Motor Car Co., Detroit, Mich	166,886.00	Increased from $93,967 to $260,853. For manufacture of aircraft tail fuselage assemblies.
Jack & Heintz, Inc., Cleveland, Ohio	146,089.00	Increased from $1,293,121 to $1,439,210. For manufacture of aircraft electric starters.
Walter Kidde & Co., Inc., Bloomfield, N. J	132,725.59	Increased from $943,783 to $1,076,508.59. For manufacture of high-pressure gas cylinders, etc., for aircraft and naval vessels.
Lukenweld, Inc., South Coatesville Borough, Pa	310,000.00	Increased from $2,400,000 to $2,710,000. For manufacture of Diesel engine crankcases.
The M. B. Manufacturing Co., Inc., New Haven, Conn	160,000.00	Increased from $130,000 to $290,000. For manufacture of precision aircraft engine parts.
McDonnell Aircraft Corporation, Robertson, Mo	19,770.00	Increased from $512,717 to $532,487. For manufacture of aircraft tail surfaces, etc.
Moore Dry Dock Co., San Francisco, Calif	624,800.00	Increased from $4,000,000 to $4,624,800. For expansion of facilities for construction of naval vessels.
Moser Jewel Co., Perth Amboy, N. J	37,345.00	Increased from $45,412 to $82,757. For manufacture of aircraft precision instruments.
North American Aviation, Inc., Los Angeles, Calif	795,323.00	Increased from $2,300,000 to $3,095,323. For manufacture of aircraft.
North American Aviation, Inc., of Texas, Dallas, Tex	1,314,972.21	Increased from $7,961,349 to $9,276,321.21. For manufacture of aircraft.
The Ohio Crankshaft Co., Cleveland, Ohio	393,500.00	Increased from $1,720,000 to $2,113,500. For manufacture of crankshafts for Diesel and gas engines.
The Perkin-Elmer Corporation, New York, N. Y	35,000.00	Increased from $55,000 to $90,000. For manufacture of optical units for fire-control and navigation equipment.
Pullman-Standard Car Manufacturing Co., Chicago, Ill	285,152.00	Increased from $1,108,901 to $1,394,053. For manufacture of aircraft outer wing assemblies.
Reynolds Metals Co., Louisville, Ky	415,969.50	Increased from $2,504,611 to $2,920,580.50. For manufacture of alloy-aluminum rods and other extruded products.
The Singer Manufacturing Co., New York, N. Y	665,000.00	Increased from $860,000 to $1,525,000. For manufacture of artillery fire-control equipment.
Tennessee Powder Co., Memphis, Tenn	550,000.00	Increased from $26,000,000 to $26,550,000. For manufacture of smokeless powder.
Tennessee Products Corporation, Nashville, Tenn	300,000.00	Increased from $375,000 to $675,000. For manufacture of ferromanganese.
The Watson-Stillman Co., Roselle, N. J	214,451.20	Increased from $185,548.80 to $400,000. For manufacture of hydraulic equipment.
N. A. Woodworth Co., Ferndale, Mich	829,445.00	Increased from $738,944 to $1,568,389. For manufacture of precision aircraft engine parts.
Wyman-Gordon Co., Worcester, Mass	2,046,845.00	Increased from $1,133,495 to $3,180,340. For manufacture of forgings for use in making aeronautical products.
Manufacturers of machine tools	40,000,000.00	For purchase by Defense Plant Corporation of machine tools.

Reconstruction Finance Corporation commitments for national defense approved from May 1, 1941, to Sept. 13, 1941, inclusive

[$194,150,079. Commitments from June 25, 1940, through Apr. 30, 1941]

Name	Amount approved	Purpose
Ceylon Graphite Co., Birmingham, Ala	$12,500.00	Develop and put in regular production graphite deposit. Working capital machinery, and construction.
Southern Aviation Training School, Inc., Decatur, Ala	149,000.00	Construct airport to train Army pilots.
Do	33,000.00	Additional facilities for training Army pilots.
Henry W. Berger, Kingman, Ariz	20,000.00	Develop tungsten mine.
Helena Aero-Tech, Helena, Ark. (a partnership)	150,000.00	Construct and equip flying school to train Army pilots.
Southwest Airways, Inc., Phoenix, Ariz	425,000.00	Payment of debts and operating expenses.
Pine Bluff School of Aviation, Pine Bluff, Ark. (a partnership)	131,250.00	Construct additional barracks and facilities for present school to train Army pilots.
Aircraft Machinery Corporation, Burbank, Calif	4,500.00	Payment of debts and operating expenses.
Huchendorf and Lyle Flying Service, Inc., Fresno, Calif	[1] 15,000.00	Buy 3 training planes.
Joseph B. Plosser, Glendale, Calif	6,293.70	Buy 1 training plane.
C. W. C. Corporation, Hawthorne, Calif	[1] 7,500.00	Purchase machinery; working capital. Has orders for precision tools for aircraft production.
Northrop Aircraft, Inc., Hawthorne, Calif	[1] 3,000,000.00	Working capital.
Air Craftsman, Inc., Inglewood, Calif	[1] 7,975.00	Machinery and equipment. Has subcontract for propeller spinners for Army airplanes.
Morton Air Service, Inc., Inglewood, Calif	5,500.00	Buy 1 training plane.
Harry Sham, Oakland, Calif., doing business as Oakland Flying Service	16,302.60	Purchase of 2 training airplanes.
Palo Alto Airport, Inc., Palo Alto, Calif	279,018.79	Construct school to train Army pilots.
Evelyn P. Kilgore and Joseph A. Brief, San Bernardino, Calif., doing business as Tri-City Airport	4,615.40	Purchase 1 training plane.
Pathfinder Flying Service, Ltd., Stockton, Calif	[2] 10,051.95	Buy 1 training plane and pay indebtedness on first loan.
Rankin School of Aeronautics, Inc., Van Nuys, Calif	[1] 6,480.00	Buy 1 training plane and pay indebtedness on first loan.
Visalia-Dinuba School of Aeronautics, Visalia, Calif. (a copartnership)	264,000.00	Construct and equip school to train Army pilots and pay operating expenses.
Wilson-Bonfils Flying School, Denver, Colo. (a partnership)	165,000.00	Construct airport to train Army pilots and pay operating expenses.
The Black Rock Manufacturing Co., Bridgeport, Conn	150,000.00	Working capital to complete subcontracts for machine to make .30 caliber bullets for Army.
Julius Pedersen, Bridgeport, Conn., doing business as J. Pedersen Manufacturing Co.	7,000.00	For cost of constructing new factory and moving new equipment.
The Middletown Silver Co., Middletown, Conn	4,425.00	Working capital to finance subcontract for 30,000 reflectors for Navy.
Babcock Printing Press Corporation, New London, Conn	140,000.00	Working capital to finance contracts for triple slides, primer inserting machines, etc.
The Riess Manufacturing Co., Greenwood, Del	[1] 18,000.00	Working capital; has subcontracts for airplane motor parts.
Federal Power Commission, Washington, D. C	150,000,000.00	For power development.
Embry-Riddle Co., Miami Beach, Fla	237,585.97	Construct and equip air school at Arcadia, Fla., to train Army pilots.

[1] Canceled in full.

[2] $1,959.48 of this amount canceled.

Reconstruction Finance Corporation commitments for national defense approved from May 1, 1941, to Sept. 13, 1941, inclusive—Con.

Name	Amount approved	Purpose
Tycoon Tackle, Inc., Miami, Fla.	[3] $20,000.00	Working capital to complete contracts for aircraft precision instruments for Navy.
Gulf Power Co., Pensacola, Fla.	3,600,000.00	Construct generating plant and transmission lines.
J. O. Beard, St. Petersburg, Fla., doing business as Beard's Flying Service.	4,872.00	Buy 1 training plane.
Georgia Air Service, Atlanta, Ga. (a partnership)	157,000.00	Construct and equip an air school to train Army pilots.
Raymond-Brinckerhoff Aviation Co., Douglas, Ga.	190,000.00	Construct and equip school to train Army pilots.
Stoner Manufacturing Co., Aurora, Ill.	350,000.00	Machinery and equipment and working capital; has contracts for 7,000,000 cartridge cases for Hispano guns—Army.
American Electric Fusion Corporation, Chicago, Ill.	100,000.00	Construction and working capital; pay mortgage. Has contract for 25 tube-making machines from Remington Arms; subcontract with War Department.
Eicor, Inc., Chicago, Ill.	300,000.00	Working capital, machinery, and equipment.
L. P. Friestedt Co., Chicago, Ill.	35,000.00	Working capital to finance subcontract for structural steel for Army warehouse.
Howard Aircraft Corporation, Chicago, Ill.	40,000.00	Working capital and to purchase machinery and equipment. Manufactures trainer airplanes.
National Road Joint Manufacturing Co., Chicago, Ill.	474,253.44	Working capital to finance Army contract for portable cooking cabinets.
Small Motors, Inc., Chicago, Ill.	50,000.00	Working capital, purchase equipment to complete Army contract for 4,463 dynamotor units and parts.
Perfection Gear Co., Harvey, Ill.	[1] 125,000.00	Construction and working capital. Has orders from Timken and Diamond T Motor Car Co., for parts to complete Army contracts.
Precision Manufacturing Co., North Chicago, Ill., a corporation to be organized.	22,500.00	Working capital, machinery and equipment, land, pay debts.
Horton Manufacturing Co., Fort Wayne Ind.	400,000.00	Purchase of tools machinery and equipment, payment of taxes and for operating expenses.
The Durham Manufacturing Co., Muncie, Ind.	250,000.00	Construction and working capital. Has Navy contract for 4,000,000 40 mm. antiaircraft projectiles; Army contract for 200,000 antitank mines.
Graham Flying Service, Sioux City, Iowa	6,480.00	Buy 1 training plane.
Beech Aircraft Corporation, Wichita, Kans.	1,851,300.00	Working capital to complete Army contract for 120 AT-7 airplanes for Army.
Do	49,200.00	Working capital to finance contract of airplane parts for Army.
Do	573,560.59	Expansion of plant facilities.
T. H. Covington, Bowling Green, Ky., doing business as Covington Electrical Mechanical Co.	25,000.00	Working capital to complete Navy contract for 44 manually operated cranes.
The Murphy Elevator Co., Louisville, Ky.	35,000.00	Working capital to finance Navy contract for elevators.
Baltimore School of Aeronautics, Inc., Baltimore, Md.	8,567.54	Buy 1 training plane.
Do	3,150.00	Purchase equipment now being leased.
Tobe Deutschmann Corporation, Canton, Mass.	25,000.00	Machinery and equipment, and working capital.
Service Die Corporation, Lynn, Mass.	11,500.00	Machinery and equipment working capital to complete subcontracts for rifle parts.
Palmer Scott & Co., Inc., New Bedford, Mass.	27,302.02	Payment of indebtedness and operating expenses.
McCulloch Manufacturing Co., South Boston, Mass.	10,000.00	Working capital to complete Army and Navy contracts for gun parts.
Clyde W. Clark, Dearborn, Mich., doing business as Dearborn Tool & Die Co.	11,250.00	For construction; to pay land contract and accounts payable. Has Government contract for 43 machines for testing hardness of metals. Also subcontract work for Vultee Aircraft and Empire Ordnance Corporation.
Clace G. Ekman, Sten G. Ekman, and Sven G. Ekman, Dearborn, Mich. (a copartnership doing business as Ekman & Sons Tool & Die Works).	7,500.00	Construction of new building.
American Cruiser Co., Detroit, Mich.	180,000.00	Working capital for construction of 2 wood submarine chasers for Navy.
Cross Gear & Machine Co., Detroit, Mich.	35,000.00	Payment of new machinery.
Detroit Wire Die Co., Detroit, Mich. (a copartnership comprised of William L. Brown and Lonnie F. Brown).	14,000.00	Purchase equipment; working capital, etc., to produce wire dies.
Graham-Paige Motors Corporation, Detroit, Mich.	[3] 852,600.00	Expand facilities.
Kenlee Corporation, Detroit, Mich.	230,000.00	Working capital, purchase equipment, pay debts, etc. Has subcontracts for machine guns and tank parts.
Lincoln Forging Co., Detroit, Mich.	[3] 37,500.00	Working capital, purchase machinery. Has subcontract for brackets and trolley wheels.
Redford Tool & Die Co. Detroit, Mich. (a partnership),	[4] 175,000.00	Construction machines and equipment, working capital. Has subcontracts for parts for automatic cannon for aircraft.
Gerald C. Francis, Lansing, Mich., doing business as Francis School of Aviation.	[1] 7,200.00	Buy 1 training plane.
Harry L. Peterson, Duluth, Minn.	7,335.00	Do.
Greenville Aviation School, Greenville, Miss. (a co-partnership)	126,666.67	Construct and equip air school to train Army pilots.
Mississippi Power Co., Gulfport, Miss.	2,200,000.00	Construct generating plant and transmission lines.
Hipsh, Inc., Kansas City, Mo.	6,000.00	For operating expenses.
Fox Brothers Manufacturing Co., St. Louis, Mo.	31,500.00	Working capital (principal for national-defense contracts and other Government work).
Willard Cleghorn, Kenneth Cleghorn, and John Boundy, Cherry Creek, Nev.	20,000.00	To develop tungsten mine.
Governor Mercury Mine, Elko County, Nev.	20,000.00	Develop mercury properties.
Arthur A. Goldsmith, Manchester, N. H.	[5] 5,974.04	Buy 1 training plane.
Safe Parachute Jump Co., Hightstown, N. J.	16,000.00	Working capital to erect tower at San Diego, Calif., for Navy.
Do	20,000.00	Working capital to complete Navy contract for erecting steel tower at San Diego.
P. Sanford Ross., Inc., Jersey City, N. J.	[1] 12,000.00	Working capital to complete contract with United States Engineers (War Department) for dredging at Great Kills Harbor, Staten Island.
Snead & Co., Jersey City, N. J.	200,000.00	Working capital to finance Army contract for ponton sets.
Lawrance Engineering & Research Corporation, Linden, N. J.	125,000.00	Working capital to manufacture auxiliary power engines.
Do	400,000.00	Purchase of tools, jigs, and fixtures and working capital.
Essex Specialty Co., Inc., Newark, N. J.	50,000.00	Working capital to complete contract for parachute flares for Army.
Globe Crayon Co., Inc., Brooklyn, N. Y.	75,000.00	Working capital, machinery, and equipment. Has Army contract for 125 tons of shoe impregnite.
Airguide, Inc., Islip, N. Y.	7,500.00	Working capital to finance Civil Aeronautics Authority contracts for monitoring equipment to test radio beams.
American Machine and Metals, Inc., New York, N. Y.	240,000.00	Purchase of new machinery and equipment.
Brussell Sewing Machine Co., Inc., New York, N. Y.	25,000.00	Working capital to finance subcontract for various gun parts for Navy.
Chayes Dental Instrument Corporation, New York, N. Y.	15,000.00	Working capital to complete Army order for dental instruments.
A company to be organized in connection with Mathieson Alkali Works, Inc., New York, N. Y.	2,500,000.00	Construct and equip an ammonia plant.
Horni Signal Manufacturing Corporation, New York, N. Y.	60,000.00	Working capital and equipment. Has Government contract for 8,400 tuning units plus spare parts.
The W. L. Maxson Corporation, New York, N. Y.	175,000.00	Working capital to complete contract for precision instruments for Navy.
Warren McArthur Corporation, New York, N. Y.	75,000.00	Working capital to complete Army and Navy contracts.
Sterling Switchboard Manufacturing Corporation, New York, N. Y.	5,000.00	Working capital to finance Navy contract for knife switches.
World Wide Broadcasting, New York, N. Y.	40,000.00	Machinery and equipment for additional broadcasting plant.
Frontier Bronze Corporation, Niagara Falls, N. Y.	160,000.00	Contract and equip plant. Has subcontract in connection with manufacture of scientific instruments for Navy.
Basic Refractories, Inc., or a corporation to be organized by it, Cleveland, Ohio.	6,000,000.00	Working capital in connection with a new magnesium plant.
Thompson Aircraft Products Co., Cleveland, Ohio.	3,182,000.00	Working capital to finance sales in connection with national-defense program.
The Stacey Manufacturing Co., Cincinnati, Ohio.	47,736.00	Working capital to complete contracts for steel.
The Falls Screw Products Co., Cuyahoga Falls, Ohio.	45,000.00	Building improvements, additional equipment and working capital to manufacture projectiles for Army.
The Foster Stove Co., Ironton, Ohio.	9,000.00	Operating expenses.
Lear Avia, Inc., Piqua, Ohio.	400,000.00	Machinery, equipment, and working capital.
Do	100,000.00	Additional working capital.
Willys-Overland Motors, Inc., Toledo, Ohio.	13,000,000.00	Working capital and machinery and equipment to fill Army contract for 16,000 ¼-4 by 4 trucks. (Quad cars.)
Howard Burleson, Albany, Oreg., doing business as Burleson Flyers.	7,828.46	Pay balance of purchase price of 1 training plane.
Portland Flying Service, Portland, Oreg. (a copartnership consisting of Donald R. Smith and J. Arlo Livington).	4,750.00	Buy 1 used training plane.

[1] Canceled in full. [3] $5,000 of this amount canceled. [4] $50,000 of this amount canceled. [5] $505.80 of this amount canceled. [6] $583.33 of this amount canceled.

Reconstruction Finance Corporation commitments for national defense approved from May 1, 1941, to Sept. 13, 1941, inclusive—Con.

Name	Amount approved	Purpose
Portland Flying Service, Portland, Oreg. (a copartnership consisting of Donald R. Smith and J. Arlo Livington.	6,480.00	Payment of indebtedness and purchase of a trainer airplane.
S. & M. Flying Service, Portland, Oreg.	6,108.00	Buy 1 training plane.
American Bantam Car Co., Butler, Pa.	1,094,870.00	Working capital to finance cost of producing 1,000 Army cars, and parts for Army cars.
Do.	134,062.95	Working capital to finance contracts for 4 reconnaissance cars for Commerce Department and 50 reconnaissance cars and parts for Army.
Glassmere Castings Co., Glassmere, Pa.	[1] 8,000.00	Pay debts.
Edward G. Budd Manufacturing Co., Philadelphia, Pa.	2,500,000.00	Working capital to complete contracts for stainless steel for Navy and bombs for Army.
North American Smelting Co., Philadelphia, Pa.	45,000.00	To pay part of purchase price of plant now leased.
Fort Pitt Bridge Works, Pittsburgh, Pa.	770,000.00	Operating expenses.
Fayette Airways, Inc., Uniontown, Pa.	15,000.00	Buy 2 training planes.
National Foundry and Machine Co., Inc., Central Falls, R. I.	[1] 1,000.00	Working capital. Contract with Navy for machining 4,120 Naval brass forgings.
Hawthorne School of Aeronautics, Orangeburg, S. C.	142,500.00	Construct and equip air school to train Army pilots.
Palmetto Air School, Inc., Spartanburg, S. C.	4,826.25	Purchase of 1 trainer airplane.
Stanley A. Frame, Chattanooga, Tenn., doing business as Buck's Flight School.	3,937.50	Buy 1 training plane.
Harman Flying School, Ballinger, Tex.	101,250.00	Construct and equip school to train Army pilots.
Brayton Flying Service, Dallas, Tex.	175,000.00	Working capital; build and equip air school to train Army pilots.
Edwin W. Ritchey, Fort Worth, Tex.	250,000.00	Construct and equip air school to train Army pilots.
Southern Aircraft Corporation, Garland, Tex.	100,000.00	Expand plant; purchase equipment; working capital; etc.
Hangar Six, Inc., San Antonio, Tex.	225,000.00	Cost of buildings, equipment, and for working capital.
Cen-Tex Wool & Mohair Co., San Marcos, Tex.	11,250.00	Working capital to complete Army contract for 12,341 cotton-filled comforters.
Reynolds Metals Co., Richmond, Va.	13,000,000.00	Plants.
Do.	7,000,000.00	Working capital.
Webster-Brinkley Co., Seattle, Wash.	180,000.00	Construction, machinery and equipment, working capital. 252 steering gears, U. S. Maritime Commission.
The Winslow Marine Railway & Ship Building Co., Inc., Seattle, Wash.	105,000.00	Construct and acquire additional buildings, machinery, and equipment to build 4 mine sweepers for Navy.
Calkins Aircraft Co., Spokane, Wash.	6,300.00	Buy 1 training plane.
John L. Peterson, Spokane, Wash., doing business as Atlas Welders & Machinists.	4,800.00	Working capital to complete contract for trash burners and spark arresters for Navy.
Tacoma Flying Service, Tacoma, Wash. (a copartnership)	7,595.47	Buy 1 training plane.
Central Aircraft, Inc., Yakima, Wash.	6,480.00	Do.
J. R. Baumgartner, Milwaukee, Wis., doing business as Reliable Tool & Machine Works.	[2] 25,000.00	Purchase machinery, etc. Has subcontract for machine work for Navy.
Cillen Woodwork Corporation, Milwaukee, Wis.	48,750.00	Working capital. Contract with War Department for 3,149 chests; order from Graybar Electric Co. for 200 chests.
Do.	18,750.00	Working capital to complete Army contracts for chests.
Karr Manufacturing Co., Inc., Milwaukee, Wis.	8,250.00	Machinery and equipment, working capital, pay debts. Has subcontract from A. O. Smith Co. for 75,000 rear cap forgings for 500-pound bomb bodies.
National-defense pipe lines and emergency pipe lines	56,000,000.00	Construct and operate a crude oil pipe line from the Louisiana and East Texas oil fields to the Philadelphia area.

[1] Canceled in full.

[2] $320.36 of this amount canceled.

[3] $1,115.47 of this amount canceled.

Reconstruction Finance Corporation

INCREASES FROM MAY 1, 1941, TO SEPT. 13, 1941, INCLUSIVE, OF COMMITMENTS FOR NATIONAL DEFENSE MADE PRIOR TO MAY 1, 1941

	Amount
Tampa, Fla.: Tampa Shipbuilding Co., Inc.	$2,017,000
Eastlake, Mich.: Rademaker Chemical Corporation	65,000

CANCELATIONS FROM MAY 1, 1941, TO SEPT. 13, 1941, INCLUSIVE, OF COMMITMENTS FOR NATIONAL DEFENSE MADE PRIOR TO MAY 1, 1941

	Amount
Burbank, Calif.: Menasco Manufacturing Co.	$500,000.00
Los Angeles, Calif.: Western Trailer Co.	10,336.34
Pasadena, Calif.: Vard B. Wallace, doing business as Vard Mechanical Laboratory	1,156.52
San Pedro, Calif.: Los Angeles Shipbuilding & Drydock Corporation	1,250,000.00
Visalia, Calif.: Gallahen-Sweet Flying Service (a partnership)	5,850.00
Denver, Colo.: Ray Wilson, Inc.	19,440.00
Chicago, Ill.: National Road Joint Manufacturing Co.	160,256.00
Northbrook, Ill.: Turgeon Flying Service, Inc.	32.40
O'Fallon, Ill.: Independent Engineering Co., Inc.	3,442.60
Cedar Rapids, Iowa: Cedar Rapids Airways, Inc.	6,840.00
Topeka, Kans.: Paul Sherman, doing business as Sherman Stone Co.	3,115.00
Wichita, Kans.: Beech Aircraft Corporation	127,050.07
Dundalk, Md.: James A. Finfera	22.16
Boston, Mass.: New England Aircraft School, Inc.	39,785.17

Reconstruction Finance Corporation—Con.

	Amount
Lawrence, Mass.: Paul R. Goldman, doing business as Lawrence Woodworking Co.	$2,500.00
Eastlake, Mich.: Rademaker Chemical Corporation	32,000.00
Detroit, Mich.: The Travelcar Corporation	71.18
Farmington, Mich.: Precise Tool & Manufacturing Co.	100,000.00
Flatrock, Mich.: Keene Manufacturing Corporation	763.42
Kansas City, Mo.: The Benson Manufacturing Co.	50,000.00
Billings, Mont.: Mountain States Air Service, Inc.	405.00
Hightstown, N. J.: Safe Parachute Jump Co.	584.94
Paterson, N. J.: Jersey Coat Co., Inc.	28,500.00
Brooklyn, N. Y.: John J. Deane, doing business as Deane Flying School	7,265.00
Brooklyn, N. Y.: M. T. Davidson Co.	885.40
New York, N. Y.: Harry Pokorny and Max Pokorny, doing business as Universal Bias Binding Co.	15,000.00
Mansfield, Ohio: James R. Harrington, doing business as Harrington Air Service	4,860.00
Albany, Oreg.: Howard Burleson, doing business as Burleson Flyers	389.00
Salem, Oreg.: The Thomas Key Woolen Mill Co.	27,500.00
Glassmere, Pa.: Glassmere Castings Co.	2,000.00
Philadelphia, Pa.: Kellett Autogiro Corporation	5,907.68
Pittsburgh, Pa.: Charles H. Allen, doing business as General Engineering & Model Works	13,400.00

Reconstruction Finance Corporation—Con.

	Amount
Dallas, Tex.: Brayton Flying Service	$13,750.00
Seattle, Wash.: Associated Shipbuilders	1,650,000.00

Cancelations, in part or in full, from May 1, 1941, to September 13, 1941, inclusive, in connection with agreements to purchase participations, as a result of repayments by borrowers, such repayments having reduced the amounts which the corporation had agreed to purchase, totaled $544,699.44.

RESCISSIONS FROM MAY 1, 1941, TO SEPT. 13, 1941, INCLUSIVE, OF COMMITMENTS FOR NATIONAL DEFENSE MADE PRIOR TO MAY 1, 1941

	Amount
Baltimore, Md.: Albert F. Goetze, Inc.	$112,500.00
Glassmere, Pa.: Glassmere Castings Co.	8,000.00
Dallas, Tex.: Brayton Flying Service	136,250.00

PRESERVATION OF NATIONALITY OF CITIZENS RESIDING ABROAD

Mr. MALONEY. Mr. President, from the Committee on Immigration I report favorably House bill 5511, to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad, and I submit a report (No. 705) thereon.

The PRESIDING OFFICER. The report will be received.

Mr. MALONEY. I ask unanimous consent that the Senate proceed immediately to the consideration of the bill.

The PRESIDING OFFICER. Is there objection?

Mr. McNARY. Mr. President, I do not know that I have any objection, but some statement should be made about the bill. I wondered whether it was the same bill

that was mentioned to me today by the able junior Senator from Ohio [Mr. BURTON]. Let the bill be stated by the clerk, as is usual.

The PRESIDING OFFICER. The bill will be stated by title.

The CHIEF CLERK. A bill (H. R. 5511) to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad.

Mr. McNARY. Mr. President, I wish to ask the Senator from Ohio whether this is the measure about which he spoke to me.

Mr. BURTON. It is the same measure.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 5511) to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad.

Mr. DAVIS. Mr. President, may we have an explanation of the bill?

Mr. MALONEY. Mr. President, in the Nationality Act of 1940 provision was made that under certain circumstances and conditions citizens of the United States remaining abroad for a certain period of time would lose their citizenship. It was felt at the time the bill was passed that there might be need a little later for some change and revision in the law.

In setting the date for the time at which citizenship, under the various conditions, would be forfeited, Congress decided upon the date of October 14, 1941. That means that unless the pending bill, which already has passed the House of Representatives, shall be enacted, at midnight tomorrow there will be danger of the loss of citizenship by many Americans scattered over the globe. Members of Congress know that because of transportation difficulties it has not been altogether easy for some of these persons to return to the United States. It is for the aforementioned reasons that the pending bill has been brought up hurriedly today, after a meeting of the Committee on Immigration this morning. This bill will extend the time from October 14. I shall be pleased to answer any question I can answer. I assume the explanation I have made sufficient, because Members do have a knowledge of the law, perhaps.

I ask unanimous consent that at this point in the RECORD, and as a part of my remarks, the committee report on the bill may be printed, and that there also be inserted in the RECORD as a part of my remarks that part of the Nationality Act of 1940 known as chapter 4, Loss of Nationality, which I think should be a part of the RECORD.

The PRESIDING OFFICER. Is there objection?

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

Mr. MALONEY, acting as chairman of the Committee on Immigration, submitted the following report:

The Committee on Immigration, at a special session, to whom was referred the bill (H. R. 5511) to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad, having considered the same, report favorably thereon, without amendment, and recommended that the bill do pass.

PURPOSE OF THE BILL

The bill would extend the time within which American citizens and presumptive citizens living abroad must return to the United States in order to preserve their rights and citizenship.

GENERAL INFORMATION

This bill is reported by the committee, because it is felt that it is urgent and because of the desire of the committee to assist American citizens now living abroad to arrange their affairs and secure reservations for transportation.

When the Nationality Act of 1940 was considered and reported, it was necessary to set some specific date on which the law would be effective. Therefore, the date when this section became effective was set at 1 year after the approval of the act, which was October 14, 1940, and therefore placed the date citizens would have to be in the United States as October 15, 1941.

During the discussion of the legislation it was agreed that in all probability adjustments and changes would necessarily have to be made, and it was agreed that in such cases amendments could be made, where it became apparent such amendments were necessary.

The committee and officials of the Government have been petitioned recently to have the time extended for various sound reasons.

In many instances citizens living in Europe and South America did not until recently know about the provisions requiring them to return to the United States on or before October 15, 1941.

That the world events since the enactment have developed so that transportation has become a serious problem; reservations, if they can be made for the return, must be made long in advance.

That it was not, or is not, the intention of the Government to create a hardship to its citizens, or to penalize them by loss of citizenship where circumstances prevented a compliance with the law, but rather to protect its citizens in all parts of the world.

Therefore your committee feels justified in reporting this bill as an urgent measure in behalf of citizens residing in foreign countries.

The attention of the State and Justice Departments was called to this proposed legislation but the time for a report on the same being short no written comment was filed. No objection was made to the legislation.

The bill therefore is reported as directed by the committee.

[From the act approved October 14, 1940, Public, No. 853, Seventy-sixth Congress, chapter 876, third session]

CHAPTER IV—LOSS OF NATIONALITY

SEC. 401. A person who is a national of the United States, whether by birth or naturalization, shall lose his nationality by:

(a) Obtaining naturalization in a foreign state, either upon his own application or through the naturalization of a parent having legal custody of such person: *Provided, however*, That nationality shall not be lost as the result of the naturalization of a parent unless and until the child shall have attained the age of 23 years without acquiring permanent residence in the United States: *Provided further*, That a person who has acquired foreign nationality through the naturalization of his parent or parents, and who at the same time is a citizen of the United States, shall, if abroad and he has not heretofore expatriated himself as an American citizen by his own voluntary act, be permitted within 2 years from the effective date of this act to return to the United States and take up permanent residence therein, and it shall be thereafter deemed that he has elected to be an American citizen. Failure on the part of such person to so return and take up permanent residence in the United States during such period shall be deemed to be a determination on the part of such person to discontinue his status as an American citizen, and such person shall be forever estopped by such failure from thereafter claiming such American citizenship; or

(b) Taking an oath or making an affirmation or other formal declaration of allegiance to a foreign state; or

(c) Entering, or serving in, the armed forces of a foreign state unless expressly authorized by the laws of the United States, if he has or acquires the nationality of such foreign state; or

(d) Accepting, or performing the duties of, any office, post, or employment under the government of a foreign state or political subdivision thereof for which only nationals of such state are eligible; or

(e) Voting in a political election in a foreign state or participating in an election or plebiscite to determine the sovereignty over foreign territory; or

(f) Making a formal renunciation of nationality before a diplomatic or consular officer of the United States in a foreign state, in such form as may be prescribed by the Secretary of State; or

(g) Deserting the military or naval service of the United States in time of war, provided he is convicted thereof by a court martial; or

(h) Committing any act of treason against, or attempting by force to overthrow or bearing arms against the United States, provided he is convicted thereof by a court martial or by a court of competent jurisdiction.

SEC. 402. A national of the United States who was born in the United States or who was born in any place outside of the jurisdiction of the United States of a parent who was born in the United States, shall be presumed to have expatriated himself under subsection (c) or (d) of section 401, when he shall remain for 6 months or longer within any foreign state of which he or either of his parents shall have been a national according to the laws of such foreign state, or within any place under control of such foreign state, and such presumption shall exist until overcome whether or not the individual has returned to the United States. Such presumption may be overcome on the presentation of satisfactory evidence to a diplomatic or consular officer of the United States, or to an immigration officer of the United States, under such rules and regulations as the Department of State and the Department of Justice jointly prescribe. However, no such presumption shall arise with respect to any officer or employee of the United States while serving abroad as such officer or employee, nor to any accompanying member of his family.

SEC. 403. (a) Except as provided in subsections (g) and (h) of section 401, no national can expatriate himself, or be expatriated, under this section while within the United States or any of its outlying possessions, but expatriation shall result from the performance within the United States or any of its outlying possessions of any of the acts or the fulfillment of any of the conditions specified in this section if and when the national thereafter takes up a residence abroad.

(b) No national under 18 years of age can expatriate himself under subsections (b) to (g), inclusive, of section 401.

SEC. 404. A person who has become a national by naturalization shall lose his nationality by:

(a) Residing for at least 2 years in the territory of a foreign state of which he was formerly a national or in which the place of his birth is situated, if he acquires through such residence the nationality of such foreign state by operation of the law thereof; or

(b) Residing continuously for 3 years in the territory of a foreign state of which he was formerly a national or in which the place

of his birth is situated, except as provided in section 406 hereof.

(c) Residing continuously for 5 years in any other foreign state, except as provided in section 406 hereof.

SEC. 405. Section 404 shall have no application to a person:

(a) Who resides abroad in the employment and under the orders of the Government of the United States;

(b) Who is receiving compensation from the Government of the United States and residing abroad on account of disability incurred in its service.

SEC. 406. Subsections (b) and (c) of section 404 shall have no application to a person:

(a) Who shall have resided in the United States not less than 25 years subsequent to his naturalization and shall have attained the age of 65 years when the foreign residence is established;

(b) Who is residing abroad upon the date of the approval of this act, or who is thereafter sent abroad, and resides abroad temporarily solely or principally to represent a bona fide American educational, scientific, philanthropic, religious, commercial, financial, or business organization, having its principal office or place of business in the United States, or an international agency of an official character in which the United States participates, for which he receives a substantial compensation;

(c) Who is residing abroad on account of ill health;

(d) Who is residing abroad for the purpose of pursuing studies of a specialized character or attending an institution of learning of a grade above that of a preparatory school, provided that such residence does not exceed 5 years;

(e) Who is the wife, husband, or child under 21 years of age of, and is residing abroad for the purpose of being with, an American citizen spouse or parent who is residing abroad for one of the objects or causes specified in section 405 or subsections (a), (b), (c), or (d) hereof;

(f) Who was born in the United States or one of its outlying possessions, who originally had American nationality, and who, after having lost such nationality through marriage to an alien, reacquired it.

SEC. 407. A person having American nationality, who is a minor and is residing in a foreign state with or under the legal custody of a parent who loses American nationality under section 404 of this act, shall at the same time lose his American nationality if such minor has or acquires the nationality of such foreign state: *Provided*, That, in such case, American nationality shall not be lost as the result of loss of American nationality by the parent unless and until the child attains the age of 23 years without having acquired permanent residence in the United States.

SEC. 408. The loss of nationality under this act shall result solely from the performance by a national of the acts or fulfillment of the conditions specified in this act.

SEC. 409. Nationality shall not be lost under the provisions of section 404 or 407 of this act until the expiration of 1 year following the date of the approval of this act: *Provided, however*, That a naturalized person who shall have become subject to the presumption that he has ceased to be an American citizen as provided for in the second paragraph of section 2 of the act of March 2, 1907 (34 Stat. 1228), and who shall not have overcome it under the rules in effect immediately preceding the date of the approval of this act, shall continue to be subject to such presumption for the period of 1 year following the date of the approval of this act unless it is overcome during such period.

SEC. 410. Nothing in this act shall be applied in contravention of the provisions of any treaty or convention to which the United States is a party upon the date of the approval of this act.

Mr. BURTON. Mr. President, there is one additional point I should like to suggest.

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Ohio?

Mr. MALONEY. I yield.

Mr. BURTON. I rise merely to have included in the discussion a point which the Senator from Connecticut, I believe inadvertently, omitted in his discussion—namely, that the pending bill would add 1 year additional to the time provided by the law, and that unless the bill shall be signed by the President by midnight tomorrow, there may be a little gap between the first year and the second year. It is our interpretation of the language of the bill that even though the bill may not be signed by midnight tomorrow night, nevertheless, the language is such that there will be a continuous period of 2 years of exemption dating from October 14, 1940. The bill will thus have a retroactive effect to cover the gap for anyone who might be abroad in that short interval of time. If the bill shall be passed now, even though not signed by tomorrow night, it still would protect anyone for the full 2-year period from October 14, 1940. I think it important that the bill be so understood, in case this emergency should arise.

Mr. MALONEY. That is a very important matter, and I am grateful to the distinguished junior Senator from Ohio. I did mean to add that the bill provided for an extension of 1 year.

The PRESIDING OFFICER. The question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

CONSTRUCTION OF DEFENSE WORKS IN THE PHILIPPINE ISLANDS

Mr. TYDINGS. Mr. President, I move that the Senate proceed to consider Senate bill 1929, which is on the calendar.

Mr. McNARY. The practice has always been to have a bill reported when such a request was made. I do not know what is in the bill.

The PRESIDING OFFICER. The Senator from Maryland gave notice this morning that he would move to have the bill considered.

Mr. McNARY. It does not matter when notice was given, the rule is that the bill should be reported by the clerk.

The PRESIDING OFFICER. The bill will be reported for the information of the Senate.

The CHIEF CLERK. A bill (S. 1929) to amend section 19 (a) of the Philippine Islands Independence Act of March 24, 1934, so as to authorize certain sugar excise-tax funds and other funds to be used for military and naval defense purposes in the Philippine Islands.

Mr. TYDINGS. Mr. President, if I may explain briefly what is in the bill, I do not believe there will be any opposition to it in the Senate.

Briefly, the explanation is that in the original Philippine Independence Act there was a provision for gold reserves to be held in the United States Treasury as a basis for Filipino money. It was assumed that the $23,000,000 now so held would be turned over to the Filipino Government simultaneously with the granting of complete and absolute independence by the United States to the Philippine Islands.

As the bill is in my hand, it provides that the $23,000,000 will not be turned over to the Filipino Government, that that provision of the old Independence Act will be repealed and rescinded. However, the $23,000,000 will be used by the War Department for the erection of defenses in the Philippine Islands, with which the Filipinos and ourselves may defend our respective territories.

The purpose of the bill is a single one, namely, to take $23,000,000 of Filipino money which is now in the United States Treasury and use it for the building of defenses in the Philippine Islands. That is all there is to the bill.

The Filipinos did not initiate this measure; they did not advocate it; the War Department initiated it, and sent a message to the Congress advocating that the proposed legislation be enacted. The Filipinos, through their representatives in Washington, have acquiesced in the bill, so that they are satisfied to have their money spent by the United States Government for the building of our defenses in the Philippine Islands, because they will be the direct beneficiaries thereof.

Mr. McNARY. Mr. President, I have no objection to the explanation, which is a very good one. However, on the call of the calendar during the summer and fall objection has been made to the bill repeatedly. This is an off-season day.

Mr. TYDINGS. Will the Senator permit me to interrupt him?

Mr. McNARY. Certainly.

Mr. TYDINGS. The Senator is quite correct, and the version of the bill on which the Senate will pass has been taken up with all persons who objected to it, including the Filipinos, and I may say that one of the objectors to it, and quite properly, was the Senator from Connecticut [Mr. DANAHER]. Every one of the objections has now been eliminated, because the measure will not cost the American Government anything; the Filipino Government will pay the entire bill.

Mr. McNARY. That is a comforting statement. I do not know whether all the Senators interested have been consulted; I do not think so. I had not heard of the bill until a moment ago. But I recall that time after time, as we have gone through the calendar, objection has been made by various Senators.

Mr. TYDINGS. The Senator is correct.

Mr. McNARY. No notice has been given that the bill was to be taken up. This is not calendar day. The calling of the calendar has been waived by unanimous consent. I do not think it is fair at this time, without any notice, this being a Senate bill, that the measure should be brought up without some opportunity being had by those who were present on former occasions and objected. I should have to object under the circumstances. I do not object on my own account. I do object, however, as I think it is a poor way to act on measures on

the calendar of the Senate. If the Senator desires, he can give notice that on Thursday, if the Senate shall be in session, he will ask to have the bill taken up, so that others may have opportunity to be present, or, if it be desired, he may ask that it go over until the next call of the calendar.

Mr. BARKLEY. If the Senator will permit me, the Senator from Maryland has not asked unanimous consent that the bill be taken up at this time, and therefore an objection does not lie. One of the objects of the call of the calendar is to pass bills to which there is no objection, and theoretically it is always proper, and it should be the intention of any Senator in charge of a bill, when objection is made during a call of the calendar, to move to take the bill up at some other time. I do not wish to insist that the bill be taken up today, if the Senator from Maryland is willing to have it go over until Thursday.

Mr. TYDINGS. I have no objection to it going over for a month, except that I happen to know that the War Department is extremely anxious to get the money affected by the bill, because they have said that unless they do get the money, other defense funds will have to be used with which to build defense works in the Philippine Islands, which will, after all, become the property of the Philippine government when completed. It is necessary to have this proposed legislation passed speedily in order to save the United States that expense.

Mr. McNARY. If it has been so important, and objection has been made on the call of the calendar for weeks and months, why was not notice given before? Why is it so important at this time, at a quarter to three, when the bill has been passed over without any objection on the part of the Senator since along in the spring?

Mr. TYDINGS. If the Senator will allow me to correct him, the bill was not introduced in the Senate until the 25th day of September. I am sure this is not the bill to which the Senator refers. The bill to which the Senator refers is a bill dealing with tariffs and sugar matters in the Philippine Islands. This is not the bill, I assure the Senator. This is purely a defense bill, sent here by the War Department, to make it possible to utilize Filipino funds in the Treasury of the United States with which to build defense works for the Filipino people. I may say that days are very precious now, in this particular situation.

Mr. BARKLEY. When was the bill reported?

Mr. TYDINGS. It was reported October 9. This is not the bill to which the Senator from Oregon refers.

Mr. BARKLEY. There has been no call of the calendar since the bill was reported.

Mr. TYDINGS. The Senator is correct.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield, but I should like to say to the Senator from Oregon that I know of the bill to which he refers, and this is not the bill.

Mr. McNARY. Mr. President, the bill was reported, according to the calendar, on the 28th day of July.

Mr. TYDINGS. No.

Mr. McNARY. Is it Order of Business 618?

The PRESIDING OFFICER. The bill is Order of Business 730. It was reported October 9.

Mr. DANAHER. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I yield to the Senator, if I have the floor.

Mr. DANAHER. Just as a matter of cooperation, insofar as it is possible, I should like to say a word, since my name was brought into the discussion a moment or two since.

The situation which confronted the committee when the bill first was submitted was one of urgency, insofar as the representatives of the War Department could make it seem so. The bill as originally introduced provided that the act approved March 24, 1934, as amended by section 6 of the act of August 7, 1939, should be further amended, the effect being that certain appropriations would be authorized by the bill we are now discussing, Senate bill 1929, which, however, would be charged to the fund which was accumulated under the acts to which I have just referred. Under those acts there were some export sugar taxes and excise taxes on other commodities from the Philippines, yielding something over $34,000,000, in fact, almost $35,000,000, and that fund is now held in the United States Treasury. The dollars are there at this minute. But the fund had previously, under the Tydings-McDuffie Act, been trusteed for the purpose of achieving a tiding-over in the economic rehabilitation of the islands if and when the Commonwealth of the Philippines become independent in 1946.

If the bill were to pass as it first was presented to the committee, the $34,000,000-plus would immediately be taken out of that trusteed account and be turned over at once, pursuant to the provisions of this measure, to be expended in the defense of the Philippine Islands.

There was one other possible source of allegedly existing funds upon which the War Department intended to draw in getting yet a further sum to assist in the defense. Mr. President, it seems that when the Gold Purchase Act became law in 1934 there were on deposit here certain funds in gold belonging to the Commonwealth of the Philippines.

Mr. ADAMS. Mr. President, will the Senator yield?

Mr. DANAHER. I yield.

Mr. ADAMS. The Senator would not mind if I corrected him to say that there were no funds in gold on deposit here?

Mr. DANAHER. I thank the Senator from Colorado, whose redoubtable vigilance on this point I have long respected.

Mr. President, let me say that the Commonwealth of the Philippines claimed that there was such a fund here.

Mr. ADAMS. But the Senator knows that all they had was ordinary interest-bearing bank deposits.

Mr. DANAHER. The distinction thus narrowed, in my judgment, is aptly stated by the Senator from Colorado. I agree and accept that particular suggestion. In any event, the act of June 19, 1934, purported to say that if there were funds, and if the Congress later should appropriate any money, it would go to liquidate this act relating to the Philippine currency reserves allegedly on deposit in the United States.

There were no funds in this second account. If the Senator from Colorado had his way there would never be any funds in this second account. The Banking and Currency Committee on no less than three occasions has reported favorably and the Senate has passed a measure repealing Forty-eighth Statutes, page 1115. However, it has not been passed by the House. Anyway, the War Department, Mr. President, thought they were going to look to that source for the second item of the funds with which this bill would deal.

Mr. President, when we concluded our hearings and went into executive session, the first thing the committee did was to amend the bill by striking out the first possible source of funds, and, therefore, we did not in any way affect the trusteed deposits accumulated under the Sugar Export Act.

The second thing we did, as the result of very considerable discussion and argument and conference was to insert a second section in the pending bill providing for the repeal of the act of June 19, 1934, and since the reading clerk has not even had a chance to state it yet, it is no wonder that Senators do not know that it is in the bill. The second section would repeal the act of June 19, 1934.

What the Committee on Territories and Insular Affairs really did, let me say to the Senator from Oregon, was to report a bill which does not attach the particular source of the fund to any fund on deposit, or any fund hitherto authorized, or otherwise. What we did do was to say that since the Philippine account has to be handled under the same control and in the manner and method by which Philippine Army accounts have hitherto been handled, the President's emergency fund, which hitherto has been drawn on for some $10,000,000, could, in fact, be further drawn upon for the purposes of this bill, and we would authorize that fund to be reestablished by the amount that it should be drawn on for these purposes.

Mr. President, if these remarks will have served in any way to clarify the position or the attitude or the understanding of some Senators, they will be quite worth while.

Mr. TYDINGS. Mr. President, I wish to thank the Senator for his very clear statement.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Utah.

Mr. MURDOCK. In reply to what the distinguished Senator from Connecticut has said regarding the committee action on the bill, I wish to say that, as I recall, we agreed to everything that he has said, except that there was no mention, so far as I can remember, of including a sec-

tion repealing the act which is objected to by the Senator from Colorado [Mr. ADAMS]. That was never mentioned, was it, at the hearings?

Mr. TYDINGS. Oh, yes; it was.

Mr. MURDOCK. I did not think the Senator from Maryland was present at the hearing I am talking about.

Mr. TYDINGS. No; but I spent 2 days in going over the matter with the Senator from Arizona [Mr. HAYDEN], who acted in my place, and the provision which the committee agreed to insert is as follows:

SEC. 2. The act entitled "An act relating to Philippine currency reserves on deposit in the United States" approved June 19, 1934 (48 Stat. 1115) is hereby repealed.

With the repeal of that act the Philippine reserve fund is wiped out.

Mr. MURDOCK. So I understand; but I should like to make the observation, if the Senator will further yield, that I as a member of the committee certainly agreed to no such action as that. I do not mean to state that the Senator from Arizona [Mr. HAYDEN] might not have thought that I agreed, but I certainly did not intend to agree to any such provision.

Mr. TYDINGS. Will the Senator allow me to interrupt him?

Mr. MURDOCK. Yes.

Mr. TYDINGS. Let me say to the Senator from Utah that if there were any objection to this provision from any party in interest it would come from the Filipinos. In other words, theoretically—although it is disputed—it is their money. Therefore, if they are satisfied to have their money used for building defenses in the Philippine Islands, there is no reason why we should complain. That is the reason the committee provided for the repeal of the 1934 act. We must have the money to spend out there, and so long as it is going to be spent in the Philippine Islands the Filipinos were willing to have what was considered to be their money spent for that purpose rather than use United States funds which belong exclusively and beyond any doubt to our own people. In any event, if we do not repeal the law, the money will have to be spent anyway, and it will come out of the appropriations we have heretofore made, rather than out of the tentative or supposed Filipino funds.

Mr. MURDOCK. Replying to the Senator, I may say that, as I understand, the Commissioner from the Philippines, who was present advocating that money in question be used, spoke not only of that item, but another item which represented the accumulations of export taxes levied on sugar.

Mr. TYDINGS. That is something which is dealt with in the bill to which the Senator from Oregon [Mr. MCNARY] is referring, and that is not within the purview of the pending bill.

Mr. MURDOCK. No; but the Commissioner was there stating that they were perfectly willing that both items be used for building defenses in the Philippines.

Mr. TYDINGS. Yes.

Mr. MURDOCK. There is one other objection I want to call to the attention of the Senate. The bill as it now comes to us is exclusively an authorization for appropriation to build defenses in the Philippine Islands. Is that not correct?

Mr. TYDINGS. Yes.

Mr. MURDOCK. It is the first bill I have ever seen come to the Senate or to the House during my short experience which absolutely places no limit on the authorization, and that is one reason why I think the bill is being considered too hurriedly. The committee took what was a very simple bill and included in it a provision to repeal a certain act, but there were no hearings on that subject before our committee. We convert a simple bill into an authorization bill without any limit whatsoever.

Mr. President, I feel that we are proceeding without due hearings on the proposed legislation that is pending before the Senate.

Mr. DANAHER. Mr. President, will the Senator from Maryland yield to me?

Mr. TYDINGS. I yield.

Mr. DANAHER. When the Senator from Utah says that there were no hearings before our committee—and I think I use his language exactly—what he refers to is the act of June 19, 1934. Is that not so?

Mr. MURDOCK. Oh, no; I am not confused with respect to the bills. The point I make is that as the bill left our committee a few nights ago it was understood—that is, it was my understanding—that the only money which was to be used was the money which is supposed to belong to the Philippine Islands as the result of the Gold Purchase Act. But when the measure comes here for consideration today it not only is an unlimited authorization bill to appropriate money for Philippine defenses, but it provides for the repeal of a certain act, and, so far as I know anything about the committee hearings, that point has never been considered by our committee. If I properly understand the jurisdiction of the different Senate committees, a measure providing for such repeal should be considered by the Banking and Currency Committee.

Mr. DANAHER. Mr. President, will the Senator from Maryland further yield?

Mr. TYDINGS. I yield.

Mr. DANAHER. Let me say to the Senator from Utah, so that there will be no misapprehension on the part of someone who might read the RECORD tomorrow, that the Banking and Currency Committee has held hearings on the question of repeal of Forty-eighth Statutes, 1115. What is more, the Senate has on three separate occasions, as I recall, passed a bill recommended by the Banking and Currency Committee which would repeal the act of June 19, 1934. I think that is the bill to which the Senator from Colorado [Mr. ADAMS] made reference a few minutes ago. He will bear me out in that particular if there is any need for that point to be verified.

But let me go further and say that there is an authorization limit after all in this measure, and the authorization limit is that when we provided the emergency fund for the President in the appriation bill, not only did we piece a maximum limit on that fund, but we also provided by an amendment which I then offered from the floor, which was accepted by the Senator from Kentucky [Mr. BARKLEY], and the then Senator from South Carolina [Mr. Byrnes], that that fund shall not be used for any purpose unless the Congress authorizes it to be so used.

Mr. TYDINGS. I think I can clear this situation if the Senator from Utah [Mr. MURDOCK] will give me his attention. Let me read the next to the last proviso, which is short:

Provided further, That any moneys made available for the purposes of this act may be made available to restore to the emergency fund for the President, created by the Military Appropriation Act, 1941, the Urgent Deficiency Appropriation Act, 1941, and the Independent Offices Appropriation Act, 1942, any amounts heretofore, or hereafter advanced therefrom for the purposes authorized in this act, and any expenditures heretofore or hereafter made from the appropriation "Emergency Fund for the President" for the purposes and in the manner authorized by this act, are hereby authorized and validated.

What does that mean? It means that we have already placed in the hands of the President millions of dollars, some of which he has used to build or to start building military works in the Philippine Islands. Therefore if this $23,000,000 is covered back into the Treasury, the President takes the $23,000,000 and puts back in the emergency fund, not extra money, or new money, or United States money per se, but money theoretically belonging to the Filipino Government, to repay him for expenditures he made in the Philippine Islands out of another appropriation. So there is the limitation on the appropriation.

Mr. MURDOCK. Does the Senator take the position that the limit of this authorization represents only the money which the President has expended out of the emergency fund?

Mr. TYDINGS. Obviously you cannot get more money out of the Treasury than belongs to the Philippine Islands with which to replace it. How much is it? Is it $23,000,000?

Mr. DANAHER. No; $34,000,000.

Mr. TYDINGS. I am not talking about the tariff money. I am talking about the gold reserve. I think it is $23,000,000.

Mr. ADAMS. Twenty-three million dollars.

Mr. TYDINGS. I think the Senator from Utah has not grasped what the final decision on this matter was.

Mr. MURDOCK. Oh yes, I have.

Mr. TYDINGS. There is only $23,000,000 of money in the reserve fund, so there cannot be any more money used to replace the money which the President has spent in the Philippine Islands than there is in the Treasury.

Mr. MURDOCK. Will the Senator yield to me now?

Mr. TYDINGS. Yes; but have I made that point clear to the Senator?

Mr. MURDOCK. The Senator has made it very clear to me, and there has never been any doubt in my mind as to the amount of money in that fund. But what is done in this bill is to get clear

away from that fund and repeal the act which created it. I think the Senator will agree with me, perhaps not this afternoon, but I am satisfied if he will take sufficient time to examine the bill that he will agree with me that the amount is not limited to that $23,000,000 and that there is absolutely no limitation in the bill.

Mr. TYDINGS. I think the Senator is in error, because the President has already used a substantial part of the military appropriations for our defenses in the Philippine Islands. That he has already done. He has already made contracts to build air fields and other defenses in the Philippine Islands. What this bill does is to take $23,000,000 of Filipino money out of the Treasury and put it in that fund to replace money which the President took out to build defenses in the Philippine Islands. That is all the bill does. There is nothing in it about sugar taxes or tariffs. That bill is still in the committee and is subject to great controversy.

Mr. CHAVEZ. Mr. President, I attended the hearings. As a matter of fact, the bill provided for a greater expenditure. Instead of $23,000,000 it provided for the expenditure of some $52,000,000. But some question was raised there as to the use of the sugar taxes or tariff money.

Mr. TYDINGS. That is correct.

Mr. CHAVEZ. And the committee came to some agreement that the only money to be used was money from the devaluation fund, which was $23,000,000.

Mr. TYDINGS. That is correct; and the only reason I am pressing the point is because the War Department today has asked that the bill be pushed through both branches of Congress as rapidly as possible, so that they can get put back into defense funds $23,000,000 which the President has already taken out to build defenses in the Philippine Islands; and the $23,000,000 will come out of what is supposedly the property of the Philippine Government, and with their consent.

Mr. President, I ask that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of Senate bill 1929.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate proceeded to consider the bill (S. 1929) to amend section 19 (a) of the Philippine Independence Act of March 24, 1934, as amended by the act of August 7, 1939, and to amend the act approved June 19, 1934, so as to authorize certain sugar excise tax funds and other funds to be used for military and naval defense purposes in the Philippine Islands, which had been reported from the Committee on Territories and Insular Affairs with amendments.

The first amendment was, in section 1, page 1, to strike out lines 3, 4, and 5, and on page 2 to strike out lines 1 to 5, inclusive.

The amendment was agreed to.

The next amendment was, on page 2, in line 6, after the word "appropriated", to strike out "in accordance with the", and lines 7, 8, 9, and 10, and down to and including the word "appropriated" in line 11.

The amendment was agreed to.

The next amendment was, on page 2, in line 12, before the word "may", to insert "by Congress for the purposes of this act,".

The amendment was agreed to.

The next amendment was, on page 3, in line 1, to strike out "forces" and insert "forces" and a comma.

The amendment was agreed to.

The next amendment was, on page 3, in line 3, after the words "United States", and before the colon, to insert "but shall be accounted for in a manner prescribed by the President of the United States."

The amendment was agreed to.

The next amendment was, on page 3, in line 3, after the word *"Provided"*, to strike out *"further."*

The amendment was agreed to.

The next amendment was, on page 3, in line 4, after the word "that", to strike out "appropriations herein authorized" and insert "moneys so appropriated."

The amendment was agreed to.

The next amendment was, on page 3, in lines 12 and 13, to strike out the words "the funds herein authorized to be appropriated" and insert "such moneys."

The amendment was agreed to.

The next amendment was, on page 3, line 18, after the word "regulations", to strike out:

Provided further, That any such payment to the Government of the Commonwealth of the Philippines shall be deemed to reduce by an amount equal to the amount of such payment, the credit in favor of the Treasury of the Philippine Islands authorized to be established on the books of the Treasury by such act of June 19, 1934 (48 Stat. 1115), until the total of such payments equals or exceeds the total credit so authorized, and shall be deemed to discharge a like amount of any liability of the United States to the Treasury of the Philippine Islands arising by virtue of such act of June 19, 1934, or the matters referred to therein.

The amendment was rejected.

The next amendment was, on page 4, in line 4, after the word "any" to strike out "appropriation made under authority", and in line 5 to insert "moneys made available for the purposes."

The amendment was agreed to.

The next amendment was, on page 4, in line 12, after the word "appropriation" to strike out " 'Emergency" and insert " "Emergency."

The amendment was agreed to.

The next amendment was, on page 4, in line 13, to strike out the word "President'," and insert "President" ".

The amendment was agreed to.

The next amendment was, on page 4, in line 15, to strike out the word "validated" " and insert "validated."

The amendment was agreed to.

The next amendment was on page 4, after line 15, to insert a new section, as follows:

SEC. 2. The act entitled "An act relating to Philippine currency reserves on deposit in the United States," approved June 19, 1934 (48 Stat. 1115), is hereby repealed.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is still open to amendment. If there be no further amendment, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc.,—

SECTION 1. That moneys hereafter appropriated by Congress for the purposes of this act may be made available, in such amounts as may be necessary, to enable the Secretary of War and the Secretary of the Navy, or either of them, to meet expenses for each and every purpose necessary to provide for the defense of the territories and peoples of the Philippine Islands, including, but not restricted to, expenses connected with calling into the service of the armed forces of the United States the organized military forces of the Government of the Commonwealth of the Philippines, and expenses incident to pay, allowances, operation, maintenance, and other activities of units and personnel of said organized military forces of the Government of the Commonwealth of the Philippines ordered into the service of the armed forces of the United States, and for the emergent mobilization and training of such forces, without regard to the provisions of law regulating the expenditure of or accounting for funds of the United States, but shall be accounted for in a manner prescribed by the President of the United States: *Provided,* That moneys so appropriated shall be available for payment to the Government of the Commonwealth of the Philippines upon its written request, either in advance of or in reimbursement for all or any part of the estimated or actual cost, as authorized by the Commanding General, United States Army, forces in the Far East, or the Commandant of the Sixteenth Naval District, United States Navy, of necessary expenses for the purposes aforesaid, except that none of such moneys shall be made available for the pay and allowances of personnel of said organized military forces of the Government of the Commonwealth of the Philippines, when serving in the Philippine Islands, in excess of the pay and allowances authorized by Philippine law and regulations: *Provided further,* That any moneys made available for the purposes of this act may be made available to restore to the emergency fund for the President, created by the Military Appropriation Act, 1941, the Urgent Deficiency Appropriation Act, 1941, and the Independent Offices Appropriation Act, 1942, any amounts heretofore or hereafter advanced therefrom for the purposes authorized in this act, and any expenditures heretofore or hereafter made from the appropriation "Emergency Fund for the President" for the purposes and in the manner authorized by this act, are hereby authorized and validated.

SEC. 2. The act entitled "An act relating to Philippine currency reserves on deposit in the United States," approved June 19, 1934 (48 Stat. 1115), is hereby repealed.

The title was amended so as to read: "A bill authorizing appropriations to be used for the defense of the Philippine Islands, and for other purposes."

CLAIM OF THE FIRST, SECOND, AND THIRD NATIONAL STEAMSHIP COMPANIES—CONGRESSIONAL NO. 17764

The PRESIDING OFFICER (Mr. ELLENDER in the chair). The Chair lays before the Senate a petition from certain steamship companies in connection with a bill for their relief, now pending before the Court of Claims. Without objection, the petition will be referred to the Court of Claims to accompany the papers heretofore referred thereto by the Senate.

ORDER FOR ADJOURNMENT TO THURSDAY

Mr. BARKLEY. Mr. President, at this time I ask unanimous consent that when the Senate concludes its business today it stand in adjournment until 12 o'clock noon on Thursday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONSIDERATION OF EXECUTIVE CALENDAR

Mr. BARKLEY. Mr. President, I ask unanimous consent that the Executive Calendar, which is very slim, be considered as in executive session.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will state the nominations on the calendar.

COLLECTOR OF CUSTOMS

The legislative clerk read the nomination of Fred A. Russell, of Superior, Wis., to be collector of customs for customs collection district No. 36.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

That completes the Executive Calendar.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER, as in executive session, laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

LEGISLATIVE PROGRAM

Mr. BARKLEY. Mr. President, before the Senator from Oregon proceeds with the resolution he contemplates offering, I wish to state for the information of the Senate that on Thursday I contemplate no important business being transacted; but beginning next Monday I contemplate that the House bill providing for apportionment of Members of the House of Representatives will be taken up for consideration, and, following that, the lend-lease appropriation bill, which I understand will be ready by that time, will be the order of business.

Mr. NORRIS. When does the Senator propose that the calendar be taken up?

Mr. BARKLEY. I think we can take it up immediately after the lend-lease appropriation bill is disposed of. It is possible that we might do so at that time.

Mr. NORRIS. Will it be taken up on Thursday?

Mr. BARKLEY. The difficulty is that many Members of the Senate may not be here at that time. I think that probably we shall have to wait until the following week.

DEATH OF REPRESENTATIVE GEYER, OF CALIFORNIA

Mr. McNARY. Mr. President, in the absence of the senior Senator from California [Mr. JOHNSON], who has been called from the Senate Chamber, I am sorry to announce the death of Representative GEYER, of California. I offer a resolution, and ask for its immediate consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 180) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. LEE E. GEYER, late a Representative from the State of California.

Resolved, That a committee of two Senators be appointed by the Vice President to join the committee to be appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

The PRESIDING OFFICER. Under the second resolving clause the Chair appoints the two Senators from California [Mr. JOHNSON and Mr. DOWNEY] as the committee on the part of the Senate.

Mr. McNARY. As a further mark of respect to the memory of the deceased Representative I move that the Senate do now adjourn.

The motion was unanimously agreed to; and (at 3 o'clock and 10 minutes p. m.), the Senate adjourned, the adjournment being under the order previously entered until Thursday, October 16, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate October 13, 1941:

DIPLOMATIC AND FOREIGN SERVICE

Herschel V. Johnson, of North Carolina, a Foreign Service officer of class 1, now serving as minister counselor at London, to the Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Sweden.

The following-named persons, now Foreign Service officers of class 3 and secretaries in the Diplomatic Service, to be also consuls general of the United States of America:

Lester L. Schnare, of Georgia.

Austin C. Brady, of New Mexico.

FEDERAL COMMUNICATIONS COMMISSION

Clifford J. Durr, of Alabama, to be a member of the Federal Communications Commission for a term of 7 years from July 1, 1941, vice Frederick I. Thompson.

APPOINTMENTS IN THE REGULAR ARMY

TO BE SECOND LIEUTENANT, FIELD ARTILLERY, WITH RANK FROM DATE OF APPOINTMENT

Second Lt. Charles Adam Ott, Jr., Field Artillery Reserve.

TO BE CHAPLAINS WITH THE RANK OF FIRST LIEUTENANT, WITH RANK FROM DATE OF APPOINTMENT

Chaplain (First Lt.) Randolph Lynn Gregory, Chaplains' Reserve.

Chaplain (Capt.) Edwin Lankford Kirtley, Chaplains' Reserve.

Chaplain (First Lt.) Loren Thomas Jenks, Chaplains' Reserve.

Chaplain (First Lt.) Kenneth Malcolm Sowers, Chaplains' Reserve.

Chaplain (First Lt.) Walton Garrett Sugg, Jr., Chaplains' Reserve.

Chaplain (First Lt.) John Bartholomew Day, Chaplains' Reserve.

Chaplain (First Lt.) Max Walker Foresman, National Guard of the United States.

Chaplain (First Lt.) George Frederick Daum, Chaplains' Reserve.

Chaplain (First Lt.) Gervase George Sherwood, National Guard of the United States.

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO ADJUTANT GENERAL'S DEPARTMENT

Maj. Herbert Maury Jones, Field Artillery (temporary lieutenant colonel, Army of the United States), with rank from July 1, 1940.

DEPARTMENT OF THE NAVY

Capt. Ezra G. Allen to be Director of Budget and Reports in the Department of the Navy, with the rank of rear admiral, for a term of 3 years.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 13, 1941:

COLLECTOR OF CUSTOMS

Fred A. Russell to be collector of customs for customs collection district No. 36, with headquarters at Duluth, Minn.

POSTMASTERS

KENTUCKY

William H. Roe, Olive Hill.
Earl Rogers, Owingsville.

MICHIGAN

Helen V. Byard, Richland.

HOUSE OF REPRESENTATIVES

TUESDAY, OCTOBER 14, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God of grace and God of glory, who dost gird our lives that they may be free from doubts and fears, grant that we may not fail man nor Thee. We pray that "life" and not "death" may be the great word in the vocabulary of every American patriot. Do Thou enable us to revitalize our faith for living, dedicating ourselves to a world in which the good things—love, truth, justice, and freedom—will remain sacred and continue to flame on the altar of our Democracy. Oh, better the toil and sacrifice for a strickened humanity than waking dreams and slothful ease.

Heavenly Father, a distinguished servant of the state has passed from the blossom of health to the paleness of death. The level of his stout heart is measured by the high place he held in the esteem of his fellowmen. Comfort all aching hearts which are bound with loss and sorrow. Blessed Lord, when the last beam hath flown, grant that the deathless stars may rise and light our pathway to the soul's eternal rest. In our dear Redeemer's name. Amen.

The Journal of the proceedings of Friday, October 10, 1941, was read and approved.

H. R. 5511

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that, notwithstanding the adjournment of the House, the Speaker be authorized to sign the enrolled bill of the House (H. R. 5511) to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. ANDERSON of New Mexico, for 10 days, on account of important public and private business.

To Mr. WILLIAM T. PHEIFFER (at the request of Mr. REED of New York), for 3 days, on account of the death of his mother.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had adopted the following resolution (S. Res. 180):

IN THE SENATE OF THE UNITED STATES,
October 13, 1941.

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. LEE E. GEYER, late a Representative from the State of California.

Resolved, That a committee of two Senators be appointed by the Vice President to join the committee to be appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now adjourn.

The message also announced that pursuant to the provisions of the above resolution the Vice President named Mr. JOHNSON of California and Mr. DOWNEY as members of the committee on the part of the Senate.

The message also announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 5511. An act to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad; and

H. R. 5667. An act to authorize the Reconstruction Finance Corporation to issue notes, bonds, and debentures in the sum of $1,500,000,000 in excess of existing authority.

The message also announced that the Senate had passed a bill and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 1929. An act authorizing appropriations to be used for the defense of the Philippine Islands, and for other purposes; and

S. Con. Res. 18. Concurrent resolution extending the thanks of Congress to the Senate and Chamber of Deputies of the Republic of Mexico for certain courtesies extended.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 377. An act to repeal sections 512, 513, 514, 515, as amended, 3744, as amended, 3745, 3746, and 3747 of the Revised Statutes; and

S. 1426. An act for the relief of Otis Thompson.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to joint resolution (H. J. Res. 235) entitled "Joint resolution to amend section 124 of the Internal Revenue Code by extending the time for applications, and changing the procedure, for certification of national defense facilities and contracts for amortization purposes."

ENROLLED BILLS SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 5667. An act to authorize the Reconstruction Finance Corporation to issue notes, bonds, and debentures in the sum of $1,500,000,000 in excess of existing authority.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 377. An act to repeal sections 512; 513; 514; 515, as amended, of the Revised Statutes; sections 1 and 3 of the act approved February 4, 1929 (45 Stat. 1147); and section 3744, as amended; 3745, 3746, and 3747 of the Revised Statutes;

S. 1426. An act for the relief of Otis Thompson; and

S. 1695. An act for the relief of Reginald H. Carter, Jr.

THE LATE HON. LEE E. GEYER

Mr. LEA. Mr. Speaker, it is with sorrow that I announce the death of our colleague from California, Hon. LEE E. GEYER, who died in this city on the 11th of October. Mr. GEYER was a native of the State of Kansas. He was born on the 8th of September 1888 in the community of Wetmore, where he is to be buried. He served in the Legislature of California for 2 years. He became a Member of this House with the Seventy-sixth Congress. By profession he was a high-school teacher. On becoming a Member of Congress he performed his work with great zeal and industry and as he saw his duty. Unfortunately, for many months he had been seriously handicapped by the ailment which finally caused his death. Doubtless he labored with a consciousness that his days were numbered but never relaxed his efforts until his life's book closed.

In the course of his services here he gained many friends who have been much interested in and applauded his work. He was making progress that was encouraging. He was energetic in the service of his district. He had an energy and ability that, seasoned by experience, might eventually have made him a very useful Member of this House.

It is with sorrow and regret that I make this announcement.

I offer a resolution, which I send to the desk.

The Clerk read as follows (H. Res. 318):

Resolved, That the House has heard with profound sorrow of the death of Hon. LEE E. GEYER, a Representative from the State of California.

Resolved, That a committee of four Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provision of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Mr. LEA. Mr. Speaker, I yield to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas:

Oh, why should the spirit of mortal be proud.
Like a fast-flitting meteor, a fast-flying cloud,
A flash of the lightning, a break of the wave,
Man passes from life to his rest in the grave.

It is with profound sorrow in our hearts that we step aside from the routine of business and pause to pay our tribute of respect to the memory of our distinguished colleague who has left us. He has taken the journey that is destined sooner or later for all of us "to that undiscovered country from whose bourne no traveler returns."

LEE E. GEYER was born and reared in Kansas. He was educated in Kansas. He married a Kansas girl, Nellie Cordts, of Overbrook, Kans., who, together with two sons, Robert Lee and John J., survive him.

Congressman GEYER was a man of earnest convictions and sincerity of purpose. He was conscientious. He was industrious. He assumed the responsibility of his position and served his constituents as well as his country to the utmost of his ability and strength.

Congressman GEYER was sympathetic. He had a profound sense of justice toward his fellowmen. He served faithfully and well.

Who has not learned, in hours of faith,
The truth to flesh and sense unknown,
That life is ever lord of death
And love can never lose its own.

Mr. LEA. Mr. Speaker, I yield to the gentleman from California [Mr. LELAND M. FORD].

Mr. LELAND M. FORD. Mr. Speaker, it is with deep regret that we have learned of the passing of our colleague, LEE GEYER. It so happens that Mr. GEYER represented in Congress a large area of the district I formerly represented in Los Angeles County. I have had every cooperation from Mr. GEYER. I think he has handled the interests of that district very efficiently and very soundly. Never at any time had he failed to do that which he could for his district. I tried to cooperate with him, I am glad to say. We are going to miss him; the district is going to miss him. While we may have differed a great deal politically, LEE GEYER was a very courageous man; he had the courage of his convictions that would inspire respect from anybody, even though he may have disagreed with him.

We are going to miss LEE GEYER; his district is going to miss him. It is with great regret that I see his passing.

Mr. LEA. Mr. Speaker, I yield to the gentleman from California [Mr. GEARHART].

Mr. GEARHART. Mr. Speaker, it is with profound regret that we hear of the untimely passing of our colleague, LEE GEYER. As a fellow Californian, I have learned to value the friendship he so generously bestowed—learned to respect him for the convictions to which he was so loyal.

We are going to miss him in the days to come—no one more than I—for he was, indeed, a good citizen, a stanch American, a loyal friend, a loving husband, and devoted father—the possessor of all of those traits which command the respect and compel the admiration of one's fellows.

It is with heavy hearts that we contemplate his passing.

Mr. LEA. Mr. Speaker, I yield to the majority leader [Mr. MCCORMACK].

Mr. MCCORMACK. Mr. Speaker, the death of our late colleague marks the passing of one of the most serious-minded and diligent Members of this honorable body. During his period of service he impressed himself profoundly upon the minds of all his colleagues because of his sincerity of purpose and devotion to duty. I think the best evidence of this is his conduct during the several months preceding his death when we, his colleagues, who met and talked with him knew he was seriously ill and suffering, yet he carried on until that period of his illness when he could carry on no more. I know the people of his district will derive great consolation from the knowledge that he died in the line of duty. There is no question in my mind but that the strenuous efforts of the months of his illness contributed greatly in aggravating his condition and in precipitating his death. I remember on several occasions when I met him on the floor when he could not talk above a whisper and I would have to lean close to him in order to hear what he had to say to me. All this indicated a serious illness, but at the same time it conveyed to me indomitable will power and determination to carry on until the end. And this is the lesson I learned from the passing of our late beloved colleague.

I know his wife and children will derive great consolation from the fine life he led and from the example he set to all of us during his service here, and particularly during the closing months of his splendid constructive career. I also know the people he so ably represented will derive a great consolation in the knowledge that LEE GEYER, their late representative in Congress, carried on under trying circumstances until the end and that he truly was a Member of this body of whom we might say: "He died in line of duty."

Mr. LEA. Mr. Speaker, I yield to the gentleman from Kansas [Mr. GUYER].

Mr. GUYER. Mr. Speaker, it was with a feeling of deep regret that I heard of the passing of Hon. LEE GEYER, of California. Though he was a Representative of the State of California, we Kansans felt we had a valid claim on him because of his birth and education in Kansas.

Personally, I necessarily came in rather intimate touch with him for the reason that our names are pronounced the same though spelled differently—his remote paternal ancestry being German while mine was French.

Besides our names we had much in common. We both had lived most of our lives in Kansas. We were educated in universities only a few miles apart and both had the advantage of educational institutions beyond the limits of our State. Both of us were high-school instructors and principals of schools, so we had much in common beyond the fact of being fellow Kansans.

Added to natural ability of unusual capacity, Mr. GEYER had a highly cultivated mind with every advantage of the best there was in American universities. A graduate of Baker University of Baldwin, Kans., one of the best of Kansas schools, he took postgraduate work at two of the finest universities in this country—the University of Wisconsin and the University of Southern California. Mr. GEYER employed his fine education as a teacher of social science in the Gardena High School at Gardena, Calif.

Mr. GEYER was much devoted to the Geyer anti-poll-tax law of which he was the author. He was a veteran of the World War in which he was disabled in the trenches. Partly due to his observations of the first World War and partly because of his natural opposition to our participation in another World War, he was bitterly opposed to our country being drawn into the present war, and voted as he thought best to keep us out of that conflict. He conscientiously opposed every move which he thought brought us nearer the European war, and his help will be missed by those who like himself were elected upon a platform which pledged adherence to all policies calculated to protect our young manhood from the slaughter pens of Europe, Asia, and Africa.

Mr. GEYER will be greatly missed in the House, and I join with the members of the California delegation in mourning his loss and in praising his outstanding ability and his incorruptible integrity. He leaves to his wife and children who survive him an enviable record of public service as teacher, soldier, and legislator and the rich legacy of a stainless name.

The SPEAKER. The question is on the resolution.

The resolution was agreed to; and the Speaker appointed the following Members to attend the funeral: Mr. HILL of Washington, Mr. COFFEE of Washington, Mr. VOORHIS of California, and Mr. LAMBERTSON.

The SPEAKER. The Clerk will report the remainder of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to; accordingly (at 12 o'clock and 21 minutes p. m.) the House adjourned until tomorrow, Wednesday, October 15, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs will hold a hearing on H. R. 5359, 4578, and 5704 at 10:30 o'clock a. m., Wednesday, October 15, 1941.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

981. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 19, 1941, submitting a report, together with accompanying papers, on a preliminary examination and survey of Marmaton River, Kans., authorized by the Flood Control Act approved June 22, 1936; to the Commitee on Flood Control.

982. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 19, 1941, submitting a report, together with accompanying papers, on a preliminary examination and survey of Coos River and tributaries, Oregon, with a view to flood control and the prevention of erosion of the banks and the consequent filling of the channel, authorized by the River and Harbor Act approved August 30, 1935, and the Flood Control Act approved June 22, 1936; to the Committee on Rivers and Harbors.

983. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill for the relief of Francis Howard Robinson; to the Committee on Claims.

984. A letter from the Secretary of Commerce, transmitting a draft of a proposed bill to regulate the distribution and promotion of commissioned officers of the Coast and Geodetic Survey, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

985. A letter from the Secretary of War, transmitting a draft of a proposed bill to provide for the pay and costs of transportation of civilian employees appointed for duty beyond the continental limits of the United States and in Alaska; to the Committee on Expenditures in the Executive Departments.

986. A letter from the national commandant, Marine Corps League, Albany, N. Y., transmitting annual report for the fiscal period of August 1940 and August 1941; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CARTWRIGHT: Committee on Roads. H. R. 5810. A bill to supplement the Federal Aid Road Act approved July 11, 1916, as amended and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes; without amendment (Rept. No. 1258). Referred to the Committee of the Whole House on the state of the Union.

Mr. COOPER: Committee on Ways and Means. S. 1045. An act to increase the earnings of the United States Government life-insurance fund and the national service life-insurance fund by expediting the investment of the moneys thereof, and for other purposes; without amendment (Rept. No. 1259). Referred to the Committee of the Whole House on the state of the Union.

Mr. DREWRY: Committee on Naval Affairs. H. R. 2799. A bill authorizing the conveyance to the State of Virginia, for highway

purposes only, a portion of the Naval Mine Depot Reservation at Yorktown, Va.; with amendment (Rept. No. 1260). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURCH:

H. R. 5820. A bill providing preferential rates of postage for certain religious and educational books; to the Committee on the Post Office and Post Roads.

By Mr. COLMER:

H. R. 5821. A bill to amend the Social Security Act by providing for special Federal aid to certain States, and for other purposes; to the Committee on Ways and Means.

By Mr. DIMOND:

H. R. 5822. A bill to establish a military code for the Territory of Alaska; to the Committee on Military Affairs.

By Mr. HARE:

H. R. 5823. A bill to amend an act to establish a retirement system for employees of carriers subject to the Interstate Commerce Act, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. MARTIN J. KENNEDY:

H. R. 5824. A bill to repeal section 541 (b) of the Revenue Act of 1941 and to restore certain exemptions from admissions taxes; to the Committee on Ways and Means.

By Mr. McGEHEE:

H. R. 5825. A bill to amend section 19 (a) of the Philippine Independence Act of March 24, 1934, as amended by the act of August 7, 1939, and to amend the act approved June 19, 1934, so as to authorize certain sugar excise tax funds and other funds to be used for military and naval defense purposes in the Philippine Islands; to the Committee on Insular Affairs.

By Mr. SASSCER:

H. R. 5826. A bill to establish the status of funds and employees of the midshipmen's tailor shop at the United States Naval Academy; to the Committee on Naval Affairs.

By Mr. SAUTHOFF:

H. R. 5827. A bill requiring a mental examination of the accused prior to the trial of any charge by Army general court martial; to the Committee on Military Affairs.

H. R. 5828. A bill requiring a mental examination of the accused prior to the trial of any charge by naval general court martial; to the Committee on Naval Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Republic of Ecuador, memorializing the President and the Congress of the United States to consider their resolution dated October 4, 1941, relative to the visit of the distinguished legislators of the Congress of the United States in order to direct the destinies of humanity along the paths of peace and democracy; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GIFFORD:

H. R. 5829. A bill for the relief of Robert L. McKenzie; to the Committee on Claims.

By Mr. KIRWAN:

H. R. 5830. A bill to correct the military record of Clayton R. Miller; to the Committee on Military Affairs.

By Mr. LEWIS:

H. R. 5831. A bill granting a pension to Mary J. Edwards; to the Committee of Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1888. By Mr. DIES: Petition of sundry railroad employees and other citizens of Texas, opposing the Trinity River project; to the Committee on Rivers and Harbors.

1889. By Mr. THOMAS F. FORD: Resolution of the Board of Supervisors of the County of Los Angeles, Calif., petitioning Congress to pass a deficiency appropriation between now and July 1, 1942, in order to secure an increased Work Projects Administration quota, and that efforts be made to increase Work Projects Administration quota for the county of Los Angeles to make it commensurate with the population basis; to the Committee on Appropriations.

1890. By Mr. HOUSTON: Petition of the General Welfare Civic Center, Wichita, Kans., requesting that the Seventy-seventh Congress amend title I of the Social Security Act in accordance with House bill 1410; to the Committee on Ways and Means.

1891. Also, petition of the General Welfare Center, No. 2, Wichita, Kans., requesting that the Seventy-seventh Congress amend title I of the Social Security Act in accordance with House bill 1410; to the Committee on Ways and Means.

1892. By Mr. KRAMER: Petition of the Board of Supervisors of the County of Los Angeles, Calif., asking Congress to pass a deficiency appropriation between now and July 1, next, in order to secure an increased Work Projects Administration quota instead of a decreased program as is now threatened; to the Committee on Appropriations.

1893. By Mr. ROBERTSON of North Dakota: Petition of the directors of the North Dakota Taxpayers Association, in the form of a resolution, opposing any further extension in pay-roll taxes to agricultural labor and other classes now exempt on the ground that present pay-roll taxes are far in excess of the amount required to meet benefit payments; and a further resolution urging Congress to reduce Federal civil expenditures to a minimum and recommending the entire elimination of the Civilian Conservation Corps and reduction of the administrative cost of National Youth Administration during the emergency arising from the defense program; to the Committee on Ways and Means.

1894. By Mr. TENEROWICZ: Resolution of the International Union of the United Automobile Workers of America, Detroit, Mich., urging enactment by Congress of legislation effecting a moratorium on rents and other time payment obligations of workers which they are unable to pay during periods of unemployment and urging amendments to unemployment compensation acts providing for increased benefits and for longer periods of their payment for workers whose unemployment is caused by curtailment of production; to the Committee on Ways and Means.

1895. By the SPEAKER: Petition of the General Welfare Center, No. 2, Wichita, Kans., petitioning consideration of their resolution with reference to the Federal Social Security Act; to the Committee on Ways and Means.

1896. Also, petition of the General Welfare Civic Center, Wichita, Kans., petitioning consideration of their resolution with reference to the Federal Social Security Act; to the to the Committee on Ways and Means.

1897. Also, petition of the Township Committee, Township of Lake Wood, N. J., petitioning consideration of their resolution with reference to the Federal Social Security Act; to the Committee n Ways and Means.

1898. Also, petition of the Collingswood General Welfare Center, No. 1, Collingswood, N. J., petitioning consideration of their resolution with reference to the Federal Social Security Act; to the Committee on Ways and Means.

1899. Also, petition of the Franklin County Society Old-Age Pensioners, Columbus, Ohio, petitioning consideration of their resolution with reference to the Federal Social Security Act; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES

WEDNESDAY, OCTOBER 15, 1941

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

To Thee we come, blessed Lord; at Thy footstool we wait that Thy spirit may stir all hearts. O speed, speed Thy kingdom among men, casting away all prejudices, all personal gains, and taking up the torch of Democracy that it may light earth's thickest gloom. The command of the Lord of Life is to rise up and go forward unsubdued by thought, fear, or discord; our dear land is within the sphere of the imperial justice and goodness of the Divine One, calling us to perfect poise with the strong Son of God. O turn our country's soul to follow the age-old things once more—repent, believe, and return, remembering the devotion and the passion of the years which are fled. At Thy cross, O Christ, may we seek the best in human thought and action. Stretch forth Thine hand; to it may we cling and yearn for that redemption which glorifies, in common life, the brotherhood of man. In our dear Redeemer's name. Amen.

The Journal of yesterday was read and approved.

RAILWAY MAIL SERVICE

Mr. HAINES. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2985) to prescribe the time basis for computing pay for overtime work performed by laborers in the Railway Mail Service, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 8, after "1925", insert "(43 Stat. 1053, as amended)."

The SPEAKER. The Chair wishes to announce that gentlemen who intend to ask unanimous consent that a Senate amendment be concurred in or that a bill be considered should notify the Chair in advance. It is only fair that the Chair know for what purpose gentlemen are seeking recognition in such cases.

Is there objection to the request of the gentleman from Pennsylvania?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, and I shall not object, I believe the gentleman should tell the House the effect of the Senate amendment.

Mr. HAINES. This is a bill to prescribe the time basis for computing pay for overtime work performed by laborers in the Railway Mail Service. It passed the House on April 21 and passed the Sen-

ate on July 21. I have spoken to minority members of our committee, and they have agreed to the amendment.

Mr. MARTIN of Massachusetts. I have no objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

ENROLLED BILL SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, announced that that committee had, on October 14, 1941, examined and found duly enrolled a bill of the House of the following title:

H. R. 5511. An act to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad.

NATIONALITY ACT OF 1940

The SPEAKER. The Chair desires to announce that pursuant to the authority granted him on October 14, 1941, he did on that date sign the enrolled bill (H. R. 5511) to amend the Nationality Act of 1940 to preserve the nationality of citizens living abroad.

Mr. DOUGHTON submitted a conference report and statement on the joint resolution (H. J. Res. 235) to amend section 124 of the Internal Revenue Code by extending the time for application, and changing the procedure, for certification of national defense facilities and contracts for armortization purposes.

EXTENSION OF REMARKS

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein answers to certain letters which were inserted in the RECORD by my colleague the gentleman from New York [Mr. BALDWIN].

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter in answer to certain matters appearing in the RECORD of October 6.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

THE LATE JOHN H. KELLY

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, it is with a feeling of deep sorrow in my heart that I ask the attention of the House for this very short period to express the deep grief of myself and the Committee on Immigration and Naturalization on receiving word of the death of John H. Kelly, the clerk of our committee. He died on Sunday, October 12, 1941, as the result of a heart attack.

Mr. Kelly had a long and honorable record as an employee of the House and as a congressional secretary. He first came to Washington in 1906 as secretary to the Honorable James P. Conner, a Representative from the State of Iowa, and then followed as secretary to Representative Frank Wood and the late Judge Boies, of Iowa. Subsequently he did congressional duties for Representative Vare, of Pennsylvania, and Representative Carley, of New York. I appointed him clerk to the Committee on Immigration and Naturalization about 4 years ago, and during the time I have known him our associations have been most pleasant and cordial.

Due to his training as a lawyer and his general experience in congressional matters, Mr. Kelly was a very valuable man as a committee clerk. Not only did he perform his committee duties with exactitude and thoroughness but he was helpful to all Members of the House who had bills pending before the committee and assisted them generously and willingly in the preparation and handling of their cases.

Aside from the official work he did with our committee, I was personally very fond of Mr. Kelly. I admired his forthrightness and courage and time and again enjoyed his reminiscent tales of things which happened at his home town of Emmetsburg, Iowa, and here at the House Office Building. Kelly knew life, he was experienced in politics, and he was a loyal friend. While many fine things could be said of him, I think one of the finest would be of the devotion and love he had for his elderly sister, the only one left of his immediate family.

After a brief religious service, conducted by Father Fuller, S. J., chaplain of the Washington Chapter of the Knights of Columbus, his body was returned home to his native Iowa on Monday night. May he rest in peace.

COMMITTEE ON FOREIGN AFFAIRS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that members of the Committee on Foreign Affairs who wish to file a minority report on the bill regarding the arming of merchant ships may have until midnight tonight to do so.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. VORYS] be permitted to extend his own remarks in the RECORD and include therein a speech delivered by him.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

ROOSEVELT ADMINISTRATION STRIKES FOUL AND FATAL BLOW AT AMERICAN FARMERS IN ARGENTINA TRADE AGREEMENT

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, the greatest foul and fatal blow ever struck against farmers in the United States, since 1853, comes in the announcement of President Roosevelt that he has officially concluded a trade agreement with Argentina. The President has cut in half the import duties on flax, prepared and canned meat, wool, cheese, casein and other dairy products, hides, and other competitive agricultural products produced in Argentina for shipment and sale in the United States.

The agreement runs for 3 years. All countries in the world enjoying the benefits of the most-favored-nation policy are literally invited to produce more competitive farm products for shipment and sale in the American market in competition with domestic production. They will all have the benefit of the reduced import duties provided in the Argentina agreement.

When the present war emergency comes to an end our country will be used as the dumping ground for cheaply produced competitive agricultural products of foreign production. The result will be lower prices for American farmers; the piling up of additional surpluses of competitive farm products in this country; the loss of the home markets to cheap foreign production; the reduction of American farmers to a state of peasantry; and, when the war ends, the trade agreement will be the foundation for the greatest deflation and depression ever experienced in our country.

President Roosevelt says that the agreement represents "a monument to the ways of peace." In my opinion, the President has sacrificed his fellow American farmers on the altar of his so-called peace.

The President promised farmers that he would not reduce the duties on competitive farm products. He broke his pledge, in spite of the unanimous protest from every farm organization and farmer in our country.

I regard the Argentina trade agreement as a complete sell-out of all farmers in the United States engaged in the production of dairy products, beef cattle, and sheep. A foul and fatal blow has been struck at American agriculture.

PERMISSION TO ADDRESS THE HOUSE

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent that today, at the conclusion of the legislative program of the day, and following any special orders heretofore entered, I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and

include therein an article by Arthur Sears Henning.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMENDMENT OF NATIONALITY ACT OF 1940

Mr. MASON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 5554) to amend the Nationality Act of 1940, to preserve the nationality of a naturalized wife, husband, or child under 21 years of age residing abroad with husband or wife a native-born national of the United States.

The Clerk read the bill, as follows:

Be it enacted, etc., That chapter IV of the Nationality Act, 1940, section 406, is amended by adding at the end a new subsection:

"(g) Who is the wife, husband, or child under 21 years of age of, and is residing abroad for the purpose of being with a spouse or parent who is an American national by birth and who during minority for a period or periods totaling 10 years resided in the United States."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, will the gentleman explain the bill?

Mr. MASON. Mr. Speaker, the purpose of this bill is to correct an oversight in the nationality code we passed last year. This code provides that an American citizen who represents the American Government or an American corporation may live abroad without losing his citizenship by doing so. However, the bill did not take into account this citizen's wife or his children under 21 years of age. This bill proposes to permit his wife and children under 21 years of age to live abroad with him without losing their citizenship.

The nationality code went into effect yesterday. Both the State Department and the Department of Justice are embarrassed today because of that provision, in that we overlooked the wives and children of these men. That is the reason for the urgency of the bill. It was reported unanimously by our committee and has the full approval of the Department of State and of the Department of Justice.

Mr. CARTER. Reserving the right to object, Mr. Speaker, recently, while visiting a number of the South American countries with four of my colleagues from the House, we were implored by a number of citizens of the United States to see that a bill of this kind was put through. We wired the State Department some weeks ago about the situation that was being created down there by this oversight in the bill. I trust that this bill will be passed today.

Mr. JENKINS of Ohio. Reserving the right to object, Mr. Speaker, the gentleman says that the State Department has given its approval. Did the State Department collaborate with the gentleman in drafting the bill?

Mr. MASON. Yes; originally the bill was drafted just to take care of the wife. Then it was brought to our attention by the State Department that children under 21 years of age should be included. So the State Department did draft the bill and we do have written approval and their statement that the matter is urgent.

Mr. JENKINS of Ohio. How many are involved in this matter?

Mr. MASON. It is pretty hard to tell, but there are many persons involved representing us in the South American countries and in Canada and some are involved across the ocean.

Mr. JENKINS of Ohio. I suppose it goes without saying that our distinguished friend from Kansas [Mr. REES], the author of the original code, is satisfied with this measure?

Mr. MASON. The gentleman from Kansas is present, and has so stated. This is a unanimous report of the committee.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. MASON]?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include a short speech by the Assistant Secretary of the Interior.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

SPECIAL COMMITTEE TO INVESTIGATE AIR CRASHES

Mr. PEARSON. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

[Mr. PEARSON addressed the House. His remarks appear in the Appendix of the RECORD.]

PERMISSION TO FILE REPORT

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that the Committee on Foreign Affairs may have until 12 o'clock tonight to file a majority report.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. LEWIS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a tribute by a former United States Senator from Colorado to the Honorable EDWARD T. TAYLOR.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

PRIORITIES AND RURAL ELECTRIFICATION

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

[Mr. PITTENGER addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. YOUNGDAHL. Mr. Speaker, on behalf of my colleague the gentleman from New Jersey [Mr. VREELAND], I ask unanimous consent that he be granted permission to extend his remarks and include therein a speech he recently made over the radio.

The SPEAKER. Is there objection?

There was no objection.

PATRIOTISM OF PEOPLE OF SCANDINAVIAN STOCK

Mr. YOUNGDAHL. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. YOUNGDAHL. Mr. Speaker, a few days ago a statement was made on the floor of the House questioning the cooperation of some of our people of Minnesota in the defense program. In reply, may I quote some facts that appeared in the editorial column of one of our daily newspapers, the Minneapolis Daily Times. I quote:

Around 24,000 Minnesotans have enlisted voluntarily in armed forces—a high record; 13 Midwest States, including Minnesota, with total population of 33 percent, have contributed 35 percent of Navy personnel; Minneapolis led all cities of its class in total defense-bond sales during the last 5 years, far above both Pittsburgh and Philadelphia, latter with 4 times Minneapolis' population—all in addition to the State's industrial effort; and then there was the Navy "E" award to Northern Pump.

May I add that many of these workers are of Scandinavian descent. Actions speak louder than words.

EXTENSION OF REMARKS

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a speech I recently delivered.

The SPEAKER. Is there objection?

There was no objection.

Mr. BROWN of Georgia. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an address delivered by my colleague the gentleman from Georgia [Mr. COX] before the Georgia Education Association at Thomasville.

The SPEAKER. Is there objection?

There was no objection.

Mr. ELIOT of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. ARNOLD. Mr. Speaker, I ask unanimous consent to extend my remarks by including a radio address de-

livered by me before the National Radio Forum, October 13, 1941.

The SPEAKER. Is there objection?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial from the Santa Monica Evening Outlook.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. LELAND M. FORD. Mr. Speaker, at the conclusion of the business of today, after any other special orders heretofore made, I ask unanimous consent to proceed for 20 minutes.

The SPEAKER. Is there objection?

There was no objection.

PROPOSED 6-PERCENT-PROFIT LIMIT

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

[Mr. LELAND M. FORD addressed the House. His remarks appear in the Appendix of the RECORD.]

EXTENSION OF REMARKS

Mr. JOHNSON of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by the inclusion of a radio address I recently made.

The SPEAKER. Is there objection?

There was no objection.

Mr. JOHNSON of Illinois. Also, Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Illinois [Mr. CHIPERFIELD] be permitted to extend his remarks in the RECORD and include an editorial.

The SPEAKER. Is there objection?

There was no objection.

Mr. DAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a letter from the Reverend Charles F. Boss, executive secretary of the Commission on World Peace of the Methodist Church.

Also, Mr. Speaker, I may state that my colleague the gentleman from Illinois [Mr. STRATTON] joins me in this request.

The SPEAKER. Is there objection?

There was no objection.

LEAVE TO ADDRESS THE HOUSE

Mr. O'CONNOR. Mr. Speaker, at the conclusion of today's business, and other special orders, I ask unanimous consent to proceed for 30 minutes.

The SPEAKER. Is there objection?

There was no objection.

THE POWER AND POLICY OF THE GOVERNMENT

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. BECKWORTH. Mr. Speaker, every person hears much of delay from day to day in our national-defense program. I know all are interested in the power and the policy of the Government. I have a letter here, written November 27, 1940, which states the policy of the Government. It says:

> As you know, the President announced yesterday, following a conference with Army, Navy, and labor representatives, that it is the policy of the Government to keep factories engaged in defense work open and that the problem of dealing with the labor situation in connection with national defense is under daily consideration.

As to the power of the Government, to deal with delays, I quote a part of a letter from Gerard D. Reilly, which indicates what the power is. It says:

> • • • and finally, for the occasional situation in which both prevention and impartial mediation are unsuccessful, the Government has authority to step in and act directly to assure resumption of production or an adequate alternative source of supply.

Mr. Speaker, in the month of August, the last month for which we have any official figures, there were more delays than in any month since November 1940, the month when the policy was announced. I trust the power to prevent delays will be exercised forthwith.

EXTENSION OF REMARKS

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an address I delivered before the Capital district convention of the Kiwanis International.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. JOHNS. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address by Gen. J. E. Myers, United States Army, retired, on aviation.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MURRAY. Mr. Speaker, I ask unanimous consent that after the regular business of the day and all other special orders are disposed of I may be allowed to address the House for 30 minutes.

The SPEAKER. Is there objection?

There was no objection.

TRADE AGREEMENTS

Mr. MURRAY. Mr. Speaker, I ask unanimous consent to proceed for 1 minute at this time and to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MURRAY. Mr. Speaker, I wish to call to the attention of the Members of the House the fact that today we have made another trade treaty. I hope this afternoon to go into detail in connection with that.

The sad part of this whole agricultural situation is that at one time we were an agricultural export nation. Then we came down to the point where we had to use subsidies in order to get rid of the farm products. Now we have gone a step farther. We are giving it away; but we cannot give it away half as fast as it is being brought into this country at this time. The livestock industry and livestock products are continually being called upon to take penalties that are not imposed on other groups of our agriculture.

[Here the gavel fell.]

TAXES ON CERTAIN RELIGIOUS AND CHARITABLE INSTITUTIONS

Mr. MARTIN J. KENNEDY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

[Mr. MARTIN J. KENNEDY addressed the House. His remarks appear in the Appendix of the RECORD.]

CELIA KELLY

Mr. COCHRAN. Mr. Speaker, by direction of the Committee on Accounts, I submit a privileged resolution (H. Res. 319) and ask for its immediate consideration.

The Clerk read as follows:

> *Resolved*, That there shall be paid out of the contingent fund of the House to Celia Kelly, sister of John H. Kelly, late an employee of the House, an amount equal to 6 months' salary compensation, and an additional amount not to exceed $250 to defray funeral expenses of the said John H. Kelly.

The resolution was agreed to.

AMENDING THE NEUTRALITY ACT

Mr. SMITH of Virginia, from th Committee on Rules, submitted the following privileged report (Rept. No. 1265) to accompany House Resolution 320, which was referred to the House Calendar and ordered printed:

> *Resolved*, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the joint resolution (H. J. Res. 237) to repeal section 6 of the Neutrality Act of 1939, and for other purposes. That general debate shall be confined to the joint resolution and continue not to exceed 1 day and 1 hour on the next legislative day. The time for general debate shall be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs. After such general debate the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the joint resolution for amendment the Committee shall rise and report the same to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

EXTENSION OF REMARKS

Mr. C'BRIEN of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks and include certain excerpts.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PATRICK. Mr. Speaker, I ask unanimous consent that today, after the business of the day has been disposed of and after all business on the Speaker's desk has been attended to, and after other special orders—and there are

many—have been disposed of, I be allowed to address this House for 12 minutes.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. THOMAS F. FORD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include an address by Mr. John L. Sullivan, Assistant Secretary of the Treasury.

The SPEAKER. Is there objection?

There was no objection.

Mr. THOMAS F. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address by Donald M. Nelson.

The SPEAKER. Is there objection?

There was no objection.

Mr. THOMAS F. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address by Governor M. S. Szymczak, of the Board of Governors of the Federal Reserve System.

The SPEAKER. Is there objection?

There was no objection.

Mr. WHITE. Mr. Speaker, I ask unanimous consent to extend my remarks and include certain excerpts from the Washington Post dealing with the franking privileges of the Members of the House of Representatives.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include some editorials.

The SPEAKER. Is there objection?

There was no objection.

STRIKES IN INDUSTRY

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, the President tomorrow will ask us to put guns on merchant ships. What are you going to put in those ships?

At Hillsdale, Mich., the A. F. of L. has a contract with the Hillsdale Steel Products Co. They make transmissions for Army tanks. Those tanks are manufactured at the Spicer plant, down at Toledo, less than 150 miles away. The A. F of L. has a contract with the Hillsdale concern, and the Toledo outfit, which is C. I. O., refuses to use those transmissions, and the Army tells us that 70 percent of its production is being held up. When are you going to get those fellows by the neck and the seat of the pants and shake some sense into them? What are you going to put into those ships? Tell us about it. A further statement showing the manner in which the defense program is being delayed will be found in the Appendix.

[Here the gavel fell.]

PERMISSION TO ADDRESS THE HOUSE

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. REED of New York. Mr. Speaker, I believe the membership is aware of the fact that a new trade agreement has been entered into with Argentina. I just want to give you a word of warning.

For 8 years this administration has been endeavoring by one means and another to relieve the farmers of this country. Now, what do you propose to do when, perhaps, the dairymen see a glimmer of hope, unfortunately from war, of increasing their prosperity to a slight degree? You open up the market by lowering tariffs on dairy products with Argentina. Have you forgotten the assurance of President Roosevelt in his Baltimore speech that he knew of no duties on farm products that were excessively high and that it was not his intention to lower those duties? After the last war with your low-tariff bill on the books, your southern Governors came up and thanked President Harding for relieving them from their unbearable situation caused from imports. The farmers of America are now to be sacrificed at a time when the administration is urging greater production as a patriotic duty.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. PLOESER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GEARHART. Mr. Speaker, I rise to propound two unanimous-consent requests: First, that I may be allowed to extend my remarks in the Appendix of the RECORD and to include therein a resolution of the California State Federation of Labor on national defense.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. GEARHART. Second, that I may be allowed to extend my own remarks in the Appendix of the RECORD and to include therein a resolution of the American Legion national convention on the desecration of the flag.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOWELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to include therein a quotation from a speech delivered by the probate judge of Sangamon County, Ill.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. REES of Kansas. Mr. Speaker. I ask unanimous consent to extend my remarks in the RECORD and to include therein a radio address delivered by my colleague the gentleman from Kansas [Mr. LAMBERTSON] over a Nation-wide hook-up last evening.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. TINKHAM. Mr. Speaker, with unanimous consent I desire to extend my remarks in the RECORD and to include therein a statement from the New York Times of August 27, 1941, in relation to an American expeditionary force, and a second article from the New York Times of October 13, 1941.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

WITHDRAWAL OF CAPE GIRARDEAU BRIDGE BILL (H. R. 5337)

Mr. BISHOP. Mr. Speaker, at the earnest request of the secretary of the Association of Commerce, of Cairo, Ill., I introduced a bill on July 16, 1941 (H. R. 5337), to authorize the Cairo Bridge Commission, or the successors of said commission, to acquire, and to improve, maintain, and operate the existing toll bridge across the Mississippi River between the city of Cape Girardeau, Mo., and a point opposite in Alexander County, Ill.

It now develops that this was not the wish or the action of the Association of Commerce of Cairo, and I therefore ask unanimous consent for the withdrawal of the bill H. R. 5337.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EFFECT OF PRIORITIES ON NONDEFENSE CONSTRUCTION

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CARLSON. Mr. Speaker, the announced policy of the Supply Priorities and Allocations Board last week in regard to nondefense construction will cause serious dislocations and hardships in the nondefense areas. If this decision is not modified, it will mean that thousands of our citizens in the interior sections of the country will be thrown out of work at the beginning of winter. Not every community is fortunate enough to have under construction a bomber plant, powder plant, or some other defense project, but practically every community is building a few homes, public buildings, highways, and other needed work. If this Government agency insists on this recent order, it will seriously affect our industrial economy. The lumber dealers, hardware dealers, plumbers, contractors, carpenters, and laborers will be directly affected. These local concerns and individuals are in no position to take advantage of vast national-defense expenditures. Many believe that this decision was brought about by a desire of the Government officials to create war psychology and to conserve all construction work for the period following the war. Our nondefense areas need work now. Let us plan to keep our people working instead of looking forward to another increased P. W. A. and W. P. A. program.

STATUE OF LIBERTY DAY

Mr. SUMNERS of Texas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 225) to declare October 28, 1941, Statue of Liberty Day.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman from Texas explain the reason for the bill?

Mr. SUMNERS of Texas. I am not any too well acquainted with the bill, as I was not present when it was considered by the Judiciary Committee; but, as I understand it, the bill authorizes the President to declare the 28th day of October this year as a day on which the American flag shall be displayed commemorating the building and dedication of the Statue of Liberty in New York Harbor some 55 years ago.

The bill is recommended by such organizations as the Descendants of the American Revolution. Possibly the gentleman from Michigan [Mr. MICHENER] can add to the explanation of the bill.

Mr. MICHENER. Mr. Speaker, in the Judiciary Committee I expressed concern about this bill because we have authorized so many of these holidays and celebrations. Inasmuch as at this good hour most patriotic people are flying the flag everywhere without any proclamation on the part of the President, I am wondering if it is good policy to establish another national holiday.

Mr. SUMNERS of Texas. This is just a flag-waving day.

Mr. MICHENER. Well, flag-waving day. I know there are some people in New York City who would like to conduct some kind of celebration on this particular day and would like national participation. I am wondering if it is necessary to make this a national event just for the benefit of those people in New York. We are all patriotic, but, as the gentleman from Texas [Mr. SUMNERS], the chairman of our committee, knows, we have at least a dozen other bills over there along the same line. If we are now going to single out one particular day as this bill provides, we ought to be fair and report them all. The difficulty is, if we report them all, we will not have anything but celebrations in the country. This is not the time for additional holidays.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. SUMNERS]?

Mr. WADSWORTH. Mr. Speaker, I object.

PAROLE OF GROVER CLEVELAND BERGDOLL

Mr. FADDIS. Mr. Speaker, I ask unanimous consent that I may be allowed to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. FADDIS]?

There was no objection.

Mr. FADDIS. Mr. Speaker, today's press reports indicate that Grover Cleveland Bergdoll has applied for a parole and that the Department of Justice is preparing to clear his record in order that this parole may be granted.

This notorious draft dodger was convicted in 1918 and sentenced to 5 years for evading the draft. He escaped after serving 6 months of this sentence and went to Germany. Because of this escape, upon his return, he had enough time added so that he was required to serve 7½ years. According to my calculation he still has about 3½ years to serve.

Since he would not serve his Nation in time of war let him serve his time in full in a penal institution, without parole. I, therefore, protest against his parole and voice the hope that he may be required to serve out the remainder of his time in the Leavenworth Penitentiary.

[Here the gavel fell.]

INCREASE IN SALARIES OF GOVERNMENT EMPLOYEES

Mr. RAMSPECK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia [Mr. RAMSPECK]?

There was no objection.

Mr. RAMSPECK. Mr. Speaker, the newspapers report that on day before yesterday an employee of the Railroad Retirement Board, at the instance of the United Federal Workers of America, filed a suit to try to force an increase in his salary under a bill recently passed by the Congress, which was a bill initiated by the Budget in response to a request from the Appropriations Committee for a solution of the problem of salary advances.

I just want the people of the United States to know and the Congress to know, especially the Federal employees to know, that I think this gentleman is making a mistake; that the United Federal Workers of America are not serving the interest of the Federal employees in undertaking to high-pressure Congress into action under this bill. I think they ought to await the orderly procedure of the Appropriations Committee of this House, which gave us assurances before the bill was considered that if we followed the Budget plan they would go along with it. I feel that it is a mistake to undertake to force the hand of the Government in this way.

[Here the gavel fell.]

ARGENTINE TRADE AGREEMENT

Mr. COFFEE of Nebraska. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska [Mr. COFFEE]?

There was no objection.

Mr. COFFEE of Nebraska. Mr. Speaker, the State Department has concluded a trade agreement with Argentina reducing the tariff 50 percent on canned beef and a great many other livestock and agricultural products. Since the Congress has delegated this authority under the Reciprocal Trade Agreements Act to the executive branch of the Government, the protests by Members of Congress against these tariff reductions have been futile.

Under this Argentine agreement, the United States is making a large donation to the South American countries at the expense of the United States Treasury and the farmers and livestock producers of this country. The Government needs the tariff revenue on these competitive agricultural imports. The farmers and livestock producers of this Nation are entitled to the protection of their domestic market against these competitive agricultural products produced by peon labor in the South American countries. We have been supplying millions of dollars to these South American countries through the R. F. C. and under the Lease-Lend Act. Now we are further attempting to buy their friendship by encouraging the increased importation of competitive agricultural commodities at a reduced tariff rate. This reduced tariff rate will be reflected in lower customs receipts. The tariff on canned beef was so low before it was reduced that the domestic market was practically monopolized by these foreign importations.

How can we increase our industrial exports to these countries when we cannot supply our domestic requirements and the needs under our defense program? This agreement is further evidence of the need to amend the Reciprocal Trade Agreements Act to provide that all trade agreements shall be ratified by the United States Senate. This amendment which I offered was defeated by only 20 votes in the House and the same amendment was offered in the Senate and defeated by only 2 votes.

EXTENSION OF REMARKS

Mr. CARTWRIGHT. Mr. Speaker, a few days ago I asked for and received permission to have printed in the RECORD a speech delivered by our colleague the gentleman from Texas [Mr. LUTHER A. JOHNSON] before the Mexican Congress. Since then I have received the welcome address delivered by Lecoma Luna, a member of the Mexican Congress, and I ask unanimous consent to have it put in along with the speech of the gentleman from Texas [Mr. LUTHER A. JOHNSON].

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. CARTWRIGHT]?

There was no objection.

EXPRESSION OF THANKS OF THE CONGRESS TO THE SENATE AND CHAMBER OF DEPUTIES OF MEXICO

Mr. CARTWRIGHT. Mr. Speaker, on behalf of myself, the gentleman from Texas [Mr. LUTHER A. JOHNSON], the gentleman from North Carolina [Mr. KERR], and the gentleman from Michigan [Mr. WOLCOTT] I ask unanimous consent that Senate Concurrent Resolution 18, expressing the thanks of Congress to the Senate and Chamber of Deputies of Mexico, be taken from the Speaker's desk and given immediate consideration in lieu of House Concurrent Resolution 53.

The Clerk read the Senate concurrent resolution, as follows:

Whereas the congressional members of the United States delegations to the Fourth Pan American Highway Congress and the Second Inter-American Travel Congress, recently held in Mexico City, Mexico, were welcomed by the Senate and the Chamber of Deputies of the Republic of Mexico at special sessions of such bodies held for such purpose; and

Whereas the Congress of the United States is appreciative of the friendly sentiments expressed by the members of the Mexican Congress in welcoming the congressional members of such delegations and of the courtesy extended to such congressional members in permitting them to respond to the speeches of welcome: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the thanks of the Congress of the United States are hereby extended to the Senate and the Chamber of Deputies of the Republic of Mexico for the courtesies extended by them to the congressional members of the United States delegations to the Fourth Pan American Highway Congress and the Second Inter-American Travel Congress, recently held in Mexico City.

Resolved further, That the Secretary of the Senate and the Clerk of the House of Representatives are directed to communicate copies of this resolution through appropriate channels to the Senate and the Chamber of Deputies of the Republic of Mexico.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. CARTWRIGHT]?

There was no objection.

The Senate concurrent resolution was agreed to.

EXTENSION OF REMARKS

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter written to members of the Union League Club of New York by the president of that club, Mr. A. H. Cosden.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HENDRICKS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a syndicated article written by Boake Carter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

HOUR OF MEETING THURSDAY AND FRIDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow, and that when it adjourns tomorrow it adjourn to meet at 11 o'clock on Friday.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, and I shall not object, may I inquire if it is the intention to have the vote on Friday?

Mr. McCORMACK. Yes; that is the intention.

Mr. MARTIN of Massachusetts. Is it also the intention that general debate will run just as late tomorrow night as anyone wishes to speak?

Mr. McCORMACK. That is my understanding; yes.

Mr. MARTIN of Massachusetts. How much general debate will be carried over to Friday?

Mr. McCORMACK. It is my understanding that there will be 1 hour of general debate on Friday, and then the bill will be considered under the 5-minute rule.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DISTRICT OF COLUMBIA BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that after the call of the Consent Calendar on Monday and the disposition of any suspensions that may come up, the consideration of bills from the Committee on the District of Columbia may be in order.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

THE LATE MICHAEL FRANCIS PHELAN

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, it is with profound regret that I announce to the House the recent death of a former distinguished Member of this body, the Honorable Michael Francis Phelan, of Massachusetts.

The late Congressman Phelan ably represented in this body during the Sixty-third, Sixty-fourth, Sixty-fifth, and Sixty-sixth Congresses, from March 4, 1913, to March 3, 1921, what was in those days the Seventh Massachusetts District, a district that is now represented by our distinguished colleague the gentleman from Massachusetts [Mr. CONNERY]. It is because the gentleman from Massachusetts [Mr. CONNERY] is absent because of illness that I am making this announcement not only for myself but for him.

Prior to serving with distinction in this body during the period I have stated, the late Michael Francis Phelan served with distinction in 1905 and 1906 in the Massachusetts Legislature. He was a brilliant lawyer and a very valuable and outstanding citizen and American.

During his service in this body Mr. Phelan served on the Committee on Banking and Currency and played a very important part in the passage of the legislation which establishd the present Federal Reserve System. He also played a very important part in the consideration of all the important bills that came before the Committee on Banking and Currency during the time he was a member of that committee. In addition, he was a very active and constructive Member of this body during his period of service.

I know I speak the sentiments of my colleagues of today when I extend to those who survive him, his family, our profound sympathy in their bereavement.

CALENDAR WEDNESDAY

The SPEAKER. This is Calendar Wednesday. The Clerk will call the committees.

FORT MARION NATIONAL MONUMENT, FLA.

Mr. ROBINSON of Utah (when the Committee on the Public Lands was called). Mr. Speaker, by direction of the Committee on the Public Lands, I call up the bill (H. R. 3937) to change the designation of the Fort Marion National Monument, in the State of Florida, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, will the gentleman explain the bill?

Mr. ROBINSON of Utah. I may say to the distinguished minority leader that this bill merely changes the name of a monument in Florida.

Mr. MARTIN of Massachusetts. I appreciate that, but why should the monument that is named after Francis Marion have its name changed at this late date?

Mr. ROBINSON of Utah. This bill was introduced by the gentleman from Florida [Mr. HENDRICKS], and I am sure that he will be able to give the gentleman full reasons why the name of this monument should be changed.

The SPEAKER pro tempore (Mr. WHITTINGTON). The bill is on the House Calendar, and unanimous consent is not necessary for its consideration in the House.

The gentleman from Utah is recognized for 1 hour.

Mr. ROBINSON of Utah. Mr. Speaker, I yield 5 minutes to the gentleman from Florida [Mr. HENDRICKS].

Mr. HENDRICKS. Mr. Speaker, it is probably hard for the Members to understand the importance of this seemingly unimportant bill unless they have had an opportunity to go to the city of St. Augustine. I should like to address my remarks particularly to the minority leader because he has asked some questions about this bill.

St. Augustine, of course, is an old Spanish city. The construction of what is now known as Fort Marion was begun in 1672. The original name of the fort was Castillo de San Marcos. It was later named Fort Marion in honor of General Marion.

In St. Augustine all the streets, all the public buildings, and all the names you find there in public are Spanish names, in keeping with the historical significance of the city. That is the reason we want to change the name of this monument to its original name, Castillo de San Marcos. The Florida Legislature has unanimously memorialized the Congress to change the name to Castillo de San Marcos. In addition, the St. Augustine Historical Society has asked that the change be made, as have the St. Augustine Chamber of Commerce and all civic organizations of the city of St. Augustine. They are putting on a restoration program in the State of Florida to restore St. Augustine as it was originally. The legislature of the State has appropriated $50,000 for this purpose and the Carnegie Foundation is cooperating with them and the name on this fort of Fort Marion would not be in keeping with this restoration program.

The question was brought up when this bill came up on the Consent Calendar why it should be changed and I attempted to explain but the gentleman who was objecting used all my time and

I did not get a chance to make the explanation. The reason for it is that we simply want the name changed back to the original name so that when they carry out this restoration program it will be in keeping. It would be a sad commentary on the historical background of General Marion if changing the name of a small fort in the State of Florida which, incidentally, General Marion at one time planned to make an expedition against, should reflect upon his prominence in history. Mr. Speaker, it is important to us in Florida. I do not think it is important to General Marion or to his friends or to the Nation that it not be changed. It is important to us that it be changed and I certainly will appreciate it if the Members on both sides of the House will help me out in changing the name of this fort.

[Here the gavel fell.]

Mr. ROBINSON of Utah. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. GREEN.]

Mr. GREEN. Mr. Speaker, the State of Florida is deeply interested in this bill, and it is not the intention or desire to take anything away from the honor that belongs to the illustrious General Marion. He has been honored by many historic places having been named after him, but we feel a keen and a deep interest in the restoration of the proper name to this fort. It is of more than passing interest to me, inasmuch as my ancestors helped in the construction of this fort way back in the days of the colonization of St. Augustine, and a great aunt of mine was born in this fort while it was beseiged by the Indians on one occasion a little over a centry ago, when all of the whites went to the fort for protection and defense. So we are deeply and tremendously interested in the proper designation of this fort as originally planned and named by those who established it.

Mr. JENKINS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. GREEN. I yield to the gentleman.

Mr. JENKINS of Ohio. I would like to ask for my own information this question: I presume this fort antedates the historic achievements of General Marion?

Mr. GREEN. Decidedly so. In 1565 St. Augustine was founded, as we claim, the oldest of our cities in the United States, and it was back in 1672 that the fort was constructed.

Mr. JENKINS of Ohio. Does the gentleman know why they gave it the name of Francis Marion or Fort Marion?

Mr. GREEN. I have not the details of that history.

Mr. JENKINS of Ohio. General Marion did not achieve any of his fame or distinction by any activities down in St. Augustine, as I recall.

Mr. GREEN. I recall none there. However, we have, I believe, named the county of Marion in Florida after General Marion, which, of course, would be adequate for his memory to be well maintained there.

Mr. JENKINS of Ohio. As I understood from the other gentlemen from Florida, this is not going to cost the Federal Government anything?

Mr. GREEN. There is no cost to the Federal Government, but it is keenly desired by the State, and I can see no objection to it.

[Here the gavel fell.]

Mr. ROBINSON of Utah. Mr. Speaker, I yield to the gentleman 1 additional minute.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. GREEN. I yield to the gentleman from Louisiana.

Mr. BROOKS. As I understand, the change of the name will indicate more correctly the historical situation in reference to the building and the history of this fort?

Mr. GREEN. That is precisely the contention of the State of Florida and the city of St. Augustine and all of us of Spanish ancestry in Florida.

Mr. LEWIS. Mr. Speaker, will the gentleman yield?

Mr. GREEN. I yield.

Mr. LEWIS. Is this the wish of all the members of the Florida delegation?

Mr. GREEN. I speak only for myself, and the gentleman from Florida [Mr. HENDRICKS] has spoken for himself, but I am sure there is no objection.

Mr. PETERSON of Florida. Mr. Speaker, will the gentleman yield?

Mr. GREEN. I yield.

Mr. PETERSON of Florida. I may state that while this is not in my district I am thoroughly in accord with the views of my colleague, and I may say that I might be one Member of the House, if it were justified, who would be the one to resent this change, as I am a native of South Carolina, Marion's State. I moved to Florida when I was young. This is a restoration to the Spanish period. If we were restoring to the English period it would be a different situation.

Mr. GREEN. I thank the gentleman.

Mr. ROBINSON of Utah. Mr. Speaker, I have no further requests for time, and I wish to state to the House that this bill was well considered by the committee and has the unanimous approval of the committee. We also have a report from the Department of the Interior recommending that the bill be passed.

Mr. COLE of New York. Mr. Speaker, I ask for recognition in opposition to the bill.

The SPEAKER pro tempore. The time is in the control of the gentleman from Utah, the chairman of the committee.

Mr. COLE of New York. Mr. Speaker, I understood the bill was being considered under the rules in the House as in Committee.

The SPEAKER pro tempore. No; the bill is being considered under the rules of the House. The bill is on the House Calendar and the time is in control of the gentleman from Utah.

Mr. COLE of New York. Mr. Speaker, will the gentleman yield me 2 or 3 minutes?

Mr. ROBINSON of Utah. Mr. Speaker, I yield 3 minutes to the gentleman from New York [Mr. COLE].

Mr. COLE of New York. Mr. Speaker, this bill was on the Consent Calendar for some time, and since I was one of the three who objected to its passage by unanimous consent I feel that I should make an expression of my position today.

The issue involved is very simple. It is a question of whether we shall rename a national monument which has been known for the past 100 years as Fort Marion and give it a new name which, so far as I know, is entirely unknown to those who understand the best part of American history.

Mr. HENDRICKS. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. If I can have some more time.

Mr. HENDRICKS. I just want to say that if we name it Fort Castillo de San Marcos we are not renaming it; it was renamed when it was named Fort Francis Marion. I remember that the objection raised before simply was this: That this is a good American name, and that the other may not be, but it should be remembered that all of Florida is tied up with a Spanish background and the only real American name in the United States is an Indian name. We have names all over the country that are not what the gentleman and I would consider American names.

Mr. COLE of New York. This fort may have been built by the Spaniards, but about 100 years ago, or shortly after we made the Florida purchase, the fort was given a name famous in the early history of those who built this country and opened the road to its later greatness. Fifteen years ago it was designated as a national monument, known as the Francis Marion National Monument. Today we propose to terminate this honor previously given the memory of the "Swamp Fox" and instead name the fort after one of the early explorers of this country. As I say, the issue is very simple. There may be some who do not have the reverence for the early names in American history that I have, and I do not by that intend to question the patriotism of those who favor this legislation. As far as I am concerned, I prefer to glorify and memorialize the names of the men who made this country great, who built it, rather than to memorialize those who discovered.

Mr. KEAN. Mr. Speaker, will the gentleman yield?

Mr. COLE of New York. Yes.

Mr. KEAN. Castillo de San Marcos means simply the Castle of San Marcos, does it not? It is not the name of one of the explorers.

Mr. HENDRICKS. Mr. Speaker, I have not studied Spanish, but I think that would be a liberal translation of it.

Mr. KEAN. I just wanted to correct the gentleman from New York, who said it was named after one of the early explorers.

Mr. HENDRICKS. Castillo de San Marcos did not build the fort.

Mr. COLE of New York. I understood the gentleman to say that San Marcos had built it.

Mr. HENDRICKS. Oh, no.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. ROBINSON of Utah. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the final passage of the bill.

The question was taken; and on a division (demanded by Mr. COLE of New York) there were—ayes 35, noes 23.

So the bill was passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

ORGAN PIPE CACTUS NATIONAL MONUMENT

Mr. ROBINSON of Utah. Mr. Speaker, by direction of the Committee on Public Lands I call up the bill, H. R. 2675, to permit mining within the Organ Pipe Cactus National Monument in Arizona.

The SPEAKER pro tempore. The Clerk will report the title of the bill.

The Clerk read the title of the bill.

The SPEAKER pro tempore. This bill is on the Union Calendar.

Mr. ROBINSON of Utah. Mr. Speaker, I ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection?

Mr. CASE of South Dakota. Mr. Speaker, I reserve the right to object. Can the gentleman state whether or not it is intended to offer any committee amendments in line with the suggestions of the Secretary of the Interior?

Mr. ROBINSON of Utah. No; we have no amendments to offer.

Mr. CASE of South Dakota. Will the gentleman state the attitude of the committee with reference to the effect of the passage of this bill on other national-monument areas?

Mr. ROBINSON of Utah. Mr. Speaker, in my opinion, it will have no effect on any future legislation. That is also the attitude of the committee. There is no precedent established by this. This has been done before with other monuments and there is no monument just like this, and no situation will ever arise similar to this. We think it will have no effect at all in establishing a precedent.

Mr. CASE of South Dakota. Can the chairman of the committee state whether the committee in its consideration of the bill gave any thought to the effect that it might have on spoiling or weakening the designation of national monuments as such, and whether or not, in lieu of this action, it would have been better to have proposed the changing of the Organ Pipe Cactus National Monument status to that of a national recreational area?

Mr. ROBINSON of Utah. That was given some consideration by the committee and also by the Senate, but it is thought that the problem will be best solved and entirely solved by the adoption of this bill as it is. I may say that the Department, after carefully going over the matter, seemed to think that this was the best solution of the problem and has no objection to the passage of the bill.

Mr. CASE of South Dakota. All we have had as to the attitude of the Department has been the letter from the Secretary of the Interior on the House report, which suggests that there should be a 7-year limitation, and the letter from the Secretary on the corresponding Senate bill, which suggests that a national recreational-area designation be made rather than a national monument. My only reason for raising this question is that all of us who are in areas where there are national monuments have this problem of mining coming up, and we also have the problem of maintaining the integrity of national-monument areas. I am sure the gentleman from Utah [Mr. ROBINSON] is aware of the problem involved as to how when we set up an area for national-monument purposes, we can protect it for national-monument purposes, and at the same time where there is a mineralized zone, make it possible to remove the minerals without destroying the basic purposes of the national monument.

Mr. ROBINSON of Utah. I appreciate the problem the gentleman suggests, and, of course, the Western States all have this problem. In my opinion, this, in a way, is a start, at least, on the solution of that problem.

Mr. CASE of South Dakota. Of course, I do not want all the debate to take place under this reservation of objection. I would like to ask the chairman of the committee if he will recognize several Members on this side who want to raise other questions in the debate on the bill.

Mr. ROBINSON of Utah. I will be glad to.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I make the point of order that the report of the committee does not comply with the Ramseyer rule.

The SPEAKER pro tempore (Mr. WHITTINGTON). Does the gentlewoman desire to be heard on the point of order?

Mr. MICHENER. Mr. Speaker, I would like to be heard on the point of order.

The SPEAKER pro tempore. The gentleman from Michigan is recognized.

Mr. MICHENER. Mr. Speaker, my attention has just been called to the matter. I have not read the bill and I have not had time to read the report, but as I understand from talking with Members—especially the gentleman from South Dakota [Mr. CASE], who generally is familiar with these matters—this committee report does not call attention to statute law which is repealed by this bill.

Mr. ROBINSON of Utah. As I understand it, there is no law repealed. We are enacting a new law. I do not think the Ramseyer rule applies to this bill.

Mr. MICHENER. Of course, that would be a question for the Chair, but my contention is that the Ramseyer rule contemplates that the House shall be fully advised as to whether or not proposed legislation makes any change in existing law. That is the foundation of the Ramseyer rule. The Ramseyer rule provides that if such changes are made, then it becomes the duty of the committee reporting the bill to call specific attention in its report to the law so changed. If the proposed legislation does repeal or modify existing law, then surely the purpose of the Ramseyer rule is to have the committee report so advise the House. This committee report makes no such reference.

Mr. ROBINSON of Utah. Mr. Speaker, in my opinion this does not change any existing law. I would also call attention to the fact that national monuments are created by Executive order. They are not created under a separate act or law. By Executive order this monument is created. All we are doing now is making a different law entirely from what exists at the present time with reference to this particular monument that was established by Executive order.

Mr. MICHENER. If this proposed change could be made by Executive order, then it should be done by Executive order; but if this law is enacted it will change that which is today the law of the land, because if an Executive order has any effect whatever it is by virtue of statutory authority; and if the Congress overrides an Executive order and enacts a new law which in effect repeals existing law, then I think the Congress is entitled to be so advised in accordance with the Ramseyer rule.

Mr. ROBINSON of Utah. I think the gentleman is correct, but this bill does not do that.

The SPEAKER pro tempore (Mr. WHITTINGTON). The Chair is ready to rule.

The resolution under consideration does not provide, as required by the Ramseyer rule, for any amendment or repeal of existing legislation.

The point of order is overruled.

Is there objection to the request of the gentleman from Utah that the bill be considered in the House as in Committee of the Whole?

Mrs. ROGERS of Massachusetts. Mr. Speaker, reserving the right to object, will the chairman of the committee yield me 10 minutes? I shall not object if I be given 10 minutes and other Members on this side be given the time they desire.

Mr. ROBINSON of Utah. I have already told the Members on that side, I may say to the gentlewoman from Massachusetts, that they could have such time as is reasonable.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah [Mr. ROBINSON], that the bill be considered in the House as in Committee of the Whole?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That within the Organ Pipe Cactus National Monument in Arizona all mineral deposits of the classes and kinds now subject to location, entry, and patent under the mining laws of the United States shall be, exclusive of the land containing them, subject to disposal under such laws, with right of occupation and use of so much of the surface of the land as may be required for all purposes reasonably incident to the mining or removal of the minerals and under such general regulations as may be prescribed by the Secretary of the Interior.

Mr. ROBINSON of Utah. Mr. Speaker, I move to strike out the last word.

I just wish to say to the House that this bill was very carefully considered by the committee. It was recommended by the Department that a limitation of 7 years be placed on the time that would be permitted for mining in this monumental area. However, the committee took the view that there should be no limitation, because the bill itself surrounds the monument with such protection that it is not necessary to limit the time.

I call the attention of the committee to the fact that in this monument there will be no one obtain title to any land. All this bill does is to give a right to occupy or use the surface for the extraction of minerals, and this must be done under such general regulations as may be prescribed by the Secretary of the Interior. The Secretary of the Interior has complete supervision and jurisdiction over these areas. As long as this is in his hands and under his regulation the committee took the position that there need be no fear of any injury to this monument.

The people of Arizona feel there are ore deposits in this monument which could be taken out. Before I proceed further let me say that this monument covers an area of some 425 square miles, a rather large part to be carved out of any State. This large area is set aside for the purpose only of displaying to the public and preserving to our posterity certain remarkable growths of cacti which are indigenous to this region and are called the organ pipe cacti. In view of this it seems only a reasonable request to ask that people be permitted to mine in this area when they must do it under the regulations prescribed by the man who is designated by the President to take care of, look after, and preserve these national monuments.

So I think all the arguments that have been made against this bill by various associations are entirely based on the wrong premise because they have not understood the bill.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. ROBINSON of Utah. I yield.

Mrs. ROGERS of Massachusetts. I notice that the Arizona Wild Life Federation is opposed to this bill.

Mr. ROBINSON of Utah. I believe every wildlife association in every State in the Union has objected to this bill, but I believe their objection comes from the fact they do not understand the purport of the bill. They go on the assumption that what we are doing in this bill is to break down all precedents established by this department so far as national parks are concerned; and that is not what we are doing. We are simply providing for a particular situation that happens to exist in Arizona, a situation which should be taken care of, one which the Park Service and the Department of the Interior have admitted should be taken care of; and we are doing it in a way that should not interfere with the scenic beauty or anything else pertaining to this monument. These people by the hundreds who have written letters to the Members of Congress, to all Members as a matter of fact, do not in my opinion understand this legislation.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield further?

Mr. ROBINSON of Utah. I yield.

Mrs. ROGERS of Massachusetts. I understand the experts think it would be unfortunate to initiate mining operations there now, that it is their belief so far as the national defense is concerned, it is important to leave these minerals there as a future reserve.

Mr. ROBINSON of Utah. I cannot agree with them. If there is ever a time we need strategic minerals it is now, not 100 years from now.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. ROBINSON of Utah. I yield.

Mr. MURDOCK. To answer the question raised a moment ago by the gentlewoman from Massachusetts wherein she expressed the idea that all chapters of all wildlife organizations are opposed to this bill, I may say I have in my hand here a letter from the State game warden of Arizona, on the stationery of the Arizona Game and Fish Commission, heartily approving my bill. He is the highest official in the State of Arizona on that commission. I should be glad to have the gentlewoman from Massachusetts read this letter as a partial answer to her question. I have a high respect for the gentlewomen's efforts to protect human life on our highways and in other ways and I am usually glad to cooperate with her in such endeavors. I am also glad to cooperate with her in preserving our wildlife. This bill is not inconsistent with my usual attitude.

Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. ROBINSON of Utah. I yield.

Mr. COLE of New York. The gentleman made reference to the fact that the National Park Commission had urged the adoption of this measure.

Mr. ROBINSON of Utah. I did not say urged it, I said they agreed that this was a proper solution to the problem that exists in this monument.

Mr. COLE of New York. Then the National Park Service approves this bill, I understand?

Mr. ROBINSON of Utah. I understand so, but they want an amendment limiting it to 7 years.

[Here the gavel fell.]

Mr. CASE of South Dakota. Mr. Speaker, I rise in opposition to the pro forma amendment.

Mr. Speaker, the problem that is sought to be met by this bill is one that crops up in practically every one of the public land States where there are national monuments containing mineral deposits. It crops up in national monuments, in recreational areas, in grazing areas, in forest areas, where wildlife or game refuges have been established. We had a problem similar to this in the Harney National Forest in connection with a wildlife sanctuary.

There is a fundamental distinction between a forest area, a park area, a monumental area, and a recreational area, with which the gentleman from Utah and the members of the Public Lands Committee are probably more familiar than I. A national forest is a multiple purpose proposition. National parks and monuments have not been. The National Forest Service contemplates that a forest may be used for recreation, for timber operations, and for mining; and you can locate mining claims in national forests but you cannot in national parks. There is one exception in forests, the wildlife sanctuaries which cannot be mined unless a special system of permits has been set up.

Such a solution has been worked out in a wildlife sanctuary within a forest in my district. The proposal before us, apparently, would authorize a permit system for prospecting and ore removal in a national monument.

The question that seems to me to be fundamental here is whether or not we are destroying a category which has been established for the maintenance of public monuments or parks in their native state. I was impressed by the suggestion made by the Secretary of the Interior, Mr. Ickes, in his letter to the Senate on a companion bill there, in which he stated:

> If, however, the Congress wishes to make this national monument a less restricted type of reservation by opening it to additional prospecting and mining, I recommend that the classification of the area be changed to that of a national recreational area.

As I understand it, that recommendation of the Secretary would have no effect so far as destroying the purposes of preserving the cactus and the scenic areas are concerned, but would permit mining to be carried on. What bothers me in connection with this bill is how the Congress or how the President by Executive order can hereafter set up or establish a monument area which will not be subject to or open to mining. How can you set aside an area and insure that it will not be open to the same change for which this legislation would provide a precedent?

Mr. ROBINSON of Utah. Will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman.

Mr. ROBINSON of Utah. This bill has no effect whatever on any other monument area?

Mr. CASE of South Dakota. No; it has no effect on any other monument area, so far as this bill is concerned, except that it establishes a precedent by saying that we will permit mining within a particular national monument.

Mr. ROBINSON of Utah. I pointed out previously it does not establish a precedent.

Mr. CASE of South Dakota. It does not by this act say that you can do it in any other national monument area, but it does destroy the understanding that in national monuments we had a category in which mining would not be permitted.

Mr. ROBINSON of Utah. That does not exist.

Mr. CASE of South Dakota. The proposal of the Secretary of the Interior that the classification be changed to a national recreational area would place this area in a category of public lands which does permit mining. What I am afraid is that if we open the area to mining and leave the mounment designation we will have destroyed the understanding that areas can be protected and preserved in their native state by having them designated as national monuments.

Mr. ROBINSON of Utah. I stated previously that we have done that prior to this time in two or three instances. This is not the first time. It is the usual thing.

Mr. MURDOCK. It has been done in five different instances.

Mr. ROBINSON of Utah. Five times this very thing has been done. With reference to recreational areas, it seems to be a little inconsistent to call a wild area in Arizona 450 square miles in extent a recreational area. That does not seem consistent to me.

Mr. CASE of South Dakota. I am not familiar with the area. I am just raising the question that was brought up by the Secretary of the Interior.

[Here the gavel fell.]

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent to proceed for 1 additional minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota [Mr. CASE]?

There was no objection.

Mr. ROBINSON of Utah. I thoroughly agree with the gentleman's position that some law should be passed with reference to recreational areas and possibly some law would have been passed had it not been for some members of the committee and myself, who feel that when a law comes to Congress it should come for an individual or separate area and not be a general law which will apply to all areas.

Mr. CASE of South Dakota. I am glad to have the gentleman make that statement. I am glad to make it clear, too, that I am just as much interested as anyone can be in having a proper development of mining in the western areas where it is possible. It is merely a question of how we can protect certain areas for monument purposes without getting ourselves all tangled up by breaking down the distinctions between these different categories of public reservations.

Mr. WHITE. Will the gentleman yield?

Mr. CASE of South Dakota. I yield to the gentleman.

Mr. WHITE. Does not the gentleman have a rather wide stretch of the imagination if he thinks that prospecting in this area was constituted solely to protect from desecration cactus growing in great arid sections of the country, to protect them from the vandalism of tourists, to close that country up and close valuable deposits?

Mr. CASE of South Dakota. That is the gentleman's imagination, not mine. I have not taken that view at all.

Mr. WHITE. What does the gentleman think is the purpose of this legislation?

Mr. CASE of South Dakota. It is to make prospecting and removal of ore possible in the Organ Pipe National Monument. This legislation will not destroy the cacti. I am merely concerned with preserving the fundamental distinctions between the various categories of western land so that when an area is designated we will know what can or cannot be done with it.

[Here the gavel fell.]

Mr. WHITE. Mr. Speaker, I ask unanimous consent that the gentleman's time may be extended 2 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho [Mr. WHITE]?

There was no objection.

Mr. WHITE. To put the matter squarely up to the gentleman, the purpose of this monument originally, as I understand it, and I have been through that area, was to protect from despoliation scattered cactus plants in a very arid section of the United States that may be underlaid with huge deposits of valuable mineral.

Mr. CASE of South Dakota. I think that can be done under the legislation proposed. I have not raised that question.

Mr. WHITE. Is there any objection in that situation to permitting the exploration of this land under the mining law?

Mr. CASE of South Dakota. I have no objection to that, and I have not raised an objection against that. It is merely as to what we are going to mean when we say that this is a national monument area, what we are going to mean when we say this is a national recreational area, and what we mean when we say this is a national forest or that it is a wildlife sanctuary. I feel that there should be some category into which an area can be placed with some assurance that the fundamental purposes will not be violated. If circumstances call for changing the purposes to be served, then I think it is in order to consider changing the classification of the area.

Mr. WHITE. As I understand, this came about in making a title to the bill. It stated it was a recreational bill.

Mr. CASE of South Dakota. It is not the title of the bill I am concerned with. It is the designation of a portion of the public domain and the laws that subsequently become applicable thereto.

Mr. WHITE. Does the gentleman accept the position of the chairman of the committee that when legislation is brought in it should be made applicable to each individual unit, instead of there being general legislation extending over the country?

Mr. CASE of South Dakota. I would not want any legislation that would open up all national monuments to mining without respect to the circumstances involving each one.

Mr. WHITE. Then the gentleman agrees with the chairman of the committee that legislation of this kind should be applied to the separate units as each case arises.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Speaker, I move to strike out the last two words, and ask unanimous consent to proceed for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to include as a part of my remarks a list of organizations opposed to this bill, an editorial from Outdoor America, an editorial from Nature magazine, and an editorial from the Christian Science Monitor.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, part of the editorial from Nature magazine reads as follows:

> Within our memory no issue has so unified conservationists — individually and collectively—as has opposition to the Hayden-Murdock bill "to permit mining within the Organ Pipe Cactus National Monument in Arizona." This undoubtedly arises from the questionable character of the proposal, and from an aroused sentiment for the protection of national parks and national monuments against unjustified exploitation in a period of emergency.

May I state here, Mr. Speaker, that I am informed no Government national-defense organization or group like O. P. M. has asked for the passage of this legislation.

Mr. WHITE. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I am sorry; I cannot yield now. I will yield later.

Mr. WHITE. I should like to inform the lady on that point.

Mrs. ROGERS of Massachusetts. It seems to me that this cannot be considered in the light of a national emergency measure.

This editorial speaks further of the rather unusual and extremely important animals in this park which would be affected by mining in the park.

Mr. MURDOCK. Mr. Speaker, will the gentlewoman indicate the animal life to which she refers?

Mrs. ROGERS of Massachusetts. Let me read this from the editorial:

> The Organ Pipe Cactus National Monument comprises 300,000 acres of outstanding Sonoran Desert country. It supports several bands of desert bighorn sheep, a species seriously in need of protection.

Mr. MURDOCK. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Arizona.

Mr. MURDOCK. I may say that the bighorn sheep are protected in southwestern Arizona in another area not coinciding with the Organ Pipe Cactus National Monument. This area was but recently established. The protection of the bighorn sheep does not relate at all to the problem in this area.

Mrs. ROGERS of Massachusetts. I think the gentleman is mistaken in this. Experts tell me that it does, I may say to the gentleman from Arizona. I know the gentleman's great interest in the preservation not only of wildlife but of human life. I know of his interest in protecting human life on the highway.

I quote now from the Christian Science Monitor:

With all due respect to the motives of those who propose the bill, these people surely do not realize the consequences of mining operations in a desert region where, experienced conservationists say, any change in the delicate balance of Nature may destroy forever important natural features of Uncle Sam's most spectacular cactus garden. Mining, however short-lived, would be extremely detrimental to plants and animals in the region. Vegetation would be used as fuel. Water resources would be dammed up. Animals would be driven away.

I have talked with experts on this matter, and they assure me that the Christian Science Monitor is correct.

Mr. William P. Wharton, president of the National Parks Association, writes me as follows:

Recent scientific study of the Organ Pipe Cactus National Monument has produced concrete evidence to support the public contention that this area should remain intact and inviolate. The monument is far more significant than its name implies. It contains a wide variety of unusual plants and animals. It is the finest stretch of arboreal desert and the only area of its kind in the United States that is both diverse and large enough to maintain the original biotic community. First-hand reports show that the continued existence of the native plant and animal associations depends upon preservation of the entire area in essentially unmodified condition.

Those who seek to have the area opened for additional prospecting and mining have tried to minimize its importance to the public by saying that very few persons ever go there. National Park Service records indicate that, despite its remote location on the Mexican border and its lack of facilities, the monument had 9,780 visitors during the travel year ending September 30, 1941.

In its reports to Congress, the Interior Department states that the area now within the monument has been prospected since the Spanish era of southwestern occupation, but no important mines have been produced and no mines are being operated therein today. The Geological Survey has determined that it is not a highly mineralized area and that no mineralization has been found there which resembles in any respect the type of copper deposit found a few miles north of the monument at Ajo, Ariz.

The Ajo interests themselves have never found any commercially important deposits within the monument area.

The proposal of a group of small mine operators in Arizona to throw open the Organ Pipe Cactus National Monument to unlimited prospecting and mining is not only made in disregard of the above facts but is contrary to the settled policy of Congress. With few exceptions, the Federal Government has provided that further mineral development be forever excluded from such areas. However unproductive prospecting turned out to be in this instance, it would be extremely detrimental to the natural conditions and features, preclude the establishment of a normal game population, and greatly increase the difficulties of patrolling the area to maintain adequate protection and prevent poaching. Mining would have a particularly adverse effect on the natural conditions of a desert area, where the delicate balance of nature is easily upset by man-made developments.

Any compromise proposal to permit mining within this particular monument for a limited number of years would be harmful to the natural features. It would nullify the purpose for which the monument was originally established to protect a remarkable Sonoran Desert area of more than 300,000 acres from impairment by destructive land uses.

Conservation interests in Arizona are supporting the position of many national organizations against emasculation of the Organ Pipe Cactus National Monument and consequent danger to protected Federal reservations in every State of the Union. Disinterested groups throughout the country agree that there is no justification, even on the basis of national defense, for permitting the proposed encroachment of mining on this unique reservation. They point out that the ravages of war in other parts of the world make it all the more imperative that the superlative natural areas of the Western Hemisphere be preserved intact for the universal benefit and enjoyment of future generations. On April 7 of this year, the United States ratified an international treaty on nature protection and wildlife preservation in the American republics. It is incumbent upon this Nation to fulfill the pledges given in that treaty and to set a consistent example for its Latin-American neighbors by safeguarding our natural heritage.

Editorial statements from Outdoor America, Nature magazine, and the Christian Science Monitor are appended to this letter, together with a list of 21 organizations which have registered their opposition to the companion bills H. R. 2675 and S. 260.

The letter is signed by William P. Wharton, president, National Parks Association.

Following are the editorials from Nature magazine, the Christian Science Monitor, and the magazine Outdoor America, as well as the list of organizations opposed to the bill:

[From Nature magazine for October 1941]

KEEP THE MINES OUT

Within our memory no issue has so unified conservationists—individually and collectively—as has opposition to the Hayden-Murdock bill "to permit mining within the Organ Pipe Cactus National Monument in Arizona." This undoubtedly arises from the questionable character of the proposal, and from an aroused sentiment for the protection of national parks and national monuments against unjustified exploitation in a period of emergency.

The Organ Pipe Cactus National Monument comprises 300,000 acres of outstanding Sonoran Desert country. It supports several bands of desert bighorn sheep, a species seriously in need of protection. Its flora is unusual and its significance as a biotic community unsurpassed. It is, therefore, properly a national monument.

The proposal for permission to mine within the area is unjustified by facts. Prospecting and mining carried on before it achieved its present status proved futile. No evidence has been presented to indicate that it holds mineral deposits of commercial value, emergency or otherwise.

Letting down the barrier in this case would seriously affect the wildlife and plant life in the area. It would prevent the development of a normal population of game animal life. It would increase the difficulties of protection of the area.

Even more important than these considerations, however, is the trend that this bill represents. As a people we have wisely set aside national parks and monuments for posterity. We have protected them against improper exploitation. We have made them wildlife sanctuaries where nature is king. We have built up a wise policy with respect to them. We cannot permit such invasions of these areas as the Hayden-Murdock bill seems to make unless it may be proved to be unquestionably in the public interest. This immediate proposal is quite the contrary.

The Hayden bill, S. 260, has already passed the Senate; but the companion Murdock bill, H. R. 2675, is still pending before Congress. See to it that your Congressman and Senator know that you stand for the protection of national parks and monuments.

[From the Christian Science Monitor of July 11, 1941]

MINING A PARK

What has been called the finest arboreal desert in the United States may be despoiled if a bill to permit mining in the Organ Pipe Cactus National Monument in southern Arizona passes the House of Representatives.

The sponsors of the bill which has already passed the Senate say that mining would unlock a great mineral wealth in this unexcelled desert area at a time of national emergency. But the United States Geological Survey, which has ample data on the location of minerals whose development is needed, reports that this is not an important mineralized locality. Moreover, the Organ Pipe Cactus National Monument has been prospected since the Spanish era with no important results, according to the United States Department of the Interior.

With all due respect to the motives of those who propose the bill, these people surely do not realize the consequences of mining operations in a desert region where, experienced conservationists say, any change in the delicate balance of nature may destroy forever important natural features of Uncle Sam's most spectacular cactus garden. Mining, however short-lived, would be extremely detrimental to plants and animals in the region. Vegetation would be used as fuel. Water sources would be dammed up. Animals would be driven away.

The monument extends over 516 square miles of desert mountain range and plain—miles filled with long-armed organ pipe cactus, the torch-like clumps of senita or whisker cactus, the fantastic tree cholla, the delicate-leaved palo verde and the giant saguaro cactus. Among these live an estimated 500 javelinas or wild hogs, desert mountain sheep, desert antelope, the rare burro deer, and the sinaloa or Mexican deer.

The United States can fill its mineral needs, even emergency needs, from other sources more readily than it could replace these resources.

[From Outdoor America for May–June 1941]

NATIONAL MONUMENTS THREATENED BY MINING BILLS

As we have stressed from time to time, it is to be expected that under the guise of national-defense needs, all manner of bills for questionable projects would be presented to the Congress—bills that ordinarily would not get to first base on their own merits.

The Murdock bill, H. R. 2675, "To permit mining within the Organ Pipe Cactus National Monument in Arizona," has been favorably reported out by the House Committee on the Public Lands. Its companion measure, S. 260, by Senator HAYDEN, has been passed by the Senate.

The Izaak Walton League joins with the National Parks Association, the Ecological Society of America, and others, in protesting against enactment of this legislation. The reasons: Investigations of the Ecological Society, in cooperation with the National Park Service, reveal that prospecting and mining within the area over a long period of time previous to its being established as a national monument failed to produce evidence of important minerals.

Organ Pipe Cactus Monument contains not only many unusual species of flora and several bands of desert bighorns in need of protection but also a wide variety of plant and animal species peculiar to that region.

Established in 1937, it is highly significant as offering preservation of an outstanding example of the Sonora Desert.

Opening this monument to commercial exploitation will set up a precedent for economic use that not only cannot be justified but which threatens the entire system of national monuments and national parks. To our mind, these bills are dangerous and their implications far reaching. Even though ostensibly they do not bear the stamp of national defense, present confused conditions make the opportunity ripe for mining interests to get a foothold in protected Federal areas under the stress of emergency economic needs.

Organizations opposed to the bills H. R. 2675 and S. 260, "To permit mining within the Organ Pipe Cactus National Monument in Arizona": American Alpine Club; American Nature Association; American Planning and Civic Association; American Society of Landscape Architects; American Society of Mammalogists; Arizona Wildlife Federation; California Roadside Council; Colorado Mountain Club; Connecticut Forest and Park Association; Conservation Council, Illinois; Ecological Society of America; Everglades National Park Association, Florida; Federation of Western Outdoor Clubs; Izaak Walton League of America; Massachusetts Forest and Park Association; National Audubon Society; National Parks Association; Natural History Museum, San Diego, Calif.; Outdoor Writers' Association of America; Sierra Club, California; and Wilderness Society.

I have read the report of the Secretary of the Interior on this measure. Certainly his report is not an endorsement of the measure.

Mr. Speaker, I believe that legislation of this sort would very materially handicap the setting aside of national parks. If this bill goes through, the protests from all over the country will be very great. I earnestly hope, Mr. Speaker, much as I admire and like my colleague from Arizona, this measure will be defeated. I think it is not in the interest of national defense and would be very detrimental to our wildlife and flora preservation in the Nation.

[Here the gavel fell.]

Mr. MURDOCK. Mr. Speaker, I rise in opposition to the pro forma amendment, and I ask unanimous consent to proceed for 10 minutes.

The SPEAKER pro tempore (Mr. THOM). Is there objection to the request of the gentleman from Arizona?

Mr. COLE of New York. Mr. Speaker, reserving the right to object, I simply do so to ask the gentleman if he will tell the House the real reason for this bill. If it is true that this territory has been prospected for the last 400 years and nothing has been found, what is the reason for going in there and prospecting now?

Mr. MURDOCK. We want this bill passed because we believe there is mineral wealth there which ought to be found. I want to call the gentleman's attention to the fact that the region around Ajo, which is just to the north of this monument, was also prospected by Spaniards for about 400 years, but it remained for Arizona prospectors to find the second largest copper mine in our State, a mine which was developed by Col. John C. Greenway, whose widow afterward served in this House as my predecessor. I want to say that the same length of time was spent in prospecting before Ajo was discovered, but it was discovered and there may be other Ajos, in spite of expert opinion to the contrary. Do not forget that Spaniards looked for gold in California for centuries but Americans made the big discovery about 1848.

Mr. COLE of New York. How long ago was Ajo discovered?

Mr. MURDOCK. Col. John C. Greenway developed that great mining camp about a quarter of a century ago.

Mr. COLE of New York. And since that time has not this territory also been prospected?

Mr. MURDOCK. No doubt there has been some prospecting, but I call the gentleman's attention to the fact that this is an enormous area. It is more than 300,000 acres or more than 425 square miles locked up now against any prospecting. So there has been no prospecting since the Executive order which created the monument, and that is exactly what thousands of mining men in Arizona are objecting to. It is to unlock this area that we want to pass this measure.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. MURDOCK. Mr. Speaker, I am interested in what the gentlewoman from Massachusetts has just said, referring, as she did at the time, to the Christian Science Monitor and indicating, as she has, that quite a number of organizations are opposed to this measure. I think such organizations are unjustly opposed to it and without due grounds for opposition.

Some of the opposing contentions offered here seem as absurd to me as it would be if I should propose legislation declaring that the moon is made of green cheese. If I should propose such a suggestion, I am sure that more than 21 dairy organizations throughout the country would rise up in opposition, thinking it might have some effect upon the price of cheese. Some sentimental persons with a good idea are in this case unreasonably overdoing a good thing.

It is said that mining or prospecting in this area would disturb animal life as well as plant life. I must say to the gentlewoman from Massachusetts that she is distinctly in error, regardless of her information, concerning the protection of our mountain goats or the bighorn sheep. Just recently a large area, a very large area, in Yuma County, Ariz., was set aside for the protection of our rare specie of bighorn sheep. In general I favored it. I want to say, though, in this connection that when the area was first blocked out by officials here in Washington it was four times the present area. The Department said, "We want to protect native palms of Arizona and this rare specie of bighorn sheep." Of course, all of us in Arizona wanted to protect those two things, and I worked with sportsmen, Boy Scouts, and other organizations toward that end. However, we objected to so large an area being included. A conference was held, and men came from Arizona, meeting with the Department officials, and we found that to the best interest of all concerned the areas could be reduced. They were reduced and a separate protection has been afforded. The Kofa Mountains, containing the bighorn sheep, are 100 miles away to the northwest, so there are no mountain sheep in the Organ Pipe Cactus National Monument needing protection in it.

Mr. ROBINSON of Utah. Mr. Speaker, will the gentleman yield on that point?

Mr. MURDOCK. I yield to the chairman of the committee.

Mr. ROBINSON of Utah. I just want to state to the House that the first time that the committee or I as a member of the committee or any other member of the committtee heard about any animal life in this particular area was from the National Parks Association. The National Parks Association is a private concern and has nothing whatever to do with the Park Service. It is simply an organization that investigates some of these matters with its own funds, I take it, and on their own time, and reach their own conclusions. After hearing the resolution and reading their letter, I have doubted if any of this association or anyone who wrote that letter is really interested in saving this particular area.

Mr. MURDOCK. The gentleman is right. I, too, have received protests from the National Park Association, and I also have received protests from Phoenix, Ariz., from some of my own former students, who are interested, as I am, in cactus life. Their protest was made because they misunderstood the situation. The secretary of the National Parks Association has never been in that area. He was in my office recently and admitted, after looking at a picture on my wall of a cactus growth, that he had never seen such a thing before. I wonder how you folks from the East would feel here if I should object to legislation that pertained to your seaports in New York or New England, about which I know next to nothing.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MURDOCK. The gentlewoman will excuse me, my time is so limited. It is asked why this is desired. Arizona is one of the great mining States of the West. Much mineral wealth has been taken from its area already, but I feel that there are vast untouched resources throughout the State. However, we will never get them unless prospecting is permitted. Prospecting will not interfere with the area, for the prospector naturally wants to keep as far away from a cactus as possible. God knows there is not anyone living who wants to preserve the desert growth of Arizona more than I do. I have written textbooks for the schools of Arizona and I have stated therein that the State flower for Arizona is a cactus blossom. Many Members of the House saw me present our State flower here a few weeks ago, sent by the Governor of Arizona for your inspection. Of course, I want to preserve the organ-pipe cactus and also the saguaro cactus, and every other cactus growth, but I say to you that not 15 percent of this vast area now locked up in this monument is covered by this rare growth. In other words, when the Executive order was issued, it set aside 425 square miles, which

was for the protection of the organ-pipe cactus. Yes; and I favor some such move; but at least five or six times the amount of area was included as should have been included.

It has been said here that this would create a precedent if we should pass this bill. Nothing of the kind. I hold in my hand a public law passed June 13, 1933, which permits this very thing in Death Valley National Monument in California. I point out here in a letter from Mr. Newton D. Drury, Director of the Park Service, dated June 7, 1941, that he lists the following where mining and prospecting are permitted: Mount McKinley National Park, Alaska; Death Valley National Monument, Calif.; Glacier National Monument, Alaska, and certain portions of Olympic National Park, Wash. Further down he says that prospecting and mining are permitted in Boulder Dam national recreational area, except with the wildlife refuge. In other words, parks, monuments, and recreational areas, five of them, are enumerated here by the Park Service, which are now open to prospecting and mining. All we ask is that this area in Arizona which may contain mines such as at Ajo, shall be looked into, so that if there be mineral wealth there, at least we can get it.

In other words, we are not asking for a new thing. We are asking you to make this area in Arizona the sixth, five having preceded it, of a similar nature. It is not our desire to destroy cactus growth. Miners simply go out there, and if they find anything they create a mine. If they do not they will do no harm. I say to you frankly that the bill provides that if any prospecting or mining is done it shall be done according to the rules and regulations prescribed by the Secretary of the Interior, and that ought to be protection enough for the area.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MURDOCK. Yes. I shall be glad to yield now.

Mrs. ROGERS of Massachusetts. But it is proved that prospecting and mining would dam up the waters, and the cattle could not live there.

Mr. MURDOCK. Oh, no; prospecting or mining would not have any effect upon cattle or animal life. There are no large streams in this land, for it is all desert country; there is nothing there but dry washes. At Ajo, on the border of this, they dug down 650 feet below the surface to get water. Their unique pumping plant is almost an underground village reached by an elevator. That is what Colonel Greenway has done. There are no streams in that area to dam.

Mr. REES of Kansas. Mr. Speaker, I have a great deal of respect for the opinion of the gentleman from Arizona and his enthusiasm regarding this problem. However, I notice that the report does not offer much encouragement. It says that Government geologists have examined this area and they do not seem to make a very favorable report. I am glad to have the opinion of the gentleman from Arizona.

Mr. MURDOCK. Perhaps the Service is not too enthusiastic about the proposal, for in general they do not want mining on such areas. But each case should rest on its own merits. In this case mining will do no harm to the other worthy use any may do much good. Mining men in Arizona, particularly the small mine operator associations at Ajo, Tucson, and even at Prescott, two or three hundred miles away, together with experts at the School of Mines of Arizona, firmly believe that there is mineral wealth in this extensive area.

Mr. REES of Kansas. I was just hoping that it would not create a sort of a prospecting outfit that might go in there and destroy the land and tear things up; a sort of speculation that might be carried on rather than an honest investigation. Is that not the way it works out generally, that some company is organized and goes in there to prospect, and they go away and leave the property more or less destroyed? What protection is there against that?

Mr. MURDOCK. No; not in this proposed prospecting. The gentleman may be thinking of sad cases of uncontrolled lumbering, or such exploitation. Such destruction would not result here. The West has been made very largely by prospectors, often risking their lives to find earth's hidden treasure. Of course, if there is real wealth there a small mine may grow into a large mine, but two essentials are necessary: To find a large deposit of mineral, and then to develop a mine. My bill seeks to prevent the foreclosing forever of this vast area to those two possibilities. This bill should be passed.

[Here the gavel fell.]

Mr. WHITE. Mr. Speaker, I move to strike out the last two words.

Mr. Speaker, as a member of the Committee on Public Lands—and I hope the young lady from the State of Massachusetts [Mrs. ROGERS] will listen to this, because I think she needs a little information—I was a member of the committee which reported the original bill out. I also have been able to do something that a great many Members of this House have not been able to do. I have traveled through this area in coming east from California. I know something about it. I have lived in the West for 50 years. I hope that some day the lady from the great State of Massachusetts, the seat of learning, the great university center, will have an opportunity to go through this country and form some opinions for herself about this desert, where there is not a drop of water, and where many people have perished of thirst. In going over this area once in a while we find one of these huge cactus plants. The lady would find a few of them in a little patch and then for 5 or 10 or 15 miles there will be none at all. The lady might see a few horned toads, but she will not see any animal life or vegetable life. She will see a desert. The atmosphere is rarefied, and it is a wonderful place to see, but there is not much to look at.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. WHITE. I yield briefly.

Mrs. ROGERS of Massachusetts. I have traveled over a great deal of the West. It is very beautiful in a different way from New England, and I have a great interest in preserving that. That is why I am interested in this bill.

Mr. WHITE. I thank the lady. I also call the lady's attention to the great town of Boston that has made so much money from the copper mines of the West. It is Boston and New York capital that has gone out there and is pulling in a stream of money from the Western States. If we have the kind of legislation that the lady and her great Christian Science Monster advocate—I said "Monster," but I meant "Monitor"—we would not have much in the way of development.

In considering the original bill, it was explained to us that people went out and cut down these big cactus; for a little pittance they despoiled these fine cactus plants and exploited this desert growth. When that was told us, we thought they should be preserved, and we voted to turn them over to the Secretary of the Interior, but we had no idea we were going to lock up the vast mineral resources of this section from further development. The Government's liberal mining policy is what has made this country great. Developing our mineral resources in this country is why the European powers are now on their knees begging us to come with the things we have dug from the soil and fabricated into weapons and munitions of war for their rescue. If we had the kind of program the lady advocates, they would not be asking us for anything. We would be like the backward countries of Ethiopia and Manchuria, where they had conservation to the *n*th degree. The Japs moved in on Manchuria and the Italians moved in on Ethiopia to develop the resources that they have left locked up.

I would like to call attention to the fact that it is a few of these sentimentalists who have never even put foot on this land who want to come in and tell us how to develop the West. Let us go back to the policies of the great leaders in this House and in this Nation in the past that have given us laws that have made us what we are. Let us continue that policy.

Let me tell the young lady right now that she has probably had a hand in appropriating money for the Bureau of Mines to go forth in the western mountains and look for strategic metals, for which we now have to go to Turkey for our chrome and to China for our tungsten; and let me tell the lady that over in the State of Idaho, in the district which I have the honor to represent, in a country that has been prospected for 100 years, or since they struck gold in 1860, the Bureau of Mines has gone in and found one of the largest tungsten deposits known to exist in the United States. We are busy now with plans to get it out that we may have it in our defense program. Over in Montana we have deposits of chrome, which is only now, under the emergency of defense, being opened and put into production.

[Here the gavel fell.]

Mr. ROBINSON of Utah. Mr. Speaker, I move the previous question on the bill to final passage.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and on a division (demanded by Mrs. ROGERS of Massachusetts) there were—ayes 44, noes 8.

So the bill was passed.

A motion to reconsider was laid on the table.

Mr. ROBINSON of Utah. Mr. Speaker, I ask unanimous consent to vacate the proceedings by which the bill (H. R. 2675) was just passed, and substitute an identical Senate bill (S. 260).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That within the Organ Pipe Cactus National Monument in Arizona all mineral deposits of the classes and kinds now subject to location, entry, and patent under the mining laws of the United States shall be, exclusive of the land containing them, subject to disposal under such laws, with right of occupation and use of so much of the surface of the land as may be required for all purposes reasonably incident to the mining or removal of the minerals and under such general regulations as may be prescribed by the Secretary of the Interior.

The bill was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

NAVAL LOCAL DEFENSE VESSELS

Mr. DREWRY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 5783) to authorize the construction or acquisition of certain naval local defense vessels and for other purposes.

The SPEAKER pro tempore. The present occupant of the chair, of course, occupies the chair temporarily. Did the gentleman have an understanding with the Speaker about this bill?

Mr. DREWRY. Yes; I asked the Speaker to be recognized to bring up the bill.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read the title of the bill.

Mr. MICHENER. Mr. Speaker, reserving the right to object, will the gentleman explain what the bill is and the necessity for immediate action?

Mr. DREWRY. I shall be very glad to.

This bill is to expand the local naval-defense forces, in which there is a shortage at the present time. There is a shortage of some 300 or 400 vessels, and this bill authorizes the Navy to construct or acquire small craft, light-draft vessels which will take care of mine sweeping and other operations in harbors and around the mouths of rivers. At the present time, of course, destroyers are being used for this purpose, but they are needed elsewhere, and this is the reason we are coming before the House with this bill.

Mr. HOFFMAN. Reserving the right to object, Mr. Speaker, is any provision being made so you can get these vessels if either one of the large unions, the A. F. of L. or the C. I. O. says you cannot have them?

Mr. DREWRY. I cannot answer that question; I am not familiar with that situation.

Mr. HOFFMAN. Does not the gentleman think that is a pertinent question?

Mr. DREWRY. Not in connection with this bill; no.

Mr. HOFFMAN. In our other defense work for which we have appropriated huge sums of money the unions do not let it go on. Should we not have some protection against that sort of thing?

Mr. DREWRY. I will leave that in the hands of the gentleman from Michigan.

Mr. HOFFMAN. Give me the authority and I will fix it up before tomorrow night.

Mr. MICHENER. Further reserving the right to object, Mr. Speaker, this bill is from what committee?

Mr. DREWRY. This bill comes from the Committee on Naval Affairs. It is a Navy Department bill and has the approval of the Director of the Budget.

Mr. MICHENER. I see the gentleman from New York [Mr. COLE] present, a member of the Committee on Naval Affairs. I wonder if he has anything he desires to say on the bill?

Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. DREWRY. I yield.

Mr. COLE of New York. As I recall, this bill was reported unanimously by the committee, including the minority members.

The purpose of the bill is to authorize the Navy Department to construct 400 additional small craft.

The House will remember that back in February of this year, I think it was, Congress authorized the construction of 400 small harbor craft. Since that time contracts have been let for the construction of these 400 vessels. The authority of the Department to acquire or construct these small boats has been exhausted. They have need for small boats not only along our continental coast line but also in some of our outlying sea bases, and the committee felt that under the circumstances we were justified in extending this authorization.

Mr. DREWRY. I may inform the gentleman that according to a survey made by commandants of the various districts they need a total of 1,126 boats of this type but have only 772.

Mr. HEALEY. Mr. Speaker, will the gentleman yield?

Mr. DREWRY. I yield.

Mr. HEALEY. As a matter of fact, these small boats are serving now in patrol work, mine laying, and so forth.

Mr. DREWRY. Yes; we have 294 at the present time.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. DREWRY. I yield.

Mr. HOOK. Does the bill contain any provision for the acquisition of existing small craft?

Mr. DREWRY. Yes; the bill provides for acquisition and conversion as well as construction.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy, with the approval of the President, is hereby authorized to undertake the construction of or to acquire and convert not to exceed 400 miscellaneous light-draft vessels and small craft of such sizes, types, and designs, suitable for local defense use as patrol vessels, minesweepers, and the like, as he may consider best suited for the purposes of national defense, such vessels to be in addition to those heretofore authorized.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to effectuate the purposes of this act.

With the following committee amendment:

Page 2, line 4, after the word "act", insert "not to exceed $300,000,000."

The committee amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALVAGE FACILITIES

Mr. DREWRY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1731) to authorize the Secretary of the Navy to provide salvage facilities, and for other purposes.

The SPEAKER pro tempore. The Chair assumes the gentleman has had the same agreement with the Speaker?

Mr. DREWRY. Yes; I spoke to the Speaker about this bill also.

The SPEAKER pro tempore. The Clerk will report the title of the bill.

The Clerk read the title of the bill.

Mr. MICHENER. Mr. Speaker, reserving the right to object, may I ask the gentleman from New York [Mr. COLE], a minority member of the committee, about this bill?

Mr. COLE of New York. Mr. Speaker, I was about to reserve the right to object for the purpose of asking the gentleman from Virginia to explain the bill.

Mr. DREWRY. I shall be very glad to explain the bill, although the gentleman from New York [Mr. COLE] probably knows more about the bill than I, as a matter of fact.

Mr. DITTER. Mr. Speaker, will the gentleman from Virginia yield?

Mr. DREWRY. I yield.

Mr. DITTER. Are printed copies of the bill available?

Mr. DREWRY. Yes.

Mr. DITTER. In other words, we went through the last bill with a good deal of dispatch, and when I went to the desk and inquired for a printed copy I found there was but one there at the desk. It seems to me that while we have a great deal of confidence in the gentleman from Virginia, some of us would like to have the privilege of reading through some of

this legislation to see how the "i's" are dotted and the "t's" are crossed.

Mr. DREWRY. In reply to the gentleman may I say that this bill can be obtained. It was passed by the Senate.

Mr. DITTER. I would like to see a copy of the bill.

Mr. DREWRY. Here is one.

Mr. DITTER. I think probably some of the other Members of the House would like to have printed copies, if they are available.

Mr. IZAC. In reply to the gentleman from Pennsylvania, I may say this bill was printed at the time of consideration by the Naval Affairs Committee, and on last Friday I submitted the report on behalf of the Naval Affairs Committee. The report itself was printed on Monday. So the report and the bill have both been available all of this week.

Mr. COLE of New York. The bill is not at all complicated and I feel confident that the gentleman from Virginia will be able to give an adequate and complete explanation of the bill to the House so that there will be no question about it.

Mr. DREWRY. Mr. Speaker, I was about to explain the bill when the gentleman from Pennsylvania interrupted. The bill is very short, containing three sections.

It provides as follows:

(a) To provide, by contract or otherwise, necessary salvage facilities for both public and private vessels upon such terms and conditions as he may, in his discretion, determine to be in the best interests of the United States.

(b) To acquire or to transfer, by charter or otherwise, for operation by private salvage companies, such vessels and equipment as he may deem necessary.

(c) To advance to private salvage companies such funds as may, in his judgment, be necessary to provide for the immediate financing of salvage operations, these advances to be on such terms and under such conditions as he may deem adequate for the protection of the Government.

The amount appropriated or authorized to be appropriated shall not be in excess of $3,000,000. The bill is very simple and is not involved. It is a matter of immediate necessity.

In the World War the Navy Department did the same thing as is sought to be done here. The Navy took over the facilities of three commercial salvaging corporations that were then operating in the United States. We find now by a survey of existing salvage facilities by the Navy Department that such facilities are wholly inadequate to meet the present needs. There is only one salvage company now operating in the United States which is equipped to do coastwise or offshore salvage work on vessels of any size. Some salvage vessels have already been acquired by the Navy, but the west coast has been entirely without commercial salvage protection since 1937.

It is a necessity and this bill is drawn to meet that necessity.

Mr. MICHENER. Will the gentleman yield?

Mr. DREWRY. I yield to the gentleman from Michigan.

Mr. MICHENER. I am sure no one on this side wants to do anything to delay necessary national-defense legislation, but when matters of this kind are coming up, if there was some method whereby the Members might have advance notice as to what was involved, it would be most helpful. Cooperation is one thing, blind following is something else. Constructive criticism should be accorded and is most necessary and beneficial to sound legislation whether it be in connection with the national program or anything else. I hope therefore that in the future if legislation of this importance is to be brought up the Members may be more fully advised.

Mr. DREWRY. I personally notified the gentleman from Michigan yesterday of my intention to ask unanimous consent today for the consideration of this bill. I also notified the floor leader of the minority party, and it was agreeable to everybody on the committee. This was unanimously reported by the committee.

Mr. DITTER. Will the gentleman yield?

Mr. DREWRY. I yield to the gentleman from Pennsylvania.

Mr. DITTER. I wonder whether the gentleman can advise the House how many companies have the facilities that might be available to the Secretary of the Navy for this salvage work.

Mr. DREWRY. The report says only one for offshore work. There are a number of small salvage companies for towing, and so forth, in the various harbors of the country, but only one company that is available for offshore work.

Mr. DITTER. I wonder if the gentleman is not fearful he might run afoul of Mr. Thurman Arnold, for he is advocating a policy which has very definitely monopolistic tendencies, in that only one company is to receive the benefits of this rather substantial appropriation. I find this bill carries with it a possible appropriation of $3,000,000 a year. I am just a bit concerned lest the Secretary of the Navy go one way and Mr. Thurman Arnold in his quest, in his campaign against monopolies, in his crusade against these monopolistic influences, will go the other way, and whether there may not be a clash here that might be harmful rather than helpful to the national defense.

Mr. DREWRY. The gentleman from Pennsylvania knows full well I do not know whether the minds of the two gentlemen he has referred to will clash on any subject.

Mr. DITTER. I am really very serious about this.

Mr. DREWRY. I did not think you were.

Mr. DITTER. I think in many instances we have been having these conflicting interests at work. I want to try if I can to possibly avoid that very thing. We only have one company at hand to do the work. It seems to me that we are just flying in the face of this other policy. I wonder whether the gentleman from Virginia can give us the name of the company?

Mr. DREWRY. Yes. Merritt, Chapman & Scott.

Mr. DITTER. That is the company that has the present monopolistic control of salvage operations.

Mr. DREWRY. Merritt, Chapman & Scott.

Mr. DITTER. Is that presently an incorporated company that has been carrying on the work?

Mr. DREWRY. As far as I know, it has been for many years.

Mr. DITTER. The gentleman, as a distinguished member of the Committee on Naval Affairs, will probably remember the hue and cry that was raised some few years ago against the tendency to use one company for dredging purposes out in the Pacific in connection with the development of Pearl Harbor. I believe the gentleman will recall that at that time Congress, in no uncertain way, was critical of the policy of using just one company for some of these very large, substantial contracts. I am fearful that we are going right in the same direction in connection with this salvage work.

Mr. DREWRY. I do not believe the gentleman from Pennsylvania need be uneasy at this time about that, but we must take all sorts of chances. We cannot tell what will happen, and no one else can. We do not know. We do know that we need salvage work done on these larger vessels, and this is the only company that does this offshore work.

Mr. DITTER. I am wondering whether the gentleman from Virginia will give the House the benefit of this further information. Is this salvage work to be carried on for the benefit of American vessels, or is this in connection with a part of the program to repair and do construction work on vessels of other countries that may have been damaged or injured?

Mr. DREWRY. The bill states:

Such as may be determined to be in the best interests of the United States.

Mr. DITTER. The reason I raise that question is that I cannot see how we would presently need much salvage work done on our own vessels. I am trying to get light, and I confess I am looking to the distinguished gentleman from Virginia for that light. I am wondering what is the need for so much salvage work so far as our own vessels are concerned at the present moment, or is it that we anticipate something?

Mr. DREWRY. Because we want to prepare for any eventuality.

Mr. DITTER. Then this is anticipatory rather than immediate?

Mr. DREWRY. Certainly.

Mr. MICHENER. Reserving the right to object, Mr. Speaker, may I suggest that this bill is an authorization, not an appropriation? I have been especially interested in the remarks and the questions asked by the distinguished gentleman from Pennsylvania. May I observe that before the money herein authorized to be spent is provided the question will have to come before the gentleman from Pennsylvania's Committee on Appropriations, and on that occasion he can properly safeguard the things about which he has been talking.

Mr. DREWRY. I think the point is very well taken.

Mr. DITTER. Mr. Speaker, will the gentleman from Virginia yield for a further observation?

Mr. DREWRY. Certainly.

Mr. DITTER. I am always in hearty accord with the observations and the very, very sane statements made by our distinguished friend from Michigan. I have every confidence in him. I know of no man whose common sense demonstrates itself any more than his. But I do feel that the tendency he here advocates, that we can authorize anything and that it does not mean anything until the money is appropriated, is a very, very dangerous policy to pursue. In other words, it seems to me that once the authorization is made it is a rather cowardly trick to say that after all it does not mean anything, for it will be up to the Committee on Appropriations to shoulder the burden, take the responsibility, and either refuse or approve an appropriation to carry it out. The time to put either an objection or an approval on a policy is when the authorization is here, and not, after the authorization has been made, to open a door that has once been closed, when the appropriation bill comes up.

Mr. DREWRY. The gentleman from Pennsylvania realizes that this is a method of procedure that has to be followed.

Mr. DITTER. I realize that. I have absolute confidence in the gentleman from Virginia.

Mr. MICHENER. Reserving the right to object further, Mr. Speaker, I agree with much the gentleman from Pennsylvania has said, because he has made a speech I have made on the floor many times when his committee, the Committee on Appropriations, came in here and attempted to legislate, when matters then before the committee should have been before legislative committees.

Mr. DITTER. Mr. Speaker, will the gentleman yield for an observation?

Mr. MICHENER. I cannot resist yielding to the gentleman from Pennsylvania.

Mr. DITTER. My purpose in asking the gentleman to yield was to pay him the compliment that I knew I was guilty of plagiarism, and that I was simply voicing expressions of opinion that he had heretofore expressed to the House. I acknowledge that, sir.

Mr. MICHENER. Now that this whole thing is settled, may I say that it appears this is a meritorious bill, and, if there is no objection, I hope the bill passes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia for the present consideration of the bill?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized during war or national emergency—

(a) To provide, by contract or otherwise, necessary salvage facilities for both public and private vessels upon such terms and conditions as he may, in his discretion, determine to be in the best interests of the United States.

(b) To acquire or to transfer, by charter or otherwise, for operation by private salvage companies, such vessels and equipment as he may deem necessary.

(c) To advance to private salvage companies such funds as may, in his judgment, be necessary to provide for the immediate financing of salvage operations, these advances to be on such terms and under such conditions as he may deem adequate for the protection of the Government.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such funds as may be necessary to effectuate the purposes of this Act.

With the following committee amendment:

Page 2, line 10, after "funds", insert "not in excess of $3,000,000 annually,"

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. SMITH of Washington. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article by Mr. Joseph L. Nicholson on the subject of increased use of plywood for aviation. This article slightly exceeds the amount allowed under the rule, and I have an estimate from the Public Printer on it.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. BOREN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein extracts from a letter from a newspaperman, pointing out, in line with the Government's recent expression on a shortage of paper, the waste of paper in printing in the propaganda agencies known as publicity bureaus in the various departments of the Government.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on three separate subjects and to include therein some editorials in connection with each extension.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMENDMENT OF THE NEUTRALITY ACT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. WOODRUFF] is recognized for 10 minutes.

Mr. WOODRUFF of Michigan. Mr. Speaker, President Roosevelt's proposal to arm merchant ships while at the same time asking for repeal or amendment of the Neutrality Act is a demand the American people ought to understand. If the President's demand is granted—and it probably will be—the day will come when a wrathful people will demand to know on whom to fix the responsibility for the results which will most surely flow from the sending of American merchant ships into the war zones armed and carrying contraband of war. The responsibility will be solely, personally, and entirely that of Mr. Roosevelt.

No military authority of any standing pretends that the arming of merchant ships with a gun or two, and a crew to serve them, would enable a freighter to defend herself against modern submarine or airplane attacks. In fact, they were unable to do so during the First World War when submarines and aircraft were far from being the efficient death-dealing agencies they are today. But the fact that merchant ships will be armed will be an invitation to the Axis surface, submarine, and aircraft to fire on American ships first and ask questions afterward. To arm these merchant ships and send them into war zone waters is not only to certainly invite war, but it will be a needless and greater hazard of an increased number of American lives.

It is difficult logically to see just what purpose is to be accomplished by arming these merchant ships to send them into the war zones with supplies for Britain or Russia, or both. It may be vitally necessary to get supplies to Britain and Russia. It may require American ships to get them there. But whether or not either of these two propositions is true, arming American merchant ships with one or two cannon is not the answer. Some form of convoy might enable the ships to get their cargoes to British and Russian destinations, but a couple of small guns and gun crews will not do the job.

That the United States can, in addition to arming half the world and ourselves as well, produce—at the present rate of production—the guns to put on these boats is a grave question. That the United States, at the present rate, could produce the ammunition for such guns is another question. That the gun crews, given the guns and the ammunition, could sight a submarine or an airplane and even hit it is highly improbable. Airplanes fly high and fast. Modern submarines do not come to the surface, hail a ship, inquire her identity, and then give the crew time to take to the lifeboats, if submarine commanders know such merchant ships are armed. Submarines are now fitted with directional sound devices. They can determine, for torpedo-firing purposes, the direction and approximate distance of a ship by the vibrations of her screws and machinery without the submarine so much as showing a periscope. Only highly mechanized naval craft can play the game with submarines under such circumstances.

Certainly this latest move of the administration is the last long step away from the campaign promises of keeping the Nation out of war. No citizen can longer believe the President is doing as he promised—his utmost to keep American boys out of the war. That is what he promised during the campaign, over and over and over again. His promises were unequivocal. They were positive. And yet today President Roosevelt is leading the pro-war forces.

The disillusionment of the fathers and mothers of America must be bitter as

they realize that for the second time they have been fooled by a slogan. First it was "he kept us out of war." This time it was "he will keep us out of war."

The confidence of the American people is badly shaken in their leaders because of broken promises, sly phrases, trick words, and unpublicized acts. It is a time when we need the utmost frankness on the part of all public figures, with full explanations, if solemn promises do have to be broken. The people are entitled to know why the pledges they relied upon are being cast overboard one by one as rapidly as politicians believe it is safe to do so.

Intolerance is rampant. The pro-war forces now openly scorn the American tradition of fair play and free speech. The war party in the United States is in full cry. Abuse, slander, character assassination, political and even social punishment, to say nothing of financial reprisals where possible—all of these are meted out with ruthlessness to those who still believe that all the things that were said by the administration spokesmen about neutrality are as true now as they were when the Neutrality Act was pending. All the things said before the election are as true now as they were then—except the promises of those who wanted to continue in office.

The American scene is a sad one. Those who had hoped to see this Nation stay out of war, build an impregnable national defense, and then be a power for peace in the world have heavy hearts today.

And, as preparations for getting into a shooting war go on apace by the administration fathers and mothers of America are asking, "In God's name, what will our boys use for equipment? How can they go into this World War bare-handed, as it were? How long will they have to fight with inferior weapons and planes and tanks—or none at all—as they did in the last war?"

These are poignant, agonizing, questions welling up out of the hearts of the people of this Nation—and somebody, sometime in this country is going to have to face a wrathful people and give the answers.

But, despite the expressed will of the American people, we are on our way into war almost wholly unprepared, with an untrained, unequipped Army; an underequipped, undersized Navy; an unorganized civilian populace, and inexperienced, untrained, reckless bureaucrats in control of the preparedness program and the lease-lend policy.

It is a mad adventure. Let us hope and pray it may not end in utter disaster.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. WOODRUFF of Michigan. I will be very glad to yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. President Wilson urged the Congress, before the other World War began, to arm all merchant ships. How many days after our merchant ships were armed before we were into a shooting war?

Mr. WOODRUFF of Michigan. It was approximately 30 days.

Mr. ROBSION of Kentucky. Furthermore, the merchant ships were armed in that war under that authority. Is there any record showing that any airplane or submarine or other war craft was sunk by such armed merchant ships?

Mr. WOODRUFF of Michigan. There is no such record, I will say to my friend from Kentucky, and I will say, further, that in a letter written to the gentleman from South Dakota [Mr. MUNDT] by Admiral H. R. Stark, Chief of Operations of the Navy, the admiral stated:

> No armed guard vessel was officially credited with fatally damaging an enemy vessel.

And I continue to quote:

> Thirty-five armed guard vessels were sunk by the enemy during the last war, with a loss of 58 lives.

This seems to be a complete answer to any argument that has been advanced anywhere by anyone as to the advisability of arming these merchant ships.

Mr. ROBSION of Kentucky. The gentleman has expressed the opinion that this would invite attack without being able to defend after such attack was made. Is that the gentleman's position?

Mr. WOODRUFF of Michigan. I certainly believe that to be true.

Mr. ROBSION of Kentucky. I just want to make this brief observation: During my years of the practice of the law I had two cases to defend, two different men charged with murder, and all that we were able to prove was that the deceased had put his hand into his hip pocket and threatened to shoot the defendant. The defendant in each case shot the fellow because of the threat, and under the law which prevails in most jurisdictions you have the right to kill if you believe you are in danger of death or some great bodily harm, either real or apparent. Those two fellows were acquitted, but in neither case did the deceased have a pistol or other weapon in his pocket. It was thus merely a threat.

Mr. WOODRUFF of Michigan. May I say to my friend from Kentucky that if we were in the position that Germany now finds herself and we were faced with armed merchantmen patrolling the seas, carrying contraband of war to our enemies, we would expect our naval forces to proceed upon a policy that would give them the largest degree of safety under the circumstances.

[Here the gavel fell.]

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. LELAND M. FORD] is recognized for 20 minutes.

STRIKES ON THE NATIONAL-DEFENSE PROGRAM

Mr. LELAND M. FORD. Mr. Speaker, in reading the Washington Post of October 12, I see on the first page the item "Government seizure of another strike-involved plant appeared possible last night when the Mediation Board announced failure to settle a walk-out at Air Associates, Inc., Bendix, N. J."

Many of us should look upon this seizure with genuine concern. If we think at all, we will begin to wonder how fair or how fearless this Mediation Board actually is. After very little thought it should be perceived that we are face to face with the determination of a principle which is going to affect our very Government itself, not only now, but in the future. The principle involved, in my opinion, is going to determine whether the officials in this country, the United States of America, are going to do their duty under the Constitution of the United States, fearlessly, without regard for where the chips fall, and determine whether we are going to have constitutional government as we have known it, or whether we are going straight down the alley of socialism, communism, nazi-ism, fascism, or Karl Marxism, whichever you choose to call it. We are faced right now with this decision, and with the establishment of this new precedent, namely, whether or not this Government is going to be a socialistic one.

The Government first moved into the North American plant in my district in Inglewood, Calif., under similar conditions as now prevail at Bendix, N. J. I will not criticize, but will commend the Government for the way they handled the situation at the North American plant in Inglewood. The Government went in, restored order, exercised its police powers, but did not take over, under Government operation, the plant. I had hoped then, and still hope, that this established the precedent of the American form of government, which it was. The Government did so to protect those who wanted to work in their right to work under the Constitution of the United States, to exercise the police power and to maintain law and order, without caving in to the demands of the socialistic, communistic, racketeering outlaw labor leaders, in whom the rank and file in labor themselves have no confidence, and who are forcing and coercing many men who do not want to do so to accept their strike orders and to pay tribute for the privilege of working.

It now appears that this is not the precedent that we may depend upon, for since then the administration has taken over the Federal Shipbuilding & Drydock Co. in Kearny, N. J. The Executive order to take over this plant was issued on August 23. The Navy Department took possession on August 24. Operations were resumed under Government control, which is ownership, on August 26, all in the year 1941. Since August 26, 1941, this shipyard has been operated by the Navy Department under the direction of Rear Admiral H. G. Bowen. The president, Mr. H. G. Korndorff, and Mr. McWilliams, the comptroller, are not any longer on the operating end of this company.

This is Government operation plain and simple and that fact cannot be sidestepped. Without reflection upon Rear Admiral Bowen or any of the Navy or present operators, I say that Government ownership and operation of any business or industry in this country is doomed to failure here, the same as it failed in France, or any other place that it has ever

been tried. This is nothing less than socialism.

Now then, why was this plant taken away from its rightful and legal owners, who are not permitted to operate it, and have it operated by the Government? In plain English the only issue at stake was the demand of the C. I. O. union for a so-called maintenance of membership. On July 26, two members, constituting a majority of the National Defense Mediation Board, the third member dissenting, made a recommendation that the Federal Shipbuilding & Drydock Co. should agree—

> that any employee, who is now a member of the union, or who hereafter voluntarily becomes a member during the life of this agreement, shall, as a condition of continued employment, maintain membership in the union in good standing.

The Federal Shipbuilding & Drydock Co. declined to accept this recommendation, as per its letter of July 30 to the executive secretary of the Mediation Board, and stated therein that—

> the recommendation, if accepted, would require the company to discharge from time to time all employees who, unless being members of the union, do not continue as union members. It would require as a condition of their right to work that they continue as union members. The recommendation is contrary to the fundamental principle that the right to work is not dependent upon membership or nonmembership in any organization, upon which principle is based the open-shop policy of the company. * * * We do not believe that it is the policy of the United States that no one shall work at the Federal Shipyard in the construction of destroyers, cruisers, and cargo ships for the Government, unless, once having become a C. I. O. union member, he shall continue to be a C. I. O. union member. If it is, then Congress should so declare.

Boiled down to simple words, this means that the Federal Shipbuilding & Drydock Co. thought it was protected by the Constitution of the United States, that citizens were protected by the Constitution of the United States, in that they had a right to work without paying tribute to anyone; with a further implication that the shipbuilding company would deduct membership dues, which the C. I. O. were unable to collect from their own men. It is apparent that if these men had confidence in their union and wanted to belong to it, they would pay their dues. Not having confidence in their union and, perhaps, not wanting to belong to it, the C. I. O. seeks this method of coercing and forcing the men to join their group for the right to work. I see no reason why any company should become a collection agency for anybody at any time. If the C. I. O. group cannot sell to their men their plan on its merits, industry should not be forced to do their work for them.

What kind of a Mediation Board is it that we have, that will throw aside the constitutional rights of men in making any such decision as this? This was a very simple matter to decide, and the thing that they had to decide was this: Shall we have socialism, or shall we have Americanism? Is it a fact that this Board has become so fearful and cowed by these outlaw racketeers that they are afraid to make an American stand? If so, perhaps we had better look to some of our boards that are making these un-American decisions. It seems to me that this Board could have adopted the American program, namely, that under the Constitution of the United States, certainly we will not force men to work, which amounts to serfdom or slavery, but under that same Constitution every individual in this country, under what is known as individual rights, has a right to work without paying tribute to anyone for the purpose of doing so, particularly those on the outside of the Government, who have no governmental standing, who, to use one of their own racketeering terms, are simply "muscling in" for money. These racketeers do not care one iota for the future and welfare of the rank and file of workingmen. All they want to do is to create enough strife, riot, and dissention to hold themselves in their positions in order that they may extract more money from the rank and file of the average employee than he pays in taxes to own his home. For what is this employee paying this money? Evidently, the right to work.

This program is all wrong, and this socialistic principle of taking over industry for these reasons is all wrong under the American form of government.

Let us look at the record and see what it shows.

Strikes, workers involved, and idleness during strikes, January to August 1941

Month	Number of strikes	Number of workers involved	Man-days idle during strikes	Percent of available working time
January	231	91,512	669,275	0.11
February	252	69,752	1,130,355	.21
March	332	115,799	1,552,012	.27
April	371	509,440	7,090,157	1.18
May	436	324,009	2,161,279	.38
June	325	138,983	1,448,234	.25
July	430	140,000	1,300,000	.21
August	460	190,000	1,825,000	.31
Total (8 mos.)	2,837	1,579,495	17,167,312	.37

This record from the United States Department of Labor, Bureau of Labor Statistics, shows that 17,167,312 days have been lost in 8 months of the year 1941. This is an average of 2,144,668 man-days lost per month. If this loss were to occur for the balance of the year we will have lost over 25,000,000 working days in the year 1941. From the trend of the number of strikes shown in the above statement, it will be found that in January there were 231 strikes and in August, the last period for which we have any record, it was 460, just double, so from this trend it might be deduced that we are in for a loss of at least 25,000,000 working days in the year 1941. This all happened and is happening under the plan advanced by the Mediation Board, N. L. R. B., and other groups that have been handling these matters. Is it not clear from the figures produced by the Labor Department itself that they certainly have failed? Is it not clear that their attitude has been an extremely cowardly one and an unjust one, and one in which they have crucified business and industry in their all-out caving-in and cowardly surrender to the socialistic racketeers of the C. I. O., with the result that the C. I. O. racketeers have certainly feathered their nests plenty through their control of these officials? Are William H. Davis, Sidney Hillman, Madam Perkins, and these others whom I have said to be failures proud of this record? Here is their own record, and I throw it in their own faces and charge them with inefficiency, mismanagement, cowardice in office, and an un-American administration of their positions. Their net result has been in 8 months to lose over 17,000,000 working days, and, if the present trend is any indication, this group of un-Americans will lose by their mismanagement and un-American administration 25,000,000 working days for the American defense program. Will they laugh that off—particularly Madam Perkins—and say, "It is not important"? Will the day come—and God forbid that it does—when the majority of the American people will rue the day that this time was lost and look back upon those responsible and wish they had placed in power in this country real honest-to-God Americans who had some concept of American principles instead of what I think to be this un-American, traitorous group?

Our defense program is being sabotaged; we have not the defense we ought to have; and the nations that are fighting the dictators, Hitler and Mussolini, have not received the goods that this country promised to deliver to them. Is it not clear that this un-American program of fear and cowardice, dictated by the C. I. O., has been the rankest failure that we have ever had? And is it not now clear that a strong policy should be set up which will give us production?

There is no question in my mind but that constructive labor and the decent rank and file, whom I believe to be in the great majority, are patriotic enough to see that this country gets a defense program. After all, the great rank and file of labor men and women are just as patriotic as men and women in any other calling. If this country should go down for lack of a defense program, naturally the American form of government and democratic institutions will go down with it, and under this procedure all will be lost to labor, business, individuals, religion, and every form of freedom we have known. Constructive labor leaders see this, the average laboring man knows this, and, I think, therefore, there should be no fear on the part of real Americans that our program not only will be completed, but will be accelerated under conditions where free men know they are free and will continue to work to preserve those conditions under which they have that freedom.

This resolves itself into a case where a man either has the right to work or has not the right to work under the Constitution. I say he has if this question is met fearlessly, fairly, and squarely. Let us meet it now before the subversive groups come into power and destroy this country. If this test is made, there is no question in my mind but that the rank

and file of patriotic men in labor will be on the side of America, and not on the side of the dictators.

How do you reconcile the fact, and how does this Mediation Board reconcile the fact that the young manhood of our country is being drafted under conditions where they may have to forfeit their lives, and that these young men are patriotically acquiescing in the program and willing to go, with the unpatriotic attitude of the C. I. O. in their avaricious demands, wherein they want as much as $21 a day, and we only pay the men in our Army $21 a month. Also, let this Mediation Board reconcile this, that the men in the Army have no N. L. R. B., no wages and hours law, and every instant of these men's lives is guided and dictated by the heads of the Army, while the subversive heads of the C. I. O. are loudly screaming avaricious demands for more money, shorter hours, and no work, or they will destroy the national-defense program of the United States. They cannot fairly reconcile this. They know theirs is a one-sided program, and it begins to look as though they have not the intestinal fortitude to stand for America, but would rather surrender to the subversive interests headed by Socialists, Communists, and so forth.

This precedent of taking over industry and destroying industry does not cease with the Federal Shipbuilding Co. Now it is proposed to take over the Bendix Co., under the same socialistic, communistic program. Is it going to be the continued policy of this administration to follow out a program of this socialistic, communistic group, wherein 17,000,000 more days are going to be lost? If so, where do we expect to get with a program of any kind? Is it going to be the policy to punish, destroy, and confiscate the interests of the industrial leaders of this country who have given America its extraordinarily high standard of living, and who, by skill in organization, can still win the war for democracy? If the men in power, such as this Mediation Board, will give business and industry at least a fighting chance, they will give us real production. Months of precious time have been wasted. Our own defense program lags. The stream of war goods to England is still a trickle. Will we have enough tanks, planes, and guns for our own use, and will those that are supposed to go to the other side arrive in time to accomplish our purpose of keeping war from these shores? It certainly will not under the program of these subversive interests, who have already wasted 17,000,000 days.

It seems to me that our failure to produce is definitely and positively tied up with the absurd labor program, expressed in the one-sided Wagner Labor Act and the N. L. R. B. administration by subversive interests of the C. I. O. Are we going to continue with men in their failures, or are we going to come to our senses and operate, as we have always operated heretofore for 150 years, in the American way?

As I have repeatedly stated, this outfit of socialistic, communistic, outlaw labor leaders has sabotaged, and will continue to sabotage, not only our defense program, but will destroy the American form of government. I do not think that is what the people of this country want, but I do think that the brakes should be put on them definitely and positively now, that they should be thrown out, and all these "supermen," "braintrusters," and theorists, who have been bringing about this condition, should be thrown out with them.

I believe that the time has come when this drift to socialism, in the taking over of our plants, and this one-sided, all-out surrender to subversive interests, should cease. I, for one, am going to fight on this House floor to see that this program by the Socialists is not continued, but rather, that an American program is continued that will give us a national defense that is real, give our individual citizens their rights under the Constitution of the United States, maintain the Constitution of the United States, and maintain the American form of government as we have known it. The time has come, also, to cease to be partisan in this matter, because if this country is lost, all Democrats and all Republicans are lost with it. We have come to the forks in the road. One fork leads down the path of socialism and the other fork leads down the path of Americanism. I hope that every Congressman in this House will help me block that path of socialism, and will further help me to take this program down the road of Americanism; kill socialism, nazi-ism, communism, fascism, and preserve Americanism.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. LELAND M. FORD. Yes.

Mr. HOFFMAN. I regret very much that with so much good advice and such a clear statement there are only four Democrats here to hear the gentleman. I hope they will read it in the RECORD tomorrow. What I want to call the gentleman's attention to is this——

Mr. O'CONNOR. Mr. Speaker, will the gentleman yield?

Mr. LELAND M. FORD. In just a moment.

Mr. HOFFMAN. What I want to call the gentleman's attention to is section 8 of the N. L. R. A. Act:

SEC. 8. It shall be an unfair labor practice for an employer—

Then I drop down to subsection (3):

(3) By discrimination in regard to hire or tenure of employment or any term or condition of employment to encourage or discourage membership in any labor organization.

With the law reading the way it does, does not the order of the Mediation Board in the Kearney case requiring the employer to comply with that law, violate the law itself?

Mr. LELAND M. FORD. It does, and it is the most demagogic position that any group was ever put in, but those men are not listening to the law itself, but they are listening to subversive racketeers who formerly were bootleggers and they are carrying out their wishes.

[Here the gavel fell.]

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Montana [Mr. O'CONNOR] is recognized for 30 minutes.

ARMING AMERICAN SHIPS

Mr. O'CONNOR rose.

Mr. HOOK. Mr. Speaker, will the gentleman from Montana yield for a brief statement?

Mr. O'CONNOR. If the gentleman does not take too much time.

Mr. HOOK. I listened very intently to the former speaker, the gentleman from California [Mr. LELAND M. FORD]. He mentioned the American way of life. I was just wondering what yardstick was to be used in measuring that American way of life, whether it is the yardstick of J. P. Morgan or the yardstick of the ordinary workingman of the United States.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. Just a moment. The gentleman can get time from the House when I get through. I refuse to yield further.

Mr. HOFFMAN. Does the gentleman want me to get more Members here to hear the gentleman?

Mr. O'CONNOR. I would like to have the gentleman stay.

Mr. HOFFMAN. Would the gentleman like to have a quorum?

Mr. O'CONNOR. No.

Mr. HOFFMAN. If the gentleman wants a quorum, I can get it for him.

Mr. O'CONNOR. No.

Mr. HOFFMAN. Will the gentleman yield for a unanimous-consent request?

Mr. O'CONNOR. Yes.

Mr. HOFFMAN. To say that there are now five Democrats on the floor instead of four.

Mr. O'CONNOR. Yes, the membership is increasing on the floor. There are present a goodly number of Republicans though.

Mr. HOFFMAN. I wish the gentleman would make a recount of that.

Mr. O'CONNOR. Mr. Speaker, I want first to call attention to the pledge in the Democratic platform in regard to safeguarding the farmer's foreign markets in this country. A compact was made recently with Argentina, reducing the tariff upon farm products and livestock products, particularly beef products, canned beef and wool. I regret that because it is in direct violation to the Democratic platform which contains this language:

To safeguard the farmer's foreign markets and expand his domestic market for all domestic crops.

Obviously, we are not only not protecting the farmer's foreign markets, but we are going to take away the farmer's domestic markets, and give them to the South American farmers. We cannot compete with the South American farmers because our standard of living is higher, our wages are higher, and our taxes are higher. So it looks to me as though if we carry this policy to a logical conclusion, it means destruction for the American farmer. Remember it will be our people that will have to pay the

$65,000,000,000 that we are voting for national defense, not the farmers in South America.

While I have the floor I shall call attention to some more of the convention platform. The Democratic platform, with reference to Indians, contains this pledge:

> We favor and pledge the enactment of legislation creating an Indian Claims Commission for the special purpose of entertaining and investigating claims presented by Indian groups, bands, and tribes in order that our Indian citizenry have their claims against the Government considered, adjusted, and finally settled at the earliest possible date.

The Republican platform of 1940 uses this language:

> We pledge an immediate and final settlement of all Indian claims between the Government and the Indian citizenship of the Nation.

A bill has been introduced to carry out those platform pledges. I understand it now has the opposition of the Budget Bureau, and the so-called powers that be. I am wondering if platform pledges mean nothing in this country any more. Are they something put into platforms for the simple purpose of getting into Congress or getting into office?

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. Yes.

Mr. HOOK. I notice that when we receive a message from the Bureau of the Budget in respect to a bill not in conformity with the Bureau of the Budget, it finally ends up with the statement that it is not in conformance with the President's program. It does not say anything about conformance with the Democratic platform.

Mr. O'CONNOR. I thank the gentleman. Now, we may double-cross the white man, pledge something to him that we do not intend to give him, but we should not double-cross the Indian, because he is our ward, and he sort of believes that we mean what we say when we say that we will give him a square deal.

Mr. Speaker, I am now going to talk about the bill coming up tomorrow repealing our neutrality law. I would not ask for time today if it were not for the roughshod manner in which this bill is going to be crammed down the throats of the Members of this House and railroaded through. To my mind it is one of the most important measures that will be considered during this session of Congress—whether we will repeal the provisions of the Neutrality Act which was enacted, as the President said, to keep us out of war. I suppose that not 10 percent of the membership will have an opportunity to express their views upon this bill. If they do have any time, the time will be so limited that it will be impossible for them to say what is in their minds or hearts. This procedure is to be regretted. It is a sorry situation. Congress is no longer functioning.

The President called the Congress into extraordinary session on September 21, 1939, for the purpose of considering neutrality legislation. Among other things, the President movingly told the Congress:

> I say this because with the repeal of the embargo this Government clearly and definitely will insist that American citizens and American ships keep away from the immediate perils of the actual zone of conflict.

Congressman BLOOM, chairman of the committee who had charge of the bill on the floor of the House, said:

> If the pending legislation provides for nothing else than the prohibition of American shipping and travel in areas where laws do not exist—where death awaits the peaceful traveler—I would support it as the most effective means of keeping us out of war.

Senator CONNALLY, who had the bill in charge in the Senate, used the following forceful and logical language:

> Although under international law you have a right to go about your vocation and to travel the high seas, as a domestic regulation we forbid you to do so at this time in order not alone to protect your lives but to protect the lives of all the millions of Americans and help keep them out of this devastating war. That is the purpose of keeping citizens off of belligerent ships.

You may see from these statements why the Congress passed this law. Clearly and definitely the act was passed to keep the United States out of war. That is why limitations on our rights to travel the seas were imposed. The Congress understood the purpose—the American people understood it. To repeal this law, or to modify it, at this time would be giving the green light or go sign to carry on an undeclared war on the water and in the air.

I think it is conceded that the causes which took us into World War No. 1 were the sinking of about 30 of our merchant ships, which were armed, causing the loss of 58 American lives, together with loss of lives of our people on the ships of belligerent nations, and the lending of money to nations at war. Now, by the Lease-Lend Act the loan provisions of the Neutrality Act have been nullified.

I am going to ask the members of the bar of this House to pay particular attention to what I am going to say in regard to the legal end of this thing.

The act as it stands today provides that in case the President, or Congress, finds a state of war to exist between foreign states the President shall name the states and thereafter it will be unlawful for any American vessel to carry any passengers or materials to any state named, and it will be unlawful for an American citizen to travel on any vessel of any such state named, except under certain rules. The act also provides that after the President has issued such proclamation he may thereafter find that if the protection of citizens, and American ships, so requires he shall define combat areas, and then it will be unlawful, except under such rules as he lays down, for any citizen, or any of our vessels, to proceed into or through any such areas. Now, the President may modify, extend, or revoke any proclamation that he wishes under this act. To show that the matter is entirely discretionary with the President, he has never named the states of Japan, China, or Russia as being at war. However, with alacrity, the President, on the very evening of the signing of the bill, November 4, 1939, among other states, named the United Kingdom, Germany, and France as being at war, and declared combat zones, because he no doubt knew those were the real danger places. Now, to this day no American citizen has ridden on a ship of a belligerent nation, and neither have our American vessels been in the zones contrary to the President's proclamations. The President issued a combat-area proclamation closing the Red Sea to our ships, and later revoked it, and shortly thereafter one of our ships was sunk in that sea.

It is now sought to repeal the provision in the neutrality law respecting the arming of our merchant ships engaged in commerce, and, of course, this is the first step to repeal the law. The ban against arming our merchant ships applies only in case the President has issued a proclamation naming states at war, which he may revoke at any time; and when he does revoke the proclamation, it automatically lifts the ban to arm the merchant ships. Therefore, the President today has the power to revoke his proclamations and arm the ships if he sees fit to exercise that power. Secretary of War Stimson claims that the safety of the United States is being impaired by these restrictions on its freedom and defensive powers. If such is a fact, which I deny, the President may exercise his discretion in immediately revoking the proclamation which he made and arm the ships. The Congress has already given him the authority.

Right there I want to call your attention to the law. Section 1 (a) provides:

> Whenever the President, or Congress by concurrent resolution, shall find that there exists a state of war between foreign states, and that it is necessary to promote the security or preserve the peace of the United States or to protect the lives of citizens of the United States, the President shall issue a proclamation naming the states involved; and he shall, from time to time, by proclamation, name other states as and when they may become involved in the war.

Section 1 (b) provides:

> Whenever the state of war which shall have caused the President to issue any proclamation under the authority of this section shall have ceased to exist with respect to any state named in such proclamation, he shall revoke such proclamation with respect to such state.

You will observe that there must be two things occur which will bring into operation the exercise of the discretionary power of the President before he proclaims. In other words, two nations must be at war, but it must be a war existing between those two states, in the mind of the President, which imperils the security of the United States. Those two things must be concurrent in the mind of the President before he issues his proclamation. When he does that he finds not only a state of war existing but that it affects the security of the United States.

In the release issued by Secretary Stimson, which you all received yesterday morning, you will find this language:

Under the war conditions now existing not only its purpose is not being fulfilled, but the safety of the United States is being imperiled by these restrictions—

Referring to the restrictions I am talking about.

I want to go a step further before discussing the legal effect of this. Section 6, which is now sought to be repealed, provides:

Whenever the President shall have issued a proclamation under authority of section 1 (a), it shall thereafter be unlawful, until such proclamation is revoked, for any American vessel, engaged in commerce with any foreign state, to be armed, except with small arms and ammunition therefor, which the President may deem necessary and shall publicly designate for the preservation of discipline aboard any such vessel.

Now, in the first place, when the President finds a state of war to exist and it imperils the security of the United States he may issue such proclamation and then automatically the ban is placed on arming vessels entering that territory, but the moment he revokes that proclamation, automatically the ban is lifted, and he has the power to arm those vessels.

Now, taking the statement of Secretary Stimson as true, when he says the restrictions imperil the safety of this country—let us assume it is true for the sake of the argument—then if the President believes what Secretary Stimson says, he must find the condition no longer existing which brought into operation his discretionary power to proclaim a state of war existing, imperiling the security of the United States.

Consequently my contention is this: The President of the United States now has the authority, by revoking the proclamations that he issued under section 1 (a), to arm our merchant ships. Congress gave him that authority in the Neutrality Act.

Miss RANKIN of Montana. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield.

Miss RANKIN of Montana. When we worked for the Neutrality Act we did not feel it was something that would prevent us from going to war, but we did feel it would provide hurdles that would prevent our being taken into an undeclared war. These hurdles have worked so far. We are not in war. The attempt to remove those hurdles without giving the people a chance to be heard indicates that they have been effective. That they want to remove them now must mean that there is a desire to go to war. Does not the gentleman consider it an invitation for the destruction of our seamen to announce that our merchant vessels are armed, to announce to the American people that they are armed sufficiently to protect themselves, and then to send out ships that are insufficiently armed and manned by men untrained and incapable of protecting the ship? It seems to me this is an invitation to belligerent ships to fire on any merchant ship, whether armed or not, because there is no way of knowing whether or not they are armed. We all know that it is impossible to arm these ships immediately. Some men will be sent out on ships that are unarmed.

Mr. O'CONNOR. The gentlewoman from Montana is thinking along the right line.

The seriousness of the move no doubt is recognized by the President, because he does not want to revoke the proclamations he made. Congress is asked to commit an act which is equivalent to a declaration of war by repealing section 6 of the Neutrality Act, as the gentlewoman has stated. Lansing, in his book, Lansing's Papers, volume I, 1914–21, wrote this language on the very same subject, speaking of arming of vessels:

It would certainly entail a certain measure of danger, of creating a state of war between the neutral and the belligerent.

And, of course, the very reason the President does not want to revoke his own proclamations is because he knows Lansing was right, he no doubt remembers that following the arming of those vessels in World War No. 1, within 30 days a declaration of war was asked of the Congress.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. HOOK. I am very much interested in the gentleman's statement on the question of the discretion of the President. Permit me to make the observation that under the Constitution of the United States the question of neutrality is one of policy, not legislation; yet we went ahead with legislation. We had no business to do it. We should have left it in the hands of the President, left it in the hands of the Executive; but now that we have departed from that procedure and put the neutrality law on the statute books it certainly places the Members of Congress on a hot spot.

Mr. O'CONNOR. Yes; it is a renunciation.

Mr. HOOK. And I feel it is about time we left the Neutrality Act right where the President wanted it.

Mr. O'CONNOR. The point is, it is a renunciation of the policy written into the law by the Congress of this country when we were called here in extra session by the President, to do that very thing. He asked for it in his message to us.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield?

Mr. O'CONNOR. I yield.

Mr. ROBSION of Kentucky. Boiled down, if I understand the gentleman, under our present law the President may now arm merchant ships going into any part of the world, even into the Pacific, or the waters of Japan, Russia, or China if he desires so to do.

Mr. O'CONNOR. All he has to do is to revoke the proclamations he issued pursuant to the Neutrality Act.

Mr. ROBSION of Kentucky. There are no proclamations pertaining to the part of the world I mentioned. The only place where the sending of armed ships is prohibited is the waters of Europe regarding which the President has issued his proclamations.

Mr. O'CONNOR. That is right.

Mr. ROBSION of Kentucky. It is the gentleman's contention I believe, and, of course, the law so states, that the President may withdraw those proclamations at any time; and if this should be done then he could arm ships going into those waters.

Mr. O'CONNOR. Exactly.

Mr. ROBSION of Kentucky. It seems to me as the gentleman from Michigan said, that what the President wants is either a declaration of war by the Congress or a shifting of the responsibility to Congress so that if anything comes out of this arming of ships he can say "The Congress did it, I did not."

Mr. O'CONNOR. The gentleman may place his own interpretation upon the motives and acts of the President in refusing to revoke his own proclamations; but I say now the President may do so. He can do it this minute. And if the President, and if Mr. Knox, and if Mr. Stimson feel that the President's hands are tied by this law it lies within the power of the President to untie his own hands. In regard to issuing a proclamation of danger zones you will find that the President likewise has power to revoke such proclamations. Let me call your attention to another thing Mr. Lansing said in regard to arming vessels:

The practical means would be to furnish an armament and trained men to man it.

Mr. Speaker, gunnery is almost a profession. If we arm these ships we had better man them with experienced gunners instead of a crew of men who know no other trade than sailing merchant vessels over peaceful seas.

I call your special attention to this further statement by Mr. Lansing:

Such a course would be on the same principle as convoying, except that the vessel would be subject to the belligerent right of visit and search.

What did the Congress say in the Lend-Lease Act in regard to convoying? This is on the same principle as convoying.

Now this language appears in the Lend-Lease Act:

Nothing in this act shall be construed to authorize or to permit the authorization of convoying vessels by naval vessels of the United States.

Right in the Lend-Lease Act the Congress went as far as it could to place a ban on the use of convoys in getting these materials over to these countries.

Another fact to which I call your attention is that there is not a word in the Lend-Lease Act that speaks about the delivery of these goods to a foreign country by the United States—not a word. That has been read into the law, if you please, by the Administrator or some other official in connection with the carrying out of the purpose of the Lend-Lease Act. The Lend-Lease Act was brought on the floor of this House and offered to us with the assurance it would keep us out of war, that it was a peace measure. Here is a very fine, frank confession on the part of a man by the name of Herbert Agar, whom I think is known to nearly every Congressman in this House in connection with his activities

on behalf of the Committee to Defend America by Aiding the Allies. You will find this quotation in the last Saturday Evening Post of October 11, 1941, in an editorial column called The Drift. Here is the language he uses:

The art of equivocation reached its peak in the enactment of the lend-lease law, concerning which Herbert Agar, one of the Committee to Defend America by Aiding the Allies, who supported it ardently, made afterward this confession: "Our side kept saying in the press and in the Senate it was a bill to keep America out of war. That is bunk."

That is what Agar said. Of course, all of us who found the Lease-Lend Act said it was bunk, but I did not know that such a confession would ever come from a gentleman who is a member of the Committee to Defend America by Aiding the Allies.

Going on it is stated:

And I think this failure to say exactly what a thing means is an illustration of why our democratic world is being threatened now.

Every measure that has been passed from the date we were asked to repeal the arms embargo, when we passed the Neutrality Act, when we passed the Conscription Act, the Lease-Lend Act, every measure that we have passed has been passed in the name of peace, yet we must all recognize that every step has been taken in a march to the mouth of the cannon.

I say that the President of the United States has done a splendid job in applying the provisions of the Neutrality Act. On the very eve that he signed the bill he proclaimed certain states at war and designated certain areas as combat areas. And I want to follow through on that statement.

No American has up to this moment lost his life on an American vessel; no American vessel has been sunk within those boundaries, and only two flying the American flag have been sunk any place. Mr. Speaker, if this law has been a good law, if it has served to keep us out of war, if it serves to keep us out of war a year, a month, or a day, it is useful to us, because every day that it gives us will provide a day longer in which to prepare for any eventualities that may come to us.

Oh, yes, it will be said, "We are no longer neutral. The word 'neutral' is offensive to us in view of the present status of conditions existing between ourselves and the Axis Powers." The answer to that is if anything is good, it does not make any difference what you call it. A rose smells just as sweet if called by some other name. Somebody said that a long time ago. So if it is serving a good purpose, let us keep it upon the statute books. If the President of the United States feels his hands are tied by his own proclamations that he was not required to issue in the first place—it is discretionary with him—then he may untie his own hands. This law gives him that power in the very Neutrality Act that it is now sought to annul, repeal, or do something else with. But I say he has done a splendid job with it, and I want to see it remain on the books.

We are not prepared, and that is why I am pleading for time. I want to quote from the Reader's Digest following the title "What Would We Fight With?" condensed by the United States News:

Where does all this leave our Army? The new Army possesses sufficient rifles and machine guns but an inadequate supply of all other weapons from antitank guns to airplanes and tanks, and it will be inadequately supplied for many months to come.

This statement, and more, has been proven just recently as to our being unprepared by a report prepared by an expert stating just where we stood as to armed forces. Among other things, by this report it is shown that by the end of 1942 we will be supplying only 50 percent of the war materials of the democracies, and by the end of the same year production of heavy bombing planes will only be 35 percent of British heavy bomber production.

I want to call attention to one other thing. When I first went to Montana a good many years ago there used to be a good deal of shooting out in that country. We found that the man who was not experienced in the use of guns, when a gun was placed in his hand it became a very dangerous instrument so far as his own life was concerned.

[Here the gavel fell.]

Mr. O'CONNOR. Mr. Speaker, I ask unanimous consent to proceed for 1 additional minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Montana [Mr. O'CONNOR]?

There was no objection.

Mr. O'CONNOR. Mr. Speaker, for the man who did not know how to use that gun, it became a dangerous instrument in his hand, because a skilled man in the use of guns usually took his life because he was justified in assuming that the other fellow knew how to use a gun. Carrying through what the gentleman said about his experience with reference to the fellow reaching his hand in his pocket and another fellow shot him upon appearances, it reminds me of a story in the early days in Montana. There were a couple of fellows who wanted to spear a drink. They found a corpse and brought it into a saloon. They set the dead man up between them and asked for the drinks. The bartender served the drinks. Then they immediately skinned out, and, of course, the corpse dropped. Well, the bartender was arrested for killing the man. His defense was, "Why," he said, "I had a right to kill him. He was just getting ready to put his hand in his pocket for his gun when I shot him."

There are some things that people who want to go into this war should not forget, and one is that Hitler has the greatest fighting machine from the standpoint of manpower and machinery for the destruction of humanity and property that the world has ever known. The people who want to get into this war cannot afford to let this country match forces with Hitler until we are prepared. We must be prepared with troops and not green boys. We must be prepared with military equipment to take care of these boys once they are shoved in. If we do not do those things it will simply add up to this: That these boys will add victims numbering hundreds of thousands to Hitler's already millions of slaughtered. Now I am going to talk to the people who are thinking of this country. It is my judgment that we should use these vast sums of money aggregating in the neighborhood of $65,000,000,000, a vast, incomprehensible sum, more than twice what we spent during World War No. I, to build up a defense to defend ourselves against any eventuality—in the meantime giving such assistance to the Allies as we can without imperiling ourselves. That we are in a critical period today no one will question, but let us keep our feet on the floor. Once we are in this war the die is cast. We cannot stop or back up. Remember, my friends, it is the masses of the people that will have to fight and do the dying, and the masses will also have to do the paying, as the recent tax bill shows. In the meantime let us leave the neutrality law alone. Up to date it has served a good purpose, and the President has done a fine job in applying it. As to arming our merchant ships, Admiral Stark is quoted as saying that "no armed-guard vessel was officially credited with fatally damaging an enemy vessel," showing that we did not effectually arm merchant ships during the World War No. I. A poorly armed ship is worse than one with no arms at all, as under international law it invites attack without warning. Therefore I doubt the wisdom or the efficacy of such a move. I am fearful that if this step is taken and these ships go down with the attendant loss of American lives, that such incidents, together with the influence of those who now want war, will inflame the public to the point where they will demand of Congress a declaration of war and another expeditionary force to Europe, with all the horrible consequences.

[Here the gavel fell.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin [Mr. MURRAY] is recognized for 30 minutes.

RECIPROCAL TRADE TREATIES

Mr. MURRAY. Mr. Speaker, in opening this discussion, I should like to make a few preliminary remarks, the first of which is that during the past year, especially, I have made every effort to try not to make the task of Mr. Hull or any other Government official any more difficult than it already is. I feel that Mr. Hull has plenty of responsibility without having anyone put himself out to try to embarrass him in any way. I say this for the reason that I do not doubt that at the present time there are more things of importance in this world than economic matters, as far as dollars and cents are concerned to any group of people. However, I feel justified in keeping the record straight and calling attention to the things I am going to speak about today, because they are mostly articles appearing in the press and in Government reports that contain facts, and they are available to the public at any time. I am in no way attacking Secretary Hull.

We in Wisconsin have never been very well satisfied with the reciprocal trade treaties that were put into operation by the present administration. Real recip-

rocal trade agreements, under which a country can exchange goods of which it has a surplus for goods of another country of which that country has a surplus, constitute real reciprocity, and represent a program to which I believe each and every one can subscribe. However, many things have happened in the making of these New Deal trade treaties. In our view, they have been unfair to the rural people of this country and they have been unfair to certain groups within an industry. I will explain that in this way:

The first Canadian treaty that went into effect, reduced the tariff on cheese by 2 cents. On January 1, 1936, when that tariff went into effect, cheese dropped the 2 cents a pound. Altogether it dropped from 17 cents on January 1, 1936, to 12½ cents on July 1, 1936. You may say that that is due to seasonal influences, but I shall answer that by saying that on January 31, 1936, there were 99,000,000 pounds in storage and on July 1 only 85,000,000 pounds in storage. The result of that particular treaty was that 14 times more cheese was imported in 1936 than in 1935.

Again, in 1938 the second treaty was made, and the tariff on cheese was reduced 1 more cent.

In 1939, in spite of the fact that we had one of the lowest prices for cheese the country has had for years, especially in the first 6 months of 1939, when cheese averaged only 11.7 cents, we had three and one-half times as much cheese imported as during the previous year.

Many times such a statement would lead others to believe you are opposed to the program in its entirety, and that you are just demagoging for the benefit of people you may have back home. If in the public interest any tariff schedule is to be reduced, I maintain that it is absolutely unfair to lower the tariff on one product without taking it off on the other products of the industry. For example, we get about twice as much cheese out of 100 pounds of milk as you do butter. If you are going to take the tariff off cheese, why should it not be taken off butter? In other words, we should take twice as much off butter as we do off cheese. Not that I think either schedule should be reduced.

We in Wisconsin have always felt we knew the reason this did not happen. No one has evidently had the desire or the nerve to suggest taking it off butter for the reason that butter is produced all over the United States, produced universally, practically, on 75 or 80 percent of the farms of this country. Such a reduction would meet general opposition. Cheese, however, is produced in a comparatively small area, and over 50 percent of it is produced in the State in which I live. A large part of that 50 percent is produced in the district I have the honor to represent. I just offer this as an indication of what has happened in connection with the cheese industry.

I do not care to stand up here and act as if I am the self-appointed agent of any one group. I have told you before that politics does not mean enough to me that I must have one speech for the farmers, one for the businessmen, and one for the laboring people of my district. I cannot do that. But I do wish to have this responsibility placed exactly where it belongs.

If you should take the time to go over to the Committee on Ways and Means you would find there a volume, dated on the 20th of January 1940, containing hearings on the question of extending the trade treaties. In this volume you will find some very splendid statements made by Mr. Taber, the head of the National Grange, in which he gave his testimony against continuing the trade treaties in a very sincere and a very comprehensive manner. Also, on pages 1668 to 1837, or 169 pages, you will find the testimony of Mr. Ed O'Neal, president of the Farm Bureau Federation. If you look over these hearings you will find that the first third of his testimony is pretty well devoted to the inequities of the Smoot-Hawley Tariff Act, the second third enumerates the benefit of the reciprocal trade treaties, and the third is devoted to the wonderful work he has accomplished so far as securing money out of the United States Treasury for a limited number of people in the United States is concerned. I was going to say the farmers, but I realize that the actual farmers get a small percentage of that money.

I say to you that if you know of any farmers in your districts who do not like it that we have had three reductions in the tariff on beef, that we have had three reductions in the tariff on cheese, and that we now have a reduction in the tariff on casein, tell them to see Mr. O'Neal. I do not know of anybody who is any more responsible for it than Mr. O'Neal, the head of the Farm Bureau Federation, and I again suggest they refer the matter to him.

This is the third year I have been here. I personally have come to the conclusion that when history records what has been going on during the last few years, with all the confusion, many books will probably be written. While possibly the first chapter of each book will be devoted to the waste and extravagance of this period, I do believe that a great part of the volume will be devoted to the deceits and the deceptions that have been practiced on various groups of our people.

I have no reason to quarrel with anyone. I like to see these questions handled in a fair and just manner. In fact I know a Member who belongs to the opposite party, a man who is on my own committee, who I personally know wants to see justice and equity done to every group of people, regardless of whether they are laboring people, business people, or rural people. Mr. O'Neal has a right to be one of the main promoters of the reciprocal treaties and he should assume the praise or criticism that accompanies this support. I, however, feel they are unfair and unjust in the manner they have been executed.

I have no confidence in Mr. O'Neal's judgment, but I want to say to you people here today that there is no use of resorting to an effort to try to make some headlines by calling somebody enemy No. 1 of the farmers of this country. There is too much of that and I do not want you to think I am doing that because Mr. O'Neal has just as much right to advocate such a thing and go through all the processes he has in trying to put trade treaties onto the people of the United States as I have in being opposed to them.

It is easy enough to go before any committee of Congress and holler, "I am a friend of the farmer," but this has been a rather worn expression with some, and I want to say to you here today that so far as the rural people of this country are concerned, they have less to worry about with respect to Mr. Henderson's price-control bill than they realize. That is a rather peculiar statement, you may say, but I will just ask you to bear with me a moment and I will tell you who controls the price of agrcultural products to a large extent in the United States. It is the farmer who farms in some other country except the United States. The only exceptions to that are going to be the groups of farmers who, through the machinations and the machinery we have set up here and voted for, that allow certain bureaus in our own Department of Agriculture to control, and definitely control, the prices of certain products. Outside of that they are in the hands of foreign farmers at the price they may wish to do it on our own market.

I will just give you one concrete example, and I ask unanimous consent to include in my remarks several newspaper clippings showing what happened to the price of butter on the Chicago market. It dropped to 34½ cents. It went off 2 cents on just the few hundred pounds or the few thousand pounds of butter that happened to be imported. This happened last week. As long as this imported butter can sell in New York City for 35 or 36 cents a pound, as a maximum, they are putting on a ceiling and they do not need to worry about any ceiling for butter that Mr. Henderson can put on.

As long as we are on this point I would like to discuss another part of the domestic and foreign agricultural policy. You people have already heard about section 32 of the A. A. A. that puts 30 percent of the customs receipts into a fund and this fund is used to help agriculture. That is what it is set aside for. Let us follow that through.

Having in mind the 30 percent of our custom receipts we will take the first 6 months of 1941 and we will find we imported over $900,000,000 worth of agricultural products and only over $800,000,000 worth of nonagricultural products. We will also find that half of these agricultural products imported were competitive agricultural products. All right, we will take 30 percent of those receipts and we will put them over in a fund. I ask you as Members and as people who are already getting ready to spend their grandchildren's money, what are we doing with that money? We are lowering the tariff on livestock and livestock products to invite imports and we are using that money collected to subsidize soil-depleting crops. Last year we spent, as I recall, $52,000,000 through giving foreigners that much to take our products. About $40,000,000 of that was for cotton and the rest was for corn and wheat. We are collecting the money off of livestock and livestock products by lowering

the tariff and then we will turn around and spend it for the soil-depleting crops. To me it seems that is working out about as many schemes as anyone can figure out with respect to getting money out of the United States Treasury. This is not based on common sense or on any fairness.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. I am glad to yield to my distinguished colleague from Kansas.

Mr. REES of Kansas. I appreciate the statement being made by the distinguished gentleman from Wisconsin. The gentleman has stated that probably the foreign farmer would get the advantage under this recent agreement. I noticed in one of our papers of yesterday under a headline from Buenos Aires wherein it reported that the producers down there were lauding the new agreements for the reason they would be of great advantage to them when they go into effect. For this reason I want to ask the gentleman from Wisconsin this question. Does not the gentleman think that in view of all the administration has been attempting to do in an effort to deal with the agricultural problem by insisting that the farmer reduce his production and cut surpluses, even paying him for it, that it is inconsistent to encourage importation of farm products that come into direct competition with American farm products? Does not the gentleman feel that is playing both ends against the middle so far as our farmers are concerned?

Mr. MURRAY. I thank the gentleman. Well, we had an example here a few hours ago before the Committee on Agriculture. We had a potato bill up there. There is another group that must have a marketing agreement, to which they are entitled just as much as any other agricultural group. To show the gentleman how true his observation is, this morning over there these men, one group, were figuring out a scheme to see how they could control production so that they could control the price of their product and before we got through here comes another man who says that his business for this same Agricultural Department is to furnish money to help them raise more potatoes in the State of Maine. It does not make sense. My personal feeling in this—I think that all except one department down there in the Agricultural Department—and that is devoted largely to politics—are sincere and trying to do a good job.

I think our greatest mistake in connection with this whole agricultural mixup is ourselves because we are to blame in that we pass the legislation and their job is to carry it out. The thing which is so discouraging to me is to have one after another of these people say, "Yes; I know it should not be this way or that way, but that is the law; we have to follow it." On the table back there I have a package—a bound package of typewritten matter—and in it there is a list of everybody who got $1,000 or more for farming the way that Uncle Sam's Department tells him he should farm. That is the list there. It is all typewritten. One outfit gets as much as $76,000. Will it not be confusing to the man next spring who will have to pay his income tax on $14.75 a week income to discover that he is being taxed on his little income so $50,000 to $75,000 checks can be sent out to big corporations? As I said, one outfit gets $76,000. I believe, without getting the least bit personal with anybody, but just in the name of common sense, that the time has come when someone should see that the flour is going to get low in the old flour barrel. We can begin to inject a little common sense into some of this legislation. The other two books are over there for the other 2 years. This will go ahead next year if we are not careful. As I say, what is most discouraging to me is the fact that these people down there in the Department know that it is not good business or common sense, and yet they keep on year after year.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. Yes; gladly.

Mr. REES of Kansas. After we appropriate these hundreds of millions of dollars to help the farmer, the big operators and producers are the ones that get the most of it. I do not have the exact figures, but I am reliably informed that approximately 20 percent of the big operators in this country got about 80 percent of the money appropriated for 1940. In 1939, for example, we had the figures pretty close, and we paid about $43,000,000 to take care of half of our farm operators in number, and then spent approximately $44,000,000 to pay for the administration of the act. It seems to me that if we are going to use Government money, money out of the Treasury of the United States contributed by the taxpayers to help the farmers, then we better take care of the ordinary average farmer, the smaller farmer, the man who operates the average-sized farm, and quit paying these millions and billions of dollars to a few big operators who do not need it, and who are really creating the big surpluses in this country. That is my observation.

Mr. MURRAY. I agree with the gentleman.

Mr. REES of Kansas. And I still think that although we want to be good neighbors with South American countries, and other foreign countries, and help them so far as is fair and reasonable, that it is manifestly unfair to the livestock interests of this country to further reduce the tariff on canned beef so it may come in in larger quantities to compete with our beef market. If it comes in cans, or frozen, or in any other form, it is bound to reduce the demand for our meat products to that extent. I just do not think it is fair, so long as the American producer can supply the market at reasonable prices.

Mr. MURRAY. I would not want to say, and keep within the facts, that the good corn-fed cattle of Kansas were not as good beef as the grass-fed cattle of South America.

Mr. REES of Kansas. Oh, much better. Of course, they are. But, nevertheless, the more meat you bring into this country, whether canned or frozen, or whatever it is, the more it will compete with meat products in this country, whether in Kansas or Wisconsin or Nebraska or anywhere else.

Mr. MURRAY. We have a good example in this reduction in the tariff on wool. That will apply to most of these other favored nations. Now let us just analyze that. I am sure the cotton boys know that I do not mean to be personal, but they have been able to secure about $2,000,000,000 in the last 6 years. Cotton represents less than 10 percent of the national farm income. We are paying this money out for a crop that is soil depleting. Now we are lowering the tariff on wool. As a governmental policy it surely would be more in line with common sense if you stimulated livestock production, because that system of agriculture comes nearer to maintaining the fertility of the soil than any system known. In other words, if we have to subsidize somebody, we had better pay 5 or 10 cents a pound subsidy for producing wool than to continually be subsidizing a crop that is soil depleting, that they cannot find a home for the product after they have raised it.

Mr. CARLSON. Mr. Speaker, will the gentleman yield?

Mr. MURRAY. I yield.

Mr. CARLSON. The gentleman referred to the hearings before the Ways and Means Committee in January of 1940. I could not help but recall, as a member of that committee, the statement of Secretary Hull in regard to the Argentine treaty. He made the definite statement "the subject of the treaty is terminated." Several members of our committee pressed him on that in January 1940, and he and others who testified insisted that it was terminated. We were led to believe that no further action would be taken with the country of Argentina as far as reciprocal trade agreements were concerned. Now it develops that the treaty has been signed. It was released yesterday, and we find that South America received concessions and benefits on 90 percent of their imports into the United States. We received concessions and benefits on 30 percent of our exports. It seems to me that we lost our shirt in the trade.

Mr. MURRAY. I think the explanation of that is that at the time they had cancelled the hearings because our good Democratic friends went down there to the hearings in such number that they did not dare go through with it at that time. This was the fall of 1939. But they have been more or less placed in their stalls now and have the halters on them, and they seem to be able to handle them better. That is the reason they are able to put it through now.

Mr. CARLSON. Was it not the President who said we should forget the silly old dollar sign?

Mr. MURRAY. Well, I guess that some people think he has forgotten it at times.

Now, I wanted to shed a few tears on the shoulders of my good friend from Michigan [Mr. HOOK] about the new reduced tariff on Italian cheese. It is in his district and in the district of my friends and colleagues from Wisconsin [Mr. KEEFE and Mr. HULL] where they will feel the effect of this tariff reduction. It is a growing industry. It should be stimulated, but now they are faced with this reduction that has taken place in this treaty.

MEAT STORAGE AND POSSIBLE IMPORTS

These articles from the Times-Herald and Washington Post show the cross pur-

poses of the domestic and foreign plans of the New Deal.

This treaty with Argentina may be a happy birthday for Mr. Welles, but it will be blue Monday for the producers of livestock and livestock products.

[From the Washington Times-Herald]

MEAT STORAGE 7-YEAR RECORD—RESERVES 18 PERCENT ABOVE YEAR AGO

CHICAGO, October 13.—Although another seasonal decrease in cold-storage meat stocks occurred last month, the reserve supply as of October 1 was the largest for that date in 7 years, the Department of Agriculture disclosed today. Holdings of all meat, exclusive of lard, were 18 percent over a year ago and 26 percent over 2 years ago.

Cold-storage plants at the first of this month held a total of 507,131,000 pounds of meat, against 426,485,000 pounds a year ago and 399,500,000 pounds 2 years ago.

The Nation's lard supply, at 215,570,000 pounds, was the second largest on record for October 1. This total compared with 282,694,000 pounds on September 1 and with 235,690,000 pounds a year ago.

Beef stocks on October 1, at 73,410,000 pounds, compared with 67,489,000 pounds September 1 and 36,303,000 a year ago. Pork holdings declined from 485,108,000 pounds September 1 to 366,096,000 pounds October 1, compared with 329,214,000 pounds a year ago. Lamb and mutton holdings, at 4,109,000 pounds, compared with 3,306,000 September 1 and 3,411,000 a year ago.

[From the Washington Post of October 15, 1941]

TREATY COVERS 127 ARTICLES AMERICA SELLS TO REPUBLIC

A major victory for the administration's good-neighbor policy was recorded last night in Buenos Aires as the United States and Argentina, after prolonged negotiation, signed a reciprocal trade agreement.

It is the first comprehensive commercial treaty between the two nations since 1853 and was promptly hailed by both Argentine and American officials as a new milestone in pan-American relations.

The agreement gives American exporters reductions or guaranties against increases in the Argentine tariff rates on 127 articles, covering about 30 percent of this country's present exports to the South American republic.

Argentine exporters receive similar concessions in regard to 84 products which account for about 93 percent of Argentina's exports to the United States.

GREATER SOLIDARITY

Officials here believe the agreement closes the most important gap in the system of treaties uniting the American republics in the economic sphere and clears the way for greater solidarity on issues of defense and foreign policy.

President Roosevelt called the agreement "a monument to the ways of peace, standing in sharp and proud relief upon a desolate plain of war and destruction."

In a message to Dr. Ramon Castillo, acting president of Argentina, he declared:

"United as we are under divine guidance in the defense of our precious heritage in this hemisphere, we have today forged a new link in the chain of friendship, peace, and good neighborliness which happily binds our two nations together."

Secretary of State Hull said increased economic cooperation between the United States and Argentina "will inevitably promote cooperation between them in other respects."

Such cooperation is particularly important, he continued, "at a time when the very existence of the nations of this hemisphere may depend upon presenting a united front to the forces of aggression."

EFFECTIVE 3 YEARS

The agreement, twelfth of its kind between this Government and a Latin-American republic, assures each country of "most-favored-nation treatment" in the markets of the other. This means that American machinery, for example, will not be subjected to a higher tariff than machinery exported to Argentina by any other nation.

The agreement takes effect November 15 and will remain in force for at least 3 years. After November 15, 1944, it can be terminated on 6 months' notice by either government.

Included in the agreement are provisions benefiting American exporters of apples, pears, grapes, tobacco, automobiles, refrigerators, industrial machinery, office appliances, and forest products.

Chief Argentine beneficiaries of the agreement will be exporters of canned corned beef, flaxseed, coarse wools, tallow, oleo, oil, cattle hides, and Italian-type cheeses. The duty on Argentine canned meat, for instance, is reduced from 6 to 3 cents a pound.

In Buenos Aires last night, Dr. Castillo described the agreement as being "of overwhelming historical importance."

Since 1853, he said, "all Argentine Governments had attempted to attain this objective, without success." When he was asked if the treaty meant closer political cooperation with the United States, he said:

"Politically we should not be closer than we already are to the United States. I do not believe that any other accord is necessary to improve this approachment."

The treaty was signed by Foreign Minister Enrique Ruiz Guinazu and Norman Armour, American Ambassador.

In Washington, Dr. Felipe A. Espil, Argentine Ambassador, called the agreement "an event of the first magnitude in the history of the relations" between his country and the United States.

Nelson Rockefeller, Coordinator of Inter-American Affairs, predicted an increase in "the stability as well as the volume of trade between the two republics."

A State Department analysis of the agreement pointed out that the anticipated increase in Argentine exports to the United States should increase Argentina's purchasing power for American products.

American exports to Argentina were valued at $107,000,000 in 1940, while imports from Argentina came to $83,300,000 last year.

The State Department emphasized the benefits it expects American fruit exporters to derive from the agreement. Duties on fresh apples, pears, and grapes were cut by 50 percent on a seasonal basis, it was pointed out, and these reductions would be effective during periods when American fresh fruit is most in demand.

SIGNING OF PACTS MARKS BIRTHDAYS

BUENOS AIRES, October 14.—Signature of the Argentine-United States commercial treaty at the Foreign Office tonight was a sort of birthday celebration for Argentine Foreign Minister Enrique Ruiz Guinazu and United States Ambassador Norman Armour.

Ruiz Guinazu was 57 today; Armour 54. It also was the forty-ninth birthday of Sumner Welles, United States Under Secretary of State.

For Armour the signature was the climax of 2 years of difficult negotiations, during which hopes of reconciling the views and requirements of the two countries appeared remote.

Similar agreements pending with Chile and Uruguay are expected to receive impetus from the success of the Argentine negotiations.

WESTERNERS CRITICIZE PACT WITH ARGENTINA

Western and Midwestern Senators last night severely criticized provisions of the treaty with Argentina.

Senator HUGH BUTLER (Republican), of Minnesota, said that producers of beef cattle, dairy products, wool, and flaxseed again "are sacrificed under the time-worn excuse of national emergency."

"Congress, unfortunately, has given away its power to ratify these treaties, so we have no immediate recourse; but I do not believe that this agreement will meet with the approval of the American people," he said. "That will have to be settled in the congressional elections next year."

Senator ALVA ADAMS (Democrat), of Colorado, said the pact is "the opening wedge for further concessions affecting the western livestock industry."

Senator JOSEPH C. O'MAHONEY (Democrat), of Wyoming, said western cattlemen generally would be pleased to note that fresh meat was not touched by the pact.

He pointed out that the treaty specifically kept in force provisions of the 1930 Tariff Act, which exclude fresh meat from countries in which the hoof-and-mouth disease have been known to exist. He said there had been some concern lest an attempt be made through a trade treaty to break down this sanitary embargo. These fears, he said, now were allayed.

BUTTER CEILINGS AND THE TRADE TREATIES

Mr. Speaker, there have been hearings held the past few weeks before the Banking and Currency Committee, on a bill that will put a ceiling on agricultural prices, including butter. The ceiling on butter would be 37.3 cents per pound by the price-control czar. However, it most definitely appears that the foreign farmers, through the fake reciprocal trade treaties, are putting a ceiling on American butter. Here is the example: The following articles from the Appleton Post-Crescent and Washington Post show the effect on the market a few imports can make. A 2-cent-per-pound drop in the market means a great loss to the industry:

[From the Washington Post]

BUTTER PRICES DECLINE ON WHOLESALE MARKET

CHICAGO, October 7.—Cash butter in the wholesale market and future prices on the Chicago Mercantile Exchange declined today on disclosure that production was running above last year, arrival of Argentine butter in New York and a contraseasonal vein in major market reserves.

The Dairy Products Marketing Association, Government-financed agency, acted to support the local cash market, purchasing one car of 89-score butter at 32¼ cents a pound, off one-fourth cent from yesterday.

Wholesale cash prices declined one-fourth to one-half cent with 92 score selling at 36½ cents a pound.

[From the Washington Post]

HIGH UNITED STATES PRICES LURE ARGENTINE BUTTER AND EGGS

CHICAGO, October 9.—Butter from Argentina is entering the United States in rapidly increasing quantities and the first trickle of Argentine eggs is arriving, Department of Commerce and private trade statistics disclosed today.

Two years ago one could not have made a single breakfast with Argentine butter and eggs. Department of Commerce figures do not show the importation of a solitary egg or one pat of butter that year.

Higher prices in the American market is the magnet attracting Argentine dairy products with quotations the highest for this time of year since 1929 and 1930. Argentine producers find they can ship their output and sell at a profit despite tariff duties.

[From the Washington Post]

WHOLESALE BUTTER PRICES PLUNGE 2 CENTS A POUND

CHICAGO, October 10.—Wholesale butter prices broke as much as 2 cents a pound in their widest decline of the year today as a combination of unfavorable factors created pessimism in trade circles.

The Dairy Products Marketing Association, Government financed price supporting agency bought actively in an effort to stem the downturn. The agency purchased 199,206 pounds of 89-score butter, and placed bids in the market for 90-score quality.

Trade sources said the break was the culmination of an uneasy tone noticeable all this week. Heavy supplies, large production, Argentine imports and unfavorable war news were factors responsible for the downturn these sources said.

The 2-cent decline was recorded by 93- and 92-score butter. At 34½ cents a pound the 92-score was the lowest since August 8.

[From the Appleton (Wis.) Post-Crescent]

ARGENTINE EGGS AND BUTTER ARE COMING INTO UNITED STATES—GROWING QUANTITIES BEING RECEIVED, STATISTICS SHOW

(By William Ferris)

CHICAGO.—Butter from Argentina is entering the United States in rapidly increasing quantities, and the first trickle of Argentine eggs is arriving, Department of Commerce and private trade statistics disclosed today.

Department of Commerce figures did not show the importation of a solitary egg or one pat of butter 2 years ago. Today the mounting imports would make a gigantic omelet.

Higher prices in the American market attracted Argentine dairy products. With quotations the highest for this time of year since 1929, Argentine producers found they could ship their output and sell at a profit despite tariff duties.

Last year American imports of Argentine butter totaled 243,582 pounds. This year, however, the inflow of butter already has far exceeded all last year. In the first 6 months of 1941 imports reached 497,851 pounds. Reports to the Chicago Mercantile Exchange indicate an additional 1,184,669 pounds had entered in the last 3 months.

MUCH MORE DUE

Even this is considered small in comparison with what is expected. Trade sources estimate that within the next few weeks between 2,240,000 and 2,800,000 pounds will land in New York.

Argentine butter is of good quality, trade sources said. The tariff is 14 cents a pound. Reports are that imports this week have been offered in New York at 35½ to 36½ cents a pound.

Department of Commerce figures show no egg imports from Argentina in 1939, 1940, or the first 6 months of 1941.

In the last 3 months, however, 163,833 cases, or 4,915,000 dozen, Argentina eggs have been imported. The steamship *Nordste Jernan* was due in New York today with 24,927 additional cases.

The import duty on Argentine eggs is 5 cents a dozen. They correspond to domestic storage-packed firsts and were offered in New York this week at 26½ to 27½ cents a dozen.

According to official figures, butter averaged 39.9 cents per pound the 10 years before the Republicans lost control of the House of Representatives and before there were so many doctors to cure the dairy farmers' ills. Butter, however, has averaged only 25.5 cents per pound the 10 years since the New Deal gained control of the House of Representatives. In fact, butter averaged 31.57 cents per pound the 4 years of the Hoover administration, while it averaged only 27.64 cents for 1940 and only 32.87 cents for the first 8 months of 1941, with the billions of dollars being spent for national defense.

If the butter farmers of America had had but a small part of the difference between the New Deal price and the Republican price for butter they would have had much more than all the so-called benefits distributed by the apostles of the more abundant life. When you realize that only 1 cent per pound in the price of butter means $18,166,000 a year to the butter farmers of America it is time to watch the price manipulators.

As long as Argentine butter is being sold in New York for 35 to 36 cents per pound the New Deal will not need to set up any price-ceiling machinery to hold the price of this commodity down to a ruinous low level.

This is one more New Deal chicken coming home to roost and once more shows that dairying and New Dealing do not mix any more than oil and water.

The official figures from the Agriculture Department secured on October 8, 1941, from the Agriculture Statistics Division are as follows:

United States production and annual average price of creamery butter, American cheese, and evaporated milk for specified periods

	Creamery butter	
	Production	Wholesale price, 92-score, at Chicago
	Thous. lbs.	*Cts. per lb.*
5-year average (1936-40)	1,727,586	29.31
1939	1,781,237	25.40
1940	1,816,641	28.74
1940		
January	128,210	30.76
February	127,775	29.03
March	139,240	28.03
April	152,975	27.10
May	192,560	26.42
June	204,803	26.27
July	185,751	26.48
August	165,427	27.00
Total	1,296,741	27.64
1941		
January	136,450	30.11
February	130,825	30.07
March	149,690	30.79
April	163,535	32.54
May	215,570	34.72
June	214,275	35.40
July	196,685	34.34
August	171,280	34.96
Total	1,378,310	32.87

With all the expenditures of public funds, and the demand resulting for butter thereby, note that there has been an increase in production of only 81,000,000 pounds of butter for the first 8 months of 1941.

The exports for 1940 of butter were a little less than 3,000,000 pounds, and the exports for the first 6 months of 1941 about one and one-quarter million pounds.

The imports of butter for the first 6 months of 1941 were 895,000 pounds at an average price of 20.4 cents at the point of origin in New Zealand and Argentina.

Imports of butter will only show a volume when the market is strong, as the butter farmer is protected by the 14-cent Smoot-Hawley tariff.

These small imports and exports of this product do not give the real picture of this butter situation. It is the time and the conditions under which this product comes that causes the American farmer to suffer losses.

As soon as the American farmer starts to obtain a butter price somewhere near the cost of production, the imports will roll in and keep his price down.

Once more I say the price-control bill will not affect this commodity much as long as the New Deal continues to manipulate the domestic price and as long as the fake reciprocal trade treaties control the foreign importations.

Butter has been only 25.5 cents per pound the last 10 years. This price is so low that foreign butter that is required to pay a 14-cent-per-pound import duty cannot be imported unless the foreign butter is 11.5 cents per pound on the foreign market. This answers the proponents of trade treaties that say that little or no butter is imported.

NEW DEAL DOMESTIC AND FOREIGN AGRICULTURAL SITUATION

The following table shows the imports and exports of the United States for the first 6 months of 1941:

United States foreign trade, total and in agricultural products, in 1936-40, and January-July 1941

[In thousands of dollars]

	5-year average, 1936-40	1936	1937	1938	1939	1940 [1]	January-July 1941 [1]
Total United States exports of domestic merchandise	3,166,518	2,418,969	3,298,929	3,057,169	3,123,343	3,934,181	2,302,999
Nonagricultural	2,465,282	1,709,492	2,501,447	2,229,623	2,468,257	3,417,593	2,150,246
Agricultural	701,236	709,477	797,482	827,546	655,086	516,588	242,753
Total United States imports for consumption	2,440,042	2,423,977	3,009,852	1,949,624	2,276,009	2,540,656	1,776,555
Nonagricultural	1,204,092	1,182,167	1,430,528	994,104	1,158,306	1,255,355	810,887
Agricultural	1,235,950	1,241,810	1,579,324	955,520	1,117,793	1,285,301	965,668
Complementary [2]	614,205	546,920	711,040	478,875	591,701	742,488	521,841
Supplementary [2]	621,745	694,890	868,284	476,645	526,092	542,813	443,827

[1] Preliminary.

[2] Supplementary agricultural imports consist of all imports similar to agricultural commodities produced commercially in the United States, together with all other agricultural imports interchangeable to any significant extent with such United States commodities. Complementary agricultural imports include all others, about 95 percent of which consist of rubber, coffee, raw silk, cacao beans, wool for carpets, bananas, tea, and spices.

Source: Office of Foreign Agricultural Relations, Department of Agriculture. Compiled from official statistic of the U. S. Department of Commerce.

The facts gleaned from this table show once more the cross-purpose schemes of the New Deal:

First. The United States was formerly an agricultural exporting Nation.

Second. The New Deal came along, with its fake reciprocal trade treaties, and lowered the tariff on farm products to such a great extent that the New Deal had to set up an export subsidy in order to show any exports of agricultural products to amount to anything. The New Deal spent $52,000,000 last year for export bounties, or in other words, gave foreign countries $52,000,000 to accept the farm products of the United States.

Third. Now the New Deal not only gets us on the brink of war but starts a program of giving food away to foreigners. One branch of the New Deal hopes to raise the domestic farm price by this program. However, it is confronted with the fact that about twice as many competitive agricultural products were imported the first 6 months as were exported. In other words, we import twice as many competitive agricultural products, paying "cash on the barrel head" for them and then give them away; we pay for delivering them but still export only half as much as we import. Such a program is not based on either common sense or common justice to the American people.

Fourth. When the American taxpayer realizes that he is paying a $5 tax on a $25 automobile, a tax on his refrigerator to keep his baby's milk cold and hundreds of other such taxes he will most assuredly call a halt to the waste, extravagance, and cross-purpose schemes of the self-styled apostles of the abundant life. The American taxpayer should also realize that this food is not being given purely for the purpose of feeding the needy of Britain. He should realize that they are paying the transportation to Britain and that the British Government is selling it to its people.

Fifth. The British Government, at the same time, refuses to let the people of the United States, not the United States Government, feed the sick, the aged, and the children of the countries already under Hitler's heel.

BRITISH FOOD SUPPLY AND MR. WICKARD'S POSITION

Mr. Speaker, the following article from the New York Times and the editorial from the Progressive printed at Madison, Wis., should give the people of this country a picture of the present agricultural political situation:

[From the New York Times of October 3, 1941]

LONDON MARKETS FOR COMMODITIES—IMPROVEMENT IN BRITAIN'S FOOD POSITION, REVEALED BY CHURCHILL, FEATURES WEEK—SUGAR POSITION CHANGED—ARRIVALS FROM OUTSIDE STERLING AREA ALSO ALTER WORLD SITUATION—NEW CONTROL SCHEME

(By Henry Heyman)

LONDON, October 4.—Food represented the chief feature of the British commodity news this week. Reviewing the war situation in the House of Commons on Tuesday, Prime Minister Churchill referred to the strong improvement in Great Britain's food position, pointing out that stocks, at present above the total when the war began, were higher than for the 8 previous months.

Direct help by the United States and the improved shipping position, due chiefly to reduced sinkings, now allow Britain to import several million tons more of foodstuffs than Mr. Churchill indicated in a secret session of Parliament last spring. Early in 1941 imports did not cover the requirements due to the serious depletion of stocks. Since midsummer, arrivals have much overcompensated the earlier stock reductions. Supplemented by the excellent domestic grain and potato crops, overseas supplies have been sufficient to remove the Government's anxiety for months ahead.

INCREASES IN RATIONS

Mr. Churchill's optimistic general review was followed up on Thursday by an announcement by the Ministry of Food of increases in certain rations, beginning on November 17, for the whole winter. Fat rations were advanced 25 percent to 10 ounces a week; the sugar ration was raised 50 percent to 12 ounces a week. Both increases were due largely to United States support, since United States lard has arrived in Britain in large quantities, while the British Government's buying of sugar from Cuba and San Domingo by way of New York has been progressing since last spring. While United States lard supplies come under the lease-lend arrangement, the method of financing British sugar imports from the United States is not known to the public. It has so far been supposed in the trade that the financing has taken place through British dollar reserves. Major Lloyd George, parliamentary secretary to the Minister of Food, however, referred in Commons to "sugar supplies from North America," which might cover financing through Washington, although official confirmation of this is not available.

SUGAR POSITION CHANGED

Whatever may be the method of financing, arrivals of sugar in Britain from outside the sterling area have changed completely both Britain's sugar position and the international sugar-market situation. Till last spring the Ministry of Food, Great Britain's sole sugar importer, had confined its purchases to the British Empire and Java. These imports, together with the British home beet crop, obtained 1,600,000 to 1,750,000 tons a year, covering two-thirds of Britain's peace consumption.

As a result of the Food Ministry's United States transactions in recent months, believed to have covered 400,000 to 500,000 tons, Britain's supply exceeds four-fifths of her prewar consumption. The increase in the civilian ration would not require more than 275,000 tons in a full year, but last month allocations to manufacturers and canteens advanced materially, so that roughly 350,000 tons of additional sugar a year are entering British consumption. This figure, compared with the United States transactions, indicates that the Food Ministry's sugar reserve is still rising despite the increased releases.

OTHER INCREASES IN FOOD

The improvements in the winter rations are not the only extensions of the British food diet. Recently jam and cheese rations have been increased materially, and certain unrationed products, like raisins, were now available in limited quantities after having disappeared from the shops since early in 1941. Serious shortages still exist in meat and fruit, and the coming winter will see reduced milk supplies. Large supplies of United States canned meat, evaporated milk, and dried fruit, however, are expected soon, so that health need not suffer.

While improvement in foodstuff rations represents progress primarily in the nutrition problem, they are linked closely to the Government's price and wages policy. Besides being the most vital foodstuffs, all rationed products are price controlled. Their increased allocations will enable workers' families to reduce purchases of unrationed products to supplement their diet.

In recent months the smallness of the rations made it necessary to buy considerable quantities of unrationed foodstuffs, for which prices were high, so that workers' living costs were raised well beyond the limit indicated by the labor ministry's cost-of-living index, which is compiled chiefly from the prices of the rationed products.

The discrepancy between the cost-of-living index and the actual cost of living plays a decisive role in the trade-union's demand for increased wages, which, in turn, upset the Government's price-stabilization moves.

While of value in this connection, the increased rations will not fully restore the accuracy of the Labor Ministry's index as a barometer of the cost of living. The Government, however, is preparing a far-reaching scheme for the extension of control of unrationed commodities, which will be ready for enforcement by mid-November. Details of this scheme thus far have not been revealed, though price limitations certainly are included. If strong enough, the move may change materially Britain's price-and-wages position, though the danger exists that part of the adjustment by the Government of unrationed goods may be nullified by the proposed increase in agricultural minimum wages from 48 to 60 shillings a week, which comes up for discussion in November, and must affect the prices of agricultural products considerably.

Few tangible facts concerning the Moscow agreement have become known in London so far. Mr. Churchill referred in the House of Commons to full aid for Russia on a growing scale for an indefinite period. He named, among other materials, aluminum and copper for the first time. Aluminum can come only from North America, including Canada, while for copper Rhodesia and the Belgian Congo are the likeliest sources. Africa, however, has not adequate refining facilities, and the concentrates would require treatment in the United States unless British and American metallurgists were sent to Russia.

REFINING STANDARD LOW

Russia has adequate refining facilities for twice its present domestic ore supply, but her technical standard of refining is poor. Adequate technical help would prove extremely valuable in this connection, and the Moscow agreement may well provide for this, though official confirmation is lacking.

Meanwhile, reports current here indicate that Russia's help for Britain may prove larger than had been expected. Besides, certain chemicals and minerals, hemp, and timber now are expected, although shipping facilities remain the crux of the problem. For the United States, Russia should at least provide adequate supplies of chrome and manganese. Chrome supplies for the democracies are safeguarded further by Germany's failure to obtain Turkish chrome under the new trade arrangement just signed in Ankara. Of the world's total annual production of chrome of 1,200,000 tons, the Axis controls only 10 percent, produced in Yugoslavia and Greece, of which part is not suitable for metallurgical purposes. Almost all the remainder is available for Britain, the United States, and Russia.

While the supplies of the latter countries are adequate, the Axis was forced to withdraw stocks as early as last year, although then, through Russian shipments to Germany, their supplies exceeded the present limit. As Russia's main deposits are situated in the Urals, Germany has no prospect of early improvement of supplies through her Russian conquests. As the general shortage of steel and all metals has been a serious Axis bottleneck for some time, failure to obtain Turkish supplies is especially important.

[From the Progressive for October 11, 1941]

WAR SALESMANSHIP

Secretary of Agriculture Claude R. Wickard sent word to newspaper reporters that he had no comment to make. Nobody else in official Washington appeared to have anything to say, apparently on the theory that the less said, the sooner would people forget.

And so the statements of Prime Minister Winston Churchill and Lord Woolton, Minister of Food, that Great Britain's food stocks are higher than they were before the war

began, stand unchallenged as an unequivocal denial of the Administration's scare-mongering estimates of British food needs.

Testifying before a House committee in support of the new $6,000,000,000 lend-lease appropriation, Wickard solemnly assured Members of Congress that "the United States must send to Great Britain a billion dollars worth of foodstuffs between now and February if the British are to hold out."

Wickard's jittery comment appeared in American newspapers on the very day that the papers carried Lord Woolton's statement that "Britain is entering the third year of the war with plentiful stocks of all sorts." "Moreover," added his Lordship, "Britain now has greater stocks of wheat than at any time in history." Wheat is so plentiful that a 4-pound loaf of bread has been reduced from 17 to 16 cents, or about one-half the price the same amount of bread costs in the United States.

Prime Minister Churchill supported Woolton's appraisal of the food situation when he said in his address before the House of Commons that "Britain's reserves of food stand higher than at the outbreak of the war."

In view of these clear-cut estimates by leading Britons who are in a position to know precisely what Britain's food position is, Secretary Wickard's wild statement that Britain may collapse unless we rush a billion dollars worth of food over by February stands exposed for what it is—an attempt to buy farm support of the administration's foreign policy with huge appropriations for food for Britain.

Senator ROBERT M. LA FOLLETTE, Jr., summed it up for readers of the Progressive last week when he wrote:

"Enamored with interventionism and flush with a jackpot of lend-lease funds, the administration is buying farm products with one hand and trying to sell the farmer the administration's foreign policy with the other."

Mr. Wickard is determined to give Great Britain another billion dollars worth of food whether she needs it or not—if it will help sell the war to the farmers.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Alabama [Mr. PATRICK] is recognized for 12 minutes.

OUR FOREIGN POLICY

Mr. PATRICK. Mr. Speaker, I wanted to talk about something that I think is as important to this country as anything can be at this time, in the light of the legislation that we are about to enter upon passing in the next few days, and which probably will, unfortunately, be slowed down on the other side of this lawmaking body—legislation which should have been passed a long time ago to offset other legislation that never should have been passed.

We are slow. We are fumbling. We are losing sight of our dreams in this country. It seems to me that as an American people we have forgotten the birth of flame and the baptism of fire that attended our becoming a nation. We have forgotten something that we got from our forefathers and have forgotten what we owe to our descendants. Let us not blame the isolationists. Let us not blame the appeasers. Let us blame ourselves as a whole in this Nation. We are all to blame. We owe the oncoming American too much to step out of our tracks and leave him with the Damoclean sword of nazi-ism constantly hanging over his head. The truth is, it is a sword that will not hang long. It descends.

Americans have had dreams since there was an America. This is the people who have given the world a Washington, a Putnam, a Decatur, a Jefferson, and a Jackson. Today we call their names as conscript fathers, and we speak of life, liberty, and the pursuit of happiness just as we speak of the sun, the moon, and the stars, and as if they were as fixed. But they are not.

And yet what do we do? We sat for 7 years while a nation violated the World Court Treaty for the purpose of doing violence to liberty and democracy. We saw that wicked nation arise and openly declare for all men to hear that democracy had become outmoded and unworkable and should be discarded from the earth. And we heard that same nation say that free and uncontrolled trade on the sea must come to an end. On the seas around Europe merely? No, indeed no. Was it to apply to the Eastern Hemisphere alone? Certainly not. Germany only speaks of world trade when she speaks of sea power. Hitler did not say who is to have the control when it ceases to be "chaotic, uncontrolled sea," but we know he means for Berlin to attend that, and any man who will think above a schoolboy's thoughts should know that whenever Hitler Germany overthrows Russia, which she threatens to do, and annexes the wealth of the Ukraine and when she breaks the back of the English Navy then she can throttle us and choke us to death at every port. It can determine port of departure and port of receipt. It will not be necessary for her to come over here, it will not even be necessary for her to have a navy to do that very thing; and yet we sat here day after day like numbskulls, and let her advance to become the tragic threat she is today.

There is something wrong in America. There is nothing wrong with America, but there is something wrong in America. What has happened to us as a people? Where were we when the big string snapped, we who crossed an ocean and lit the torch of freedom and democracy to establish a nation in which an Abraham Lincoln could be born and become President? We are not like other nations. The world has given us more. We promised a new and finer life, and we owe more to mankind, we owe it as a Nation and as a people that has established and espoused that doctrine. We pioneered in a brave, open, free life.

For 4 years I have sat here with the crowd, voting, thinking, and sometimes making a talk, all with the crowd; but today I am free. Something, Mr. Speaker, has happened to us as a people when we seek an excuse to look away from the truth and hide from the facts and say that we can build a Chinese wall about us and look after our own affairs and feel that the ravages of war will not finally come to us. We are embarrassed in this world. Do you not feel it? Something is out of joint in this country when the dauntless, intrepid Lindbergh of 1927 should be the cowering isolationist of today. Let us not blame him. He reflects more, I fear, than his case alone; let us blame it on a deterioration into a weakness and diluted spirit that has caught up with us, for it has even smitten the thigh of our lawmaking body here in Washington. For shame that we let Hitlerism ride so long unchallenged! He knows no party, neither Republican Party nor Democratic Party; he knows only that this is a democracy and that it is a challenge to his form of rule and dictatorship. He says therefore it is doomed to perish from the earth.

What has happened to the people who declared the Monroe Doctrine and acclaimed the freedom of the seas as a nation's right? What has happened to us here? An announcement hereabout is made that a message—let us get an example—that a message is to be delivered to the people in some part of the United States. An important man is to speak, perhaps a United States Senator, and the people go out to hear him. They expect to hear an American arise and announce Americanism in strong and forceful language as has been held forth for generations; but what do they hear? Instead of that they see a little mouse of a man get and say, "Let us not run out of our hole here until we see a safe one to run into over there. We are afraid. I am not here to talk human rights or principles, I am here to oppose our doing anything that may involve us in a war." Then he talks of foreign wars and negotiated peace with one whose performances with word and with contract have been such a disgrace that they have shocked even blood-soaked Europe, he talks of negotiating and dealing with one whose most solemn pledges are tissue paper.

Is this America? Yes; it is America, but it is not the American spirit. Had this been the American spirit in 1776 there had been no United States of America today. We must get together in America and we must do it now. We must get rid of this disgraceful, self-inflicted handicap of a neutrality law, hurtful and hypocritical; we should repeal it, lock, stock, and barrel; and we should do every other thing to free us for whatever action we may wish to take at any time, barring nothing. What we really should do, perhaps, if we had the nerve to do it—and time will soon tell whether we ought to do it or not—but what we really perhaps should do is to declare war on Germany today, not for the purpose of getting into the depths of the war, but in order that we may as freemen do what we please, go when we please and where we please as a free nation upon the seas, not bound down by technical peacetime rules.

Germany has certainly done and said more than enough to provoke it. She has said that our order and her order cannot both live and grow at the same time on this earth; and, of course, that is true. That was a challenge to us, but we chose to ignore and shrug it off. She has struck us physical blows. She has informed us that she will get to us in time, and it will not be with words. Of course, we should not attempt any expeditionary force, we should not try to send any armed troops to Europe at this time, perhaps not in this entire war, but time may prove that today we actually need the declaration of war for three

reasons: One, for the use it will be in revealing to us those who are not loyal to the country; second, it will allow us to act as we please, to go where we choose, and take whatever action we should without the technical handicap peacetime laws carry; and, third, it will help to get the Nation to see and feel the gravity of our peril and to place more energy behind the serious and important program before us.

This is not an imaginary condition. When a man in a high place, when a man who has been a senator in the State Senate of Ohio, can spend $40,000 of Nazi money promoting Nazi principles in this country without even realizing where the money came from, something should be done. This is merely a case we happened to blunder onto. Nobody knows how much Nazi money has been used in this country for the purpose of promoting the things that we have heard right here on the floor of the House.

Mr. FADDIS. Will the gentleman yield?

Mr. PATRICK. I yield to the gentleman from Pennsylvania.

Mr. FADDIS. Does the gentleman imagine that any Nazi money went toward certain investigations that were conducted in this country which put the munitions industry practically out of business and put us in a state today where we are unable to provide enough powder to load the ammunition we need for our own protection?

Mr. PATRICK. I do not believe any man, no matter how he feels, can study that picture and reach any other conclusion to save his life.

Mr. DICKSTEIN. Will the gentleman yield?

Mr. PATRICK. I yield to the gentleman from New York.

Mr. DICKSTEIN. Does not the gentleman know that in the last 6 or 7 years money has been flooded throughout this country by the millions to propagandize the philosophy of nazi-ism and to destroy our democracies; that every German consul in this country was a regular cashier in paying out and in having agents and Gestapos?

Mr. PATRICK. I do not think there is anybody who will deny that now. There may be those who would have denied it a while back.

Mr. FADDIS. Will the gentleman yield further?

Mr. PATRICK. I yield to the gentleman from Pennsylvania.

Mr. FADDIS. Does not the gentleman believe it is quite possible that Nazi money has gone to subsidize papers printed in this city, one paper in particular, in front of the office of which the American flag is not taken down even after nightfall?

Mr. PATRICK. If that has not been done, they could not have served it any better if it had.

Mr. FADDIS. This office calls itself The Vindicators.

Mr. PATRICK. Yes. It is a part of the weak, mollycoddling spirit that has come over America, and I wonder if the shades of our forefathers—reflecting the vigor and strength that they do from their day—if in their lives they could have in their day even dreamed there would be the degeneration, the blindness, the willful neglect of duty, and the purposeful studied running away from the strong obligations that democratic needs demand. If we are afraid now, where will we be later? If we are afraid today of what we ought to do, if an ounce of prevention is worth a pound of cure, if we cannot stand the method of prevention, what would we be able to do if we had to undertake the cure? Nazi-ism has dared challenge democracy in this world. It is fanatically serious. It is very strong. I say that we ought to do all we can as quickly as we can to get everything out of the way so we can stand up in the world and walk like a man in America.

[Here the gavel fell.]

STATUE OF LIBERTY DAY

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York [Mr. DICKSTEIN]?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I introduced House Joint Resolution 225, which was referred to the Judiciary Committee of the House and there favorably acted upon. A report was filed by one of my colleagues on the committee, the gentleman from Pennsylvania [Mr. WALTER] recommending the passage of this resolution. I cannot for the life of me see what objection there could have been to the resolution and why it was not adopted at the earliest possible moment.

The resolution provides—

That the President of the United States is authorized to issue proclamation calling upon officials of Federal and State Governments to display the flag of the United States on all Federal and State Government buildings on October 28, 1941, and inviting the people of the United States to observe with appropriate ceremonies the fifty-fifth anniversary of the dedication of the Statue of Liberty in New York Harbor.

This resolution was introduced by myself after careful thought and after conference with many groups throughout the country, including naturalized citizens and other American citizens who are now being attacked in this country as warmongers and who are being accused of being un-American. These people sought to rededicate to the world their Americanism and the principles upon which the democracy was founded.

There has been a lot of propaganda put out and spread over the country seeking to divide our people, race against race, creed against creed, and so forth. There are at least 30,000,000 or more people who sought under this joint resolution to rededicate Americanism on that day, the birthday of the Statue of Liberty, and this would have been a wonderful thing, especially with conditions that prevail in our own country today.

I am amazed and surprised that my colleague the gentleman from New York [Mr. WADSWORTH] objected to the present consideration of this resolution when the chairman of the Committee on the Judiciary [Mr. SUMNERS] submitted that request. I am at a loss to understand why anyone else should make objection to a resolution that would simply provide for raising the American flag for 1 day.

Someone said, "Why not wait until some other birthday?" We hope that the war will be over and that our people will be safer. Today there is too much propaganda spread throughout the country in which certain groups are being attacked as un-American, especially those of alien birth. As a matter of fact, only a week ago some old, retired Army officers, on the pay roll of the Government, in convention, had the audacity and the nerve to pass a resolution to the effect that no person who happened to be born on the other side could hold public office. This is the type of organizations that have attacked people who happen to be naturalized citizens and who, I am sure, believe in the philosophy and the principles of our Government and would fight tomorrow if they were called upon to do so.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Alabama.

Mr. PATRICK. If the gentleman has studied it enough to reach a conclusion, what is his conclusion as to why, right now, when we need a unity as a nation more than we have, perhaps, for a long time, activity along that line is fomented?

Mr. DICKSTEIN. It is because it is engineered by foreign agents and foreign sympathizers, persons representing foreign governments, in the United States Government today.

Mr. WASIELEWSKI. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Wisconsin.

Mr. WASIELEWSKI. I happened to be in attendance at a banquet given by the organization to which the gentleman has referred, which is supposed to have passed a resolution asking for a constitutional amendment making it mandatory that to hold public office a man has to be born in this country. I have been informed by officers of that organization that no such resolution was adopted, and that the report that it had been adopted was erroneous.

Mr. DICKSTEIN. All I can say is that I read it in the press, and it ran in the press all over the country. Further, that group did not even attempt to deny that statement. These are the things that cause disturbances among our population and encourage organizations, which I could name by the dozen, who seek to array American against American and Catholic against Protestant. There are always men somewhere in this country who are trying to disrupt our people in a time when we need unity.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Alabama.

Mr. PATRICK. I am a Methodist, a deep old Methodist from the South, but in the last 2 years I have heard more things said along the line of racial prejudice, especially against the Jews, than I have at any other time in my lifetime.

Mr. DICKSTEIN. I believe there is a very simple answer. How do you think Hitler started this trouble in the world? By arraying one religion against another, one people against another, until he gradually came to the point where the enemy were fighting each other.

[Here the gavel fell.]

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to proceed for 2 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DICKSTEIN. The population was decadent. He did the same thing in his own country. He went into Austria and did the same thing. He had Gestapo agents and propagandists in every country he took over. He has had agents in this country from 1933 on, and millions of dollars have been spent for that purpose. Thank God, in 1934 Congress gave me the right to investigate these conditions. I have stood on this floor day in and day out and warned the country as to what has been going on. What I told you then is the truth today.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Alabama.

Mr. PATRICK. Hitler's idea was to begin by purifying the Aryan bloodstream in Germany, and thus cut off the heirs of the Jews. How did he inspire his people with that doctrine, and then go on to inspire the Italians and then the Japanese?

Mr. DICKSTEIN. He told them they were better than all the other peoples of the world. He has told them everything under the sun just to create this very type of disturbance and now we can go right back to Chicago or New York, as the gentleman stated a moment ago, and find where consuls were actually dishing out money to some people in this country who were on the pay roll of the German Government to carry on their propaganda, a thing which is obnoxious to our American people. We were at peace with Germany, but nevertheless that activity was carried on and I may say that millions and millions of dollars was spent here, and who were attacked? Every minority was attacked just as in his own country and just as was done in Austria and in the Low Countries and in Poland and Czechoslovakia. This was the greatest weapon he had when he undertook to destroy the morale of the people.

Mr. Speaker, this resolution contemplates the observance, with appropriate ceremonies, the fifty-fifth anniversary of the dedication of the Statue of Liberty in New York harbor.

The Statue of Liberty was the first public structure visible from ships which entered the harbor of New York, the harbor which is the gateway to America, and the door to which this country is entered from the east.

When 55 years ago, the French Government, as a gesture of good will and friendship, sent to this country this beautiful statue, ceremonies were held dedicated to the cause of freedom and liberty which at that time all of us believed would forever be the goal to which mankind would aspire. Now France herself lies prostrate under the heel of a ruthless dictator, and all of Europe is engulfed in a bloody conflict, to determine whether or not this ideal of freedom shall long endure. Europe hopes and prays that the day is not far when mankind again will enjoy the blessings of liberty and peace.

It is on occasions like these that we become aware of our own liberty and freedom, and become conscious of the part which we have to play to preserve our precious heritage, liberty, and justice.

A few days ago, I called the attention of the House of Representatives to the fact that this was the ninety-second anniversary of the birth of Emma Lazarus, an American poetess who died in the city of New York, the city of her birth at the untimely age of 38. It was Miss Lazarus whose famous poem The Golden Door so fittingly adorns the Statue of Liberty, and which reads as follows:

Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore,
Send these, the homeless, tempest-tossed, to me,
I lift my lamp beside the golden door.

Let us hope that this country will forever remain the one haven in the world in which the land of freedom will forever be reached beside the golden door of its entrance.

This resolution has for its object our rededication to the cause of liberty and democracy. It will call upon the President of the United States to proclaim this day as Liberty Day, where the flag shall be raised on every Government, State, and public building throughout the country with appropriate ceremonies signifying the liberty which we enjoy in our country and institutions.

PERMISSION TO ADDRESS THE HOUSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 2 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the gentleman from Idaho [Mr. WHITE] said in the course of debate that I would not like it if they injured the port of Boston. I will say, Mr. Speaker, that the port of Boston has been very much injured in the past months by the merchant ships not coming to that port—and I do not like it. The last Merchant & Miners ship will stop at the port of Boston on Saturday. For 87 years Boston has been a port of call for the Merchant & Miners Line.

It is an extremely serious situation that Massachusetts faces, Mr. Speaker. It is not only that the port will suffer great losses, but 80 percent of the supplies coming to the port go to my district and to other inland cities and towns. I have made numerous appeals to the Maritime Commission and the Chairman of the Commission and the other members of the Commission to take steps to remedy this situation. Many other ships have been taken from the port.

I have also investigated with Government departments and find, Mr. Speaker, that lend-lease supplies are not going out from the port of Boston. I learn, Mr. Speaker, they are sending these lend-lease supplies from the ports designated by the British Purchasing Commission. They are going almost entirely from the port of New York. Mr. Speaker, it is high time the administration indicated to the British Purchasing Commission that they divide their supplies and send them from different ports, giving Boston its fair share, and I may say, Mr. Speaker, that the port of Boston is the shortest sailing distance to England. I earnestly hope the Members of the House will join me in seeing that the British Purchasing Commission is asked to divide its supplies and send them from different ports.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 additional minute.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I would like to mention at this time that the British are directing our troops and our Navy, which are in or near Iceland. I think it is time that we took over the control of our own men and supplies. It is high time it was indicated to them they should consider our wishes and the welfare of the United States. We should insist upon it. They certainly want the supplies enough and we want them to have the supplies, but not always to our detriment.

[Here the gavel fell.]

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. SHAFER] may revise and extend his own remarks in the RECORD and include therein some resolutions.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. GOSSETT, for 1 week, on account of official business.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1929. An act authorizing appropriations to be used for the defense of the Philippine Islands, and for other purposes; to the Committee on Military Affairs.

ADJOURNMENT

Mr. WASIELEWSKI. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 17 minutes p. m.) the House adjourned until tomorrow, Thursday, October 16, 1941, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will continue public hearings on Thursday, October 23, 1941, at 10 a. m. on H. R. 3254, to safeguard and protect further the lives of fishermen at sea and to place fishing boats under the supervision of the Department of Commerce, Bureau of Marine Inspection and Navigation, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

987. A letter from the Secretary of War, transmitting a report of contracts awarded under the act of March 5, 1940; to the Committee on Military Affairs.

988. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 21, 1941, submitting a report, together with accompanying papers, on reexamination of Tanana River, Alaska, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 4, 1937; to the Committee on Rivers and Harbors.

989. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 17, 1941, submitting a report, together with accompanying papers, on reexamination of Two Rivers Harbor, Wis., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted May 29, 1940; to the Committee on Rivers and Harbors.

990. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 24, 1941, submitting a report, together with accompanying papers, on reexamination of Manatee River, Fla., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted April 17, 1940; to the Committee on Rivers and Harbors.

991. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 16, 1941, submitting a report, together with accompanying papers, on a preliminary examination and survey of North Fabius River, Mo., authorized by the Flood Control Act approved June 22, 1936; to the Committee on Flood Control.

992. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 25, 1941, submitting a report, together with accompanying papers, on reexamination of the Louisiana and Texas Intracoastal Waterway at and near Port O'Connor, Tex., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted October 5, 1940; to the Committee on Rivers and Harbors.

993. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 21, 1941, submitting a report, together with accompanying papers, on a preliminary examination of the North Fork of Clinch River, Va. and Tenn., authorized by the Flood Control Act approved August 11, 1939; to the Committee on Flood Control.

994. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 21, 1941, submitting a report, together with accompanying papers, on reexamination of Columbia River, with a view to determining the advisability of creating the port of North Bonneville, Wash., by dredging, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 16, 1940; to the Committee on Rivers and Harbors.

995. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated June 19, 1941, submitting a report, together with accompanying papers, on reexamination of Rogue River, Oreg., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 28, 1939; to the Committee on Rivers and Harbors.

996. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 22, 1941, submitting a report, together with accompanying papers, on reexamination of Sakonnet Harbor, R. I., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 15, 1939; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. DOUGHTON: Committee of conference on the disagreeing votes of the two Houses. House Joint Resolution 235. Joint resolution to amend section 124 of the Internal Revenue Code (Rept. No. 1261). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAAS: Committee on Naval Affairs. S. 1508. An act to provide for the pay of aviation pilots in the Naval and Marine Corps Reserve, and for other purposes; with amendment (Rept. No. 1262). Referred to the Committee of the Whole House on the state of the Union.

Mr. COCHRAN: Committee on Expenditures in the Executive Departments. H. R. 5785. A bill to fix the responsibilities of disbursing and certifying officers, and for other purposes; without amendment (Rept. No. 1263). Referred to the Committee of the Whole House on the state of the Union.

Mr. COCHRAN: Committee on Accounts. House Resolution 319. Resolution granting a gratuity to Celia Kelly; without amendment (Rept. No. 1264). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 320. Resolution for consideration of House Joint Resolution 237, to repeal section 6 of the Neutrality Act of 1939, and for other purposes; without amendment (Rept. No. 1265). Referred to the House Calendar.

Mr. NICHOLS: Select Committee to Investigate Air Accidents. Report, pursuant to House Resolution 125, Seventy-seventh Congress, concerning an accident at Luken Airport at Cincinnati, Ohio; without amendment (Rept. No. 1266). Referred to the Committee of the Whole House on the state of the Union.

Mr. BLOOM: Committee on Foreign Affairs. House Joint Resolution 237. Joint resolution to repeal section 6 of the Neutrality Act of 1939, and for other purposes; without amendment (Rept. No. 1267). Referred to the Committee of the Whole House on the state of the Union.

Mr. HALLECK: Committee on Interstate and Foreign Commerce. H. R. 5557. A bill authorizing the State of Indiana to construct, maintain, and operate a free highway bridge across the Wabash River at or near Montezuma, Ind.; with amendment (Rept. No. 1268). Referred to the House Calendar.

Mr. YOUNGDAHL: Committee on Interstate and Foreign Commerce. H. R. 5556. A bill granting the consent of Congress to the State of Minnesota and the city of Minneapolis to construct, maintain, and operate a free highway bridge across the Mississippi River at or near Minneapolis, Minn.; without amendment (Rept. No. 1269). Referred to the House Calendar.

Mr. PEARSON: Committee on Interstate and Foreign Commerce. H. R. 4912. A bill to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Memphis, Tenn.; with amendment (Rept. No. 1270). Referred to the House Calendar.

Mr. YOUNGDAHL: Committee on Interstate and Foreign Commerce. H. R. 4381. A bill to amend an act of March 15, 1904, so as to permit the construction between certain points on the Minnesota River of bridges of lower heights than those authorized by such act; with amendment (Rept. No. 1271). Referred to the House Calendar.

Mr. MAY: Committee on Military Affairs. S. 1782. An act to authorize the payment of a donation to and to provide for the travel at Government expense of persons discharged from the Army of the United States on account of fraudulent enlistment; with amendment (Rept. No. 1272). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHAFER of Michigan: Committee on Military Affairs. H. R. 1106. A bill to authorize the Secretary of War to grant a right-of-way to Grand Trunk Western Railroad Co. across the Kalamazoo National Guard Target Range, Michigan; with amendment (Rept. No. 1273). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 5630. A bill to make provisions for the construction activities of the Army; with amendment (Rept. No. 1274). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 5749. A bill to authorize the Secretary of War to sell to the Embry-Riddle Co. the military reservations of Carlstrom and Dorr Fields, Fla.; without amendment (Rept. No. 1275). Referred to the Committee of the Whole House on the state of the Union.

Mr. PATTON: Committee on the Territories. H. R. 5374. A bill to authorize the transportation of employees of the Alaska Road Commission, and to validate payments made for that and other purposes; without amendment (Rept. No. 1276). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 5356. A bill to constitute an Army Chaplains' Corps with a major general as chief; with amendment (Rept. No. 1277). Referred to the Committee of the Whole House on the state of the Union.

Mr. O'CONNOR: Committee on Indian Affairs. H. R. 4578. A bill to authorize certain corrections in the tribal membership roll of the Puyallup Tribe of Indians in the State of Washington, and for other purposes; with amendment (Rept. No. 1278). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. OLIVER:

H. R. 5832 (by request). A bill to amend section 12 of the Securities Exchange Act of 1934, as amended, so as to prevent national securities exchanges from extending unlisted trading privileges to a security which is not listed and registered on a

national-securities exchange; to the Committee on Interstate and Foreign Commerce.

By Mr. PIERCE:

H. R. 5833. A bill to extend the time during which orders and marketing agreements under the Agricultural Adjustment Act, as amended, may be applicable to hops; to the Committee on Agriculture.

By Mr. DOUGHTON:

H. R. 5834 (by request). A bill to amend section 13 (c) of the act entitled "An act to prevent pernicious political activities," approved August 2, 1939, as amended, so as to permit the sale of certain publications not published or sold for profit; to the Committee on the Judiciary.

By Mr. O'LEARY:

H. R. 5835. A bill to authorize travel on ships at the lowest available first-class rate when accommodations at the lowest first-class rate are not available; to the Committee on Expenditures in the Executive Departments.

H. R. 5836. A bill to provide for the pay and costs of transportation of civilian employees appointed for duty beyond the continental limits of the United States, and in Alaska; to the Committee on Expenditures in the Executive Departments.

By Mr. BLAND:

H. R. 5837. A bill to regulate the distribution and promotion of commissioned officers of the Coast and Geodetic Survey, and for other purposes; to the Committee on the Merchant Marine and Fisheries.

By Mr. GATHINGS:

H. R. 5838. A bill to increase the minimum pay of enlisted men in the land and naval forces; to the Committee on Military Affairs.

By Mr. SUMNERS of Texas:

H. R. 5839. A bill to amend the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties," and for other purposes; to the Committee on the Judiciary.

By Mr. McCORMACK:

H. J. Res. 240. Joint resolution to restore the rank of brigadier general to the late William L. Mitchell; to the Committee on Military Affairs.

By Mr. CARTWRIGHT:

H. Con. Res. 53. Concurrent resolution expressing the thanks of Congress to the Senate and Chamber of Deputies of Mexico; to the Committee on Foreign Affairs.

H. Res. 321. Resolution providing for the consideration of H. R. 5810, a bill to supplement the Federal Aid Road Act, approved July 11, 1916, as amended, and supplemented, to authorize appropriations during the national emergency declared by the President on May 27, 1941, for the immediate construction of roads urgently needed for the national defense, and for other purposes; to the Commitee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AUGUST H. ANDRESEN:

H. R. 5840. A bill for the relief of H. J. Blexrud; to the Committee on Claims.

By Mr. ANDREWS:

H. R. 5841. A bill for the relief of the estate of Elwood Grissinger; to the Committee on Claims.

By Mr. CARTWRIGHT:

H. R. 5842. A bill for the relief of Albert D. Castleberry; to the Committee on Military Affairs.

By Mr. EBERHARTER:

H. R. 5843 (by request). A bill granting a pension to Alma A. Weyman, widow; to the Committee on Invalid Pensions.

By Mr. MAGNUSON:

H. R. 5844. A bill for the relief of Angelo Merlino; to the Committee on Claims.

By Mr. O'LEARY:

H. R. 5845. A bill for the relief of Alvira Manfredi; to the Committee on Claims.

By Mr. ROGERS of Oklahoma:

H. R. 5846. A bill for the relief of Wesley S. Wright; to the Committee on Claims.

By Mr. SIKES:

H. R. 5847. A bill for the relief of Mrs. Julia Campbell; to the Committee on Claims.

By Mr. SPRINGER:

H. R. 5848. A bill for the relief of the Indiana Dairy Marketing Association, Inc.; to the Committee on Claims.

By Mr. VAN ZANDT:

H. R. 5849. A bill granting an increase of pension to Mrs. Mary E. Robison; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1900. By Mr. JARRETT: Petition of sundry citizens of Clarion County, Pa., urging passage of Senate bill 860; to the Committee on Military Affairs.

1901. By Mr. KRAMER: Petition of the Los Angeles County Citizens' Advisory Committee, requesting the Los Angeles County delegation in Congress to do everything within their power to have southern California's Work Projects Administration quota reinstated as of before July 1, 1941; to the Committee on Appropriations.

1902. By the SPEAKER: Petition of the Camden General Welfare Center, No. 4, Pyne Poynt, Camden, N. J., petitioning consideration of their resolution with reference to the Federal Social Security Act; to the Committee on Ways and Means.

1903. Also, petition of the General Welfare Center, No. 128, Lilley Building Hall, Columbus, Ohio, petitioning consideration of their resolution with reference to the Federal Social Security Act; to the Committee on Ways and Means.

1904. Also, petition of the General Welfare Northside Center, No. 2, Chicago, Ill., petitioning consideration of their resolution with reference to the Federal Social Security Act; to the Committee on Ways and Means.

1905. Also, petition of the Sacred Science Church of Illinois, Chicago, Ill., petitioning consideration of their resolution with reference to the Federal Social Security Act; to the Committee on Ways and Means.

SENATE

THURSDAY, OCTOBER 16, 1941

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O God our Heavenly Father, by whose Presence we are daily renewed in trustfulness and courage as our pilgrim feet press toward the goal that Thou hast set for us: We humbly beseech Thee to guide us in judgment, that we may be saved from all false choices by finding Thee in every higher impulse that stirs the mind; in every holy aspiration which awakens in us a thrill of longing and wonder; in our sympathy for the suffering, our helpfulness to those in need, and, above all, in our indignation in the face of wrong and our determination to do the right.

Unite us all, dear Lord, in the defense of our beloved country, that with one heart, mind, and will we may redeem the ideals of our forefathers, and with resolute purpose lead the way to a finer, nobler freedom among the nations of the world.

We ask it in the name of Him who carried all burdens and faced all problems in the companionship of His Father, and who found His joy in losing Himself in loving service for those about him, Jesus Christ our Lord and Saviour. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of Monday, October 13, 1941, was dispensed with, and the Journal was approved.

NOTICE OF CONSIDERATION OF NOMINATION OF J. JOSEPH SMITH, TO BE UNITED STATES DISTRICT JUDGE FOR DISTRICT OF CONNECTICUT

Mr. DANAHER. Mr. President, I take the floor simply to announce on behalf of the Committee on the Judiciary, pursuant to its standing rule, that a subcommittee will meet on Friday, October 24, at 10 o'clock a. m. in the Senate Judiciary Committee room, to consider the nomination of the Honorable J. JOSEPH SMITH, of Connecticut, to be United States district judge for the district of Connecticut.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, who also announced that the President had approved and signed the following acts:

On October 13, 1941:

S. 493. An act conferring jurisdiction upon the United States district court for the southern district of Florida to hear, determine, and render judgment upon the claims of Frank P. Walden in his individual capacity and as husband and legal representative of the estate of Anice Walden, deceased, and Viola Harp in her individual capacity and as legal guardian of her daughter, Marjorie Gayle Harp, a minor;

S. 874. An act relating to allowances for rental quarters of certain naval officers stationed in the Canal Zone;

S. 1051. An act relating to the payment of fees and costs of witnesses and jurors and the accounting therefor;

S. 1228. An act for the relief of Mrs. A. B. Tanner;

S. 1512. An act to amend the Alien Registration Act, 1940, by making it a criminal offense to reproduce alien registration receipt cards; and

S. 1655. An act for the relief of Victor M. Lenzer, former special disbursing agent, Department of Labor.

On October 14, 1941:

S. 605. An act for the relief of Pherne Miller;

S. 1344. An act to authorize employees of the United States to testify on behalf of the District of Columbia and employees of the District of Columbia to testify on behalf of the United States and of the District of Columbia without loss of salary or annual leave;

S. 1392. An act for the relief of Homer J. Swope;

S. 1398. An act for the relief of Elinor Leugers;

S. 1570. An act to further amend the acts for promoting the circulation of reading matter among the blind; and

S. 1709. An act conferring jurisdiction upon the United States district court for the western district of North Carolina to hear, determine, and render judgments upon the claims against the United States of I. M. Cook, J. J. Allen, Radiator Specialty Co., and the R. and W. Motor Lines., Inc.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, communicated to the Senate the resolutions of the House of Representatives adopted as a tribute to the memory of Hon. Lee E. Geyer, late a Representative from the State of California.

The message announced that the House had passed without amendment the bill (S. 260) to permit mining within the Organ Pipe Cactus National Monument in Arizona.

The message also announced that the House had passed the bill (S. 1731) to authorize the Secretary of the Navy to provide salvage facilities, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H. R. 2985) to prescribe the time basis for computing pay for overtime work performed by laborers in the Railway Mail Service.

The message further announced that the House had agreed to the concurrent resolution (S. Con. Res. 18) extending the thanks of Congress to the Senate and Chamber of Deputies of the Republic of Mexico for certain courtesies extended.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 3937. An act to change the designation of the Fort Marion National Monument, in the State of Florida, and for other purposes;

H. R. 5554. An act to amend the Nationality Act of 1940, to preserve the nationality of a naturalized wife, husband, or child under 21 years of age residing abroad with husband or wife a native-born national of the United States; and

H. R. 5783. An act to authorize the construction or acquisition of certain naval local defense vessels, and for other purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 377. An act to repeal sections 512, 513, 514, 515, as amended, of the Revised Statutes; sections 1 and 3 of the act approved February 4, 1929 (45 Stat. 1147); and section 3744, as amended; 3745, 3746, and 3747 of the Revised Statutes;

S. 1426. An act for the relief of Otis Thompson;

S. 1695. An act for the relief of Reginald H. Carter, Jr.;

H. R. 5511. An act to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad; and

H. R. 5667. An act to authorize the Reconstruction Finance Corporation to issue notes, bonds, and debentures in the sum of $1,500,000,000 in excess of existing authority.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

PROVISION PERTAINING TO AN EXISTING APPROPRIATION FOR THE NAVY DEPARTMENT, BUREAU OF YARDS AND DOCKS (S. DOC. NO. 118)

A communication from the President of the United States, transmitting draft of a proposed provision pertaining to an existing appropriation for the Navy Department, under the Bureau of Yards and Docks, fiscal year 1942 (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

AWARDS OF CONTRACTS FOR THE ARMY

A letter from the Secretary of War, reporting, pursuant to law, relative to division of awards of certain quantity contracts for aircraft, aircraft parts, and accessories therefor entered into with more than one bidder under authority of law; to the Committee on Military Affairs.

DISTRIBUTION AND PROMOTION OF COMMISSIONED OFFICERS, COAST AND GEODETIC SURVEY

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to regulate the distribution and promotion of commissioned officers of the Coast and Geodetic Survey, and for other purposes (with accompanying papers); to the Committee on Commerce.

SESSION LAWS OF HAWAII

A letter from the Governor of Hawaii (through the Department of the Interior), transmitting, pursuant to law, copy of laws passed by the Territory of Hawaii, regular session of 1941 (with an accompanying document); to the Committee on Territories and Insular Affairs.

PETITIONS

Petitions, etc., were laid before the Senate or presented and referred as indicated:

By the VICE PRESIDENT:

A letter in the nature of a petition from a citizen of Princeton, Ill., praying that the United States keep out of war and that the Neutrality Act be not repealed; to the Committee on Foreign Relations.

By Mr. CAPPER:

A petition of members of the Mount Olive Baptist Church, of Girard, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

By Mr. VANDENBERG:

A resolution of the Chippewa County, Mich., Defense Council, recommending the adoption of certain steps for the protection of the Soo locks; to the Committee on Commerce.

A petition of sundry citizens of the State of Michigan, praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

PROPOSED MORATORIUM ON RENTS, ETC.

Mr. WILEY. Mr. President, I present a resolution of Women's Auxiliary No. 2, International Union, United Automobile Workers of America, Local No. 75, Milwaukee, Wis., relating to the subject of a moratorium on rents and so forth, and ask that it be referred to the appropriate committee.

There being no objection, the resolution was referred to the Committee on Education and Labor and ordered to be printed in the RECORD, as follows:

Whereas the allocation of priorities and the curtailment of production made necessary by the prosecution of the national-defense program will result in loss of employment for varying periods of time by scores of automobile workers as well as hundreds of thousands of workers in numerous other industries; and

Whereas these workers will be unemployed through no fault of their own, and notwithstanding their willingness to work either in their customary employment or in national-defense work; and

Whereas the unemployment so caused will entail privation and suffering on the part of these workers and their families to an extent that the present means of amelioration will fall far short of providing them against great hardship: Therefore be it

Resolved, That we urge the enactment by Congress of legislation effecting a moratorium on rents and other time-payment obligations of workers which they are unable to pay during the periods of their unemployment which is thus caused; and be it finally

Resolved, That we urge the enactment of legislation by the State legislature of amendments to their respective unemployment-compensation act, providing for increased benefits and for longer periods of their payment for these workers whose unemployment is due to such causes.

THE NEUTRALITY ACT

Mr. MALONEY. Mr. President, I ask unanimous consent that there may be printed in the RECORD at this point as a part of my remarks and appropriately referred a telegram which I have received from Thomas R. Molloy, president of the Connecticut C. I. O. Council, relating to the Neutrality Act.

There being no objection, the telegram was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

HARTFORD, CONN., *October 13, 1941.*

Senator FRANCIS T. MALONEY,
Senate Office Building,
Washington, D. C.:

In meeting Saturday, October 11, the executive board of the Connecticut C. I. O. Council unanimously endorsed a motion which calls for immediate and outright repeal of the Neutrality Act. Urge you to use voice and vote to accomplish repeal of this act, which seriously interferes with our aid to nations shedding their blood for the defeat of Hitlerism and thus puts obstacles in the way of the defense of our country.

THOMAS R. MOLLOY,
President, Connecticut C. I. O. Council.

REVISION OF THE NEUTRALITY ACT AND AID TO SOVIET RUSSIA

Mr. MALONEY. Mr. President, I ask unanimous consent that there may be inserted in the RECORD, as a part of my remarks, a letter which I have received from Mr. Joseph Muehlberger, president, and Mr. John G. McGovern, secretary, of the Cigar Makers' International Union of America, Local Union No. 42, Hartford, Conn., together with a resolution adopted by the aforementioned union at its last regular meeting.

I ask that the matter be referred to the appropriate committee.

There being no objection, the matter was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

CIGAR MAKERS' INTERNATIONAL UNION
OF AMERICA, LOCAL UNION NO. 42,
Hartford, Conn.

Senator FRANCIS MALONEY,
Washington, D. C.

DEAR SIR: The following resolution was adopted at our last regular meeting:

"Whereas we are in full support of President Roosevelt's program of all-out aid to all

nations fighting against Hitler and his Axis partners; and

"Whereas the Roosevelt administration is taking all possible steps to send war matériel to Great Britain, the Soviet Union, and China as soon as possible: Therefore be it

"*Resolved*, That Local Union No. 42 of Cigar Makers' International Union of America go on record as being in favor of the following two proposals now being made to Congress by the Roosevelt administration:

"1. Any revision of the Neutrality Act or repeal if necessary to insure the safe delivery of war matériel to Great Britain, the Soviet Union, and China.

"2. Inclusion of the Soviet Union in the new lend-lease bill along with Great Britain so that the United States may make the maximum contribution of war matériel to these allies fighting against Hitler in this crucial phase of the war."

JOSEPH MUEHLBERGER,
President.
JOHN G. MCGOVERN,
Secretary.

AID TO AGGRESSOR-RESISTING NATIONS

Mr. MALONEY. Mr. President, I ask unanimous consent that there may be inserted in the RECORD, as a part of my remarks, a letter which I have received from Mr. William S. Zeman, secretary, Trade Union Division, Committee to Defend America by Aiding the Allies, 125 Trumbull Street, Hartford, Conn., and a copy of a statement of policy adopted by that committee at a meeting held in Hartford, Conn., on October 2, and which endorses the "foreign policy of President Roosevelt of all-out aid to all nations fighting Hitler."

I ask that the statement be referred to the appropriate committee.

There being no objection, the matter was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

HARTFORD CHAPTER, COMMITTEE TO DEFEND AMERICA BY AIDING THE ALLIES,
Hartford, October 8, 1941.

Hon. FRANCIS T. MALONEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MALONEY: I am sure that you will be interested to know that a Trade Union Division of the Committee to Defend America has been formed in Hartford. This committee is receiving the active support of every important A. F. of L. and C. I. O. union in Hartford.

Among the outstanding labor leaders in Hartford and vicinity who have endorsed the work of this committee are:

AMERICAN FEDERATION OF LABOR

James J. Clerkin, president, Connecticut Federation of Labor.

John J. Miller, vice president, Connecticut Federation of Labor.

William A. Scott, president, Hartford Central Labor Union.

Weddoll C. Steele, president, Electrical Device Workers Union, Local B1013.

Herbert A. Miller, business agent, Bakery, Grocery and Laundry Drivers Union, Local 559.

Nicholas Yannone, president, Bakery, Grocery and Laundry Drivers Union, Local 559.

Harold Galloway, secretary-treasurer, Truck Drivers Local 671.

Edwin Rice, business representative, Truck Drivers Local 671.

William A. Crosscup, Jr., business agent, Painters Local 481.

Robert Revorie, president, Painters Local 481.

Frank Morris, secretary, Hartford Central Labor Union.

Arthur J. Mackerney, business agent, Local 230, International Hod Carriers and Building and Common Labor.

Reuben K. Lewis, business agent, Local 84, International Alliance of Theatrical Stage Employes and Moving Picture Machine Operators of United States and Canada.

CONGRESS OF INDUSTRIAL ORGANIZATIONS

Thomas R. Molloy, president, State C. I. O. Council, and president, Unity Lodge, Local 251, United Electrical, Radio and Machine Workers.

Joseph Leeds, State director, Textile Workers Union of America.

Iris Zinn, organizational secretary, State C. I. O. Council.

Syd Gunning, president, Colt Local 270, United Electrical, Radio and Machine Workers.

Al Weston, president, Royal Local 265, United Electrical, Radio and Machine Workers.

Robert Mintz, international organizer, United Electrical, Radio and Machine Workers.

Joseph Caiaizza, international organizer, United Electrical, Radio and Machine Workers.

Don Zinn, business agent, Unity Lodge, Local 251, Electrical, Radio and Machine Workers.

George Demers, representative, Unity Lodge, Local 251, United Electrical, Radio and Machine Workers.

Ivar Anderson, representative, Unity Lodge, Local 251, United Electrical, Radio and Machine Workers.

I am enclosing a copy of the statement of policy adopted by the Trade Union Division of the Committee to Defend America at our meeting of October 2. This statement clearly shows that there is unity among organized labor in Hartford behind the foreign policy of President Roosevelt of all-out aid to all nations fighting Hitler.

I urge, in the name of the committee, that whenever any legislation concerning the foreign policy of the United States comes before Congress that you throw your full support to the program of the Roosevelt administration.

Sincerely yours,
WILLIAM S. ZEMAN,
Secretary, Trade Union Division,
Committee to Defend America.

STATEMENT OF PRINCIPLES ADOPTED AT AN ORGANIZATION MEETING OF THE TRADES UNION DIVISION OF THE HARTFORD CHAPTER, COMMITTEE TO DEFEND AMERICA, OCTOBER 2, 1941, IN HARTFORD, CONN.

Labor sees Hitler as the main threat to the security and independence of the United States today.

Labor knows that a Hitler victory in the present war means the end of the free trade-union movement in America and our democratic institutions and form of government.

A Hitler victory means that Hitler will not call any peace conferences or make any peace treaties, and that he will hold every country he has conquered in a state of subjection and slavery, and that the murder of innocent hostages and the persecution of human victims will be multiplied thousandfold.

If Hitler wins, there will be nothing to stop his armies, flushed with victory, from overrunning all of Africa and those parts of Asia not taken by the Japanese.

A Hitler victory means Fascist revolution in South America.

If Hitler wins, we shall find ourselves alone and isolated, facing the armed might of the rest of the world under Hitler leadership. And at such a time we would not dare to disarm and return to the normal life of a peaceful nation.

To meet this constant menace, our country will have to maintain tremendous armies, navies, and air fleets for many years. Our standard of living will be reduced and our country regimented to meet the day of onslaught.

Labor knows that to approach Hitler with peace proposals is to cringe before Hitler. Labor knows that appeasement of Hitler, in the hope of avoiding war, is merely a postponement of the day of Hitler's attack on this country.

Labor is not blind to the price Hitler would demand of us on the day he wins over Russia and Great Britain.

Therefore the trade-union movement in the United States must do everything in its power to mobilize the forces of labor in full support of the foreign policy of the Roosevelt administration of giving all-out aid to all the Allies fighting Hitler.

Labor must be made to realize that the future of the free trade-union movement can only be assured by a full military defeat of Nazi Germany and must be ready to throw full support behind all measures necessary to attain this end.

RESOLUTIONS, ETC.

Mr. MALONEY. Mr. President, I present a paper in the nature of a petition and copies of resolutions adopted by Colt's Industrial Union, C. I. O., Local 270, Hartford, Conn., signed by Mr. Sid Grunning, president of the local, and Mr. Stephen Chesky, recording secretary, and ask that they be printed in the RECORD and referred to the appropriate committees.

The VICE PRESIDENT. The petition and resolutions presented by the Senator from Connecticut will be printed in the RECORD and appropriately referred.

To the Committee on Finance:

Whereas the second annual convention of the New Jersey State Industrial Union Council went on record, through Resolution No. 54, on the 19th day of November 1939 in favor of protecting the workers in the cane-sugar refining industry in the State of New Jersey and in other refining States; and

Whereas the Sugar Act of 1940 did provide some such protection by the reestablishment of quotas for tropical refined sugar but limited such protection for 1 year, the duration of the act; and

Whereas the Congress of the United States will undoubtedly be faced at the forthcoming session with the necessity of writing new Federal legislation to take the place of the Sugar Act of 1940, which legislation will affect the thousands of workers in the cane-sugar refining industry who are affiliated with the Congress of Industrial Organizations: Therefore be it

Resolved, That the third annual convention of the New Jersey State Industrial Union Council hereby goes on record as reiterating its position taken by its Resolution No. 54 on November 16, 1939, and demanding the inclusion of the following provisions in any new Federal sugar legislation to be considered at the session of Congress beginning in January 1941:

(a) The retention of the safeguards for labor provided for in the present act, with the necessary strengthening of the anti-child-labor provisions.

(b) The addition to the present Sugar Act of a section providing that no governmental benefits be given to any producer or processor of sugar beets or sugarcane who does not afford to his employees the opportunity to bargain collectively. This section to be made applicable to all continental producers of beet sugar and/or sugarcane as well as to the producers and processors of such beet

and/or cane sugar in Puerto Rico, Hawaii, and the Philippines.

(c) A restriction of payment of Federal farm benefits to small one-family farms only: And be it further

Resolved, That a copy of this resolution, endorsed by every available union affiliated with this council, be transmitted to each and every representative of the people of New Jersey in the Congress of the United States and that these representatives be, and hereby are, requested to act in accordance therewith.

To the Committee on Foreign Relations:

The Connecticut State Industrial Union Council, C. I. O., as the true descendant of people's organizations which fought for American independence in 1776 and founded this Nation, hereby goes on record in support of the recent radio address of President Roosevelt.

The Council states its belief that the President expressed the sentiment of the majority of the American people. Organized labor, above all, will continue to back fully all steps aiding in the defense of this Nation by helping to crush Hitlerism: Be it

Resolved, That this statement be transmitted to President Roosevelt, Connecticut Congressmen, and the press.

Endorsed by the executive board of the Connecticut State Industrial Union Council in regular monthly meeting, September 13, 1941.

STATEMENT OF PRINCIPLES ADOPTED AT AN ORGANIZATION MEETING OF THE TRADES UNION DIVISION OF THE HARTFORD CHAPTER, COMMITTEE TO DEFEND AMERICA, OCTOBER 2, 1941, IN HARTFORD, CONN.

Labor sees Hitler as the main threat to the security and independence of the United States today.

Labor knows that a Hitler victory in the present war means the end of the free trade-union movement in America and our democratic institutions and form of government.

A Hitler victory means that Hitler will not call any peace conferences or make any peace treaties, and that he will hold every country he has conquered in a state of subjection and slavery, and that the murder of innocent hostages and the persecution of human victims will be multiplied a thousandfold.

If Hitler wins, there will be nothing to stop his armies, flushed with victory, from overrunning all of Africa and those parts of Asia not taken by the Japanese.

A Hitler victory means fascist revolution in South America.

If Hitler wins we shall find ourselves alone and isolated, facing the armed might of the rest of the world under Hitler leadership. And at such a time we would not dare to disarm and return to the normal life of a peaceful Nation.

To meet this constant menace, our country will have to maintain tremendous armies, navies, and air fleets for many years. Our standard of living will be reduced and our country regimented to meet the day of onslaught.

Labor knows that to approach Hitler with peace proposals is to cringe before Hitler. Labor knows that appeasement of Hitler, in the hope of avoiding war, is merely a postponement of the day of Hitler's attack on this country.

Labor is not blind to the price Hitler would demand of us on the day he wins over Russia and Great Britain.

Therefore, the trade-union movement in the United States must do everything in its power to mobilize the forces of labor in full support of the foreign policy of the Roosevelt Administration of giving all-out aid to all the Allies fighting Hitler.

Labor must be made to realize that the future of the free trade-union movement can only be assured by a full military defeat of Nazi Germany, and must be ready to throw full support behind all measures necessary to attain this end.

To the Committee on Immigration:

Whereas the Federal Bureau of Investigation has again violated the laws of the United States Government in spying on Harry Bridges, California C. I. O. director and president of the International Longshoremen's and Warehousemen's Union; and

Whereas this most recent illegal activity against Bridges occurred in New York City between August 4 and August 22, 1941, when F. B. I. agents secreted a dictograph in Bridges' hotel bedroom, thereby tapping Bridges' telephone; and

Whereas spying by the F. B. I. has persisted after Bridges has twice been the subject of deportation proceedings and during the interim in which Trial Examiner Charles B. Sears is preparing his recommendations based on the second hearing; and

Whereas the F. B. I. is continuing its anti-labor activities as exemplified in this most recent invasion of the privacy of Harry Bridges; and

Whereas wire tapping is a felony punishable by a $10,000 fine and 2 years imprisonment, or both; and

Whereas Bridges has requested the United States district attorney in New York City to prosecute the F. B. I. agents guilty of violating the Federal laws prohibiting wire-tapping and has stated that he [Bridges] will testify against them if the F. B. I. agents are brought to trial: Therefore be it

Resolved, That this organization join in urgently requesting United States District Attorney Mathias F. Correa, of New York City, to prosecute the guilty F. B. I. agents; and be it further

Resolved, That we join the Harry Bridges Defense Committee and other groups interested in preserving constitutional and civil liberties in urgently requesting our United States Representatives and United States Senators to begin a congressional investigation of this latest antilabor activity on the part of the F. B. I.; and be it finally

Resolved, That we send copies of this resolution to all affiliated organizations and ask them to take similar action immediately.

Endorsed by the executive board of the Connecticut State Industrial Union Council in regular monthly meeting September 13, 1941.

To the Committee on Military Affairs:

Whereas International Longshoremen's and Warehousemen's Union, Local 1-10, of San Francisco, has for years furnished competent longshoremen to the United States Army Transport Service at Fort Mason; and

Whereas this union has never inconvenienced the United States Army Transport Service, even during the great maritime strikes of 1934 and 1936-37, and worked their ships during said strikes; and

Whereas the officers in charge of stevedoring operations at the Fort Mason docks have indicated in writing that the services of the San Francisco union longshoremen are satisfactory; and

Whereas recently the officers of the United States Army Transport Service, on orders of the Department of War, Washington, D. C., proposed to the officials of this union that this union agree to train and acquaint a Negro battalion of approximately 600 men in doing longshore work; and

Whereas upon inquiry the officers of this union were assured that the members of said Negro battalion, who are draftees in the military forces, would not be utilized to take the jobs or replace the regular civilian longshoremen but, rather, were to be used to do longshore work on vessels of the United States Army Transport Service or Navy vessels at bases or other places outside of the United States where regular longshoremen are not available, this being a phase of the general national-defense program; and

Whereas this union made certain inquiries with respect to this situation at the Department of War through the national office of the C. I. O.; and

Whereas Allan S. Haywood, director of organization, C. I. O., has communicated with Secretary of War Stimson and has received a letter from Mr. Stimson which indicates clearly that after the members of said Negro battalion have been trained and been made acquainted with the nature of longshore work it is the intention to use them at any time or anywhere and that they will be used to replace regular civilian longshoremen whenever in the opinion of the military authorities it is necessary to do so: Now, therefore, be it

Resolved, That this union emphatically declares its opposition to the use of labor battalions in the longshore industry or any other industry in the United States inasmuch as we are certain there are more than enough competent civilian longshoremen available to do all the necessary work; considering that there are still millions of unemployed in this Nation, the same can be said as regards any other industry where the use of draftees may be contemplated; and

We further declare it to be our belief that it will be detrimental instead of helpful to the national-defense program to use draftees working for $21 a month to take the place of regular civilian employees who are receiving the regular union scale of wages. Likewise, the economic well-being of the community is badly disrupted when civilian employees are replaced by labor-battalion members (draftees) who have no purchasing power; be it finally

Resolved, That this resolution be given the widest publicity and be sent to all trade unions, requesting their concurrence, to our Congressmen and Senators, to the Secretary of War, to the press, and to the President of the United States.

Adopted by the International Longshoremen's and Warehousemen's Union, Local 1-10, of San Francisco, at regular membership meet at Eagles' Hall, August 18, 1941.

Endorsed by the executive board of the Connecticut State Industrial Union Council in regular monthly meeting, September 13, 1941.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GURNEY, from the Committee on Military Affairs:

S. 1177. A bill granting an annuity to William F. Pack; with an amendment (Rept. No. 706); and

S. 1562. A bill for the relief of William D. Warren; without amendment (Rept. No. 707).

By Mr. SCHWARTZ, from the Committee on Military Affairs:

S. 1127. A bill for the relief of Sarah Harriett Hawkins; with amendments (Rept. No. 708).

By Mr. WALSH, from the Committee on Naval Affairs:

S. 1958. A bill to authorize the transfer of jurisdiction of a portion of the Colonial National Historical Park, Yorktown, Va., from the Department of the Interior to the Department of the Navy; without amendment (Rept. No. 709);

S. 1975. A bill to authorize the construction or acquisition of certain naval local defense vessels, and for other purposes; with an amendment (Rept. No. 712);

H. R. 3731. A bill for the relief of Raymond J. McMahon; without amendment (Rept. No. 710);

H. R. 5463. A bill providing for the security of United States naval vessels, and

for other purposes; without amendment (Rept. No. 711); and

H. R. 5464. A bill to authorize transfer of enlisted men of the Naval and Marine Corps Reserve to the Regular Navy and Marine Corps; with amendments (Rept. No. 713).

By Mr. BARKLEY, from the Committee on the Library:

H. R. 4250. A bill to provide for the presentation of a medal to Roland Boucher in recognition of his bravery and heroism in rescuing five children from drowning in Lake Champlain; with an amendment.

INVESTIGATION OF RAILROADS, HOLDING COMPANIES, AND AFFILIATED COMPANIES; ADDITIONAL REPORTS

Mr. WHEELER. Mr. President, I send to the desk two additional reports from the subcommittee of the Committee on Interstate Commerce which has been investigating railroads, holding companies, and affiliated companies. I submit these reports for myself and the junior Senator from Missouri [Mr. TRUMAN].

Mr. BARKLEY. What is the nature of the reports? Do they purport to be reports from the committee?

Mr. WHEELER. From a subcommittee of the Committee on Interstate Commerce.

Mr. BARKLEY. Are they reports on legislation?

Mr. WHEELER. No; they are reports of the investigation made by the subcommittee, relative to railroads, holding companies, and so forth.

Mr. BARKLEY. They have nothing to do with any pending proposal?

Mr. WHEELER. No.

Mr. BARKLEY. They are similar to other reports which have been filed as a result of the investigation into the railroads?

Mr. WHEELER. The Senator is correct.

The additional reports submitted by Mr. WHEELER (for himself and Mr. TRUMAN), from the Committee on Interstate Commerce, pursuant to Senate Resolution 71, Seventy-fourth Congress, authorizing an investigation of interstate railroads and affiliates with respect to financing, reorganizations, mergers, and certain other matters, were ordered to be printed, as follows:

Some Educational, Legislative, and Self-Regulatory Activities of United States Railroads (pt. 2 of Rept. No. 26); and

The Van Sweringen Corporate System: A Study in Holding Company Financing, in two parts (pts. 1 and 2 of Rept. No. 714).

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on October 13, 1941, that committee presented to the President of the United States the following enrolled bills and joint resolution:

S. 493. An act conferring jurisdiction upon the United States District Court for the Southern District of Florida to hear, determine, and render judgment upon the claims of Frank P. Walden, in his individual capacity and as husband and legal representative of the estate of Anice Walden, deceased, and Viola Harp, in her individual capacity and as legal guardian of her daughter, Marjorie Gayle Harp, a minor;

S. 605. An act for the relief of Pherne Miller;

S. 755. An act for the relief of W. W. Carlton;

S. 807. An act for the relief of Eva Mueller;

S. 874. An act relating to allowances for rental quarters of certain naval officers stationed in the Canal Zone;

S. 1051. An act relating to the payment of fees and costs of witnesses and jurors and the accounting therefor;

S. 1052. An act relating to the traveling and subsistence expenses of judges and retired judges of the Court of Claims;

S. 1228. An act for the relief of Mrs. A. B. Tanner;

S. 1251. An act to amend Private Act No. 446, Seventy-sixth Congress, approved July 2, 1940, and for other purposes;

S. 1344. An act to authorize employees of the United States to testify on behalf of the District of Columbia and employees of the District of Columbia to testify on behalf of the United States and of the District of Columbia without loss of salary or annual leave;

S. 1345. An act to authorize the sale of certain Government-owned lands in the Territory of Hawaii to the Honolulu Plantation Co.;

S. 1392. An act for the relief of Homer J. Swope;

S. 1398. An act for the relief of Elinor Leugers;

S. 1512. An act to amend the Alien Registration Act, 1940, by making it a criminal offense to reproduce alien registration receipt cards;

S. 1570. An act to further amend the acts for promoting the circulation of reading matter among the blind;

S. 1608. An act for the relief of the Neal Storage Co.;

S. 1641. An act to authorize the payment of certain claims of employees of the Bureau of Reclamation arising out of loss of tools destroyed by fire at Parker Dam, Ariz.;

S. 1655. An act for the relief of Victor M. Lenzer, former special disbursing agent, Department of Labor;

S. 1698. An act to amend the act reorganizing the administration of Federal prisons;

S. 1709. An act conferring jurisdiction upon the United States District Court for the Western District of North Carolina to hear, determine, and render judgments upon the claims against the United States of I. M. Cook, J. J. Allen, Radiator Specialty Co., and the R. & W. Motor Lines, Inc.;

S. 1813. An act for the relief of Harry F. Baker; and

S. J. Res. 29. Joint resolution for the relief of South Dakota Wheat Growers Association, Inc.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

Brig. Gen. Dawson Olmstead (colonel, Signal Corps, Army of the United States, and so forth), to be Chief Signal Officer, with the rank of major general, for a period of 4 years from date of acceptance, with rank from October 1, 1941.

By Mr. WALSH, from the Committee on Naval Affairs:

Capt. Ezra G. Allen, to be Director of Budget and Reports in the Department of the Navy, with the rank of rear admiral, for a term of 3 years.

By Mr. BAILEY, from the Committee on Commerce:

Several employees for promotion in the Coast and Geodetic Survey; and

Capt. Lloyd T. Chalker, to be Assistant Commandant with the rank of rear admiral in the Coast Guard, for a period of 4 years, to rank as such from January 1, 1942.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BILBO:

S. 1980. A bill to amend section 7 of the act entitled "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902, as amended; to the Committee on the District of Columbia.

By Mr. WHEELER:

S. 1981. A bill for the relief of Adolph Schefer; and

S. 1982. A bill for the relief of the dependents of Carl H. Siria; to the Committee on Claims.

By Mr. SHIPSTEAD:

S. 1983. A bill granting the consent of Congress to the State of Minnesota and the city of Minneapolis to construct, maintain, and operate a free highway bridge across the Mississippi River at or near Minneapolis, Minn.; to the Committee on Commerce.

S. 1984. A bill to authorize the Secretary of the Interior to convey to the State of Minnesota for use in connection with State Trunk Highway No. 61, also designated as United States Highway No. 61, certain right-of-way within the Grand Portage Indian Reservation in the State of Minnesota; to the Committee on Indian Affairs.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H. R. 3937. An act to change the designation of the Fort Marion National Monument, in the State of Florida, and for other purposes; to the Committee on Public Lands and Surveys.

H. R. 5554. An act to amend the Nationality Act of 1940, to preserve the nationality of a naturalized wife, husband, or child under 21 years of age residing abroad with husband or wife a native-born national of the United States; to the Committee on Immigration.

H. R. 5783. An act to authorize the construction or acquisition of certain naval local defense vessels, and for other purposes; to the Committee on Naval Affairs.

SPECIAL COMMITTEE TO FORMULATE PLANS DEALING WITH DOMESTIC POST-WAR ECONOMIC PROBLEMS

Mr. WHEELER. Mr. President, I submit a resolution which I ask to have lie on the table temporarily. I should also like to have it printed in the RECORD.

The VICE PRESIDENT. The resolution of the Senator from Montana will lie on the table and be printed in the RECORD.

The resolution (S. Res. 181), which was ordered to lie on the table, as follows:

Whereas conditions have compelled the United States to change to a national-defense economy; and

Whereas at the conclusion of the present national-defense period there will be a change from a national-defense economy; and

Whereas in the opinion of many competent authorities it is necessary to guard against basic dislocations in agriculture, employment, industry, business, finance, distribution, and consumption during this transition; and

Whereas it is desirable to make adequate plans in advance to deal with domestic problems arising in and from such a transition period; and

Whereas it is desirable that such plans as are prepared shall be sufficiently satisfactory to all sections and substantial groups in the country and to the legislative and executive branches of the Government so as to make probable their adoption in sufficient time, and the provision of adequate funds in sufficient time, for the putting of such plans into effect; and

Whereas pending action by Congress and the appropriation of the necessary funds for adequate service in preparing the necessary plans for a sound and practical transition from a national-defense economy various executive departments and agencies are engaged in such work to this end as is feasible within the limits of their present appropriations; and

Whereas it is important to obtain the most practical and efficient plans, to make sure that the necessary legislation and appropriations for the effectuation thereof shall be forthcoming in sufficient time in advance of the need therefor, and to that end to make sure that such plans as are developed shall be acceptable to all sections of the population and to both the legislative and executive branches of the Government—all for the purpose of preventing hardship during the transition period and of assuring the continuance of the American economic and political system; and

Whereas suggestions have been advanced for setting up for this purpose commissions of various kinds or joint congressional committees or separate committees of the Senate and House acting in cooperation with each other or other governmental machinery; and

Whereas it is desirable that a preliminary canvass be made of the various suggested types of governmental machinery which may be used to this end and of the type or types best suited for the purpose; and

Whereas different proposals have suggested different areas of inquiry and activity for such governmental machinery, and it is desirable to ascertain the most appropriate limits and scope of such work; and

Whereas it is important that full support be given by Congress and the executive agencies of the Government as promptly as possible to the difficult task of providing adequate plans for such transition: Now, therefore, be it

Resolved, That a special committee of seven Senators, to be appointed by the Vice President, is hereby authorized and directed to obtain from such executive and other governmental agencies as have been working on the problem their suggestions as to the type of governmental machinery which should be set up and is best adapted to the purpose, as to the appropriate scope of its functioning, and as to their needs with respect to additional funds and personnel; similarly, to confer with other agencies of the Government and with groups in agriculture, industry, labor, finance, distribution, and the field of consumers, to make such other inquiries as may seem appropriate thereto, and to report to the Senate with respect to such matters within 60 days from the adoption of this resolution.

The said select committee is authorized and directed to obtain assistance for the foregoing purposes from the governmental agencies which have been working on this problem and from all other governmental agencies and nongovernmental groups from whom it deems it helpful to secure such assistance.

EXTENSION OF LENDING AUTHORITY OF RECONSTRUCTION FINANCE CORPORATION

Mr. BARKLEY. Mr. President, during the discussion on Monday concerning the increase in the borrowing and lending power of the Reconstruction Finance Corporation, the Senator from Colorado [Mr. ADAMS] and other Senators suggested that there be printed in the RECORD, for the information of the Senate and the Congress and the country, typical contracts between the Defense Plant Corporation and the various companies with which it has made contracts under the terms of the legislation we were then considering.

I have here a letter from Hon. Claude Hamilton transmitting several of these lease agreements between the Defense Plant Corporation and, for instance, the Carnegie-Illinois Steel Corporation, the Houde Engineering Corporation, the W. F. and John Barnes Co., and the Aluminum Co. of America. I ask that the letter and agreements be printed in the body of the RECORD at this place for the information of the Senate.

The VICE PRESIDENT. Without objection, it is so ordered.

The matters referred to are as follows:

RECONSTRUCTION FINANCE CORPORATION,
Washington, October 15, 1941.

Hon. ALBEN W. BARKLEY,
United States Senate,
Washington, D. C.

DEAR SENATOR BARKLEY: In compliance with your request that you be supplied with specimen contracts which have been negotiated by Defense Plant Corporation for publication in the CONGRESSIONAL RECORD, I attach herewith conformed copies of lease agreements between Defense Plant Corporation and Carnegie-Illinois Steel Corporation, Houde Engineering Corporation, W. F. and John Barnes Co., and Aluminum Co. of America.

To the latter contract, in order that it may be printed with the other material, there is appended a summary, together with a copy of a letter from Mr. Arthur B. Davis, chairman of the board of the Aluminum Co. of America, to the Federal Loan Administrator, such summary and letter having been introduced before Senator TRUMAN'S committee when the Federal Loan Administrator testified recently in regard to the provisions of this contract.

Sincerely yours,

CLAUDE HAMILTON,
General Counsel.

AGREEMENT OF LEASE

This agreement made and entered into this 17th day of July 1941, by and between Defense Plant Corporation (hereinafter referred to as Defense Corporation), a Corporation created by Reconstruction Finance Corporation pursuant to section 5d of the Reconstruction Finance Corporation Act, as amended, to aid the Government of the United States (hereinafter sometimes called the Government) in its national-defense program, and Carnegie-Illinois Steel Corporation (hereinafter called lessee), a corporation organized and existing under the laws of the State of New Jersey:

WITNESSETH

Whereas the expansion of capacity within the United States for the production of armor plate, ship plate, heavy forgings, and other steel products required by the Government is important in the interest of national defense and it is therefore proposed that additional plants for the manufacture of such products be established at or near Homestead and Duquesne, Pa.; now, therefore, in consideration of the mutual covenants herein contained it is agreed by and between the parties hereto as follows:

1. Lessee represents that it has acquired a part of and agrees as soon as practicable after the execution of this agreement it will endeavor to acquire the remainder of the plant sites at Homestead and Duquesne satisfactory to Defense Corporation and suitable for such plants; and that after such acquisition it will convey or cause to be conveyed to Defense Corporation said plant sites. Title to such sites or parts thereof and the price therefor shall be approved jointly by Defense Corporation and lessee at time of acquisition or as soon thereafter as may be practicable.

2. Lessee agrees forthwith and from time to time to prepare, or cause to be prepared, and to submit to Defense Corporation for its approval plans, designs, specifications, and schedules for the construction and equipment of the plants and the acquisition and installation of the machinery and equipment necessary to provide an annual productive capacity of approximately 1,700,000 net tons of ingots at the Homestead plant and an annual productive capacity of approximately 100,000 net tons of ingots at the Duquesne plant, such plants together to have an annual processing capacity for the conversion of approximately 1,800,000 net tons of ingots into armor plate, ship plate, heavy forgings, and other steel products, and lessee agrees, upon approval of such plans, designs, specifications, and schedules by Defense Corporation to proceed in accordance therewith and complete as soon as practicable the acquisition of the plant sites provided in paragraph 1 hereof, the construction of the plants, and the acquisition and installation of the machinery and equipment in connection therewith (hereinafter called the construction program). The plant sites, plants, and all buildings, machinery, and equipment in connection therewith are hereinafter sometimes referred to as the plants. Changes in such plans, designs, specifications, and schedules may be made from time to time upon approval of the from time to time upon approval of Defense Corporation.

3. In carrying out the work to be performed by it under the construction program, lessee may, with the written approval of Defense Corporation, employ such contractors and enter into such contracts with them as it may deem advisable.

4. Defense Corporation shall advance, or reimburse lessee for, the funds necessary for carrying out the construction program from time to time as the work progresses upon request of lessee approved by Defense Corporation and upon similar request shall advance or reimburse lessee for the cost of acquiring the plant sites. Approval by a duly authorized representative of Defense Corporation shall constitute full authority for the expenditures covered by such requests, and such expenditures shall become part of the total cost to the Defense Corporation of the plants. In the event of refusal of the representative of Defense Corporation to approve any expenditure certified by lessee, lessee may submit the matter of such refusal for determination by arbitration in accordance with procedure as set forth in paragraph 10 of this lease. A representative of Defense Corporation authorized to approve such requests on its behalf shall be stationed at the site of construction during such times as lessee may require.

5. Lessee shall furnish to Defense Corporation a description of each item of machinery and equipment purchased so that it shall be capable of identification, and, to the extent practicable, each item shall be marked or stamped by lessee in a way satisfactory to Defense Corporation so as to indicate Defense Corporation's ownership therein.

6. In the execution of the program lessee agrees to comply with, and give all stipulations and representations required by, applicable Federal laws and further agrees to require such covenants of compliance, representations, and stipulations with respect to any contract entered into by it with others

under the construction program as may be required by applicable Federal law.

7. The total cost to the Defense Corporation of the plants shall include all direct costs of the lessee for land, labor and material, the cost of subcontracts made in accordance with the provisions of this agreement; and other expenses, including premiums on such bonds and insurance policies as the Defense Corporation may require, losses and expenses not compensated by insurance or otherwise, the cost of reconstructing and replacing any of the work destroyed or damaged and not covered by insurance, payments from its own funds made by the lessee under the Social Security Act and any applicable State or local taxes, fees, or charges which the lessee may be required to pay on account of the construction program, and such other items as should be included in the cost of the work, to the extent approved by the Defense Corporation. No salaries of lessee's executive officers, no fees of its attorneys, no part of the expenses incurred in conducting lessee's offices, and no overhead expenses of any kind shall be included in the cost of the sites or of the construction program, except that direct expenses,, including salaries and traveling expenses of lessee's officers or employees and fees of attorneys retained or employed by lessee in connection with the construction program, may be so included to the extent approved by the Defense Corporation.

8. Notwithstanding any other provision herein contained, the maximum amount which Defense Corporation shall be required to expend hereunder shall not exceed $85,000,000, but it is understood that lessee does not guarantee that the plant sites can be acquired and the construction program completed for such amount, and nothing contained in this agreement of lease shall be construed as obligating lessee to pay any item of expense in connection with the acquisition of the plant sites or the completion of the construction program for which Defense Corporation shall not advance or reimburse lessee as provided in paragraph 4.

9. Title to the sites, buildings, machinery, and equipment to be acquired hereunder shall, unless and until the same shall be transferred by Defense Corporation in accordance with the provisions hereof, be vested in Defense Corporation and such machinery and equipment shall remain personalty notwithstanding the fact that it may be affixed or attached to realty.

10. Subject to termination upon the terms hereinafter in this paragraph 10 provided, Defense Corporation hereby agrees to lease, and does hereby lease, the plants to lessee, and lessee does hereby lease the same from Defense Corporation for a term ending January 1, 1948. Defense Corporation and lessee each agree, upon the written request of the other, to execute and deliver such additional instruments of lease as may be necessary to carry out the provisions of this agreement.

This lease may be terminated by the parties hereto in the manner hereinafter set forth. At any time when substantial use by lessee of the plants shall be no longer required to enable lessee to furnish products required in the national-defense program, Defense Corporation may give written notice to lessee that such substantial use is no longer required and that Defense Corporation therefore proposes the termination of this lease, and lessee may give similar written notice to Defense Corporation, stating that lessee therefore proposes the termination of this lease. The lease shall terminate 30 days after receipt by lessee of the notice from Defense Corporation above provided or after receipt by Defense Corporation of the notice from lessee above provided, unless within that time lessee or Defense Corporation, as the case may be, shall require by notice in writing or by telegraph to the other that the facts necessary to termination, as hereinabove provided, be submitted for determination by arbitrators, in which event the arbitrator to be appointed by the party giving the notice of arbitration shall be named in the notice, the arbitrator to be appointed by the other party to the arbitration shall be named within 10 days of receipt of such notice of arbitration, and an additional arbitrator shall, within 10 days of the appointment of the second arbitrator, be selected by the 2 arbitrators theretofore appointed, but if one of said parties shall have failed to appoint an arbitrator, the sole arbitrator shall arbitrate the question alone. If two arbitrators shall have been appointed by the respective parties to the arbitration and shall have failed to select an additional arbitrator within the above stated time, the additional arbitrator shall be appointed by the senior judge of the Circuit Court of Appeals for the Third Circuit, upon application therefor by either of said parties to the arbitration. The decision of a majority of the arbitrators so appointed, or if either party shall have failed to appoint its arbitrator, the decision of the sole arbitrator shall be final and binding upon the parties hereto for all purposes. The arbitrators or the sole arbitrator, as the case may be, shall give prompt notice in writing of the decision to the lessee and to Defense Corporation, and if the decision establishes that the facts necessary to termination exist, this lease shall terminate on the tenth day after the giving of notice of the decision.

11. As rental for the plants, lessee agrees to pay to Defense Corpora. on for each quarter year of this lease, beginning with the quarter year in which operations of either plant commence, estimated to be the quarter year ending September 30, 1942, an amount computed at the rate of 2½ percent per quarter of all expenditures which Defense Corporation shall have made pursuant to this agreement of lease up to and including the last day of such quarter, the rental for each quarter to be paid not later than 20 days after the last day thereof. The rental as provided in this paragraph shall be based upon the said expenditures for and operations of Homestead and Duquesne plants separately stated. The rental herein provided for is based upon an assumed ingot operating rate of not less than 90 percent of productive capacity of the plants as stated in paragraph 2, and in the event the average ingot operating rate for any quarter shall be less than 90 percent of the said productive capacity, then the rental for such quarter shall be such a percentage of the rental above provided for as the average ingot operating rate for that quarter shall bear to 100 percent of said productive capacity of the plants, such percentage of rental to be adjusted, however, to the next highest multiple of 10 if the operating rate is under 90 percent. (For example, if the operating rate of a plant is not less than 80 percent of its said capacity, but is less than 90 percent of its said productive capacity, the rental for said plant shall be 90 percent of the rental above provided; if the operating rate of a plant is not less than 70 percent of its said capacity, but is less than 80 percent of its said capacity, the rental for said plant shall be 80 percent of the rental above provided.) If in any quarter there are no operations for a plant there shall be no rental for said plant during said quarter.

Rental for any period less than a quarter year shall be in proportion to the rental for the quarter year.

The lessee shall use all reasonable effort to complete the plants at the earliest possible date, but shall not be responsible for delays which are the direct or indirect result of acts of God, wars, riots, insurrections, strikes, fires, accidents, car shortage, shortage of labor, failure of supply of raw materials or finished product, governmental priorities, restrictions, or limitations, expropriation of plant or product in whole or in part by State or Federal authorities, or any other cause or contingency reasonably beyond the control of lessee.

12. Defense Corporation may, by notice in writing, in addition to all other rights with reference to termination under paragraph 10 hereof, cancel this lease, in the event (a) the Government shall request priority with respect to the manufacture or furnishing of any products with the facilities to be provided hereunder, and lessee shall fail or refuse to give such priority, or (b) a receiver or trustee is appointed for lessee or its property, or lessee makes an assignment for the benefit of creditors, or lessee becomes insolvent, or a petition is filed by or against lessee pursuant to any of the provisions of the United States Bankruptcy Act, as amended, for the purpose of adjudicating lessee a bankrupt, or for the reorganization of lessee, or for the purpose of effecting a composition or rearrangement with lessee's creditors, and any such petition filed against lessee is not dismissed within 60 days, or (c) of any violation of any of the terms, conditions, or covenants of this lease by lessee and the failure of lessee to cure such violation within 30 days from the giving of written notice thereof by Defense Corporation to lessee. Upon the expiration, termination, or cancelation of this lease, Defense Corporation shall have the right to invoke any remedy permitted by law or in equity for the protection of its interests hereunder, and lessee hereby expressly waives all rights which it may have to redeem or to be served with any further notice of Defense Corporation's intention to cancel or terminate this lease other than as herein provided.

13. Upon the expiration, termination, or cancelation of this lease pursuant to paragraph 10 hereof, lessee shall have and is hereby granted for a period of 5 months after such expiration, termination, or cancelation (hereinafter referred to as the "option period") the right and option by written notice to Defense Corporation given within such period, to purchase all but not part of the plants at the total cost thereof to Defense Corporation (including the cost of the plant sites and all the buildings and equipment and also all direct expenses, without overhead, incurred by Defense Corporation in connection therewith or in connection with this agreement), less an amount representing depreciation, obsolescence, and loss of value due to construction and use for national-defense purposes at the rate of 7½ percent per annum, such percentage to be computed on the basis of such total cost to Defense Corporation and to be calculated from July 1, 1942. In calculating the option price there shall be eliminated from such total cost the cost of any item of the plants destroyed, scrapped, or otherwise disposed of with the approval of the Defense Corporation. During the option period lessee shall also have the right to negotiate with Defense Corporation for the purchase or lease of the plants or any portion thereof, and, upon the establishment by the lessee and Defense Corporation of mutually satisfactory terms and conditions, Defense Corporation will sell or lease, as the case may be, the property covered thereby to lessee. During the option period lessee shall have the right to use the plants if it so desires, and in the event of election to use the plants, shall pay rental as provided in paragraph 11. In the event of any sale to lessee pursuant to the provisions of this paragraph, transfer of title shall be made without any representations or warranties whatsoever on the part of Defense Corporation.

14. So long as this lease remains in full force and effect lessee shall procure and maintain at its cost (except to the extent included in the construction program) insurance on the plants against fire, windstorm, and such other hazards in such companies, and in such amounts as shall be satisfactory to, or required by defense corporation. The policies evidencing such insurance

shall be made payable to, and delivered to, defense corporation. In the event of loss under any of the policies, the proceeds may, upon the written request of lessee promptly made, be used by lessee for the repair, restoration, or replacement of the property damaged or destroyed, and to that end defense corporation shall promptly make available to lessee the insurance proceeds received by defense corporation. Any property acquired in replacement shall be the property of defense corporation and so identified and shall be subject to all the terms and provisions of this agreement.

15. Lessee agrees to save defense corporation harmless against any liability whatsoever because of accidents or injury to persons or property occurring in the operation of the plants by lessee. Lessee also agrees that during the term of this lease, it will procure and maintain at its cost (except to the extent included in the construction program) public-liability insurance and property-damage insurance in such amounts and with such companies as defense corporation shall approve or require. The policies evidencing such insurance shall name defense corporation as an assured and shall be delivered to defense corporation.

16. Lessee shall use reasonable care in the use and operation of the plants and shall keep the same in good state of repair (wear and tear and damage normally incident to the type of production to be carried on by lessee or destruction or damage arising out of causes beyond lessee's control excepted) and upon the expiration, termination, or cancelation of this lease, and upon the expiration of the option period (if lessee shall be entitled to an option as provided in paragraph 13 hereof) lessee shall forthwith yield and place defense corporation in peaceful possession of the plants, free and clear of any liens and claims other than those resulting from claims against defense corporation; provided, however, that defense corporation shall not later than ninety (90) days after each thirtieth (30th) day of September during the continuance of this lease, beginning September 30, 1943, notify the lessee in writing that the care and maintenance of the plants during the preceding twelve (12) months, or any portion thereof, has failed to meet the requirements of this section and the respects in which it has so failed. The lessee shall forthwith comply with the directions of the defense corporation in this regard. Failure to give any such notice by the defense corporation shall be a conclusive admission that the care and maintenance of the plants by the lessee for the period involved has been proper.

17. Lessee agrees to pay to the proper authority, when and as the same become due and payable, all taxes, assessments (other than improvement assessments, and similar charges which at any time during the term of this lease or any extension thereof may be taxed, assessed, or imposed upon Defense Corporation or lessee with respect to or upon the plants or any part thereof, or upon the occupier thereof, or upon the use thereof. Lessee also agrees to pay all claims or charges for or on account of water, light, heat, power, and any other service or utility furnished to or with respect to the plants or any part thereof during the term of this lease.

18. In carrying out the construction program and in the operation of the plants, lessee agrees to comply with all applicable State, municipal, and local laws, and the rules, orders, regulations, and requirements of any departments and bureaus and all local ordinances and regulations, and further agrees to indemnify and hold Defense Corporation harmless from any liability or penalty which may be imposed by local or State authority or any department or bureau thereof by reason of any asserted violation by lessee of such laws, rules, orders, ordinances, or regulations.

19. So long as this lease remains in effect, lessee shall make available to Defense Corporation for audit and inspection its records pertaining to the acquisition of the plant sites and the construction programs of the plants. Defense Corporation shall have the right to inspect the plants at all reasonable times during the continuance of this lease. Upon completion of the construction program lessee shall forward to the Defense Corporation a complete audit by auditors acceptable to Defense Corporation of all costs of acquisition of the plant sites and the construction program. The costs of such audits shall be paid by Defense Corporation and included as part of the cost of the construction program.

20. Lessee agrees that, so long as the lease remains in effect, the prices to be received by lessee for products manufactured in the plants covered by the lease will not include any charge for use of the plants other than rental, maintenance, taxes, insurance, and other expenses which lessee is required to pay or the cost of which lessee is required to bear pursuant to the provisions of this agreement of lease.

21. Lessee will not, without prior written consent of Defense Corporation, assign or pledge this lease, or any of its rights or obligations hereunder, or sublease or permit the use by others of any of the property covered by this lease.

22. The failure of Defense Corporation to insist, in any one or more instances, upon performance of any of the terms, covenants, or conditions of this agreement, shall not be construed as a waiver or a relinquishment of the future performance of any such term, covenant, or condition, but lessee's obligation with respect to such future performance shall continue in full force and effect.

23. No Member of or Delegate to the Congress of the United States of America shall be admitted to any share or part of this agreement or to any benefit arising therefrom.

24. This agreement shall inure to the benefit of and be binding upon the successors in interest of the Defense Corporation.

In witness whereof, the parties hereto have caused their corporate seals to be hereunto affixed, and these presents to be signed by their duly authorized officers the day and year first above written.

[SEAL] DEFENSE PLANT CORPORATION,
Attest:
By SAM H. HUSBANDS, *President.*
LEO NIELSON, *Assistant Secretary.*
[SEAL] CARNEGIE-ILLINOIS STEEL CORPORATION,
Attest:
By J. E. LOSE, *Vice President.*
JAMES W. HAMILTON, *Secretary.*

DISTRICT OF COLUMBIA, *ss:*

On this 17th day of July, A. D., 1941, before me, a notary public in and for the District of Columbia, appeared Sam H. Husbands and Leo Nielson to me personally known, who being by me sworn, did each for himself say that they are respectively the president and the assistant secretary of Defense Plant Corporation, the corporation named in and which executed the within instrument, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and said Sam H. Husbands and Leo Nielson acknowledged said instrument to be the free act and deed of said corporation.

[SEAL] EDWARD J. SINGER,
Notary Public, District of Columbia.
My commission expires March 1, 1946.

DISTRICT OF COLUMBIA, *ss:*

On this 17th day of July, A. D., 1941, before me, a notary public in and for the District of Columbia, appeared J. E. Lose and James W. Hamilton, to me personally known, who being by me sworn, did each for himself say that they are respectively the vice president and the secretary of Carnegie-Illinois Steel Corporation, the corporation named in and which executed the within instrument, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and said J. E. Lose and James W. Hamilton acknowledged said instrument to be the free act and deed of said corporation.

[SEAL] EDWARD J. SINGER,
Notary Public.
My commission expires March 1, 1946.

AGREEMENT OF LEASE

This agreement, made and entered into this 7th day of May 1941, by and between Defense Plant Corporation (hereinafter referred to as Defense Corporation), a corporation created by Reconstruction Finance Corporation pursuant to section 5d of the Reconstruction Finance Corporation Act, as amended, to aid the Government of the United States (hereinafter sometimes called the Government) in its national-defense program and Houde Engineering Corporation (hereinafter called lessee), a corporation organized and doing business under the laws of the State of New York:

WITNESSETH:

Whereas the production of landing-gear shimmy dampeners for airplanes for the Government and the expansion of capacity within the United States for such production are important in the interest of the national-defense program; and

Whereas the War Department has advised that the acquisition of additional machinery and equipment as provided herein for use in lessee's existing plant at Buffalo, N. Y. (such machinery and equipment, exclusive of dies, jigs, gages, patterns, and similar items, being hereinafter sometimes called the machinery), is, in its opinion, necessary in the interest of national defense; and

Whereas lessee has entered into a contract or contracts with the Government, or with suppliers of the Government, in order to enable such suppliers to perform contracts with the Government for the manufacture and furnishing of landing-gear shimmy dampeners for airplanes, and the acquisition of the machinery to be provided hereunder is essential to enable lessee to manufacture and furnish and to expedite the delivery of such products in accordance with said contract or contracts; and

Whereas lessee represents that in the price charged the Government, or any supplier for the Government, for the manufacture and furnishing of such products there have been eliminated all charges (including amortization and depreciation) for the facilities covered by this agreement of lease, except the rental, maintenance, taxes, and insurance provided for herein:

Now, therefore, in consideration of the mutual covenants herein contained, it is agreed by and between the parties hereto as follows:

1. Lessee agrees forthwith and from time to time to prepare, or cause to be prepared, and to submit to Defense Corporation and to the War Department for their approval such schedules for the acquisition and installation of the machinery (which shall indicate the estimated cost thereof, stating as to the machinery the estimated price of each item), as they may require; and lessee agrees, upon approval of such schedules by Defense Corporation and the War Department, to proceed in accordance therewith and complete as

soon as practicable the acquisition and installation of the machinery (hereinafter called the acquisition program). With the approval of Defense Corporation, lessee shall have the right to make any alteration in the schedules approved pursuant to this paragraph 1, provided, that if such alteration will result in substantial delay in effecting, or a material alteration in the character of, the acquisition program or will increase the aggregate cost of said acquisition program beyond the aggregate amount of such estimates, lessee shall likewise obtain from the War Department the approval of such alteration. Lessee agrees to furnish, without cost to Defense Corporation, all necessary dies, jigs, gages, patterns, and similar items.

2. Lessee shall from time to time advise Defense Corporation, in writing, of the items of machinery which lessee shall propose to purchase for the purpose of the acquisition program and the estimated cost thereof, and shall forthwith proceed to purchase the same in the name and on behalf of Defense Corporation; provided, however, that no such items shall be purchased or installed if Defense Corporation shall object thereto within 3 days of the receipt of such written advice. Defense Corporation shall, from time to time, furnish to lessee such evidence as lessee may request with reference to its authority to make such purchases on behalf of Defense Corporation.

3. Lessee shall furnish to Defense Corporation and to the War Department a description of each item of machinery so purchased so that it shall be capable of identification, and, to the extent practicable, each item shall be marked or stamped by lessee in a way satisfactory to Defense Corporation so as to indicate Defense Corporation's ownership therein.

4. All bills of the vendors for machinery purchased by lessee for the account of Defense Corporation pursuant to the provisions hereof shall be promptly submitted by lessee to Defense Corporation accompanied by a certificate of lessee, executed by one of its officers duly designated for that purpose, to the effect that the items covered by such bills are included in and necessary in connection with the acquisition program, that the prices thereof are in its opinion fair and reasonable, and that such bills are proper for payment. Such bills, and other costs of the acquisition program when approved by Defense Corporation, shall be promptly paid by Defense Corporation.

5. In the execution of the acquisition program lessee agrees to comply with, and give all stipulations and representations required by, applicable Federal laws and further agrees to require such compliances, representations, and stipulations with respect to any contract entered into by it with others under such acquisition program as may be required by applicable Federal law.

6. No salaries of lessee's executive officers, no fees of its attorneys, no part of the expense incurred in conducting lessee's offices, and no overhead expenses of any kind shall be included in the cost of the machinery or of the acquisition program, except that direct expenses of lessee's officers or employees and fees of attorneys retained or employed by lessee in connection with the acquisition program may be so included to the extent approved by Defense Corporation.

7. Notwithstanding any other provision herein contained, the maximum amount which Defense Corporation shall be required to expend hereunder shall not exceed $38,865.

8. Title to the machinery to be acquired hereunder shall, unless and until the same shall be transferred by Defense Corporation in accordance with the provisions hereof, be vested in Defense Corporation, and such machinery shall remain personalty notwithstanding the fact that it may be affixed or attached to realty.

9. Subject to termination upon the terms hereinafter in this paragraph 9 provided, Defense Corporation hereby agrees to lease, and does hereby lease, the machinery to be acquired hereunder to lessee, and lessee does hereby lease the same from Defense Corporation for a term ending July 1, 1946, which term, upon its expiration, shall be automatically extended, subject to similar termination for an additional period ending July 1, 1948. Defense Corporation and lessee each agree, upon the written request of the other, to execute and deliver such additional instruments of lease as may be necessary to carry out the provisions of this agreement.

This lease or any extension thereof under this paragraph 9 may be terminated by the parties hereto in the manner hereinafter set forth. At any time when substantial use by lessee of the machinery shall be no longer required to enable lessee to furnish the Government with products required by it, or to furnish suppliers of the Government with products in order to enable such suppliers to perform contracts with the Government, Defense Corporation may, with the written approval of the War Department, give written notice to lessee that such substantial use is no longer required and that Defense Corporation therefore proposes the termination of the lease or extension thereof, and lessee may give similar written notice to Defense Corporation and to the War Department stating that lessee therefore proposes the termination of this lease or extension thereof. This lease, or extension thereof, shall terminate 5 days after receipt by lessee of the notice from Defense Corporation above provided or after receipt by Defense Corporation and the War Department of the notice from lessee above provided, unless within that time lessee or the War Department, as the case may be, shall require by notice in writing or by telegraph to the other and to Defense Corporation, that the facts necessary to termination, as hereinabove provided, be submitted for determination by arbitrators, in which event the arbitrator to be appointed by the party giving the notice of arbitration shall be named in the notice, the arbitrator to be appointed by the other party to the arbitration (lessee or the War Department, as the case may be) shall be named within 5 days of receipt of such notice of arbitration, and an additional arbitrator shall, within 5 days of the appointment of the second arbitrator, be selected by the two arbitrators theretofore appointed, but if one of said parties shall have failed to appoint an arbitrator, the sole arbitrator shall arbitrate the question alone. If two arbitrators shall have been appointed by the respective parties to the arbitration and shall have failed to select an additional arbitrator within the above stated time, the additional arbitrator shall be appointed by the senior judge of the Circuit Court of Appeals for the Second Circuit upon application therefor by either of said parties to the arbitration. The decision of a majority of the arbitrators so appointed, or if either party shall have failed to appoint its arbitrator, the decision of the sole arbitrator shall be final and binding upon the lessee, the War Department, and Defense Corporation for all purposes. The cost of arbitration, except the cost of the arbitrator appointed by the War Department, shall be paid by lessee. The arbitrators, or the sole arbitrator, as the case may be, shall give prompt notice in writing of the decision to the War Department, to lessee, and to Defense Corporation, and if the decision establishes that the facts necessary to termination exist, this lease, or extension thereof, shall terminate on the fifth day after the giving of notice of the decision.

10. In consideration of the covenants herein contained and as rental for the machinery to be provided hereunder lessee agrees to pay to Defense Corporation rent, at the rate of 12 percent for each rental year, on all amounts expended by Defense Corporation under this agreement from the date of execution hereof to the end of such rental year (such expenditures to include all direct expenses, without overhead, incurred by Defense Corporation in connection with the machinery or in connection with this agreement). For the purpose of rental calculation of this agreement, the first rental year shall begin October 1, 1941, and end December 31, 1941 (one-quarter of the annual rental herein provided for to be paid for such rental year), thereafter each rental year shall begin on January 1 and end the following December 31. Estimated interim payments of rent shall be made each 90 days, beginning 10 days after December 20, 1941, subject to final adjustment and determination of the annual rental 30 days after December 31 of each year.

11. Defense Corporation, by notice in writing with the approval of the War Department noted thereon, may, in addition to all other rights with reference to termination under paragraph 9 hereof, cancel this lease, or extension thereof, in the event (a) all or substantially all of lessee's contracts with the Government or with suppliers of the Government in order to enable such suppliers to perform contracts with the Government, at any time outstanding, for the manufacture or furnishing of landing gear shimmy dampeners for airplanes and other products shall be terminated or canceled prior to completion, or (b) the Government shall request priority with respect to the manufacture or furnishing of any products with the facilities to be provided hereunder, and lessee shall fail or refuse to give such priority, or (c) a receiver or trustee is appointed for lessee or its property, or lessee makes an assignment for the benefit of creditors, or lessee becomes insolvent, or a petition is filed by or against lessee pursuant to any of the provisions of the United States Bankruptcy Act, as amended, for the purpose of adjudicating lessee a bankrupt, or for the reorganization of lessee, or for the purpose of effecting a composition or rearrangement with lessee's creditors, and any such petition filed against lessee is not dismissed within 60 days, or (d) of any violation of any of the terms, conditions or covenants of this lease or extension thereof by lessee and the failure of lessee to cure such violation within 30 days from the giving of written notice thereof by Defense Corporation to lessee. Upon the expiration, termination, or cancelation of this lease or extension thereof, Defense Corporation shall have the right to invoke any remedy permitted by law or in equity for the protection of its interests hereunder, and lessee hereby expressly waives all rights which it may have to redeem or to be served with any further notice of Defense Corporation's intention to cancel or terminate this lease or extension thereof other than as herein provided.

12. Upon the expiration or termination of this lease or extension thereof pursuant to paragraph 9 hereof, or upon cancelation of this lease or extension thereof pursuant to clause (a) of paragraph 11 (unless such cancelation shall have been effected because of a violation by lessee of the contracts referred to in said clause (a)), lessee shall have and is hereby granted, for a period of 90 days after such termination, expiration, or cancelation (hereinafter referred to as the option period) the right and option by written notice to Defense Corporation and to the War Department, to purchase all but not part of the machinery at the following prices:

(a) If exercised within 8 months from the date of execution hereof, at the actual cost to Defense Corporation of the machinery (including all direct expenses, without overhead, incurred by Defense Corporation in connection therewith or in connection with this agreement), plus interest thereon at the rate of 4 percent per annum (such interest to be calculated on each item of disbursement made by Defense Corporation from the date thereof), less the amount of any rentals

theretofore paid by lessee to Defense Corporation pursuant to the provisions of paragraph 10 hereof, together with interest on each such rental payment from the date thereof at the rate of 4 percent per annum; or

(b) If exercised after 6 months from the date of execution hereof:

(1) At a price determined as provided in subparagraph (a) above; or

(2) At the actual cost to Defense Corporation of the machinery (including all direct expenses, without overhead, incurred by Defense Corporation in connection therewith or in connection with this agreement), less an amount representing depreciation, obsolescence, and loss of value due to use for national-defense purposes for each year or fractional part thereof at the following rates for the following classifications of equipment, which classifications shall be determined in connection with the various items as the acquisition of the items comprising the acquisition program proceeds:

1. Installations (mechanical), equipment, machinery, shop fixtures, laboratory and test equipment, furniture and fixtures, trucks, etc., 12 percent.

2. Portable durable tools and automotive equipment, 50 percent; provided, however, that the minimum residual value on all items shall be 15 percent, whichever is the higher.

During the option period lessee shall have the right to negotiate with Defense Corporation and the War Department for the purchase or lease of the machinery, or any portion thereof, and upon the establishment by the lessee, Defense Corporation, and the War Department of mutually satisfactory terms and conditions, Defense Corporation will sell or lease, as the case may be, the property covered thereby to lessee. Defense Corporation further agrees, to the extent that it lawfully may, that it will not sell the machinery or any part thereof to any party or parties other than another branch of the Government (in which event such sale shall be in all respects subject to paragraph 22 hereof) for a period of 90 days following the expiration of the full option period unless it shall first have offered the same for sale to lessee at a price equal to the best offer received by Defense Corporation, and lessee shall have failed or refused to purchase the same within 30 days after the receipt of such offer. In the event of any sale to lessee pursuant to the provisions of this paragraph, transfer of title shall be made without any representations or warranties whatsoever on the part of Defense Corporation.

13. So long as this lease remains in full force and effect lessee shall procure and maintain at its cost insurance on the machinery to be acquired hereunder against fire, windstorm, and such other hazards, in such companies, and in such amounts as shall be satisfactory to, or required by, Defense Corporation. The policies evidencing such insurance shall be made payable to, and delivered to, Defense Corporation. In the event of loss under any of the policies, the proceeds may, upon the written request of lessee promptly made, be used by lessee for the repair, restoration, or replacement of the property damaged or destroyed, and to that end Defense Corporation shall promptly make available to lessee the insurance proceeds received by Defense Corporation. Any property acquired in replacement shall be the property of Defense Corporation and so identified and shall be subject to all the terms and provisions of this agreement.

14. Lessee agrees to save Defense Corporation harmless against any liability whatsoever because of accidents or injury to persons or property occurring in the operation or the use of the machinery by lessee. Lessee also agrees that during the term of this lease or any etxension thereof, it will procure and maintain at its cost public liability insurance and property damage insurance in such amounts and with such companies as Defense Corporation shall approve or require. The policies evidencing such insurance shall name Defense Corporation as an assured and shall be delivered to Defense Corporation.

15. Lessee shall use reasonable care in the use and operation of the machinery to be provided hereunder and shall keep the same in good state of repair (ordinary wear and tear, damage, and destruction due to causes beyond lessee's control or without lessee's fault or negligence excepted), and upon the expiration, termination or cancelation of this lease or extension thereof, and upon expiration of the option period, if any, lessee shall forthwith yield, and place Defense Corporation in peaceful possession of all the machinery to be provided hereunder free and clear of any liens and claims other than those resulting from claims against Defense Corporation; and Defense Corporation shall, in addition, have the right to remove such machinery, and upon the written request of lessee, Defense Corporation shall promptly remove, at its own expense, such machinery located in lessee's existing plant at Buffalo, N. Y., and if such removal shall not take place within 60 days after such request, lessee may remove the machinery and place it in storage for the account and at the expense of Defense Corporation.

16. Lessee agrees to pay to the proper authority, when and as the same become due and payable, all taxes, assessments, and similar charges which at any time during the term of this lease or any extension thereof may be taxed, assessed, or imposed upon Defense Corporation or lessee with respect to or upon the machinery, or any part thereof, or upon the operation or use of the machinery. Lessee also agrees to pay all claims or charges for or on account of water, light, heat, power, and any other service or utility furnished to or with respect to the machinery, or any part thereof

17. In carrying out the acquisition program and in the operation of lessee's existing plant at Buffalo, N. Y., and any of the machinery to be acquired hereunder lessee agrees to comply with all applicable State, municipal, and local laws and the rules, orders, regulations, and requirements of any departments and bureaus and all local ordinances and regulations and further agrees to indemnify and hold Defense Corporation harmless from any liability or penalty which may be imposed by local or State authority or any department or bureau thereof by reason of any asserted violation by lessee of such laws, rules, orders, ordinances, or regulations.

18. Lessee agrees that it will not, without the prior written consent of Defense Corporation and the War Department, use such machinery for any purpose except for the manufacture and furnishing of landing-gear shimmy dampeners for airplanes and other products for sale to the Government or to suppliers of the Government in order to enable such suppliers to perform contracts with the Government unless lessee shall make available for such manufacture and furnishing other facilities of substantially equivalent productive capacity. Lessee also agrees that as long as this lease or extension thereof remains in effect it will eliminate all charges (including all charges for amortization and depreciation) for the facilities covered by this agreement of lease, or, as the case may be, for any such substantially equivalent productive capacity, except the rental, maintenance, taxes, and insurance provided for herein, from any price charged the Government or any supplier for the Government.

19. So long as this lease or any extension thereof remains in effect, lessee shall make available to Defense Corporation and the War Department for audit and inspection its records pertaining to the acquisition program and any of the machinery. Defense Corporation and the War Department shall have the right to inspect the machinery to be provided hereunder at all reasonable times during the continuance of this lease or extension thereof.

20. Lessee will not without prior written consent of Defense Corporation and the approval of the War Department sell, assign, or pledge this lease or any of its rights or obligations hereunder or sublease or permit the use by others of any of the property covered by this lease.

21. The failure of Defense Corporation to insist, in any one or more instances, upon performance of any of the terms, covenants, or conditions of this agreement shall not be construed as a waiver or a relinquishment of the future performance of any such term, covenant, or condition, but lessee's obligation with respect to such future performance shall continue in full force and effect.

22. It is contemplated that the machinery to be provided hereunder may be transferred and conveyed to another branch of the Government and, upon such transfer, the Government, acting through the War Department, shall succeed to all the rights, powers, privileges, discretion, and obligations of Defense Corporation hereunder, retaining, however, all discretion and power of approval herein vested in the War Department. In the event of such transfer, Defense Corporation shall cease to have any rights, duties, or obligations hereunder and all powers in Defense Corporation to give any notices, consents, or approvals or to raise any objections and the right of Defense Corporation to receive any notices provided for herein shall terminate and thereafter shall be vested in the War Department.

23. No Member of or Delegate to the Congress of the United States of America shall be admitted to any share or part of this agreement or to any benefit arising therefrom.

24. Whenever used herein, the term "War Department" shall mean the Secretary of War or the Under Secretary of War, any assistant head of the War Department or the Chief of the Matériel Division, Air Corps, or any person authorized by or acting on behalf of any of the foregoing. Any notice provided for herein to be given to the War Department shall likewise be given to the Matériel Division, Wright Field, Dayton, Ohio.

In witness whereof, the parties hereto have caused their corporate seals to be hereunto affixed, and these presents to be signed by their duly authorized officers the day and year first above written.

[SEAL] DEFENSE PLANT CORPORATION,
By JOHN W. SNYDER, *Vice President.*
Attest:
A. T. HOBSON, *Secretary.*

[SEAL] HOUDE ENGINEERING CORPORATION,
By RALPH F. PEO, *Vice President.*
Attest:
G. M. CRAIG, *Assistant Secretary.*

DISTRICT OF COLUMBIA, *ss:*

On the 7th day of May in the year 1941 before me personally came John W. Snyder, to me known, who, being by me duly sworn, did depose and say that he resides at LaSalle Apartments in the District of Columbia, that he is the vice president of Defense Plant Corporation, the Corporation described in and which executed the above instrument; that he knows the seal of said Corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said Corporation and that he signed his name thereto by like order.

[SEAL] CHARLES J. BUETTNER,
Notary Public, District of Columbia.
My commission expires March 14, 1946.

On the 8th day of May in the year 1941 before me personally came Ralph F. Peo, to me known, who, being by me duly sworn, did depose and say that he resides at 107 Starin Avenue in the city of Buffalo, of State of New York, that he is the vice president of Houde

Engineering Corporation, the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation and that he signed his name thereto by like order.

[SEAL] ETHELMAY M. BRENT.
Notary Public in and for Erie County, N. Y.
My commission expires March 30, 1942.

AGREEMENT OF LEASE

This agreement made and entered into this 26th day of September 1941 by and between Defense Plant Corporation (hereinafter referred to as Defense Corporation), a corporation created by Reconstruction Finance Corporation pursuant to section 5d of the Reconstruction Finance Corporation Act, as amended, to aid the Government of the United States (hereinafter sometimes called the Government) in its national-defense program, and W. F. and John Barnes Co. (hereinafter called lessee), a corporation organized and doing business under the laws of the State of Illinois;

WITNESSETH:

Whereas the production of 37-mm. armor-piercing shot for the Government and the expansion of capacity within the United States for such production are important in the interest of the national-defense program; and

Whereas the War Department has advised that the establishment of an additional plant for the manufacture and furnishing of such 37-mm. armor-piercing shot at or near Rockford, Ill., having a productive area of approximately 37,000 square feet and the acquisition of additional machinery and equipment for use in said plant and in lessee's existing plant (such machinery and equipment, exclusive of items commonly classified as expendable items being hereinafter sometimes called the machinery), are in its opinion, necessary in the interest of national defense; and

Whereas lessee has acquired or proposes to acquire a site at or near Rockford, Ill., consisting of approximately 14 acres of land suitable for the location of such additional plant; and

Whereas lessee has entered into a contract or contracts with the Government for the manufacture and furnishing of 37-mm. armor-piercing shot; and the establishment of the additional plant above referred to and the acquisition of the machinery to be provided hereunder are essential to enable lessee to manufacture and furnish and to expedite the delivery of such products in accordance with said contract or contracts; and

Whereas lessee represents that, in the price charged the Government for the manufacture and furnishing of such products, there have been eliminated all charges (including amortization and depreciation), exclusive of the maintenance, taxes, and insurance provided for herein, for the additional facilities to be provided for hereunder;

Now, therefore, in consideration of the mutual covenants herein contained it is agreed by and between the parties hereto as follows:

1. Lessee agrees forthwith upon the execution of this agreement to convey or cause to be conveyed to Defense Corporation the plant site in fee simple, and Defense Corporation agrees to purchase such site. The title to the site and the price thereof shall be satisfactory to Defense Corporation.

2. Lessee agrees forthwith and from time to time to prepare, or cause to be prepared, and to submit to Defense Corporation and to the War Department for their approval such plans, designs, specifications, and schedules for the construction and equipment of the plant and the acquisition and installation of the machinery (which shall indicate the estimated cost thereof, stating as to the machinery the estimated price of each item), as they may require; and lessee agrees, upon approval of such plans, designs, specifications, and schedules by Defense Corporation and the War Department, to proceed in accordance therewith and complete as soon as practicable the construction and equipment of the plant (hereinafter called the construction program) and the acquisition and installation of the machinery (hereinafter called the acquisition program). With the approval of Defense Corporation, lessee shall have the right to make any alteration in the plans, designs, specifications, and schedules approved pursuant to this paragraph 2, provided, that if such alteration will result in substantial delay in effecting, or a material alteration in the character of, the programs or will increase the aggregate cost of said programs beyond the aggregate amount of such estimates, lessee shall likewise obtain from the War Department its approval of such alteration.

3. In carrying out the work to be performed by it under the construction program, lessee may employ such contractors and enter into such contracts with them as it may deem advisable, with the written approval of a designated representative of Defense Corporation.

4. Defense Corporation shall advance the funds necessary for carrying out the construction program (including taxes and insurance during construction) from time to time as the work progresses, upon requisition of lessee approved by Defense Corporation. A representative of Defense Corporation authorized to approve such requisitions on its behalf shall be stationed at the site of construction during such times as lessee may require.

5. Lessee shall, from time to time, advise Defense Corporation, in writing, of the items of machinery which lessee shall propose to purchase for the purpose of the acquisition program and the estimated cost thereof, and shall forthwith proceed to purchase the same in the name and on behalf of Defense Corporation; provided, however, that no such items shall be purchased or installed if Defense Corporation shall object thereto within 3 days of the receipt of such written advice. Defense Corporation shall, from time to time, furnish to lessee such evidence as lessee may request with reference to its authority to make such purchases on behalf of Defense Corporation.

6. Lessee shall furnish to Defense Corporation and to the War Department a description of each item of machinery so purchased so that it shall be capable of identification, and, to the extent practicable, each item shall be marked or stamped by lessee in a way satisfactory to Defense Corporation so as to indicate Defense Corporation's ownership therein.

7. All bills of the vendors for machinery purchased by lessee for the account of Defense Corporation pursuant to the provisions hereof shall be promptly submitted by lessee to Defense Corporation accompanied by a certificate of lessee, executed by one of its officers duly designated for that purpose, to the effect that the items covered by such bills are included in and necessary in connection with the acquisition program, that the prices thereof are, in its opinion, fair and reasonable, and that such bills are proper for payment. Such bills, and other costs of the acquisition program (including necessary rearrangement expense) when approved by Defense Corporation, shall be promptly paid by Defense Corporation.

8. In the execution of the programs lessee agrees to comply with, and give all stipulations and representations required by, applicable Federal law and further agrees to require such compliances, representations, and stipulations with respect to any contract entered into by it with others under such programs as may be required by applicable Federal law.

9. No salaries of lessee's executive officers, no fees of its attorneys, no part of the expense incurred in conducting lessee's offices, and no overhead expenses of any kind shall be included in the cost of the site or of the programs, except that direct expenses of lessee's officers or employees and fees of attorneys retained or employed by lessee in connection with the programs may be so included to the extent approved by Defense Corporation; provided, however, that the provisions of this paragraph 9 shall not apply to the cost of any items of machinery included in and manufactured by lessee for the acquisition program, but such items of machinery shall be paid for, when approved by Defense Corporation, at lessee's net list prices, less sales commissions, but in no event in excess of prices at which such items may be purchased from others.

10. Notwithstanding any other provision herein contained, the maximum amount which Defense Corporation shall be required to expend hereunder shall not exceed $2,000,000.

11. Title to the site, buildings, and machinery to be acquired hereunder shall, unless and until the same shall be transferred by Defense Corporation in accordance with the provisions hereof, be vested in Defense Corporation, and such machinery shall remain personalty notwithstanding the fact that it may be affixed or attached to realty.

12. Subject to termination upon the terms hereinafter in this paragraph 12 provided, Defense Corporation hereby agrees to lease, and does hereby lease, the site, buildings, and machinery to be acquired hereunder, to lessee and lessee does hereby lease the same from Defense Corporation for a term ending October 1, 1945. Defense Corporation and lessee each agrees, upon the written request of the other, to execute and deliver such additional instruments of lease as may be necessary to carry out the provisions of this agreement.

This lease under this paragraph 12 may be terminated by the parties hereto in the manner hereinafter set forth. At any time when substantial use by lessee of the site, buildings, and machinery shall be no longer required to enable lessee to furnish the Government with products required by it, Defense Corporation may, with the written approval of the War Department, give written notice to lessee that such substantial use is no longer required and that Defense Corporation therefore proposes the termination of the lease, and lessee may give similar written notice to Defense Corporation and to the War Department stating that lessee therefore proposes the termination of this lease. The lease shall terminate 10 days after receipt by lessee of the notice from Defense Corporation above provided or after receipt by Defense Corporation and the War Department of the notice from lessee above provided, unless within that time lessee or the War Department, as the case may be, shall require by notice in writing or by telegraph to the other and to Defense Corporation, that the facts necessary to termination, as hereinabove provided, be submitted for determination by arbitrators, in which event the arbitrator to be appointed by the party giving the notice of arbitration shall be named in the notice, the arbitrator to be appointed by the other party to the arbitration (lessee or the War Department, as the case may be) shall be named within 5 days of receipt of such notice of arbitration, and an additional arbitrator shall, within 5 days of the appointment of the second arbitrator, be selected by the two arbitrators theretofore appointed, but if one of said parties shall have failed to appoint an arbitrator, the sole arbitrator shall arbitrate the question alone. If two arbitrators shall have been appointed by the respective parties to the arbitration and shall have failed to select an additional arbitrator within the above-stated time, the additional arbitrator shall be appointed by the senior

judge of the Circuit Court of Appeals for the Seventh Circuit, upon application therefor by either of said parties to the arbitration. The decision of a majority of the arbitrators so appointed, or if either party shall have failed to appoint its arbitrators, the decision of the sole arbitrator shall be final and binding upon the lessee, the War Department, and Defense Corporation for all purposes. The cost of arbitration, except the cost of the arbitrator appointed by the War Department, shall be paid by lessee. The arbitrators, or the sole arbitrator, as the case may be, shall give prompt notice in writing of the decision to the War Department, to lessee, and to Defense Corporation, and if the decision establishes that the facts necessary to termination exist, this lease shall terminate on the fifth day after the giving of notice of the decision.

13. In consideration of the covenants herein contained and as rental for such site, buildings, and machinery, lessee agrees to pay to Defense Corporation for the period of this lease the sum of $1 per year payable on or before the 1st day of January of each year.

14. Defense Corporation, by notice in writing with the approval of the War Department noted thereon, may, in addition to all other rights with reference to termination under paragraph 12 hereof, cancel this lease in the event (a) all or substantially all of lessee's contracts with the Government, at any time outstanding, for the manufacture or furnishing of 37 mm. armor-piercing shot or other products shall be terminated or canceled prior to completion, or (b) the Government shall request priority with respect to the manufacture or furnishing of any products with the facilities to be provided hereunder, and lessee shall fail or refuse to give such priority, or (c) a receiver or trustee is appointed for lessee or its property, or lessee makes an assignment for the benefit of creditors, or lessee become insolvent, or a petition is filed by or against lessee pursuant to any of the provisions of the United States Bankruptcy Act, as amended, for the purpose of adjudicating lessee a bankrupt, or for the reorganization of lessee, or for the purpose of effecting a composition or rearrangement with lessee's creditors, and any such petition filed against lessee is not dismissed within 60 days, or (d) of any violation of any of the terms, conditions, or covenants of this lease or extension thereof by lessee and the failure of lessee to cure such violation within 30 days from the giving of a written notice thereof by Defense Corporation to lessee. Upon the expiration, termination, or cancelation of this lease, Defense Corporation shall have the right to invoke any remedy permitted by law or in equity for the protection of its interests hereunder, and lessee hereby expressly waives all rights which it may have to redeem or to be served with any further notice of Defense Corporation's intention to cancel or terminate this lease other than as herein provided.

15. Upon the expiration or termination of this lease pursuant to paragraph 12 hereof, or upon the cancelation of this lease pursuant to clause (a) of paragraph 14 (unless such cancelation shall have been effected because of a violation by lessee of the contracts referred to in said clause (a)), lessee shall have and is hereby granted, for a period of 90 days after such termination, expiration, or cancelation (hereinafter referred to as the "option period") the right and option by written notice to Defense Corporation and to the War Department, to purchase all but not part of the site, buildings, and machinery at the following prices:

(a) If exercised within 8 months from the date of execution hereof, at the actual cost to Defense Corporation of the site, buildings, and machinery (including all direct expenses without overhead incurred by Defense Corporation in connection therewith or in connection with this agreement); or

(b) If exercised after 8 months from the date of execution hereof, at the actual cost to Defense Corporation of the site, buildings, and machinery (including all direct expenses without overhead incurred by Defense Corporation in connection therewith or in connection with this agreement), less an amount representing depreciation, obsolescence, and loss of value due to use for national-defense purposes for each year or fractional part thereof at the following rates for the following classifications of equipment, which classifications shall be determined in connection with the various items as the construction and acquisition of the items comprising the programs proceed:

1. Buildings, improvements (fencing, paving, spur tracks, etc.) and building installations other than mechanical, 5 percent.

2. Installations (mechanical), equipment, machinery, shop fixtures, laboratory and test equipment, furniture and fixtures, trucks, etc., 12 percent.

3. Portable durable tools and automotive equipment, 25 percent, provided, however, that the minimum residual value on each item included in this subsection 3 shall be 15 percent.

During the option period lessee shall have the right to negotiate with Defense Corporation and the War Department for the purchase or lease of the site, buildings, and machinery, or any portion thereof, and, upon the establishment by the lessee, Defense Corporation, and the War Department of mutually satisfactory terms and conditions, Defense Corporation will sell or lease, as the case may be, the property covered thereby to lessee. Defense Corporation further agrees, to the extent that it lawfully may, that it will not sell the site, buildings, and machinery, or any part thereof to any party or parties other than another branch of the Government (in which event such sale shall be in all respects subject to paragraph 26 hereof) for a period of 90 days following the expiration of the full option period unless it shall first have offered the same for sale to lessee at a price equal to the best offer received by Defense Corporation and lessee shall have failed or refused to purchase the same within 30 days after the receipt of such offer. In the event of any sale to lessee pursuant to the provisions of this paragraph, transfer of title shall be made without any representations or warranties whatsoever on the part of Defense Corporation.

16. So long as this lease remains in full force and effect lessee shall (except to the extent included in the construction program) procure and maintain at its cost, insurance on the buildings and on the machinery to be acquired hereunder against fire, windstorm, and such other hazards, in such companies, and in such amounts as shall be satisfactory to, or required by Defense Corporation. The policies evidencing such insurance shall be made payable to, and delivered to, Defense Corporation. In the event of loss under any of the policies, the proceeds may, upon the written request of lessee promptly made, be used by lessee for the repair, restoration, or replacement of the property damaged or destroyed, and to that end Defense Corporation shall promptly make available to lessee the insurance proceeds received by Defense Corporation. Any property acquired in replacement shall be the property of Defense Corporation and so identified and shall be subject to all the terms and provisions of this agreement.

17. Lessee agrees to save Defense Corporation harmless against any liability whatsoever because of accidents or injury to persons or property occurring in the operation of the plant or the use of the machinery by lessee. Lessee also agrees that during the term of this lease it will procure and maintain at its cost public liability insurance and property damage insurance in such amounts and with such companies as Defense Corporation shall approve or require. The policies evidencing such insurance shall name Defense Corporation as an assured, and shall be delivered to Defense Corporation.

18. Lessee shall use reasonable care in the use and operation of the site, buildings, and the machinery to be provided hereunder and shall keep the same in good state of repair (ordinary wear and tear excepted), and upon the expiration, termination, or cancelation of this lease, and upon expiration of the option period, if any, lessee shall forthwith yield, and place Defense Corporation in peaceful possession of, the site and buildings and of all the machinery to be provided hereunder free and clear of any liens and claims other than those resulting from claims against Defense Corporation; and if any of the machinery shall be then located elsewhere than in the additional plant to be provided hereunder, Defense Corporation shall, in addition, have the right to remove, and upon the written request of lessee, shall promptly remove, at its own expense, such machinery, and if such removal shall not take place within 60 days after such request, lessee may remove the machinery and place it in storage for the account and at the expense of Defense Corporation, and Defense Corporation shall have corresponding rights and lessee shall have corresponding rights and obligations with respect to removal and storage of any machinery not owned by Defense Corporation that may then be located in the additional plant to be provided hereunder.

19. Lessee may use such items of machinery as it may designate in writing to Defense Corporation, in connection with the manufacture and furnishing of 37 mm. armor-piercing shot and other products for the Government in any other plants of lessee. Lessee may also, with the written approval of Defense Corporation and the War Department, lease or lend to any suppliers any item of machinery, the lease or loan of which it may deem necessary for the performance by lessee of its contracts with the Government. Any such lease or loan shall be upon such terms and conditions as Defense Corporation and the War Department may approve, and lessee shall in no event by any such lease or loan be relieved of its obligations under the provisions of this agreement.

20. Lessee agrees to pay (except to the extent included in the construction program) to the proper authority, when and as the same become due and payable, all taxes, assessments, and similar charges which at any time during the term of this lease may be taxed, assessed or imposed upon Defense Corporation or lessee with respect to or upon the site, the buildings, or the machinery, or any part thereof, or upon the occupier thereof or upon the use of the site, buildings, or machinery. Lessee also agrees to pay all claims or charges for or on account of water, light, heat, power, and any other service or utility furnished to or with respect to the site, the buildings or the machinery, or any part thereof.

21. In carrying out the programs and in the operation of the plant and any of the machinery to be acquired hereunder lessee agrees to comply with all applicable State, municipal, and local laws and the rules, orders, regulations, and requirements of any departments and bureaus and all local ordinances and regulations and further agrees to indemnify and hold Defense Corporation harmless from any liability or penalty which may be imposed by local and State authority or any department or bureau thereof by reason of any asserted violation by lessee of such laws, rules, orders, ordinances, or regulations.

22. Lessee agrees that it will not, without the prior written consent of Defense Corporation and the War Department, use such site, buildings, and machinery for any purpose except for the manufacture and furnishing of 37 mm. armor-piercing shot and other products for the Government unless lessee

shall make available for such manufacture and furnishing other facilities of substantially equivalent productive capacity. Lessee also agrees that as long as this lease remains in effect it will eliminate all charges (including all charges for amortization and depreciation) exclusive of the maintenance, taxes, and insurance provided for herein, for the site, buildings, and the machinery to be provided hereunder or, as the case may be, for any such substantially equivalent productive capacity, from any price charged the Government or any supplier for the Government.

23. So long as this lease remains in effect, lessee shall make available to Defense Corporation and the War Department, for audit and inspection, its records pertaining to the acquisition of the site and the programs and the operations of the plant and any of the machinery. Defense Corporation and the War Department shall have the right to inspect the site, buildings, and machinery to be provided hereunder at all reasonable times during the continuance of this lease.

24. Lessee will not, without prior written consent of Defense Corporation and the approval of the War Department, sell, assign, or pledge this lease or any of its rights or obligations hereunder or sublease or permit the use by others of any of the property covered by this lease, except to the extent permitted by paragraph 19 hereof.

25. The failure of Defense Corporation to insist, in any one or more instances, upon performance of any of the terms, covenants, or conditions of this agreement shall not be construed as a waiver or a relinquishment of the future performance of any such term, covenant, or condition, but lessee's obligation with respect to such future performance shall continue in full force and effect.

26. It is contemplated that the site, buildings, and machinery to be provided hereunder by this agreement may be transferred and conveyed to another branch of the Government, and, upon such transfer, the Government, acting through the War Department, shall succeed to all the rights, powers, privileges, discretion, and obligations of Defense Corporation hereunder, retaining, however, all discretion and power of approval herein vested in the War Department. In the event of such transfer, Defense Corporation shall cease to have any rights, duties, or obligations hereunder and all powers in Defense Corporation to give any notices, consents, or approvals, or to raise any objections and the right of Defense Corporation to receive any notices provided for herein shall terminate and thereafter shall be vested in the War Department.

27. No Member of or Delegate to the Congress of the United States of America shall be admitted to any share or part of this agreement or to any benefit arising therefrom.

28. Whenever used herein, the term "War Department" shall mean the Secretary of War, the Under Secretary of War, any assistant head of the War Department, or any person authorized by or acting on behalf of any of the foregoing.

29. Any notice required to be given to the War Department under the provisions of this agreement shall, in addition to the requirements, if any, of paragraph 28 hereof, be addressed separately in writing to the Under Secretary of War.

In witness whereof, the parties hereto have caused their corporate seals to be hereunto affixed, and these presents to be signed by their duly authorized officers the day and year first above written.

[SEAL] DEFENSE PLANT CORPORATION,
By JOHN W. SNYDER,
Executive Vice President.

Attest:
A. T. HOBSON, *Secretary.*

[SEAL] W. F. & JOHN BARNES CO.,
By W. W. BARTON, *President.*

Attest:
K. L. FINKENSTAEDT, *Secretary.*

DISTRICT OF COLUMBIA, *ss:*

I, Thomas S. Kelly 3d, a notary public in and for the District of Columbia, do hereby certify that John W. Snyder and A. T. Hobson, personally known to me to be the same persons whose names are, respectively as executive vice president and secretary of Defense Plant Corporation, subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that they, being thereunto duly authorized, signed, sealed with the corporate seal, and delivered the said instrument as the free and voluntary act of said corporation and as their own free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal this 29th day of September A. D. 1941.

[SEAL] THOMAS S. KELLY 3d,
Notary Public.

My commission expires September 1, 1946.

DISTRICT OF COLUMBIA, *ss:*

I, Minot C. Mulligan, a notary public in and for the District of Columbia, do hereby certify that Wm. W. Barton and K. L. Finkenstaedt, personally known to me to be the same persons whose names are, respectively as president and secretary of W. F. & John Barnes Co., a corporation of the State of Illinois, subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that they, being thereunto duly authorized, signed, sealed with the corporate seal, and delivered the said instrument as the free and voluntary act of said corporation and as their own free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal this 26th day of September A. D. 1941.

[SEAL] MINOT C. MULLIGAN.

AGREEMENT OF LEASE

This agreement, made and entered into this 19th day of August 1941, by and between Defense Plant Corporation (hereinafter referred to as "Defense Corporation"), a corporation created by Reconstruction Finance Corporation pursuant to section 5d of the Reconstruction Finance Corporation Act, as amended, to aid the Government of the United States (hereinafter sometimes called the "Government") in its national-defense program, and Aluminum Co. of America (hereinafter called "Alcoa"), a corporation organized and doing business under the laws of the Commonwealth of Pennsylvania,

WITNESSETH:

Whereas the Office of Production Management has advised that in its opinion it is necessary in the interest of national defense to establish immediately an additional plant for the manufacture of alumina, having a productive capacity of approximately 400,000,000 pounds of alumina per year, and three aluminum smelting plants, with aggregate productive capacity of approximately 340,000,000 pounds of aluminum per year (said plants, including the sites, buildings, machinery, and equipment in connection therewith, being hereinafter sometimes referred to as the "plants");

Now, therefore, in consideration of the mutual covenants herein contained, it is agreed by and between the parties hereto as follows:

1. Alcoa agrees promptly to use its best endeavors to acquire for Defense Corporation, in fee simple, all lands necessary for the construction and operation of the aforesaid plants at sites acceptable to Defense Corporation and to this end, Alcoa may take such options and enter into such contracts in the name of and on behalf of Defense Corporation as Defense Corporation may approve. Defense Corporation will reimburse Alcoa for all cost and expenses which are approved by Defense Corporation and incurred by Alcoa in connection with the acquisition of such lands, but Alcoa shall receive no profit for such services. The title to each of said sites and the price thereof shall be satisfactory to Defense Corporation.

2. Alcoa agrees forthwith and from time to time to prepare, or cause to be prepared, and to submit to Defense Corporation for its approval, plans, designs, specifications, and schedules for the construction of the plants and the acquisition and installation of the machinery and equipment necessary to provide productive capacity, as follows:

1. For an alumina plant in the State of Arkansas, approximately 400,000,000 pounds of alumina per annum;

2. For an aluminum smelting plant at or near Massena, N. Y., approximately 150,000,000 pounds of aluminum per annum;

3. For an aluminum smelting plant adjacent to deep water in Washington or Oregon, approximately 90,000,000 pounds of aluminum per annum;

4. For an aluminum smelting plant in the State of Arkansas, approximately 100,000,000 pounds of aluminum per annum.

Alcoa agrees, upon approval of such plans, designs, specifications, and schedules by Defense Corporation, to proceed in accordance therewith and complete as soon as practicable the construction of the plants and the acquisition and installation of the machinery and equipment necessary in connection therewith. The construction of the plants and the acquisition and installation of the machinery and equipment in connection therewith is hereinafter sometimes called the construction program. With the approval of Defense Corporation, Alcoa shall have the right to make any alterations in the plans, designs, specifications, and schedules approved pursuant to this paragraph 2.

3. In carrying out the work to be performed by it under the construction program, Alcoa may, with the written approval of Defense Corporation and on its behalf and in its name, employ such contractors and enter into such contracts with them as Alcoa may deem advisable.

4. Defense Corporation shall advance to or reimburse Alcoa for the funds necessary for carrying out the construction program from time to time as the work progresses, upon requisitions of Alcoa approved by Defense Corporation. Alcoa shall be reimbursed for all salaries of officers (other than the chairman of its board of directors, its president, its vice presidents, its secretary, and its treasurer) and employees engaged directly on the construction program, whether at said plants or elsewhere. It is also agreed that the performance of certain parts of the work on the construction program can be done more economically when performed by Alcoa's own organization in connection with Alcoa's other business, such as joint buying, joint engineering, and other joint services; and therefore, in order to reimburse Alcoa for a proper share of such expenses which cannot be readily allocated, but which are properly incurred in carrying out the construction program. Alcoa shall be reimbursed in an amount to be agreed upon by the parties hereto. A representative of the Defense Corporation authorized to approve requisitions on Defense Corporation's behalf shall be stationed at the site of each of the plants and at such other place or places as Alcoa may require.

5. Alcoa will furnish to Defense Corporation a description of each item of machinery purchased for Defense Corporation hereunder so that it shall be capable of identification, and to the extent practicable each item shall be marked or stamped by Alcoa in a way satisfactory to Defense Corporation, so as to indicate Defense Corporation's ownership therein.

6. In the execution of the construction program, Alcoa agrees to comply with and give all stipulations and representations required by applicable Federal laws, and further agrees to require such compliances, representations and stipulations with respect to

any contract entered into by and with others under such construction program as may be required by applicable Federal laws.

7. It is the understanding of the parties hereto and the intention of this agreement that all work in connection with the construction program which is approved by Defense Corporation is to be performed at the expense of Defense Corporation and without profit to Alcoa, and Defense Corporation shall hold Alcoa harmless against any loss, expense (including expense of litigation) or damages (including liability to third persons because of death, bodily injury or property injury, or destruction, or otherwise) of any kind whatsoever, arising out of, or in connection with, the performance of the work in connection with the construction program, except to the extent that such loss, expense, damage, or liability is due to the personal failure on the part of the corporate officers of Alcoa or of other representatives of Alcoa having supervision or direction over the construction program as a whole to exercise good faith or that degree of care which they normally exercise in the conduct of Alcoa's business. Alcoa may procure and maintain such public liability insurance and property damage insurance and other insurance as it may deem necessary to cover its aforesaid liability and Alcoa agrees likewise to procure and maintain such insurance for the benefit of Defense Corporation as Defense Corporation may request. The cost of such insurance shall be treated as a part of the cost of the construction program.

8. Title to all of the sites, buildings, machinery, and equipment to be acquired hereunder shall, unless or until the same is transferred by Defense Corporation, be vested in Defense Corporation, and for the purposes of this agreement, such machinery and equipment shall remain personal property, notwithstanding the fact that it may be affixed or attached to realty.

9. Notwithstanding anything herein contained, the maximum amount which Defense Corporation shall be required to expend hereunder in connection with the construction program of the aforesaid plants shall not exceed $52,100,000.

10. Defense Corporation hereby agrees to lease and does hereby lease all the plants to be acquired hereunder to Alcoa and Alcoa does hereby lease the same from Defense Corporation (said plants being hereinafter sometimes referred to as the "leased plants"). In the case of each plant, the lease thereof shall expire at midnight 5 years from the date when such plant begins operations at 80 percent of its designed capacity or 7 years from the date of execution of this agreement, whichever is earlier. Defense Corporation and Alcoa each agrees, upon the written request of the other, to execute and deliver such additional instruments as may be necessary to carry out the provisions of this paragraph 10. For a period of 6 months immediately prior to the expiration of the terms of the leases for the respective plants as set forth in this paragraph 10, each party hereto agrees, upon the request of the other, to negotiate for further extensions of the leases of each such plant upon fair and equitable terms, but upon the failure of the parties to reach an agreement within such 6 months' period neither party shall have any further obligation to enter into further negotiation.

11. As soon as reasonably practicable after the close of each calendar year, the net profits of each of the plants, determined in the manner set forth in appendix A, annexed hereto and made a part hereof, shall be ascertained, and as consideration for the covenants herein contained, and as rental for the continued use and possession of the plants, Alcoa agrees to pay to Defense Corporation 85 percent of the net profits arising from the operations of each of the plants plus an amount equal to actual depreciation, determined separately as to each plant. Such rental shall be deemed accrued and payable as of December 31 of each calendar year and shall be paid by Alcoa to Defense Corporation as soon after such date as the amount thereof can be ascertained. In case any plant shall have run at a loss during any calendar year, Defense Corporation shall reimburse Alcoa for such part of the amount thereof as exceeds Alcoa's share of profits from such plant for the previous calendar year or years less such taxes paid or payable by Alcoa with respect to or measured by such share of profits as are not deducted as expenses under paragraph 6 of appendix A hereof. Thereafter, Defense Corporation shall be entitled to all profits resulting from the operation of such plant until such profits shall equal the amount paid by it to Alcoa to reimburse Alcoa for said loss, after which 85 percent of such profits shall again be paid to Defense Corporation as such rental. As used in this agreement "calendar year" means a year ending December 31 irrespective of whether or not the plant or plants in question have operated throughout such year. For the purposes of this paragraph, in determining Federal income and excess-profits taxes paid or payable by Alcoa with respect to any such share of its profits, they shall be deemed to be such part of the total amount of such income and excess-profits taxes paid or payable by Alcoa for any calendar year as Alcoa's share of profits derived from such leased plant bears to the total income upon which Alcoa has paid or is liable for such income and excess-profits taxes. For the purposes of this paragraph, in determining the other taxes paid or payable by Alcoa with respect to or measured by such profits, the same shall be apportioned as the parties may agree, and in case of their inability to agree, the apportionment shall be determined by the arbitrator selected by Defense Corporation as provided in paragraph 7 of appendix A hereof.

12. Defense Corporation may furnish as much of the bauxite requirements of the leased alumina plant as it desires at such fair and reasonable price or prices as shall be agreed upon from time to time by Defense Corporation and Alcoa.

13. Alcoa agrees that when the alumina plant is completed, production of alumina therein shall be at such rates within its capacity and for such periods as shall be agreed upon from time to time by Defense Corporation and Alcoa. Alumina produced therein shall be transferred to the leased smelting plants to the extent of their requirements and at prices which shall be agreed upon from time to time by Defense Corporation and Alcoa and the remainder of such alumina shall be disposed of in such manner as Defense Corporation may direct, at prices to be agreed upon from time to time by Defense Corporation and Alcoa. Alcoa also agrees that when and as each of said leased smelting plants is completed, Alcoa will produce aluminum therein and production in all of said plants shall continue as herein provided. Each grade and form of aluminum produced by Alcoa in the leased smelting plants and in the owned smelting plants (the term "owned smelting plants" as used in this agreement being aluminum smelting plants other than the leased smelting plants now, or at any time hereafter during the term of the lease owned and/or operated by Alcoa), shall be sold by Alcoa upon the same price, terms, and conditions. If, at any time, in the opinion of Defense Corporation, the price at which Alcoa is selling the aluminum produced in the leased smelting plants results in unreasonable profits from the operation thereof, after making due allowance for amortization and a fair return on the investment involved, Defense Corporation and Alcoa shall attempt to agree upon a price satisfactory to Defense Corporation and in the event of failure to agree upon such a satisfactory price, Defense Corporation shall then have the right to cancel this agreement upon 6 months' notice in writing to Alcoa. What constitute unreasonable profits shall be in the final determination of Defense Corporation. Production in the leased and owned smelting plants shall be regulated as follows:

After the leased smelting plants shall be ready for substantially full operation (which for the purpose of this agreement shall be considered 80 percent of the capacity for which the plants were designed), the aggregate production in the leased smelting plants shall be approximately in the same proportion to the aggregate productive capacity in said plants as the aggregate production in the owned smelting plants is to the aggregate productive capacity of the said owned plants, and shall be regulated in accordance with that proportion at all times: *Provided, however*, That if such production shall for any 6-month period average less than 40 percent of aggregate productive capacity, either party hereto may, at its election, terminate this agreement upon 60 days' written notice to the other. "Productive capacity" of any plant is defined for the purposes of this agreement as the maximum sustained production for which its units which are from time to time completed and ready for operation are designed or the maximum sustained production ever attained therein over a period of 30 consecutive days, whichever is the greater. After the leased smelting plants are ready for partial operation but prior to the time when such plants shall be ready for substantially full operation, production therein shall be regulated in such manner as the parties shall agree.

Nothing contained in this agreement shall be deemed to restrict either Defense Corporation or Alcoa from at any time building new plants or making additions to plants at any time existing.

14. During the term of the lease of each plant, Alcoa shall procure and maintain insurance on the buildings and the equipment owned by Defense Corporation in said leased plant against fire, windstorm, and such other hazards in such companies and in such amounts as shall be satisfactory to or required by Defense Corporation. The policies evidencing such insurance shall be made payable to and delivered to Defense Corporation. In the event of loss under any of such policies, the proceeds may, upon the written request of Alcoa promptly made, be used for the repair, restoration, or replacement of the property damaged or destroyed, and to that end Defense Corporation shall promptly make available to Alcoa the insurance proceeds received by Defense Corporation and any property acquired in replacement shall be the property of Defense Corporation and so identified and shall be subject to all of the terms and provisions of this agreement. Alcoa may also procure for its own benefit and maintain such insurance on any property owned by it and used in the operation of such plants as it deems advisable. Alco may procure and maintain such public-liability insurance and property-damage insurance and other insurance as it may deem necessary for its own protection, and Alcoa agrees likewise to procure and maintain such other insurance for the benefit of Defense Corporation as Defense Corporation may request.

The cost of all insurance which shall be procured and maintained in connection with the construction program shall be treated as a part of the cost of the construction program and the cost of all insurance procured and maintained in connection with the operation of each plant shall be treated as an expense of operation, except that the cost of any insurance which Defense Corporation shall not agree is reasonable shall be paid for by Alcoa.

15. Alcoa agrees to pay to the proper authority, when and as the same become due

and payable, all taxes, assessments (other than improvement assessments), and similar charges which at any time during the terms of the lease of the respective plants or any extension thereof may be taxed, assessed, or imposed upon Defense Corporation or Alcoa with respect to or upon the plants or any part thereof, or upon the occupier thereof, or upon the use thereof; and the amount thereof shall be deemed to be an expense of operation.

16. Alcoa will use reasonable care in the use and operation of the plants and shall keep the same in good state of repair (ordinary wear and tear and damage or destruction from causes beyond Alcoa's control excepted), and upon the expiration of the lease of each plant or any extension thereof Alcoa shall forthwith yield and place Defense Corporation in peaceful possession thereof free and clear of any liens and claims other than those resulting from claims against Defense Corporation. Any inventory, machinery, equipment, materials, supplies, or other property located in any of said plants which at such time is not the property of Defense Corporation and which Alcoa owns or is entitled to possess, may be removed by Alcoa free and clear of any liens and claims of Defense Corporation upon or prior to the expiration of such lease or any extensions thereof.

17. In carrying out the construction program and in the operation of any of the plants and any of the equipment to be acquired hereunder, Alcoa agrees to comply with all applicable Federal, State, municipal, and local laws and the rules, orders, regulations, and requirements of any departments and bureaus and all local ordinances and regulations, but Alcoa may contest in good faith the legality or applicability of any such laws, rules, orders, regulations, requirements, or ordinances. The provisions of this agreement are subject to any statutes which may be hereafter adopted by the Congress of the United States, and any authority exercised pursuant thereto.

18. So long as this lease or any extension thereof remains in effect, Alcoa shall—

(a) Keep separate, full, and complete records, on a recognized cost-accounting basis, showing the actual cost of all sites and all items of labor, materials, equipment, supplies, services, and other expenditures of whatsoever nature for which Defense Corporation is directly obligated or for which Alcoa is entitled to reimbursement in connection with the acquisition of the sites and the construction program;

(b) Keep separate, full, and complete records, on a recognized cost-accounting basis, showing in detail all items of income and expense and other information and data necessary for the determination of profits or losses arising out of the operation of the leased plants;

(c) Maintain separate records of shipments and invoices of all alumina produced in the alumina plant leased to Alcoa herein and of the shipments and invoices of all aluminum produced in the leased aluminum smelting plants, as well as shipments and invoices of all ingot and pig aluminum produced in the owned smelting plants;

(d) Make available to Defense Corporation for audit and inspection all of the records, information, and data referred to in subdivisions (a), (b), and (c) of this paragraph;

(e) Operate the leased plants in an efficient manner and exercise the same care therein as it uses in the operation of the owned plants, and to the end that Defense Corporation shall be assured on this point, Alcoa will, when so requested by Defense Corporation, have a certified public accountant acceptable to Defense Corporation and to Alcoa submit to Defense Corporation as soon as is convenient after the close of any year, a statement showing the variation between the average price paid for labor during said year in the owned smelting plants and in the leased smelting plants and between the average price paid for, or at which transfers were made of, alumina, power, cryolite, aluminum fluoride, and carbons used in the owned smelting plants and in the leased smelting plants during said year, which six items Alcoa regards as comprising approximately 90 percent of the total mill cost of producing aluminum. In giving consideration to such variations, due weight shall be given to natural advantages and disadvantages, such as freights, local labor conditions, and other conditions outside of the control of Alcoa. Such certified public accountant shall also report to Defense Corporation with respect to any other facts deemed by both Defense Corporation and Alcoa important and pertinent to a comparison of the operations in the leased plants with the operations in the owned plants;

(f) Permit Defense Corporation to inspect any of the leased plants at all reasonable times during the continuance of this lease or any extension thereof.

19. Alcoa will not without prior written consent of Defense Corporation sell, assign, or pledge this lease or any of its rights of obligations thereunder, or sublease or permit the use by others of any of the property covered by this lease, provided, however, that nothing herein contained shall be construed as prohibiting an assignment by Alcoa of any of its rights under this agreement to a wholly owned subsidiary upon condition that Alcoa shall remain liable under this agreement for the performance by such subsidiary of Alcoa's obligations hereunder.

20. Failure of Defense Corporation or Alcoa to insist in any one or more instances upon performance of any of the terms, covenants, or conditions of this agreement shall not be construed as a waiver or the relinquishment of the future performance of any such term, covenant, or condition, and any obligation with respect to such future performance shall continue in full force and effect.

21. The plants may be transferred and conveyed to another agency or branch of the Government upon condition that such other agency or branch of the Government shall succeed to all of the rights, powers, privileges, discretion, and obligations of Defense Corporation hereunder. In the event of such transfer, Defense Corporation shall cease to have any rights, duties, or obligations hereunder.

22. Notwithstanding the other provisions herein contained, Defense Corporation, by notice in writing, may cancel this agreement in the event (a) that a receiver or trustee is appointed for Alcoa or its property, or Alcoa makes an assignment for the benefit of creditors, or Alcoa becomes insolvent, or a petition is filed by or against Alcoa pursuant to the provisions of the United States Bankruptcy Act, as amended, for the purpose of adjudicating Alcoa a bankrupt, or for the reorganization of Alcoa, or for the purpose of effecting a composition or rearrangement with Alcoa's creditors, and any such petition filed against Alcoa is not dismissed within 60 days; or (b) of any violation of any terms, conditions, or covenants of this agreement by Alcoa, and the failure of Alcoa to cure such violation within 30 days from the giving of written notice thereof by Defense Corporation to Alcoa.

23. It is the understanding of the parties hereto that contracts for the power necessary for the operation of such plants have not yet been entered into. In the event contracts satisfactory to the parties hereto for such power shall not have been entered into within 90 days from the date of the execution of this agreement with respect to any such plant or plants, either party hereto reserves the right, upon written notice to the other, to eliminate such plant or plants from the provisions of this agreement, and in such event the rights and obligations of the parties hereto shall be the same as if such plant or plants had not been included or mentioned in this agreement, except that Defense Corporation shall in such event reimburse Alcoa for all of its expenses, and hold Alcoa harmless from all obligations theretofore incurred by it in good faith in accordance with the provisions of this agreement with respect to such plant or plants.

24. No Member of or Delegate to the Congress of the United States of America shall be admitted to any share or part of this agreement or to any benefit arising therefrom.

25. If the performance of any of the obligations of Alcoa under this agreement is interrupted or prevented by reason of inability to obtain essential materials or the transportation thereof, or by reason of labor shortage or labor disputes, or by reason of fire, explosion, accident, sabotage, or any cause beyond Alcoa's control, whether of a similar or dissimilar nature, Alcoa shall be excused from performance hereunder while and to the extent that it is prevented from so doing by one or more of such causes, and shall renew performance as soon as practicable after such disability is removed.

26. Alcoa agrees that, upon the written request of Defense Corporation, Alcoa will design, construct, and operate one or more additional alumina plants and one or more additional aluminum smelting plants upon the same terms and conditions (other than the regulation of production, which shall be as the parties shall agree at the time) as are set forth herein for the designing, construction, and operation of the plants covered by the construction program, but Defense Corporation reserves the right to lease any one or more of such additional plants to a lessee other than Alcoa or to make such other arrangement for the operation thereof as Defense Corporation may determine.

27. In case Defense Corporation and Alcoa are not able to agree upon any matter (other than the determination of a satisfactory price for aluminum produced in the leased aluminum-smelting plants as provided in paragraph 13 hereof) as to which their agreement is required under the terms of this agreement, such matter shall be referred to Jesse H. Jones, Federal Loan Administrator, and Arthur V. Davies, the chief executive officer of Alcoa, or such other person as may at the time perform the functions of such respective offices, who shall determine such matter; but in case of their inability to agree, such matter shall be determined by such person as they may jointly select. Any matter determined in accordance with the provisions of this paragraph 27 shall be final and binding upon both Defense Corporation and Alcoa.

In witness whereof the parties hereto have caused this agreement to be executed, and their respective corporate seals to be affixed, by their respective officers signed below, who are thereunto duly authorized.

[SEAL] DEFENSE PLANT CORPORATION,
By SAM H. HUSBANDS, *President.*

Attest:
LEO NIELSON,
Assistant Secretary.

Approved:
JESSE H. JONES,
Federal Loan Administrator.

Witnesses:
C. J. DURR.
OSCAR R. EWING.

[SEAL] ALUMINUM CO. OF AMERICA,
By ARTHUR V. DAVIS,
Chairman of the Board of Directors.

Attest:
J. R. D. HUSTON,
Assistant Secretary.

Witness:
OSCAR R. EWING.

DISTRICT OF COLUMBIA, *ss:*

On this 19th day of August 1941, before me appeared Sam H. Husbands, to me personally known, who, being duly sworn, did say

that he is the president of Defense Plant Corporation, a corporation organized and existing under and by virtue of the laws of the United States, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and said Sam H. Husbands acknowledged said instrument to be the free act and deed of said corporation.

In testimony whereof, I have hereunto set my hand and affixed my official seal this the day and year first in this, my certificate, written.

[SEAL] EDWARD J. SINGER,
Notary Public, District of Columbia.

My commission expires March 1, 1946.

DISTRICT OF COLUMBIA, *ss:*

On this 19th day of August 1941, before me appeared Arthur V. Davis, to me personally known, who, being duly sworn, did say that he is the chairman of the board of directors of Aluminum Co. of America, a corporation organized and existing under and by virtue of the laws of the Commonwealth of Pennsylvania, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and said Arthur V. Davis acknowledged said instrument to be the free act and deed of said corporation.

In testimony whereof I have hereunto set my hand and affixed my official seal this the day and year first in this, my certificate, written.

[SEAL] EDWARD J. SINGER,
Notary Public.

My commission expires March 1, 1946.

DISTRICT OF COLUMBIA, *ss:*

On this 19th day of August 1941 before me, Edward J. Singer, a notary public duly commissioned, qualified, and acting, within and for the District of Columbia, appeared in person the within named Sam H. Husbands and Leo Nielson (being the person or persons authorized by the Corporation to execute such instrument, stating their respective capacities in that behalf) to me personally well known, who stated that they were the president and assistant secretary of Defense Plant Corporation, a corporation, and were duly authorized in their respective capacities to execute the foregoing instrument for and in the name and behalf of said corporation, and further stated and acknowledged that they had so signed, executed, and delivered said foregoing instrument for the consideration, uses, and purposes therein mentioned and set forth.

In testimony whereof I have hereunto set my hand and official seal this 19th day of August 1941.

[SEAL] EDWARD J. SINGER,
Notary Public, District of Columbia.

My commission expires March 1, 1946.

DISTRICT OF COLUMBIA, *ss:*

On the 19th day of August 1941 before me, Edward J. Singer, a notary public duly commissioned, qualified, and acting within and for the District of Columbia, appeared in person the within named Arthur V. Davis and on August 20, 1941, J. R. D. Huston (being the person or persons authorized by the corporation to execute such instrument, stating their respective capacities in that behalf), to me personally well known, who stated that they were the chairman of the board of directors and assistant secretary of Aluminum Co. of America, a corporation, and were duly authorized in their respective capacities to execute the foregoing instrument for and in the name and behalf of said corporation, and further stated and acknowledged that they had so signed, executed, and delivered said foregoing instrument for the consideration; uses, and purposes therein mentioned and set forth.

In testimony whereof I have hereunto set my hand and official seal this 20th day of August 1941.

[SEAL] EDWARD J. SINGER,
Notary Public.

My commission expires March 1, 1946.

DISTRICT OF COLUMBIA, *ss:*

On this 19th day of August A. D. 1941 before me personally appeared Sam H. Husbands, to me known, who, being by me duly sworn, did depose and say that he resides in the District of Columbia, that he is president of Defense Plant Corporation, the corporation described in and which executed the foregoing instrument; that he knows the corporate seal of the Defense Plant Corporation; that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and was so affixed by order of its board of directors, and that by like order, he signed the same as president.

[SEAL] EDWARD J. SINGER,
Notary Public, District of Columbia.

My commission expires March 1, 1946.

DISTRICT OF COLUMBIA, *ss:*

On this 19th day of August A. D. 1941 before me personally appeared Arthur V. Davis, to me known, who, being by me duly sworn, did depose and say that he resides in the city of Pittsburgh Pa., that he is chairman of the board of directors of Aluminum Co. of America, the corporation described in and which executed the foregoing instrument, that he knows the corporate seal of the Aluminum Co. of America, that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and was so affixed by order of its board of directors, and that by like order he signed the same as chairman of the board of directors.

[SEAL] EDWARD J. SINGER,
Notary Public, District of Columbia.

My commission expires March 1, 1946.

APPENDIX A

METHOD OF DETERMINING PROFIT OR LOSS

1. Subject to the provisions hereinafter set forth, the profits or losses of each plant shall be separately ascertained and determined in accordance with sound accounting practices acceptable to Defense Corporation and Alcoa.

2. To the extent that Alcoa uses in any of the leased plants any bauxite, alumina, or other products owned by Alcoa or produced in plants owned by it, the price of the same for determining profits or losses hereunder shall be such as shall be agreed upon from time to time by Defense Corporation and Alcoa.

3. For the purpose of determining profits of each leased smelting plant arising from the production and sale of aluminum in any year the procedure will be as follows:

(A) The total amount in pounds of ingot (or pig) aluminum shipped from the leased and owned smelting plants in that year will be ascertained. Aluminum transferred from a smelting plant to any of Alcoa's fabricating plants will be considered as a shipment.

(B) The amount of nonallocated stock (as hereinafter determined) on hand in the leased plant at the beginning of the year plus the production in that plant in that year will be determined.

(C) The aggregate nonallocated stocks on hand at the beginning of the year in the owned and the leased smelting plants plus the production in that year of such plants plus any aluminum purchased and received by Alcoa will be determined.

(D) The percentage which the amount determined under subsection (B) hereof is of the amount determined under subsection (C) hereof will be ascertained.

(E) There will be allocated to the leased plant as the theoretical shipments from that plant for that year the same percentage of amount determined under subsection (A) hereof as was ascertained under subsection (D) hereof. The difference between the amount of this allocation and the aggregate of the nonallocated stock on hand at the beginning of the year plus the production of that plant for that year will be the nonallocated stock for that plant as of the beginning of the following year for use in making similar determinations for the following year.

(F) The production of each leased smelting plant will be put into a running inventory and carried at cost.

(G) The weighted average price obtained from Alcoa's sales to others of ingot aluminum during the year will be ascertained and the amount of shipments allocated to the leased smelting plant as determined in subsection (E) of this paragraph, multiplied by this weighted average price per pound, will be considered as gross income of the leased plant for the year. This gross income as compared with the cost of the amount of aluminum (as determined by the value of aluminum in the running inventory at that time) thus allocated in accordance with subsection (E) of this paragraph will establish the amount of profit or loss of that plant for that year arising from the production and sale of aluminum. In determining the weighted average price for ingot aluminum as above, proper adjustments will be made for any lower price received for inferior grades of ingot or for pig, for any higher price received for special or unusual forms or grades of ingot and for any other pertinent factors.

(H) After the expiration of the lease or any extension thereof, shipments will continue to be allocated against the nonallocated stock on hand in the leased plant in amounts at least as great as results from the application of the procedure set forth under subsection (E) of this paragraph and 85 percent of the profits arising from such shipments shall be paid to Defense Corporation; but in the event a loss results from such shipments, Defense Corporation will reimburse Alcoa for such loss.

4. Items of Alcoa's expenditures for overhead which can be accurately and readily distinguished as having been specifically expended in connection with the operation of the leased plants, whether expended by salesmen, buyers, engineers, auditors, etc., or for office rent, traveling, etc., even though part of the time of such employees and part of such facilities are also used in part in connection with Alcoa's own operations or own overhead, shall be included in the operating expenses of the leased plants, provided the annual aggregate of such expenditures in any calendar year does not exceed one-quarter of 1 cent per pound of aluminum produced in that year in the leased plants (in which calculation 2 pounds of alumina will be considered to be the same as 1 pound of aluminum). In order to compensate Alcoa for such portion of its overhead as cannot thus be specifically allocated to the operation of the leased plants, Alcoa may also include as an item of operating expense the sum of one-half cent per pound of aluminum produced in the leased plants (in which calculation 2 pounds of alumina will be considered the same as 1 pound of aluminum). A proper reserve shall be established for bad debts chargeable to the leased plants and the owned plants on the same basis as shipments are allocated in paragraph 3 of this appendix A and all bad debts arising from shipments of aluminum shall be charged to such reserve, and any unused portion of such reserve shall be credited to the leased plants and the owned plants in the same proportion.

5. Defense Corporation and Alcoa shall agree from time to time on the amount of working capital necessary for the operation of the leased plants, and, for the purpose of determining profits, interest shall be allowed thereon at the rate of 3 percent per annum. Alcoa will provide such working capital, but upon request of Defense Corporation Alcoa

will borrow from Reconstruction Finance Corporation all or such part of such working capital as Reconstruction Finance Corporation will lend at an interest rate not in excess of 3 percent per annum.

6. Maintenance costs, and actual depreciation charges to the extent paid to Defense Corporation pursuant to paragraph 11 of the agreement to which this schedule is annexed, shall be included in determining profits and losses, but no amortization charges shall be included in such determination. All taxes which Alcoa must pay in connection with the operation of the leased plants shall be treated as expenses, including such taxes, if any, whether Federal or State, as Alcoa may be required to pay with respect to or which are measured by the income derived from the leased plants before deducting therefrom any amounts paid to Defense Corporation for rentals as herein provided, but excluding such taxes, Federal or State, as Alcoa may be required to pay with respect to the income derived by it from the leased plants after deducting therefrom any amounts paid Defense Corporation for rentals as herein provided.

7. In case of any dispute between Defense Corporation and Alcoa with respect to the determination of the profits or losses arising from the operation of the leased plants, such dispute shall be submitted to an arbitrator selected by Defense Corporation who shall be a partner in one of the following firms of certified public accountants: Collins & Co.; Price, Waterhouse & Co.; Lybrand, Ross Bros. & Montgomery; Haskins & Sells; Arthur Young & Co.; Ernst & Ernst; or such other firm of certified public accountants as may be agreed upon by Defense Corporation and Alcoa. The decision of such arbitrator shall be final and binding upon the parties and the cost of arbitration shall be treated as an expense chargeable to such plant or plants as the arbitrator shall determine.

SUMMARY OF THE PROVISIONS OF THE CONTRACT BETWEEN DEFENSE PLANT CORPORATION AND ALUMINUM CO. OF AMERICA SUBMITTED BY MR. JONES IN ACCORDANCE WITH HIS TESTIMONY

1. Alcoa agrees to prepare plans and specifications for the construction and equipment of four plants: One for the production of alumina in the State of Arkansas, with a capacity of approximately 400,000,000 pounds per annum; one for the smelting of aluminum near Massena, N. Y., with a capacity of approximately 150,000,000 pounds per annum; one for the smelting of aluminum adjacent to deep water in Washington or Oregon, with a capacity of approximately 90,000,000 pounds per annum; and one for the smelting of aluminum in the State of Arkansas with a capacity of approximately 100,000,000 pounds per annum. All plans, designs, specifications, and schedules are subject to approval by Defense Plant Corporation and when approved Alcoa agrees to proceed with the construction.

2. Alcoa may employ subcontractors for building the plants, but any such employment shall be approved by Defense Plant Corporation.

3. Alcoa shall buy the sites, build and equip the plants without profit to itself, but shall be reimbursed for the cost thereof, including the expense of its own organization in connection therewith. Any such amount shall be subject to the approval of Defense Corporation. Except as hereinafter provided in paragraph 21, there shall be no reimbursement to Alcoa for the salaries of the chairman of its board of directors, its president, its vice presidents, its secretary, and its treasurer. A representative of Defense Corporation will be stationed at the site of each of the plants to approve each item of cost and expense.

4. Alcoa acts as agent of Defense Corporation in the construction and equipment of the plants and agrees to carry liability and other obtainable insurance necessary to protect the Corporation from loss due to accidents, etc. Subject to the above, Defense Corporation will hold Alcoa harmless from liability.

5. Title to the building sites, buildings, machinery, equipment, etc., will be in Defense Corporation, and each article of machinery and equipment will be so marked as to be readily identified as belonging to Defense Corporation.

6. Alcoa agrees to comply with all Federal laws applicable to the construction program.

7. The maximum liability to Defense Corporation for construction and equipment of the plants shall not exceed $52,100,000.

8. Alcoa leases the plants for 5 years, and agrees to pay as rental an amount equal to actual depreciation plus 85 percent of the net profits arising from the operations of each of the plants, determined separately as to each plant. If any one of the plants shall operate at a loss during any calendar year, Defense Corporation will reimburse Alcoa for such loss less Alcoa's share of profits from the operation of that plant for the previous calendar year or years after deducting from such profit any income or excess-profits taxes paid by Alcoa from said previous profit. Thereafter Defense Corporation shall be entitled to all profits resulting from the operation of such plant until such profits shall equal the amount paid by it to Alcoa to reimburse Alcoa for any such loss.

9. Alcoa agrees to keep full and complete records, on a recognized cost-accounting basis, showing in detail all items of income and expense and other information and data necessary for the determination of profits or losses arising out of the operation of the leased plants.

10. Alcoa agrees to maintain separate records of shipments and invoices of all alumina produced in the alumina plant and of the shipments and invoices of all aluminum produced in the leased aluminum smelting plants as well as shipments and invoices of all ingot and pig aluminum produced in its own smelting plants.

11. Alumina produced by the alumina plant shall be transferred to the leased smelting plants to the extent of their requirements at prices to be agreed upon from time to time by Defense Corporation and Alcoa, and the remainder disposed of as Defense Corporation may direct at prices to be agreed upon by Defense Corporation and Alcoa.

12. Alcoa agrees to keep separate, full and complete records, on a recognized cost-accounting basis, showing the actual cost of all sites and all items of labor, materials, equipment, supplies, services and other expenditures of whatsoever nature for which Defense Corporation is directly obligated or for which Alcoa is entitled to reimbursement in connection with the acquisition of the sites and the construction and equipment of the plants.

13. Alcoa agrees that Defense Corporation may examine and audit the records applicable to the leased plants.

14. Alcoa agrees to operate the leased plants in an efficient manner and exercise the same care therein as it uses in the operation of its own plants, and in order that Defense Corporation shall be assured on this point, Alcoa will, when requested by Defense Corporation, have a certified public accountant, acceptable to Defense Corporation and Alcoa, submit to Defense Corporation as soon as is convenient after the close of any year, a statement showing the average price paid for labor each year in its own smelting plants and in the leased smelting plants, and the average price paid for, or at which transfers were made of, alumina, power, cryolite, aluminum fluoride and carbons used in its own smelting plants, and in the leased smelting plants during said year.

15. Alcoa agrees that Defense Corporation may inspect any of the leased plants at all reasonable times.

16. Alcoa will not, without the prior written consent of Defense Corporation, assign or pledge the lease or any rights under it, or sublet or permit the use by others of any of the property covered by the lease, except that Alcoa may assign to a wholly owned subsidiary upon condition that Alcoa remain liable for the fulfillment of the contract by the subsidiary.

17. The contract provides that if power cannot be had for any of the plants, that plant need not be built.

18. While nothing is said about it in the contract, Alcoa agreed to reduce the price of ingot aluminum, effective September 30, 1941, from 17 cents to 15 cents per pound. This will effect a very large saving to the Government and other users of aluminum, probably $20,000,000 a year, or more.

19. The contract provides that such grade and form of aluminum produced by Alcoa in Defense Corporation's plants and its own plants shall be sold by Alcoa upon the same prices, terms, and conditions, and that, if at any time, in the opinion of Defense Corporation, the price at which Alcoa is selling the aluminum produced in the leased smelting plants results in unreasonable profits, Defense Corporation and Alcoa shall attempt to agree upon a price satisfactory to Defense Corporation, and if they fail to agree, Defense Corporation shall have the right to cancel the contract upon 6 months' notice. These provisions give Defense Plant Corporation an effective control of the price of aluminum insofar as excessive profits are concerned.

20. The contract provides that the new plants shall share proportionately with Alcoa's own plants, according to the rated capacity of all the plants, in whatever amount of aluminum is manufactured during the life of the contract, and that if the demand should fall below 40 percent of the rated capacity of all Alcoa-owned plants and the leased plants, either party may then cancel the contract. Everyone knows that with a total manufacturing capacity in the United States of approximately 1,500,000,000 pounds of aluminum per year, after the emergency much of this capacity cannot be used because of a lack of demand for the product. So the effect of the contract assures that the Government plants will be operated on a parity with Alcoa plants for the full 5-year period, or until the demand falls below 40 percent of the capacity of all the plants.

21. Alcoa's proper items of overhead are to be treated as an expense in determining profits and losses. Those which are specifically applicable to the alumina plant are to be included up to an amount not exceeding one-eighth cent per pound of alumina. Those specifically allocable to a particular smelting plant are to be included up to an amount not exceeding one-fourth cent per pound for aluminum. To cover that part of Alcoa's overhead which is not specifically allocable to the leased plants but has nevertheless been incurred in connection with their operation, an amount equal to one-half cent per pound of aluminum produced in the leased plants shall be included as an expense, and to the extent that alumina produced in the leased alumina plant is sold to others or not used to smelt aluminum in the said leased plants by Alcoa, an amount equal to one-quarter cent per pound shall be included for such alumina. Where the alumina is used to smelt aluminum in the leased plants, then there is only one charge for unallocable overhead, namely, one-half cent per pound of aluminum.

22. The contract specifies that nothing in it shall prevent either Alcoa or the Government building as many more plants of the same character as either may wish.

23. Obviously in making a contract for the construction, equipment, and operation of four important industrial plants, every contingency that may arise over a period of 5 years cannot possibly be foreseen. Accord-

ingly, the contract provides that any such contingencies that may arise shall be decided by the Federal Loan Administrator and the chief executive officer of Alcoa, and, if they are unable to agree, they shall call in a third party and a decision of two of the three will be binding.

24. It is the purpose and spirit of the contract that the aluminum smelting plants are to be built as rapidly as practicable, and that when completed they will be operated by Alcoa to their full capacity during the 5-year-lease period, provided there is a demand for the product at prices which afford a reasonable profit, and failure so to do would be cause for Defense Plant Corporation to cancel the contract.

ALUMINUM CO. OF AMERICA,
Washington, D. C., September 16, 1941.

Hon. JESSE H. JONES,
Federal Loan Administrator,
Washington, D. C.

DEAR MR. JONES: I have gone over your summary of the provisions of the contract of August 19, 1941, between Defense Plant Corporation and Aluminum Co. of America. Naturally in such a summary you do not purport to cover every provision of the contract, but merely the more important ones.

So far as I can see you have correctly summarized the provisions of the contract with which the summary deals, but I understand that the summary is not intended in any way as a modification of the contract.

Yours very truly,

ARTHUR V. DAVIS.

STATEMENT OF THE PRESIDENT ON COLUMBUS DAY

Mr. BARKLEY. Mr. President, I ask unanimous consent that the statement of the President of the United States on Columbus Day be printed as a part of the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The statement is as follows:

STATEMENT OF THE PRESIDENT ON COLUMBUS DAY

The voyage of Christopher Columbus and his diminutive fleet toward the unknown west was not only a prelude to a new historical era. For the brave navigator it was the culmination of years of bold speculation, careful preparation, and struggle against opponents who had belittled his great plan and thwarted its execution.

Expounding the strange doctrine that beyond the ocean stood solid, habitable earth, Columbus had first to make his views plausible to his doubting patrons and then to overcome the seemingly endless array of obstacles with which men of little minds barred the way to the fitting out of a fleet. Even when the three small ships were well away on their epoch-making course the crews mutinied and demanded that he turn back. Columbus, however, held to his course and on the morning of October 12, 1492, the welcome land was sighted.

The courage and the faith and the vision of the Genoese navigator glorify and enrich the drama of the early movement of European people to America. Columbus and his fellow voyagers were the harbingers of later mighty movements of people from Spain, from Columbus' native Italy, and from every country in Europe. And out of the fusion of all these national strains was created the America to which the Old World contributed so magnificently.

This year when we contemplate the estate to which the world has been brought by destructive forces, with lawlessness and wanton power ravaging an older civilization, and with our own Republic girding itself for the defense of its institutions, we can revitalize our faith and renew our courage by a recollection of the triumph of Columbus after a period of grievous trial.

The promise which Columbus' discovery gave to the world, of a new beginning in the march of human progress, has been in process of fulfillment for 4 centuries. Our task is now to make strong our conviction that in spite of setbacks that process will go on toward fulfillment.

RELIEF OF STARVATION IN EUROPE

Mr. CAPPER. Mr. President, on June 2, 1941, there was submitted to the Senate a resolution, which is Senate Resolution 124, asking the American Government to make an effort to find a way to stop the starvation now going on among the millions of women and children in the small invaded democracies of Europe. This resolution was sponsored by 37 Senators. Since its introduction numerous other Senators have indicated their support of it, and it now appears there is probably a majority of the Senate favorable to the resolution.

The resolution was referred to the Foreign Relations Committee. The committee has been asked to hold an executive hearing on it in order that all of the facts may be exposed. This has now been delayed for months.

On September 25 the present distinguished chairman of the Foreign Relations Committee gave the press a letter written by Secretary Hull addressed to the then chairman of the committee, the very able Senator from Georgia [Mr. GEORGE], under date of June 19, 1941.

This letter was widely published in the press of the United States. Its publication without any consideration whatever before the Foreign Relations Committee gave no opportunity for those who represent these starving millions of women and children to make answer or express their views.

Former President Herbert Hoover, who is honorary chairman of the National Committee on Food for the Small Democracies, has made available to me correspondence between himself and Secretary Hull. I think it only fair to these suffering people and to the American people that two completely explanatory letters which Mr. Hoover wrote Secretary Hull be made public. In my opinion, Mr. Hoover's letters answer every argument advanced by the distinguished Secretary of State. They do more than that. They etch clearly the pitiful situation of these people.

I therefore ask permission at this time to place in the CONGRESSIONAL RECORD, following my remarks, two letters written to Secretary Hull by Mr. Hoover, one under date of April 24, 1941, and the other under date of June 3, 1941.

The VICE PRESIDENT. Without objection, it is so ordered.

The letters are as follows:

NEW YORK CITY, *April 24, 1941.*

The Honorable CORDELL HULL,
Secretary of State, Washington, D. C.

DEAR MR. SECRETARY: I am in receipt of your letter of April 11.

It seems to me that the recommendation which I made for food for the starving in Europe could not have been fully understood. I was in accord with yours of March 14 proposing a general policy, not one specific to any country. To reduce our recommendations to their bare bones, they come to this:

1. On behalf of the people in the occupied democracies an effort should be made by the American Government to set up a widespread agreement between the belligerents and some neutral body or neutral government in order that physical degeneration and destruction of the women, children, and unemployed men by starvation in the occupied democracies should be ameliorated.

2. Such agreement on the German side must give protection from requisition of their native food supplies; having a surplus of breadstuffs, they should contribute to these occupied peoples; they should give immunity from attack to mercy ships. As we have shown in our previous correspondence, this is not infeasible, as the German Government definitely accepts such provisions in respect to Belgium.

3. At least a trial of imports of soup kitchen material and food for children should be allowed through the blockade if the Germans will make such undertakings.

4. Neutral commissions should be placed in each country to assure these agreements are fulfilled.

5. No food should be sent into any occupied country unless such agreements with the Germans are first obtained.

6. If the Germans refuse to make such agreements, the responsibility for this holocaust of human life is clearly theirs and no longer partly blamable on the blockade. If they make such agreements and fail to adhere to them, the operation must cease, and again the responsibility for this loss of life is clearly theirs.

7. If the American Government cannot today successfully approach such agreements directly with Germany, then our Government should seek the approval of the British Government to passage of food through the blockade, provided some neutral government, preferably the Swiss or possibly Argentine, can secure such agreements from the Germans and will themselves undertake the neutral guardianship of the guaranties.

8. By virtue of our service to the British, the American Government has the right to urge this upon the British Government as affecting important American ideals and interests.

9. If such arrangement could be brought about, the lives of tens of millions of people would be saved. We cannot have future generations of these people knowing our Government, able to bring its influence, has refused to do so.

10. I do not believe the American Government, in the long corridor of history, can escape the moral responsibility of making an effort on behalf of these millions of human beings who have sacrificed their all on the altar of democracy.

11. We wish it clearly understood that neither this committee nor its members wish to administer any such actual relief, and have before suggested that it should be done by agencies already established for such purposes and not in any way affiliated with this committee.

Yours faithfully,

HERBERT HOOVER.

NEW YORK CITY, *June 3, 1941.*

MY DEAR MR. SECRETARY: I have received your letter of May 10 in reply to mine of April 24. I have addressed the State Department on this subject on March 5, 27, and April 24, not only because it is the department of the Government which is concerned with these questions but because in 1914 it was the activities of the Department which opened the door of life to these millions of people under precisely the same circumstances.

Not only am I deeply shocked at the present attitude of our Government, but I know tens of millions of Americans would also be shocked. History will never justify the Government of the United States siding with the starvation of these millions.

What you have said in effect is that the American Government accepts the views of Britain in this matter; that you will not even attempt to moderate those policies so as to save the lives of literally millions of women and children in these small democracies. Yet these countries have sacrificed their all for Britain and in the cause against aggression which you properly state is also an American cause.

I regret that the contents of my previous letters have not been taken into consideration because in your reply you have not offered one single argument to show that the proposals I have made for the salvation of these peoples are outside our Government's responsibilities; that if accepted in the form I proposed, they are no impediment to the winning of this war; and that it is vital to the interest of the whole democratic world that these peoples be encouraged and saved.

You will recollect that in this correspondence I urged an experiment for 2,000,000 Belgian children and 1,000,000 unemployed adults to demonstrate the practicability of the proposals. The German Government had agreed to our conditions. The acceptance of this experiment was urged upon the British Government by the exiled Belgian Government. It was supported by the Government of Holland. It was urged upon the American Government by the Belgian Government. I send you a report upon the situation in Belgium by your former Ambassador, John Cudahy, from which you will see that these people are right now dying from starvation in thousands. And he supports our entire project.

Lest there be any misunderstanding, I shall answer your statements specifically:

(a) You say, "* * * the American people are sympathetic with distress and suffering * * * but I am not convinced that this sympathy extends to a point where they would favor replacements of foodstuffs removed * * * by the conquering power." The answer to this is that in every proposal I have made and in the agreement we actually made with Germany in respect to Belgium we specifically provided for a contribution of breadstuffs that will equal and exceed the amount of food taken and further provides against any such requisitions in the future.

(b) You say, "The moral responsibility and the clear duty to supply relief rest with the occupying authorities." That certainly is true. The hard answer is that the Germans will not do it insofar as the British blockade prevents them from doing it. But when in Christianity or morals has the idea appeared that because person A fails in his moral responsibility to person B that his friends C and D no longer have such moral responsibilities? When has this idea appeared in international relationship or international justice? The British themselves admit that a 40-percent fat deficiency exists in German-occupied Europe. And that hits Belgium today to the extent of 90 percent.

(c) You say, "Another element that must be considered in connection with any plan * * * would be its relation to war measures now being enforced by the British Government. * * *" You have not pointed out a single item in the plan proposed which injures the British war measures, including the blockade. It does not prolong this war a single day.

(d) You continue, "which is defending itself and its citizens—men, women, and children—against forces seeking by every means not only to overwhelm but to starve them by ruthlessly sinking all supply ships carrying goods and food to the British Isles." I am as much opposed to this action by Germany as anyone in America. But are the peoples of these occupied democracies sinking ships or trying to starve British women and children? Are the women and children of Belgium and the other democracies to die because the British also suffer? What capacity have these helpless peoples to prevent or even lessen this calamity of the British? Is not the reverse the case, when the British refuse to allow neutral ships to go to the assistance of these women and children, although the death of these peoples will not lessen the sufferings of the British? Belgium has always had to import 60 percent from overseas. With the exhaustion of their own supplies and the blockade, the Belgian ration today is one-third that of the British. Is not America helping the women and children of Britain? Why should she be prevented from helping the women and children of other democracies?

(e) You say, "To insist upon the fulfillment of a program which is at variance with the aims and objectives of the British Government, etc." In other words, our Government adopts the policy of starvation and death to these democratic peoples because it is British policy. Therefore the American Government—no matter what the cost is to our own standards of humanity, to our own interests, to the destruction of these peoples—is blindly following the policies of another government with no voice of its own. The United States Government has in the past resolutely expressed American views in matters of less moment than this. This refusal to aid the Belgians contrasts with the vigorous and effective action of our Government in 1914 by which we saved 10,000,000 lives in Belgium and northern France. And that intervention was at a time when we were furnishing no aid to Britain and had no voice in her conduct of the war.

I will not here discuss the situation that has grown up in France through failure to undertake the food policies which I recommended and the methods which were employed. It would serve as an illustration of all that I have said.

The peoples within these democracies have from the day of their invasions looked to America for leadership in humanitarian effort. Our Government throughout its long history has given confidence to such prayers from the stricken. We now apparently abandon these peoples to their fate, and that without consideration of the sacrifice they have made against aggression or the importance of preserving among them confidence in the ideals of democracy itself.

The fundamental question to be answered by our Government is not whether the Germans are primarily responsible or the British blockade is responsible, but whether our Government refuses to secure from these Governments the remedy which it has the duty to urge and thus avert disaster from these peoples and their millions of children.

Yours faithfully,

HERBERT HOOVER.

The Honorable CORDELL HULL,
The Department of State,
Washington, D. C.

RADIO ADDRESS BY SENATOR HILL TO THE PEOPLE OF NORWAY

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address delivered by Senator HILL to the people of Norway on October 11, 1941, on the subject Valiant Norway's Fight for Freedom, which appears in the Appendix.]

ADDRESS BY SENATOR WILEY BEFORE NATIONAL SAFETY COUNCIL

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address delivered by him before the Thirtieth National Safety Congress and Exposition of the National Safety Council at Chicago, Ill., on October 6, 1941, on the subject The Nation's Job—Guarding Its Manpower, which appears in the Appendix.]

ADDRESS BY ROBERT R. GUTHRIE BEFORE NATIONAL RESTAURANT ASSOCIATION

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an address delivered by Robert R. Guthrie, Assistant Director of Purchases, Office of Production Management, and executive director of Post Exchange Committee, before the National Restaurant Association at Chicago, Ill., on October 8, 1941, which appears in the Appendix.]

THE ARMY AND NAVY UNION—ADDRESS BY NATIONAL COMMANDER WILLIAM C. KRUEGER

[Mr. BURTON asked and obtained leave to have printed in the RECORD an address delivered by William C. Krueger, national commander of the Army and Navy Union, at Cleveland, Ohio, on October 12, 1941, which appears in the Appendix.]

ARTICLE BY MARK SULLIVAN ON ARMING MERCHANTMEN

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an article by Mark Sullivan published in the Washington Post of October 15, 1941, entitled "Arming Merchantmen," which appears in the Appendix.]

PARTICIPATION OF THE UNITED STATES IN WAR

[Mr. NYE asked and obtained leave to have printed in the RECORD a column written by John O'Donnell and Doris Fleeson, published on October 12, which appears in the Appendix.]

The VICE PRESIDENT. The morning business is closed.

STOCKS OF FOOD IN ENGLAND

Mr. VANDENBERG. Mr. President, on Monday I presented an unanswered letter which I had written to the Secretary of Agriculture regarding certain apparent discrepancies between his statements and those of the British food controller regarding the supplying by us of British food necessities. Since then I have received a reply from the Secretary which is substantially responsive. I think it should be printed in full in the RECORD, in view of the fact that my original inquiry was similarly presented.

The VICE PRESIDENT. Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
Washington, October 15, 1941.

Hon. A. H. VANDENBERG,
United States Senate.

DEAR SENATOR VANDENBERG: Under date of September 30 you wrote me regarding two Associated Press articles relating to the British food supply. I regret exceedingly that my reply to your letter was delayed.

I am glad that you called to my attention the fact that certain citizens have written you in regard to what they think are inconsistencies between the statements attributed to Lord Woolton and to myself. I am taking this opportunity to emphasize that, so far as I know, there are no inconsistencies between the official statements made by Lord Woolton in Parliament on October 8 and the statements I made before the House Committee on Appropriations when testifying on the second lend-lease appropriation bill. I stated in my testimony, and I repeat, that the people of Great Britain, from all information given us, are on short rations and are dependent upon the United States for certain vital foods, such as pork, dairy products, and poultry products. In this connection I wish to call your attention to Lord Woolton's statement and to quote a few pertinent excerpts from it:

"* * * We enter the third year of the war with better reserves of such things as

wheat and sugar than we have held at any previous period since the war began. These bulky commodities are the foodstuffs that make the heaviest demands on shipping tonnage. The fact that we hold big stocks of them is the best demonstration possible that we have been getting the better of the enemy in the Atlantic—a task in which we are now receiving most valuable American aid.

"We have been taking advantage of the long hours of daylight through the summer months to build up reserves against the greater risks and difficulties of the winter. These reserves are our insurance against starvation. In themselves, however, they do not provide a balanced diet such as we need to keep the people of this country fighting fit. What may be called the balancing items in the diet are the things that have been giving us most trouble—such things as meat, bacon, eggs, milk, cheese, and dried fruits. My medical advisor, Lord Horder, and my scientific advisor, Mr. Drummond, tell me that some months ago supplies of them were running at a dangerously low level. Generally speaking, most of these things are not storable in large quantities. Many of them require cold storage and so cannot be considerably accumulated in this country. * * *

"The United States of America is now, of course, one of the nearest sources of supply available to us. To bring in the great volume of food we shall be obtaining from the United States on the comparatively short haul across the Atlantic is an economy in the use of shipping that is worth a large number of additional ships to us.

"The particular foods we needed under lend-lease are not being made available to us without very special efforts. They are not of the type that the United States of America have been accustomed to export in large quantities and to find the amounts we need is requiring a special effort on the part of American farmers.

"In contrast with the large surpluses of cereals, there was comparatively little surplus of these things when the lend-lease arrangements first came into operation. But we are already receiving substantial shipments. American cheese is already sustaining an increased domestic ration and special allocations to certain industrial workers. American canned milk has enabled the Ministry of Food to guarantee a sufficiency of milk throughout the winter to mothers and children. We have already been able to distribute American dried fruit. American supplies of lard, as I have said, will enable us to raise the fat rations to ten ounces a week this winter. We are going to be able, within a few weeks, to allocate American canned meat in quantities sufficient to permit of nation-wide distribution."

Investigations made by Mr. Paul H. Appleby, Under Secretary of Agriculture, and Mr. R. M. Evans, Administrator, A. A. A., during a trip to England, from which they have just returned, indicate that the amounts of vital food that the British will receive, such as dairy products, meat, poultry, and fruit products, are far below the standard necessary for good health and efficient production on the part of the civilian population. They also point out that English consumption of these vital foods is far below that previous to the war, and that the English are endeavoring to increase their reserves of these kinds of foods, which are still below a desirable level in view of the shipping situation and the possibility of an invasion. Our information and the statements of Lord Woolton indicate that the British food supply situation is satisfactory both in the case of wheat and sugar, and I want to call to your attention that we have not supplied either of these products under the lend-lease program.

With best wishes.

Sincerely,

CLAUDE R. WICKARD,
Secretary.

AMERICAN TROOPS IN ICELAND

Mr. VANDENBERG. Mr. President, I am one of those who believe that if the defense of America requires American troops in Iceland it should be an exclusive American occupation. I do not believe we can operate our military units jointly with the military units of any active belligerent without inviting our own active belligerency. I do not believe we should proceed in such fashion except as we are constitutionally at war. In other words, I continue to believe that our occupation of Iceland, if maintained, should be our exclusive responsibility as swiftly as possible.

Within the last few days certain dispatches have appeared in the newspapers which have indicated that we were in Iceland on the basis of a joint garrison, responsive to a British commander in chief. I submitted certain questions to the Secretary of War dealing with this rather challenging situation. I have a reply this morning which I am sending to the desk, and which I think should be read for the information of the Senate.

The VICE PRESIDENT. The clerk will read.

The Chief Clerk read as follows:

WAR DEPARTMENT,
Washington, October 16, 1941.

Hon. ARTHUR H. VANDENBERG,
United States Senate, Washington, D. C.

DEAR SENATOR VANDENBERG: Your letter of October 6 containing inquiries regarding American troops in Iceland is acknowledged.

You inquire first, "Whether the purpose of substituting American for British troops, if there was such a purpose, has been abandoned." There was and is such a purpose. The President in his message to Congress on July 7, 1941, stated: "In accordance with the understanding so reached, forces of the United States Navy have today arrived in Iceland in order to supplement, and eventually to replace, the British forces which have until now been stationed in Iceland in order to insure the adequate defens. of that country." The relief of British troops in Iceland will be completed as soon as practicable. Among the factors affecting the relief are the availability of troops for this purpose, the availability of shipping and weather conditions existing in Iceland at this time of the year. Apropos of the availability of troops, our units in America now have large percentages of selectees and Reserve officers who are legally ineligible for service outside the Western Hemisphere. In order to constitute units free of legislative restrictions for service in Iceland, a number of other organizations must be disrupted. Units made up in this manner must also be trained in teamwork before they are dispatched to Iceland.

Your second inquiry is, "Whether there is, in effect, a joint American-British garrison of armed forces in Iceland." The relief of the British garrison has not been completed and there are now both American and British armed forces in Iceland, each operating under its own commander. Each has the mission of defending Iceland against Axis attack. In that sense and in that sense only could the troops in Iceland be classed as a joint American-British garrison.

Your third inquiry is, "Whether the American forces are subject, in a final analysis or in the event of attack, to the supreme command of the senior British commanding officer." The American forces are commanded by Maj. Gen. Charles H. Bonesteel, the senior United States Army officer present in Iceland. His command is complete and the American forces are not under any British commander.

Finally you ask, "I should like to know whether an enemy attack upon the British units in Iceland—if it could be thus segregated—would involve a joint British-American defense?" It would be impracticable for any attacker of Iceland to confine his activities to operations against British units. The attack would be against the forces holding Iceland and not against any particular part thereof, dependent upon their nationality. As stated above, the American force in Iceland and the British force which is now there pending our relief of it, have the mission of defending Iceland. The execution of this task is necessary for the defense of the Western Hemisphere. It is essentially an American task. The President in his message to Congress made this clear. As long as there are British troops in Iceland, they, under their own commander, would resist an Axis attack as would our troops under their own commander. The operations of the two forces would be carried out by cooperation and not by the exercise of command of both forces by any one commander, either British or American.

Sincerely yours,

HENRY L. STIMSON,
Secretary of War.

CONSTRUCTION ACTIVITIES OF THE ARMY

Mr. THOMAS of Utah. Mr. President, I ask unanimous consent that, without displacing the unfinished business, the Senate proceed to the consideration of Senate bill 1884, Order of Business 710 on the calendar.

The PRESIDING OFFICER (Mr. BUNKER in the chair). Is there objection?

Mr. McNARY. The proper procedure always is for the clerk to read the bill by title.

The PRESIDING OFFICER. The clerk will report the bill by title.

The LEGISLATIVE CLERK. The bill (S. 1884) to make provision for the construction activities of the Army.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Utah?

Mr. McNARY. The able Senator from Utah spoke to me over the telephone regarding this matter, and as I understood his statement, I have no objection; but I think he should make a preliminary statement before consent is given, and I request that that be done.

Mr. THOMAS of Utah. Mr. President, I should be glad to make a preliminary statement. The bill was presented to the Committee on Military Affairs by the War Department. It is therefore a departmental bill. The Committee on Military Affairs of the Senate held rather extensive hearings, and listened to the Assistant Secretary of War, the Chief of Staff, and some other officers in the War Department and in the Army, and also to the Quartermaster General.

The bill grows out of a practical necessity. The construction work in the Army today is being carried on by two branches of the military service. Under the National Defense Act of 1920 provision was made that when construction was performed of the nature which has been carried on in the emergency, during the last 2 years, it should be performed under the direction of the Quartermaster General's Department.

A bit of historical background is necessary to enable one to understand the reason for the request which comes now. In 1919 and 1920, when the National Defense Act was passed, the generals of the Army and the Secretary of War appeared before the committees considering the proposed act and testified in regard to where the responsibility for the construction in the Army should be placed. At that time General March, Chief of Staff, took the position that all construction work should be placed in the Corps of Engineers. General Pershing took the stand that construction work should be placed with the Quartermaster Corps.

In the last war, during the great emergency, all the building work was done by a special agency set up for that purpose. The work was not under the direction of any of the regular branches of the military service. Therefore, when the present emergency began the law of 1920 was carried out, and the Quartermaster Corps was given the responsibility of building the cantonments and depots, and handling the various construction which is now going on in our country, under the arrangements made necessary by the present emergency.

Later on, when we moved into the newly acquired Atlantic bases, and when we began to establish and build air bases, all the construction work was turned over to the Corps of Engineers. As a result, there are today two heads instead of a single head of the construction being carried on by the War Department. That results in confusion. It results sometimes in the wrong kind of competition.

During the last 20 years the Corps of Engineers has carried on construction work to the extent of about two and one-half billion dollars. During that period the Quartermaster Corps has carried on construction work to the extent of $600,000,000. The Corps of Engineers is a regular combat service of the Army. It has to do with construction and maintenance of barracks, maintenance of buildings, and so on. The War Department today deems that a single branch of the Army should have charge of the construction work. It therefore makes the recommendation contained in the provisions of the bill, and it does so on the ground that the Corps of Engineers is best prepared to carry out the work, and that the Corps of Engineers has actually done more construction work right up to the beginning of the present emergency than has any other branch of the Service. The War Department makes the recommendation also on the ground of better organization and greater dispatch in the carrying out of the responsibilities imposed upon the War Department.

Mr. President, I should say that in the present emergency there has been three and one-half billion dollars worth of construction carried on and finished, or in the process of being finished, by the Quartermaster Department. The Truman investigating committee brought in a recommendation that a special branch of the Army, or an independent branch, be set up to carry on construction, such as was done in the last war. With this recommendation the War Department is not in agreement. The Senate Committee on Military Affairs is not in agreement with this recommendation. They deem that it is better to put the responsibility for the work under what we consider to be the best Army organization, so the work will be taken care of by the most competent and best prepared group.

Mr. President, I should say further that the bill was not offered by the War Department in criticism of what has been done by the Quartermaster Corps. In fact, the Army commends what has been done by the Quartermaster Corps. The Army realizes that the great work which has been done by that corps will stand up and in due time will receive the acclaim of the country. But there are two branches of the Army carrying on identical work, which in the end results in confusion. The War Department recommends the bill, therefore, in order to bring about a better organization within their branch of the service.

Mr. President, I should say further that the Quartermaster General in appearing before the committee made the point that the maintenance of the buildings should be left with the Quartermaster Corps. The committee disagreed with this contention, and the War Department disagreed with it. The Quartermaster General further made the point that in his position he could not and would not wish to object to the transference of this construction work from his department to the Corps of Engineers if it were deemed advisable and if such transference made for better administration of the Army services.

Mr. President, therefore, in the light of that statement and that sort of testimony, the Senate Committee on Military Affairs, after rewriting the bill as they thought it should be, unanimously favorably reported the amended bill.

Mr. ADAMS. Mr. President, will the Senator yield to me for an inquiry?

Mr. THOMAS of Utah. I am glad to yield to the Senator from Colorado.

Mr. ADAMS. It is my understanding that a substantial number of officers from the Corps of Engineers have been assigned to and are now serving in the Quartermaster Corps in connection with construction work. If the bill becomes law will those men who have been serving in the Quartermaster Corps be automatically transferred back to their appropriate corps?

Mr. THOMAS of Utah. Those officers who have been serving as engineering officers in the Quartermaster Corps have, I think, retained their Engineer Corps grade and standing. But the answer to the question is definitely "yes." The Army has assumed that this will be an entirely friendly gesture, one of reorganization.

Mr. ADAMS. There will be no prejudice attached to the officers who have been assigned from the Corps of Engineers to the Quartermaster Corps and who are now doing work in the Quartermaster Corps.

Mr. THOMAS of Utah. I do not know whether the word "prejudice" was used or not, but I am sure the word "prejudice" covers the type of answer we received, which was that there will be no prejudice, and that there will be no lessening of the officers' responsibilities.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 1884) to make provision for the construction activities of the Army, which had been reported from the Committee on Military Affairs with an amendment to strike out all after the enacting clause, and to substitute therefor the following:

That the Chief of Engineers, under the authority of the Secretary of War, is hereby charged, in addition to other duties imposed upon him by law, with the direction of all work pertaining to the construction, maintenance, and repair of buildings, structures, and utilities for the Army; with the acquisition of all real estate and the issuance of licenses in connection with Government reservations; and with the operation of water, gas, electric, and sewer utilities: *Provided*, That utilities pertaining exclusively to any branch of the Army may be operated by such branch.

SEC. 2. All funds, property, and records pertaining to the activities described in section 1, and all civilian personnel engaged solely thereon, shall be transferred to the jurisdiction of the Chief of Engineers.

SEC. 3. All laws and parts of laws which are inconsistent herewith or in conflict with the provisions hereof are hereby repealed.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BRIG. GEN. WILLIAM L. MITCHELL

Mr. WILEY. Mr. President, a very interesting article entitled "Air Power Ends Isolation" came to my attention recently. It is by Maj. Alexander P. de Seversky. It is so challenging that I ask, Mr. President, that it be printed in full at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. WILEY. It was only a few years ago, Mr. President, when a great American—because he had vision, because he was ahead of his time—was literally kicked out of the Army. He was a citizen of my State—Gen. William L. Mitchell.

Some Army men and Navy men in Mitchell's day apparently could not comprehend that there was an air ocean which had to be dealt with and considered.

Because Napoleon and Hannibal and Caesar and Alexander did not give it consideration was no reason why our leaders should have been blind.

We still have men in positions of leadership who seem to be unaware of the air ocean and the significance of the navies in the air.

In this article, Mr. President, Major de Seversky restates the truth, the significant truth, that it was the Royal Air Force controlling the skies over the English Channel and over the islands that stemmed the tide of Nazi invasion of Britain. The British evacuation from Dunkerque was also due to the British

domination of the sky over that operation. The major brings out very conclusively the point that America's need is long-range air power.

We have just heard read from the desk a letter written to the distinguished Senator from Michigan [Mr. VANDENBERG] indicating the situation in Iceland. It causes all of us to pause. Our land forces and our naval forces are apparently engaged in a joint effort with Britain. Is that war? Well, it will be war when Hitler says so.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. VANDENBERG. I should like to emphasize what the Senator is saying, because I think it requires emphasis. It seems to me that under the final paragraph of the letter of the Secretary of War of today the record stands clear that unless we rather promptly take total possession of the responsibility of defending Iceland, we shall be in a position in which any attack by the Axis Powers upon Iceland will automatically put us into this war, regardless of the Congress, the American people, or anything else.

Mr. WILEY. Mr. President, I agree with the conclusion of the Senator from Michigan. The position we are in is such that the President's order to shoot applies not only to the Navy but also to our land forces in occupied territory in Iceland. It is a serious situation; but, nevertheless, I repeat that the hour when we get into war will be the hour that Hitler determines, because he has always planned it that way.

But to go back to the major's discussion for a few further words, the major disagrees with Colonel Knox's recent statement which is mentioned in full in the article; and, while I am a member of the Naval Affairs Committee and believe there will always be need for a surface Navy, the thing I desire to emphasize now, because this distinguished writer on the subject makes it so clear in his article, is the fact that we are living in a changed world, and, above all, the ocean of the air is the important factor; and we have more than ever to realize that whether we get control of the air depends upon the leadership we have, the men of vision who are not simply walking the decks of naval craft, and still believing, as they have done through the years, that the ships of the water are the important factor.

Mr. President, it has been my privilege during the past 10 days to visit certain naval stations and to talk with certain admirals and other naval men.

The only fear I have is fear of the old lethargy of men when they get above 50, fear that when they have gotten into a rut they will not get out of it; they will not recognize a changing and a changed world.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WILEY. Yes; I yield.

Mr. BARKLEY. What does the Senator mean by talking about the "lethargy" of men above 50?

Mr. WILEY. I would not apply that expression to the distinguished Senator who has risen, because he does not look to be over 32, and he never acts over 25. [Laughter.]

Mr. BARKLEY. I hope the Senator will not strike that statement from the RECORD.

Mr. WILEY. No; I will not. There are too many persons who are interested in it.

I am of the opinion that the major establishes a good case in his article when he calls for America to wake up, when he requests that Americans get a new understanding—ah! this is important—of the physical world in which we are living, and when he states:

> In this era of air power, America must integrate itself with the new force, and every American psychologically must become an aviator if we want to preserve our precious heritage of free institutions.

Mr. President, I recommend a careful perusal of this article by every thinking American.

EXHIBIT 1

[From the Atlantic Monthly of October 1941]

AIR POWER ENDS ISOLATION

(By Maj. Alexander P. de Seversky)

I

At the heart of our national-defense efforts there is a deep and fateful paradox. Unless it is resolved and resolved quickly, we shall continue to blunder in our military preparations. The first step in eliminating that paradox is to understand it and to follow its implications boldly to the bitter end. Superficial critics, probably, will accuse the writer of attacking the administration, but in attempting to lay bare the central error in our strategic thinking, as it appears to me, I am no more attacking those in authority than a physician is attacking his patient in diagnosing what seems to him a malignant disease.

The essence of the paradox is this: That our country's accredited leaders in this crucial period fight isolationism politically but remain stubbornly isolationist themselves in their military planning.

Under the American isolationist argument there are certain strategic assumptions. Those add up to the illusion that we can make America neatly invulnerable behind its ocean ramparts and therefore can safely if selfishly let aggressor nations in other parts of the world have their way. Our continent, flanked by the Atlantic and the Pacific, policed by a fine army on land and patrolled by a matchless navy at sea, is impregnable and can let the rest of the planet stew in its own juices. Sea power constitutes our outer defense. If only it is strong enough and modernized by the addition of plenty of naval airplanes on floating bases of aircraft carriers, it can shield us against the threat of invasion. All the talk of the decline of sea power, of destruction from the skies regardless of distance, of total warfare ignoring the textbook precepts of orthodox military science, is simply the raving of visionaries and aviation crackpots.

Such are the premises of the isolationist story. Now our military monitors, while quarreling with the deductions, not only have accepted the isolationist strategic premises, but are building their whole defense structure on them. They are busily constructing a two-ocean Navy with the same smug self-assurance with which the French leaders once built an "impregnable" Maginot Line along their frontiers. Despite the exploits of air power even in its present primitive form—let alone the indications for the expanded role of air power in the immediate future—they still rest back on holy writ out of Captain Mahan. Since Mahan's analysis was made, in 1890, an element which did not figure in calculations in his day, an element that is neither land nor sea and has its own strategic laws—the "air ocean" that envelops our earth continuously, whether the surface below is wet or dry—has become the primary battlefield. Yet our leaders prepare armies and navies for the traditional mile-by-mile struggle for territorial occupation, as though nothing had happened to revolutionize the nature of war making. They are rather like Indians diligently sharpening their arrows and turning up their bows to meet conquistadores armed with rifles and girded with armor.

Unfortunately we cannot have it both ways. There is neither logic nor justice in denying that oceans are insurmountable barriers when arguing with isolationists, and at the same time basing our defense on that very premise. If the principles of warfare implied in our current construction program and our military organization are right, then the isolationist claims are also right. Once we grant that the danger against which we are feverishly preparing is an old-fashioned invasion followed by an old-fashioned fight for mileage from the periphery inward, then we cannot deny that our country can be made inviolable.

It is my contention that the Lindberghs and Wheelers are dismally and dangerously wrong—primarily because the military notions on which they rely are no longer tenable. The word "isolation" has become a political football. People demand to know whether you are for or against it. But for those entrusted with the physical defense of our country isolation becomes a geographical and tactical rather than a political problem. The issue, it seems to me, is not whether isolation is desirable for the United States but whether it is possible.

As a designer and pilot of aircraft who has devoted his mature life to the study of war science, I think of isolation not in terms of national policy but in terms of space relations. With continents and oceans traversed by aircraft in a few hours, it no longer makes sense to measure space in miles—we must measure it in units of time. I believe it to be a physical fact that, with the advent of modern aeronautics, isolation no longer exists outside of demagogic vocabularies; that delusions of defensive invulnerability are fairy tales carried over from an earlier period in our history, in about the same way grown-ups carry over consoling fairy tales from their sheltered childhood days.

Considered solely from this tactical and geographical viewpoint, our foremost isolationists would seem to be neither Lindbergh nor WHEELER but Secretary of the Navy Knox and Secretary of War Stimson. I am aware, of course, that the news will come as a shock to these gentlemen. Emotionally and verbally they are irreconcilable enemies of the isolationist philosophy, but in their military ideas they are as deeply isolationist as, let us say, Herbert Hoover. Their isolationism, moreover, is a lot more dangerous, because it is being translated every day into equipment and strategic plans fantastically unsuited for the job that may be ahead of us. They remain earth-bound, committed to routine two-dimensional types of defense in a time when warfare has been lifted into a third dimension. In the hour of supreme test, should it come, the political isolationists will fall in line like all other good Americans, but the out-moded defense system elaborated by those committed to textbook formulas carried over from an isolationist era cannot fall into line.

Recently, for instance, Secretary Knox published an article in a national magazine defending the traditional conception of sea

power and castigating those who would meet the new aviation epoch with organization and strategy based on the new weapon and the new sphere of operations which it has opened up. The Secretary of the Navy argues that Germany—having conquered Europe, including the British Isles—will be able to build a colossal fleet for a gigantic invasion of American shores; that our safety therefore lies in a supercolossal Navy equipped to fight off the German expeditionary forces. He even adds the usual trimmings to that fantasy, intermediary ocean bases as stepping stones for the invading hordes and South American areas as jumping off places for easier assaults on the Panama Canal and North America beyond that. All of this is based on the fact that, "from the time of Hannibal onward, ultimate victory and security against invasion have been won by the power or powers which could first win and then hold the sea." Never mind the air ocean which never entered into calculations from Hannibal to Mahan.

If the picture drawn by Colonel Knox were valid, the only real difference between him and Colonel Lindbergh would be in their judgments as to our ability to frustrate such a German invasion. The Secretary is convinced that the invasion might be successful and that we must therefore prevent the British Isles and their shipbuilding facilities from falling into Hitler's hands, whereas Lindbergh is convinced that with proper defenses we can stop the invasion on the high seas or, at worst, overcome the invaders on land. But both of them argue as though the picture, in its broad outlines, corresponded to strategic and tactical realities.

On that assumption, it must be admitted, the advantage is overwhelmingly on Lindbergh's side of the argument. Secretary Knox writes that "25 miles of water with superiority on the sea has twice reversed Der Fuehrer's time clock" in the matter of invading England. Assuming that to be true, then assuredly there is not the slightest reason for worrying about the safety of the British Isles, since the British Navy remains indubitably superior to Hitler's sea forces, even if the Italian and French Navies were thrown in; that superiority is raised to the level of virtual monopoly of the seas when we add the potential sea strength of our own country. Likewise there should be little if any cause for misgivings in the Mediterranean, where John Bull's naval might is practically unchallenged by any other surface force.

In those strategic terms, above all, it becomes childish to worry over the fate of the American continent, protected not by 25 but by thousands of miles of water. The only ostensible danger points, the narrow waters of the Panama Canal and Bering Strait, being relatively limited zones, could readily be made invulnerable by a vast concentration of defenses against troop landings. Considered essentially as a surface operation, the bogey of South American invasion bases becomes meaningless, since the invasion would still have to traverse vast oceans except for an easily protected bridge between the continents at Panama.

II

The whole idea that Hitler in conquering England aims at control of naval facilities for attack on America is ludicrous. If Germany, lacking sea power, nevertheless conquers the Old World including the British Isles, it will be due almost exclusively to the superiority of its new weapon, air power. Then why, in heaven's name, should it then revert to the obsolete and vanquished sea weapon? That is more than anyone can answer.

The elementary fact is that the British Navy, for all its magnificent history, had approximately nothing to do with changing Hitler's timetable on invasion of the British Isles. Had the Royal Air Force yielded control of the skies over the English Channel and over the islands, the British Fleet, though it were many times as strong, could not have stemmed the tide of Nazi invasion. Hitler would then have been able to throw a solid canopy of air power across the entire channel, just as he did between Greece and Crete; under its protection his forces could have crossed as readily as the British troops, in the memorable evacuation from Dunkirk, crossed under the shield of local air mastery. Winston Churchill, the last man to deny credit to the Admiralty, specifically credited that evacuation to British dominance of the sky over the operation.

It is not at all certain, however, that Germany, if it should seize mastery of the air over England, would rush to land huge bodies of infantry. With the R. A. F. eliminated, it is far more likely that the enemy might prefer the easy and inexpensive procedure of selectively bombing vital objectives on the islands from overhead, wrecking the nation's machinery of life and its stoical morale—with troop landings merely as a final confirmation of victory already achieved. The Navy would be helpless to interfere—as helpless as it has been in the year-long battle of Britain, in which it has been only an onlooker.

If Germany has failed to overcome England, it was because Britain fortunately possessed an effective air power of its own. Not the 25 miles of water but the 25-mile edge in speed of the British pursuit planes over Nazi pursuits frustrated the German attempt to conquer England. Contrary to the popular impression, the Nazi Luftwaffe, while perfectly developed as a cooperative element with surface forces, was badly conceived so far as all-air warfare is concerned. The Nazis' audacity failed them in visualizing the potentialities of pure air war, so that they plunged into such warfare over England with pathetically unsuitable equipment and took heavy punishment. If, as reported, Hitler now has a "mad" on Goering, he may have ample reason for it. It would be criminal if we in America failed to profit from Hitler's greatest error and did not proceed to produce aviation for genuine all-air conflict.

For those who insist that the British Navy headed off the invasion, here is a concrete problem to work out: If this is true, then why did not the same Navy prevent invasion of Norway, which was likewise an undertaking across a water barrier? Surely it was not for lack of courage or skill. We all remember how the British Fleet rushed to the scene of action when the invasion started—and the Skagerrak is even wider than the channel.

The answer is one which Mr. Churchill offered formally to Parliament and which is obvious to students of the Norwegian campaign. The R. A. F. lacked the range to contest control of the skies over the Skagerrak as it subsequently did over the channel. Having obtained mastery of the air over the invasion operation, Hitler forced the British Fleet to retreat beyond the range of the Nazi air force. Britain's carrier-based aircraft proved unequal to Germany's land-based aircraft and beat a hasty retreat, paying heavy toll in losses. Because of the special design of naval aircraft, involving sacrifice in performance for the sake of operation from limited deck areas, it is doomed to remain inferior to equivalent land-based aviation, and hence suited only for fighting against other naval aircraft in areas beyond the reach of airplanes taking off from land. In that, incidentally, lies the fallacy of dependence on aviation integrated with the Navy and carried along by the fleet as a substitute for true air power. No matter how good it may be, other factors being equal, naval aviation must remain tactically inferior.

German air power accounts for the successful invasion of the Scandinavian peninsula. British air power accounts for the failure of invasion of the British Isles. The sooner naval leaders here and in England face such towering realities, the better. After all, there is no ignominy involved for naval men and naval traditions in recognizing that new weapons enforce new tactical relationships, any more than a cavalry man need resent tanks.

The British Fleet, conspicuously superior on the surface of the sea, nevertheless has been unable to approach the European Continent, because that is ringed with Nazi aviation. Even the bombardment of invasion harbors and coastal fortifications in the past an important function of navies, has been left almost entirely to the air forces; the few assaults by sea, such as those against Genoa and Brest, were made on a hit-and-run basis as surprise forays of a guerilla nature and not as genuine tactical undertakings. Theoretically the British Navy dominates the Mediterranean and on several occasions it demonstrated its superiority against another surface force, the Italian Navy. All the same, it has been unable to prevent Axis troop shipments to Africa and troop landings in Crete. Axis air power has been able to ignore the surface impediment of naval opposition and to pick off naval units almost at will when such units ventured beyond the protection of land-based British aviation.

In continuing to rely on naval power, including naval aircraft, to guard America, we are repeating the fatal error of the French in relying on their frontier fortifications and their fine army. We are in effect assuming that we can isolate this continent or this hemisphere at the proper time by a mighty defense. The problem for our isolation-minded interventionists seems to be to make our ocean ramparts stronger and stronger—by enlarging the Navy, by adding naval aviation to the other fleet weapons. What they fail to understand is that surface ramparts, no matter how powerful, are futile once long-ranged aviation capable of ignoring such obstacles is in action. It was not the weakness of the Maginot Line but the bankruptcy of the military principle on which the line was based which cost France its life. Such ramparts, on land or sea, have lost all validity in the 3-dimensional war of today.

The sole difference between the strategic position of the American continent and the British Isles is this: That the islands are separated from enemy bases by a narrow body of water, and America by a wide body of water. Suppose, now, that air power could cross oceans as readily as it now crosses rivers and straits and English Channels. Instantly America would be as vulnerable as the British Isles, and, by exact analogy, its fate would depend on its own air power, and its Navy would be as helpless as the British Navy has been under similar circumstances.

Such safety as we still enjoy against attack from the skies is completely unrelated to our naval strength. We enjoy it merely because our potential enemies do not as yet possess air striking power of sufficient range to cross the ocean and return home—a range which has been fully possible technically for years, and which is an inevitable development of the immediate future. If we did not possess a single battleship or destroyer, no enemy could carry its air power to our shores by ships. It would be doomed to annihilation as soon as it came within striking distance of our own land-based aircraft, which would deal with the intruder precisely as land-based Nazi aviation dealt with British naval units off Norway in the North Sea and in the Sicilian Straits. Despite such obvious facts, our naval minds still dismiss even the defensive value of air power. Thus, Secretary Knox simply ignores our land-based aviation when he writes that "a defeat of our forces at sea by a foreign power or combination of powers would leave our coasts open to invasion." He completely overlooks the crucial circumstance that the said powers would still have

to annihilate our land-based air forces before our coasts are open to invasion.

III

The rapid enlargement of the reach of aviation is the key fact in the new military reality with which we must deal, however much it disturbs the routine of strategic planning in high places. Every advance in the science of human communication—the railroad, the automobile, radio, aeronautics—has made the world smaller. Each of these things has reduced sharply the scale of continents and oceans. And every such advance has ended somebody's cherished isolation. The Indians in the Western Hemisphere were fully isolated until white men in their sailboats, equipped with guns, crossed the ocean. Then the Indian isolation was ended, for good or ill. With the emergence of modern aviation the natural isolation of vast regions was likewise ended. Only small margins of the safety provided by sheer space now remain for America or any other part of the world, and those margins are crumbling at their edges with every extension of aviation range. It is only a matter of time before there will not be a sliver of isolation left anywhere.

Long-range air power has been retarded by lack of military imagination rather than aerodynamic obstacles. Britain, which years ago had bridged points in its empire 7,000 miles apart with nonstop flights, failed to apply this aviation knowledge to long-distance fighting craft. Even Germany, whose Condors flew from Berlin to America, failed to build extreme range into its military aircraft. That it is rapidly making up for this failure may be judged from the ever-longer radius of its bombing of British ships on the Atlantic; already Nazi sky raiders seek out prey seven or eight hundred and even a thousand miles to the west of Ireland.

A good deal has been written about the new Douglas superbomber, the B–19, with its range of 7,800 miles, carrying 18 tons of explosive. It has neither the speed, the armor, nor the armament to make it a true dreadnaught of the air, capable of fighting through to its target, doing its job, and fighting its way back. It is actually a blown-up version of the so-called flying fortress, embodying all the tactical limitations of that fortress on a larger scale. The true superbomber can and will have a speed of well over 300 miles, superb armor, and heavy firing power.

But as a preview of the great ranges now possible, and the greater ones still to come, the B–19 serves its purpose. It is generally known that other bombers outstripping the B–19 in range, speed, and striking power are being developed, unfortunately on a merely experimental basis. Extraordinary advances are being made in aeronautical materials, more efficient fuels and fuel consumption, and general aerodynamic refinements, all of which will be translated, among other things, into aviation reach. I am disclosing no secret in asserting that research is proceeding successfully on airplane engines that develop as much as 8,000 horsepower. Imagine a plane like the B–19 equipped with four such engines, as against the present 2,000-horsepower engines—a total of 32,000 horsepower instead of the present 8,000, plus other vital improvements already available—and you grasp the emerging revolutionary possibility of ranges circling the entire globe—25,000 miles—with ample margins for tactical operations.

To savor the strategic implications of these facts, recall that a 15,000-mile absolute range—representing a 6,000-mile striking range—puts the United States within practical bombing distance of the capitals of every great military power, including Russia and Japan. By the same token, 15,000-mile American bombers would be able to reach any of those capitals, drop huge explosive loads on the appointed targets, and return to their home bases. One thousand such bombers, which would cost no more than about 10 first-line modern battleships, in the hands of an enemy would put the United States as fully at its mercy as though there were nothing but a ditch between us, if we had no adequate air force. And, naturally, the reverse is true; such an armada in our own hands would make any European nation as helpless under our air strength as Czechoslovakia or Yugoslavia under the Nazi Luftwaffe.

Moreover, the production of such an aerial fleet would be no more difficult than the manufacture of types now in use. Had the creative planning been undertaken 2 or 3 years ago, the new bomber could have been in production by this time. Once this dreadnought of the skies is designed and the facilities for its construction are provided, the process would not differ essentially from the present process of turning out B–17 and B–24 flying fortresses—and 500 of these are expected to be delivered monthly in 1942. The question is not one of American ability to produce such planes—that can be taken for granted. The question will be, rather, to determine how many we need in relation to strategic tasks involved as well as the aerial strength of potential enemies.

The one certainty in an otherwise confused period of military transition is that the aerial warfare which we have witnessed in the first 2 years of the second World War will seem primitive and mild by contrast with the aerial warfare still to come. In actual hitting strength the 18 tons which the B–19 can carry is equivalent to 40 of Germany's Stuka bombers—and the superbombers of tomorrow will fly from 50 to 100 tons of explosive, making them the equal of 100 to 200 Stukas. In a single flight such a plane will inflict as much damage as several hundred planes now visit in major raids such as those on London or Coventry. A thousand such craft will accomplish as much destruction in a single action as Germany has been able to score in 6 months of continuous bombing; or, to put it another way, in a single blow at least 200 Coventrys could be destroyed.

Those are the kind of assaults to which the American continent may be exposed, should Hitler succeed in subjugating Europe and Asia. We should then be engulfed in an armament race such as mankind has never before experienced. And it would not be a race for battleships, but a race for long-range striking force equipped to obliterate the enemy. We should be confronted with a true interhemispheric war in total disregard of space, striking directly from the home bases. Oceans and all their intermediary bases would then be a vast no man's land. The 10 hours or so of approach to the appointed targets would represent no hardship, since they would be passed under ideal conditions of modern flying comfort; besides, the time of approach is usually the least hazardous element in an aerial action, since the initiative in that stage is with the attacker. We must prepare for such an eventuality, even though we hope to smother the danger long before that on the other side of the ocean, and the time to prepare is now.

Given a circumglobular aviation range—which I am fully convinced will be a reality within 5 years—every point on the American map will be subject to direct attack from any point in the outside world. Assuming that we continue to ignore these looming aeronautical facts, remaining stubbornly committed to pure Army and Navy strategy, we shall be helpless when the interhemispheric aerial conflict catches up with us. I do not relinquish the hope that we shall be amply prepared long before that happens. But for the sake of emphasis—as a warning rather than a prophecy—I visualize a contingency as melodramatic as this:

From every point on the compass, across the two oceans and across the two Poles, giant bombers, protected by convoys of deadly fighter planes, converge upon the United States of America. There are thousands of them, each carrying at least 50 tons of streamlined explosives and a hailstorm of light incendiary bombs. Wave after wave they come, openly, in broad daylight, magnificently armored and armed and ready to fight their way through to the selected targets.

With the precision of perfect planning, the invading aerial giants strike at the nerve centers and jugular veins of our nation. Unerringly they pick their objectives: industrial centers and sources of power, government seats, and fuel concentrations, particularly the aviation complex of factories and airdromes. The havoc they wreak is beyond description. Washington is wiped out before the Government has a chance to rescue its most treasured records. The wrecking of a score of crucial hydroelectric power centers paralyzes huge sectors of American industrial life at one blow. A thousand tons of explosives deposited expertly on a few great railroad knots like those at Chicago dislocate the country's transportation system. The attacks on Amsterdam, Hamburg, London, Moscow in 1939–41 seem a mere rehearsal for this massive and cataclysmic attack on America. Our purely defensive aviation, chained to the older services, gallantly takes to the air, but proves sadly inadequate because its military characteristics are unsuited to this task.

As the cyclones of aerial devastation sweep through the land, hour after hour, day after day, only one thing proves more shocking and demoralizing than the physical destruction and the incredible loss of life. It is the sudden realization that the immense program of defense to which the country gave its best efforts and billions of dollars in the preceding years is utterly irrelevant to this total war from the skies. The existing American aircraft do take some toll from the enemy, but the foe readily replaces his losses—his industries and airdromes are immune because we lack the transoceanic reach to strike at the source of attack. There may be millions of well-equipped soldiers on tap, a ring of superb coastal artillery, a two-ocean navy without peer. Yet all of these are literally helpless against the aerial attack. Indeed, the Navy and the Army themselves are pathetically exposed and vulnerable to the overhead onslaught.

Moreover, as the concentrated and unceasing air attack proceeds, a panic-stricken nation wonders when the much-advertised invasion by millions of enemy troops will begin. Our mechanized land forces are deployed to meet them head-on. Every inch of our coast lines and land frontiers has been elaborately fortified for miles and miles inland in accordance with the new theories of defense in depth. After a while the country begins to wish for the land invasion that it feared—anything seems preferable to the relentless pounding from on high.

Then the stricken people begin to understand that there will be no immediate invasion in the old-fashioned sense of the word. The enemy has no intention of undertaking a slow, costly, mile-by-mile conquest of America on the ground when it can hammer the country into a writhing mass of ruins at leisure from overhead. The invader prefers to bleed America to the point of exhaustion and helplessness, demolishing its cities and its industries, wrecking its machinery of existence and its national morale.

In the past, too, there had been talk of total war. But now it is being demonstrated in pure form for the first time. America is being attacked as a totality rather than piecemeal. There is only one target: the whole country. The idea of a slow movement from the shore lines toward the in-

terior no longer makes sense. Destruction has replaced occupation as the first objective. Given sufficient destruction, occupation can be undertaken or not, as the conqueror desires, to round out the victory.

The picture, I am keenly conscious, will seem fanciful at first blush. Those who dare to visualize it so vividly and to paint it as a genuine possibility lay themselves open to the charge of being alarmists. Even thus General de Gaulle and others were branded as panicmongers when they warned that frontier fortifications and huge armies were not enough in this age of aviation. Yet there is nothing remotely fanciful about the nightmarish picture. Bombers of that striking force are grim immediate realities. The one element lacking, adequate range, is rapidly being achieved.

Civilian nonmilitary aviation is certain in the near future to bind every nation of the planet in an immense network of aerial transportation. The United States, lying between the two great oceans, is destined to be the crossroads of this gigantic traffic: The "four corners" of air routes not only over the Atlantic and Pacific, but over the North and South Poles. We shall find ourselves in the very midst of a planetary air traffic, some of it not even pausing to refuel or reload in America as it makes express jumps between continents.

Our minds accept this coming peacetime aviation without too much resistance. They balk at accepting the same facts in relation to war movements, since those facts cut athwart established military "laws" and patterns of thought. Granite is more yielding than deeply rooted ideas. However, we shall be as completely open for destructive attack as for commerce. In fact, air commerce will be as thoroughly guarded by air power as sea traffic has in the past been guarded by sea power. Self-consoling isolationist optimism has no place in the modern world. Physical remoteness, with all its attendant comforts and automatic safeguards, has been abolished.

It would be false to assume that those now tagged with the isolationist label have a monopoly on that optimism. On the contrary, it is implicit in our whole defense structure, insofar as that ignores the new facts which have telescoped space and made the skies above, rather than oceans or other surface barriers, the outer ramparts of the Nation. Our current defense program evades the new reality that our first lines of defense must now be concentrated in the air, with an over-all strategy specifically designed for total aerial warfare, with a special and independent command responsible for maintaining freedom of the skies.

Our official thinking and planning unfortunately have carried over into the new element of operations, the air, notions which are perfectly valid on the surface of the earth but are without meaning in the skies. Thus they have artificially divided the skies into air-above-land and air-above-water, and assigned one segment to the Army, another to the Navy. The arbitrary division is no more logical than it would be to split the Navy into sections in accordance with the depth or contours of the ocean floor. The air is an uninterrupted expanse, requiring uninterrupted tactics and uninterrupted authority in order to attain unity of command in this new sphere. Questions of coordination with the surface forces do not affect this fundamental concept. A supreme command, on which Army, Navy, and Air Force are equally represented, and which will deploy all three services to solve specific military problems, must be taken for granted, even as we now take cooperation between Army and Navy for granted.

What is involved is not a mere reshuffling of departments. To think that we can meet the new air age by rearrangement of bureaus, such as the War Department recently announced for its Air Corps, is frivolous and does not even touch the issue. The problem is infinitely more far reaching. Nothing less than a new understanding of the physical world we live in—not only a technical but a psychological adjustment to the realities of a contracted world controlled from the third dimension, from the sky—will suffice. Such a readjustment is the first and inescapable condition for survival in the new circumstances presented by the advent of long-distance aviation.

The Roman Empire became dominant in its epoch because in an age of land power it was integrated with the psychology of land power; every Roman was a soldier. The British Empire emerged in the epoch of sea power, and every Briton, even if he never went to sea, was a sailor at heart. In this era of air power, America must integrate itself with the new force, and every American psychologically must become an aviator if we want to preserve our precious heritage of free institutions.

RECIPROCAL TRADE AGREEMENT BETWEEN THE UNITED STATES AND ARGENTINA

Mr. BARKLEY. Mr. President, on October 14 there was signed in Buenos Aires a reciprocal trade agreement between the United States and Argentina. The signing of this agreement brings into closer economic cooperation two of the most important trading countries of the Western Hemisphere. Cooperation in economic matters will inevitably promote greater solidarity on issues of defense and foreign policy affecting this hemisphere. Such solidarity and unity of understanding is particularly important at a time when the very existence of the nations of this hemisphere depends upon presenting a united front to the forces of aggression.

Therefore, I ask unanimous consent that there be inserted in the RECORD at this point the message of the President of the United States, the statement of the Secretary of State, Hon. Cordell Hull, and the exchange of messages between the Secretary of State and the Minister of Foreign Affairs of Argentina on this important occasion.

There being no objection, the messages and statement were ordered to be printed in the RECORD, as follows:

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES OF AMERICA TO HIS EXCELLENCY DR. RAMON CASTILLO, VICE PRESIDENT OF THE ARGENTINE NATION, ON THE OCCASION OF THE SIGNING OF THE TRADE AGREEMENT

I am very happy on this day of signature of a trade agreement between the United States and Argentina to send to Your Excellency and to the Argentine people my heartfelt greetings.

The representatives of our two nations who have cooperated in the negotiation of this agreement are to be congratulated on this achievement in the cause of liberal principles of international trade conducted on the basis of fair dealing, equality of treatment, and mutual benefit. It is an outstanding contribution to the economic welfare of our two countries and to the reconstruction of peaceful and profitable trade in the Americas and throughout the world.

In the years to come we shall look back upon the trade agreement signed today as a monument to the ways of peace, standing in sharp and proud relief upon a desolate plain of war and destruction.

United as we are under divine guidance in the defense of our precious heritage in this hemisphere, we have today forged a new link in the chain of friendship, peace, and good neighborliness which happily binds our two nations together.

STATEMENT OF THE SECRETARY OF STATE UPON THE OCCASION OF THE SIGNING OF THE ARGENTINE TRADE AGREEMENT

The trade agreement signed today by representatives of the United States and Argentina is, I believe, a highly significant achievement in the field of our foreign relations, a field which we have all finally come to realize touches closely the welfare and the security of all our people. Like other agreements concluded under the authority of the Trade Agreements Act, the purpose of this agreement is to promote the prosperity of both participants by promoting their trade with each other.

But under present conditions the agreement has a special signficance and importance. This concrete evidence of the desire of each country to help the other in the economic field will inevitably promote cooperation between them in other respects. Close cooperation between Argentina and the United States is especially important at a time when the very existence of the nations of this hemisphere may depend upon presenting a united front to the forces of aggression.

The agreement has been carefully drawn, and I am entirely confident that in its practical operation the agreement will fulfill its purpose and prove its value to the people of both countries.

EXCHANGE OF MESSAGES BETWEEN SECRETARY OF STATE CORDELL HULL AND THE MINISTER OF FOREIGN AFFAIRS AND PUBLIC WORSHIP OF ARGENTINA, SEÑOR DOCTOR DON ENRIQUE RUIZ GUIÑAZÚ; ON THE OCCASION OF THE SIGNING OF THE TRADE AGREEMENT BETWEEN THE UNITED STATES AND ARGENTINA, ON OCTOBER 14, 1941

Message from His Excellency Señor Doctor Don Enrique Ruiz Guiñazú to Secretary Hull

The trade agreement which we have signed today with Ambassador Armour, between our two countries, is the happy realization of a policy of good understanding, particularly pleasing to this government. The results achieved with such a cordial spirit of collaboration and common good will assure for this agreement the most gratifying prospects for the development of trade and for the ever cordial relations between Argentina and the United States.

Message from Secretary Hull to His Excellency Señor Doctor Don Enrique Ruiz Guiñazú

On the occasion of the signing of the trade agreement between Argentina and the United States of America, it gives me great pleasure to convey to Your Excellency my heartiest congratulations. This act, I feel sure, will prove to be of great and permanent value to both countries.

I feel that it should be a source of gratification to us both to feel that in these critical days through which the world is passing, Argentina and the United States have demonstrated that, through mutual good will and cooperation, they have been able to find a common ground of understanding in working out their economic problems.

INCREASE OF MEMBERSHIP OF SPECIAL COMMITTEE TO INVESTIGATE NATIONAL-DEFENSE PROGRAM

Mr. TRUMAN. Mr. President, I ask unanimous consent for the immediate consideration of Senate Resolution 175, submitted by the Senator from New York [Mr. MEAD], reported unanimously by the Military Affairs Committee, and

placed on the calendar. The resolution proposes an increase in the size of the committee authorized to make an investigation of the defense program.

The PRESIDING OFFICER. The resolution will be read by title for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 175) increasing the membership of the special committee to investigate the national-defense program, submitted by the Senator from New York [Mr. MEAD], referred to the Committee on Military Affairs, and reported without amendment.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. TRUMAN. I yield.

Mr. BRIDGES. Will the Senator explain the purpose of the resolution?

Mr. TRUMAN. The reason for the increase in the size of the committee is because of the fact that the members of the committee have been extremely busy with other matters, and there are some most important things to be considered by the committee during the next 2 or 3 weeks. Since the committee was appointed the Senator from Texas [Mr. CONNALLY] has become chairman of the Committee on Foreign Affairs, the Senator from New Mexico [Mr. HATCH] has become chairman of the Committee on Privileges and Elections, and one or two other Senators who are members of the committee have been extremely busy with other things. So I think the suggestion of the Senator from New York [Mr. MEAD] for an increase in the size of the committee is a good one, and I hope the resolution will be adopted.

Mr. BRIDGES. How much is it proposed to increase the membership of the committee?

Mr. TRUMAN. By 3 members. That will give the committee 10 members instead of 7.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TRUMAN. I yield.

Mr. BARKLEY. As I understand, on account of the preoccupation in other fields of activity here of other members of the committee of which the Senator from Missouri is chairman, it has been at times difficult to secure a large attendance at the committee when it has been meeting to consider important matters.

Mr. TRUMAN. That is correct.

Mr. BARKLEY. And it is desirable that a larger membership of the Senate shall be able to sit in on the hearings on the subjects which are to be investigated; and it is for that purpose, as I understand, that the Senator from Missouri desires to increase the committee's membership.

Mr. TRUMAN. That is correct.

Mr. BARKLEY. So that in all probability there can be a larger attendance of the members from day to day?

Mr. TRUMAN. A larger attendance officially. Any Member of the Senate is always welcome to attend the committee, and we are glad to have any Senators ask questions and take any other part in the committee meetings that they may desire to take; but we are anxious to have a larger official attendance at the committee. That is the reason for the request that the membership of the committee be increased.

Mr. BARKLEY. I have no objection to the resolution.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. TRUMAN. I yield.

Mr. VANDENBERG. The Committee to Audit and Control the Contingent Expenses of the Senate has had in its pigeonhole for some time a resolution submitted by the able senior Senator from Connecticut [Mr. MALONEY]—a resolution, by the way, which had the unanimous support of the Commerce Committee—seeking a thorough investigation of the priorities question as it confronts the country at the present time. I have been very much interested in the Maloney resolution, and I felt that its passage was essential.

Recently I interrogated the able Senator from Illinois [Mr. LUCAS], the chairman of the Committee to Audit and Control the Contingent Expenses of the Senate, as to what had happened to the resolution; and, with an appropriate explanation, he indicated that it would receive attention at the next meeting of his committee. Apparently, there has been a meeting since that time, because resolutions have been reported from the committee; but nothing has been heard of the Maloney resolution. I regret that the Senator from Illinois is not present at the moment.

I am wondering whether one of the purposes behind the proposal submitted by the able Senator from Missouri——

Mr. TRUMAN. It was submitted by the Senator from New York [Mr. MEAD].

Mr. VANDENBERG. By the able Senator from Missouri now, in connection with the suggestion made by the able Senator from New York—whether one of the purposes is to take over jurisdiction of an investigation into the priorities problem through the Senator's committee.

Mr. TRUMAN. This committee has made a thorough and complete investigation of the priorities problem, and is now in the midst of that investigation. I knew nothing about the resolution to which the able Senator from Michigan refers. I have been out of town for the past month, and did not know that the resolution was on the calendar.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TRUMAN. I yield.

Mr. BARKLEY. In that connection I think it ought to be stated to the Senator from Michigan and to other Senators that at the time the resolution was submitted by the Senator from Connecticut he also submitted another resolution affecting the oil situation and calling for an investigation, which has been had and upon which a report has been made. At the time of submitting the other resolution, the one now under discussion, the fact was brought to my attention by somebody—I do not know whether it was the Senator from Missouri or who it was, but somebody brought it to my attention—that the scope of the investigation covered in the resolution of the Senator from Connecticut was within the jurisdiction of the committee of which the Senator from Missouri is chairman, and that it proposed to investigate that very subject. Naturally, that raised the question whether two committees ought to be covering the same territory; and I think that situation has had something to do with the failure of the Committee to Audit and Control the Contingent Expenses of the Senate to make a report. Obviously, if the same subject is to be covered by the committee we have already established to investigate defense contracts, there is no need to have another committee appointed to do the same thing.

In view of what the Senator from Missouri states, inasmuch as his committee is in the midst of that investigation, I think it would be wise to have the committee go ahead with it now; and I feel that the addition of these three Members to the committee will enable that to be done.

Mr. TRUMAN. Let me say to the Senator from Michigan and the Senator from Kentucky that the addition of three Members to the committee had nothing to do with the resolution about which the Senator from Michigan is talking. The members of my committee and I have been on the west coast and in Alaska investigating defense contracts, and I imagine that this resolution was submitted at a time while we were out of town on official business. I have no objection to any resolution which is now pending. All I am trying to do is to have such a situation developed that my committee will work efficiently.

Mr. BARKLEY. Mr. President, while it is true that, independent of the resolution about which inquiry is made, the Senator would have favored the resolution offered by the Senator from New York [Mr. MEAD] to increase the number; the increase in the number will facilitate, will it not, the investigation of the very subject in the midst of which the committee now is?

Mr. TRUMAN. That is correct—and all other subjects, so far as that is concerned, because we have a tremendous amount of work ahead of us.

Mr. VANDENBERG. Mr. President, will the Senator further yield?

Mr. TRUMAN. I yield.

Mr. VANDENBERG. Of course the Senator knows that nothing I am saying is in any way in derogation of his committee and the very able work which it is doing, because I have frequently indicated my great respect for the work which the Senator from Missouri has undertaken, and the fashion in which he is delivering the goods; but it occurs to me that the Senator's committee has such a tremendously wide scope of responsibility in respect to the investigation of all defense contracts and all the defense activities of the country that it scarcely can give the pressing, imminent problem of priorities the immediate and effective attention which it deserves.

Mr. TRUMAN. We have been giving it immediate attention; but whether or not it has been effective I cannot say.

Mr. VANDENBERG. So far as I am concerned, I still believe that the Maloney resolution goes to a proposition which involves an imminently essential public service; and I should dislike to consent to the enlargement of the Senator's committee if the enlargement carried with it any implication that it is an answer to the Maloney resolution, and a justification for the further retention of the Maloney resolution in the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. TRUMAN. I will say to the Senator from Michigan that I knew nothing about the Maloney resolution, and the request I am now making has no connection whatever with that resolution.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. TRUMAN. I yield.

Mr. BREWSTER. I think it should be clear that no longer ago than yesterday morning we spent 2 hours in the Truman committee with Mr. Donald Nelson, who is administering as Director the responsibilities of this new agency concerned with priorities. If one will read the record of his testimony I think it will be clear that he is very earnestly seeking to meet the problems which the Senator from Michigan very properly presents, including the establishment of a board of appeals to deal with this question, to see that some very much greater measure of justice is done in the administration of priorities, as Mr. Nelson frankly admitted that very many small concerns and perhaps some large ones had been prejudiced by the failure of the priority system adequately to function. So I think Senators should know that the matter is at least receiving rather constant attention.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. TRUMAN. I yield to the Senator from Connecticut.

Mr. MALONEY. In view of the reference made to the so-called Maloney resolution, I should like briefly to state that at the time the resolution was submitted the Truman committee investigating the national-defense program was functioning; and the distinguished chairman of that committee, as I remember, telegraphed the majority leader after the submission of my resolution. His telegram was to the effect that the authority of his committee extended to the right to make a study of priorities. It seemed to me then, and it does now—and I say this respectfully—that this tremendously important question is deserving of undivided attention.

There probably is no more important matter at the moment before the country than that of priorities. Thousands of small businessmen and small business firms are threatened with destruction; and while I have a complete respect for the committee over which the distinguished junior Senator from Missouri presides, I do not think it is reasonable to expect that in addition to the very large program it has undertaken it can give to priorities the attention this subject deserves.

I knew that Mr. Donald Nelson—who, I am certain, is a very able man, and who apparently as yet has not had time to do all the things he would like to do—appeared yesterday before the committee investigating the national-defense program. As best I could, through the press, I followed his testimony of yesterday; but I noticed then—and I trust that this will not be regarded as a presumptuous statement—that the committee was leaving the question of priorities, or seemed to me to be leaving it, to take up on Tuesday next another phase of the defense program.

Mr. TRUMAN. Small business as it is affected by priorities.

Mr. MALONEY. In the meantime, it seems to me, the shadow is falling more heavily day by day, almost hour by hour, over the small industrial concerns in this country. They cannot get zinc or tin or copper or aluminum or brass or steel, and probably thousands of other items. Many months ago I took up with the Office of Production Management the question of a national inventory of these strategic materials. I do not know whether or not that inventory has ever been taken, or if any inventory has been taken. I do not think that the office of Mr. Nelson or any other agency of government can intelligently and properly approach the priorities question until there is such a national inventory, and until we know how much material there is and where it is.

Months ago, before a committee of the Senate, I took up with Mr. Jesse Jones the question of the construction of certain plants, and was told then that there was not need for them because the material in question was available in sufficient quantity for a long time.

I do not rise to offer criticism, but I should like to impress upon the Members of the Senate, and do it as one coming from an important industrial and defense area, that this question of priorities is of much greater importance than it now appears to some people. There are constant reports of one shortage or another. The country should know just what the situation is. Businessmen and industrialists should know the dangers with which they are confronted, and until we at least focus the spotlight on the situation, we are not going to make as much headway as we would otherwise.

I have great respect for Mr. Donald Nelson; I think he is doing a splendid ob; but he and his organization are, even to a greater extent than the committee of which the distinguished Senator from Missouri is chairman, so absorbed with so many other things that they cannot deal as I think they would like to, and should, with the question of priorities. It is my opinion that a special Senate committee, devoting its time to that and nothing else, should be created by this body. I should like to try to emphasize what was said by the able Senator from Michigan, that the resolution in question had the unanimous support of the Committee on Commerce, and I should like to say, respectfully, that I have some question in my mind about the right of the Committee to Audit and Control the Contingent Expenses of the Senate to hold up a resolution of that sort. I have some doubt as to whether or not it is not usurping the authority of the Senate, after an important standing committee of the Senate has passed upon such a resolution, to long delay it. It seems to me it is the duty of that committee to report the measure back in some form or other, either recommending its adoption or rejection, and leaving it to the Senate to determine whether or not there will be such a committee, and what, if any, funds will be made available for the work of the committee.

I thank the Senator from Missouri very much for yielding to me.

Mr. O'MAHONEY. Mr. President, will the Senator from Missouri yield to me for a moment?

Mr. TRUMAN. I am very glad to yield.

Mr. O'MAHONEY. The remarks just made prompt me to allude to the fact that about the middle of August the distinguished Senator from Connecticut was good enough to introduce, at my request, a bill (S. 1847) to amend the priorities law. The measure was referred to the Committee on Naval Affairs, where it is now pending. It was submitted for comment to the Navy Department, to the War Department, and to the Department of Justice. Reports have been received from each of these departments. I am frank to say that the reports from both the Navy Department and the War Department were adverse; naturally so, I suppose, because both of those departments are under the impression that total preparation for war should take precedence over every other activity.

However, Mr. President, this measure undertakes to set up in the O. P. M. a definite and specific forum to which businessmen and corporations engaged in the production of commodities used by the people of the United States may make their appeal when, by reason of a priority ruling, they are denied raw materials.

It seemed to me 2 or 3 months ago that this problem was of such gravity that it should have immediate action. Action rather than investigation is what is needed, because not a single day goes by that Members of the Senate and Members of the House do not receive appeals from their constituents with respect to the administration of the priorities system, and with respect to the unfortunate effects which are bound to be felt upon our entire economy unless there shall be action.

Let us consider the manufacture of automobiles, just as an example. It is announced that the manufacture of automobiles will have to be cut down because steel is needed for war production. All of us, particularly those who live in the West, know that there are great deposits of untouched iron ore which could be used, if developed, to provide the material necessary to maintain the motorcar industry and also to provide for defense needs.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I am very glad to yield.

Mr. TRUMAN. I believe I have the floor.

Mr. PEPPER. I merely wish to ask a question, which will take only a moment.

Mr. TRUMAN. I yield.

Mr. PEPPER. I was just wondering if that did not suggest a question whether there should be an over-all planning agency to deal with this very question. In some instances it will have to do with the materials we have.

Mr. O'MAHONEY. I am afraid of over-all planning agencies.

Mr. PEPPER. How does the Senator hope to get it handled then?

Mr. O'MAHONEY. By that route a country goes directly into totalitarianism.

Mr. TRUMAN. Mr. President, I am very much interested in the statement of the Senators who have spoken regarding the priorities resolution, and in the bill of the Senator from Wyoming, which I think is a good one. I am only interested at this time, however, in having my committee function efficiently, and I am asking the Senate if I may have three more members on the committee.

Mr. O'MAHONEY. If the Senator will bear with me just a moment, let me finish the thought that was in my mind, because it relates to a subject which I think is of supreme importance to the country.

Mr. TRUMAN. Certainly.

Mr. O'MAHONEY. The question of cutting down in the manufacture of automobiles will be reflected adversely in every community in the land. In the first place, local distributors of motorcars will be unable to secure the cars which they could sell, and because they will be unable to secure new cars which they could sell it will be necessary for them to cut down their sales forces. Already that is being done. Already salesmen are being laid off throughout the United States. When the sales forces are laid off, then in turn the local distributors will cut down their advertising. Every newspaper and every radio station will begin to suffer from the curtailment of its business.

It has been suggested that we have another investigation under the resolution presented by my distinguished friend the Senator from Connecticut, and that the committee which the Senator from Missouri so ably heads shall continue to make investigation. We are advised that the Supply, Priorities, and Allocation Board is already giving consideration to this matter, and I know it is, and I have every confidence in the good will and in the ability of Mr. Donald Nelson. What is needed, however, is not more investigation, but action. We should set up in this country, without delay, a specific forum to which these businessmen may go, with knowledge that that is a forum in which they may be heard. If that is not done, they will continue to be knocked around from pillar to post in Washington, in a constant merry-go-round, as is now happening, without result, while the country is suffering.

As the Senator from Missouri has very well said, members of his committee have been in various parts of the country investigating very important matters in connection with the national defense. For my own part, I have been out West, under a Senate resolution, studying the raw-material situation and other matters, and have just returned. It is my understanding—I hope that the Senator from Connecticut [Mr. MALONEY] will correct me if I am in error—that the Committee on Naval Affairs, having received these reports, is now ready to go to work on proposed legislation. If that be the fact, then it will not be necessary to wait upon the Committee to Audit and Control the Contingent Expenses of the Senate at all, because the Naval Affairs Committee has all the authority which may be necessary to bring anyone it wants before it and find out why we do not get action.

Mr. MALONEY. Mr. President, will the Senator from Missouri yield to me so I may make reply to the Senator from Wyoming?

Mr. TRUMAN. I yield to the Senator from Connecticut.

Mr. MALONEY. I now advise the distinguished Senator from Wyoming that the Committee on Naval Affairs did seem anxious to consider the Senator's proposal, which I was pleased to offer in his behalf, and upon which I urged favorable action by the committee. If such a forum as was proposed in the measure offered by the Senator from Wyoming were established by law, I think it might very well do away with the need for an investigation. However, there has been a delay in the consideration of the Senator's resolution, and I have endeavored to follow it with the Senator and for him in his absence. There has been so much of a delay that the dangers are coming closer to us, and if his proposal is not soon acted upon I think the investigation is necessary, because if it does nothing else it will probably show a need for the enactment of such a measure as was offered by the Senator from Wyoming.

Mr. TRUMAN. Mr. President, I appreciate the discussion which has taken place. I now ask that the Senate agree to the resolution to increase the special committee by three additional Senators.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 175) was considered and agreed to, as follows:

Resolved, That the membership of the special committee authorized and directed to make an investigation of the national-defense program, pursuant to the provisions of S. Res. 71, Seventy-seventh Congress, first session, agreed to on March 1, 1941, is hereby increased by three additional Senators, not more than two of whom shall be from the same political party. Such additional Senators shall be appointed by the President of the Senate and shall have the same powers and functions as the Senators originally appointed under the authority of such resolution.

DISLOCATIONS IN INDUSTRY RESULTING FROM DEFENSE PROGRAM

Mr. PEPPER. Mr. President, I wish to say just a word about what has been suggested by this discussion. I am not interested in who makes the investigation, but I am interested that the investigation be thoroughly and comprehensively made. However, I wish to advert to the larger aspect of the whole matter.

Mr. President, it has now become apparent that the first purpose, the first necessity of this country is to do its fair share in the world-wide struggle to crush Hitler and Hitlerism. That is our first national objective. In the course of doing that it has already become apparent to us, and painfully so to the country, that many economic and financial sacrifices are to be required of the citizenry. Especially is that becoming apparent with respect to small business and workingmen and workingwomen.

I have just returned from my State, and I know the serious dislocations which are being caused in the economy of that State by the defense program which is now being carried on. A few evenings ago I was in Providence, R. I., and was told there by responsible businessmen that a factory employing 12,000 persons in the jewelry business was about to be closed, because they could not get necessary materials. And so, all over the land, men and women are being thrown out of their jobs, and many hundreds of thousands, if not millions more, are going to be thrown out of their jobs in the natural evolution of the defense program in the days and weeks and months ahead. Many small businesses, and indeed, many larger businesses, are going to have to close their doors because they cannot get the necessary materials with which to continue to operate.

Now that looms on the horizon as definitely as the rising of tomorrow's sun. The question is whether or not the Congress is going to prepare to meet that problem as it actually arises. Any man who loses his job, any factory which has to close its doors, any business which can no longer continue to exist, in my opinion, comes within the moral, if not within the constitutional principle of being entitled to just compensation for having their property or their labor taken for the public use. The Congress might just as well get ready to appropriate money, as a part of the cost of the defense program, to give jobs to those who lose jobs, and to give some other kind of productivity or business to those whose business is cut off by this defense effort. Therefore, I commend all who have encouraged an investigation of this pressing problem.

I particularly call upon the executive agencies and the President now to start meeting this problem by an adequate program.

Mr. WHEELER. Mr. President, will the Senator from Florida yield to me?

Mr. PEPPER. I yield.

Mr. WHEELER. I wish to say to the Senator that, as he knows, I have just come back from an extended trip of 6 weeks through the Middle West and the Far West. Everywhere I went I heard statements and complaints made considering the matter now under discussion. Representatives of the American Federation of Labor came to me in Los Angeles and said that in that city alone 5,000 persons engaged in the building trades would be put out of work, or were out of work at that time, and could not get anything to do, by reason of the defense program. They said they had sent representatives to Washington, but they could not make head nor tail out of what was going on, and that they found confusion worse confounded in respect to their particular industry.

I found the same situation with respect to little businessmen in the Middle West, as well as all up and down the Pacific

coast. Everywhere I went the same complaint was made.

Mr. President, I agree entirely with what the Senator from Wyoming [Mr. O'MAHONEY] has said to the effect that when the automobile industry is closed down or curtailed the little man is put out of business. An automobile dealer came to me and said, "What are we going to do? We are going to have to throw many men out of work. We shall be obliged to cut down our sales department. We will soon have to go out of business."

I agree that in this emergency we have to build up our defenses, but nevertheless while we are building up our defenses we cannot afford to put the little businessman in this country out of business.

Mr. President, I was somewhat surprised when I heard one of the men in the Defense Council say that it was too bad, but a lot of little businesses have got to go out of business in this country. If that is true we are simply going to build up super monopolies in this country. Then while we talk about fighting for democracy in some other countries we will destroy democracy right here in America. Nothing will more quickly result in the setting up of a fascist government, and the destruction of democracy in this country, than the setting up of these super monopolies in America, and turning the workingman out without anything to do, and destroying the little businessman's business.

I agree with the Senator from Florida that the Congress and the administration had better look, and look very seriously, to this problem. If these little businessmen are put out of business it will simply mean the wrecking of this country.

The other day I was in the city of Chicago, and I referred to something that was told me there. I gave the name of the man in question. He said he needed a certain material for the building of his radio sets. He applied for it in the United States and could not get it in the United States. He said, "I finally said, 'Well, I will write to England'." He wrote to England, and they told him that they could make delivery in 3 weeks' time. They could make delivery in 3 weeks' time, yet in the United States he could not get this material with which to continue his business. He is not a small manufacturer. He employs several thousand men.

Mr. PEPPER. Mr. President, would not the Senator think perhaps it would be best for the record if he could give enough of detail about this matter so that the circumstances surrounding it could be ascertained?

Mr. WHEELER. Certainly. It is the Zenith Radio Co.

Mr. PEPPER. Located at what place?

Mr. WHEELER. Located in Illinois.

Mr. PEPPER. Does the Senator remember the town in which it is located?

Mr. WHEELER. I do not know whether it is located in Chicago or not. I think it is located in Chicago. But at any rate——

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. PEPPER. Mr. President, I have the floor.

Mr. WHEELER. It was the president of the Zenith Radio Corporation who talked with me, and I do not think he would hesitate for one moment to state exactly what occurred.

Mr. PEPPER. I have the floor. I am glad to yield, but I am anxious to conclude my brief remarks.

Mr. O'MAHONEY. Mr. President, my request was merely because of the reference to the Zenith Co. Will the Senator yield in order to permit me to make a brief reference to that matter?

Mr. PEPPER. I yield.

Mr. O'MAHONEY. I wanted to say to the Senator from Montana [Mr. WHEELER] that I have seen notice only very recently in the press with respect to this very incident, in which it was alleged that the request of the Zenith Co. was made several months ago, and that the response from England was, as a matter of fact, that the material could not be supplied. What the facts are, of course, I do not know. My recollection is that there was an editorial about this matter in the Washington Post within a day or two.

Mr. BARKLEY. Yesterday morning.

Mr. WHEELER. Let me say that all I have is the word of the president of the Zenith Co. himself, and he should know what were the facts. He did not make any bones about it, and he made the statement to me, and not only to me but in the presence of other persons; and I am told that afterward it appeared in one of the papers in the Middle West, though I do not know what paper it was. But that is as the fact was stated to me.

Mr. PEPPER. I thank the able Senator from Montana for what he has said.

It is not necessary that we lose our liberties either from without or within, but in order to preserve them in each case, it takes planning, it takes thought, it takes vision, it takes courage, it takes hard work, and it takes meeting these challenges in a realistic way as they present themselves.

I do not want the defense burden to fall unfairly or unjustly upon any man or woman. If a man loses his business as a direct consequence of the defense program, I want some public consideration given to that man's case, and I want some planning ahead of time against the chance that that man's case will arise. That is why I intimated a moment ago to the able Senator from Wyoming that although, of course, the Congress will contribute the solution in the last analysis, meanwhile I want some administrative agencies which have continuity and experience and competency to begin working on the problem immeditely. I am sure they are studying it. I hope they are—I especially want them to be aware of the admonition by the Congress to go into the very heart of it, and then to report back here to the Congress first the needs, then the methods, and, if necessary, the amount of appropriations by which the problem can be adequately met.

Mr. O'MAHONEY. Mr. President, I trust that the discussion which has taken place on the floor this morning, in which several Senators have participated, will have the effect of impressing upon the executive branch of the Government the supreme importance of this problem. There should be no further delays. I was particularly glad to have the Senator from Florida [Mr. PEPPER] issue his summons also to every branch of the executive arm of the Govenment to cooperate in laying down a plan for the preservation of ordinary business in this country.

Some time ago action was taken to appoint Mr. Floyd Odlum as the head of a new branch of the O. P. M., the duty of which would be to distribute defense contracts. That is all well and good, so far as it goes, but it does not begin to go far enough, because by far the great majority of the businesses of this country cannot get reorganized and retooled and revamped to take over bits and pieces of defense industry. That cannot be done. The problem is to preserve normal business. The preservation of normal business is the very heart and soul of the preservation of democracy, and unless we get about it very rapidly we shall find ourselves losing the very objective for which we have been fighting. It is absolutely absurd, Mr. President, to permit a new unemployment problem to arise in this country when we have the materials, we have the men, and we have the money also, with which to preserve little business, provided only we have ability enough to coordinate our program.

Mr. CHAVEZ. Mr. President, I also agree with the expressions by various Senators as to what should be done, and possibly what will be done. I certainly hope, though, that any effort along the lines suggested by the various Senators will not bring about the results which followed the promise to the draftees when we passed the original law that they would get their jobs back—a promise which has not been kept. The same press that will tell us a different story from that told by the Senator from Montana [Mr. WHEELER] also stated in the same issue the case of a draftee who had been promised his job back, and who, when the Congress insisted that he should be given back his job, had to resort to appeal to a court. I do hope that the poor businessmen and small businessmen in my State and elsewhere will not have to go to that extent.

All of us know that Mr. Odlum was selected to lead the effort to take care of the small businessmen. Only yesterday morning I received a letter from a small businessman by the name of Bennett, who resides at Silver City, in my State. He runs a small machine shop, and in his letter he stated that his business was completely ruined. So, having confidence in the efforts of Mr. Odlum, I sent the letter to him. I sincerely hope that he will take care of that small businessman.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. CHAVEZ. I yield.

Mr. WHEELER. I do not know Mr. Odlum, but we know that Mr. Odlum has been the head of some of the biggest trusts and combinations in this country.

Mr. CHAVEZ. We do know this: We know that companies with which he was associated were investigated by governmental agencies.

Mr. WHEELER. Certainly. After all, we talk about the "economic royalists," and so forth, but a man in this country who was one of the biggest "economic royalists" a few years ago was no one else but Mr. Odlum. He may know all about the problems of the small businessman.

Mr. CHAVEZ. I hope he does.

Mr. WHEELER. I hope he does. But I say that if we want the problems of the little businessman in this country settled, we should have a little businessman—someone who knows something of the problems of little businessmen—to head up a commission of this kind.

I do not think that the Senate and the Congress can impress too seriously upon some of the executive branches of our Government the necessity of doing something about this problem.

Mr. CHAVEZ. But when we do the things to which reference has been made the Congress is sincere on every occasion. We were sincere when we insisted that the draftee be given back his job when he returned. He was called into the Army contrary to his own wishes; nevertheless, after the Army said, "We do not need you any more," he had to go into a court of the United States in order to see whether what we said amounted to anything.

Mr. WHEELER. Of course, the Congress of the United States was sincere when it stated that we were not going to transport the supplies, that all these powers would have to come to the United States and get them, that we were going to be on a cash-and-carry basis. The Congress of the United States was sincere when it made that statement.

In my judgment, the Congress of the United States was sincere when it said that these men were only to have to serve for 1 year, that it was only going to be for training, and that not any of them were going to be sent outside the Western Hemisphere. The Congress of the United States was sincere when it said many of these things, but the trouble is that after the laws have been passed different interpretations have been put upon them.

Incidentally, I do not know that other Senators saw them, though probably they did, but great advertisements were carried in some of the newspapers, and even by the Saturday Evening Post, I am told, saying that the United States of America was already in the war—already in the war. Well, if we are already in the war, who put us in? I should like to have someone tell me who put us in, if we are already in. If we are in the war, we are in the war in violation of the Constitution of the United States, which says that only Congress may declare war.

You may say to me that the idea of declared war is outmoded; but when you say to me that declared wars under the Constitution are outmoded, you are saying to me that you do not believe in the Constitution of the United States. You are saying to me that we might just as well tear up the Constitution, because the one provision upon which the forefathers of the country insisted when they drafted the Constitution was that only Congress could declare war. If you tear up and disregard one provision of the Constitution, how can you ask other people in the United States, the ordinary laymen and workmen, to respect the other provisions of the Constitution?

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. O'MAHONEY. It occurs to me to suggest that whatever has been done which would give justification on the part of anybody for saying that we are already in the war has been done by the act of Congress. The operations under the Lease-Lend Act are undoubtedly the operations which lead some persons to say that we are already in the war, because under those operations the United States as a government, as a people, is furnishing the materials of war to one of two belligerents. Under all the old interpretations of international law that was an act of war, but the significant thing, it seems to me, is that action was taken specifically by the act of Congress, and the Members of this body knew precisely what they were doing when it was done.

The Senator will recall that when the lease-lend bill was under consideration there were presented upon the floor of the Senate amendments the purpose of which was to prohibit the use of American naval forces for the delivery of materials. Those amendments were specifically voted down. In other words, it seems to me that Congress has authorized every act that has as yet been taken.

Mr. WHEELER. I should have to disagree entirely with the interpretation of the Senator from Wyoming of that matter. It seems to me that he, as a lawyer, is certainly taking a farfetched view when he says that the passage of the lease-lend bill was virtually a declaration of war.

Mr. O'MAHONEY. Oh, Mr. President, I did not say that. That is the way the Senator from Montana argues.

Mr. WHEELER. I cannot interpret the Senator's argument in any other way.

Mr. O'MAHONEY. But the Senator from Montana will argue on his own interpretation, and he will not place his interpretation in my mouth.

Mr. WHEELER. That is true. I have not any desire to do that; but the Senator said, if I correctly understood him—perhaps I did not correctly understand him—that these persons have a right practically to say that we are in an undeclared war, or that by passing the lend-lease bill the Congress has virtually authorized war. Is that what the Senator said?

Mr. O'MAHONEY. Mr. President, the English language does not justify any such construction.

Mr. WHEELER. Then I misunderstood the Senator.

Mr. O'MAHONEY. I said that since we were furnishing belligerent material to a belligerent in violation of what had always been regarded as the rule of international law, it was perfectly understandable that some persons might say that that amounted to being in the war.

Mr. WHEELER. Then I misunderstood the Senator. I understood him to say that he thought that; but he says some persons might put that interpretation on what was done. Of course, that is quite a different thing. I think, however, that nobody is justified in putting that interpretation upon the action of Congress in passing the lend-lease bill, because it will be recalled that when the Senator from Missouri [Mr. CLARK] and some of the rest of us talked about the use of the word "transfer," and we were afraid it could be so interpreted as to authorize the transfer of the goods themselves to a belligerent nation, the distinguished Senator from Georgia [Mr. GEORGE], who was handling the legislation at that particular time, definitely stated that there was not any intention on the part of the administration or anybody else to transfer the goods, and that if there was any question about it they would amend the bill so that the word "transfer" would mean transfer of title. So, of course, what some persons are trying to do through the press and over the radio—these commentators who want to take this country to war—is to say to the American people, "You are already in the war, and the President has taken you to war."

I do not agree that the President of the United States has taken us to war, and I do not agree that the President has actually got us into the war at all in violation of the Constitution. I say it is unfortunate that some of the President's ardent friends and supporters are saying, in substance, that the President has violated his oath of office, and that he has violated the Constitution. I say that we cannot possibly charge the President of the United States with any worse offense than that of saying we are already in the war in violation of the Constitution, and that it is an undeclared war.

I have many times been accused of being violently opposed to the President of the United States on personal grounds and every other ground, which, of course, is not true; but never in all the arguments I have ever made, or in any criticism I have ever made of his position, either on the court issue or on this particular issue, have I stooped to charge the President of the United States with a deliberate and premeditated violation of the Constitution, or of his oath of office. Let me say that I do not believe the President of the United States intends to violate the Constitution, and I do not think he intends to violate his oath of office, and I do not think he intends to take us into this war in violation of either the Constitution or his oath of office, or to send an expeditionary force abroad.

I appreciate the fact that a number of the persons who surround the President are trying to push him and push him and push him into a position where they will say, "Now you are in the war, and there is only one thing left to be done, and that is for the Congress of the United States to declare war." When persons tell you or tell anybody else that the people of this

country are for war, or that they want to get us into this war, let me say that all you have to do is to travel from one end of the country to the other—as I have done in the past 6 weeks, speaking from Boston to San Francisco—and back again, and you will come to the conclusion that notwithstanding the fact that the headlines in the newspapers and the editorial policies of some of the newspapers and the radio commentators and the motion-picture propaganda would indicate that the people of the country want war, you cannot go across the country and talk with the inarticulate masses of the country without coming to the conclusion that the overwhelming mass of the people of the country are just as much opposed, if not more opposed, to getting into this war, or taking further steps in that direction, as they were 2 months ago, or 1 month ago, or at any other time; and the people are beginning to wake up to the fact that the course we are pursuing is leading us into war.

Just stop and think of it if you will. I happened to talk the other night to an Englishman, an ardent interventionist, who said they could lick Germany provided we would send 3,000,000 men; that if we would send 3,000,000 men, they would match that number with 3,000,000 men, and that with our Navy we could intervene and act together on the Continent of Europe.

In the first place, we have to ask ourselves, as I have tried to ask these people, this question: Suppose we get into the war—what are we going to fight with? We have not anything to fight with except our Navy. We are not one-tenth as well prepared as Russia was. Russia put up a gallant fight, and they had the planes and the tanks and the men, and they were already on the Continent of Europe.

We must not let our emotions run away with us. There is no one in this body who would like to see Mr. Hitler licked any more than I would. There is hardly a Member of this body who did not denounce Hitler, while many other people in the country were patting him on the back.

As I stated before, I denounced Mr. Hitler when Lord Halifax was over in Germany shooting wild boar with Goering. I was opposing totalitarianism when Mr. Churchill was saying that if he were an Italian he would be a Fascist. But we have to be realistic, and we cannot let our emotions and our hysteria run away with us.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. WHEELER. In just a moment. We have to be realistic about the problem. If Mr. Hitler is defeated—and I think he will be—it will be because he has taken in too much territory, because his forces are too much thinned out. In my judgment there will be a complete break-up from within, and in my opinion the German people will not stand for long a continuation of the slaughter of their own men and what has been going on in that country.

But we hear talk about our sending an expeditionary force to Europe. Many of the sentimentalists—those who are emotionally affected—make that suggestion, and it is absurd. In addition to that, we must admit that if we continue to give away billions and billions of dollars, if we build up in the United States a debt structure of a hundred and fifty billion or two hundred billion, which is inevitable if we keep on for long what we have been doing, we will have a complete breakdown in this country from a financial standpoint, and we will either have to go to inflation or to repudiation. A great many of these people are not thinking soberly; they are not thinking of what is going to happen to the United States. I have tried to be realistic and to ask myself what is going to happen to the United States, not what is going to happen to some other country.

I like to have people in this country who are Americans, who are interested in the United States, exercise their privilege of disagreeing with me. But the thing which does rather nauseate me is to have a lot of royal refugees coming to the United States, not only leaving their countries and taking the gold with them, but coming here and parading up and down the country asking us to go into the war. They talk about democracy, and about saving democracy. Some of them are thinking about saving their crowns. They did not give their own people democracy when they had a chance to. They ran away, and came here, and left the workers and the farmers, and the little businessmen to do the fighting and the dying in those countries. I say to those people in the United States, whether they are Englishmen or Germans or Russians or Italians, or of any other nationality, if they think so much of their own countries and their affiliations with their own countries, they should return to them and live there. But I get weary of seeing these royal refugees feted and entertained in Washington and New York, trying to tell this country that we should get into the war.

Unfortunately, there are some in the United States who think it is fashionable to be pro-British. We find some fine American women who think it is fashionable to go out gathering bundles for Britain. I should like to see it fashionable in the United States of America to be pro-United States. I should like to see it fashionable to bundle for the boy and the girl in the United States living across the railroad tracks. I should like to ask some of those people to get out and do some work for the underprivileged in the United States, the underfed, the underclothed, and the poorly housed. Oh, no, that is not the fashionable thing to do. They not only would not work for them, but they would not even deign to go down and cross the railroad tracks, and go into the hovels in which some of these people live. We not only find them in some of the Southern States among the poor unfortunate people of the Southern States, both white and colored, but we find them in the slums of New York City and in Chicago.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. CHAVEZ. I believe I understand what the Senator from Montana is discussing. I cannot speak for any other State, except in a general way, but in my own State right now there are many people ill-clad and ill-fed and, yes, ill-treated, who need help. We have had some of the most damaging floods in the history of the State of New Mexico, and we tried to get a little mite of relief even from official Washington, but we were met with the statement, "Well, priorities have to take effect."

I believe as the Senator from Montana believes, and I do not care who takes a contrary view. I do believe in America first, as against any country and as against the world. Let us feed our own people who are hungry, and who help keep some of us here.

Mr. WHEELER. I thank the Senator from New Mexico. I must confess that I have talked much longer than I had intended to, and I wish to close by repeating what I said a moment ago. I am not so much worried about the mere loss, if it may be called that, of some money, but when we are talking about going to Europe and fighting the battles for England there, we must think of Germany tied up in Russia with thousands of her men, planes, tanks, and other instruments of war. What happened that the English did not attempt to make an invasion on European soil to relieve the pressure upon the Russians?

The British Empire has among its subjects far more people than owe allegiance to the United States of America. The British boast of the richest empire in all the world, and of the fact that the sun never sets upon the British flag. They have more people under their domination than any other empire in the world. Yet England made no attempt to invade the Continent. Practically the Russians have made the only gallant fight that has been made during the whole war. They have stood up and bled and died, and no help has been given to any extent whatever excepting lip service, just lip service.

When there is talk about our sending an expeditionary force to Europe, it is ridiculous, in view of the facts. If the British could not land a force under the conditions which existed, how do they expect us to land an expeditionary force in Europe? We would have to take the men clear across the Atlantic in our ships. When it is said that there is danger of Germany coming and invading the United States, it is perfectly ridiculous, because they have practically only one battleship, and they are shipping their men in tugs when it is necessary to transport them on water.

A few days ago the President spoke about the freedom of the seas, and we hear much talk about the freedom of the seas. I am only sorry that I have not with me Winston Churchill's book entitled "The Aftermath." What did Mr. Churchill say in his book when he quoted Lloyd George? He said Lloyd George told Mr. House that the British would not accept President Wilson's second point, asking for the freedom of the seas, under any conditions or circumstances.

Lloyd George said, not only once, that he would not accept that point, but when Mr. House came back to it again and

again and again, Mr. Lloyd George said again and again that he would not accept it. He said, "If I should agree to it, it would only be a question of time when the people of England would elect someone else and send him here as representative, and he would not agree to that second point of Mr. Wilson's 14 points, providing for freedom of the seas, because," he said, "the English people will never stand for the policy of the freedom of the seas." And he further said—what? He said, "The English people will spend their last guinea to build a greater navy than that of the United States of America or that of any other country on the face of the earth." That is the kind of objection Mr. Wilson met when he and his representatives were at the Peace Conference, and that point was thrown out.

Yet we talk about establishing the freedom of the seas. When we built our Navy heretofore, against whom did we build it? We built our Navy against England, and we built our Navy against Japan. At another peace conference England will never agree to freedom of the seas, because if she is to exist as an empire she cannot agree to the freedom of the seas. She must have the policy of blockade. She must do that in order to maintain her far-flung colonies all over the world.

Certainly the expression "the freedom of the seas" sounds fine. The theory is a fine-spun one. But the country which has opposed it, the country which will always oppose it, the country which will never let the United States or any other country have the freedom of the seas is Great Britain.

What country is stopping freedom of the seas now? If we want to send food to the hungry Norwegians in Norway, would England let us send it to them? If we want to send food tomorrow to the starving people of Belgium and of Holland, would the English let us take it through the blockade? If we want to send food to the starving people of France, would England let us take it through the blockade? No. Then why talk about freedom of the seas? Freedom of the seas is a fine catch phrase, but the American people, when they correctly understand it, will not be fooled further.

Mr. BAILEY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. BAILEY. I will say with some deference that I think my friend, the Senator from Montana, has confused the doctrine of the freedom of the seas with the right of blockade. According to all the conventions and the practices, an effective blockade by a belligerent has for centuries been recognized and has been recognized as not an interference with the freedom of the seas. The difference is this. England has put up an effective blockade of Germany and the European ports, which we do not undertake to go through because we recognize the effective blockade and always have. We have always agreed to recognize such blockades in our conventions. Germany, on the other hand, lies in wait on the open sea. She ambushes unarmed ships. That is not effective blockade. That is assassination on the high seas. And that is what the Senator from Montana must deal with, since he says he wishes to deal with realities.

Mr. WHEELER. Yes; but let me say to the Senator that if he will go back and read the second point in Mr. Wilson's 14 points he will find what was proposed by that point. Certainly an effective blockade, as the Senator said, has been recognized. But Mr. Wilson in his second point wanted to do away with that idea, and he pointed out that he wanted freedom of the seas, but Mr. Lloyd George said, "No." He did not say, "We will not blockade." He said, "We will not agree to the second point providing for the freedom of the seas." That was not simply theory. That was not some fine-spun difference between blockade and the freedom of the seas. There the question was directly placed before the conferees, and, if I am not mistaken, though I am not sure about this, France likewise joined with England in opposing that point.

Mr. President, let me say further that I do not approve, and I do not want anyone to get the idea that I approve, for one moment of the submarine attacks made by Germany; but let us assume for the sake of argument that the situation was reversed and that we were at war with Japan and England was opposed to us and wanted to help Japan. Let us assume that we wanted to send goods to any other country. Would not England resort to the use of the submarine in exactly the same way as Germany has? Of course she would. So would we. What is the use of talking about it. If we were at war with Japan tomorrow, and if England or some other nation started in to send help to Japan, we would resort to the use of the submarine, or we would resort to the use of any other means if it was necessary for us to do it in order to keep our country from being defeated.

Mr. President, we are no more idealists than other people are. If we were engaged in war we would resort to practices which we now condemn but which we have resorted to in the past. The North, in the war with the South, resorted to practices which should make any northerner hang his head in shame. We have always done such things, and other nations have always done them. Simply because other countries do things which are wrong when they are engaged in war, things which they would not justify for one second if they were not engaged in war, does not justify us in doing them.

Mr. BAILEY. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. BAILEY. Some of us have now gone off into examples of excesses in war, but we do not argue law from examples of excesses. We may agree that there are excesses. I was undertaking to call the Senator's attention to the relation of the law of blockade to the objective of freedom of the seas. I shall be content simply to add one thing to the discussion. The United States of America has always maintained the doctrine of the right of effective blockade. The classic example is with respect to the Southern States and against Great Britain during the Civil War. The United States Government finally did succeed in blockading all the ports of the South, and did demand that Great Britain respect the effective blockade. At the same time the United States was maintaining then, as it has ever since the Napoleonic Wars, and especially the War of 1812, its demand for the freedom of the seas. The freedom of the seas is not affected at all by the rights that were set up by belligerents with respect to effective blockades. That is all I wish to get before the Senator, because he was arguing to the Senate that Great Britain's blockades were interference with the freedom of the seas. An effective blockade has nothing whatever to do with the doctrine of the freedom of the seas. That is all I care to call to the Senator's attention.

Mr. WHEELER. I understand the argument, and I am fairly familiar with the argument that is being made with reference to freedom of the seas. But I still say that when there is a blockade there is not freedom of the seas. I know that the blockade has been recognized in international law; but I am aware, too, and I repeat it, that President Wilson in the second of his 14 points advocated freedom of the seas. It was Mr. Lloyd George and the English who said they would not subscribe to the idea of the freedom of the seas, and one of the reasons why they would not subscribe to it was because they said the blockade was one of the things that had materially helped them to win the war against Germany.

Mr. BARKLEY. Mr. President, will the Senator yield to me?

Mr. WHEELER. I yield.

Mr. BARKLEY. I am compelled to leave the Senate Chamber temporarily.

Mr. WHEELER. I am compelled to stop in a few minutes, but I am glad to have the Senator from Kentucky proceed.

ORDER FOR RECESS TO MONDAY

Mr. BARKLEY. I ask unanimous consent that when the Senate concludes its business today it stand in recess until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. BARKLEY. If the Senator from Montana will further yield to me, I desire to take up, as in executive session, certain routine nominations.

Mr. WHEELER. If the Senator from Kentucky will permit me to do so, I shall conclude in a few minutes.

Mr. BARKLEY. I have to leave the Chamber very shortly.

Mr. WHEELER. So do I. I would have spoken a few seconds further, but I have said about all I had to say on the subject, and consequently I yield to the Senator from Kentucky.

Mr. BARKLEY. I did not mean to cut the Senator off.

Mr. WHEELER. No; that is perfectly all right.

Mr. O'MAHONEY. Mr. President, will the Senator from Kentucky yield to me for a moment?

Mr. BARKLEY. Yes; I yield.

SANITARY EMBARGO STILL STANDS

Mr. O'MAHONEY. I understand thoroughly the desire of the Senator from Kentucky to conclude the session and to get away from the Chamber, but I do feel that attention should be called at this point in the proceedings to a provision in the Argentine trade agreement which was signed the day before yesterday.

I refer to article 15 of this agreement, which contains the following language:

The provisions of this agreement shall not extend to prohibitions or restrictions.

Then dropping subparagraphs (a) and (b), and going to subparagraph (c)—

imposed for the protection of plants or animals, including measures for protection against disease, degeneration, or extinction, as well as measures taken against harmful seeds, plants, or animals.

That is the end of the quotation.

I take this to mean that the representatives of Argentina and the representatives of the United States who made this agreement have come to an understanding that the provision of law contained in the Tariff Act of 1930 which prohibits the importation of fresh meat from countries in which the foot-and-mouth disease exists will continue to be recognized. I think that is an important fact to be understood by all the livestock interests of this country, particularly because earlier in this year an effort was made, it seemed to me, by the Department of State to invalidate that provision by securing a legal interpretation which was not justified by the language of the statute, the history of the legislation, or by the intention of Congress. I wish to congratulate the State Department for having had this provision included in the trade agreement, and I also desire to express pleasure at the action of the representatives of Argentina in agreeing to the inclusion of this provision.

It should be understood by all concerned that the livestock industry will never consent to any modification or relaxation of this provision.

CONSIDERATION OF EXECUTIVE CALENDAR

Mr. BARKLEY. Mr. President, I ask unanimous consent, as in executive session, that the Executive Calendar be taken up for consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will state the nominations on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

IN THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. BARKLEY. I ask that the nominations in the Army be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

IN THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. BARKLEY. I ask that the nominations in the Navy be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations in the Navy are confirmed en bloc.

IN THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. BARKLEY. I ask that the nominations in the Marine Corps be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

Mr. BARKLEY. I ask that the President be immediately notified not only of the confirmation of these nominations but of all other confirmations of nominations of which the President has not been notified.

The PRESIDING OFFICER. Without objection, the President will be immediately notified.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER, as in executive session, laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

JUDGE OF UNITED STATES DISTRICT COURT OF NORTH DAKOTA

Mr. BARKLEY. Mr. President, I desire to propound an inquiry of the Senator from Indiana [Mr. VAN NUYS]. Some weeks or months ago a nomination for judge of the United States district court in North Dakota was submitted in the Senate. That nomination has been pending before the Committee on the Judiciary for some time, and I am receiving numerous letters from persons in that State inquiring why the nomination has not been acted upon. The information I receive in the letters is to the effect that no one out there objects to the nomination, that the nominee is qualified for the place, and that they are at some loss to understand why some action is not taken.

Can the Senator from Indiana, the chairman of the committee, give me any assurance that action will be taken in the near future in the Committee on the Judiciary so that this matter may be disposed of?

Mr. VAN NUYS. Mr. President, in answer to the inquiry of the Senator from Kentucky, I will say he is entirely correct in saying that the nomination has been pending since the 16th of July, when it was sent to the Committee on the Judiciary. At that time the chairman of the committee appointed a committee of five Senators as a subcommittee to look into the nomination. The subcommittee held hearings pursuant to the notice provided by our rules. Since that time, upon the call of the calendar every Monday morning the Chairman has asked for reports, and there is always the same response, so far, that the subcommittee is not yet ready to report.

As to what happens in the subcommittee, of course, I have no knowledge or information, but I will say to the Senator from Kentucky that for the last 5 weeks we have not been able to obtain a quorum in the Committee on the Judiciary, and, of course, no business has been transacted during that period of time.

In conversation with the Senator from Kentucky on another subject, I understand that we may expect the return of a great number of the Members of the Senate this week-end, and probably next Monday we can get a quorum in the Committee on the Judiciary. If so, the nomination will be called up and some action or some steps of some kind or character taken.

Mr. BARKLEY. I appreciate the statement by the Senator from Indiana. I realize that during the lull in the senatorial business many Senators have been absent. But the people of North Dakota should not be deprived unnecessarily of the services of a judge. The vacancy has existed for a long time; and, as I said awhile ago, I have not heard of any objection to the nominee himself, and I think prompt action should be had upon the nomination. I thank the Senator from Indiana for his assurance.

TRADE AGREEMENT BETWEEN THE UNITED STATES AND ARGENTINA

Mr. BUTLER. Mr. President, perhaps at the risk of being a little out of order I desire to make a few remarks on the subject the discussion of which was opened up by the Senator from Wyoming [Mr. O'MAHONEY], who just spoke.

Mr. President, American agriculture has been dealt a stunning blow by the action of the administration this week in signing a reciprocal trade agreement with Argentina. This news does not come as a complete shock to us. The announcement of intention to negotiate appeared about 6 months ago, and negotiations have been proceeding since that time. Our experience in the past has made us realize that no facts or arguments presented at the public hearings, no question of the welfare of domestic producers, no consideration of the depressed state of American agriculture, would deter the Department of State from its avowed purpose of throwing open our markets to foreign countries and attempting to raise the standard of living of all the rest of the world at the expense of the American producer. So I say we were not unprepared for this shock.

But I doubt that any of us fully realized the extent to which the State Department was prepared to go in its mission of saving the world. We thought, most of us, that the Department would at least use some moderation, would go slowly and cut off our livelihood only 1 inch at a time, instead of all at one fell swoop. Now we have been undeceived. We have been given clearly to understand, by the terms of this agreement, that the administration is determined to destroy every protection to American

agriculture and to other American producers, to the full extent of its legal power to do so, whenever it can find a plausible excuse.

Let me quote some of the new rates to you.

Among the products of the beef-cattle industry, tallow, both edible and inedible, has had its tariff protection cut from 3½ cents per pound, combined duty and excise, to 1¾ cents per pound, the full 50-percent reduction permitted by law. The combined tariff and excise tax on oleo oil and oleo stearin has been cut from 4 cents per pound to 2 cents per pound, the full 50-percent reduction permitted by law. Meats, prepared or preserved, not specially provided for—this is chiefly canned corned beef—has been cut from 6 cents per pound to 3 cents per pound; and, since the canned corned beef from the Argentine has always been so cheap that only the specific rate was effective, this amounts to a cut of the full 50 percent authorized by law. Hides have been cut from 10 percent ad valorem to 5 percent ad valorem, likewise the full 50 percent. A number of other minor byproducts of the beef-cattle industry were likewise reduced. Only fresh beef was spared, and that was because the sanitary provision of the Tariff Act places it beyond the power of the State Department to increase imports of fresh beef from Argentina, not because the administration lacked the desire to expose the American cattle industry to infection with hoof-and-mouth disease.

Let us consider the dairy industry. Only two major milk products were considered in this agreement, partly because many of the others have already been reduced, and partly, no doubt, because they are saving some of our products, such as butter, for reduction in a later agreement with New Zealand or some other country. But in this agreement casein, a product of dry skim milk used in the coating of paper, was cut the full 50 percent, from 5½ cents per pound to 2¾ cents, while Italian cheeses were cut from 7 cents per pound but not less than 35 percent to 5 cents per pound but not less than 25 percent, a reduction of less than 50 percent for the first time among the items I have cited, probably because the administration expects to reduce the duty still further when it comes to deal with Italy, which is normally the principal supplier.

The reductions made in the duties on wool are no less disastrous. Under the Tariff Act of 1930 the duty on wool not finer than 40's ranged from 22 to 27 cents per pound of clean content, depending on the stage to which it has been cleaned or processed. On wool of this grade on the skin the duty, formerly 22 cents a pound, is now to be 11 cents, a reduction of the full 50 percent. All the other classes of wool of this grade are likewise cut 11 cents per pound, so that in each case the wool grower's protection has been cut exactly in half. Almost the same thing was done with the next finer grade of wool, the 40's to 44's, on which the duty was formerly 27 to 32 cents. Each of these duties was cut 12 cents per pound, a reduction of about 40 percent of the former rate.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. BUTLER. Yes; I yield.

Mr. O'MAHONEY. I noticed in the analysis of the trade agreement which the State Department issued, a statement to the effect that the grades of wool upon which these reductions were made constitute about 1 percent of domestic-wool production. Does that agree with the understanding of the Senator from Nebraska?

Mr. BUTLER. I think perhaps the Senator from Wyoming may be correct in that statement; but the important thing is the principle involved. It provides an opening wedge.

Mr. O'MAHONEY. Of course, I quite agree with the Senator in that regard, and was opposed to the reduction; but my understanding is that the comment of the State Department is correct—namely, that the grades of wool upon which reductions have been allowed constitute only about 1 percent of our own production.

Mr. BUTLER. The principal crop which will suffer under this agreement is flaxseed, and again the reduction is the full 50 percent, from 65 cents a bushel to 32½ cents a bushel. In this case there is a proviso that if the President shall find that the emergency is at an end the duty will be raised part way to 50 cents a bushel; but we have had so much experience with emergencies that never end that naturally we do not place much reliance on that provision.

I could go on citing other products whose protection has been destroyed to the full extent of the powers of the State Department to do so, if I and this Chamber had the time to go into such detail. A number of the fruits, many less important agricultural products and byproducts, and a few industrial commodities have likewise suffered reductions. I have mentioned the products of chief interest to the great Middle West, but my list is not all-inclusive.

One other thing should be mentioned. I believe that if Senators will compare the list of products which the State Department announced it would consider for reductions with the list of those which were actually reduced, they will find that the two lists are practically identical. In other words, substantially every product considered was finally reduced. To place a product on the list for consideration is almost equivalent to signing its death warrant. This simple fact reveals the hypocrisy and the futility of the elaborate procedure evolved by the State Department, the procedure of "announcement of intention to negotiate," issuance of list of commodities to be considered, filing of briefs, public hearings, and all the rest of it. Since it is all decided beforehand in the secret chambers of the State Department, since decisions have been made and commitments have been extended, what earthly difference does it make what facts and representations may be presented by the spokesmen of American interests, or what are the merits of any particular case? The State Department is going to cut every duty it can, to practically the full extent of its powers, anyway.

Nor can we lean back and say to ourselves, "Well, at least the worst is over. Nothing more can happen to us." This general downward revision, under the mask of a program of reciprocal agreements, is not yet completed. The Supplemental Agreement with Cuba has not yet been signed; but, when it is, it will doubtless provide for further reduction in the rate on sugar to the full extent permitted by law, plus reductions on fresh beef and other competitive agricultural products. As this program continues we may expect to see the duty on world sugar reduced in an agreement with the Dominican Republic or Peru; the duty on feeder cattle, on zinc, lead, and other products reduced in the agreement with Mexico; while perhaps the tariff quota on imports of crude petroleum and fuel oil will be enlarged or abolished. An agreement with Chile may cut the duty on copper, while if agreements are negotiated with Australia and New Zealand it is a safe guess that American wool of the finer grades will be sacrificed in the first, and American butter will be hurt in the second. Senators from mining States may be congratulating themselves that at least they saved tungsten in this agreement; but it should be pointed out that Argentina is not the principal supplier of tungsten, that tungsten should never have been on the list for an agreement with the Argentine, and that the State Department is probably saving tungsten for a reduction in an agreement later on with China, Mexico, or Bolivia.

I have no exact knowledge of the plans of the State Department, of course. I am not a confidant of those gentlemen. But can any man in this Chamber doubt that the administration intends to reduce every duty it can get its hands on, or expect that commodities in which he is particularly interested will be spared, when we have before us this sample of the State Department's work?

Certain representatives of the cattle industry have been quoted as expressing some relief that at least the sanitary provision for exclusion of fresh meat from Argentina has not been tampered with. Such gentlemen should not have been apprehensive. Fresh beef was not on the list. Its protection could not have been reduced in this agreement. Furthermore, the sanitary embargo cannot be repealed or modified in any so-called trade agreement. That is one power we have not yet given away. The sanitary embargo has not been abolished simply because the State Department has not the power to do so, and for no other reason.

But I do not believe that fresh beef has been forgotten by those gentlemen. I do not believe the campaign to help our good neighbors by subjecting the American cattle industry to the devastating effect of infection with hoof-and-mouth disease has been given up. My reason for this belief is contained in two obscure paragraphs of the agreement, which I will quote at this point:

ARTICLE XVI

1. The Government of each country will accord sympathetic consideration to and

when requested will afford adequate opportunity for consultation regarding such representations as the other Government may make with respect to the operation of customs regulations or the administration thereof, the observance of customs formalities, and the application of sanitary laws and regulations for the protection of human, animal, or plant life or health.

2. In the event that the Government of either country makes representations to the other Government in respect of the application of any sanitary law or regulation for the protection of human, animal, or plant life or health, and if there is disagreement with respect thereto, a committee of technical experts on which each Government shall be represented shall, on the request of either Government, be established to consider the matter and to submit recommendations to the two Governments.

Are not the plans of our State Department revealed in this article? Is not the program transparent? Under terms of this article the Argentine Government will make representations to our State Department with respect to the application of the sanitary embargo. A committee of technical experts will be appointed, those representing the United States being chosen by our State Department. Any experts acceptable to this administration will, of course, not be unsympathetic to the Argentine case. After due consultation this committee will, of course, give out as its solemn opinion that the sanitary embargo should be relaxed or destroyed, and this will be represented as the disinterested opinion of impartial experts. Then the pressure on Congress to accept this purportedly impartial and unbiased technical opinion will be enhanced a hundredfold. I do not know just how far they will go—whether they will ask merely for modification or for complete abolition of the sanitary provisions. But in either case we shall be hard put to it to maintain this essential protection against infection of our livestock herds.

There has been some talk to the effect that this agreement sacrifices agriculture for the benefit of industry. If this were true, I should be forced to protest just as heartily; but I do not believe it is true, and I hope that no representatives of eastern industry will be misled into supporting this agreement or the trade-agreements program as a whole under such a false illusion.

I do not believe, that industry as a whole will favor this agreement, for several reasons: First, because I do not think American industry will expect American agriculture, already so depressed, to make further sacrifices; second, because American industry realizes fully that the American farmer is a far better market than Argentina; and, third, because there are no discernible benefits in the way of industrial sales in the Argentine market as a result of this agreement.

Consider the figures on concessions granted and received. The United States made concessions on commodities amounting to more than 90 percent of our total imports from Argentina during the last 2 normal trade years, 1938 and 1939. Not all of these concessions were duty reductions, because a large part of our imports from Argentina are duty free, and therefore the duties cannot be reduced further, while another large proportion is made up of commodities on which the duty has already been reduced the maximum permitted by law. Commodities of these two types were in general bound against increase in duty. Those commodities on which reductions were made constituted about 70 percent of our imports from Argentina in 1938 and 64 percent in 1939. Argentina's reductions, on the other hand, apply to but 18 percent of our total exports to that country last year, according to the State Department. So, comparing these percentage figures, it is evident that we were outtraded at the outset.

Further, it should be pointed out that the bulk of the Argentine concessions were on automobiles, machinery, and the like, products of which there is no production in Argentina. Duties on these commodities could therefore be reduced by Argentina without doing damage to any industry in that country, and without sacrifice by any domestic group in that country. In fact, reductions in those duties were a positive benefit to the Argentine people, since they will now get American products cheaper than they otherwise would have. It is as if we reduced our duty on some noncompetitive commodity like coffee, except that coffee is free of duty, of course. On the other hand, concessions we have made to Argentina involve in practically every case a tremendous sacrifice by American producers of the same commodity.

But it appears that even on those concessions Argentina has made to us, there is a joker. About half of them do not go into effect immediately, and possibly not at all. Our State Department has permitted the Argentine Government to put in a provision that certain specified reductions in the Argentine customs schedule will not be effective unless and until the Argentine customs revenue has reached a certain figure. No one knows when that will be, of course. No one knows whether it will ever happen. If Argentine customs receipts from import duties ever reach 270,000,000 pesos in any calendar year, then the following year these highly advertised concessions to our exports will become effective, but whether that will be in 1942, in 1943, or in 1944, or never, no one in the State Department can tell us.

But perhaps it is a waste of time, after all, to talk about tariff rates on imports into Argentina. It is common knowledge that the chief hindrance to expansion of American sales there has been the extremely restrictive control over available exchange, and the preference granted to Great Britain in the Argentine market through this system of exchange control and licensing under the Roca-Runciman and later agreements. In view of the State Department's many public statements in opposition to such policies, and in view of our own practice of extending the same treatment to all nations under the unconditional most-favored-nation policy, it might have been expected that we would at least have insisted on equality of treatment with Great Britain in the Argentine market. But such is not the case.

In the statement of policy and the preliminary articles, both countries pledge themselves to such a policy of treating all other nations equally. The United States follows such a policy, with certain minor specified exceptions. Argentina does not. In fact, it is notorious that Argentina has consistently discriminated against the United States and in favor of Great Britain for about 10 years. I do not believe that any proof of this statement is necessary, but I shall be glad to submit it in full detail at a later date if it is requested.

In this agreement such discrimination against United States exports, through the exchange control set-up, is specifically authorized and contemplated, in favor of the only countries which are important in this connection—namely, those making up the British Empire. This is revealed in a sentence in the note attached to the agreement which reads as follows:

> In particular, the inability of Argentina to convert freely into dollars the proceeds of sales to the United Kingdom, makes it impossible for the Argentine Government to extend full nondiscriminatory treatment to the trade of the United States of America.

Later on the pious wish is expressed that some day it may be possible for the Argentine Government to extend our exports equality of treatment with those of the sterling bloc.

If American agriculture is damaged by this agreement, and if American industry is not helped, for whose benefit was this treaty negotiated? The answer is obvious—for the benefit of the Argentines. It is not an American policy at all. We are already exporting all the industrial products we can spare, and if we were not this treaty would not open new markets, as I have shown. No one will be helped except the foreign country. It is simply part of the general policy of throwing open American markets to foreign countries, perhaps with the intention of establishing "freedom from want everywhere in the world," except in the United States. It is a part of a policy which has been going on for several years on a smaller scale under the name of the reciprocal trade agreements program, but which has now opened up as a grand-scale attempt to reorganize and distort our economy, to make us completely dependent on the world markets, which have failed us so badly in the past, and also dependent on foreign suppliers, who have not hesitated to "hold up" our consumers in the past.

It is a program that will be disastrous for American agriculture. I suspect that it will be no less disastrous for American industry. It is a program that we must fight every step, at every chance we get, in every way, until this power has been taken from the hands of the State Department and an American policy of regulating foreign trade in the interest of the American people has been put in its place.

During the delivery of Mr. BUTLER's speech—

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The LEGISLATIVE CLERK. A bill (H. R. 2665) to provide for apportioning Representatives in Congress among the several States by the equal-proportions method.

Mrs. CARAWAY. Mr. President, I ask that the bill go over until Monday.

The PRESIDING OFFICER. Without objection, the consideration of the bill will be postponed until Monday.

After the conclusion of Mr. BUTLER's speech—

POSTMASTER—ORCHARD PARK, N. Y.

Mr. O'MAHONEY. Mr. President, the chairman of the Committee on Post Offices and Post Roads, the Senator from Tennessee [Mr. MCKELLAR], today reported from that committee the nomination of Harry W. Kerr, to be postmaster at Orchard Park, N. Y. I ask unanimous consent that, as in executive session, the nomination be now considered and confirmed.

The PRESIDING OFFICER (Mr. BUNKER in the chair). Is there objection to the present consideration of the nomination? Without objection, the nomination is confirmed.

RECESS TO MONDAY

Mr. O'MAHONEY. I move that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 2 o'clock and 22 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, to Monday, October 20, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate October 16, 1941:

UNITED STATES DISTRICT JUDGE

Hon. J. Joseph Smith, of Connecticut, to be United States district judge for the district of Connecticut, vice Hon. Edwin S. Thomas, resigned.

UNITED STATES ATTORNEYS

John Thomas Metcalf, of Kentucky, to be United States attorney for the eastern district of Kentucky. Mr. Metcalf is now serving in this office under an appointment which expired August 21, 1941.

Whitfield Y. Mauzy, of Oklahoma, to be United States attorney for the northern district of Oklahoma. Mr. Mauzy is now serving in this office under an appointment which expired August 14, 1941.

UNITED STATES MARSHALS

John P. Logan, of Oklahoma, to be United States marshal for the northern district of Oklahoma. He is now serving in this office under an appointment which expired August 14, 1941.

John M. Comeford, of Wisconsin, to be United States marshal for the western district of Wisconsin. Mr. Comeford is now serving in this office under an appointment which expired August 14, 1941.

APPOINTMENTS TO TEMPORARY RANK IN THE AIR CORPS, IN THE REGULAR ARMY OF THE UNITED STATES

TO BE COLONELS

Lt. Col. Frank Denis Hackett, Air Corps.
Lt. Col. Aaron Edward Jones, Air Corps.
Lt. Col. Robin Alexander Day, Air Corps.

TO BE LIEUTENANT COLONEL

Maj. Orval Ray Cook, Air Corps.

TO BE MAJOR

First Lt. James Van Gorder Wilson, Air Corps (temporary captain, Army of the United States).

NOTE.—The dates of rank are omitted, as the death or other unforeseen change in status of a senior officer might require a change in the dates of rank and necessitate the renomination of these officers.

APPOINTMENT IN THE REGULAR ARMY OF THE UNITED STATES

Brig. Gen. Dawson Olmstead (colonel, Signal Corps), Army of the United States, to be chief signal officer, with the rank of major general, for a period of 4 years from date of acceptance, with rank from October 1, 1941, vice Maj. Gen. Joseph O. Mauborgne, chief signal officer, retired September 30, 1941.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 16, 1941:

POSTMASTERS

GEORGIA

Ulysses S. Lancaster, Gray.

KANSAS

William Henry Gronniger, Burrton.
Charles M. Asher, Haviland.
Adam H. Kling, Howard.

NEW YORK

Harry W. Kerr, Orchard Park.

UTAH

Daisy H. Wilkin, Magna.

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

Lt. Col. Charles Ennis, to Adjutant General's Department.

First Lt. Henry Chaffee Thayer, to Ordnance Department.

Second Lt. Robert Pennell, to Field Artillery.

Second Lt. James Daimel Green, to Infantry.

PROMOTIONS IN THE REGULAR ARMY

Raymond Eugene McQuillin, to be colonel, Cavalry.

Edward Hiltner Bertram, to be colonel, Infantry.

Hayes Adlai Kroner, to be colonel, Infantry.

APPOINTMENT TO TEMPORARY RANK IN AIR CORPS, IN THE REGULAR ARMY

George Rosse Smith, to be major, Air Corps.

PROMOTIONS IN THE NAVY

To be rear admirals for temporary service

William S. Farber	William R. Munroe
Robert C. Giffen	Julius A. Furer
Jonas H. Ingram	Bryson Bruce
Patrick N. L. Bellinger	Charles W. Fisher, Jr.
Richmond K. Turner	Francis W. Rockwell
Abel T. Bidwell	

MARINE CORPS

To be major general

Holland M. Smith

To be brigadier general

Roy S. Geiger

To be colonel

Louis E. Woods

To be lieutenant colonel

Gordon Hall

To be major

Roger T. Carleson

To be captains

Frederick P. Henderson	Joseph N. Renner
Gordon A. Bell	William R. Collins
James M. Clark	Norman Van Dam
Peter J. Speckman	John C. Miller, Jr.
Roy L. Kline	Dwight M. Guillotte
Louie C. Reinberg	Loren S. Fraser
John W. Easley	Harry O. Smith, Jr.
Robert D. Moser	Wendell H. Duplantis
Joseph R. Little, Jr.	James S. Blais
Paul R. Tyler	Henry H. Crockett
Jean W. Moreau	David W. Stonecliff
Andrew B. Galatian, Jr.	Gene S. Neely
Richard W. Wallace	Stuart M. Charlesworth
Wilfrid H. Stiles	Robert F. Scott
William K. Davenport, Jr.	Thomas C. Moore, Jr.
	Paul J. Fontana
Donald C. Merker	George S. Bowman, Jr.
Harrison Brent, Jr.	James G. Bishop, Jr.
James W. Ferguson	Thornton M. Hinkle
William F. Kramer	Ronald K. Miller
Louis B. Robertshaw	Edward W. Johnston
Ralph Haas	Louis A. Ennis
Ben F. Prewitt	Charles L. Banks
Maynard M. Nohrden	James L. Neefus
Richard Rothwell	James C. Murray, Jr.
DeWolf Schatzel	Wade H. Britt, Jr.
John H. Earle, Jr.	Tom C. Loomis
William T. Wingo, Jr.	George F. Britt
Edwin L. Hamilton	Otis B. Brown
Noah J. Rodeheffer	August F. Penzold, Jr.
Robert C. McGlashan	Noah P. Wood, Jr.
Harold J. Mitchener	Jean H. Buckner
Joseph P. Sayers	Frederic H. Lemmer
Zane Thompson, Jr.	George T. Skinner
Daniel J. Hennessy	Oscar K. LaRoque, Jr.
John L. Smith	

To be second lieutenants

Andrew I. Lyman	John D. Jones
Arthur C. Lowell	

HOUSE OF REPRESENTATIVES

THURSDAY, OCTOBER 16, 1941

The House met at 11 o'clock a. m.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Almighty God, hold us to the realization that life is a sacred trust, instilling in our minds the truth that the unaccomplished mission of our holy faith is the redress of human suffering by redemptive toil. We pray that we may be temperate in all things, allowing no subtle influence to steal into our souls, no suspicion, no anger nor contempt for the opinions of others. Heavenly Father, in these sober hours, grant Thy blessing upon us that with patience, understanding, calmness, and moderation we may avow that judgment that bringeth forth justice and truth. Be Thou our Teacher, whispering into our souls the secret of the best life, inspiring us to use our powers for the noblest ends. In all that shall be said and done this day, we pray that there may be unity, harmony, and conformity to Thy purpose. Give us a greater hunger for those virtues that shall lift us to the highest plane of service. For the love of Thy dear Son, our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. SWEENEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include the result of a recent poll taken among the Catholic clergy of the United States upon the subject of foreign war involvement as well as aid to communistic Russia.

The SPEAKER. Is there objection?

There was no objection.

Mr. KRAMER. Mr. Speaker, I ask unanimous consent to extend my

remarks in the RECORD and include an article entitled "After the War What?" by R. N. Bennett, of Los Angeles.

The SPEAKER. Is there objection?

There was no objection.

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include another article by Mr. R. S. Stone, in the Nation, making a defense for Alcoa.

The SPEAKER. Is there objection?

There was no objection.

Mr. TIBBOTT. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the Johnstown Tribune.

The SPEAKER. Is there objection?

There was no objection.

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a copy of a telegram sent to Chairman SOL BLOOM of the Foreign Affairs Committee.

The SPEAKER. Is there objection.

There was no objection.

Mr. ROBERTSON of North Dakota. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include therein a copy of the minority report of the Committee on Foreign Affairs and a copy of a letter some of us wrote to our chairman.

The SPEAKER. Is there objection?

There was on objection.

NATIONAL DEFENSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Mr. Speaker—

I want to say for the record that we are appropriating unprecedented sums for the defense of this Nation, and we are passing unprecedented tax bills for that purpose. I think it is a damned outrage that we have not received more benefits from this program and that we have not attained a greater degree of security than we have attained. And I, for one, want to speak out and say that I deplore the political cowardice in the Congress of the United States and in this present administration in not meeting this situation more fairly and squarely for the benefit of our people. The responsibility is on the President of the United States, the Congress, and the people of the Nation. We are passing huge appropriations for security which unborn generations will pay, yet we have not achieved the rate of production necessary for our own safety; we cannot lick Hitler or anybody else until we can lick this situation of lack of production in this country.

The foregoing are the words of Congressman JOE STARNES of Alabama and will be found on page 137 of the hearings before the Subcommittee on Appropriations of the House on the second supplemental national-defense appropriation bill for 1942.

With the sentiments expressed above I heartily agree. The only criticism I have is that the rules of the House forbid a more forceful statement of the situation.

EXTENSION OF REMARKS

Mr. TRAYNOR. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an article on cancer control.

The SPEAKER. Is there objection?

There was no objection.

Mr. LELAND M. FORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article by former President of Mexico, Gen. Albelardo L. Rodriguez, headed "Mexico's new shrimp industry promotes good-neighbor policy" and the cancelation of Japanese concessions in Lower California.

The SPEAKER. Is there objection?

There was no objection.

Mr. McINTYRE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD.

The SPEAKER. Is there objection?

There was no objection.

THE USE OF PROFANITY ON THE FLOOR OF THE HOUSE

Mr. BULWINKLE. Mr. Speaker, do not the rules of the House provide that there shall be no profanity uttered on the floor of the House?

The SPEAKER. If the statement were profane, it would be in contravention of the rules of the House.

Mr. BULWINKLE. I am just wondering, because I never object to what anybody says at all. It is a matter that shows for itself who makes the statement, but I do think that on this floor we should have some semblance of decency and order.

The SPEAKER. The Chair will seek to maintain such.

Mr. MICHENER. Mr. Speaker, at one time when the late Judge Wingo, of Arkansas, discussed a kindred parliamentary inquiry on this floor, it was announced by the Speaker that Shakespeare at times used language that might be unethical under certain circumstances. No judge of good literature would bar Shakespeare from his library. The statement made by the gentleman from Michigan was only a quotation read from official committee hearings and in no sense profane.

The SPEAKER. The Chair can think of a great many words and phrases used in one connection that would be unparliamentary which on another occasion would be parliamentary.

The gentleman from Virginia [Mr. SMITH] is recognized.

AMENDING NEUTRALITY ACT OF 1939

Mr. SMITH of Virginia. Mr. Speaker, I call up H. Res. 320.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the joint resolution (H. J. Res. 237), to repeal section 6 of the Neutrality Act of 1939, and for other purposes. That general debate shall be confined to the joint resolution and continue not to exceed 1 day and 1 hour on the next legislative day. The time for general debate shall be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs. After such general debate the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, I am wondering if the gentleman from New York [Mr. FISH] will want to consume any time on the rule?

Mr. FISH. I would like to have the usual 30 minutes.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from New York. At this time I yield myself 5 minutes, Mr. Speaker.

This is a resolution for the consideration of House Joint Resolution No. 237, which is the resolution that repeals section 6 of the Neutrality Act. That section is the section which prohibits the arming of merchant vessels.

The rule itself is the most liberal type of rule that the Rules Committee could grant. It provides for general debate to be equally divided between the majority and the minority, lasting all day today and for 1 hour tomorrow. While there was some desire for greater time for debate, my understanding is that the chairman of the Foreign Affairs Committee will arrange that the House will sit this evening as long as anybody wishes to discuss this bill.

The rule provides that any germane amendments shall be in order. So that so far as the consideration of the legislation itself is concerned, the door is wide open, and the House may, within the parliamentary rules governing this body, work its will upon this legislation.

As to the merits of the proposal itself, that will be fully explained by those in charge of the legislation when we come to general debate. It might be well to state as preliminary, however, that the resolution is very simple and carries really only two features of any importance. One is the repeal of section 6 of the Neutrality Act. That section prohibited the arming of merchant vessels. It authorizes the President during the present emergency to arm those vessels. You will recall that during the World War the President, without legislative authority, did order the arming of merchant vessels when it became necessary to do so for their protection. That is all that is proposed to be done here. I believe the House will be almost unanimous in the conviction that as long as it is necessary to send commerce on the high seas it would be silly to say to the crews on those vessels, "You must go out into these dangerous waters—and all waters of the globe are now dangerous, as has been proved by past evidence—and you may not have a gun on your hip to protect yourself from assault." That is just about all this bill undertakes to do.

Mr. Speaker, I reserve the balance of my time.

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentleman from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. Speaker, I take the floor at this time primarily to urge every Member of this House——

Mr. KEEFE. Mr. Speaker, a point of order. I suggest the absence of a quorum.

Mr. HOFFMAN. Mr. Speaker, I suggest the lack of a quorum.

The SPEAKER. Two gentlemen have suggested the absence of a quorum. The Chair will count.

Mr. THILL. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. That is unnecessary because it has been made twice. The Chair is counting. [After a pause.] Evidently no quorum is present.

CALL OF THE HOUSE

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll and the following Members failed to answer to their names:

[Roll No. 112]

Anderson, N. Mex.	Gerlach	Nichols
Bates, Ky.	Gibson	Norrell
Bates, Mass.	Gifford	O'Day
Bell	Gilchrist	Osmers
Bradley, Mich.	Gossett	Rich
Bradley, Pa.	Halleck	Rockefeller
Byron	Harris, Va.	Romjue
Cannon, Mo.	Hartley	Russell
Celler	Hinshaw	Sacks
Chapman	Houston	Schaefer, Ill.
Clason	Schafer, Ill.	Smith, Pa.
Connery	Jacobsen	Smith, W. Va.
Cox	Kilday	Somers, N. Y.
Crawford	Kleberg	Starnes, Ala.
Dirksen	Lambertson	Steagall
Disney	McArdle	Taber
Douglas	McGranery	Treadway
Englebright	Maas	Vincent, Ky.
Flaherty	Marcantonio	Vinson, Ga.
Flannery	Martin, Iowa	Wheat
Ford, Thomas F	Merritt	Winter
Fulmer	Mills, La.	
	Myers, Pa.	

The SPEAKER. On this roll call 365 Members have answered to their names, a quorum.

Mr. McCORMACK. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The motion was agreed to.

AMENDING NEUTRALITY ACT OF 1939

The SPEAKER. The gentleman from South Dakota [Mr. MUNDT] is recognized for 5 minutes.

Mr. MUNDT. Mr. Speaker, I take the floor to open the debate this morning, first of all, to urge every Member of the House regardless of where he may feel he now stands on this resolution to read every word of both the majority and the minority reports on this resolution. You will find that the combined reports take something less than 11 pages, and in a bill where perhaps the lives of half that many million men are involved by our decisions, I think it is not asking too much that every Member give himself the benefit of reading the viewpoint of both the majority and the minority as outlined in these reports.

If the Members of this House in their vote tomorrow set in motion a series of steps introduced by this comparatively innocuous looking resolution you lose control of those steps to the point where even those who instigate them are unable to bring them to a halt. I should like to read just a sentence or two from some remarks I made on the 5th day of February of this year before this House when we were considering the lend-lease bill, because we were then faced with approximately the same kind of far-reaching decision which concerns us now and I cannot think of any better way of expressing myself today than by what I then said.

He who votes for this great gift of power—

And I was talking about the enactment of the lend-lease policy at the time, as we were discussing it on the 5th of last February—

He who votes for this great gift of power, he who endorses this bill on the final roll call, votes for the last step in the operation of the act when he votes for the first step in adopting it. He who accepts responsibility for endorsing this legislation accepts responsibility for every act occurring under it.

I am still quoting what I said on February 5:

Any man who approves this bill, who accepts this road, accepts the route, accepts the goal, accepts the destination to which this road will take us.

I submit to you in simple candor, Members of this House, that that which was true on February 5 is even more eternally true today as you consider this piece of legislation. Mr. Speaker, the Lend-Lease Act is now established Government policy, enacted into law. As a good American should, I support this policy. It is no vain issue here. I mention it simply to refresh your memories concerning the significant similarity of that situation with this.

May I say, too, that there are eminent authorities on both sides of this controversial question, and during the discussion here you will hear many references made to fool's gold, because verily that eternal lust of man to reach out constantly for more and more of fool's gold plays a prominent part in the basis for this resolution. Let me read you this early in the debate the statement made by the President of the United States at Chautauqua, N. Y., on August 4, 1936, when Franklin D. Roosevelt said:

Nevertheless, if war should break out again through another continent let us not blink the fact that we would find in this country thousands of Americans who, seeking immediate riches, fool's gold, would attempt to break down or evade our neutrality.

Members of the House, I submit to you as a simple axiom in fundamental reasoning that that day has come in America now. There are those seeking to break down our neutrality law because they seek fool's gold.

And I commend to you the prophecy, the prediction, the advice of the President of the United States given in that same speech when he said:

If we face the choice of profits or peace the Nation will answer, must answer, "We choose peace."

I hope that when you Members of the House write your answer into the eternal records of all time tomorrow you will vindicate the President's confidence in America by saying, "Yes; the answer is peace, and we refuse to take this suggested step leading down the history-lighted road to war."

You are going to hear it said on this floor sometime I suppose by somebody trying to defend the "gag" rule which was applied to the committee that when this type of legislation was considered a quarter of a century ago they had less time then than now to consider it, less time to debate it on the floor. May I submit to you also that time sped rapidly toward destruction in those days?

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield the gentleman 7 additional minutes.

Mr. MUNDT. Mr. Speaker, time was of tremendous significance then, because 21 days after the President authorized the arming of those ships America was in the war. I submit that the majority chooses a sorry precedent to which to point when it says that things moved so rapidly a quarter of a century ago. It should simply serve to place us all more carefully on our guard today.

The President not only in his Chautauqua speech paid tribute to the neutrality laws, but in his official state papers, a message to this House, on September 21, 1939, after the war had begun, stated in that personally delivered message:

To those who say that this program would involve a step toward war on our part, I reply that it offers far greater safeguards than we now possess or have ever possessed to protect American lives and property from danger. It is a positive program for giving safety. This means less likelihood of incidents and controversies which tend to draw us into conflict, as they did in the last World War. There lies the road to peace.

Mr. Speaker, who said that? The President of the United States, reputed to be a high authority on international affairs, and certainly possessed with plenty of experience back of him. The President referred to "incidents which tend to draw us into conflict as they did in the last World War."

Continuing the President's quotation, he said:

There lies the road to peace! The position of the executive branch of the Government is that the age-old and time-honored doctrine of international law coupled with these positive safeguards, is better calculated than any other means to keep us out of this war.

He who votes for this resolution votes to destroy those means the President said are best calculated to keep us out of this war. You do it knowingly, with a directional beam lighting the path ahead of you so no man can shirk responsibility for consequences inevitably to follow from starting the United States down the perilous path which it is now proposed we take.

In a speech of less than a year ago, made in October 1940 in New York, the President reaffirmed his confidence in the Neutrality Act and his clear-cut intention of enforcing it. President Roosevelt said on October 24 in New York City in an

address in Madison Square Garden seeking his election for a third term:

By the Neutrality Act of 1935, and by other steps we made it possible to prohibit American citizens from traveling on vessels belonging to countries at war. Was that right? We made it clear that American investors who put their money into enterprises in foreign nations could not call on American warships or soldiers to bail out their investments. Was that right?

We made it clear that ships flying the American flag could not carry munitions to a belligerent, and that they must stay out of war zones. Was that right?

In all these ways we made it clear to every American, and to every foreign nation, that we would avoid becoming entangled through some episode beyond our borders. These were measures to keep us at peace. And through all the years of war since 1935 there has been no entanglement, and there will be no entanglement.

Would you now entangle us in Europe's endless war? If you do so, you do so contrary to the advice of the President, given less than a year ago; you do so knowingly because he told you then that at the end of the road lies the bloody spectacle of war.

Unfortunately, Mr. Speaker, you are asked to consider this epochal legislation without being permitted to have access to the facts as they appeared before our committee. Aside from 25 of the Foreign Affairs Committee the rest of you will be denied the secret, significant and vital information supplied to us. Here in the House, the majority members of our committee ask the other 410 to take a step risking the lives of constituents in all your districts with no access to the facts, no record of the facts. Despite the situation which prevails, where no evidence of high military importance was conveyed, where no evidence of high diplomatic nature was expressed, you are denied the simple facts on matters of public policy to which you are entitled.

Some tremendously significant statements were made during these hearings, some which I believe in my heart would have convinced most of the Members of this House to vote against the pending resolution because of the direction in which it points and the destination toward which it moves had you had access to the record, had you had access to the facts. Unfortunately those facts are now denied you.

I oppose this rule, but I know I do so futilely. I am not going to ask for a roll call on it because I recognize it would steal away from all of you some of the precious remaining hours to consider this question. As it is, many Members on both sides of the aisle will be denied the right to express themselves on this piece of legislation. I protested against this rule both in committee and out, but I know the administration has the power to fasten it upon us.

Mr. Speaker, I can remember as a child seeing a little momento placed upon my desk one day by my mother. You have seen it too. It is a common one. It was an interesting little motto in sculpture which pictured three little monkeys. You recall them. One with his hands on his eyes, one with his hands on his ears, and one with his hands on his mouth. The motto said: "See no evil, hear no evil, speak no evil."

I submit, as a matter of irrefutable fact, we are being taken to a place in this House where you are asked to vote on the most important piece of legislation ever facing you with that kind of motto as your governing star: "See no evidence, hear no evidence, speak no evidence."

I urge you in protection of those last vestiges of authority remaining in this House to vote to recommit this resolution so that you may have the facts. I urge you not to gamble the lives of your constituents in a game which you are asked to play with most of the important cards of the deck dealt to you face down. When in doubt or when you have not been given all the facts needed to formulate a decision involving the omnipotent question of war or peace for America, I submit it is the course of wisdom to vote to protect and preserve our peace.

Mr. FISH. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. JOHNS].

Mr. JOHNS. Mr. Speaker, 5 years is a short period of time in a fast-moving world of events, such as we live in at the present time. In 1936 we were at peace with the world and at home, and as I prepared the address that I am delivering to you, I thought it would be interesting to look back to 1936 and see just what the President thought about war at that time, because it was then that we were advocating the present neutrality law which the President now has asked Congress to amend.

We hear many people abused nowadays and branded as isolationists because they are not for getting into this war, but let me quote from the address of the President of the United States delivered at Chautauqua, N. Y., on Saturday, August 14, 1936, when he said:

We are not isolationists except insofar as we seek to isolate ourselves completely from war. * * *

I have seen war. I have seen war on land and sea. I have seen blood running from the wounded. I have seen men coughing out their gassed lungs. I have seen the dead in the mud. I have seen cities destroyed. I have seen 200 limping, exhausted men come out of line—the survivors of a regiment of 1,000 that went forward 48 hours before. I have seen children starving. I have seen the agony of mothers and wives. I hate war.

* * * * * * *

* * * The effective maintenance of American neutrality depends today, as in the past, on the wisdom and determination of whoever at the moment occupy the offices of President and Secretary of State. * * *

Industrial and agricultural production for a war market may give immense fortunes to a few men; for the Nation as a whole it produces disaster.

In the same address he said:

I can at least make certain that no act of the United States helps to produce or to promote war. I can at least make clear that the conscience of America revolts against war and that any nation which provokes war forfeits the sympathy of the people of the United States.

Later on, in the same address, the President said:

We can keep out of war if those who watch and decide have a sufficiently detailed understanding of international affairs to make certain that the small decisions of each day do not lead toward war and if, at the same time, they possess the courage to say "no" to those who selfishly or unwisely would let us go to war.

* * * * * * *

We believe in democracy; we believe in freedom; we believe in peace. We offer to every nation of the world the handclasp of the good neighbor. Let those who wish our friendship look us in the eye and take our hand.

As late as October 23, 1940, the President said:

We will not participate in foreign wars, and will not send our Army, naval, or air forces to fight in foreign lands, except in case of attack. * * * Your President is following the road to peace. * * * We are arming ourselves not for any conquest or intervention in foreign disputes.

And on October 30, 1940, just a few days before the election, the President said:

And while I am talking to you, fathers and mothers, I give you one more assurance. I have said this before, but I shall say it again, and again, and again, your boys are not going to be sent into any foreign wars.

That was the position of the Democratic Party just before the election and the Republican candidate, speaking before the Brooklyn Republican Club on June 18, 1940, had this to say:

I want to repeat what I have said on several previous occasions, that despite our wholehearted sympathy for the Allied cause we must stay out of the war. In the stress of these times, when our hearts are confused with emotion, we must keep our heads clear. We do not intend to send men from the shores of this continent to fight in any war. That is not mere selfishness on our part; we shall not serve the cause of democracy and human freedom by becoming involved in the present war; we shall serve that cause only by keeping out of the war. I believe in national defense, not as a step toward war, but as a protection against it. It is the duty of the President of the United States to recognize the determination of the people to stay out of war and to do nothing by word or deed that will undermine that determination. No man has the right to use the great powers of the President to lead the people, indirectly, into war; only the people through their elected representatives can make that awful decision, and there is no question as to their decision.

One of the most interesting documents that your speaker has examined carrying out the promises of both the President of the United States and the Republican candidate for President, is a report made by the Naval Affairs Committee of the Senate on bill H. R. 8026, a bill to authorize the construction of certain naval vessels, and for other purposes. This Senate Naval Affairs Committee was made up of the following Democratic Senators: Walsh, Tydings, Smith, Russell, Bone, Byrd, Gerry, Holt, Andrews, Gillette, Ellender, and Lucas; and Republican Senators Davis, Johnson of California, Gibson, and Barbour. In this report which was unanimous, made in May 1940, this committee said:

We are not prepared to participate in the European war, as we do not possess the necessary weapons to make our efforts effective. * * * Some of our best-informed naval experts are of the opinion that the United States should never again engage in other than a naval war outside this hemi-

sphere and that American soldiers should never again be landed upon a foreign continent except to defend the naval or air bases from which it may be necessary for our Fleet and our air forces to operate. Can anyone see how we could possibly accomplish anything worth the sacrifices of human lives, of resources, and possible loss of our free institutions, that will be demanded of us by our participation? We should certainly profit by the experience of the last World War and avoid becoming too greatly involved in European affairs.

If we are to remain at peace we must avoid becoming interested financially in the outcome of the European war and our industries must not become too greatly compromised by foreign war orders.

* * * * *

If we allow ourselves to become engaged in the war in Europe as we did in the last war, one thing is certain—the whole energies of our people, of necessity, will be ordered, regimented, and directed by a single authority. Everything—manpower, industrial power, wealth, production, transportation, liberty itself—will be at the service of the Government. It makes no difference by what name such a government is called; it will assume absolute power over the life of every citizen.

How true the prediction of this august body of Senators has proven to be. Bills are now proposed—and will be enacted into law—that will take away the individual rights of every individual citizen and convert this country in a very short time into a totalitarian dictatorship.

We must realize—

This committee says—

that the important causes of war are in human minds and emotions; that force cannot change materially human nature; give up the illusion that American armed force can bring permanent peace to a warring world and confine our military objectives to the defense of this country.

The committee also points out that—

An impregnable defense for America will be costly, but infinitely less costly in the long run than engaging in another futile attempt to "save the world for democracy," and certainly less costly than conquest and consequent confiscation of resources and enslavement of all our people.

The committee further pointed out that—

The American people are ready and willing to make any sacrifices necessary to protect their birthright and their liberties, but that they are not willing to endure the horrors of war to take part in the age-old quarrels of Europe and the game of power politics.

They asked the American people the question:

Why not face the basic military and economic fact that it is not within our power or means to create military or naval establishments of sufficient strength to police the world, but that it is within our power and means to prevent others from transporting their wars to this hemisphere? Why not face the fact that American armed forces cannot force permanent peace on a warring world, but that we can maintain peace in our own part of the world?

George Washington at one time said:

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

You have heard a good deal said, in the press and over the radio, about military and naval experts being of the opinion that it is inevitable that the United States will become involved in the European war and that the United States should take an active military part in the war. This same Senate committee said that some of our best informed naval experts were of the opinion that the United States should not participate in the present European war under any circumstances now conceivable and that United States soldiers should never again be landed on a foreign continent. None of the naval experts or civilian witnesses who appeared before the committee recommended that this country participate actively in the present European war. This committee came to the conclusion that the United States is not vulnerable to direct attack by any means whatsoever save those with which a thoroughly modern navy and air force can deal adequately, and that a military power can always be exercised more efficiently and to much greater effect within a reasonable radius of action than it can by fighting thousands of miles away—and how true that has proven to be in the case of Germany's attempt to get across the English Channel to attack England.

The committee further said that no circumstances were presented to the committee which would indicate the necessity for United States naval forces being sent to operate in European waters or United States air forces being sent to operate from bases in Europe; that our naval forces should not be subjected to the hazards of European shore-based aircraft and small submarines; and that the naval and air forces of the United States should be preserved for our own defense, if and when needed.

It should be evident to everyone that we are not neutral at the present time, although we have a Neutrality Act that provides for it. I cannot help but recall what President Wilson said in 1914, just after the first World War began between Germany and France and England. If the people at that time had taken his advice, and if he had insisted on them doing what he advocated, we never would have been engaged in the first World War. Surely we ought to be able now to profit from the experience that we had then. The President, in issuing his proclamation at that time, said:

No person within the territory and jurisdiction of the United States shall take part, directly or indirectly, in the said war, but shall remain at peace with all of the said belligerents, and shall maintain a strict and impartial neutrality.

On August 18, 1914, President Wilson said:

The people of the United States are drawn from many nations, and chiefly from the nations now at war. It is natural and inevitable that there should be the utmost variety of sympathy and desire among them with regard to the issues and circumstances of the conflict. Some will wish one nation, others another, to succeed in the momentous struggle. It will be easy to excite passion and difficult to allay it.

Such divisions among us would be fatal to our peace of mind and might seriously stand in the way of the proper performance of our duty as the one great nation at peace, the one people holding itself ready to play a part of impartial mediation and speak the counsels of peace and accommodation, not as a partisan but as a friend.

One of the finest statements that Woodrow Wilson ever made was in 1914 when he said:

Once lead this people into war and they will forget there ever was such a thing as tolerance. To fight you must be brutal and ruthless, and the spirit of ruthless brutality will enter into the every fiber of our national life, infecting the Congress, the courts, the policeman on the beat, the man on the street. * * * Yes; it means that we will lose our heads along with the rest and stop weighing right and wrong. * * * It means an attempt to reconstruct a peacetime civilization with war standards, and at the end of the war there will be no bystanders with sufficient power to influence the terms. There won't be any peace standards left to work with. There will only be war standards.

A great word of warning was given to the American people by President Wilson on August 18, 1914, when he said:

I venture, therefore, my fellow countrymen, to speak a solemn word of warning to you against that deepest, most subtle, most essential breach of neutrality which may spring out of partisanship, out of passionately taking sides. * * * I feel sure that this Nation neither sits in judgment upon others nor is disturbed in her own counsels and * * * keeps herself fit and free to do what is honest and disinterested and truly serviceable for the peace of the world.

William E. Gladstone, son of the Victorian age and a great political liberal, at one time said:

Is America so uplifted in strength above every other nation that she can with prudence advertise herself as ready to undertake the general redress of wrongs? * * * Is any power at this time of day warranted in assuming this comprehensive obligation * * * that she not encourage the weak by giving expectations of aid to resist the strong, but should, rather, seek to deter the strong by firm but moderate language from aggression on the weak?

If we should get into a fighting war, it will be after following the same course that we followed during the first World War and before we became actively engaged in the conflict. After studying the sequence of events that led us into the first World War, W. E. Woodward wrote A New American History. He is an American historian, born in the South, and his analysis of our gradual involvement in the first World War was written years after that conflict was over. He summed up the situation, after reciting the very things that we did then that we are doing now, when he said:

My readers will understand, I am sure, that in setting forth this continuity of circumstances I am not taking sides, but am trying to show how, by gradual and successive developments, we were drawn into a war which was purely European in character, and which had no point of contact with American affairs except insofar as American interests were represented by profiteers in war supplies and the lenders of money to Germany's enemies.

There is not to be found in the whole panorama of modern history a more perfect example of a great and powerful nation being used as a cat's-paw. When we finally went into the war in a military sense, after having

been in it all along in an economic sense, the allied chestnuts were burnt to a crisp, and, of course, everyone knows that the American paw was badly singed in pulling them out of the fire. After it was all over there was not even thanks, to say nothing of the paying of debts. As the homely philosopher Abe Martin says, "All we got out of the war was out."

We should realize that we cannot give to one side in a quarrel what we withhold from the other without courting, first, reprisals and, ultimately, hostilities. It is on this hair-line margin of safety that we are now operating. We have lost the opportunity to show ourselves a nation fit beyond others to exhibit the fine poise of undisturbed judgment, the dignity of self-control, the efficiency of dispassionate action; a nation that neither sits in judgment upon others nor is disturbed in her own councils, and which keeps herself fit and free to do whatever is honest and disinterested and truly serviceable for the peace of the world. We have meddled entirely too much in other people's affairs. We thrive on "emergencies" here at Washington. They are created almost at will, and if the solution of one is not workable, we then pass on to another emergency.

No one that I know of has produced the slightest credible evidence that this country is in real danger of attack, no matter who wins the war that is now being fought.

Whatever our sympathies, whatever our dislikes of Hitler and Mussolini, whatever our ties may be with mother countries, whatever our hatred of the sufferings of the war-stricken countries, whatever our connection with their trade and business—none of these things is so important as our ability to maintain ourselves as we have always done in the past, a strong and self-governing nation under our Constitution.

In the world that will follow the end of this war, we can be of immense service only as a strong nation, not as one made over in the pattern of those who have been too weak, too cowardly, too selfish, and too dishonest to keep out of the war.

The President's speeches have lent encouragement to nations now at war that the United States will eventually get into it with not only its resources but its manpower. After his message to Congress in May 1940, a dispatch from London stated:

> President Roosevelt's message to Congress competes with the war news for front-page space in London newspapers this morning. The reaction here to the President's address is that he has overthrown a policy of isolation and is preparing America for war. That the United States soon will be dragged into the European struggle on the side of Britain and France is widely forecast.

The pronouncement of the President on September 11, this year, brings us as near to a fighting war as it is possible for us to get, except throuogh a declaration of war by the Congress of the United States or the amending or repealing of our neutrality law. The President, in very positive language, ordered a shooting war when he said:

> This is the time for prevention of attack. If submarines or raiders attack in distant waters, they can attack equally well within sight of our own shores. Their very presence in any waters which America deems vital to its defense constitutes an attack.
>
> In the waters which we deem necessary for our defense, American naval vessels and American planes will no longer wait until Axis submarines lurking in the water or Axis raiders on the surface of the sea strike their deadly blow—first.
>
> Upon our naval and air patrol, now operating in large numbers over a vast expanse of the Atlantic Ocean, falls the duty of maintaining the American policy of freedom of the seas—now. That means, very simply and clearly, that our patrolling vessels and planes will protect all merchant ships—not only American ships but ships of any flag—engaged in commerce in our defense waters. They will protect them from submarines; they will protect them from surface raiders.
>
> * * * * *
>
> The orders which I have given as Commander in Chief to the United States Army and Navy are to carry out that policy—at once.

Now, if the President of the United States is neutral in this war, I fail to understand the American language. It seems to me that the stand the President has taken and the orders he has issued are going to cause trouble for this country which, of course, I do not want to see. Everything indicates war. Yet we may be able to stay out of it. If we do get into this war, it may continue for 10 years. Until we do get into it, the Allies will be supplied through Government selling agencies and financed by taxation of our taxpayers and by Government loans. After we get into the war with active participation, all manpower will be conscripted, for domestic labor as well as for military purposes; the banking system is liable to be fully nationalized; our gold reserves may be repeatedly revalued; our currency may be progressively depreciated; liquid private property may be confiscated by successive capital levies; with the great amount of taxation that will be necessary to meet the obligations, voluntary private savings and investments in enterprise may cease; prices and wages will be fixed; and the operation of all basic industry and the power, transportation, and communication systems will be conducted by Government agencies. There will be increasing internal disorder due to sabotage and resistance by alien groups, thousands of unemployed who are unemployable, strikes, pacifists, and dissenters, and you will hear later a great deal of grumbling from the taxpayers. Censorship and suspension of civil rights and civil processes might be in order. At the end of the war every important nation, including, no doubt, the United States, will be hopelessly insolvent and will have used its private capital resources, and it may and probably will be necessary to repudiate its public debts. Nearly all of Europe will be devastated. A large portion of its population will have been killed during the war and through disease and starvation. Those who are left will be ruled by armed force and those who are still living will have to depend upon those in power to see that they get a living. The ruling power will control the resources and will naturally take care of all the industry and trade that may be in existence after the war is over. We may see this country with all free enterprise having disappeared; the standard of living of most of our population much lower than it was at the beginning of the present century; and the usefulness of our economic organizations and our institutions, which have been built up over a period of more than 150 years, minimized or destroyed. We all hope that these things will not happen, but history shows that they do follow long wars and until some substantial part of our people regain a proper respect for the traditions of our forefathers and more fully understand the American way of life which we have enjoyed for more than a century and a half, we need expect no great change in the attitude of the people toward our Government and its institutions. Let us hope that America will awaken to her real peril and decide to defend America instead of police and finance the other nations of the world.

Mr. SMITH of Virginia. Mr. Speaker, I yield to the gentleman from New York [Mr. MARTIN J. KENNEDY].

Mr. MARTIN J. KENNEDY. Mr. Speaker, the time at my disposal does not permit of a long discussion on the pending resolution which, if adopted, makes in order the immediate consideration of House Joint Resolution 237, which has for its object the repeal of section 6 of the Neutrality Act of 1939.

I am opposed to the rule, not because of the language or the form of the rule but because it is the first step in today's program to change the Neutrality Act.

On August 23, 1935, at the request of President Roosevelt and the State Department, this House passed Senate Joint Resolution 173, which had been passed in the Senate on August 21, just 2 days previous to House action. The Senate and House passed the original Neutrality Act by a unanimous vote.

The Neutrality Act was considered so important at that time that the House of Representatives suspended the rules and passed the bill without a record vote. I was one of the Members present on that occasion and one of the most enthusiastic supporters of the legislation.

Today we are asked to amend the Neutrality Act. To do so, in my opinion, would be fatal. We all know how easy it is to destroy a structure bit by bit after the successful act of partial destruction has been done and for that reason we should always be on guard to prevent that first act. The pending legislation, if passed, will be a smashing blow against our present neutrality law which, I consider an instrument of peace and a safeguard against getting into war. It is most important that we stop this present attempt to partially destroy our Neutrality Act.

I am for peace. I firmly believe it is still within the power of the American people to keep out of European wars and remain at peace with the world. Peace is an objective worthy of the membership of Congress.

I trust that the Neutrality Act will not be amended and that the membership will join with me in my efforts to preserve peace and defeat any proposal that leads away from peace toward war.

Mindful of the great interest in this subject, I have compiled the following data for the membership:

LEGISLATIVE HISTORY OF THE NEUTRALITY ACT, 1935-39

SENATE JOINT RESOLUTION 178 (PUBLIC RES. NO. 67; 49 STAT. 1081)

CONGRESSIONAL RECORD citations (vol. 79, pt. 13, 74th Cong., 1st sess.): Reported in Senate (S. Rept. 1419), page 13795; debated in Senate, pages 13951, 13967; passed by Senate, page 13956; reported in House (H. Rept. 1883), page 14215; made special order (H. Res. 364), pages 14356-14362; debated in House, page 14365; passed by House, page 14370; debated in Senate on House amendments, page 14282; Senate agrees to House amendments, pages 14282, 14430-14434; examined and signed, pages 14513, 14671; presented to the President, page 14691; approved, page 14753.

HOUSE JOINT RESOLUTION 491 (PUBLIC RES. NO. 74; 49 STAT. 1152)

CONGRESSIONAL RECORD citations (vol. 80, pts. 2 and 3, 74th Cong., 2d sess.): Reported in House (H. Rept. 2001), page 2123; debated in House, pages 2239-2253, 2262; passed by House (under suspension of the rules), page 2253; debated in Senate, page 2288; passed by Senate, page 2306; examined and signed, pages 2401, 2403; presented to the President, page 2538; approved, page 3140.

SENATE JOINT RESOLUTION 51 (PUBLIC RES. NO. 27; 50 STAT. 121)

CONGRESSIONAL RECORD citations (vol. 81, pts. 2, 3, 4, 75th Cong., 1st sess.): Reported in Senate (S. Rept. 118), page 1484; debated in Senate, pages 1649, 1666, 1677, 1729, 1777, 1791; passed by Senate, page 1807; reported in House (H. Rept. 363), page 2067; made special order (H. Res 151), pages 2150-2155; debated in House, pages 2155-2183, 2249-2258, 2264-2311, 2377, 2407; passed by House, page 2410; Senate disagrees to House amendments and requests conference, page 2487; conferees appointed, pages 2487, 2662; House insists upon its amendment and agrees to conference, page 2662; conference report submitted in House (H. Rept. 723), page 3966; conference report debated and agreed to, pages 3966, 3978; conference report submitted in Senate, page 3937; debated in Senate, pages 3939-3962; agreed to, page 3962; examined and signed, pages 3964, 4026, 4077; presented to the President, page 4220; approved, page 4220.

HOUSE JOINT RESOLUTION 306 (PUBLIC RES. NO. 54; 54 STAT. 4)

CONGRESSIONAL RECORD citations (vol. 84, pts. 7, 8, 76th Cong., 1st sess.): Reported in House (H. Rept. 856), page 7514; made special order (H. Res. 227), pages 7983-7990; debated in House, 7990-8019, 8148-8179, 8233-8292, 8293, 8485-8514; passed by House, page 8514.

CONGRESSIONAL RECORD citations (vol. 85, pts. 1, 2, 76th Cong., 2d sess.): Reported in Senate (S. Rept. 1155), page 46; debated in Senate, pages 47, 83, 110, 150, 173, 174, 224, 266, 309, 355, 397, 443, 490, 541, 590, 628, 679, 708, 775, 820, 889, 965; passed by Senate, page 1024; debated in House (H. Res. 320), pages 1059, 1092-1104, 1160, 1208, 1284; House disagrees to Senate amendments, asks conference with Senate, pages 1059, 1345; conferees appointed, pages 1282, 1345; Senate insists upon its amendments, agrees to conference, page 1282; conference report submitted in Senate, page 1352; agreed to, pages 1352-1356; conference report submitted in House (H. Rept. 1476), page 1381; agreed to, page 1389; examined and signed, pages 1357, 1396; presented to the President, page 1396; approved, page 1397.

Mr. SMITH of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. LUTHER A. JOHNSON].

Mr. LUTHER A. JOHNSON. Mr. Speaker, I do not at this time desire to go into the merits of this resolution. I believe that someone should, however, make some reply to the statements that have been made here by certain members of the committee, charging that this bill has not been fairly or fully presented to the House by the Committee on Foreign Affairs and that the House will be called upon to vote in the dark with reference to the matter involved in the resolution.

The hearings on this resolution are available. Any Member who desires to do so can secure a copy, as in the case of other bills. The hearings were concluded in 2 days, it is true, but the first day we consumed 7 hours in the hearings, which would be equivalent ordinarily to at least 4 or 5 days, because ordinarily hearings run from 10 o'clock in the morning until 12 o'clock noon, when the House convenes. Seven full hours were devoted to the hearings on the first day. On the second day the committee met at 10 o'clock and adjourned around 4 o'clock, as I recall.

The necessity for speed in the passage of this legislation resulted in bringing in a single proposition with reference only to the repeal of section 6 of the Neutrality Act. In order to consider that one provision only, it was necessary that we should expedite this hearing. Although other changes might become necessary and should later be involved, we streamlined the proposition to only one question.

On the Friday before the Monday on which the hearings were to begin, we had a meeting of the Committee on Foreign Affairs and the committee adopted a resolution to the effect that the hearings should be concluded in 2 days; one-half of the hearings, the session of Monday, to be assigned to the proponents of the bill, and on Tuesday the opponents of the measure could call whomsoever they liked.

Mr. SAUTHOFF. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from Wisconsin.

Mr. SAUTHOFF. If you wanted to expedite matters and it was necessary to proceed with all haste, as the gentleman says, then why have any legislation at all, inasmuch as the President has the power without legislation?

Mr. LUTHER A. JOHNSON. Has the power to do what?

Mr. SAUTHOFF. To arm merchant ships.

Mr. LUTHER A. JOHNSON. That is a question that came up in the last World War. I did not intend to digress and discuss that subject now; but you recall that in the last World War before our entry into it, President Wilson sent a message to the Congress after the submarine attack had begun on our vessels and it became necessary to try to save the lives of our sailors and prevent the destruction of our merchant vessels. This message to the Congress asked authority from the Congress for President Wilson to arm our merchant vessels for self-defense. He stated in that message that he thought as Commander in Chief of the Army and Navy that he had that authority, but in order to make it clear he asked the Congress to express itself affirmatively upon that authority. As I recall, the House, by a vote of 403 to 14, passed the resolution conferring upon the President the power to arm merchant vessels. That was before our entry into the war.

Then that resolution went to the Senate of the United States for action and certain isolationist Senators, obstructing then as they are obstructing now, filibustered against the passage of the resolution, and it was not voted upon in the Senate. Thereafter President Wilson, necessity requiring him to act at once took action without Congress and did arm our merchant ships.

[Here the gavel fell.]

Mr. SMITH of Virginia. Mr. Speaker, I yield 2 additional minutes to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. Since we had to pass upon the question of repealing section 6, prohibiting the arming of merchant vessels, we thought it well to express ourselves clearly that the present President of the United States should affirmatively be given that authority so that there can be no doubt and no question and no criticism of his action if he follows that course.

Mr. SAUTHOFF and Mr. DINGELL rose.

Mr. LUTHER A. JOHNSON. I did not rise to discuss the merits of the resolution. I simply wanted to discuss the question of whether or not there had been a fair hearing on this matter. I was diverted by my friend into discussing that question and consumed more time than I expected to. I expect to speak later on the bill, and will then answer questions. Is the gentleman's question on the line of procedure?

Mr. DINGELL. It is on the line of procedure he advanced.

Mr. LUTHER A. JOHNSON. That is all right; I yield.

Mr. DINGELL. What I want to observe is that in this instance, when the President of the United States asks the Congress for specific authority, we say he has the authority and we criticize him. When he proceeds to take the initiative without consulting Congress, then, invariably, there is a terrific howl on that side of the aisle.

Mr. LUTHER A. JOHNSON. That is true. A man who wants to fight and has no ground on which to stand usually takes the position you are damned if you do and damned if you do not.

Mr. SAUTHOFF. Mr. Speaker, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I would like to have a joint debate with the gentleman on that question, but right now I want to say this to the Members of the House. The Foreign Affairs Committee, in considering this legislation, has been fair, it has taken its responsibility as any other committee should do on an important matter, and equal rights have

been accorded both to the proponents and opponents of the joint resolution.

[Here the gavel fell.]

Mr. SMITH of Virginia. Mr. Speaker, I yield to the gentleman 1 additional minute.

Mr. LUTHER A. JOHNSON. And while it became necessary in hearing statements of some of the Cabinet members with respect to certain matters to have executive sessions with respect to their cross-examination, every Member of the House had the right to hear the statements made in executive session and some of them did, and the hearings, instead of convincing them, as one of the gentlemen said, that the legislation should not be passed, I submit that all fair-minded or open-minded men who heard the hearings, unless they were actuated, as the gentleman from Michigan said, by trying to find fault, reached the conclusion that this legislation is necessary and immediately necessary for the defense of our ships, the lives of our seamen, and the safety of this country.

[Here the gavel fell.]

Mr. FISH. Mr. Speaker, I yield myself the balance of the time.

The SPEAKER. The gentleman from New York is recognized for 12½ minutes.

Mr. FISH. Mr. Speaker, I cannot agree with the gentleman from Texas who has just concluded, basing his remarks upon the premise that it was absolutely essential to rush this bill through the Committee on Foreign Affairs. Everybody in this House knows that when this bill goes through it will go over to the other body where it will be considered at length and in detail in the Committee on Foreign Relations and then will be debated at great length in the Senate of the United States.

I refused to participate in these hearings because I refused to be a party to this unprecedented and unfair action that literally destroyed the rights of the minority, the most sacred thing in the House of Representatives. This unprecedented action, at least unprecedented for the last 20 years, since I have been a member of the Foreign Affairs Committee, and I believe the same thing would be true of any other committee, made it necessary for some of us not even to participate in the hearings because we wanted to go on record against such attempts to curb the minority in presenting proper and adequate evidence before the Foreign Affairs Committees. The committees, whether they are controlled by Republicans or Democrats, are nothing but the servants of the House to get the facts in full, open, and adequate hearings and then report back those facts to the House. This was not done by the Committee on Foreign Affairs, and I shall never participate in any hearings of any committee if they shut off the right of the minority to be heard.

The bill before us is a confession of weakness on the part of the administration. The witnesses who appeared, at least according to the press, the Secretary of State and the Secretary of War, all made lengthy arguments for the repeal of the Neutrality Act, and all that is before us is repeal of section 6, which has to do with the arming of our merchant ships. It is an obvious confession of weakness that the interventionists have not the votes in this House to do what they want to do—to repeal the Neutrality Act. It may be that it is part and parcel of a conspiracy to put this bill through the House, a rather innocuous bill, and send it to the other body, where it may be amended by striking out section 2 to permit our merchant ships to go into the war zone or repeal the entire Neutrality Act.

My purpose today is to speak and answer those statements of the Secretary of State and the Secretary of War in favor of the repeal of the entire Neutrality Act. First, let us go back and discuss very briefly the origin and the history of the Neutrality Act which passed this House unanimously on several occasions, although at one time I think there were a few votes against it.

The Neutrality Act never should have been called by that name. It never has been and it never was a Neutrality Act. It never was meant to be a Neutrality Act. It was a peace measure, having one purpose and one purpose alone, and that is to keep this country out of war, because everybody knew then and knows now that if we send our own merchant ships into the war zones, those ships will be sunk, bloody incidents will be created, American sailors will be drowned, and the passions of our people will be aroused and, inevitably, we will be plunged into war. This is an effort to put us into war by indirection, when the Congress and this House are overwhelmingly against war—at least 2 to 1, or more—and if the Members of the House represent the people back home, they will be 3 to 1 against going into this war.

Mr. KNUTSON. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield.

Mr. KNUTSON. Preceding the World War President Wilson, without authority of Congress, authorized the arming of merchantmen. It did not work out and he confessed so in a subsequent message to the Congress.

Mr. FISH. That is correct. This bill, as I say, is innocuous even if it goes through, and whether the ships are armed or not I do not think makes much difference either way.

Mr. EATON. Mr. Speaker, will the gentleman yield?

Mr. FISH. I yield to the gentleman.

Mr. EATON. Would the gentleman be willing to inform the House at this stage in his remarks whether he is going to vote for this legislation or not?

Mr. FISH. Certainly, I propose to vote for it. I want to discuss the entire repeal of the Neutrality Act, which is the only issue before us, and not this bill, because this bill means almost nothing, as the gentleman from Minnesota just said. It did no good in the last war, and it will do no good in this war either, but it is before us, and you have got to make up your mind whether you want to arm American ships and give them the right to defend themselves in neutral waters or not, and the only reason that I am voting for this bill is the fact that one American ship was sunk, the *Robin Moor*, in neutral waters, and it was not armed. Because of that, and that alone, I propose to vote to arm American ships. I do not think it will do much good, but our ships have the right to defend themselves on the seven seas, outside of the war zones. I understand the position of the other side, and I am in sympathy with those who oppose it because they think this is just another step toward war and that the bill will go to the Senate, and that the Senate in the end will repeal the entire Neutrality Act.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. FISH. Yes.

Mr. WOLCOTT. Does the gentleman believe that under international law the American merchant marine has the right to carry contraband of war to belligerents without interruption?

Mr. FISH. Practically everything now is contraband of war, even foodstuffs.

Mr. WOLCOTT. Was not the *Robin Moor* carrying contraband?

Mr. FISH. I do not know, but everything any neutral ship carries is considered as contraband. I believe this bill will come back with the Neutrality Act repealed, or at least section 2, and if it is, I shall fight it to the bitter end, because I think that makes war virtually inevitable. I am absolutely convinced that 80 to 90 percent of the people are against war and the repeal of the Neutrality Act. Only last night I talked in Jersey City, a Democratic stronghold, where there are very few Republican votes. Twenty-five hundred people were in that hall and an overflow was outside. Two-thirds of that crowd were Democrats, and they were absolutely determined not to get into this war. The night before I spoke in Staten Island, where they never had more than 1,000 in the hall I spoke in. The crowd filled three halls in that building—2,500 people—and many of them paid 50 cents to get in. They raised $1,000 by passing tin buckets in the audience, and two-thirds of them were Democrats and were absolutely determined to keep out of this war and not to repeal the Neutrality Act. They do not care about the smaller issues. They have one thing in mind, and that is keeping out of war, keeping out of an undeclared war, and an unconstitutional war, and against repealing the Neutrality Act. I want you Democrats, when you go back home, to check up, and you will find exactly the same thing. I spoke in my district on Tuesday night to 150 Presbyterians at a church dinner at Middletown, N. Y., in a town where the only newspaper is attacking me every day. I talked against our entrance into war and then I took a poll, thinking that perhaps 80 percent at the very highest would vote against going into the war. One hundred percent of those men in that Presbyterian men's club voted against our going into the war. These Gallup polls do not reflect the opinion of the American people on the neutrality bill or on keeping out of war. I believe the percentage is much higher and steadily mounting.

Mr. Speaker, in concluding, I want to make a statement on the foreign policy of the Republican Party:

Gov. William H. Willis, of Vermont, asked the Republican Party yes-

terday for a public showdown on its attitude toward the administration's foreign policy. Evidently Governor Willis is not aware of the fact that the Republican Members of the House of Representatives issued a declaration of policy on national defense and foreign policy only last August, which reads in part:

> We affirm the pledge of our 1940 party platform. The Republican Party is firmly opposed to involving this Nation in foreign war. We condemn all Executive acts and proceedings which might lead to war without the authorization of the Congress of the United States.

In other words, the Republican Party stands on high ground as it always has, squarely for the preservation of constitutional government in the United States, and against any one man putting us into an undeclared war, in defiance of the Constitution, the Congress, and the will of 80 percent of the American people. One hundred and fifty or more Republican Members of the House out of 160 are firmly opposed to our entrance into the war. One hundred and sixty are for national defense and the complete equipping and arming of our soldiers.

One hundred and sixty favor a two-ocean Navy and an air force second to none.

One hundred and sixty favor the Monroe Doctrine and the protection of this hemisphere from foreign invasion.

Four hundred and thirty-five Members of the House, Republican and Democratic alike, are opposed to nazi-ism, fascism, and communism.

Four hundred and thirty-five Members of the House have taken an oath of office to uphold and defend the Constitution.

I am convinced that all Members of the House, Republicans and Democrats, will oppose any attempt to put us into an undeclared war in defiance of the Constitution, as there would be no unity in America if we should follow the tactics of Hitler and other foreign dictators, and permit one man to plunge 130,000,000 free Americans into an undeclared war.

I challenge Wendell Willkie, John W. Davis, and Francis Biddle, the Attorney General of the United States, and the New York Times and Herald Tribune, all of whom believe in constitutional government, to issue a public statement repudiating an undeclared war as being un-American, undemocratic, and unconstitutional.

That is the issue before the country today. The American people regardless of party affiliations are united in defense of constitutional government.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. SMITH of Virginia. Mr. Speaker, I yield 10 minutes to the gentleman from North Carolina [Mr. CLARK].

Mr. CLARK. Mr. Speaker, I shall not have very much to say about this rule except that it was presented to the Committee on Rules as it now is by the Committee on Foreign Affairs and that committee was represented before our committee by both the majority and the minority members. So far as I can recollect there was no objection either to the form or the terms of the rule from any member of the minority party, and I may add that if in the discussion of the resolution it is to be dragged as far afield as the discussion of the rule has been so far, then the rule provides as much time as it ought to. And I would like now if I may to direct consideration to the real question involved and to review in a dispassionate and practical manner just what the situation is and by what we are confronted.

After the fall of France our country by an overwhelming mandate of the American people entered upon the most comprehensive program of national defense in history. Later on and early in this year we were confronted with the question of whether through aid to England and her allies, we might add a second phase to our own national defense.

I do not believe the lend-lease legislation was adopted through any feeling of altruism. It is my judgment that if the American people had been absolutely satisfied that Great Britain and her allies could and would win the war without American aid, we never would have extended that aid. If I understand the lend-lease policy it is, in large part, if not in toto, based upon the national defense of America. This is true at least to the extent of thus procuring that additional time which is so absolutely necessary within which to complete our own domestic program of national defense. The lend-lease aid policy has been approved in this Chamber. The first bill passed the House by a majority of only 95 votes. Last week the lend-lease bill passed the House by a majority of 261 votes. So that in the records of this Congress itself the lend-lease policy of this Government, as essential to our own national defense, has been overwhelmingly approved. Now the question is whether such policy is to be made effective and, if so, how? I think any gentleman who will be absolutely calm and dispassionate about this must admit that at this hour and under present world conditions England cannot come to our shores and take and transport and deliver to proper destinations a sufficient quantity of the war munitions we are providing to make them effectively accomplish that for which they are destined and intended. We know that England cannot do that without our aid. So why fool ourselves about it? If we do not help in the delivery of these war munitions Great Britain will not get them. I am not talking about sending our ships into belligerent waters. That is something we have not come to yet. But with our own ships we have to help Great Britain in certain waters if sufficient quantities of these munitions are to reach their destination and become really and truly effective.

We have a right to do that. Talk about contraband. Why, the world desperado has long ago torn every page out of the book of international law. We have reached the parting of the ways. We must stand by and see great quantities of war munitions stagnate on our shores or go to the bottom of the sea while the Allies falter for the lack of them, or we must in their aid employ our ships in nonbelligerent waters. If it is necessary for us to thus use our ships, who shall say that American ships and American boys, in an effort to make effective our national-defense policies, shall go out on the seas in this day and time, under present conditions, unarmed and unprotected?

One thing further. It is my belief that if America could be assured today that we could come through the terrible situation by which we are confronted without having to do anything more drastic than a little fighting on the water, or the loss of some ships, or even—it makes me sad to say—lose a few men upon the water, and have to go no further, we would close the account on that basis, counting ourselves fortunate.

I wish I were convinced that such is the greatest penalty we would have to pay for national safety in a mad world. That is the worst that could happen to us under this resolution. But suppose we are not able to make effective aid to England? Every fair-minded and intelligent man must admit in this hour that if our aid to Great Britain and the other struggling democracies is not effective, they are going to go down, and the desperado of the world will be grappling at our throats. If that happens, my friends—and pray God it may not—the arming of our merchant ships will be a measure so moderate as to be forgotten.

I agree with the distinguished member of the Foreign Affairs Committee, the gentleman from Texas [Mr. LUTHER A. JOHNSON], when he says the adoption of this resolution involves the very life and safety of our own great country. It ought to be passed in this House by a greater majority than anything in the defense program has received.

[Here the gavel fell.]

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

DEFENSE OF THE PHILIPPINE ISLANDS

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent that the Committee on Military Affairs be discharged from further consideration of the bill (S. 1929) authorizing appropriations to be used for the defense of the Philippine Islands, and for other purposes, and that the same be re-referred to the Committee on Insular Affairs.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. FISH. Mr. Speaker, I ask unanimous consent to extend my remarks by inserting in the RECORD a poll of the Catholic priests of this country recently conducted.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ANGELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein a newspaper article.

The SPEAKER. Is there objection?

There was no objection.

AMENDING NEUTRALITY ACT OF 1939

Mr. BLOOM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 237 to repeal section 6 of the Neutrality Act of 1939, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 237 to repeal section 6 of the Neutrality Act of 1939, and for other purposes, with the gentleman from Virginia [Mr. WOODRUM] in the chair.

The Clerk read the title of the joint resolution.

By unanimous consent the first reading of the bill was dispensed with.

Mr. BLOOM. Mr. Chairman, I yield myself 10 minutes.

The CHAIRMAN. The gentleman from New York is recognized for 10 minutes.

Mr. BLOOM. Mr. Chairman, I do not want to get into any argument with any member of the Foreign Affairs Committee or any Member of the House with reference to the procedure and action of the Committee on Foreign Affairs. Except for the confidential testimony of Government witnesses, the proceedings were open, they were full; in fact, those who opposed the bill who requested an opportunity to appear before the committee were sent personal telegrams by me inviting them to appear. There was no objection to any questions being asked of any of the witnesses, and the minority witnesses where heard in open session. The minority members were permitted to ask any questions they wished and any answer that was necessary to be given was allowed. We gave them all the time that was sufficient for their witnesses to testify. So much for the actions of the Committee on Foreign Affairs.

We have under consideration today House Joint Resolution 237, which repeals section 6 of the Neutrality Act and also, in effect, during the existing unlimited national emergency, the provisions of section 16 of the Criminal Code relating to bonds from armed vessels on clearing. This latter is a very simple request to place in a bill of this kind, because there was an old law aimed against piracy passed in 1818—and please remember I am not going to argue the law; I have enough sense not to stand up here and argue law with any of you great legal lights in this body; but I know the facts, and it is about the facts I wish to talk to you. Section 16 of the Criminal Code, this law of 1818, provides that any vessel owned in whole or in part by any citizen or corporation of the United States shall before leaving any port or any of the possessions of the United States, give a bond surety in twice the amount of its cargo and the value of the vessel. This means that should the United States arm its merchant marine, before an armed ship could leave any port it would have to give a bond of twice the value of the ship and cargo. For instance, if the ship carried a cargo valued at $2,000,000 and the ship itself were valued at $2,000,000, bond would have to be put up in an amount of $8,000,000. We all realize, of course, that this is very foolish today, but that law was enacted at a time when perhaps it was necessary—1818. Today, however, it would be impossible to give such bonds; and, furthermore, it would be terribly expensive, as well as improper for the armament on such vessels will be manned by and will be under the exclusive control of naval personnel.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. BLOOM. Yes.

Mr. KEEFE. Would the gentleman state what were the provisions of the bond?

Mr. BLOOM. I will read the act, if the gentleman desires. I have it right here.

Mr. KEEFE. That is not necessary. Will the gentleman state, for the benefit of the Members, the purpose of the requirement of giving a bond by an armed merchant ship?

Mr. BLOOM. That law was enacted in 1818 to prevent piracy, but we will go into that later.

There has been a great deal of talk and conversation about the bill introduced in the House on February 26, 1917. The impression has gone abroad that that bill was unpopular and that it was killed in the Senate on account of its unpopularity, that the Senators did not want it. I made a thorough research of what happened in the House and in the Senate on that bill, which called for exactly the same thing we are asking for in House Joint Resolution 237; in fact, that resolution authorized the President of the United States to supply merchant ships the property of citizens of the United States and bearing American registry, with defensive arms. The only difference between that resolution that was endorsed in the House and in the Senate in 1917 and the one we have before us today is that the resolution of 1917 called for an appropriation—not an authorization but an appropriation—of $100,000,000 to carry out the purposes of the act. The facts in connection with the procedure on that resolution in 1917 are interesting and I shall recite them for you.

On February 26, 1917, the bill was introduced by Mr. Flood, who was chairman of the Foreign Affairs Committee at that time. On February 27, the next day, it was considered in the committee, and on February 28, the second day following its introduction it was considered in the committee and reported out. No witnesses were heard on either side. It was considered in the committee on February 27 and reported out the next day. They went before the Rules Committee and obtained a rule allowing 3 hours of general debate. The bill was considered in the House on March 1, 1917, and on that day on the question of the passage of that resolution there were 403 yeas and 14 nays—only 14 against.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. BLOOM. I prefer not to at the moment if the gentleman will permit me to continue.

It is very interesting to note the composition of the vote in the House at that time. Remember 403 Members voted for the passage of that bill, only 14 voted against it, and 17 were recorded as not voting.

I want to go over the names, they are very familiar to you and are very familiar to the people of the country. The following are the people who voted in the affirmative:

Mr. Doughton; the late Mr. Taylor of Colorado; Mr. Vinson; Mr. Sumners; Mr. Steagall; Mr. Rainey, late Speaker of the House; Mr. Garner; Mr. Crosser; Mr. Dies, father of the present Representative; Mr. Hull, present Secretary of State; Mr. Rayburn, present Speaker of the House; Mr. Sabath; Mr. Barkley, majority leader of the Senate; Mr. Buchanan; Mr. Byrns, former Speaker of the House; Mr. Crisp; Mr. Glass; Mr. Kitchin; and Mr. Sherley. Then we have Mr. Chiperfield, father of the present Member, voting in the affirmative; Mr. Julius Kahn; Mr. Longworth, majority leader at that time, later Speaker of the House; Mr. McFadden; Mr. Martin Madden; Mr. Mondell; Mr. Bascom Slemp; Mr. Snell, minority leader; Mr. John Q. Tilson; Mr. Treadway; Mr. Volstead; and Mr. Gillett, former Speaker of the House.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield myself 5 additional minutes.

Mr. Chairman, we have the gentleman from Massachusetts [Mr. TINKHAM] voting for it. The gentleman from Massachusetts [Mr. TINKHAM] is a present Member. Let me tell you about the gentleman from Massachusetts [Mr. TINKHAM] also. The gentleman from Massachusetts [Mr. TINKHAM] was so anxious that this resolution which calls for exactly the same thing we are asking for today be passed that when the motion to recommit was offered the gentleman from Massachusetts [Mr. TINKHAM], being so anxious, voted against the motion to recommit and he voted for passage of the bill. That shows how anxious the gentleman from Massachusetts [Mr. TINKHAM] was at that time to see that the ships were armed.

Then the bill went over to the Senate. What I am about to say will show you what the Senate thought of it at that time. In the Senate among those voting to proceed to the consideration of the bill on March 2, 1917, were Senator Borah, Senator Harding, Senator Lodge, Senator Sutherland, Senator Wadsworth, and Senator Smoot, among others.

That is not all. This is all in the Senate, too. Later on the same day a motion was made to lay aside the ship-arming bill and take up an appropriation bill, which motion was lost in the Senate 15 to 71. Mind you, this is toward the close of the session. They had to get those appropriations through. This was important, so the Senate voted 15 to 71 and the same Senators, Messrs. Harding, Lodge, Sutherland, Wadsworth, and Smoot, voted against laying it aside.

But that is not all. I am trying to give you a picture of how important this legislation was then, replying to the story that has gone out that the Senate was

opposed to this legislation. Let us see how opposed the Senate was.

On March 4, 1917, when it became apparent that the ship-arming bill was going to be filibustered to death, the Senator from Nebraska, Mr. Hitchcock, presented to the Senate for printing in the RECORD a statement signed by 76 Senators, stating that they "were in favor of the legislation and that the Senate would pass it if it was permitted to vote on the legislation." The Senators themselves made that statement. Seventy-six Senators signed that petition which, in effect, stated that they thought it was an outrage that 12 Senators should be able to hold up an important piece of legislation of this kind, and that if permitted, they would vote to pass it.

Let us find out who signed this petition which, in effect, stated that it was an outrage that this important piece of legislation should be killed by a filibuster. Let us see who signed this petition, because it is very interesting.

Senator Simmons, Senator Hoke Smith, Senator Brandegee, Senator Morris Sheppard, Senator Atlee Pomerene, Senator Fall, Senator Fletcher, Senator Ollie M. James, Senator Claude Swanson, Senator Smith, Senator Overman, Senator Newton Nelson, Senator John Sharp Williams, Senator J. Hamilton Lewis, Senator Tom Walsh, Senator Phelan, Senator William Alden Smith, Senator John Bankhead, Senator Henry F. Ashurst, Senator Oscar Underwood, Senator John W. Weeks, Senator Luke Lea, Senator Key Pittman, Senator Robert F. Broussard, Senator Joe Robinson, Senator Henry Cabot Lodge, Senator Borah, Senator Hitchcock, Senator Sutherland, Senator Wadsworth, Senator McCumber, Senator Reed Smoot, Senator Curtis, later Vice President of the United States, Senator Harding, Senator Poindexter, Senator Jim Reed, and Senator Watson.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield myself 3 additional minutes.

Mr. Chairman, these are the facts. I have taken them all from the RECORD because I thought this was a most interesting thing for the Members to understand so that they may really get an idea of what happened in 1917. Out of 530 Members of the Senate and House, 479 Senators and Representatives were in favor of the passage of the bill and went on record for its passage, while only 26 Members were opposed to it. Twenty-five were absent.

Mr. KEEFE. Will the gentleman yield?

Mr. BLOOM. I have only a minute and I would like to conclude.

Mr. KEEFE. I would like to ask the gentleman a question right on that record. I assume the gentleman has read the debate that took place on that resolution here in the House and the Senate of the United States at that time?

Mr. BLOOM. I read a great many of them.

Mr. KEEFE. I want to say to the gentleman that I have read every word of all of them and if the gentleman has read them he will find that almost without exception the proponents of that legislation in the House and in the Senate stood up in the Well of the House and on the floor of the Senate and said that if they thought it was a measure tending toward war they would not vote for it. Does the gentleman believe——

Mr. BLOOM. I refuse to yield further.

Mr. KEEFE. I am leading up to my question. Will the gentleman answer the question?

Mr. O'CONNOR. Will the gentleman yield for a question?

Mr. BLOOM. I would like to conclude.

Mr. O'CONNOR. The gentleman can get a couple of minutes additional.

Mr. BLOOM. I know, but my voice is not good.

Mr. O'CONNOR. The gentleman can answer this question very quickly.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield myself 1 additional minute.

Mr. Chairman, one of those who voted against the resolution at that time in the House was Representative Lindbergh, the father of Colonel Lindbergh, whom we all know. There were 13 others.

Mr. SHANNON. Name them.

Mr. BLOOM. I do not have the time. They are in the RECORD, and the gentleman may read them. They were mostly all Progressives.

Mr. Chairman, I believe I have made out a case that shows how important such legislation was considered by the Congress in 1917, and that the people who we believe would oppose this resolution today, at that time were in favor of it and anxious to see that the bill was passed.

[Here the gavel fell.]

Mr. TINKHAM. Mr. Chairman, I yield myself 18 minutes.

Mr. Chairman, based upon the experience in the last great war, neutrality legislation was enacted to prevent incidents from occurring of the character which brought about United States involvement in the last ruinous World War. We are now asked to repeal one of the last remaining provisions of that legislation which in the past 2 years has been progressively emasculated by Congress acting under the spur of the Executive, by Executive interpretation, and by Presidential indirection and deceit. Let us take a look at the record.

The original Neutrality Act was passed in 1935. Revisions and amendments were made in 1936, 1937, and again in 1939, shortly after the outbreak of hostilities in Europe.

The Neutrality Act of 1939 was "to preserve the neutrality and the peace of the United States," we read at the beginning of the law. But peace is not the object of President Roosevelt and Secretary of State Hull. Their purpose is war. The Neutrality Act has prevented them from entering the war; therefore they have been and are insisting upon its repeal, section by section, so that the United States may enter the war, with all the devastation that that will mean to our country and all the sacrifices that it will require of the American people.

There have been a long series of nullifications and violations of and flagrant attacks, direct and indirect, upon our neutrality legislation by war-mad President Roosevelt and war-mad Secretary of State Hull. As early as October of 1937, President Roosevelt in a speech at Chicago indicated his lawless refusal to apply the Neutrality Act to the war between China and Japan, although the law clearly called for application in event of war. For this gross violation of law the President should have been impeached then and there. In that same speech, he also proposed the "quarantine" of what he chose to call "aggressor" nations, thereby suggesting the use of force by the United States against certain countries, which would make the United States itself an aggressor nation.

The neutrality law in 1937 forbade the exportation of arms, ammunition, or implements of war to belligerent states, designated as such by Presidential proclamation, a salutary provision. By deceptive statements and misrepresentations, President Roosevelt and Secretary of State Hull demanded that the arms embargo be lifted. They insisted that such action was necessary for American security and American peace, and that a cash-and-carry clause be substituted. In his message to Congress recommending the lifting of the arms embargo the President stated that—

> * * * with the repeal of the embargo this Government clearly and definitely will insist that American citizens and American ships keep away from the immediate perils of the actual zones of conflict.

Both the President and the Secretary of State were careful to conceal the fact that the substitution of the cash-and-carry rule was certain to lead to demands for delivery of cargoes to belligerent countries and the convoying of cargoes by American vessels. The arms embargo was lifted, and the cash-and-carry provision was adopted. Almost immediately thereafter there was an insistence, supported by President Roosevelt and Secretary of State Hull, that delivery should be made by the United States. There followed the establishment of a naval patrol over the wide reaches of the Atlantic, the occupation of Greenland and Iceland, and now we have an official announcement that convoying is actually occurring. That convoys will eventually be sunk seems unquestionable. This would seem to be the wish of President Roosevelt and Secretary of State Hull, for then they would be in a position to declare that war had been made upon the United States—that the United States had been attacked.

In addition to the cash-and-carry clause, the major provisions in the Neutrality Act of 1939 were bans on (1) United States ships or citizens entering combat zones, such zones to be defined by the President; (2) the arming of merchantmen; (3) the extension of loans and credits to belligerents; (4) the use of United States ports as supply bases for belligerent warships; and (5) American citizens traveling aboard belligerent vessels. What about these?

Early in January of this year the President demanded that Congress pass the so-called lend-lease bill, a wholly unneutral proposal and a gross intervention in the present wars of Europe and Asia.

The purpose of this bill in large part was to nullify the ban on the extension of loans and credits to belligerents. It empowered the Government to make the loans and to give the credits, with the result that the United States is now supporting a dozen governments in being or in exile. In this bill the ban on the use of United States ports as supply bases for belligerent warships was also lifted, contrary to one of the best-known principles of international law and American treaty obligations.

During the debate on the lend-lease bill administration assurances were freely given that the bill did not mean the convoying of cargoes, but lest there be any misunderstanding the Congress itself made this an explicit stipulation. One of the few successful amendments to the bill provided that "Nothing in this act shall be construed to authorize or to permit the authorization of convoying vessels by naval vessels of the United States." The meaning of Congress was plain. It deliberately specified that the extension of aid to the Allies was not to mean the use of armed forces of the United States to deliver that aid to them. Yet, in his message to the Congress concerning the bill now before this Committee the President had the audacity to say:

> I earnestly trust that the Congress will carry out the true intent of the Lend-Lease Act by making it possible for the United States to help to deliver the articles to those who are in a position effectively to use them. In other words, I ask for congressional action to implement congressional policy. Let us be consistent.

What about the other major provisions in the Neutrality Act of 1939? The President not only is insisting upon authority to arm merchantmen but has suggested the elimination of combat zones; he has already violated our neutrality under international law by permitting our ports to supply and repair British warships; and recently it was disclosed that the Secretary of State was permitting American citizens to travel on belligerent boats.

Thus, step by step, by pressure on Congress, by cunning deception and duplicity, President Roosevelt and Secretary of State Hull have been steadily weakening our neutrality law, the law which was passed to insure our peace. If the bill providing for the arming of merchantmen now before this committee is passed, the United States will have taken one more long step toward the complete destruction of the neutrality law. There would then remain only one of the more fundamental parts of this law: the ban on United States ships entering combat zones and touching at belligerent ports, a section the repeal of which has already been suggested by the President.

With the declared policy of carrying contraband to belligerent governments, United States merchantmen under international law can be sunk as war vessels. Thus, if this bill is passed, it means the wholesale sinking of our merchant marine and the unlimited killing of our seamen and citizens. If our ships should go into belligerent ports as suggested by the President, there would be more inflammatory incidents and the shedding of more blood. This would mean war, of course, and apparently this is what President Roosevelt and Secretary of State Hull desire. On the plea that constitutes a fantastic extension of the doctrine of the freedom of the seas under which they are proceeding to send contraband of war through combat waters to a belligerent, they have already declared naval warfare without seeking the consent of Congress, contrary to all historical precedent and to the constitutional provisions in relation to war.

This is the record. None of us here ever in the future can plead that we did not see and comprehend it clearly. The sabotage and complete destruction of our neutrality law by President Roosevelt and Secretary of State Hull is an act of moral obliquity. It is a contemptible imposture upon the American people and will be paid for with their blood and tears.

I now desire to answer the statement of the chairman of the Committee on Foreign Affairs in which he called to the attention of this committee the fact that I voted for the arming of merchantmen 24 years ago. At that time we were told impressively that we were to enter a war to end wars. We were told, and I believed it, though I admit with some skepticism, that our entry into the war would make the world "safe for democracy." We know today that we entered a war which began wars, a war which marked the beginning of the end of all democracies. England is not a democracy and the United States is fast ceasing to be one.

Poverty came to Europe from the last war, and to the United States also, though to a lesser extent. Out of this poverty in Europe came revolution and out of revolution came Hitler, Mussolini, and Stalin. Europe has not recovered from its poverty, nor has the United States. Out of the war which it is now proposed that this country enter will come even greater poverty, for the United States as well as Europe, and out of that poverty will come to the United States as well as Europe dictatorship, totalitarian government, revolution, and more wars. If this Committee passes the bill now before it, it will be taking a long stride on the road to such dictatorship, totalitarian government, revolution, and wars.

[Here the gavel fell.]

Mr. DITTER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DITTER. Mr. Chairman, in view of the extended reference to the other body made by the gentleman from New York who just preceded the gentleman from Massachusetts in debate, I wonder whether the Chair would be willing to rule on the question of whether we are to abide by the provision in the rules, or at least to Jefferson's Manual, that—

> It is a breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there; because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other; and the quoting them might beget reflections leading to a misunderstanding between the two Houses.

Mr. Chairman, in order to give some sense of direction as to what this debate may contemplate, and in order that we may know what to anticipate and expect in view of the opening speech by the gentleman from New York, some of us would like to know whether the rules of the House are to be considered and whether we are to abide by them.

The CHAIRMAN. The Chair will say that the rules of the House will be adhered to.

Mr. DITTER. Then it will be in order, if I may pursue my inquiry further, Mr. Chairman, for us to make a point of order against it if a similar transgression occurs?

The CHAIRMAN. The gentleman will certainly have a right to make a point of order.

Mr. BLOOM. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. LUTHER A. JOHNSON].

Mr. LUTHER A. JOHNSON. Mr. Chairman, the gentleman who has just preceded me has covered considerable territory. I propose to confine my remarks as best I can to the resolution under consideration. The resolution is short. It simply repeals section 6 of the Neutrality Act which prohibits the arming of merchant vessels and at the same time affirmatively authorizes the President of the United States to arm merchant vessels.

As one who has been active in support of the original Neutrality Act of 1935 and of the various amendments thereto, I think it might be of interest if I give the historical background of our neutrality legislation since 1935, insofar as it pertains to section 6, which we now seek to repeal.

We have had to change our neutrality laws since 1935 already five or six different times. We passed the original Neutrality Act, so called, in 1935, which was a temporary measure and expired under its own terms in February 1936. We extended the act in 1936 by another act. Then we amended it again on January 3, 1937, to take care of another changed situation that had arisen with reference to the civil war then prevailing in Spain. Then in 1937, I believe it was, I believe it was in May or June, we again amended the act and then again in 1939, in November, we amended the act to repeal the arms embargo provision. Then we had to amend it again in 1940 in order to permit Red Cross ships to carry supplies. So these various changes that have taken place in the Neutrality Act I think all reveal one thing, that with changing conditions you have to change your laws to meet those conditions. No statute upon the statute books is so sacred that it should not be changed when necessity requires it.

I recall a speech made by the former chairman of this committee, the late lamented Honorable Sam D. McReynolds, when we had one of these neutrality bills up, and in going through the RECORD last night I copied those remarks because they are so fitting at this time when we come to consider a needed change in this law. Chairman McReynolds, of the Foreign Affairs Committee, said on

March 12, 1937, in his speech in this Chamber where I now stand:

> Sometimes I doubt the policy of even enacting permanent neutrality legislation without some qualifications. Methods of warfare change so rapidly that we cannot tell what is going to occur or how to keep out of war. We hardly know what is best to be done.

In the light of what has happened, his utterance was prophetic, and reveals the wisdom and foresight of Judge McReynolds, whose memory we revere.

When we passed the original Neutrality Act in 1935 the war clouds at that time over Europe were a threatening war between Italy and Ethiopia. I find in a speech I made in this Chamber that I said it looked like Italy and Ethiopia were about to go to war and we wanted to prepare not to become involved. Conditions have changed. Much water has gone over the wheel since we passed the first legislation. Men have changed with conditions and their views have changed. The distinguished gentleman from Massachusetts [Mr. TINKHAM], who just preceded me, who is controlling the time on his side of the aisle, has voted against all of this neutrality legislation, even the original act. I voted for it. I see the necessity for a change now. He does not see any necessity for its change. Although he was against it then, he is for it now. I was for neutrality legislation then, and I am against it now. So men naturally change their minds as conditions change. But with reference to the one provision that we are now considering, which is section 6, I have never changed my mind with reference to that provision. I have always believed it was in violation of the rights of self-defense to prohibit the arming of our ships. There was an effort made to put it in the Neutr lity Act of 1935, the first neutrality act we passed. I was opposed to it. Chairman Sam McReynolds was opposed to it, and it did not go into that act. In February 1936, when we again amended that law, there was again a suggestion coming from another body that it should go into the provisions of the measure, but we were opposed to it and we kept it out of the law then.

In 1937, when we passed the neutrality law, when it was again amended upon insistence from the other body, of the chairman of the committee at that time, this provision was first incorporated prohibiting the arming of merchant ships, but with this limitation, bear in mind: It was not the sweeping inhibition against arming ships contained in the present law. From 1937, when they first put any provision in the neutrality law prohibiting the arming of ships, until 1939 the prohibition against arming merchant ships was confined to American vessels trading with a belligerent state. This limited it only to those American ships trading with a belligerent state, bear in mind. They were the only ones that could not be armed, but in November 1939, upon the insistence of another body and the chairman of another committee, it was extended to American vessels engaged in commerce with any foreign state.

Under the law as it now stands an American vessel on an innocent voyage, while proceeding to or from a port, cannot defend itself against lawless attack. I submit, as an abstract proposition of right and wrong, that no country should ever retain upon its statute books an inhibition like that, where no American ship, whether going into war zones or belligerent zones, whether going into peaceful zones or not, can be unarmed. It is not right, and I want to lay these facts before you with reference to the inclusion of the provision.

I refreshed my memory last night with reference to the various acts we passed. The Senate sent the bill here with that provision in it. We took it out. Finally in conference it was reinserted, and I find in the remarks I made, and in the remarks which Mr. McReynolds made that in the interest of trying to secure the passage of the legislation, we finally acquiesced in it. I did not believe it was right then and I do not believe it is right now to deny to American vessels the right to be armed to defend themselves against attack. Since the passage of that law conditions have changed, and those who favored it then certainly would not favor it now in the light of what has happened.

I have here the record from the Navy Department with reference to the sinking of American ships. There are eight vessels in all, four American ships that were flying the American flag. Two of them were sunk and two of them damaged. Four other American ships flying the Panamanian flag were all sunk. Of those eight ships, only one was armed, and that was a ship flying the Panamanian flag, and these ships were not in the prohibited zones of which Mr. Hitler, by reason of his edict, says here is a place 1,500 miles by 1,600 miles square, and then draws an imaginary line around that area through which he says you shall not pass. None of those ships went within that zone, which he, by reason of his self-assumed dictatorship has said they shall not come within.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. Not now. They were sailing the ocean, as they had a right to do and they were unarmed. They were shot down without giving the crews a chance for their lives. Fortunately, through the intervention of providence, and because other ships were near, we have not lost many lives in these sinkings, but the fact remains that it was not due to the mercy or to the planning or to the rescue by the pirates who sank them that their lives were saved, and those lives would have been lost, every one of them, if their fate had been left to the mercy or the rescuing by these pirates operating under the orders of Hitler. What are those ships? The *Robin Moore* was an American ship unarmed, proceeding singly, sailing from the United States to Cape Town, South Africa. She was flying the American flag. She was sunk by torpedo May 21, 1941, about 660 miles due south of St. Vincent in the Cape Verde Islands. The American flag was painted plainly on the side of the ship. She was carrying a general cargo, including motortruck parts consigned to South African ports, and had no munitions of war.

Next we have the steamship *Knoxville City*, and steamship *President Buchanan*, both of them unarmed. The vessels were damaged by aerial bombs while anchored in Suez Bay. Both ships carried some general cargo and quantities of lend-lease material.

The fourth ship was the *Steel Seafarer*, which was unarmed. She was proceeding singly from the United States to Suez via the Red Sea and was sunk by aerial bombs. The sinking occurred on September 6, 1941, about 26 miles off the southern tip of Sinai Peninsula, Red Sea. She carried a cargo of lend-lease material, largely trucks, tractors, and shells.

Four other ships were sunk that were of American ownership, but that were sailing under the Panamanian flag, and I say right now that so far as I am concerned, if it is necessary to change or repeal legislation now on the statute books, to permit American-owned ships to fly our own flag, I think that this should afford sufficient justification for it.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. KEE. Mr. Chairman, I yield the gentleman 5 minutes more.

Mr. LUTHER A. JOHNSON. Now, Mr. Chairman, let me mention these other ships, Panamanian ships, American owned, flying the Panamanian flag. There was the steamship *Sessa*, unarmed, which was proceeding singly from the United States to Iceland. She was sunk by torpedo and gunfire. At the time she was sunk she was being operated by the Marine Transport Line for the Maritime Commission, and the sinking occurred August 17, 1941, about 250 miles east of Cape Farewell, the southernmost tip of Greenland. She carried a general cargo, principally foodstuffs for the Government of Iceland.

Next was the steamship *Montana*, which was unarmed. She was proceeding singly from the United States to Iceland, and was sunk by torpedo on September 11, 1941, about 300 miles northeast of Cape Farewell, the southernmost tip of Greeland. There were no survivors. The cargo was lumber.

Next we have the steamship *Pink Star*, which was armed. She was proceeding in convoy from the United States to the British Isles and was sunk by a torpedo on September 19, 1941, about 330 miles southwest of Iceland. The ship was being operated by the United States Lines for the Maritime Commission and carried a cargo of lend-lease materials, principally foodstuffs, and steel billets.

Next we have the steamship *I. C. White*, which was unarmed and proceeding singly. She was sailing from Curaçao, Dutch West Indies, to Capetown, South Africa, and was sunk by torpedo September 27, 1941, about 540 miles southeast of Brazil. She carried a lend-lease cargo of fuel oil, and the crew of 37 were all Americans with the exception of 4, and 4 of the crew are missing; all others were rescued.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. Yes.

Mr. COOLEY. Why were these ships sailing the Panamanian flag if they were operated by the Maritime Commission?

Mr. LUTHER A. JOHNSON. They had to do that in order not to violate certain inhibitions of the law with reference to our own ships not going into certain belligerent ports.

Mr. BARRY. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. BARRY. If this great Nation of ours happened to be at war with an enemy and Hitler started to supplying that enemy with lend-lease material, does not the gentleman believe we would stop those shipments, whether we used our planes, submarines, or our warships?

Mr. LUTHER A. JOHNSON. No. The United States has never sunk ships like Hitler is doing, and I will say I wou'd not attempt here or elsewhere to justify, excuse, or palliate any act that Adolf Hitler has committed during this crisis, and I do not believe that my friend would undertake to defend either legally or morally the acts that have been committed by Hitler during this crisis.

Mr. BARRY. Well, leaving Hitler out of the picture——

Mr. LUTHER A. JOHNSON. No; I will not leave him out of the picture. He is the man who is causing the trouble. We cannot leave him out of the picture.

Mr. BARRY. Would the gentleman stand idly by and see any nation send lend-lease goods to our enemy and twiddle our thumbs, if that meant the salvation or life or death of this Nation?

Mr. LUTHER A. JOHNSON. If we were engaged in unlawful acts like Hitler in seeking to dominate the world without cause or justification, then we might take such an attitude, but the United States is acting defensively, and defensively only.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. FISH. Does the gentleman really and seriously entertain the proposition that we have any responsibility for ships flying the Panamanian flag?

Mr. LUTHER A. JOHNSON. That is a matter that I do not care to discuss at this time. I am talking about our rights and American lives and ships and cargoes. I do not yield further.

Mr. FISH. Does the gentleman even know what the Panamanian flag looks like?

Mr. LUTHER A. JOHNSON. Mr. Chairman, I do not yield further now.

I want to talk to you about the necessity for this legislation. I have cited these instances to show that there are pirates on the high seas and that those ships were sunk when they were not doing anything that justified their sinking; and that we as an American Government had the right to send those ships out.

Now, I want to take up this proposition that those ships had no chance. In some instances the airplanes came down so low and dropped bombs, that they went into the funnels or smokestacks of the ship. In the submarine attacks many attacks have been made where the submarines have been able to come to the surface and have come within close range of the vessel and fired into her vital portions.

Some have said it will do no good to arm merchant vessels. The attacks that have been made upon merchant vessels have been made, 90 percent of them, either by submarines or by aerial attack. Now, if you arm our merchant ships with guns and with antiaircraft guns also, it means that no submarine is going to attack without risking its own existence, excepting that it fires while the submarine is submerged and must fire a torpedo. When that is done the accuracy of the aim is not good. It costs about $8,000 for a torpedo. The number of torpedos a submarine can carry is limited, whereas if they fire from the surface, as they are now doing, then they can fire shells which cost only about $50. So that the frequency of submarine attacks and the chances of the merchant vessel escaping are infinitely better when the merchant ship is armed.

Then with reference to aerial attacks, the airplanes cannot come as near, as they do now, because there will be antiaircraft guns attached.

We have always believed in arming our ships. We have believed it from the time of the early foundation of our Government. When the submarine attacks started under Wilson's administration, as our chairman has told you, we voted to arm our ships. Now we ask you at this critical time, when our ships are being attacked, to permit our vessels to be armed. I want you to read the testimony appearing on pages 80 and 81 of the hearings, statements of Admiral Land and Admiral Stark, where they say that the sailors want these ships armed; that there is a measure of safety and protection when they are armed. Read the hearings on that question.

So I appeal to this Committee today and I appeal to this House to pass this bill and stand for our traditional doctrine of self-defense and the preservation of the American merchant marine and the lives of our sailors and seamen.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 15 minutes to the distinguished gentleman from New Jersey, Dr. EATON.

Mr. EATON. Mr. Chairman, I am in favor of this legislation and shall vote for it.

In giving my reasons for that position I would like to refer, first, to my reasons for voting against the original Neutrality Act of 1939. Then, if conditions permit, I will give you a few reasons, such as they are, for defending this legislation, and then, as the colored preacher said, "I would like to put on a few arousements."

I voted for the various so-called Neutrality Acts because our people up to 1939 seemed to be possessed of the idea that a paper statute law would keep us out of war. Joining with countless millions of our people in the profoundest aversion to war as a means of settling international disputes, I went along, although I feared all the time we were deluding ourselves.

In 1939, however, I felt so compelled by the facts of the situation to do as I really believed, that I voted against the legislation; and now, if you will let me exhume from the past the speech I made on that occasion, I should like to read two or three paragraphs which give my reasons for that action:

Section 3, the section of the bill which expresses my personal position and which I believe ought to be made the supreme guiding principle in our foreign policy now and always, is found in the opening sentence: Namely, "the policy of the United States in foreign wars not affecting the defense of the United States is a policy of neutrality in accordance with the rules of international law."

Mr. Chairman, if we were to adopt this paragraph and section 16, which repeals all existing neutrality legislation, and section 10, providing for a munitions board, and cut out everything else, in my judgment we would then have a workable bill expressing the best thought of the American people upon this vital problem of our foreign policy.

Instead of building for ourselves a flimsy cyclone cellar of statute neutrality the more worthy and the wiser course for our great and powerful Nation is to lead the world in reestablishing international law as the only basis upon which rational, permanent, and mutually profitable international relations can be founded and which will substitute reason and justice for fear and force as the instruments of intercourse among the peoples of the world.

Mr. Chairman, I ask unanimous consent to include other excerpts from this speech in my remarks without reading them.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. EATON. Mr. Chairman, in accordance with the permission granted me by the House I insert at this point two more brief quotations from my speech against the Neutrality Act of 1939:

We cannot insulate ourselves from this European contagion by any process of statute law. Already Hitler's program of excessive armament has forced this country to adopt a great and costly program of armament on the sea, on land and in the air, greater than we have ever planned before in time of peace. Already our Government has followed Hitler's example in taking over control and regimentation of our citizens to an extent never dreamed of before. Already we have laws waiting for passage that in the event of war will place in the hands of the American President, whoever he may be, dictatorial powers which will make Hitler look like a mere novice. Already fear, hatred, intolererance, racial animosities have laid their corroding blight upon the free spirit of our people. We have not been able to confine these evils to the land of their origin. And to meet this stupendous menace, which threatens to shatter the foundations of civilization and turn the world into a charnel house, we are here today wrangling solemnly over a neutrality bill on the ground that it will keep us out of war.

* * * * *

In this discussion I have tried to lift our thought to a level above the particular provisions of the pending measure where, I believe, whether we will or no, we must face the greater universal issues of the hour.

We have come to a period in history which may be described as a world age. It is now literally and tragically true that no nation can live or die unto itself. Our country, like all others, has passed in its progress the last outpost of intellectual and political parochialism. We face the frontiers of a world economy so vast, so bewildering, so complex, so completely unexplored that mankind everywhere is floundering and groping in mental

confusion and moral impotence. The law of self-preservation, freed from all spiritual restraint, is driving individuals and nations back to the jungles of savagery. It is now "every man for himself, and the devil take the hindmost." Unless we soon find some escape from this universal moral collapse and consequent mental imbecility, the devil bids fair to take the whole human outfit into camp.

In face of these cosmic changes which challenge the last resource of the human mind and spirit, I cannot escape the conviction that legislation such as proposed in the bill now before us becomes a sort of meaningless and futile shadow-boxing—no matter how theoretically noble may be its motives and objectives.

My worst fears in connection with this legislation of 1939 as a mere subterfuge, wrapping ourselves in grave clothes in the presence of an unpredictable world conflagration, were speedily realized. In the first place this greatest of all nations disgraced and degraded itself by taking its ships and putting them under the flag of the little Panama Republic. Why, there never was such an announcement of fear, of smallness and shameless sidestepping on the part of the ship owners. They just went around that Neutrality Act as if it did not exist.

Next came the lend-lease bill which drove a whole regiment of horses and coaches through the Neutrality Act and took the gizzard out of the thing. Then the President of the United States was confronted with a condition and not a theory, and he began to push out our defense bases into the various parts of the earth—a move which has my profoundest approval and support. The farther away we can keep this monster from our shores the better it is for our homes, for our children, for our women, and our institutions back here.

The Neutrality Act, so-called, is not neutral. It is like the student's description of the crab. He said that the crab was a red fish that walked backwards. The professor told him that his essay was all right except that the crab was not a fish, was not red, did not walk, and did not go backwards. And this Neutrality Act as we passed it in 1939, the dear people believing it would keep us out of war, simply wrapped the administration in the grave clothes of statute law, embarrassed them in free action to meet conditions as they arose, and it became necessary for the President to depart from his usual custom and scoot around the thing.

Mr. FISH. Mr. Chairman, will the gentleman yield?

Mr. EATON. With pleasure.

Mr. FISH. Has not this neutrality law helped to keep us out of war for the last 2 years?

Mr. EATON. I doubt it.

Mr. FISH. Other people think it has.

Mr. EATON. They have the right to their opinion and I respect it with all my heart, but my answer to that is that, under present world conditions, you might as well try to head off war with a statute law of a domestic kind as to string a reel of chicken wire across the Mississippi River in an attempt to stop a flood. You might just as well try to hide behind a cobweb on a thistle in the face of a cyclone and expect to escape.

We have really nothing to do with whether we are going into or stay out of this war. This war is a world conflagration which has in Europe seized, degraded, enslaved, and tortured at least 12 free peoples already. It has entered into Africa, it has entered into Asia, and when the time comes, unless it is stopped where it is now, it will reach across the sea.

Mr. DWORSHAK. Mr. Chairman, will the gentleman yield?

Mr. EATON. I yield.

Mr. DWORSHAK. Will the gentleman tell us whether this is the first time they have had a similar conflagration on the European Continent?

Mr. EATON. Mr. Napoleon, 100 years ago, tried it and he ended his career on St. Helena. I hope Hitler will not last that long.

Mr. FISH. Does the gentleman mean to say 130,000,000 free Americans will not have something to say about keeping out of this war?

Mr. EATON. The gentleman has been arguing that it was only 80 percent, then he went up to 85 percent, and now he has got the entire caboodle. I am impressed to see 130,000,000 people are with the gentleman and that I am alone. That makes 130,000,000 minus 1, which does not count.

Mr. Chairman, today the papers announce a fact to which we ought to give some attention. I have always felt, although I was not able because I lacked the knowledge that so many of you gentlemen possess to really give my reasons for it, that if war comes to us it will appear first on the Pacific. I have always felt that there is our danger spot. Today the Cabinet of Konoye has retired and the war Cabinet will take its place. This is due to the personal pressure of Mr. Hitler upon his Japanese allies and their belief that Mr. Hitler is going to take over the Ukraine, the Donets Basin, and the productive portions of Russia and so make himself impregnable, and they are going to jump on the band wagon in the expectation and thought that this great pacifist Nation of ours will take it lying down. But I would like to say to those gentlemen if I had their ear, do not bank on that. Charlie Dawes said to me one day: "The United States people are never any good until they get mad," and they are beginning to get mad now. If the Japanese leaders hug to themselves the delusion that this is a nation of pacifists who are willing to accept anything that our masters hand to us, they are mistaken.

Mr. KEEFE. Will the gentleman yield?

Mr. EATON. I am afraid to yield to this gentleman, but I am willing, especially when he approaches me with that benevolent smile.

Mr. KEEFE. My distinguished friend knows that I am one of his great admirers in this House.

Mr. EATON. It is reciprocated.

Mr. KEEFE. But I wish the gentleman who holds such an enviable position on the Foreign Affairs Committee would be a little more definite in enlightening the House as to this specific bill that is now before us. The gentleman has made a brilliant appeal to inflaming people toward war. I would like to have the gentleman, and I know he is capable of it, get down to this bill and I should like to ask in the beginning this question: Does the gentleman conceive that behind this bill is the purpose announced by the President himself to have the United States deliver lease-lend materials to the nations that are engaged in fighting Hitler? Does the gentleman understand that to be the purpose of this legislation?

Mr. EATON. I cannot speak for the President. I can speak for myself. I was against the entire Neutrality Act. I would like to see it repealed.

Mr. KEEFE. May I ask the question again? Does the gentleman, as a member of the Foreign Affairs Committee, understand that in bringing in this legislation here the intent is as expressed by the President in his message, that it is a move to enable the United States to deliver lease-lend materials to those nations that are involved in fighting Hitler?

Mr. EATON. Well, I am not in the confidence of the President, so the gentleman will have to inquire of him.

Mr. KEEFE. But the gentleman read his speech or heard it delivered here.

Mr. EATON. I have read many of the gentleman's speeches, but I did not believe all of them.

Mr. KEEFE. I do not make many speeches.

Mr. EATON. The gentleman always makes good ones.

Mr. KEEFE. The gentleman is evasive now, and I hope he will not be evasive. I am asking a fair question, and the reason for it is this: This bill simply seeks to repeal the provision prohibiting the arming of ships.

Mr. EATON. Yes.

Mr. KEEFE. Plus the other provision repealing another section in reference to bond.

Mr. EATON. Yes.

Mr. KEEFE. If we repeal simply that section, have you succeeded in accomplishing the purposes that the President expressed in the speech presenting this subject to the Congress?

Mr. EATON. We have succeeded in accomplishing the purpose expressed in this legislation which is now unde discussion.

Mr. KEEFE. Will the repeal of the prohibition against the arming of merchant ships permit the delivery of lease-lend materials to belligerent nations?

Mr. EATON. I would not say so until we repeal the next step.

Mr. KEEFE. All right. Then it is true, is it not, that the gentleman and the proponents of this bill have in mind that this is merely a prelude to the ultimate position that will be taken, namely, the repeal of section 2, which prohibits American-flag ships from entering a belligerent port? The gentleman favors that, does he not?

Mr. EATON. Favor what?

Mr. KEEFE. Repeal of section 2 as well as section 6.

Mr. EATON. For a man of your wonderful ability—and I thank God I am not a prisoner at the bar and you prosecuting

me—can you not understand that I voted against this Neutrality Act and all of the provisions in it; consequently I am not going to say that I want to keep any of them now.

Mr. KEEFE. Then the gentleman feels, does he not, as a member of the Foreign Affairs Committee, that the legislation that is now here is just one little piddling bite and that later on you have hopes that the next bite will be taken and that ultimately our neutrality law will be destroyed?

Mr. EATON. Why, I want it destroyed.

Mr. KEEFE. All right. Let us be fair about it.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. EATON. Mr. Chairman, I do not know how big a bite a piddling bite is, but I know that this is one of the truly great men of this House, and I refer to the gentleman from Wisconsin. I love him and admire him. He has added tremendously to our resources of brains and character and experience. I hope he keeps coming here long after I am gone, because the country needs him. But what troubles me, Mr. Chairman, beyond anything else in this whole situation, is the amazing intentness with which even great men like the gentleman from Wisconsin will fix their eyes upon something that is secondary and miss the tremendous reality that confronts the world.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. EATON. I am just getting started; wait a minute.

Mr. HOFFMAN. I want to tell you what that "piddling bite" was.

Mr. EATON. Well, you ought to know.

The thing that troubles me is to see these great men like the gentleman from Michigan and others playing all the flyspecks and missing all the notes. If I had time I would use another illustration, but I do not have time.

Mr. BLOOM. I will give the gentleman time; go ahead.

Mr. EATON. This is too serious to be light over. What troubles me—this does not refer to the gentleman from Wisconsin—is that, as a general thing over the country, good and patriotic citizens are spending their entire force and time arguing about secondaries, about this little policy and that little policy, in the face of the most tremendous menace that has ever confronted mankind.

Mr. Chairman, as a student of history, and I can confess to that at least in part, I know that for the first time in 2,000 years every race of man stands today in the valley of decision, confronting the most vital and tremendous and far-reaching decision ever made since Christ was born. That decision is this: Shall we build a world civilization for our children and grandchildren and generations yet unborn upon the principles of slavery and fear and force, brute force, or shall we build a world civilization upon the principle of freedom?

> For what avail the plough or sail,
> Or land or light, if freedom fail?

The whole trend of human history has been the emergence of human freedom out of the muck and murk and terror of oppression. Wherever you have had slavery, it contained within itself the seed of its own cure, and would pull within itself for its defense and its eradication the innocent bystander. Slavery is wrong, it is ungodly, it is un-Christlike, it is inhuman—and kind of slavery. Freedom is divine. It is the chief end of man to be free, free in his mind, free in his body, free in his spirit. Today we have the greatest military force the world has ever seen, captained by one absolute dictator who stands astride now of three continents and has announced that his program is to destroy over the whole world everything that is free and democratic. So here we are trifling, playing little notes that do not mean anything. Let us face that great fact. Any sacrifice, any sorrow, any wounds, any death, is preferable to submission to that monster of murder and rapine who is casting his shadow over the world.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, the gentleman who was born in Nova Scotia and who comes from New Jersey certainly made a very eloquent statement, but he did not answer the question as to whether he favored sending another A. E. F. across the sea.

Mr. EATON. Mr. Chairman, I demand that the gentleman's words be taken down. Does the gentleman accuse me of being an alien?

Mr. HOFFMAN. Oh, no; of course not. What are you talking about? Why, is your skin so thin that you cannot listen? I refuse to yield any more.

The gentleman talks about the four freedoms. He talks about men being free.

Mr. EATON. Mr. Chairman, I demand that the gentleman's words be taken down.

Mr. HOFFMAN. But he will send a million men—yes; 2,000,000 men—to die on foreign soil, and when they are buried there, how free will they be? What liberty will they have when they lie in their graves, row on row, in Europe, Asia, and Africa?

The question that was asked of the gentleman from New Jersey was this——

Mr. EATON. Mr. Chairman, I demand that the words be taken down.

The CHAIRMAN. The gentleman from Michigan will suspend.

Mr. HOFFMAN. "Do you favor sending a force to Europe?" That is the question that demands an answer, and that is the question we want answered here on the floor of the House. Let the gentleman from New Jersey answer it.

The CHAIRMAN. The gentleman from Michigan will suspend.

Mr. HOFFMAN. All we want to know is, does the gentleman want to send men across the seas? He will not answer that question.

The CHAIRMAN. The gentleman from Michigan will take his seat.

Mr. HOFFMAN. I am finished, thank you.

The CHAIRMAN. If the gentleman had observed the rules of the House he would have taken his seat in the beginning, when the Chair ordered him to do so.

Mr. HOFFMAN. I may say to the Chair that I did not hear him. I was talking about the question. There was so much noise on the majority side I could not hear. If the Chair would have maintained order when I was trying to talk I would have heard the Chair.

The CHAIRMAN. Does the gentleman from New Jersey insist on his demand that the words be taken down?

Mr. EATON. Mr. Chairman, I should like to be permitted to make an observation.

The CHAIRMAN. Does the gentleman from New York care to yield to the gentleman from New Jersey?

Mr. BLOOM. Mr. Chairman, I yield 5 minutes to the gentleman from New Jersey.

Mr. EATON. Mr. Chairman, I just want to make this observation. I was glad to be born in Nova Scotia. My mother's people were with that 17,000 that came over in the *Mayflower*, and my father's people have lived on one piece of land at the mouth of the Merrimac River, in Massachusetts, since 1640, and my people have fought on every battlefield of this Nation in the interest of freedom. I was born in Nova Scotia and am glad of it, but, Mr. Chairman, I humbly apologize——

The CHAIRMAN. The gentleman from New Jersey will suspend and the gentleman from Michigan will take his seat and be in order.

Mr. EATON. I humbly apologize to the gentleman from Michigan for being born in a place of which he disapproves, but I was very young and inexperienced at the time and if he will forgive me for that slip I promise him the next time I am born I will consult him.

Mr. Chairman, I withdraw my demand that the gentleman's words be taken down.

Mr. FISH. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Chairman, I want to say to the distinguished gentleman from New Jersey, whom I am proud to be able to call my friend, and whose advice and counsel and judgment I have sought many times since being a Member of this body, that although I may disagree with his attitude with respect to the question now pending before this body, I sincerely hope that in the debates that are to follow they shall maintain a level above personalities or the implications that are to be derived from incidents such as that which just occurred.

I do not challenge for one moment the intense patriotism of the gentleman from New Jersey, and by the same token I know that the gentleman from New Jersey, with whom I most violently disagree, does not for one moment challenge my patriotism or the patriotism of the people whom I represent. We simply look at this question from and through different eyes, and I hope that in the debates that are to follow no person will stand in the Well of this House and challenge the integrity and the good faith and the patriotism of any Member of this House or the views that he may entertain.

I am supremely confident that there is not a Member of this House who, regardless of his or her views on this question, does not have emanating from him or her heart a desire to do the thing that is best for our common country.

Mr. BLOOM. Mr. Chairman, I yield 15 minutes to the gentleman from Alabama [Mr. JARMAN].

Mr. JARMAN. Mr. Chairman, as we all so vividly recall, America participated in a European war 24 years ago. The experiences during that war and those which have been ours since, were very largely, if not entirely, responsible for the original and all early neutrality legislation. This legislation resulted from a determination of the people of America to, if at all possible, profit by the experiences of that war and remain aloof in the future from entangling European alliances and European conflicts and questions of balance of power. We felt, back in that day, which, you will recall, was in the early days of aviation when there was even no such thing as a parachute, since which time science has progressed rapidly in many other respects, that we could draw our garments about us and say to the European continent, "We want nothing of you, we will have nothing to do with you, with your troubles, with your arguments, with your economy." We still so felt when most neutrality legislation was passed, but even this early neutrality legislation did not contemplate for one moment limiting any steps America might wish to take in self-defense; there was no thought whatever of the necessity of self-defense when that legislation was passed. No one foresaw that that necessity would occur at such an early day. Nor, did we foresee that Hitler's aim was even European conquest, not to speak of world domination, when he was protesting that the Sudetenland was his only remaining territorial problem, that there was no controversy between him and Poland with whom he had only recently signed a pact of friendship.

Our right to arm in self-defense has never, I think, been denied by anyone until the 1937 Neutrality Act, which prevented the arming of our merchantmen. Back in those early days after the war and, in fact, when early neutrality legislation was passed, the attitude of America, or of the overwhelming majority of the people of America, was the attitude still maintained by some, but by an insignificant number, comparatively, I think, of our citizens; the attitude of strict isolationism.

People of America, as I say, were earnestly desirous of remaining aloof from all European matters and particularly European wars. While time is not available to trace it, it is very interesting to reflect on the progress of the attitude of the people of America from that strict isolationist one to that of the present day which occurred when Norway and the Lowlands were invaded and France fell. I say it is interesting indeed to trace the progress of the attitude of a majority of our people from that strict isolationist one to their present determination that we have what is imperative and what we must have, that is total all-out defense of this country, and that this defense be indulged in wherever it is to the best interest of America, whether it be in Long Island Sound, in San Francisco Bay, in the British Isles, in the English Channel, or in Russia; furthermore that this defense occur regardless of the cost and regardless of whom it might offend. This, my colleagues, is the present attitude of the people of America.

We are not now neutral and never have been, as I say, since Norway and the Lowlands were invaded despite their neutrality, and since immediately thereafter what we have always regarded as a bulwark in the protection of the world against Germany, little France, fell. I wish to quote from the published statement of Secretary of State Hull before the Foreign Affairs Committee on this subject:

> The theory of the neutrality legislation was that by acting within the limitations which it prescribed we could keep away from danger. But danger has come to us—has been thrust upon us—and our problem now is not that of avoiding it but of defending ourselves against a hostile movement seriously threatening us and the entire Western Hemisphere.
>
> The blunt truth is that the world is steadily being dragged downward and backward by the mightiest movement of conquest ever attempted in all history. Armed and militant predatory forces are marching across continents and invading the seas, leaving desolation in their wake. With them rides a policy of frightfulness, pillage, murder, and calculated cruelty which fills all civilized mankind with horror and indignation. Institutions devoted to the safeguarding and promotion of human rights and welfare built up through the ages are being destroyed by methods like those used by barbarian invaders 16 centuries ago.
>
> To many people, especially in a peace-loving country like ours, this attempt at world conquest, now proceeding on an ever-expanding scale, appears so unusual and unprecedented that they do not at all perceive the danger to this country that this movement portends. This failure to realize and comprehend the vastness of the plan and the savagery of its unlimited objectives has been, and still is, the greatest single source of peril to those free peoples who are yet unconquered and who still possess and enjoy their priceless institutions. If the 16 nations that already have been overrun and enslaved could break their enforced silence and speak to us, they would cry out with a single voice, "Do not delay your defense until it is too late."

I feel sure that they would also cry out, "Do not play politics with the defense of your country. Do not stoop to an effort to make political capital of it. Do not permit it to be said that your main interest in its defense is the securing by your town of a defense project. Do not fall victim to the temptation, great though it may be, of wishing a project for the manufacture of defense materials located in your town, regardless of whether it is the best place for it from a country-wide, national-defense viewpoint, merely in order that you may personally profit, or to create business and prosperity in your home. Do not fall victim to the temptation to criticize your public officials who are conscientiously exerting their best efforts for the defense of your country, because your town does not happen to meet the requirements for a defense project, and your officials, even though they have diligently brought your and their opinion of its desirability to the attention of those charged with the responsibility of selecting the best sites, are more interested in the welfare and defense of your town, your State, your country, than they are in whether you personally profit by this defense." It would, of course, be pure "pork barrel" for such a project to be improperly located because of pressure. As one who has exerted every legitimate effort to secure these projects since his return from a campaign during the early stages of the defense program, may I parenthetically express the opinion that they are not so located? It seems to me that I can now hear from a distance, particularly the people of France where, contrary to the general opinion, the "fifth column" first got in its heaviest and most deadly blow, crying out to the people of America and to all people who remain free, the messages I have just outlined.

Despite our attitude of absolute unneutrality which very naturally results from such a condition, we have on our statute books legislation attempting to make the world and ourselves believe we are neutral.

Is not that a peculiar situation? Not peculiar, however, when you reflect on what I have said about the reason for this legislation when it was passed, and the reasoning now to release ourselves insofar as reasonably and speedily possible from its shackles. Since democracy is still functioning, as I am thankful to be convinced will ever be true in America, which causes the Congress to invariably enforce the will of the majority, provided the majority be sufficiently large and its will adequately vocal, this progress of the attitude of the people of America culminated in the passage of the lend-lease bill, under which I need not tell you Congress has already appropriated $7,000,000,000, and this Chamber has appropriated another approximately six billion, which last measure will doubtless pass the other body at an early date.

Thirteen billions of dollars, perhaps thirteen more, and more before it is over, of the funds of the people of America, derived or to be derived from taxing them, are to be thrown into armament, for what purpose? To defeat that international butcher, wherever we may best contribute toward his defeat. That, my colleagues, is the present policy of America, in contrast to neutrality legislation which attempts to create a contrary impression. That is the last legislation passed on the subject by this Congress. Does it not seem foolish to send $13,000,000,000 in materials and perhaps thirteen billion more later out over the watery deep, and to hesitate for one moment to protect it insofar as it may be protected by a few guns on merchant ships? Is not that a fine illustration of the fly specks and notes my distinguished and lovable friend from New Jersey, Dr. EATON, has just so delightfully discussed?

I ask you as the reasonable men and women you are, each of you, what you would do if confronted tonight with the necessity, we will say to those of you who have children by a kidnap note, of proceeding through a bad section of your own town, if such there be, through a section where you think thugs may be,

if you have any thugs in your town, with $5,000 in cash on your person? Which one of you would proceed through that area with that $5,000 in cash and deny yourself the small defense of it and of yourself that would be provided by a pistol in your pocket, simply because your city has a law against carrying concealed weapons?

Mr. CURTIS. Mr. Chairman, will the gentleman yield?

Mr. JARMAN. Yes.

Mr. CURTIS. The gentleman is a member of the Committee on Foreign Affairs, and the House always appreciates his opinion on these matters. In the nearly 3 years that I have been in this body, I have noticed that all of the measures that have been brought in by the committee have had as their objective the keeping of this country out of war. It has been so stated when these measures were presented to the floor. I ask the gentleman if that is still the objective in this legislation, or has the committee abandoned that objective?

Mr. JARMAN. We absolutely have not abandoned that objective, but as I have tried to show, the United States has recently set out on a program of all-out national defense, wherever we may best accomplish that in the opinion of the Congress.

Mr. CURTIS. Then it is not necessarily offered as an effort to keep us out of war?

Mr. JARMAN. I would not say absolutely; no. The main purpose is to get those goods over there to defeat Hitler.

Mr. CURTIS. It is no longer, as the President said in 1939—

> We will adhere to that one clear hard-headed fact, to keep the United States out of war.

It is no longer the main objective.

Mr. JARMAN. Have conditions not changed since 1939?

Mr. CURTIS. Yes; but that is no longer the main objective.

Mr. JARMAN. What is that adage that speaks about fools never changing their minds, while wise men do?

Mr. CURTIS. That may be true.

Mr. DEWEY. Mr. Chairman, will the gentleman yield to me?

Mr. JARMAN. I prefer not to yield further until I am through, and then I shall be happy to yield to the gentleman from Illinois. It just happens that the next note I have answers the inquiry directed to me by the gentleman from Nebraska [Mr. CURTIS]. Much has been said about the effectiveness of arming merchantmen. Someone has said, I think, that a merchantman never sank a submarine. I understand that has been challenged. I personally do not know, but let us assume for the sake of argument that it is true, and that no merchantman ever sank a submarine. I ask you, has a bullet-proof vest ever killed anybody? I ask you whether a gas mask ever poisoned anyone with poison gas, and particularly you who enjoyed them, and I say "enjoyed them" advisedly, because it was a joy to be in them at the time—those of you who enjoyed the trenches, despite the rats and the cooties, in France, I ask you, did those trenches ever move over the parapet and attack the German front line?

I ask you if those dugouts, which also came in very handily over there, one of which I remember with particular pleasure, the one that had the comforting notation on an overhead beam "fourteen feet of solid earth between you and danger"—I ask you if those dugouts ever killed any German soldiers? No. But all of those installations very materially contributed toward the defense of American soldiers.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. JARMAN. The arming of merchantmen is not an offensive measure but a defensive measure in every sense of the word.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. JARMAN. I gladly yield to the gentleman from Ohio.

Mr. VORYS of Ohio. The gentleman has a distinguished war record and knows about combat, and I have listened to his words on that subject with great interest, but the gentleman does not mean to say that guns are defensive weapons, does he? He does not really mean to compare that with a gas mask or a trench?

Mr. JARMAN. A gun may be used as a defensive weapon. The distinguished gentleman knows better than that. Of course an armed merchantman cannot hold its own against a warship, but it can contribute very materially toward its own defense, the defense of the matériel on it, and, above all, the defense of the American personnel on it, against submarines, bombing planes, and armed raiders. That is common knowledge. It is common knowledge that a submarine at the present time, knowing that American merchantmen are out there helpless and unarmed, can sneak up either secretly or openly, stalk its prey, and get in exactly the correct position to fire, just as the huntsman picks out the heart when he has an opportunity, just as our distinguished and lovable friend from Massachusetts [Mr. TINKHAM] does while big-game hunting; get as close as he wants to, in order to shoot the heart out of a merchant vessel; whereas if he knows that merchant vessel is armed, his realization of his own vulnerability, that one little shot may prevent him from submerging, will cause him to be unwilling to risk the chance of combat with that armed merchantman. That will necessitate his firing at it with indirect fire from down toward the bottom, using not $50 or $60 shells with which he is excellently supplied, but a six or eight thousand dollar torpedo, of which he only has about 12, and which, of course, cannot be as rapidly manufactured as shells can be.

Furthermore, not only is the accuracy of the submerged submarine far inferior, but the relative speed of the two vessels is reversed, affording the merchant vessel a much better chance to escape. The speed of the new, standard type merchant vessel built by the Maritime Commission in its regular, long-range program, is probably double that of the fastest submarine under water.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. JARMAN. I could not refrain from yielding to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Is not the arming of these merchant ships very much like giving a policeman arms with which to protect himself and the people and property in the neighborhood? Is it not very much like that?

Mr. JARMAN. I think it is absolutely like that and I thank my friend, the charming lady, very much for her contribution.

Now as to bombers. Of course, as it is now, a dive bomber can sweep down to the smokestack if he wishes to. He can sweep down and drop his damnable bombs from only a few feet above the ship, he can even strafe the personnel of the ship with machine-gun fire, whereas if he knows that the merchant ship is armed he will stay up and necessarily drop his bomb from afar, getting by no means the number of hits that he certainly will get when diving. You tell me that is no defense against a submarine and against a bomber?

As to an armed raider, you are aware of the fact that they are generally only comparatively lightly armed merchantmen. If one is disabled, and required to limp to a neutral port for repairs it is out of action for the duration of the war. Consequently, we can be very sure that an armed raider will not attack an armed merchantman unless it has a very good idea of the great superiority of its arms.

I believe all witnesses who appeared before our committee in behalf of arming these vessels were unanimous in the very positive opinion that the morale of our sailors would be very greatly increased by the arming of the vessels on which they sail. It was repeatedly stated that this improvement to morale would greatly help the situation whether the arms proved of any real value or not. Admiral Land, Chairman of the United States Maritime Commission, which has supervision over merchant vessels, testified for publication:

> These factors are of the utmost importance to the morale of the men on board merchant vessels. It is quite understandable that men are reluctant to take a merchant vessel to sea without some equipment with which to shoot back if they are shot at. One of our greatest difficulties today is to obtain proper crews for unarmed vessels.

Now, in view of the unquestionable fact that that international cutthroat butcher Adolf Hitler sinks merchant ships whether armed or not, and wherever encountered what legitimate reason can there be in view of our marked unneutrality, in view of our national policy to furnish those countries who are resisting aggression all possible munitions of war, for our failure to repeal this antiquated provision which became a law back yonder when we anticipated no necessity whatever for arming our merchant vessels in self-defense and which so tremendously shackles us now?

Russia is, of course, a strange bedfellow for us. My attitude toward its dictatorial form of government, toward

its lack of religion, toward the bloodthirsty Stalin who seems to be as much so for that of the blood of his own generals and other citizens as Adolf Hitler is for that of subjugated peoples, has not changed one particle. I do not appreciate them one bit more than I did 6 months ago; in fact, Russia is not resisting Hitler of its own volition but because she was attacked. If there ever was an outstanding illustration of the fact that neither neutrality nor solemn pledges of friendship mean anything whatever to Adolf Hitler it is found in Russia. Not only did she give no evidence of an aggressive attitude, but she ignored the allies at a time when Germany could have certainly been defeated by her aid and even indulged in a treaty of friendship and nonaggression with Hitler against her former allies. When the time to suit his purpose arrived, however, these facts meant absolutely nothing to him. It is strange indeed for a country with a communistic form of government to be placed in the position where it might prove the salvation of democracy and yet this is possible. Therefore, despite this lack of change in my attitude toward Russia and everything Russian, she is today contributing her bit, and it has been and is a tremendous bit, toward the defeat of the man we wish defeated and, along with the great majority of the people of America, I am pulling hard for her success. Her situation appears dark and gloomy indeed today. While I realize that her past conduct by no means justifies her looking to God for help, my prayer is that He may, in the realization that Hitler is the greater evil after all, forget for the moment the irreligious attitude of Russia and smile upon that Army today, adding His strength to its magnificent effort to ward off the thrust at its capital by the Nazi hordes, and not only save that capital from conquest but drive these hordes back to such extent that General Mud, General Snow, and General Winter, plus uprisings in Germany, in Italy, and in the conquered countries may bring this war to the successful conclusion for which we have all so long hoped and prayed.

Mr. DEWEY. Mr. Chairman, will the gentleman yield?

Mr. JARMAN. I now gladly yield to the gentleman from Illinois.

Mr. DEWEY. The gentleman has mentioned his experience as a soldier. Has he ever attempted to have anything to do with the shooting of a gun from a moving platform such as a ship? Do you think you can shoot an airplane with a 3-inch gun such as these ships would be equipped with? They are no defense against airplanes and they are very little defense against submarines. That was proved by the record of the last war.

Mr. JARMAN. Because they did not sink any?

Mr. DEWEY. Thirty-five merchant ships were sunk which were armed.

Mr. JARMAN. In reply to the gentleman's question, I will say I was a soldier and not a sailor. The sailors can do that.

The CHAIRMAN. The time of the gentleman from Alabama has again expired.

Mr. TINKHAM. Mr. Chairman, I yield to the distinguished gentleman from New York [Mr. BARRY] 10 minutes.

Mr. BARRY. Mr. Chairman, I am opposed to this legislation because it is simply a preliminary step to the repeal of the Neutrality Act in its entirety which will permit our ships to go into the war zones. When that happens we all know, as reasonable people, that the German land-based air power, as it is doing now, will start sinking our ships and attacking our war vessels which accompany our merchant ships. When that happens, as a matter of pride which this great Nation has, and as a matter of face-saving, we will simply have to declare war on Germany. As I see the world picture, with Russia collapsing, with Britain not possessing sufficient strength to invade the continent, then we will in time have to send over another expeditionary force of millions of Americans. You may ask what is the alternative. Strange as it may seem I believe this great Nation of 130,000,000 Americans can still maintain and protect the Western Hemisphere in a military sense, and if we have to, economically, without suffering any great shrinkage in our commerce. In support of my position I shall read a few excerpts, the first one from the President's message of January 6 when he said to the Congress:

> Even if there were no British Navy it is not possible that an enemy would be stupid enough to attack us by landing troops in the United States from across thousands of miles of ocean until it had acquired strategic bases from which to operate.

The President then visualized the setting up of a fifth column in Latin America. I say to you that if that is our danger, if suddenly some Latin American country should become a branch office of Hitler's, then the only alternative for us as a matter of self-preservation would be to march down and take over that Nation.

Recently Col. Thomas R. Phillips, of our Army General Staff, wrote an article in the magazine called Army Ordnance, and I wish to quote him. He said that—

> the bombing plane has made the American coast impregnable to invasion.
>
> It makes it possible for this country to insure not only its own continental territory from invasion but by the provision of a suitable air base and airways system to insure the impregnability of North and South America.
>
> Even if the United States had no harbor defenses, it would be impregnable to invasion. And this still would be true if our Navy were inferior to an invading power. Land-based air power has made the United States impregnable to a sea-borne invasion.

Colonel Phillips in his article quoted Prime Minister Churchill on the failure of Norway. Churchill said it came about—

> by intense, continuous bombings of the bases, which prevented the landing of any large reinforcements and even of artillery for the infantry already landed.

Further in the article Colonel Phillips said:

> Leaving aside naval interference, imagine a convoy of 40 or 50 troop ships crossing the 3,000 miles of Atlantic Ocean toward the United States. The departure of such an invading force could not be kept secret.
>
> Our defending bombers would start attacking it a thousand miles from the coast. The attacks would grow in intensity as the convoy approached. The invasion might not be stopped before it reached the coast, but it would be badly damaged.
>
> Imagine, then, this convoy attempting to come into a harbor and remaining practically stationary for days in narrow waters with the entire bombing force available to the United States working on it.
>
> The picture is incredible. The invasion would be doomed. No military leader would ever think of making such an attempt.

I believe Hitler knows that, and I believe Mr. Roosevelt knows that this Western Hemisphere is impregnable. It is argued, "All right; suppose that is true; we shall be strangled economically; we cannot live in a world with dictators; we cannot compete with slave labor." In reply I wish to submit these figures: During the period from 1932 to 1939, before this war broke out, we competed with Nazi Germany and traded with her; we competed with totalitarian Japan and traded with her; we competed with Russia; we competed with British India, with the second lowest wage scale in the world; we competed with "democratic" China, where the lowest wage scale exists. The foreigner who buys merchandise is not going to ask before he makes the purchase, "Is this a democratic article or is it a dictatorship article?" If the price and quality are right, he will make the purchase. During those years we increased our foreign trade from $1,600,000,000 in 1932 to over $3,000,000,000 when this war broke out. So I say that the argument that we shall strangle if we lose our foreign trade is a fallacy.

Our entire foreign trade amounts to only 6 percent of our total trade—2 percent with the Western Hemisphere and 4 percent with all of Asia, Africa, Europe, and Australasia; and I say that if worst came to worst, we would have a shrinkage of only 4 percent, and surely the loss of 4 percent of our business is preferable to the loss of millions of American lives if we engage in war at this time.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. BARRY. I yield.

Miss SUMNER of Illinois. The picture with regard to foreign trade is even more optimistic than the gentleman has described, because after 1935 we gave up our foreign markets in central Europe voluntarily as a part of a policy of encircling Germany.

Mr. BARRY. I thank the gentlewoman from Illinois. So I say let us take the same position that the people took who founded this country—3,000,000 people. We now have 130,000,000. Where is our pride when we say that 70,000,000 or 80,000,000 Germans can come and conquer 130,000,000 Americans and control this hemisphere—130,000,000 Americans whose industrial capacity equals half that of the world? Are we going to sit back here and say that for our existence we are depending upon the British Navy, or upon Stalin, or upon any other outpost outside of the Western Hemisphere? I say it is a shameful attitude to take.

Mr. KNUTSON. And we are 3,000 miles away.

Mr. BARRY. Yes. They talk about having friends, the only 2 friends we have in the world are the Atlantic and Pacific Oceans. I say we ought to stop and take account now before we continue to pursue this policy of leaning on someone else who will inevitably take us into a war instead of depending on ourselves. To enter the war and try to invade Europe with the vast fortifications that protect its coasts would mean at least a 5- to 10-year war and the loss of 5,000,000 to 10,000,000 lives.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield 7 minutes to the gentleman from New York [Mr. LYNCH].

Mr. LYNCH. Mr. Chairman, I listened to the words of my colleague from New York who just preceded me. Let me say here that in my opinion faint hearts can never win a lasting peace.

Today, more than ever before in the history of our country, loyal Americans should rally to the memorable words on the battle flag of the great American naval hero John Paul Jones, "Don't tread on me."

We are facing momentous times, not only because of the gravity of the foreign situation but also because there are those among us, who, ready to accept the crumbs of liberty a world dictator would throw them, are willing to sacrifice for themselves and their children the right to live as freemen.

No one in this House is more opposed to war than I. It is because I am opposed to war that I have voted for every bill that would give us an adequate army for defense and a navy strong enough to defeat any combination of navies in the world. It is because I have sought to keep war from our shores and from our homes that I have voted for the lend-lease bills, in the hope that Hitler, the No. 1 enemy, not only of the United States but of the democracies of the western world, will be defeated and will not be able to dominate the republics of the Western Hemisphere.

It is because I want to keep war from our land that I shall vote to arm American merchantmen. If an armed American merchantman, on the high seas, sinks a German submarine or surface raider in self defense, war is not inevitable. If German submarines or surface raiders continue to sink unarmed American ships, war, in my opinion, is inevitable. German submarines have no cause to fear an unarmed American merchantman; they may have good cause to fear an armed one with a United States Navy gun crew.

The right of American ships to sail within the waters allowed by the laws of our country has been challenged. That challenge must be met firmly and determinedly, or else we must abandon the principle of freedom of the seas. Hitler has already declared a war zone within which he would prohibit our ships. We have never recognized his right to do so. Our ships have been barred from belligerent countries by our own neutrality law, and not by Hitler's proclamation. As the war moves westward again, Hitler may expand his war zone to the extent of virtually driving American ships from the seas, if we permit him.

When the United States was in its infancy, we fought the pirates of the Barbary Coast in the Tripolitan War for the freedom of the seas; in 1812 the freedom of the seas was the cause of the second war of independence, and in 1917 it was one of the causes of our entry into World War I. Through the whole history of our country, despite restrictions placed by our Government upon our own citizens, the United States has never surrendered the good American principle of freedom of the seas. In my judgment, we cannot, should not, and we will not surrender now.

Mr. Chairman, whenever in the past the Congress of the United States has been called upon to meet the challenge of the freedom of the seas, it has done its patriotic duty. This Congress, which will go down in history as one that has made perhaps more momentous decisions than any of its predecessors in the 165 years' existence of our country, will be no less courageous. The momentous questions that we are called upon to answer are, Shall the American flag be driven from the seas? Shall American seamen be sent to watery graves by piratical murderers without a fighting chance to live?

Once you admit the right of Hitler to sink American ships without warning and without regard to the safety of their crews, you admit his right to sink them anywhere on the high seas outside the territorial 12-mile limit. It may be 500 miles off the coast of Brazil today, and tomorrow 50 miles off Sandy Hook, depending upon the cruising radius of his submarines or raiders.

Attacks have already been made, without warning, on American ships on the high seas, by the madman of Europe, and their crews have been left to drift on the ocean in open boats. These attacks shall continue unless we arm our ships and permit them to defend themselves. It is cruel and inhuman for our Government to permit American seamen sailing under the American flag in waters not prohibited by our laws, to have their ships torpedoed under them, without warning, by skulking Nazi pirates, and not give them a chance to defend themselves. It would be nothing short of criminal for us to continue to permit American ships to leave our harbors for foreign ports, knowing that they may be attacked without warning and the survivors of their crews will be left drifting on the seas in open boats and not give them a chance to fight for their lives.

This Congress has its choice—the American people have their choice. We must either let the American flag, after 165 years, be driven from the seas, or we must defend that flag and the men who sail under it.

I have no doubt as to the answer of the great majority of this Congress, but there are some who, in effect, will say, "Pull down the flag, abandon our ships, forsake our seamen, we want peace."

Let me say we all want peace, but we can never have peace if unarmed American merchantmen are sunk, their crews drowned or left adrift on the ocean. War may not come if we permit American seamen to defend themselves. War will surely come, as it came before, when unarmed American ships were sunk without warning.

If you knew there was a murderer lurking in the shadow of the roadway leading to your home or your business, would you want a weapon with which to defend yourselves? There are murderers lurking beneath the waves of the sea lanes, and our American seamen are asking for the weapons to defend themselves. These American seamen do not want to die—they want to live, but if they must die, they want to die fighting for their lives and not be condemned by Hitler's pirates to a tortuous death, a slow death, waiting in open boats on the broad expanse of waves for a rescue that may never come, day after day, until their food gives out, their tongues are parched, their minds snapped, and death is their rescuer.

Mr. Chairman, the death of American seamen will not be on my conscience. I shall vote to arm our ships, so that our brave American seamen will have at least a fighting chance to live.

Mr. TINKHAM. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. CHIPERFIELD].

Mr. CHIPERFIELD. Mr. Chairman, one of the most revealing statements of the President's message to Congress on the arming of American-flag ships was when he said:

> I earnestly trust that the Congress will carry out the true intent of the Lend-Lease Act by making it possible for the United States to help deliver the articles to those who are in a position effectively to use them.

At long last the country has an official admission of the true intent of lend-lease. While there was little opposition to furnishing aid to Great Britain, there was great hesitancy about committing our Nation to insure the delivery of goods in American bottoms, or using our vessels for convoying British merchantmen. While Congress ineffectively tried to prevent convoying by American ships into war zones, and to prevent the delivery of goods in our vessels, such efforts were lulled to sleep by no less an authority than the President himself with a statement that "convoying means shooting and shooting means war," and with the oft-repeated assertions of the administration that it was firmly committed to a policy of keeping aloof from active hostilities.

In spite of the fact the President and at least three Cabinet officers have advocated the removal of restrictions on war zones, yet we have before us only the repeal of section 6 of the Neutrality Act, which is the arming of merchant ships. Again there is lack of candor because the administration believes it will be easier to obtain legislation on this vital issue piecemeal. The administration-dominated Committee on Foreign Affairs permitted only 2 days of hearings, one of which was given to those in opposition to the proposal. Furthermore administration witnesses were not permitted to be cross-examined in public; and by resolution all the testimony was to be confined to the narrow issue of arming merchant ships with no reference to the

broad aspect of whether such action would lead to repealing of the section relating to war zones.

From the limited amount of evidence which we were permitted to receive, I am clearly convinced arming of merchant ships is an ineffective way of protecting the lives of the crew. Admiral Stark in a letter to Congressman MUNDT stated no submarines were sunk in the last war by an armed merchant vessel but 35 armed merchantmen were sunk. From newspaper accounts we find 4 armed ships of our country, under Panamanian registry, have been sunk without warning, while only 2 unarmed American ships flying the American flag were sunk after warning.

Arming of merchant ships will not protect them from mines or strong surface raiders, but would force the submarine which is attacking to fire torpedoes while submerged, which is more difficult than a surface attack. The very fact that our merchantmen are armed would result in submarine attacks without warning.

Arming of merchant vessels against airplane attacks would only be of value if the ships were permitted to go into zones where attacks were possible. If the President had enforced war zones as originally declared they would still include the Red Sea area Then our ships would not be permitted to sail in waters within the range of most bombing planes.

Admiral William S. Sims, on June 28, 1917, sent from London to the Navy Department a report saying:

> Guns are no defense against torpedo attack without warning. In this area alone during the last 6 weeks 30 armed ships were sunk by torpedoes without a submarine being seen.

The whole procedure seems to me to be devised to get the House to pass speedily and overwhelmingly this arming merchantmen bill and then permit amendments removing war zones to be added to the resolution in the Senate, thus carrying out the President's declared intention, as indicated in his latest message to Congress, of destroying the vital sections of the Neutrality Act. If that parliamentary procedure should be adopted then, of course, the Senate bill as amended would come back to the House without adequate opportunity to discuss the broader aspects of this bill.

Apparently the Neutrality Act has accomplished its purpose. We are not at war at the present time. I believe it has prevented many incidents which might have led to war. It has prevented private individuals from making huge profits by trading with belligerents. Colonel Knox admitted the act had worked well until the spring of 1940. I agree with him—it worked well up to that time, and is still serving its purpose. It is helping to keep us out of war.

As late as October 24, 1940, less than a year ago, President Roosevelt said:

> By the Neutrality Act of 1935, and by other steps, we made it possible to prohibit American citizens from traveling on vessels belonging to countries at war. Was that right? We made it clear that American investors who put their money into enterprises in foreign nations could not call on American warships or soldiers to bail out their investments. Was that right?
>
> We made it clear that ships flying the American flag could not carry munitions to a belligerent, and that they must stay out of war zones. Was that right?

This was at a time when the Maginot Line had been destroyed, England was battling desperately for her very existence, and Russia was a potential ally of Germany. I cannot see anything that has transpired since that time to justify a change of position now.

If there was no alternative to deliver the goods to England, which she so vitally needs, but by arming our merchantmen then by necessity it might be argued this was the only course to follow for our own self-defense.

But there is an alternative that will be even more successful in delivering the goods to England than arming of American merchant ships. It can be done without danger to American lines. The procedure is simply to take action under the Lend-Lease Act and make available to Britain, under British registry, all American merchant ships available for carrying supplies to Britain and her allies. In the minority report, which I helped prepare, we set out five reasons why we think this plan has advantage over arming and manning our merchant ships, which I quote:

> 1. It would eliminate any reason for what Secretary Knox calls the "palpable subterfuge" of registering our ships under the flag of Panama.
>
> 2. It would enable us to provide Britain with merchant ships—armed or unarmed as Britain elects—which can be sailed through belligerent zones, directly into British harbors, whereas repeal of section 6 simply arms our ships for use in so-called defensive waters.
>
> 3. It would provide Britain fully as much shipping space as any other program, it would do it now without another day's delay, and it would permit the British to use these facilities where they can be most effective.
>
> 4. It would be action taken in conformity with American policy as enacted by Congress without increasing the risk of "incidents" or carrying us a single step closer to war. It will save American lives.
>
> 5. It would be literally "lend-leasing" these ships with provisions for our continuing ownership and their return to us on demand.

President Wilson ordered our merchant ships armed on March 14, 1917. On April 6 the United States declared a state of war to exist. Will history repeat itself?

I believe we should keep out of this war and the best way to do it is by voting against this bill and subsequent attempts to destroy vital sections of our Neutrality Act.

Mr. TINKHAM. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. JONKMAN].

Mr. JONKMAN. Mr. Chairman, I think I am safe in saying that for the most of us the issue presented here is a simple one, but it may be one fraught with tremendous consequences. For the most of us the question that we wish to have answered is, Is this resolution a step toward war? That section 6 of the Neutrality Act is a step toward peace and a measure for the preservation of peace I think will not be denied by any except a very few.

Mr. PATRICK. Will the gentleman yield?

Mr. JONKMAN. I am sorry, I cannot yield. My time is very limited.

Mr. PATRICK. I challenge your position.

Mr. JONKMAN. Mr. Chairman, in reading through the CONGRESSIONAL RECORD last night I read the statements of many Members of this House with reference to the passing of the Neutrality Act of 1939. I shall not review their names, I shall not repeat what they said at that time, because they were eminently right. I shall not repeat what, for instance, our distinguished Speaker said at that time; I shall not dwell upon what has been said by leaders in the administration, but I would like to read a statement made by Secretary of the Navy Knox which I noticed was not in the published report. He said:

> Although I personally have opposed this act from the very start, I readily recognize that those who voted for it felt they had very substantial reasons for doing so. As I see it, there were two compelling reasons in the minds of those who voted for the adoption of this act; first, those who voted for the act did not want to have the United States involved in incidents which might lead to war; and, second, they did not want the United States involved in war as the result of the action of private individuals who were keen to make a profit out of trading with the belligerents. In this particular and in this sense it may be said with justification that the act has been successful. The United States has not gone to war over incidents, and it has not been dragged nearer to war by any act of private interests or private individuals.

Those individuals have been substantiated by history. There is no question but what it is the Neutrality Act, of which section 6 is a part, that has kept us out of war so far, or at least has been a tremendous element in doing so. We have only to listen to the speeches that have been advanced so far to see that that is true.

I acknowledge that there may have been a change, but it is that change that we were looking forward to when we passed the Neutrality Act. There have been references here, for instance, and they have been made much of, as to what happened to the *Robin Moor*. It was built up and built up; oh, it was terrible; they did not give those people a chance for their lives; but the *Robin Moor* did not lose a single life. And what they would have made of it if those lives had been lost. So, as I see it, there is no question but what section 6 of the Neutrality Act is a step toward peace and is a measure for peace.

Mr. PATRICK. Will the gentleman yield?

Mr. JONKMAN. I am sorry; I cannot yield. I have not much time.

Mr. PATRICK. I did not know that.

Mr. JONKMAN. Mr. Chairman, I ask that the gentleman not interrupt me again.

Mr. PATRICK. I did not know whether the gentleman would yield or not.

The regular order was demanded.

Mr. JONKMAN. Mr. Chairman, if section 6 of the Neutrality Act is a step toward peace, will repeal of section 6 of the Neutrality Act be also a step toward peace? I say that those two are contradictory. They contradict each other.

May I say, further, that there are only two roads to follow—the road to war or the road to peace. There is no middle road. You are going on the road to peace or you are going on the road to war.

Mr. EBERHARTER. Will the gentleman yield?

Mr. JONKMAN. I am sorry, I cannot yield.

It seems to me, Mr. Chairman, that that is the question for us to consider. If section 6 is a step toward peace, can we say that repeal of section 6 is also a step toward peace? Must we not admit that its repeal is a step toward war if there are only two roads?

This brings me to a further point that I wish to develop. It seems to me that the administration and the congressional leaders when they were considering bringing this measure to the Congress were met with an insurmountable obstacle that they could not hurdle, namely, that the repeal of a step toward peace could not itself be a step toward peace; therefore, they had to resort to strategy to circumvent this hurdle.

I do not wish to engage in criticism of that strategy, or of the committee, except for the one purpose of being of service to the Members of the House. In that strategy, it seems to me, they have fallen into one very grievous error, which I would not mention except that I think it is of vital interest to every Member of the House. This error was that when they planned over the week end the strategy of bringing this bill before the committee they restricted the hearings, both as to time and scope.

One gentleman said this morning that there were full and ample hearings, and that copies of the hearings are subject to inspection by every Member of the House who wishes to inspect them. I say that while the gentleman did not mean to be so—and I, for a while, was under the same impression—the gentleman was inaccurate because the hearings are not open to the inspection of every Member of the House. Part of these hearings were open hearings and part of them were in secret session. You do not know—any one of you—not one of you knows how much of the hearings were open hearings and how much of the hearings were secret hearings.

Mr. CHIPERFIELD. Mr. Chairman, will the gentleman yield?

Mr. JONKMAN. I yield to the gentleman from Illinois.

Mr. CHIPERFIELD. At the secret hearings there was not even a reporter present.

Mr. JONKMAN. No.

Mr. CHIPERFIELD. So the testimony could not have been taken down.

Mr. JONKMAN. The secret hearings, of course, were not reported.

Mr. Chairman, you do not know what part of the evidence was heard in open hearings and what part was heard in secret hearings, either as to quantity or quality, yet you are asked to pass on a measure that may mean the lives of 3,000,000 or 4,000,000 of our men.

Mr. BLOOM. The gentleman has made a statement I should like to correct. The gentleman has made a misstatement. The gentleman wants to be fair about this.

Mr. JONKMAN. I decline to yield, Mr. Chairman.

Mr. Chairman, you are asked to pass upon a measure that may be an unwritten declaration of war involving the weal or woe of 130,000,000 people without knowing whether you know one-fifth of the evidence or nine-tenths of it.

[Here the gavel fell.]

Mr. TINKHAM. Mr. Chairman, I yield 5 additional minutes to the gentleman from Michigan.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. JONKMAN. I am sorry, I do not have time to yield.

Mr. BUCK. I merely wished to explain a point.

Mr. JONKMAN. For instance, on page 3 of the report we have the testimony in the open hearing of Admiral Stark. He stated:

> One important reason for arming merchant ships is to give some defense against air attack.

"Some defense." What do you know as to what is meant by "some defense"? Does it mean anything at all, and was that discussed in the secret hearings? You will never know. You will never know anything about it.

Furthermore, in that open testimony Admiral Stark spoke of some defense against aircraft and some defense against submarines, but in his open statement he was eloquently silent about defense against surface raiders. Was that discussed before the committee? You will never know.

Admiral Land began his statement by saying:

> The arming of merchant vessels has certain obvious advantages—just as there are times when anyone might want to carry a gun—self-defense. If a man has occasion to go into a dangerous locality, he feels safer if he is armed, and he is safer, from the standpoint of attack, if he has a gun that he is willing and able to use and everybody concerned knows it. He might not be a match for a determined gang armed with a submachine gun, but even the holder of the "tommy" gun would keep a respectful distance.

What is the answer to that? If you were carrying a gun concealed on your person and a robber stuck a gun in your back, would you try to beat him to the draw? Was that ever discussed in the committee? You will never know.

The point I make, Mr. Chairman, is that you are being asked to pass upon a very, very important question and you do not know whether you have at your command one-tenth of the hearings before the committee or nine-tenths of the hearings. If you want to take that responsibility, with the welfare of 130,000,000 people at stake, that will be your responsibility.

As to the question of whether or not this resolution will be in defense of or will increase the defense of our merchant ships, I do not believe it will. It will simply change the method of attack on them. I agree that an armed merchant ship has some chance with a submarine, but it will simply mean that the submarines will no longer attack merchant ships with shells; they will attack them with torpedoes, without previous warning or responsibility for safety. Then what will happen? Then we shall have the incident they have been looking for, and we shall read in the papers that a crew of 30 has been sunk without warning or a crew of 60 has been sunk without warning.

As the Secretary of the Navy says, there has yet been no incident sufficient to create the conflagration, but that is because the American people have steeled themselves against property losses. Will they steel themselves in the same manner against loss of life, if it occurs that merchant ships are sunk by the torpedoes of submarines? Are we not then going to get into the very thing the neutrality law was designed to protect us from?

Gentlemen may say that conditions have changed. I say to them when they speak here of the right to the seas that that right has not changed from 1939 or from any other time. That right is the same today as it has always been. There is no change there. But if there is a change, it is a change that we are now in a condition to fear. As has been said heretofore, we are hiding behind the skirts of Panama. We may say that the conflagration is ablaze in the world, but what are we going to do about it? Sometimes when there is a great conflagration they will dynamite some buildings in order to stop the ravages of fire. Are you going to dynamite the United States so as to stop the fire in Europe? If so, what are you doing it for? What is there beyond the United States? Yet that is the thing we are doing, if we pass this resolution. We are destroying the last hope of constitutional representative government. Although one gentleman said this morning this act seems innocuous, I cannot help but feel that by passing this measure we are passing an unwritten declaration of war.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama [Mr. PATRICK].

Mr. PATRICK. Mr. Chairman, I got these 2 minutes just to make the statement that I was over there at these secret committee hearings, or the hearings that the gentleman calls secret hearings, about which he stated the House did not know and never would know, and I would like to ask the gentleman now if he attended the closed hearings of the committee. Did the gentleman make any attempt to be there and hear the hearings?

Mr. JONKMAN. I was there every minute of the time. I am a member of the committee and I did not miss a thing.

Mr. PATRICK. Now I am asking the gentleman if he knows about his own committee. Did the gentleman remember other Members of Congress, members of other committees, coming over there and being there at the time?

Mr. JONKMAN. Is it not true that the gentleman was there on condition that his lips were to be sealed?

Mr. PATRICK. What is the question?

Mr. JONKMAN. Is it not true that the gentleman was there only on condition that his lips were to be sealed?

Mr. PATRICK. I was allowed to be there and to attend those hearings. I went up there and was very courteously admitted and sat in at the hearings and I assume every other Member of Congress had the same right and privilege.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. PATRICK. I yield.

Mr. BUCK. Is it not a fact that on the gentleman's committee, the Committee on Interstate and Foreign Commerce, and on my Committee on Ways and Means, and I suppose the same thing is true of every other committee in the House, after public hearings have been held, committees go into executive session, consult with their experts and other people in the executive session, and if those are called secret hearings there is no committee that can be absolved from following a procedure of that kind.

Mr. PATRICK. I certainly always assumed that to be so. It is true of our committee, and I just wanted to get up here and state that I was never treated more courteously than I was treated in this committee and I wanted to correct the statement that it was closed to Members of Congress.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. PATRICK. I yield.

Mr. BUCK. Is it not a fact that I have personally been received before your committee in executive sessions to present my own views after hearings had been closed?

Mr. PATRICK. The gentleman has. However, I want to give as a further reason for my statement that if this particular committee has been cheating, I want to know it.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. PATRICK. I yield.

Mr. MUNDT. I know the gentleman wants to be fair, as he always does——

Mr. KNUTSON. And truthful.

Mr. MUNDT. And truthful, as he usually is.

Mr. PATRICK. Or as truthful as a politician can be.

Mr. MUNDT. Or with certain deviations at times that are not very serious, but so the record may be clear, there were in the committee room a total of eight different Congressmen at various times who came in or dropped in for a while to hear a part of the hearings. I am happy to say the gentleman from Alabama [Mr. PATRICK] was one of these eight. Any Member of the House would have been eligible to come, but no advance invitation of any kind was given to the membership as a whole so that they knew in advance that they had this opportunity.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield myself such time as I may require to answer this unfortunate controversy.

I will say this, Mr. Chairman: At no time were any of the Members of the House, or even the Senate, excluded from the executive sessions. Statements were asked of the different members of the Cabinet and of the administration so that we could put their views into the hearings that were published. At no time, either in executive session or in open session, was any question refused or objected to or a point of order made by any member of the committee either for or against the resolution we had under consideration.

I think this is very unfair. We all know, as Members of the House, that we all hold executive sessions and these executive sessions are private. That is why we hold them—to get the information without giving it to the outside world. But, except for the executive session of the first day, these hearings were open. The hearings were printed, and were printed right away. We had them available for the Members, and I think it is very unfair to the committee to make these statements, which I wish to state are not true and not accurate.

Mr. JONKMAN. Mr. Chairman, will the gentleman yield?

Mr. BLOOM. I should be very pleased to yield, although the gentleman did not yield to me.

Mr. JONKMAN. Does the gentleman understand me to say that there was no opportunity to hear this? I did not say that. I say that the hearings have not been printed, and that Members of Congress cannot read them and have not read them.

Mr. BLOOM. All of the questions and all of the hearings are printed outside of the testimony by administration witnesses in executive session. There is no question about that, because, as the gentleman will remember, one or two at least, of the administration witnesses asked whether we were in executive session before they answered the questions. Is not that right?

Mr. JONKMAN. Yes.

Mr. BLOOM. That is true and the information could have been given to anyone of this body, but it was not to be given out to the world, so that Hitler or Mussolini should get information, and that is necessary, so that you can legislate properly. That is what the information is given to you for—not for publicity or notoriety. Let us be fair about it.

Mr. JONKMAN. We understand that, but the point is that what transpired there is not available to the rest of the Members of the House.

Mr. BLOOM. But the gentleman was supposed to represent the other Members of the House and do it consistently and intelligently on the information that he got. Every Member of the House could have listened to every bit of testimony if he wanted to. No one was excluded who is a Member of the House, from any hearings that we held at any time.

Mr. JONKMAN. And I did not say so at any time.

Mr. BLOOM. Very well; that is all.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. TINKHAM. Mr. Chairman, I want to take 2 or 3 minutes to inject myself into this controversy. Let me say to the members of this committee that during the 35 years that I have sat on committees I have never before seen what was done in relation to the hearings on this bill.

To begin with, when the committee met I made a suggestion that we first take up the message of the President upon which the bill was based. The chairman refused to allow the message of the President to be considered. This seemed to me an absolutely unprecedented and indefensible action. The printed message was before the committee and yet the chairman ruled arbitrarily, tyrannically, that the message could not be considered.

It was then stated that two or three policy-making members of the Cabinet were to come before the committee to make statements but that they were not to be cross-examined publicly; that is, that no publicity would be given to any questions asked them or to their replies. The bill under consideration was not an ordinary bill but a bill involving the question of peace and war and affecting every American man, woman, and child. Yet all that was to be given to the press and to the American people were the prepared statements of the policy makers; the public was not to be informed of anything that might be developed by cross-examination, by questions submitted to the Government officials by members of the committee. In my opinion, that was a technique of suppression and concealment, undemocratic and wholly un-American. The witnesses should have made their statements openly and submitted to public cross-examination.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. BLOOM. Mr. Chairman, I yield 3 minutes now to the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM of Virginia. Mr. Chairman, I apologize to some extent for entering this controversy, as the gentleman from Massachusetts termed it, but I seem to perceive in the course of the discussion what I think is rather an unfortunate conception of the functions of our committee hearings. I am going to leave to the gentlemen on the Foreign Affairs Committee, the majority and the minority, to say whether they have had enough hearings or have not had enough, or whatever they want to say about it, but I do take very sharp issue with any gentleman who says that in a critical situation such as confronts America today, there is anything undemocratic or unparliamentary or anything improper in a committee on which is represented the minority as well as the majority, hearing evidence in executive session which should not be given out even to all of the Members of Congress. In the prosecution of a situation of this kind the effectiveness of what you do depends on the question of whether or not you are able to do it without the other fellow always knowing what you are doing. When we had under consideration before the Appropriations Committee the lend-lease bill as well as many other defense bills, certain evidence was taken, reduced to writing; and certain other off-the-record statements were made by the Chief of

Staff of the Army and the Chief of Naval Operations, the Secretary of State, and other Cabinet members and other high officials as to the condition of our defenses, as to the progress of the work, as to the manner in which it might affect American interests, and as to what our plans might be in certain circumstances. While that information was given freely to the committee, Members of the minority were there to hear it as well as the majority—yet it would have been an act of idiocy to have spread all of that upon the record and published it to the world. In fact, I think we have been guilty of putting too much of it into the record.

Mr. HARE. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. HARE. As a matter of fact, prior to the War of 1812—when the Embargo Act was passed—President Jefferson sent a secret message to Congress and it was passed without debate.

Mr. WOODRUM of Virginia. Effective operation, such as we are trying to do now, not only for our own defense, but in carrying our foreign policy, depends upon our ability to make decisions and carry details without advertising it.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. VORYS of Ohio. I wonder if the gentleman from Virginia understands that in these hearings no questions whatsoever were permitted publicly?

Mr. WOODRUM of Virginia. What does the gentleman mean by "publicly"? Does he mean hearings to which the public were invited?

Mr. VORYS of Ohio. No. The doors were closed before these officers and officials could be asked any questions at all.

Mr. WOODRUM of Virginia. The gentleman means they did not permit public citizens to enter the room?

Mr. VORYS of Ohio. Either citizens or newspapermen.

Mr. WOODRUM of Virginia. I think that is eminently proper. Of course that is proper. The only possible advantage of going into executive session by a committee of the Congress is not to have the public come in, because the public will not understand the issues involved and the only reason for their coming in would be to exploit it in some way or other and spread it on the front lines of the newspapers, which could not possibly be of any help.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. MICHENER. As I get this controversy, it seems to be this: We all know that the committees hold executive hearings. In executive hearings—the gentleman from Virginia will agree with me that all the witnesses appearing at the hearing should be treated alike, that is, executive sessions all the time or open sessions all the time.

Mr. WOODRUM of Virginia. I cannot subscribe to that just as the gentleman has stated it.

Mr. MICHENER. Let us put it this way: There could be but one purpose in permitting the statement of certain witnesses advocating a bill to be made in public and given to the press, then have the committee go into executive session to conduct the rest of the hearings, including those opposing the bill. That would be strategy, that strategy would be for the purpose of getting to the country for the purpose of influencing the sentiment and creating a psychology in the country to support the bill. Now if that was done it is reprehensible, and the gentleman will agree with me as to that. If it was not done, then we ought to know about it.

Mr. WOODRUM of Virginia. I want to say to the gentleman that the hearings before the Appropriations Committee are never public. We never admit the public.

Mr. MICHENER. If these hearings were all executive that was proper. But you should not have hearings half executive and half open, that is, give publicity to the claims of the proponents and prevent the public and the Congress knowing the claims of the opponents.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. BLOOM. Mr. Chairman, I yield the gentleman 5 additional minutes.

Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. BLOOM. All of the hearings on the first day were in executive session. Now, this is what happened: Secretary Hull and Secretary Knox——

Mr. JONKMAN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The gentleman from Virginia [Mr. WOODRUM] has the floor.

Mr. WOODRUM of Virginia. I think we are perhaps confusing terms. I think sometimes we are speaking of executive hearings when we are talking about off-the-record hearings. Let me state my understanding, and the gentleman can say whether this is right: All of the hearings on this bill were in executive session. That is to say, nobody but members of the committee and such Members of Congress as they wished to admit were admitted to the hearings.

Mr. VORYS of Ohio. No; that is not correct.

Mr. BLOOM. Will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. BLOOM. The first day, when Secretary Hull and other members of the Cabinet were there, they were requested to give out statements to the press, but at that time no one was admitted to the hearings during that first day while the confidential testimony of the officials of the administration was given. But statements were given out by each official witness. That was in executive session. The second day was not in executive session, but no one except members of the committee and other Members of Congress who wanted to sit in were allowed to sit in on the first day.

Mr. WOODRUM of Virginia. I think that is about as I understood it.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. MUNDT. Mr. Chairman, the chairman of the committee did not mean to convey exactly what he said.

Mr. BLOOM. I did mean to convey just exactly what I said. What does the gentleman from South Dakota mean?

Mr. MUNDT. Then I am sorry, I shall have to dispute the accuracy of the gentleman's statement, and certainly members of the press who were there will bear me out. The full statement was read by the first witness and after he had completed the chairman said: "Now, the press will kindly leave the room." I think the press will bear out the veracity of the statement I have just made.

Mr. BLOOM. I said that statements were given out to the press, then the hearings were closed; that all the statements were given out at that time.

Mr. MUNDT. That is right. The situation therefore is just exactly as described by the gentleman from Michigan. One side was heard but not the other.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. KEEFE. Pertinent to the question now under discussion I think the hearings will disclose that the situation is exactly as stated by the gentleman from Michigan, and it is in the record. If you will turn to page 5 of the printed hearings on this resolution you will find the following colloquy between the chairman and Mr. Hull:

> The CHAIRMAN. Have you completed your statement?
>
> Secretary HULL. Yes.
>
> The CHAIRMAN. The committee will go into executive session.

Mr. BLOOM. That is what I have stated; that is what I have been saying.

Mr. KEEFE. In this case the committee permitted the witnesses to give their formal statements which were given to the public and the press. They were just formal statements.

Mr. WOODRUM of Virginia. Secretary Hull said, "That is all."

Mr. KEEFE. It does not make any difference whether it was Secretary Hull or who, the record shows that is the fact. Here it is down in writing.

Mr. WOODRUM of Virginia. Is not this after all a tempest in a teapot?

Miss SUMNER of Illinois. No.

Mr. DEWEY. No.

Mr. WOODRUM of Virginia. It may be that before certain committees certain information is given that the committee thinks ought not to be made public. Let me put it the other way. Every time we have hearings on an appropriation bill certain witnesses ask if a statement can be made off the record. The Chief of Staff may be a witness. We ask him a question. He may ask if he can answer off the record. We say he can. He speaks off the record and that information is not published. In this case a statement was made by the Secretary of State. As much information as he felt in the public interest and in the public good could be made public was made public and the rest was not, not because he wanted to keep from an American citizen information, but because they did not want to advertise to the world what the inner workings of the foreign policy were, yet the things that he said were avail-

able to the minority members of this committee.

[Here the gavel fell.]

Mr. TINKHAM. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS of Ohio. Mr. Chairman, in Britain at war the members of the Cabinet are frequently interpolated on the floor of the House of Commons. What happened here was that the Cabinet officials of our Government in peacetime could not be questioned at all by Members of the Congress so that the other Members or the public could know what questions were asked.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I have only 2 minutes; no.

Mr. DINGELL. I challenge that statement. It is not so.

Mr. VORYS of Ohio. In the Appropriations Committee they have a practice of letting witnesses talk off the record. Questions are asked and those answers or questions that are not in the public interest to disclose are then taken out. In our hearing the doors were closed, no record was made; so it is impossible forever for the very officers to say "These questions or answers can be made public, these cannot." That is impossible in this instance.

Mr. BLOOM. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I cannot yield; I have but 2 minutes. I will yield if the gentleman will yield me further time.

Mr. BLOOM. Mr. Chairman, I yield the gentleman from Ohio a minute to ask a question. Will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. BLOOM. Did not Prime Minister Churchill, the other day on the floor of Parliament, refuse to answer any of the questions that were asked of him by members of the Parliament? Is not that true? Did not that happen day before yesterday or yesterday?

Mr. VORYS of Ohio. No. On the contrary——

Mr. BLOOM. All right; the gentleman says no to that.

Mr. MICHENER. Yes, that is true according to the press; but the people of Great Britain were notified that that question had been asked and that the Prime Minister felt it was an improper question.

Mr. VORYS of Ohio. That is right. Here is the situation. Any matter, of course, that it is not in the public interest to disclose should be kept from the public and from Members of Congress on the floor; but in this situation the speeches of Cabinet officers on one side of this matter were made public, the first speech was literally part of a public hearing, and after that not merely part of the hearing, but everything, every question, every answer, was taken behind closed doors; no record was made of it; so it would be impossible to reconstruct even the part of that testimony which it would be in the public interest to have the Members of Congress and the public know before we vote on this resolution.

Mr. DITTER. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. DITTER. Was a transcript made, a stenographic record? Were the official stenographers present? Were their notes preserved by the committee for further reference?

Mr. VORYS of Ohio. The stenographer was ordered out of the room when the press was ordered out.

Mr. BLOOM. That is right.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentlewoman will state it.

Mrs. ROGERS of Massachusetts. Mr. Chairman, my understanding is that debate is to continue through the day, and the day will be a very flexible one and will allow debate to go on through the evening until late into the night?

The CHAIRMAN. It is within the discretion of the Committee when it wishes to rise.

Mr. BLOOM. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. ARNOLD].

Mr. ARNOLD. Mr. Chairman, perhaps the time may as well be consumed in clearing up this matter that has been under discussion for the last 15 or 20 minutes, and I shall direct my remarks to that question.

The Committee on Foreign Affairs met on last Friday after adjournment of the House. Procedure for the hearings was discussed. The ranking minority Member [Mr. FISH], as you know, had asked for 4 or 5 days of hearings altogether. He made a request of that kind in the committee as soon as we had met. The majority had in mind 2 days' hearings, Monday and Tuesday, and a motion was finally made to that effect, which I seconded. An amendment was offered to give the minority an additional day, Wednesday morning, provided that when 12 o'clock came and the House went into session a point of order would not be made by the minority to prevent the reporting out of the bill on Wednesday as desired. There was to be a gentlemen's agreement to that effect. When the minority refused to accede to the gentlemen's agreement it appeared to the majority that time was not what they desired. The ranking minority member of the committee wanted hearings held in the Ways and Means room. He wanted big crowds like we had at the lease-lend hearings. We found in those hearings in connection with our questioning of General Marshall that we could not secure the information we desired in open hearings.

We had three Secretaries of the Government and two other officials coming before our committee on Monday, and we wanted to ask them any questions without first clearing the room, which we had found impossible to do over in the big caucus room. We had to come over to our own committee room in January to hear General Marshall, leaving the large room because we could not handily clear the same.

On Monday we had the most satisfactory hearings it has been my pleasure to enjoy since I have been a Member of this Congress. We secured all the information we desired. These gentlemen who appeared before us had everything in their prepared statements the press needed to know and very little was adduced from the questioning that was not contained in the statements. There was some confidential information, especially from Secretary Hull, that could not have been given in open hearings. In other words, we got a better chance to question these gentlemen in the manner that we adopted.

Seven hours of hearings were had the first day, and we offered to have night sessions on Tuesday, which would give at least 10 hours of hearings and 3 hours additional time on Wednesday if they would agree to raise no point of order. They declined to do that, because it was apparently the limelight, at least one member wanted to get into, and not a question of having longer hearings. So the hearings went on. The minority did not produce many witnesses on Tuesday. We finished in some 5 or 6 hours because there were no further witnesses to hear.

In view of that explanation I will leave it to this House whether or not the chairman and the majority members of the Foreign Affairs Committee did not offer to do everything that was fair and just and conducive to the speedy consideration of this legislation.

[Here the gavel fell.]

Mr. TINKHAM. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, the argument made by the honorable Representative from Virginia, now our presiding officer, is, in my opinion, fallacious. His argument was that public hearings might bring to light information that could be used by the enemy, and that, therefore, private, secret hearings should be held.

Let me remind this committee that not many months ago the Committee on Foreign Affairs held open hearings on the so-called lend-lease bill without having divulged any secret or improper information. The members of the Committee on Foreign Affairs are trained men. They know what can be asked properly. Furthermore, witnesses are not required to answer questions which they deem improper.

I refused to attend the hearings on the proposal now before the committee as a protest against such undemocratic and un-American procedure. I held that the testimony of the policy-making members of the President's Cabinet who appeared before the Committee on Foreign Affairs in support of this bill should have been subject to cross-examination and the cross-examination given publicity in order that the American people might have obtained a better understanding of the proposal.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. SMITH].

Mr. SMITH of Washington. Mr. Chairman, I am supporting and voting for the passage of House Joint Resolution 237 to repeal section 6 of the Neutrality Act of 1939, relating to the arming of American vessels. I consider that this is the only consistent course that I can take for I have voted for every national-defense

and lend-lease measure which has come before Congress.

Unless our shipments of munitions and supplies reach their destination and are safely delivered to Britain and the democracies our aid will prove wholly ineffective. Obviously, there would be no object gained in our manufacturing, producing, and shipping these articles and then have them sunk to the bottom of the ocean. This is only common sense. We are committed, in obedience to overwhelming public opinion, to a policy of national defense by furnishing aid to Britain and the democracies, in order to thereby keep war away from the United States. We have fully embarked upon this policy and there can be no turning back now. We have set our hand to the plow and it would, indeed, be foolhardy on our part to pull back our hand now. It is undoubtedly too late to do that, even if we were disposed to do so, which we are not. Every transpiring event proves the necessity and wisdom of our policy. We could not have prudently done otherwise. We have been enabled to purchase time to build and strengthen our own national defense and thus place ourselves in a stronger and better position to repel any attack which may ultimately be launched against us. This fact becomes clearer with each passing day and the days for our preparation are passing rapidly.

Mr. Chairman, these convictions which I have expressed are not new on my part and have not been hastily reached. I have been, and still am, opposed to our entering the war and furnishing our men for that purpose. However, I have for many years realized the need and wisdom of our building the strongest possible national defense. During the past 9 years of my service as a Member of this body I have cast my vote in favor of our national-defense program on every occasion, without a single exception. I shall continue to do this.

In a radio address which I delivered over the national network of the Mutual Broadcasting System from station WOL, Washington, D. C., October 16, 1939, I concluded with these words:

> My fellow countrymen, this is an hour in our history for sober, serious, hard-headed, practical thinking, and prompt, expeditious action. Would it not be the height of folly, extreme stupidity, and criminal neglect of duty for us to fail to substantially increase and strengthen our national defenses? With our two long coast lines and vast continental geographical area to defend, in the interest of the safety, security, and peace of our own people we should take immediate steps without the loss of another single day to build and construct for our proper and adequate national defense the largest and most modern and efficient two-ocean navy, the most complete coastal land defenses and strongest fortifications, the most effective antiaircraft defenses which science can provide, and particularly the largest air fleet in the world, commensurate with the size, area, and distances of our domain—50,000 planes, according to the advice of Capt. Eddie Rickenbacker, World War ace.
>
> Let us be so well prepared that no combination of foreign powers in the world would dare to attack us. Let us be so well prepared that no combination of foreign powers in the world could attack us successfully.

On November 1, 1939, in a speech which I delivered during the debate on the cash-and-carry provisos of the Neutrality Act of 1939, I said:

> This neutrality legislation is intended and designed to keep us out of war so far as that desirable result can be achieved by legislation; and the proposed law is, in my opinion, the soundest and best approach which can be made to the problem. However, recent world events and the experience of other nations furnish abundant proof of the fact that a desire to be neutral and remain at peace does not insure peace or prevent attack by aggressor nations. Therefore I am continuing the course which I commenced in my recent radio address over a national network, and which I intend to pursue vigorously, pointing out the fact that we are not adequately prepared for a war of defense and that we should take immediate action to strengthen and increase our national defenses
>
> We should augment our land forces, mechanize and motorize our Army, and provide the Army with ample, modern equipment—rifles, cannon, antiaircraft guns, tanks, and ammunition—which it does not possess at the present time. We should also provide facilities for the rapid manufacture of these items as required, which we do not now possess.
>
> We should provide the strongest and largest air fleet in the world, consisting of bombers, pursuit planes, and all-defensive aircraft, and antiaircraft guns, and fortifications for the defense of our cities.
>
> We should have a two-ocean Navy to properly protect our coast lines, of which we have three, instead of two as usually stated—the Atlantic and Pacific, but also the southern coast. In fact, the waters of the Gulf of Mexico and the Caribbean Sea are the most likely focus of attack upon us according to Acting Secretary of the Navy Edison. Secretary Edison points out that "the hitherto almost defenseless West Indies and the islands stretching from Florida to Venezuela might provide a maze of shelters for raiding submarines or easy stepping stones for invading aircraft."
>
> Let us be so well prepared that no combination of foreign powers in the world would dare attack us. Let us be so well prepared that no combination of foreign powers in the world could attack us successfully.

Mr. Chairman, subsequent events have certainly vindicated in a striking fashion the statements which I then made. I have not changed my opinion one iota; in fact, the words I spoke and the ideas I expressed are truer today than they were when these words and admonitions were uttered.

We should continue to render every possible aid to Britain and the democracies by furnishing them with material and supplies, but not manpower. I am opposed to sending our boys to fight and die in the Red Sea, Greenland, Iceland, or any other foreign world outpost far distant—thousands of miles away—from our country. It is significant, and we should take note of the fact, that the British Empire, with a population of 400,000,000 inhabitants, is very reluctant to furnishing any manpower to fight and die in foreign lands, and has not and is not doing so. Why should we then do so? We should not until and unless that day arrives—which God forbid—when it is expedient and necessary for us to do so in order to protect the lives and property of our own people and they themselves in no uncertain terms indicate to their representatives and servants in Congress that it is their wish and their desire that this be done.

Mr. BLOOM. Mr. Chairman, I yield such time as he may desire to the gentleman from Kentucky [Mr. CREAL].

Mr. CREAL. Mr. Chairman, I have been listening for three-quarters of an hour to the debate over whether or not the committee proceeded rightly in the acquisition of evidence, and I just wonder how many Members of this House learned anything at all or what vote was changed by what they did here, or if there would have been any difference if they had gone on with hearings for 30 days. When the question was raised and it appeared that there might be a vote on this matter, nearly every one of the 435 Members of the House was ready to vote and the American people were ready to vote. You have produced a tempest in a teapot in talking about procedure.

Who is it that had not heard nearly everything heard in the hearings? With all due respect to the Committee on Foreign Affairs, who have done a good job, let me say that you are not influencing anybody to vote for or against this resolution. When the question was mentioned the vote was taken in most minds but not recorded.

How many Members have you here now to listen to your experts? Look at the floor and see. The boys have made up their minds. So I want to discredit and put where it belongs any discussion about technical procedure in the hearings. That is an attempt to camouflage the issue.

The American people are not so ignorant on this question that they have to depend on what we say through this forum on that simple question.

I can condense all the hearings and all the argument on both sides into two sentences: "When you are going somewhere on business where you have the right to go, and you see a suspicious party lurking in front of you or lagging alongside or sneaking up in the rear, those who favor taking a shot at him vote 'aye.' Those who want to take a risk, vote 'no.'"

We have scripture for that. It is more blessed under such circumstances to give than to receive.

I know the American sailor on the ship would feel safer if there was a gun on it to make submarines keep out of sight.

Mr. TINKHAM. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. DITTER].

Mr. DITTER. Mr. Chairman, I was very much interested when the distinguished gentleman now acting as chairman of the Committee of the Whole House left the Chair to make an observation with reference to the justifiableness of closed hearings. He drew an analogy between the hearings conducted by the Committee on Appropriations and those conducted by the Committee on Foreign Affairs. With much that he said I could be in accord. However, I believe the gentleman from Michigan very properly stated what the conditions were: In other words, if the hearings were to be executive they should have been executive from start to finish. If they were to be partially open, then they should have been opened as a whole.

As I see it, the danger at the present time—and this observation comes from my experience in hearings of the Committee on Appropriations—I say, the danger is that resort is presently being had to the excuse that facts and figures may be of value to an enemy, as a means of withholding from the public certain information. To some extent this may be justified. But to carry the practice to the lengths that it has been carried I feel is unjustified. The Committee on Appropriations, at least, has a transcript of the record. The official stenographer is at hand. Most of that record is transcribed. It may not all be printed, but if the occasion requires, access can be had to that typewritten transcript as a basis upon which a conclusion can be reached.

I still have confidence in the intelligence of the American people. I am loath to believe that it is a dangerous practice to inform them of conditions. Decisions are being made which affect their security, their contentment, and their happiness. These decisions reach into every home in the land. Have we reached the point where only a prepared and possibly a purposefully colored presentation of facts can be given to our people? Shall they be denied the right to form their own opinions and have available such information as would enable them to make decisions?

I am still of the opinion that an informed and an intelligent electorate is essential to a system of self-government. Concealment contributes nothing to confidence. A unity of purpose which depends upon an uninformed or a misinformed people will prove of little value under the stress of sacrifice and tears.

Someone has said that debate and discussion here is of no value—that final decisions have already been made. I would hate to make that admission. I believe that every Member of the House should hear the facts and figures that are pertinent to the issues before us. I would say more; I believe the people want to have those same facts and figures brought before them. Military secrets need not and should not be disclosed. But to advocate a policy of blindly following a prescribed course suggests an incapacity of determination by our people, which I am not willing to admit. I repeat, I have an abiding faith in the good judgment of the American people; I believe they have the right to know the plans and the purposes of those to whom they have entrusted the solemn responsibility of administering their Government—and it is still their Government—and I oppose the practice which would withhold from them such information as will enable them to form an honest, uncontrolled, unbiased, and deliberative opinion.

A few days ago the President sent a message to the Congress in which he urged that certain changes be made in the Neutrality Act. It need not be argued that the message had a twofold purpose. That is self-evident. The one purpose was to advocate the arming of our merchantmen; the other, sending American ships into belligerent ports. It is obvious that the second step would carry us directly into the war zone and would make every American ship which attempted to enter or leave such port a legitimate target of attack. How could this lead but to one thing—an all-out entry into the war?

The message of the President and the resolution now before us go hand in hand. True, only one of the purposes is presently being debated and considered—that having to do with the arming of our merchantmen. But are we to be so naive as to consider the one suggestion without regard to the other? The President has linked them together. Surely it was not his intention that they should be separated. He has made them part and parcel of a common plan. Had this not been his intention, the one suggestion would have stood alone without any reference whatever to the other. I am compelled, therefore, to treat the question now before us in the light of the plain and manifest purpose of the President's message, even though the full and complete program may not be made a part of the present resolution.

The far-reaching consequences of the twofold plan must be apparent to everyone. It contemplates a very material and fundamental change in our relation to the war. It flies in the face of every assurance heretofore given to the American people. To quote at length from official pronouncements on the subject is hardly necessary. They are well known to all of us. To a large degree they have become a matter of memory—taunting as those memories may be to some extent. But I cannot refrain from a passing reference to the President's message to the special session of the Congress on September 21, 1939, when he said:

> This Government clearly and definitely will insist that American citizens and American ships keep away from the immediate perils of the actual zones of conflict.

Those perils still exist. I am not unmindful of the fact that we have adopted policies since 1939 which have changed our relations with the combatants, but at no time were we advised that such changes would include the approval of perils against which we were warned at an earlier day. On the contrary, the successive steps which we have taken were predicated on the solemn assurances that they would avoid rather than invite danger.

Despite the fact that I am convinced the two suggestions of the President should be treated together, I have given careful consideration to that part of the plan—the arming of merchantmen—proposed by the present resolution. I have studied the hearings, fragmentary, and superficial as they are. The only conclusion that one can arrive at after reading these hearings is, that those who were in charge of them were convinced that the less that was said to justify the adoption of the resolution the better off the resolution would be. Tactics of this kind may have been considered necessary by the proponents. But I am persuaded that the presentation of facts and figures, and the privilege of all parties to have an equal opportunity to be heard would have advanced rather than retarded the cause for which the proponents are contending.

I have served as a member of the committee which has passed upon all the appropriations since the rearmament program was undertaken. I have had the opportunity to study at first hand the progress which has been made in production. On another occasion I recently informed the House of the objectives and accomplishments. I have reexamined that part of the record which has been made public and which relates to the Navy's supply of guns and ammunition. Those records bear a direct relationship to the proposal of arming merchantmen. To me they prove one thing—that we do not have on hand at this time a sufficient amount of material to carry out the proposal in a practical way without inviting disastrous shortages in the Navy. I contend today, as I always have contended that the Navy is our first line of defense. With conditions as they are at this time—and the news is far from quieting—everything should be done to make the Navy ready for any eventuality. To decrease its effectiveness in anyway does not seem wise or prudent. And that would be done if essential parts of its effectiveness were transferred for other purposes.

Nor has it been established that the arming of merchantmen would give any practical security to the seamen aboard our merchant marine. Many, whose experience and knowledge should enable them to give worth-while opinions, contend that the proposal would increase the hazards rather than provide protection. To say the least, there is a marked division of opinion on this point. I am persuaded that the suggestion which has been made to transfer merchantmen to Great Britain under the lease-lend program would serve the purposes sought without inviting increased hazards to our merchantmen or decreasing the strength of our Navy. Again, I want to repeat that the maintenance of our first line of defense should be our first and most important concern. To take guns, gun crews, and ammunition from our fighting force must mean a depletion of our first line of defense.

The question we face today goes far beyond the academic question of neutrality. We have abandoned long since the position of a neutral. That decision has been made. I have dealt with the present problems from a purely practical standpoint with a realization of its probable consequences in the light of surrounding circumstances. Nor can I avoid the conclusion that a more fateful decision attends the conclusion which we reach today.

Mr. TINKHAM. Mr. Chairman, I yield 12 minutes to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. The President's message of October 9 advised the Congress that in his judgment the Neutrality Act "requires a complete reconsideration." Specifically, he recommended the repeal of section 6. He suggested that there are "other phases needing correction," but he did not inform us which these are. We are concerned, therefore, with section 6, the repeal of which will permit the arming of our merchantmen.

Before I discuss the resolution, may I remind you that I have voted for all the defense measures brought to this floor,

as well as for both lend-lease appropriations, and cannot, therefore, be rightfully charged with obstructing the implementing of policy set up by the party in power. I am so deeply an Anglo-Saxon, both in blood and tradition, that there has been no question in my heart but that I want all possible help to go to Britain with all possible speed. No, this has not blinded me to her weaknesses nor to her mistakes, but I believe, with all the faith that is in me, that the soul of England is being reborn. Because I do so believe and because I am of English blood and am proud that the freedom set up in this country stemmed from Magna Carta, I am distressed and troubled that we, who have assured her the material she needs, are not producing it with all possible speed; that we who have said to all those who fight Hitler that we would be their arsenal, have not found ways to avoid loss of man-labor days in our shops and confusion in our methods, knowing full well that such loss means loss of human lives at the battle front.

In the years of the first World War we learned that to keep a man at the front there had to be at least 10 men behind the lines. Today, with the mechanization of so many war techniques, this number has been multiplied and remultiplied. We have agreed to be the nation "behind the lines."

President Roosevelt has assured the country many times over that he will keep America out of this war. In reelecting him a year ago upon this promise the people gave him a mandate so to do. As a loyal American and a firm believer in the system of two-party government, I have felt constrained as a member of the minority to help bring to his attention from time to time such phases of his suggested program as seem to endanger the fundamentals of American security. I have done this with complete sincerity and with the assumption that he was, and still is, determined to keep this country out of this carnage, if for no other reason than that he may keep his word to those nations who are at the front. If we are to continue to furnish unlimited supplies—and I am agreed we should—we dare not jeopardize our position of not being in the war lest our manpower would have to be diverted from the shops to the line. To be the arsenal of the world is an arduous task, and would seem to require complete concentration upon how to keep out of the fighting and how to make every man-labor day count.

Therefore, ladies and gentlemen, I have been further constrained to study this resolution as a possible danger to our position as an arsenal for the many nations to whom the President has promised unlimited supplies.

This brief resolution embodying comparatively few words has tremendous implications. Each one of us, I earnestly hope, is considering it with deep thought and quiet courage, thrusting aside the atmosphere of partisanship and hysteria.

It is as impossible for us in Congress to consider section 6, lifted out of all contact with the Neutrality Act and to consider it without background or possible implications, as it was for the President to present it to us for consideration without discussion of the act, or for the Cabinet members whose statements you have before you, to do the same.

Briefly, then, whether one believes that the Neutrality Act should have been put in the place of international law or not, the fact is that the bill was passed in order to prevent our nationals getting themselves into trouble that might put us into war. The Secretary of the Navy testified that it "worked until the spring of 1940." He failed to tell us in what way it had not worked since then until the present time, and careful research has not developed facts that would substantiate the inference of his statements. The President says that "in this atmosphere"—that is, the misrepresentations of 1939—"the Neutrality Act seemed reasonable." The reason for it was to keep us out of the war. Nothing has been told us in committee or in the newspapers that has convinced me that adherence to section 6 would not still serve such a purpose. Nothing has been told us that would indicate that we can increase delivery by this proposed gambling with the lives of American sailors and gun crews.

When added to the implications involved in the deletion of section 2, which keeps American-flag ships out of belligerent waters and which we are told will probably be attached to this resolution by the Senate, it is difficult to believe that it will not be the gateway to our entrance into the world carnage.

I repeat that we are the last nation that can concentrate upon the work of production behind the lines. Such work is not as spectacular as actually fighting Nazis, but the efficient or ineffectual performance of it is probably going to decide the ultimate results.

The President hopes—

that the Congress will carry out the true intent of the Lend-Lease Act by making it possible for the United States delivering articles to those who are in a position to effectively use them.

Is it not clear that there is nothing in the already accepted policy of the Nation to keep the President from putting under British instead of Panamanian registry such ships as we have available and building for the transporting of war materials into any waters? If we should thereby postpone the building of our own merchant marine, it is conceivable that a clause covering the return by Britain of such vessels upon our demand could well be inserted in the agreement with her that we are told is in the process of consideration. Inasmuch as Britain's need for our material is so great, it is inconceivable that she would do anything to interfere with this "bridge of boats" that would be in her service.

To my mind, this would carry that policy to what the President feels to be its logical conclusion. There would be no jeopardy to American lives, no possibility of the building up of "incidents" that would lead us inevitably into war as they did in 1917. Those of you who remember those days vividly as I do need no reminder that it was approximately a fortnight only after we armed our merchantmen that we declared war.

Effort has been made to show that putting a few guns on our merchantmen would make the crews feel more secure. Inasmuch as such arming puts the ships into the category of war vessels and removes any need of warning by the enemy, this would seem to be holding up false assurances of security. Nor does the record of the last war show this method to be of any particular value. Indeed, armed merchant vessels sank no submarines in the last war, nor is there record of any such incident in the present war. There seems to be no question but that an armed merchantman under all standards of international laws or traditions or piracy, is a war vessel and as such subject to be shot at on sight.

My reason for wanting to give the President every possible encouragement to keep his promise and to prevent our getting into the actual warring nations is not because I think America has no part to play in the world because she has oceans to the east and west of her. Rather is it because I envision the part that is hers to play in the world of today and the world of tomorrow as so much greater than anything as yet described, that I feel so deeply the world's need to have us keep out of the bloodshed and the carnage.

Without question the immediate years ahead are going to require us to live in a military world. Let us do so calmly and effectively, but let us remember that this does not mean that we must enter the war. Neither does it mean the abandonment of the policy that has been adopted: to be the arsenal of Hitler's foes. Rather does it put upon us the grave responsibility of keeping a sanity of thought and action that will insure the successful termination of our already determined policy.

Feeling as I do that America will be unfaithful to her responsibility as a member of the great family of nations that go to make up mankind if she permits herself to take part in the fighting, and having been convinced very much against my desires, that inasmuch as the Neutrality Act was passed to prevent possible "incidents" that would lead us into war, which it has conclusively done, I am forced to believe that the repeal of section 6 would, in its very nature, be a step toward the possible, if not the probable, entrance of the United States into the war.

I deeply regret, therefore, that instead of agreeing with the President in his present request, I must adhere to what I consider my responsibility to the people of my district and of the Nation to do: To urge that he keep his promises to them and make no move to precipitate us into the war.

Nothing in this week's all too circumscribed hearings has convinced me that merchant ships would be protected by the method suggested in this resolution. Rather have I become reluctantly more firmly convinced that it both invites and justifies attack without warning, and creates added danger to the vessel.

There is but one more word I want to say, partly because of the confusion of men's minds in all these matters and partly because I would like to give you a

glimpse of my sense of America as I see her—the hope of humanity.

To me she is intended to be a light to all the nations. She cannot ever be isolated between oceans or isolated in thought. I repeat my deep conviction that if we do not keep true to our destiny, if we permit ourselves to be brought into the carnage, we must inevitably fail in our duty not just to the Western Hemisphere, not even just to all hemispheres, but to the whole course of mankind upon the earth.

Mr. TINKHAM. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. DEWEY].

Mr. DEWEY. Mr. Chairman, the maritime laws are extremely complicated. A short time ago I wrote a letter to the executive vice president of one of the largest American steamship lines. He has held this position and has been occupied with maritime affairs for at least 35 to 40 years. And in response to my letter he made seven categorical responses regarding the rights of ships to change their registry, matters of insurance and rates now being paid to seamen going on hazardous voyages, and other matters that pertain to the discussion contained in this bill.

The letter is as follows:

NEW YORK, *September 30, 1941.*

Hon. CHARLES S. DEWEY,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN: According to my experience and information the answers to the questions in your letter of September 29th are as follows:

1. A ship takes on wholly the nationality of the flag she flies. Her ownership does not affect her nationality at all. A ship flying an American flag, transferred to foreign registry, becomes expatriated as far as the United States is concerned.

2. If such a ship should be sunk with its cargo, it is purely a commercial proposition so far as the owners of the ship or the cargo are concerned. Theoretically speaking the United States has no interest in the sinking of a ship flying the Panama flag, even though she may be wholly owned by American citizens. Under normal circumstances the American citizen would not think of attempting to invoke his Government's assistance.

3. Ships and their cargoes are normally fully covered by insurance, including war risk, if in the judgment of the owners war exists. For example, there is no war risk existing between here and South America and therefore are not covered with war-risk insurance. War-risk insurance per $100 is as follows: On cargo to United Kingdom not east of Southampton 10 percent; ship's hulls 15 percent for the round trip. On cargo to South America on American ships 10 cents per $100; on European neutral ships 20 cents per $100; on belligerent ships 50 cents per $100. Insurance on ships is 25 cents per $100 for a round trip. All for war risk only.

4. Crews of vessels operating in war zones obtain a special wage to compensate them for their hazardous duties. This special wage is arrived at by collective bargaining and is usually greatly in excess of the risks run as measured as an insurance risk. The increased wages vary from 25 to 100 percent additional for war risk over the wages paid crews operating in zones contiguous to South America. There has recently been a demand for a 100-percent war bonus for vessels calling in West Indies islands owned by belligerents. The owners have refused to pay this, as obviously no risk exists.

There has recently been an 11-day strike over this subject on some ships and the question is now before a mediation board.

5. Freight rates on foreign registered ships carrying contraband cargoes between American ports and belligerent ports are very greatly increased, being several hundred percent over the rates on cargo between American ports and entirely neutral ports. From a strictly commercial point of view the increased costs of the ship are fully covered by the increased charges brought about by the hazards of war. As a matter of fact most ships make a great deal more money during war than at any other time.

6. Your proposition here is the subject of a great deal of controversy. Both in this war and in the last war the Germans have taken one position while England and the United States have taken another. International law is built upon a basis of past usages and formal treaties and conventions and agreements between high contracting parties. In the past under international law, prior to 1914, it was agreed that a neutral ship carrying contraband of war through a blockade was subject to seizure by the belligerent establishing the blockade. As a corollary it was accepted that a blockade must be maintained to be effective. Under no case was it considered that a merchant vessel, even a belligerent, would be struck down in the ocean. It was required that the vessel be captured, a prize crew put aboard the ship, and that she be taken to the nearest prize court. You will no doubt perceive that such a situation took no cognizance of the submarine. The war of 1914 was the first war in which the submarine as we know it today was actively engaged. In other words, the use of a submarine, except against a man-of-war, under international law as we interpret it, is wholly illegal.

7. American ships still flying the American flag are inadequate to handle our own waterborne traffic. It is hoped that they will be augmented by new construction. Of course, a great deal of the new construction can and will be turned over to Great Britain to sail under British registry. From a strictly commercial point of view there is no reason at all why all of the goods carried to Great Britain cannot be carried under British registry, thus removing the dangers of an international incident as far as the United States is concerned, if one of these vessels should be sunk.

Mr. TINKHAM. Mr. Chairman, I now yield to the gentleman from Oregon [Mr. MOTT].

Mr. MOTT. Mr. Chairman, I shall support this resolution, and ask unanimous consent to extend my remarks upon it in the RECORD at this point.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MOTT. Mr. Chairman, section 6 of the Neutrality Act provides that whenever the President shall have issued a proclamation that a state of war exists between foreign nations it shall thereafter be unlawful, until such proclamation is revoked, for any American vessel engaged in commerce with any foreign state to be armed.

The bill before us, House Joint Resolution 237, proposes that section 6 of this act be repealed, and that the President be authorized to arm American merchant vessels.

Both the Congress and the country are thoroughly familiar with the reason for this proposal, and with the series of incidents which have caused it to be brought before us today for consideration.

On May 21, 1941, the *Robin Moor*, an American-owned vessel sailing under the American flag, was sunk by gunfire from a German submarine in the South Atlantic. The sinking took place in waters where this American merchant vessel, both under international law and under our own Neutrality Act, had a right to be. The sinking was deliberately perpetrated in a manner shockingly inhumane and in utter disregard of international law.

On September 7, 1941, the *Steel Seafarer*, another American merchant flag ship, was sunk in the Red Sea by German aircraft. This vessel also at the time of the sinking was where it had a right to be, both under international law and under our Neutrality Act, and this sinking was likewise in violation of international law.

In addition to the sinking of these two ships carrying the American flag, four other American-owned vessels, registered under the flag of Panama, have been sunk by German submarines, aircraft, and raiders. They were the *Sessa*, the *Montana*, the *Pink Star*, and the *I. C. White*. One of them was sunk in the South Atlantic, one between Greenland and Iceland, and two of them, the *Sessa* and the *Montana*, were sunk off Iceland while carrying cargoes to that island, upon which, by agreement and invitation of the Government of Iceland, we have established military and naval bases for the protection of the United States and the Western Hemisphere.

The policy of the German Government has been made clear and unmistakable to us, not only through the formal declarations of that Government but also by its repeated acts. That policy is to sink any vessel of any country, belligerent or neutral, which is carrying cargo of any kind to any port of the far-flung British Empire or to Russia and to sink those vessels wherever and whenever it can find them. The character of cargoes carried by these vessels is immaterial, so far as the German Government is concerned, because that Government has proclaimed all useful material of every kind to be contraband.

Not only has the German Government presumed to tell the United States that it cannot carry on a trade and commerce with foreign nations with which Germany is at war, but it has also declared that it will sink any American ship, no matter what its destination, if that ship is found within waters which the German Government has proclaimed to be an area of danger.

Now, the German Government has proclaimed the waters adjacent to Iceland and Greenland to be areas of danger and zones of combat, notwithstanding these are not in fact zones of combat and notwithstanding Iceland and Greenland are under protection of the United States and are occupied by United States forces under valid treaties with the governments of those two countries. It has said American vessels may not enter those waters, the protection of which our Government has declared to be vital to the protection of the United States; and the German Government, in pursuance of its announced policy, has not only sunk in those waters, an unarmed American merchant flag ship carrying a cargo to Iceland for the use of our forces and of the people of Iceland, but, on September 4, 1941, in pursuance of the same policy, a German submarine attacked with torpedoes and attempted to sink a United

States war vessel, the destroyer *Greer*, which was carrying United States mail to Iceland. This attack was made on the high seas between Greenland and Iceland and was perpetrated deliberately and in full daylight.

Whatever may be the views of Americans as to certain specific phases of our foreign policy, and whatever may be the difference in views as to the best methods of carrying out that policy, there is one point on which I think all are agreed; and that is, that no nation has the right to tell the United States that it cannot sail its ships upon the high seas and carry on commerce with other nations, whether those nations be neutral or belligerent. No nation has the right to map out areas of the high seas, far removed from the location of any actual blockade, and tell us that we may not enter those areas with our ships except on peril of having them sunk. No nation could permit this and at the same time hold the respect either of its own people or the people of foreign lands.

We have the right, if we desire to do so, to put upon ourselves whatever restrictions we may please in this regard, and we have in fact done this by way of numerous provisions of the Neutrality Act, which is still the law of the land. But this is our own act. It was passed for our own protection and with the fervent desire to avoid those incidents which might tend to involve us in foreign wars. By the Neutrality Act we voluntarily place certain restrictions upon ourselves. But no other nation has the right, either under international law or any other law, to put such restrictions upon us, and the American people, I am sure, will never tolerate any such pretended or attempted restrictions to our right to use the seas without employing every means at their command to repel them.

One means of repelling these acts of lawlessness and violence upon the part of the German Government is to arm our merchant ships so that they may protect themselves against the Nazi submarines and raiders which not only infest the seven seas but also all of those waters the protection of which our Government in its considered judgment has deemed to be necessary to the protection of the United States.

To enable us so to arm these merchant vessels for the protection of their crews and their cargoes is the purpose and the only purpose of this bill. House Joint Resolution 237 does not undertake, either directly or by implication, to repeal any other provision of the Neutrality Act. Our ships are still prohibited from entering zones of combat which have been proclaimed to be such by the President under authority of the Neutrality Act, and our nationals are still prohibited from entering those zones on vessels of either belligerents or neutrals. It has been contended that this bill is but the forerunner of the complete repeal of the Neutrality Act. No official proposal to date, in my opinion, warrants that conclusion and, so far as the argument here is concerned, I think it is sufficient to say that if such a proposal should be made to the Congress in the future it will be the Congress itself which will decide the question after full and free debate and in accordance with the traditional and prescribed system of democratic procedure in this body. In the meantime, the repeal of other portions of the act is not a part of this bill and argument upon that point is, therefore, not germane to the debate upon the bill.

As to the effectiveness of the protection which arming will give to our merchant ships, I think there can be little doubt. I listened with the strictest attention to all of the testimony before the Foreign Affairs Committee given by Admiral Stark, Chief of Naval Operations, and Admiral Land, Chairman of the Maritime Commission, upon this question, and have carefully checked that testimony against the opinions of all the lay witnesses who offered opposition testimony at the hearings. In addition to this, as a member of the Naval Affairs Committee, I have repeatedly had the opportunity of studying the entire matter in detail, because that committee, more than 2 years ago, and after the most thorough consideration, laid down the policy and program in advance for the arming of our merchant vessels, quickly and expeditiously, in event that war or national emergency should ever require it in the future. The arming of the merchant ships, I may say, will be done by the Navy if this bill becomes law, and the testimony of Admiral Stark before the Foreign Affairs Committee shows that the Navy is prepared to do it immediately if directed to do so. It has both the guns and the gun crews, and I am glad to be able to assure you that the men who will man these guns are the most thoroughly trained experts and that they are probably unmatched by any gunners in the world.

Against submarine attack an unarmed merchantman is entirely helpless. All the submarine has to do is to rise to the surface and direct gunfire against the vessel until it sinks. If armed, however, the merchant vessel has an excellent chance to repel or to prevent attack by submarine gunfire and to force the submarine to submerge. If the submarine is forced to submerge while the merchant vessel is moving at full speed, the prospect of the submarine scoring a hit with the torpedo is greatly reduced and in such circumstances it is probable the submarine may exhaust its supply of torpedoes, which is usually 8 or 10, without scoring a hit upon a merchant vessel which is able to maneuver at full speed. If, on the other hand, the submarine stays on the surface and engages in gunfire duel with the armed merchant vessel, the chance are on the side of the merchantman. It usually requires a number of well-placed hits to sink a merchant vessel by gunfire, while one direct hit on a submarine is often sufficient to make it impossible for the submarine to submerge. When a submarine cannot submerge, it loses most of its effectiveness, for then it becomes unable either to outfire or to outrun a well-armed merchant vessel of reasonably high speed.

Against attack by aircraft the armed merchant ship has a fair chance of keeping enemy bombers high up in the air and out of range of the merchantman's gunfire; and the bomber's effectiveness, of course, diminishes with the increased height from which it must release its bombs. An unarmed merchant vessel, however, has no chance at all against an attack by aircraft, for the aircraft then is able to bomb and machine-gun the vessel with impunity from any range it chooses.

Against raiders a merchant vessel has little chance, whether it be armed or unarmed, because the raider is always more heavily armed than the merchant vessel and is always able to outrange it. Other means will have to be found, and they are being found and employed, to protect our merchant ships against raiders. As to submarines and aircraft, however, the testimony of the experts leaves no doubt whatever in my mind that the merchant vessel is infinitely more secure if it is armed and that the very fact of arming it will in many cases prevent an attack being made upon it in the first place.

The testimony of Admirals Stark and Land show further that the morale effect on the crew of a merchant ship having guns available is very great and that this is true almost regardless of what the type of gun is. Both of these experts testified that the morale effect of arming a merchantman is so great that it has a pronounced effect on getting crews to man the ships. They stated that men shipping for voyages on merchant vessels invariably inquire whether the vessel is to be armed on the voyage and that many of the men had refused to ship because the merchantman was not to be armed.

It has been contended by some that the arming of merchant vessels would invite attack. The evidence appears to me to be entirely to the contrary. It is the policy of the Axis submarines, aircraft, and raiders to attack all neutral shipping whether the vessels are armed or unarmed. The evidence is to the effect that it is the unarmed vessel, and not the armed one, which invites attack and that the armed vessel in every instance has at least a fair chance to repel the attack while the unarmed vessel, obviously, never has that chance.

I said in the beginning that all are agreed that it is not only our right under international law but our duty in the interest of our own security to maintain and defend our natural right to use the seas, and to do that with every means we possess. This proposition seems to me to be fundamental; otherwise we would not be a free nation, free to enjoy our sovereign rights as a nation. We propose now to implement this right by the means of arming our merchant vessels for their own protection. This in itself, in my opinion, will not and cannot lead us into war. If I thought it would I certainly would not support it. This is not an aggressive action. It is a defensive action. I believe that, far from leading us into the war, it will help to keep the war away from us, and that, I am sure, is what all of us desire.

In the beginning, also, I referred to our foreign policy in connection with this bill. I wish to conclude with a further reference to it. I said that while everyone may not agree either as to each specific item of our policy or as to the best

method of putting that policy into effect, we are generally agreed on what that policy is and what it ought to be, insofar as its main objectives and its underlying principles are concerned. Our foreign policy is not a thing which was planned in advance of this crisis. It was not made to order, either by the Congress or the President. It is a policy which has come about as the inevitable result of a world condition which we did not plan, and in the making of which we have had no part or voice. It is a policy which world circumstances themselves have demanded we adopt and which we have adopted. That policy has included and it still includes the complete and speedy preparation of the United States for a war which may, and probably will, be waged against us by the combined Axis Powers, should those powers be successful in the wars in which they are now engaged. That war, if it comes, will be a war on our part in defense of the security of the United States and of the Western Hemisphere. We hope that war may never come. We intend to do everything within our power to prevent it and to take no steps, knowingly, which will bring us into it. That is one phase of our foreign policy, and of our national policy, and I believe it has the approval of all our people. We intend to make this country and this hemisphere impregnable and invincible, and secure from any possible attack from any foreign power or combination of powers.

The other phase of our foreign policy, and I repeat that this has come about inevitably through the gradual but fast moving developments abroad, is to give every possible material assistance we can to those nations who are now engaged in war with the Axis Powers. If, by so implementing these nations, we can enable them to destroy aggression where aggression now is on the march, we will have succeeded in maintaining our own security, as well as theirs, without becoming belligerent participants, in fact, in a war, the magnitude of which has already surpassed anything in human history. Therefore, to help these nations who are now fighting the aggressors by furnishing to them, to the very limit of our power and ability, the implements with which to bring that war to a speedy and successful conclusion, is the fervent desire of everyone. It is a part, and a very important part, of our national and our foreign policy. It is a proposition upon which America is united.

There have been, there still are, honest and sincere differences of opinion as to how best to implement each of the separate phases of this policy. There is not, and there never has been, any substantial difference of opinion as to the policy itself. Let me say, furthermore, that from time to time, throughout the progress of this crisis, whenever a majority of the Congress, after full consideration through democratic processes, has decided upon a specific method of implementing any part of this policy, in each particular case substantially the whole Congress, without regard to party affiliation, and without partisanism or political consideration, has immediately and unreservedly concurred, and has voted for every measure, regardless of its origin, the purpose of which was to implement that policy by the particular method chosen. Everyone in Congress, of course, knows this. Everyone outside of Congress should by this time know it. Those who have contended otherwise, whether such contention sprang from ignorance or from any other cause, have not contributed to that national unity which we all so earnestly desire.

It is my sincere belief that the pending bill, House Joint Resolution 237, is a proper and necessary implementation of the national and the foreign policy of this Nation, which I have here undertaken briefly to outline. For that reason I support it. I trust it may meet with the approval both of the Congress and of the country and that it may prove to be an important step toward assisting democracy abroad and toward defending and preserving it at home.

Mr. TINKHAM. Mr. Chairman, I now yield to the gentleman from Michigan [Mr. SHAFER].

Mr. SHAFER of Michigan. Mr. Chairman, a vote for this legislation is a vote for an undeclared war. Arming of American merchant vessels can only lead to the sending of another A. E. F. overseas.

I am not ready to do that, and I believe I voice the sentiments of the great majority of the people of America. More than 80 percent are hoping and praying that this Nation will avoid war. They are looking to us and to every man in the administration to keep our preelection promises to keep America out of war. They know what involvement in this war will mean. They know that it can only mean financial and physical ruin for the United States, with the bones of thousands upon thousands of our young men rotting under European dirt and whitening on the shores of the seven seas.

This legislation brings us to the end of the road in this well-planned program to creat another A. E. F. No one is being fooled. It was just 2 years ago this month that this program was definitely launched in America. That was when this Congress repealed the arms embargo provision of the Neutrality Act. I dislike to say "I told you so" but during consideration of the repeal of the arms embargo I said:

> Just as certainly as we are in this Chamber discussing it, sooner or later, the repeal of the arms embargo will be followed by a demand that we extend credit to England and France, and then, if and when they are weary of fighting, there will come the demand and the propaganda for us to send our men across, just as it came in the last war.

I was only one of many Members of Congress who, in October 1939, warned against the repeal of the arms embargo and pointed out the results of such action. But in spite of these warnings, the program has been carried out to the point where the demand for our soldiers is being made. General Auchinleck, who succeeded General Wavell as commander of the British forces in the Mediterranean and Middle East, declared recently in statements that have never been denied or disavowed by his superiors in authority:

> The Germans must be beaten on their own soil, exactly the way Napoleon was beaten. And if this is the way it is to turn out, we certainly are going to need American manpower just as we did in the last war.

Practically every newspaper in Great Britain demanded American blood, in editorials published this week. Here is an example of these editorials. Under the heading, "Wake Up," the London Daily Sketch said editorially last Monday:

> At the risk of appearing ungrateful, we must tell Americans our view that one declaration of total war at this juncture by America against Germany would accomplish more for victory than the delivery of 3,000 American tanks every month to Russia and ourselves can possibly hope to do. * * * The sooner Americans are in with the Russians and ourselves, mingling their blood, sweat, and tears in the common drain, the sooner the war will be won.

There you are, Mr. Chairman. As I say, we have reached the point in the program where they are calling for American manpower and blood. We have known for 2 years or more that this demand eventually would come if we continued to follow the program. Many of us opposed the lease-lend bill because we knew that Great Britain would never be satisfied with our decision to finance her war. Thank heaven, I am one of the minority in Congress who has opposed this program, and warned against it. This legislation justifies my stand, because it comes to Congress now as a means to an end. The sinking of one or two merchant vessels flying the Stars and Stripes, together with a highly financed campaign of emotional propaganda, will create the hysteria necessary to sell the American people on another European war. It turned the trick in the last war, why not today?

Yes, if the pending legislation is enacted it will be all over but the shooting. This is one of the last steps in the program under which we have been dragged closer and closer to war, while being told that we were following the road to peace. A witness before a congressional committee this week called this program a "snide policy." I know of no better name for it. Any child in grade school knows this program is taking us into the European war by way of the back door. Now that we have reached the end of the road, it would be far more honest and dignified on the part of those in authority if they would bring in an out-and-out declaration of war, instead of this subtle measure.

Why, Mr. Chairman, anyone who has studied this issue knows that this legislation condemns our merchant seamen to death without warning. Everyone knows that the arming of merchant vessels is a direct violation of international law. Everyone knows that placing of guns on merchantmen is to prevent warning and search by submarines. Any armament on a merchant vessel is offensive armament. Hitler's submarines, surface raiders, and dive bombers must assume that all ships are armed if this legislation is passed, and, consequently, may fire upon them without warning. Everyone knows that the first of such sinkings that are certain to be the result will create the

long-sought incident by which the pro-war minority hope to plunge us into the war.

Proponents of this legislation argue that the arming of merchant vessels is necessary to protect them against submarines and aircraft. Of course, every Member of this House knows that that contention is false. Just the contrary is true. The arming of our merchant vessels would constitute an extra and unnecessary hazard that would result in sinkings and the loss of many lives. To send our merchant seamen out into the ocean in armed vessels would be comparable to sending a 10-year-old boy out into the jungles to hunt ferocious tigers with a slingshot. The arming of our merchant vessels would give hostile craft every reason and every excuse to attack without warning, and without giving our merchant seamen the opportunity to utilize their lifeboats which they now have under international law.

It is a well-known fact that armed merchantmen and their untrained crews cannot cope with modern submarine and aircraft tactics. Even though equipped with the most modern weapons, they could not compete with the submarines and dive bombers now in use. Of course, there is nothing new in this. They were unable to compete in the last war. Our high-ranking naval officers have stated that there is no record in their department of any sinking of an enemy submarine by an armed merchant ship in the last war. They tell us that the only way to cope successfully with modern submarines and aircraft is by the use of highly equipped naval vessels and highly trained crews.

Modern submarines strike before their presence is known. They no longer come to the surface of the water in making attacks. They no longer use periscopes in making attacks. They are equipped today with directional sound devices which, for the purpose of firing torpedoes, enable them to ascertain the exact position of the ship to be attacked. The vibrations of the ship's machinery and propellers, recorded on delicate instruments in the submarine, today make it unnecessary for a periscope to be used. Our merchantmen, though armed, could not be equipped with similar sound devices or armor plate, and they would never have an opportunity to use their guns before being damaged.

Secretary of the Navy Knox only recently revealed that little attention is being paid to provisions of our Neutrality Act or provisions of the lease-lend bill when he announced that American ships were being convoyed by naval vessels. About the same time the President of the United States—Commander in Chief of our armed forces—gave orders for our Navy to shoot German submarines in our defense waters. Inasmuch as the Navy can be fully trusted to carry out his orders, it is obvious that through the arming of merchant vessels it is the intention to send our merchant ships outside of our own defense waters, loaded with munitions and other war materials. This most certainly will result in sinkings and, as I stated in the beginning, the clamor for another A. E. F.

The transfer of American-owned ships to Panamanian registry in order to arm them and send them into war zones is adequate proof of what will happen if this legislation is enacted. Several of these ships have recently been sunk by German sea raiders because they were armed and carrying contraband cargoes, while flying the Panamanian flag. Certainly we can expect many sinkings if armed ships flying the Stars and Stripes and carrying contraband cargoes are sent to sea. That, of course, will mean war, declared or undeclared.

If there is any intent on the part of the administration to avoid actual involvement in this war, each and every one of our merchant vessels could be transferred to the British registry for the duration of the war, with the provision that they be returned to the United States after the war. In that way these ships could be manned by British sailors and the full responsibility could be assumed by that Nation. That would keep America out of war.

Mr. Chairman, it is my fervent hope that we can stay free and clear of this war. I am one who does not subscribe to the philosophy that it is too late to stay out of war. The American people do not want it. Only a small minority are demanding it, giving no thought to our utter lack of preparedness for such a move. There is nothing to be gained by getting into it. We have everything to lose.

It is far more important for this Nation to prepare our own defenses, make ourselves strong, so that there will be at least one solvent nation to bind up the wounds of the world when this war is ended. Let us keep this Nation a constitutional republic. Let us give the youth of our country a chance for life and happiness. Let us not lay them a sacrifice on the altar of Europe's intrigues and jealousies. Let us work to solve our own domestic problems and be prepared to lead the way when peace comes. No matter what happens, Uncle Sam will be the scapegoat when this war comes.

Mr. TINKHAM. I yield 10 minutes to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Chairman, I know that my views on this resolution are somewhat colored by the experience of some 24 years ago. I recall vividly the scenes of that time. I do not know that it requires such a lot of courage upon the part of gray, bald-headed old men who will never get into the service or into the shooting game to send millions into war. You can look back for 2,000 years and find that the responsibility for fighting wars has fallen always upon the young, and that is precisely the situation now. I can see the people lining up and hear the bands playing and hear the promises made as they sent those boys to the bloody battlefields. Yet, while all of this debate has been going on about abstract things like guns and tanks and arming of merchant ships, there has constantly appeared before my vision some scenes on the other side, where the boys—the young boys—were doing the fighting. I can recall vividly those great long wards in the temporary hospitals, where the operations were going on, where the boys were being mutilated, carved up, with blood up to the tops of the soles of the shoes of the nurses, and dozens and dozens of men coming out from under the anesthetic while others were going under it. Later the crippled boys were going back home, unable to earn their living or to search for security, but the men who voted to send them into the war—many of them—were secure. I have been going back and reading the articles in the newspapers and the financial pages, written when we were going into the first World War, and I have read of the enormous profits that were made. Yes; we were in a war then to end all wars; we were then in a war to save civilization. What a travesty.

Oh, how the mothers were deluded and deceived. And why are some of those bereaved war mothers out in the halls today hoping and praying and also pleading with you men to live up to the matchless speeches you made in support of this measure, which you now seek to repeal. How the mothers went down to New York when the ships came in, to receive their sons, and one instance can be multiplied many times. One little mother watched and waited until the last soldier walked down the plank to find that her son was not among them. Her eyes filled with tears. She had been told they were sacrificing to end all wars, and what was her consolation? With tear-filled eyes she looked at the flag floating at the mast and then said, "Thank God my sacrifice has not been in vain." Poor deluded woman. And you are here now willing to vote to proceed step by step to enter another foreign war, when you know that the battlefields of Europe are made fertile with the blood and bones of men who have fought over those crossroads for 2,000 years. I say there is one place in this great world that must be kept safe, and that is the United States of America, this hemisphere. So let us devote a little attention to our own country and its own defenses. The time will come when this thing is over, that there will be just one oasis in the great desert of devastation and pauperized humanity, and that oasis will be the United States of America if we do our duty and keep out of the European war.

Why are the people here from all the nationalities, loyal citizens, anxious to keep out of this war? They came here from the beginning of this Government to escape the tyranny and the militarism abroad, to get out of those wars, to come to one place where they could live under a constitutional government. My friends, stop and think if you will, because I think you are going down a path unconsciously, which is one of the great danger points that we face now. What is the difference between the totalitarianism of Hitler, of Germany, of Russia, and our Government? They have courts, they have legislative bodies, but they tolerate only a one-party system, dominated by one man, with the courts dominated by one man. No minority party can criticize. How far have we traveled down that totalitarian path? I made a solemn pledge to my people that I would vote here, and

I would fight every attempt to drag us into another foreign holocaust.

I pledged myself that I would not vote to send our boys to another foreign war, only to be brought back with faces shot away, arms and legs gone, to be thrown upon the mercy and the charity of the Government. I meant what I said then. I mean it now. My vote will be against the repeal of this section, which is a step toward war.

Mr. Chairman, on August 22, 1936, President Roosevelt spoke in the district which I have the honor to represent. His address was delivered before a large audience at Chautauqua, N. Y. The sentiments expressed by him in support of prohibitions on the arms traffic and on extension of credit to belligerents met with the hearty approval of those who listened to him. President Roosevelt aroused great enthusiasm when he endorsed the Neutrality Act of 1935 in these words:

The Congress of the United States has given me certain authority to provide safeguards of American neutrality in case of war. The President of the United States, who, under our Constitution, is vested with primary authority to conduct our international relations, thus has been given new weapons with which to maintain our neutrality.

Mr. Chairman, for the benefit of those who, because of the war hysteria of the moment, may have forgotten other parts of the Chautauqua address, let me refresh their memory:

Nevertheless—

Said President Roosevelt—

if war should break out again in another continent, let us not blink the fact that we would find in this country thousands of Americans who, seeking immediate riches—fools' gold—would attempt to break down or evade our neutrality.

I ask here and now: Who is seeking to break down our neutrality? Who is now insisting that every provision of the once-lauded Neutrality Act be sabotaged, to the end that this last barrier to our entrance into a foreign bloody war be removed? How does the warmongering plea, pouring out of the propaganda agencies of the Government, square with these words of the President, delivered at Chautauqua:

They would tell you—

Said the President—

and, unfortunately, their views would get wide publicity—that if they could produce and ship this and that and the other article to belligerent nations the unemployed of America would all find work. They would tell you that if they could extend credit to warring nations that credit would be used in the United States to build homes and factories and pay our debts. They would tell you that America once more would capture the trade of the world.

Continuing, President Roosevelt, in this same address, offered this warning to the American people:

It would be hard to resist that clamor. * * * To resist the clamor of that greed, if war should come, would require the unswerving support of all Americans who love peace.

Mr. Chairman, I submit that 130,000,000 loyal Americans are too exhausted from 8 long years of depression to turn mental and physical somersaults with the rapidity of the President. It is too much to ask 130,000,000 people to do the New Deal daily flip-flops with the same agility and enthusiasm that the majority in Congress performs its tricks under the promise of patronage for every well-executed back somersault.

But I must not omit the further grave and solemn assurance given by President Roosevelt to the Chautauqua audience. It was this:

We can keep out of war if those who watch and decide have a sufficiently detailed understanding of international affairs to make certain that the small decisions of each day do not lead toward war, and if, at the same time, they possess the courage to say "no" to those who selfishly or unwisely would let us go to war.

Mr. Chairman, I call the attention of the Members of the House to the record vote on the Neutrality Act and to the vote on the subsequent resolutions amending it:

First session, Seventy-fourth Congress, Senate Joint Resolution 173: August 21, 1935, passed Senate without a record vote (p. 13956). August 23, 1935, passed House under suspension of the rules without a record vote (p. 14370).

First session, Seventy-fifth Congress, Senate Joint Resolution 51: March 8, 1937, passed Senate: Yeas 63, nays 6 (p. 1807). March 18, 1937, passed House: Yeas 376, nays 13 (p. 2410).

First session, Seventy-sixth Congress, House Joint Resolution 306 (arms embargo): June 30, 1939, motion to recommit: Yeas 194, nays 196. June 30, 1939, passage in House: Yeas 201, nays 187. October 27, 1939, passage in Senate: Yeas 63, nays 30.

Yet, in the face of his indictment in his Chautauqua address of those who would lead this Nation to war, he now abandons all pretensions of neutrality and asks this Congress to commit our country to an all-out war in Europe, or the Orient, or both. Such is the purpose of House Joint Resolution 237, now before the House for consideration.

I ask: How can any Member who desires to keep this country out of a foreign war vote to repeal section 6 of the Neutrality Act, as is now proposed, when he knows that such repeal will invite attack?

Armed merchant ships were sunk in wholesale lots in World War No. 1. The record shows that guns on merchant ships were no defense but only served to invite attack without warning. This proposal here today will do nothing more than to send out upon the high seas a suicide fleet to create an incident to plunge our country into war!

The Members will recall that on October 23, 1940, President Roosevelt proclaimed:

We will not participate in foreign wars, and will not send our Army, naval, or air forces to fight in foreign lands, except in case of attack.

I repeat that the one sure step to create the incident—the case of attack—is to repeal section 6 of the resolution now before the House.

When the Congress, by its approval, transforms our merchant ships into men of war under international law the provocative incidents of war will come thick and fast.

I assert, without fear of successful contradiction, that the warmongering elements within and without the administration are working for war with the zeal of an unconverted Saul. Are you, who are pledged to your constituents by promise, by your original votes for the Neutrality Act and by your speeches in support of section 6, ready to repudiate all under the very pressure which President Roosevelt warned against in his Chautauqua speech?

My colleagues, you know that propaganda here and from those abroad who wish to use our Army, Navy, and air force in their war seeks to excite, confuse, and frighten you and the people you represent into a frame of mind that will stampede you into the betrayal of your country's best interest.

I do not know what others may say now or how you intend to vote, but I repeat that when I promised my people that I would do all in my power to keep this country out of war, I meant what I said. Again I assert that when I told those whom I represent that I would not vote to send our boys to fight in foreign wars, I entertained no mental reservations. What is more, my constituents knew then and they know now that my votes here will confirm every promise made by me.

Now, then, what did President Roosevelt have in mind when he delivered the Chautauqua speech? I am sure that thousands approved of his pledge, then made, to use the Neutrality Act as an effective instrumentality to keep this country out of war. There were thousands of persons who, although opposed to his disastrous domestic policies, cast their vote for him because they approved his Chautauqua "I hate war" speech.

Today President Roosevelt asks the Congress to ignore all pretense of peace; that you, as Members of this great legislative body, join with him in repudiating all promises heretofore made by you and by him to keep this country out of war.

I hope that the vote against this resolution will in some measure restore the confidence of the people in those whom they have entrusted with power.

Remember this, that until President Roosevelt yielded to the blandishments of foreign influence he gave these assurances to your constituents and mine:

Your President is following the road to peace. * * * We are arming ourselves not for conquest or intervention in foreign disputes (October 23, 1940).

Then again on October 30, 1940, he said:

And while I am talking to you, fathers and mothers, I give you one more assurance. I have said this before, but I shall say it again, and again, and again. Your boys are not going to be sent into any foreign wars.

You, my colleagues, are responsible for the consequences of your vote for war, for the repeal of section 6 means just that!

As that has been quoted time and again on this floor I remember how you people on the Democratic side of this hall,

in matchless speeches, endorsed those sentiments. You crystallized it into law, and that was the sentiment of the district which you represented, and when you come to weigh the mature judgment of your districts you will find that is still the sentiment of your districts. They expect you to keep us out of war. I say to you here and now that I believe firmly, speaking for myself, if I were to vote at this time to strike this section 6 from the Neutrality Act, I would be voting for a declaration of war. I would be breaking faith with the people of this country who have followed the leadership of your President in all of his promises, until he has asked 130,000,000 people to turn their backs on them and permit him to lead us directly into this war.

The responsibility of the lives of the boys of this country is in your hands.

I find in the afternoon press this statement:

> What London's authoritative circles tacitly admit they seek most, of course, is an American declaration of war followed by an American expeditionary force. They believe nothing would boost American production and lower German morale more than an all-out war by the United States.

When you vote to eliminate section 6 you will have an opportunity, as you did in 1917, to vote for a declaration of war. The responsibility for the cripples, the blind, and the insane which will come out of an expeditionary force of not less than seven or eight million men, the uniforms for which are already on order now—the responsibility for all that falls right on you, and at the rate of $50,000,000,000 expenditure, as the Wall Street Journal survey shows will be the cost, do you think that this will be an oasis of liberty in a desolated world? I ask you to ponder that question.

[Here the gavel fell.]

Mr. TINKHAM. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Washington [Mr. HILL].

Mr. HILL of Washington. Mr. Chairman, where do we have the right to go?

Those are words spoken by my distinguished friend the gentleman from Kentucky [Mr. CREAL], and in a measure they are the issue before us. It is my contention—and I believe it will be carried out by reading the speeches of the President and others during the debate on the Neutrality Act—that our ships have been going into zones forbidden by the law of our land. They have been carrying contraband of war in violation of our law and they have been sailing under foreign flags. I say to you, sincerely and earnestly, that our ships have been going, are going, and will go, under the present foreign policy of the administration, where they have no right to go.

Mr. Chairman, it is with deep regret that I today oppose this measure sponsored by the administration and the leadership of this House. It is in no spirit of mere antagonism that I do this. It is in the spirit of sincere conviction that this is the only course of duty I can take to be true to my fellow citizens, my country, and my God.

In the first place, I oppose this measure because I consider it just another step toward our involvement in the European war. All of the legislation touching on our foreign policy, from the revision of our Neutrality Act up to the present time, have been engagingly termed "peace moves" by our President to aid in keeping us out of this terrible foreign holocaust. As a matter of fact, each step has been one to bring us closer to the brink of disaster.

In the second place, the arming of merchant ships is but a futile gesture. We have no more the necessary equipment to adequately arm these ships than we have had for the past year the necessary material to house and equip our peacetime conscripts. Production has lagged, the usual waste has occurred, and what has been produced has been sent to the defense of territory outside of the Western Hemisphere; nor will the officers and men aboard these ships—good Americans as they are—be trained in the art of warfare.

In the third place, these ships will be targets inviting attack. They are so intended by Secretary Knox and the President. Armed merchantmen have been declared by courts and experts, from the inception of this Government to the present time, active belligerents. Why does the administration see fit to expose our helpless ships to the bombing and torpedoing of the highly efficient German machine which roams the dangerous war sea zones?

In the fourth place it is in violation of the solemn promises and pledges made by the President during all these revisions and enactments from September 1, 1935, up to April 16, 1941, when he said "that reports that American merchant ships might be armed were merely the talk of orators." This is tragically in line with his numerous broken preelection promises to the American people that none of their boys would be sent across.

In the fifth place we have no assurance that these ships will not be sent into war zones. In fact there is every reason to believe that this will be done. We have no way of judging the future except by the past and the past few months have witnessed numberless attempts by the head of our Navy to create incidents not only to provoke attack but to inflame the war spirit and hysteria among our people.

In the sixth place whatever sums are necessary to arm these ships could better be used to equip our peacetime conscripts. I have seen and you have seen these young men called from their vocations to serve at $21 per month without the barest necessities for adequate training. No wonder Canada can and does train her youth in 4 months and the United States Army requires 18 months for a desultory training. No wonder, Mr. Chairman, that their morale is at low ebb.

In the seventh place and lastly, I cannot conscientiously follow a leadership which does not take the people and their duly elected representatives into its confidence in such a grave matter as making entangling alliances with European countries and joining them in their periodic and perpetual warfare. Did I say joining them? Pardon me, the British Empire always lets its allies do the fighting. Witness Poland, Norway, France, and now Russia. I cannot and will not follow a leadership which completely and, so far, successfully, ignores the wishes of a majority of the people and refuses to cooperate with a coordinate branch of our democratic Government. Oh, yes; we are permitted to cooperate—after the warlike acts have been consummated—a sort of accessory-after-the-fact partner. If the President and his ill-advising advisers believe in the four freedoms let them and their followers and the press and radio commentators practice these virtues, these ideals here in our own country instead of by innuendo, implication, and impertinence persecute those of us who honestly and sincerely disagree with them in this futile foreign policy. If they believe in integrity of political action as well as in personal behavior, let them cease violating their solemn promises, cease camouflaging their real intentions, cease calling these steps, steps in the cause of peace and frankly state that we are going to send an A. E. F. across and have our Navy police the seven seas. If the President believes in democracy let him place fairly and squarely the issue of a declaration of war before the only body in our Republic that has authority to do so: The Congress of the United States. I challenge him this very day to do so. He can and must do no less. I know not what course you, my colleagues, may take on this momentous issue and in this tragic hour. As for myself, I cannot and will not, so help me God, support the President in these undemocratic and un-American steps. He is my President and he is your President, but our leader only when he follows a constitutional course and cooperates with this coordinate branch of the Government. For me, there is no other honorable course. I do not question the motives of Members who disagree with my viewpoint. But I adjure you, my colleagues and friends, to reassert your rights as Members of this great body, to insist on your privilege and obligation as the only ones constitutionally authorized to perform the solemn act of declaring war, to be men and rise to the grave duty which alone is yours. And I here solemnly pledge that if a majority of this Seventy-seventh Congress sees fit to make a declaration of war, I, for one, will abide by that decision and go along. This and this alone will bring unity in our beloved country, the United States of America.

The President calls for unity; calls for harmony. Mr. Chairman, there is only one way in which he can get unity and harmony, not only in this body but from the people of the United States, and that is to take the people of the United States and us, the Members of Congress, into his confidence. We have a right to ask him that he ask those of us who oppose him, as well as those who support him, to come and confer with him on these momentous issues. Until he does that—and I say it advisedly and respectfully—there will be no unity, no harmony, in the prosecution of this foreign policy upon which he has embarked.

Mr. Chairman, this is my stand, and I shall continue to vote against every step which will lead toward our entanglement

and participation in a war in Europe which was none of our making, none of our asking, and, God knows, none of our business.

[Here the gavel fell.]

Mr. TINKHAM. Mr. Chairman, I yield to the gentleman from New York [Mr. CLUETT] 10 minutes.

Mr. BLOOM. Mr. Chairman, I yield 3 minutes to the gentleman from New York.

The CHAIRMAN. The gentleman from New York [Mr. CLUETT] is recognized for 13 minutes.

Mr. CLUETT. Mr. Chairman, it has been an amazing sight to witness the attitude of both sides in the House of Representatives toward the question of our participation in the world crisis. If we had relied solely on the advice of Congress, the country would probably be in the same position it was 2 years ago. Fortunately, the administration has been clear-headed enough and farsighted enough to sense the peril which, step by step but with ever-increasing danger, has been approaching this Nation.

The disasters which nearly every nation in Europe have suffered by delay and false hope and political disunity have seemed to have made little impression on by far too many of those of my own Republican faith. Again and again the cry has been raised that the critical situation in which this country today finds itself is not one that should appeal to partisanship to find a solution, and yet a large majority of Republicans of the House have consistently disapproved of practically every move made by the President and his advisers in the Departments of the Army and the Navy to bring to this country that security which is vital to us and to those who are fighting for us and the principles we espouse. Is it possible that political expediency, as well as a hatred for our administration, are factors in this attitude, or a sincere belief that every act taken for the safety and protection of our country has been a warlike act and with every intention of leading us into a war a vast majority of our people do not want? If this antagonism is a political maneuver, it will prove to be not only a death blow to the Republican Party but a disservice to the Nation, which will never be forgotten or forgiven.

Day after day we have listened to the tirades of those who profess to be the protectors of America and its Constitution, as if they, and they alone, have some patent right or authority to denounce those who are in disagreement with their philosophies. We must bid them know that obedience to the Constitution is the solemn pledge of every one of us, and that our approach to peace or war will be made in a constitutional manner. The whole country is watching and waiting as never before for a leadership which will guide them to decisions on questions which now may affect the destiny of the country for generations to come. I would wish the Republicans in Congress to assume the leadership and bring about that complete unity without which no great national effort for defense can succeed.

The Congress has appropriated vast sums of money, not alone for our defense but for those whose existence is one with ours.

What is the plan of those whose only cry is that America is being led down the road to war?

Do they wish us now to discountenance the attempt to deliver the critical necessities of war to our friends across the seas?

Do they wish us to abandon our plans to protect our hemisphere at strategic bases?

Do they wish our Navy to lie idle out of danger zones?

Do they wish us to call off patrols and thus avert an incident?

Do they wish to notify labor that there is no haste in supplying war material—there is no danger for us from Europe or anywhere else?

These are some of the questions I would like the isolationists to answer. If they refuse to answer, what, then, is their program? Do they expect to attain their ends by resort to stirring up racial differences, by frightening people into believing a dictatorship is in the offing, that constitutional forms of elections are to be abandoned, that there is no hope for America if we dare to oppose a world outlaw and madman?

Such threats are not worthy of those who are today attempting to influence the people. Is it not clear that protests against the President's foreign policy are coming from antiadministration leaders and not from the public generally? Polls indicate that 70 percent of our citizens approve the administration's foreign policies, and they in the end will decide.

Give me the leadership of a great American like Wendell L. Willkie, as contrasted with a dozen parading isolationists who cannot and will not see the greatest peril ever confronting this Nation, and who would lull us into a state of false security. Let them speak with frankness and point out the road America should now take. No one doubts the seriousness of the steps we have taken, but to turn back in the face of danger is not an American trait, and that will not be done now.

If the Neutrality Act was a wise one when enacted—and some doubt that it was—let us now amend or repeal it as present conditions now seem to warrant. Untie the red tape wherever it may be found. Let us get rid of the racketeers and anti-Americans who would sabotage our efforts for national defense. Do the isolationists favor this, or would it be unconstitutional and against the designs of Hitler? I hold no brief for the delays and waste of our war effort. This criticism by the Republican minority is warranted. The New Deal can wait for its purging at the proper time, and may that time come soon.

Little consolation will be found in the idea that funds were to be used at home, but even the lend-lease bill and the distinct understanding that munitions of every character were to be shipped across the sea still deterred them from wishing them to be transported safely. So at every turn an attempt was made to hamper delivery when every hour's delay might mean disaster to brave England.

It may well be that while we discuss the danger to our involvement in actual warfare an even greater calamity awaits us in the defeat of Russian armies—the last great opposition to Hitler's threat of complete European dominance. This victory may well mean the overthrow of Turkey and the complete control of the eastern Mediterranean and the Suez Canal. Will a disaster such as this affect the strategy of the isolationists? Or will we hear the same old cry, "Keep out of it and let Great Britain stand alone," our last defense in the Old World? That picture is far from an impossible one, and it is not a pretty one to contemplate. All the more reason for an awakened America and a united front. There must be no let-up in our preparations on the land, on the sea, and in the air, and history will never forgive us if we awake to find ourselves alone in a hostile world. All our vaunted wealth will become a hollow mockery and may well be the end of our economic welfare and the happiness and freedom we have always known.

America's one great opportunity is now. Let us unfetter the hands of the President as Commander in Chief of the Army and the Navy and throw every resource not immediately needed for our own defense into the struggle. The funds are waiting. We need the willingness and sacrifices and courage to give unitedly the go-ahead signal.

I have been amazed at the attitude of many of the minority of this House. At every opportunity plans of the administration for defense have been met with caustic criticism, and isolationists have held the floor with little attempt made to refute their many futile and irrelevant remarks. Even the Democratic majority have allowed such remarks to remain unchallenged. Has this been for political expediency? Has that remark, "Let them hang themselves," some bearing on the answer? Just as sure as night follows the day, the Republican Party will regret the part they have played, and are now playing, with a national defense they themselves voted to the tune of untold billions. The attitude of the Congress today is one to try men's souls. If on every occasion in the midst of our grave peril we are to have endless debate and filibustering, our whole military and naval preparations may come to naught. Time is the essence.

The vote here last week on the nearly $6,000,000,000 lend-lease bill was encouraging, nearly 100 Republicans voting in favor. Voting of billions of money has become a simple routine matter for this House. The waste of the past 8 years has placed us in a precarious position, and the end is nowhere in sight. We spend and spend, but the results due to sabotage and labor unrest and resistance to constituted authority are a national disgrace, and at an hour when every dollar wasted and every hour a critical one, means life or death to our national security. England is alarmed as each day adds to Nazi successes. Hitler is encouraged by our delays and the destruction of our stores of vital matériel which investigation for sabotage will not replace. Thus while Europe is in flames the United States is fiddling, debating who is

to blame, or whether or not after all any of it is our business.

Have you read the list of those societies and organizations engaged directly or indirectly in un-American activities in this country? Protests of Congress, investigations, and appeals of the people have had little effect in preventing now and permanently their destructive operations. When the Government itself is challenged by such a danger, can there be any hope for our democracy if the challenge shall go unanswered?

Thus whether it may be this neutrality act, or any act which prevents the free play of our defensive action anywhere in the world, let us give to them our immediate and wisest concern.

As one who has supported every move for national defense and the President's foreign policy, I wish to do more than cast my vote. I want to appeal to my Republican colleagues to think well before they continue their opposition to our defense preparations, wherever such preparations are made on the land, the sea, or in the air. Hitler must laugh at our disunity, and other nations who wish to resist him and are doing so with more determination every day must feel their hopelessness increase by such disunity. Is it possible that only a declaration of war will unite us? There are distinct signs today of a wish for unity. The Republican Party can render no greater service than to join with this desire and remain the party of Abraham Lincoln in word and spirit. As he so truly said, this Nation cannot remain half slave and half free. I am convinced that today he would say that nations of the world cannot remain half slave and half free. Any other solution will destroy our freedom and free institutions. Every man in this free land of ours may express his convictions. That is the democratic way, and I am expressing mine not only as a lifelong Republican but as an American.

The press and the people are demanding some change in this Neutrality Act, if not its complete repeal. No one admires edging in or around any act to bring about its repeal, but that is a strategy we must now accept as we have countless times before. Despite the pleas of our defeatist friends, Chairman Land and our highest ranking naval officials believe the repeal of this one section of the act and the act itself is of vital and immediate importance. Is it probable that such a move cannot be made effective despite claims to the contrary? Fear, delay, hesitation in the face of danger never won a battle. Every move we make to insure delivery of matériel across the sea is fraught with danger and with sacrifice, but we must believe the effort and the risk are worth while, unless we are to turn aside from every preparation and every promise we have made.

Make all-out aid an effective, vital force, and not just meaningless words. If the plan shall prove a failure, another one will take its place. This Nation is determined to deliver that aid, and to deliver it without hiding behind the flag of any other nation.

At this very grave time in our history let us all act and speak together.

Mr. MUNDT. Mr. Chairman, will the gentleman from New York [Mr. BLOOM] yield for a question as to procedure?

Mr. BLOOM. I yield.

Mr. MUNDT. I wonder if the chairman of our committee is going to attempt to try to balance this time evenly throughout the evening? We are going to have a considerable number of requests for time.

Mr. VORYS of Ohio. If the gentleman will yield, the rule provides for general debate tomorrow. It ought to be evenly divided between the two sides.

Mr. BLOOM. No, oh no; we shall proceed along and shall try to have the time used by both sides today divided as evenly as possible. As far as tomorrow is concerned, I may say to the gentleman that we on this side do not want to be held exactly to a few seconds or minutes. We are going to be fair whatever it is necessary to do tomorrow. I shall be very pleased to consider any proposition that is fair to both sides.

Mr. MUNDT. As I understand it, an hour is set aside for debate tomorrow.

Mr. BLOOM. Yes.

Mr. MUNDT. Does not the gentleman feel that it would be fair to divide that hour evenly regardless of what happens today?

Mr. BLOOM. I may say to the gentleman from South Dakota that we should not at this time try to arrange what we are going to do tomorrow about the hour. I think any understanding about that should be had tomorrow, and if it had to be extended a little I would be in favor of that.

Mr. MUNDT. We would appreciate knowing what the attitude of the chairman is going to be.

Mr. BLOOM. I may say to the gentleman and to the Members on the other side that we do not want to be held onto a hard and fast rule that there is going to be only an hour's debate tomorrow. Let us go along this evening and use the time as evenly as we possibly can. If it is necessary to have additional time tomorrow I shall not object to it.

Mr. MUNDT. I am very happy to hear the gentleman make that statement.

Mr. BLOOM. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina [Mr. BURGIN].

Mr. BURGIN. Mr. Chairman, the question before us today is whether or not we shall repeal section 6 of the Neutrality Act, that section which prohibits the arming of merchant vessels.

For the last 2 years it has seemed to me that every matter we have had up concerning national defense has been opposed by some Members who have said, "It is a step toward war." I have heard "step by step" until it reminds me of Mark Twain's ditty about the conductor:

> Punch, brother, punch,
> Punch with care,
> Punch in the presence of
> The passenjare.

Step by step they say we are getting into war, but there is no evidence of it. We are still not in war. I have heard it said that 85 percent of the American people are opposed to war. I am convinced that 100 percent of the American people are opposed to war. I do not believe that there is a single Member of this House who thinks the American people want to go to war or that this Congress wants to go to war. We all abhor war.

The vast majority of the American people are first concerned over our national defense, and this is the concern of the Congress. Up to the present time we have appropriated untold billions for this purpose. Furthermore, why are we so concerned over our national defense? The answer is self-evident, because we feel that Hitler's outrageous program in Europe endangers our peace and security.

We are considering today not a war resolution at all. I am not a Solomon, and I am not attempting to advise any of you, but may I say that this is simply a resolution affecting our domestic policy.

The Neutrality Act is not an international agreement. We did not enter into an understanding with any other nation when we enacted this legislation. Therefore, it is purely a domestic statute and our right to revise or repeal same is no business or concern of any other country. I am reliably informed that no other country has such a law on its statute books as section 6 of the so-called Neutrality Act.

During the hearings before the Foreign Affairs Committee on the resolution to repeal section 6 of the Neutrality Act, we heard the testimony of the Secretary of State, the Secretary of the Navy, the Secretary of War, as well as Admiral Stark and Admiral Land, and after hearing these high-ranking officials of our Government tell of the necessity for arming our merchant ships, I am thoroughly convinced that this should be done without delay.

We have heard considerable argument here on the subject of war. This resolution is not a declaration of war; it only provides for the arming of our merchant ships in order that they may be protected against the pirates of the sea. The adoption of this resolution and the arming of our merchant ships may not be 100 percent protection but I cannot see for the life of me why arming our ships would involve us in war. We have already had instances where American-flag ships have been sunk, among the most glaring of these was the sinking of the *Robin Moor* in the Atlantic without warning.

Mr. Chairman, as a member of the Foreign Affairs Committee who is vitally interested in the defense of our ships on the high seas, of our seamen, and in the defense of our Nation, I favor the passage of the resolution now before us.

Mr. BLOOM. Mr. Chairman, I yield 3 minutes to the gentleman from Nevada [Mr. SCRUGHAM].

Mr. SCRUGHAM. Mr. Chairman, the policy underlying this bill, through passage of the Lease-Lend Appropriation Act, is now the law of the land, and made so by an overwhelming vote of Congress. That action of the legislative body and approval by the Executive has brought into clear relief the basic question here at issue, namely, the breaking of the power of the Hitler military machine by giving aid to its opponents,

whoever they may be and wherever they may be found.

To consistently carry out this policy, and for which the sum of $12,985,000,000 has been appropriated, the measure before us should be passed. Congress can hardly now refuse to take all the steps necessary to insure delivery of authorized supplies to the combat front where they are needed. We must follow such a policy if effective results are to be obtained.

Personally, I may question the proposed arming of merchant ships as hardly worth the effort and armament required, largely because effective operation of guns requires an integrated training of numerous specialists on such branches as range finding and fire control, and such experts are not now available in numbers. Nevertheless, competent authority rules that arming of ships is needed, and certainly this is no time to quibble over details.

The opponents of this bill generally take the stand that passage of the measure will inevitably put America into the war.

Only persons with the attitude of "an ostrich with his head stuck in the sand" can fail to see that this war is fundamentally part of a vast and never-ending struggle for domination and control of the raw-material supplies of the earth. Our need for stopping the steam-roller of Nazi conquest is unquestionable, and this legislation is actually designed to keep us out of the horrors and brutalities of the European conflict.

The danger I see from the operation of this measure is not, as claimed by the opposition, that it will be an instrumentality to force us into a war which all wish to avoid. The danger lies in an interpretation by the administration, as giving encouragement and direction to buy and bring into this country an avalanche of competitive South American products, like minerals, wool, and beef, on the plea of defense needs. The State Department has already announced arrangements for the annual purchase of some $500,000,000 worth of these materials.

Actually, the shipping required for full transportation of these vast quantities of purchased supplies will probably not be available until the war emergency is ended. Then our American producers of beef, wool, mutton, copper, and scores of other raw commodities will be certainly forced to the wall unless some active steps are taken for their protection. It is well enough to control these supplies, but they should not at any time be dumped on the American market when not needed.

With due respect for the sincerity of those handling the good-neighbor situation in South America and elsewhere, they must not overlook the welfare and interests of great numbers of our own people who will have to pay the bills at some stage of the performance.

Mr. BLOOM. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. WASIELEWSKI].

Mr. WASIELEWSKI. Mr. Chairman, the preamble of the Neutrality Act of 1939 reads:

> The United States hereby expressly reserves the right to repeal, change, or modify this joint resolution or any other domestic legislation in the interest of the peace, security, or welfare of the United States and its people.

Thus, it appears that the law expresses as its purpose the enhancing of our security and provides that changes may be made if necessary to promote further our safety. The Neutrality Act of 1939, like the earlier law which preceded it, was enacted with the purpose of keeping the United States out of war. The earlier version of the law placed a complete embargo on commerce with belligerents. Later, in 1939, when the first form proved to be a mistake, it was revised with the cash-and-carry provision. Now we find that even the revised form did little or nothing to promote our neutrality, much less our security, and left us completely shackled. We have found that it is not practical or possible to legislate neutrality. Whether a nation can maintain true neutrality successfully depends, in a very large measure, upon whether the nations engaged in war are willing that it remain neutral and refrain from acts that would violate and imperil the security and life of the nation that would remain neutral.

When Norway was invaded, we had that fact demonstrated to us, for no other country was more perfectly neutral than Norway. No other country strove harder to maintain its neutrality. No other nation had made neutrality its national policy for over more than a century. Hitler gave convincing proof that to him neutrality, as such, was meaningless.

House Joint Resolution 237 provides that section 6 of the Neutrality Act of 1939 be repealed and that, during the unlimited national emergency proclaimed by the President on May 27, 1941, the President be authorized, through such agency as he may designate, to arm or to permit to cause to be armed, any American vessel as defined in such act.

We were told by the Secretary of the Navy that the moral effect of arms for self-defense upon the crews of the ships that go to sea is very great. Even if the arms are never used, their presence aboard ship is well worthwhile. The arming of our merchantmen will lessen, rather than enhance, the likelihood of attack. Since no submarine will ever come to the surface within the range of a merchantman that she knows is armed, the attack by a submarine is limited entirely to an under-water attack. Because of its construction, a submarine is very vulnerable to a single hit. Consequently, her commander attacks only from beneath the surface any ship he knows or fears is armed. Thus, the accuracy of the attack and the speed and maneuverability of the submarine is seriously reduced.

The lack of an antiaircraft weapon makes it possible for aircraft to come down almost to the mastheads and drop bombs upon the most vulnerable parts of the ship. The lower the altitude from which the plane drops its bombs, the greater is its accuracy. A ship armed with antiaircraft guns will have the effect of keeping the attacking planes at greater altitudes, even though no hits are scored on the plane. The firing of the antiaircraft guns will seriously hamper the aim and accuracy of the enemy pilot.

The Axis Powers have been using armed raiders quite effectively and with impunity. These in most cases are merchant ships which have been armed with a few guns. Their main prey has been unarmed merchant vessels. Since an armed raider would be completely useless if damaged and forced to put into a neutral port, such vessels will hesitate before attacking ships that are equally armed. Thus the arming of the American vessels will greatly reduce the chances of such attack.

Secretary Knox declared that a decent regard for the lives and safety of the men who man the merchant ships dictates that we arm them. It is un-American and discreditable for us to ask American sailors to venture forth upon an ocean infested with merciless pirates, bereft of any weapon whatever with which to resist attack.

Admiral Land informed us that one of the greatest difficulties of the Maritime Commission today is obtaining crews for unarmed vessels. He stated that the proposed legislation will go far toward solving this problem.

We are committed to a policy of defending ourselves by giving all possible aid to the nations that are engaged in giving opposition to the aggressors. We have set up defense outposts almost halfway across the sea, stretching all the way from Iceland down to Trinidad. We have established bases at these outposts. Men and supplies must be moved back and forth to maintain them. Recently, by proclamation, the German Admiralty issued orders to sink at sight any American vessel en route to Iceland. We are informed that one of the American-owned ships that has been sunk to date was waylaid on the way to Iceland.

Decisive action on our part will impress all nations that are now hesitating about joining or aiding the Axis Powers that we are committed to the defeat of Hitlerism. Those people arrayed against the Axis Powers will be heartened and inspired to more resolute and positive action, thus shortening the war, if possible. Encouragement and hope will be given those people in lands now under Hitler's heel.

We must look at this measure in the broadest possible sense and appreciate that only by assuring the security of our outposts can we maintain a proper defense. By providing safety for our merchant ships we can deliver goods to those ports now open to our merchantmen. And only by positive action like that provided for in House Resolution 237 can we build up the hope of freedom for the people in the conquered countries and refresh and maintain the morale of those people that are still resisting Hitler and his Axis partners.

Therefore, I urge that, in order to assure the defense of our country and to follow through consistently the policy of defense approved by Congress, we adopt House Joint Resolution 237.

I thank you.

Mr. BLOOM. Mr. Chairman, I yield 8 minutes to the gentleman from Florida [Mr. SIKES].

Mr. SIKES. Mr. Chairman, this short measure carries a plain, straightforward declaration of purpose. It has no hidden meanings. In final analysis it is a measure for the protection of the lives of American seamen—an act which authorizes self-defense.

So far have we gone in recent years in an effort to insulate ourselves from other people and other nations, so far have we gone in an effort to keep from treading on any person's toes, that we now find our ships exposed to unjustifiable attack and our trade to interference by other powers without redress.

We thought to make ourselves dependent upon international law. Now half the world no longer recognizes the existence of law. Now international law will not keep American ships from being fired upon or American cargoes from being sunk. In substance, we now say to the sailors of our merchant vessels: You may travel the highways of the sea where brigands are known to lurk, but the law says you cannot protect yourselves. You must risk seizure. The ship on which you sail may be sunk without warning. You may even lose your own life, but you cannot defend yourself.

That is an unenviable position. No wonder there is a great and growing demand for the immediate passage of this measure. No wonder the people are demanding that the right of self-defense be restored to our seamen. In an area where law and order has disappeared, there can be no valid objection to the fundamental right of an individual to arm himself for his own protection. In an age when law and order have disappeared from half the civilized world there can be no valid objection to the fundamental right of American seamen that their vessels be armed, if arming will help in any way to protect the lives of those seamen.

I see no relation between this measure and the resounding cry raised by its opponents that its passage will be a step to war. Sending defenseless merchantmen to sea to be sunk at the whim of a ruthless dictator is to me a far greater inducement for war. Failure on our part to take every necessary step for the protection of American ships smacks all too strongly of appeasement. Failure to arm these ships would smack of appeasement, and no reasonable person will seriously question the fact that the dictators grew fat on appeasement.

No; the American people do not want appeasement. They do not want appeasement in this or any other form. Appeasement leads but to appeasement, and if we refuse to stand by our own flag on our own merchant vessels, there can be but one result—the ultimate withdrawal of every American vessel from the high seas. America has sought and still seeks to live at peace. But America has not forgotten how to meet force with force.

Defenseless American merchant vessels have been fired on. We propose that all such vessels be armed as an aid to their own protection in the event they are further molested. Please bear in mind that we are concerned with American lives and American property, with ships which travel in waters declared to be neutral. Discussions of an expeditionary force, of combat zones, of the perpetual cry, "Another step toward war," are completely foreign to the subject. This is a measure solely for the defense of American lives and American property.

I am awake to the fact that the arming of merchant vessels is not a guaranty for the safety of the lives of the crews. But I do know that it is a significant help, a help which will be gladly received by American seamen, a help which has been strongly recommended by foremost authorities, a help which has been requested by the President himself. I know, too, that this measure is in keeping with the old American tradition of freedom of the seas.

This measure concerns every person we represent. It should be enacted regardless of our interest in Europe's struggles; regardless of the outcome of that struggle. Yet in no sense do I intimate that we should close our eyes to what is going on in the world. The daily consignment of great quantities of almost priceless supplies of war shows unmistakably where we stand. Our clearly defined sympathies for Britain and her Allies provides all the more reason for the enactment of this measure. We should not let it be said that neglect for the safety of the lives of our own people is helping in any way to keep our ships off the seas or helping to prevent the delivery of their cargoes to the people for whose cause our aid is being extended.

Europe's conflagration burns high. It has drawn ominously near to our own shores. Unless the forces of totalitarianism are stopped in Europe, we know they will have to be stopped here. There can be no compromise. There will be no middle ground. Democracy or totalitarianism must triumph. I still stand for whatever steps will help to stop that conflagration—in Europe. This measure will help to keep war away from America.

Mr. TINKHAM. Mr. Chairman, I yield 13 minutes to the gentleman from Minnesota [Mr. KNUTSON]. He and the gentlewoman from Montana [Miss RANKIN] are the only present Members of the House who voted against our entry into the last war.

Mr. KNUTSON. Mr. Chairman, it has been well said that while times may change, men never change. In this good year 1941 our Government is following step by step the path trod by Woodrow Wilson back in 1916–17, and each step is bringing us nearer and nearer to the abyss of war. Back in 1917 the American people, except a few superpatriots, were opposed to our entrance into the World War. I quote from an address delivered by Woodrow Wilson to the New York Press Club on June 30, 1916:

> I get a great many letters, my fellow-citizens, from important and influential men in this country; but I get a great many other letters. I get letters from unknown men, from humble women, from people whose names have never been heard and will never be recorded, but there is but one prayer in all of these letters: "Mr. President, do not allow anybody to persuade you that the people of this country want war with anybody."

But then, as now, there was a small but powerful group that was determined we should unsheath the sword and, being well organized and amply financed, their will prevailed.

Let us for a moment review the history of our entrance into the World War, the seed for which was sown with the sinking of the *Lusitania*, a British passenger ship carrying munitions of war to Britain, on May 7, 1915. Then, as now, each of the belligerents established a blockade which they strove with might and main to maintain. Britain had established a commercial blockade of Germany and Germany a commercial blockade of Britain. At first our Government demanded that the blockades against American shipping be raised by both belligerents and, naturally, both sides refused to accede to this demand, as it is generally recognized that in warfare an effective blockade is a most potent weapon. Finally, the international bankers and munition makers prevailed and President Wilson dropped his demand for the lifting of the British blockade and centered on lifting the German blockade.

Then began the enactment of a number of measures granting the President powers such as no President had ever before enjoyed. Then, as now, a rubber-stamp Congress supinely surrendered power after power to the Executive. Then, as now, one and all hid behind the flimsy and false pretext that what was being done was necessary to the preservation of democracy and the security of our country.

One of the first things that President Wilson asked for was the power to arm American merchantmen. A measure conferring that power was passed by the House, 403 to 13, on March 1, 1917. The measure then went to the Senate, where it was not acted on. President Wilson then resorted to a new expedient that has since become very popular, as well as helpful. He had his Attorney General rule that the President already had the power to permit the arming of American merchantmen without sanction by Congress. Thus was another precedent established to enable the President to evade and dodge the plain intent of law.

In conformity with the opinion that had been rendered by the Attorney General, President Wilson, on March 14, 1917, ordered the arming of American merchant ships. Five days later, or on March 19, Secretary of State Lansing wrote to the President:

> It will not be many days, if past experience indicates the future, before an engagement will take place between one of our armed ships and a submarine. Whether that event will cause Germany to declare war or will cause us to recognize a state of war I do not know, but I do not think that we can successfully maintain the fiction that peace exists.

How prophetic those words.

On April 6, 1917, or 23 days after the President had ordered the arming of American merchantmen, Congress declared that a state of war existed between the United States and the Imperial Government of Germany.

My countrymen, make no mistake. History has a way of repeating itself. If Congress authorizes the arming of American merchantmen it will bring on an incident that will take us into the war.

Mr. YOUNGDAHL. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. Briefly.

Mr. YOUNGDAHL. Does the gentleman recall any experience during the 23 days that elapsed between the President's order and the declaration of war where one of the armed merchantmen sank an enemy submarine?

Mr. KNUTSON. Admiral Stark is authority for the statement that not a single submarine or any enemy vessel was sunk by an armed merchantman prior to our entrance into the war, or thereafter.

Mr. DONDERO. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. Briefly.

Mr. DONDERO. The record shows that up to the time American ships were armed but 6 American lives were lost, but between the date of the arming of the ships and the declaration of war, which was 23 days, 63 American lives were lost.

Mr. KNUTSON. The gentleman is correct.

Mr. WILSON. Mr. Chairman, will the gentleman yield?

Mr. KNUTSON. I am sorry that I must refuse to yield further. My time is very limited.

That war may be declared by the United States, or it may be declared by Germany, or it may not even be declared, but it will bring on a state of war, just as it did back in 1917.

If the arming of our merchantmen would make for the security of American lives and property and for the preservation of peace there would not be a dissenting vote against the pending legislation. Unfortunately, it will do neither. It will endanger American lives and property, because under international law all armed vessels are ships of war, and hostile submarines as a matter of self-protection will shoot first and ask questions afterward. No submarine commander is going to come to the surface and go through all the usual formalities when there is a gun pointing at his boat. No indeed, and peace cannot be maintained once we begin shooting at each other.

Preceding speakers have told you how miserably the arming of merchantmen failed in protecting American shipping back in early 1917. Indeed, it was such a miserable failure that it is to me a matter of great surprise that any sane person should now advocate that we try it again.

The President must be thoroughly familiar with the history of arming ships in the last war. He must know that not a single hostile submarine was sunk by an armed merchantman. On the contrary, official records show that 35 armed merchantmen were sunk. Dispassionate students of history are quite generally agreed that the arming of American merchantmen in 1917 had as much to do with bringing us into the World War as any other single act. It gave the administration the incident it needed to get into the war.

May I say in passing that if the arming of merchantmen proved ineffective back in the World War, when submarine warfare was in its infancy, how much more ineffective will it not now prove when submarines have been perfected to a point undreamed of by naval authorities a quarter of a century ago?

The European looks upon the American as the most gullible of all mankind, and I fear there is some justification for that appraisal. We seem to be incapable of learning from experience. Now the stage is being set to recommit the folly of 1917. Now, as then, the President assures us of his peaceful intentions. Let me quote from what Woodrow Wilson said as late as February 3, 1917:

> We do not desire any hostile conflict with the Imperial German Government. We are the sincere friends of the German people and earnestly desire to remain at peace with the government which speaks for them.

President Roosevelt has repeatedly expressed friendly feelings toward the German people, but none of his acts, so far as I can recall, support those protestations. From the very beginning of this war—yes; long before this war broke out—Mr. Roosevelt has by word and act done everything within his power to bring about a break in the relations between the two countries.

My countrymen, do not deceive yourselves or attempt to deceive those whom you represent by asserting that the passage of this legislation is calculated to preserve the peace of our country. No one in his right mind will contend that, and those of you who vote for this resolution will not be able to convince those whom you represent that you are today voting for another measure that is designed to keep America out of the war. This is another, and perhaps the last, step to war. Mark the prediction.

Mr. KEE. Mr. Chairman, I yield 5 minutes to the gentleman from Alabama [Mr. PATRICK].

Mr. PATRICK. Mr. Chairman, I am thinking of one simple thing—a very simple thing is involved—and nothing more. Should we arm our merchant vessels? That is all. A lot of talk has been gone over about it. I want to ask this House about the proposition of this resolution being something that will get us nearer to war. I do not want to get the idea that my judgment is better than that of the average run of Congressmen. Some of the things you gentlemen have questioned us about are perhaps justified. But if anything along this line gets us into war it is because what Germany will do to our merchant vessels, something that will be such a violation that we will pop our heels together and go to shooting.

Now, it seems to me that if Germany should sink a merchant vessel that is unarmed, it will certainly be a greater aggravation and have a greater tendency to provoke us into war than if she were to tackle an armed merchant vessel, no matter what it does. Whatever justification there may be for the position of gentlemen on other things, I cannot see how they can logically say that this is a step to war, because all on earth this is trying to do is arm merchant vessels. No other proposition is involved at all.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield for a brief observation?

Mr. PATRICK. I yield to the gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. If my good friend, the distinguished gentleman from Alabama, will read the record, he will find that back in 1937, when Congress amended the original Neutrality Act to meet changing world conditions, several of the same gentlemen who are now saying that this pending resolution will get us into the war, took the Well of the House and made exactly the same argument and predictions then that they are making today. We were told over and over that every change made in the law was destined to involve America in war very shortly. May I also remind the gentleman that again in 1939, when Congress, in its good judgment, drastically amended the law that was unneutral and unfair to the small democracies, and actually giving aid to aggressor nations, the opposition cried from the housetops that it meant certain war for America—and very soon. If you will read the RECORD of June 27, 1939, more than 2 years ago, you will find that they told us that if we lifted the arms embargo it would definitely involve us in war. They were all wrong then and they might be wrong now.

Mr. PATRICK. I am much obliged. I thank the gentleman for his contribution. He did not contribute anything to my time but made a better speech than I could have made, so that is fine. It raised the value of what is being heard here.

May I state further that this is merely something we are going to do or we are not going to do, depending upon whether we want to do it or not. When the Thirteen Colonies had newly become States, they armed their vessels and sent them out. Nobody thought anything about it. Countries have armed their vessels when they felt like it all through the years.

Let us see just how practical a proposition this is, after all. We are getting hot and bothered about something that does not involve us insomuch. Suppose you are going out across the country to sell a bunch of cattle. That is what merchantmen go out for—to sell something and to bring something back that they have bought. Suppose you have the cattle you want to dispose of and you decide you had better take a gun along to protect yourself and your cattle. No honest man would object to that; no one except some robber who wanted to take your cattle would rather you carried no gun. If you chose to go to shooting with him later about something he had done, you would feel a whole lot more like doing so if he jumped on you and had seized your cattle when you were unarmed than you would if he gave you a break and a chance.

If trouble is had between, say, a submarine and an unarmed merchant ship and an armed one, which is the ugliest incident? If incidents bring us to war

which, in all honesty, now, is the more war provoking as an incident?

[Here the gavel fell.]

Mr. PATRICK. May I ask the gentleman from New York if I may have 5 additional minutes? I am making a good speech, better than I thought I could.

Mr. BLOOM. Yes; I do not want the gentleman to spoil it. Mr. Chairman, I yield 2 additional minutes to the gentleman from Alabama.

Mr. PATRICK. That just looks like logical common sense. We are not violating any treaty, nor violating any obligation to any other nation. It does not involve any international law. It is just a matter of our doing what we want to do, and it is nobody's business but ours because there is nothing about it that will get us involved in anything else, any more than our carrying on as normal people do and as normal nations have done since we were a nation on this earth.

That is all there is to it. There is a lot of imagination being given over to here and I want to tell you that the folks are beginning to think about this sort of thing. They expect a certain amount of partisan opposition as long as it is on local legislation and on matters inside this country, but whenever you cross the ocean or whenever it is a matter between the United States and another country, the folks are not so quick in forgiving. They do not lay it up to party politics. They feel you are going against your own country.

So I just want to cast out that little thought for whatever it is worth. Somebody is going to get stung if he follows the practice in this he has been following in domestic matters, and has there followed with perfect impunity. That is not foolishness. There is more sense than you may think in it.

Now, here is another thing we had better realize and that is that an ounce of prevention is worth a pound of cure——

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield 5 minutes to the gentleman from Nebraska [Mr. COFFEE].

Mr. COFFEE of Nebraska. Mr. Chairman, I am opposed to this measure which would permit the arming of our merchant vessels. This is admittedly only a prelude to sending armed merchantmen into the combat zones. If we repeal section 6 of the Neutrality Act, which this bill proposes to do, we will be taking one of the last steps that will plunge this Nation into the war. It may be the last opportunity that the Congress will have to register its opposition against becoming actually engaged in war.

More than 80 percent of our people are opposed to war, and I am confident the majority of the Members of this Congress are opposed to involving this Nation in the war. How inconsistent it is for Congress to oppose war and yet approve all of these steps that lead inevitably to war.

Arming merchant vessels proved wholly ineffective during the last war. No submarines were sunk in the last war by American armed merchant ships, yet 35 American armed vessels were sunk. Admiral William S. Sims, in his report sent from London to the Navy Department on June 28, 1917, stated:

> Guns are no defense against torpedo attack without warning. In this area alone during the last 6 weeks 30 armed ships were sunk by torpedoes without a submarine being seen.

To arm these merchant vessels and eventually send them into the combat area with contraband of war is tantamount to creating incidents to inflame sentiment in this country in favor of war. Within 30 days after we began arming our merchant vessels in 1917 we were plunged into war. Having gone down this same road during 1916 and 1917, how can we fail to recognize the danger signals?

If this bill passes, it will destroy one of the few remaining provisions of our Neutrality Act that was designed to keep this country out of war.

In September 1939, when Congress was called into special session to repeal the arms embargo and substitute the cash-and-carry plan, the President in his special message to Congress stated:

> With the repeal of the embargo this Government clearly and definitely will insist that American citizens and American ships keep away from the immediate perils of the actual zones of conflict.

In the President's message to Congress last Thursday he made it clear that he not only wanted the repeal of section 6 of the Neutrality Act but also the repeal of section 3, which would permit these armed merchant vessels to enter belligerent ports. In that message he stated:

> I earnestly trust that Congress will carry out the true intent of the Lease-Lend Act by making it possible for the United States to help to deliver the articles to those who are in a position effectively to use them. In other words, I ask for congressional action to implement congressional policy. Let us be consistent.

What was the congressional policy as expressed in the Lease-Lend Act on this point? Congress wrote into that act the following stipulation:

> Nothing in this act shall be construed to authorize or to permit the authorization of the entry of any American vessel into a combat area in violation of section 3 of the Neutrality Act of 1939.

Congress also wrote into the act this stipulation:

> Nothing in this act shall be construed to authorize or to permit the authorization of convoying vessels by naval vessels of the United States.

I say, too, let us be consistent.

During the battle to lift the arms embargo and to substitute the cash-and-carry law our esteemed Speaker, who was then majority leader, made an impassioned plea for its adoption and declared that it forbade "the things which got this country into war 22 years ago." I believe what he said is true and the people of this country think so too.

The Secretary of State in a letter to the chairman of the House Committee on Foreign Affairs, under date of May 27, 1939, which appears in House Report No. 856, stated:

> I furthermore believe that the most effective legislative contribution at this time toward keeping this country out of war, if war comes, would be made by enacting or reenacting provisions on lines as follows:
>
> To prohibit American ships, irrespective of what they may be carrying, from entering combat areas;
>
> To restrict travel by American citizens in combat areas;
>
> To provide that the export of goods destined for belligerents shall be preceded by transfer of title to the foreign purchaser;
>
> To continue the existing legislation respecting loans and credits to nations at war;
>
> To regulate the solicitation and collection in this country of funds for belligerents.

I am in accord with that statement. Congress enacted those recommendations into law. Now under the stress of war hysteria and propaganda, Congress is asked to change its policies and to repeal the few remaining safeguards left in our Neutrality Act. We cannot continue to pursue the course now being followed by the executive departments without plunging this Nation into war. If we become further involved, we will lose everything we seek to preserve. We will impoverish the Nation, sacrifice millions of lives, and jeopardize our future security in our efforts to protect democracy abroad.

We can defeat Hitler or any combination of foreign dictators that would be foolish enough to attempt an invasion of this country. We are united in our efforts to defend America, but we are not united in the efforts now being made to involve this country in either the European or Asiatic war. I shall continue to oppose all steps leading this Nation into war until the Congress has exercised its constitutional prerogative and by a majority vote declared war.

Defeat this measure and thus register your opposition to further involvement in foreign wars.

Mr. BLOOM. Mr. Chairman, I yield such time as he may require to the gentleman from Indiana [Mr. LUDLOW].

Mr. LUDLOW. Mr. Chairman, the Congress of the United States is now right up against the proposition of having to decide whether it wants to take the fatal step that will make the United States a full participant in the war that is raging in Europe, Africa, and Asia. Though the issue is not as clear as if a declaration of war were asked, the meaning is the same. It seems to me that candor and straightforwardness in dealing with the American people suggest that a resolution for a declaration of war ought to be submitted to Congress at this time, to be voted up or down. It would be voted down by a large majority. But by snipping off part of the neutrality law now, in authorizing the arming of ships, and more of the law later in authorizing our armed ships to enter combat zones—in other words, by killing that act piecemeal—we shall find ourselves exactly where we would be if we adopt a declaration of war. We will be right in the thick of a shooting war, facing all of the tragic responsibilities and hazards of a full belligerent.

Should not the tremendous importance of this proposed step make us pause, look, and listen? I think it should. I think we should go slow and contemplate very seriously what we are doing. In my opinion, the Members who vote for this bill will be taking an awful chance on the future safety and welfare of our country. The occasion calls for far-

sighted deliberation and caution, and I, for one, am not willing to expose our country to the perilous adventures into which it will be plunged by the emasculation of the Neutrality Act.

I am thinking now in terms of America—the America I love more than I love my own life—and not in terms of any other nation or power on earth. My sympathies in the European conflict are with Britain, the home of all of my ancestors, but I am for America first.

There is a realism about this thing that we should not overlook. None of us can penetrate the veil of the future very far, but we should face the prospect with realistic vision, as far as it is possible to do so.

If we enter the war, a war we did not start and which we were not even consulted about we will find ourselves in the position of George in the phrase "Let George do it." It will become our war. Yes; a war started without our knowledge or consent in the Old World, over boundary lines and spheres of influence, where they have been fighting over boundary lines and spheres of influence for a thousand years; it will become our war, and in my opinion it may not be long before we will be fighting the world alone.

When I say this I do not minimize Britain's tenacity or will to fight, but there is such a possibility as Britain being rendered hors de combat by the fortunes of war in which event America, as her voluntary residual legatee, would take over the brunt of battle By that time Japan probably will have jumped to the Axis as a full-fledged combatant, and we will find ourselves fighting all the modernly equipped, highly mechanized powers of the world—to the east and to the west, and on both oceans—with an equipment something like broomsticks compared with 40-ton tanks. When that time comes we will, of course, be in the struggle with our manpower, and it is easily conceivable that a million or more of our precious young men will be America's contribution to the world's insane determination to bathe itself in blood.

Is it not perfectly fatuous, I ask you, to risk the future of America on such a dangerous adventure? Instead of sticking our neck out where it will be certain to be caught, I submit that it is the part of wisdom and of true Americanism to build up our military and economic strength at home, to the end that in addition to being fully insured against all aggressors, we may keep out of the war, and may be able, in the role of the good neighbor, to be of inestimable service to humanity through our leadership in building a new and better world out of the ashes of the present conflict.

The neutrality law is a good law, an effective law, a law that stands for the true interests of America and for protecting our beloved land from foreign entanglements. It was passed to insure our peace. Although it has been breached twice, once when the embargo was repealed and once when the Lend-Lease Act was passed, it has had strength and virility enough during all the years it has been on the statute books to accomplish the purpose for which it was intended. It has kept us out of war.

The neutrality law is America's protection against war. It stands as a great bulwark of mighty strength to keep us out of the ever-widening whirlpool of war that is sucking nation after nation into its vortex. Strike down the neutrality law and the rapid resistless tide of events will soon drag us into the conflict and God only knows what the end will be.

America is the world's sanctuary of freedom. Let us keep it so forever. Our Constitution is the greatest instrument of free government ever struck from the brain of man. Let us not jeopardize it by engaging in any dubious ventures in foreign zones of conflict where war is perennial.

We are the guardians of posterity. We hold in our encircling arms the children of countless generations yet unborn. It is our duty to transmit to them, unsullied and unimpaired, the priceless heritage of liberty and independence which we have enjoyed under the processes of our matchless Constitution. We should not—we must not—by any fatal mistake of foreign policy deprive them of their birthright. Before we pass judgment on this measure let us summon Washington and Jefferson from out of the background of history and have them repeat to us once more their words of wisdom about avoiding foreign entanglements. When the vote is taken may the gracious Providence that watched over our forefathers in the storm of the Revolution still be watching over us and may we do nothing in this Chamber that will destroy or weaken or dim or tarnish our inestimable franchise of freedom.

Mr. BLOOM. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Chairman, an analysis of the RECORD will show that from the very inception of congressional debates on the various issues pertaining to our foreign policy I have consistently opposed all steps which I deemed to be steps in the direction of involving the United States in an imperialist war. I believed then, in 1939 and in 1940, that the war of 1939 and 1940, up to the 22d day of June 1941, was a war between two axes, the Wall Street-Downing Street Axis versus the Rome-Tokyo-Berlin Axis," contending for empire and for exploitation of more and more people. I believed then that the war of 1939 and 1940 and up to June 1941 was an imperialist war. I still believe that the war of 1939 and 1940 and up to June 1941 was an imperialist war. However, I maintain that from the standpoint of defense of our Nation, the liberties, and the national interests of the people of the United States, the invasion of the Soviet Union by Hitler transformed that war which was predominantly imperialist into a war which is now essentially one of national defense. Therefore, in such a war of defense, all questions become subordinate to the interests of defense. Further the people throughout the world and particularly in the United States have become, since June 22, 1941, more and more involved in a war of defense and thus guarantee a democratic peace after the military defeat of Hitlerism. A war of defense becomes a democratic war and insures thereby a defeat of imperialist purposes after the destruction of the common enemy, Hitler.

At no time during my consistent opposition to the imperialist war did I base my opposition on reasons of pacifism. I have at all times stated that if I had believed that the war then was a war of defense, that if the war then was a war for democracy, I would have voted not only for $16,000,000,000 or $65,000,000,000, but I was ready to vote the entire Treasury of the United States, not only for the prosecution of such a war, but also for active participation in such a war.

Why has the character of the war changed? What are the reasons which lead me to believe that a war which was predominantly imperialist has become essentially a war of national defense for the people of the United States?

The first reason is one of geography. A look at the map will demonstrate that a conquered Soviet Union would place a Nazi military bridgehead within rowboat distance of our own northwestern shores, Alaska. You cannot get away from that. Secondly in the world of 1940 and the early part of 1941 Hitler could not move against the Western Hemisphere. We were not in military danger as long as Hitler had on his eastern boundary a powerful, well-armed Soviet Union. The defense interests of the United States and the Soviet Union were interdependent. The existence of a Soviet Union depended on an unconquered United States. The existence of the United States depended on an unconquered Soviet Union. A Hitler conquest of either made a Hitler conquest of the other almost a certainty.

Mr. BARRY. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. Yes.

Mr. BARRY. When Russia was Hitler's ally, were we not in just as much danger as we are now?

Mr. MARCANTONIO. No; because time and events have demonstrated that the treaty of nonaggression between Hitler and Russia was not a treaty of allies, that the Soviet Union had, but would not give to Hitler the materials he needed for his schemes, and Hitler himself has proven by his invasion that there existed no alliance and that the Soviet Union was a threat to his plan of world conquest. You will find your answer in Mr. Hitler's speech, made on the eve of the invasion of the Soviet Union. In that speech he stated that he could not carry out his plans, that he could not invade various parts of the world as long as he had on his eastern frontier a strong well-armed Soviet Union.

Mr. BARRY. Did not Stalin share the spoils of conquered Poland, when he took the half of Poland?

Mr. MARCANTONIO. I submit also that time and events have demonstrated—and everybody will have to admit it, irrespective of your feelings toward the Soviet Union—that the Soviet Union could not have participated in an imperialist and phony war which was being conducted by Daladier and

Chamberlain, because it would have meant becoming another victim of the appeasement plans of these Munich men. It would have meant the isolation of the Soviet Union and the turning of the Nazi Army and its terrible machine entirely against the Soviet Union. In fact from September 1, 1939, to time of the invasion of Holland, both Daladier and Chamberlain were seeking to again appease Hitler and turn the war into a war by Hitler, aided by his allies in England and France, against the Soviet Union. The taking of part of Poland by the Soviet Union accomplished two justifiable purposes. One, that of defense, and two, that of saving a portion of the Polish people from the fury of Hitler. The history of world events since June 22 has demonstrated the correctness of the Soviet position. Now let me return to my discussion of the changed character of the war. The realities of the world of 1939 and the realities of the world of 1940, up to June 1941, were such that Hitler, with his tremendous machine, could not move toward world conquest since he had on his eastern frontier a strong, well-armed Soviet Union; and further, that the Soviet Union possessed and would not give to Hitler the resources needed for his plan of world conquest. We all know Hitler's plan of conquest, and I think every person in this House must admit that Hitler's plan of world conquest cannot be achieved without first conquering the United States of America either from within or from without. I think it becomes very obvious as every day goes by to every person who is interested in the defense of the United States, and in the continued existence of the United States as a free nation, that Hitler cannot conquer the United States as long as the Soviet Union remains unconquered, and that a conquered Soviet Union is not just a case of a conquered Holland or France or Norway, but is a case of taking over by Hitler of that which he needs to carry on a war against the United States. Imagine a world with a conquered Soviet Russia, commanded by Hitler, with all of the natural and industrial resources of the Soviet Union, with its tremendous oil reserves, with everything that Hitler needs to carry on his program of world conquest.

What would that mean to England and to the United States? In England it would give such encouragement to the appeasement forces that a conquered Soviet Union might bring about a parliamentary overthrow of men like Churchill, and put in his place those who are ready to bring about a negotiated peace between England and Hitler; and a negotiated peace between England and Hitler will be really a peace of capitulation, because an appeasement-controlled England will be a Nazi-controlled England from every standpoint and especially from the standpoint of defense of our Nation and our national interests. Further than that, what will it mean in the United States? A conquered Soviet Union would mean aside from the geographic military danger that I have pointed out we will face a strong possibility of conquest from within. Here, too, the appeasement forces may gain ascendancy as a result of a Hitler-controlled Europe, including the Soviet Union. Further, let us examine the situation in the east for a moment. It is bad enough that we would have had to deal with a Fascist Japan serving a Fascist ideology and Japanese Fascist interests, but imagine what kind of a Japan we would be dealing with if the Soviet Union were conquered. It would place Japan from a military standpoint in the same position that Mussolini was placed in by the conquest of Austria. Italy became a Nazi-dominated peninsula, playing Hitler's game from A to Z. Why? Because of the presence of a tremendous Nazi army that could rush down the Po Valley and take over as it has already done for all purposes and effect.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. MARCANTONIO. So that we would no longer be dealing with a Fascist Japan, but we would be dealing with a Nazi-dominated-Fascist Japan ready to do the bidding of Adolf Hitler in his moves against the United States.

Thus, for these reasons alone, as far as the American people are concerned, the war has been transformed from a war which was imperialistic in character into a war of national defense. Hence, the realities of a world of 1939, 1940 to June 1941 demanded a democratic peace to end the imperialist war of that period. The realities of October 1941 make such a peace impossible and demand the military defeat of Hitler. The military defeat of Hitler is today America's only defense and the only salvation for the people throughout the world.

I submit therefore that in now supporting these very measures which I have opposed in the past, I am supporting them for the same reasons which motivated my opposition, namely, defense of our Nation and its liberties and opposition to imperialism and opposition to fascism, irrespective of their national character. The character of the war has changed and I have no other consistent course to follow but to support a war of defense as vigorously as I opposed a war of imperialist aggression.

For these reasons I now favor the President's foreign policy.

What do we mean by "defense"? In the light of the world situation, defense is no longer just a question of waiting for the enemy to come to us. Defense means to thwart the plan of the enemy. World conquest is the plan of Hitler. Hitler has been proceeding toward this goal by using the one-front-at-a-time technique. The conquest of the United States becomes very possible and feasible if we alone were forced to fight a Hitler who would dominate not only the Europe that he now dominates but the Soviet Union as well, with an England controlled by the forces of appeasement and with a Hitler-dominated Japan.

To fight that kind of a Hitler and wait for that kind of a situation to develop, in my opinion, is not defense; it would be bordering on national defeat. We must prevent that situation from developing. The arming of ships is necessary. I go further than that. I believe that what is necessary is to repeal the entire Neutrality Act. I go still further than that. I honestly believe, and time and events will demonstrate that what is essential to defeat the Hitler plan of one nation at a time, of one front at a time, that what is therefore essential in order to defend the United States is for the United States of America to do everything possible to bring about the opening of a western front, and thereby prevent the triumph of Hitler in the battles which he is now waging. That, in my opinion, is the most realistic approach to this problem. It is necessary and inexorable in the interests of the defense of our country and of our national interests.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. MARCANTONIO. Let us not permit another defeat of our defense interests to take place. If Hitler is victorious at Moscow, and if we permit Hitler to be victorious in Russia, we shall be responsible again for what happened at the gates of Madrid. When many of us protested and pointed out that the fall of Madrid would mean the beginning of a tremendous offensive against democracy we were ignored and shunned by those who sat in the seats of the mighty. Madrid fell, and the destruction of republican Spain was followed by Munich and an imperialistic war. Now there is forced upon us, as a result of that policy, a war of defense for our very existence. If we permit the battle of Moscow, the battle of Russia to be lost by the people there, and if we permit Hitler to triumph, then we will face consequences which will be a great deal more perilous to our very existence than that which followed the fall of Madrid.

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. TINKHAM. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield.

Mr. MUNDT. I would like to ask the gentleman from New York, in view of his present analysis of the situation, whether he would favor sending an American expeditionary force to help open this western front of which he speaks?

Mr. MARCANTONIO. I will be honest with you. I think it is necessary in the defense of our country. I am absolutely in favor of it, and I am not going to dodge any question on this issue. I stood alone many times when I opposed the imperialist war, and I am not going to evade my duty in advocating what is needed in the successful and speedy prosecution of a war in our own defense. You are not going to settle this issue of Hitler world domination unless we are ready to open a western front. This is a war of defense of our country. We must not hesitate to fight in it.

Mr. SCOTT. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. I yield.

Mr. SCOTT. Is it the point of view of the gentleman from New York that this war has become a righteous war only since the Communists entered it or not?

Mr. MARCANTONIO. The issue is not communism. The issue is defense of our country. Because of the invasion of the Soviet Union and for the reasons that I have pointed out, namely, the establishment of a Nazi military bridgehead within rowboat distance of our northwestern territory——

The CHAIRMAN. The time of the gentleman has again expired.

Mr. MARCANTONIO. May I have at least 1 minute to answer the question?

Mr. TINKHAM. I yield the gentleman an additional minute, Mr. Chairman.

Mr. MARCANTONIO. For the reasons that I pointed out, namely, the establishment of a Nazi military bridgehead within rowboat distance of the United States, with Russia's tremendous resources falling into the hands of Hitler, by which he can carry on a war against the United States and the Western Hemisphere, a Nazi-controlled Japan, which would come about as the result of the conquest of the Soviet Union—those reasons transform the imperialist war of 1939, 1940, and up to June 1941 into a war of defense—defense, as I have explained, and which I again repeat, of these United States. It is not a question of the Soviet Union: it is a question of America. We are facing facts, and the realities of such a situation demand that we pursue the policy of defense to its very limit.

Mr. SCOTT. If the gentleman would yield just a second further, is it not a fact that the gentleman's interest in the defense of America to the extent to which he has just stated it, dates from the day of the invasion of Soviet Russia by Germany?

Mr. MARCANTONIO. My interest in the defense of America has existed since December 10, 1902, the day I was born.

[Here the gavel fell.]

Mr. TINKHAM. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska, Mr. Curtis.

Mr. CURTIS. Mr. Chairman, it was with considerable interest that I noticed the gentleman from New York who just addressed us admit his willingness to send abroad an American expeditionary force.

It seems to me the time has come for all of us to be realistic. We are not arguing about the same question. We are divided as to the objectives we are seeking. There is a group in this House who are holding out as their objective the keeping of this country out of war. There is another group which holds out as their objective the destruction of Hitler. History will tell who is right and who is wrong. All of us know that Hitler cannot be destroyed unless someone goes into Hitler's country and destroys him there. I think it is time for those who are pledged to the destruction of Hitler to take the American people into their confidence and openly tell them and admit that they are going to have an American expeditionary force. That is logical, and the people are entitled to have the truth. There can and will be no piecemeal destruction of Hitler. There must be an American expeditionary force in order for us to destroy Hitler.

Mr. REED of New York. Mr. Chairman, will the gentleman yield?

Mr. CURTIS. I yield.

Mr. REED of New York. And does not the gentleman believe the people ought to be told, and frankly told, that this expeditionary force will have to be from 8,000,000 to 10,000,000 men, that with each man will have to go at least 7½ tons of material, that they will have to feed them there, and the food will have to go over there, and that in order to land upon the Continent and start to fulfill the issue as it now stands it will be necessary not only to feed them but to be ready perhaps to lose 4 or 5 to 1 in order to gain a foothold over there? And that responsibility will rest upon this country of carrying through and not upon any of those that are at war now.

Mr. CURTIS. That is very true.

[Here the gavel fell.]

Mr. TINKHAM. Mr. Chairman, I yield 1 additional minute to the gentleman from Nebraska.

Mr. CURTIS. I believe we are all agreed that if Hitler is going to be destroyed somebody's army is going to have to do it. We cannot expect the army of Poland, Czechoslovakia, Yugoslavia, or France, or Russia to do it; we cannot expect the army of England to invade Europe and destroy Hitler. There is only one army that will have to do the job, that is the American Army; and if you set up as your objective the destruction of Hitler then you should be fair with the American people and say you are for an American expeditionary force.

Mr. Chairman, I yield back the balance of my time.

Mr. TINKHAM. Mr. Chairman, I yield such time as he may desire to the gentleman from Michigan [Mr. DONDERO].

Mr. DONDERO. Mr. Chairman, the issue presented to the Congress of the United States by House Joint Resolution 237 is clear cut and definite. It asks that section 6 of the Neutrality Act of 1939 be repealed.

As one who served in this body prior to the enactment of the original Neutrality Act of 1935, I can recall with what enthusiasm and hope the neutrality policy was considered in this House. This very chanber rang with the eloquence of Members on both sides of the aisle who had lifted their voices for the adoption of the neutrality law. They did so in the belief that it would aid in keeping the United States at peace with the world and as a prevention from involvement in war. I shared in that hope and joined with my colleagues in an appeal for the adoption of the law.

Those who will support the resolution before us cannot predicate their positions upon the premise that the repeal of section 6 of the Neutrality Act is a step to preserve the peace of America. It is not an act toward peace. It is an act of war. Section 6 of the Neutrality Act of 1939 was written into the act of 1937 and was section 10.

It is interesting to examine the record of the debates in this Chamber and another legislative body in this Capitol and observe the sentiment that was expressed by Members of this House in support of the neutrality bill.

The distinguished ranking Member of the Foreign Affairs Committee of this House and my warm friend, for whom I have the highest regard and esteem, the gentleman from Texas [Mr. JOHNSON], who now advocates with great eloquence and his known ability, the adoption of this resolution, the repeal of section 6 of the neutrality bill, took the floor of this House on March 16, 1937, CONGRESSIONAL RECORD, page 2266, in support of and urged the passage of the Neutrality Act of 1937, which includes the very section we are asked to repeal now, and stated:

> It is a bill in which the American people are deeply interested, because if there is one question on which we are all united, it is a determination to keep this country out of war.

I call as a further witness to this debate the statement made by the late Senator Pittman, of Nevada, chairman of the Foreign Relations Committee of the Senate, who on March 1, 1937, on pages 1669–73 of the CONGRESSIONAL RECORD, said:

> On the 13th day of March, 1917, President Wilson proclaimed armed neutrality and ordered the arming of our merchant vessels. This was the gravest mistake that our Government made. It was even a foolish act. A cannon on a merchant ship is no defense against a submerged submarine and only invited attack as was subsequently proven. From the beginning of the war down to the date of the proclamation for the arming of our ships, only seven lives were taken of American citizens by reason of the sinking by submarines of American merchantmen. Between that date and our entry into the war on April 6, 1917, from such cause we lost the lives of 63 citizens, and President Wilson, in his war message, recognized the failure of armed neutrality.
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> I can conceive of no argument against the adoption of the section of the resolution prohibiting the arming of our merchant ships. While there is grave danger of another World War, and while I expect to see submarines used as commerce destroyers in the next war in the manner they were used in the last, I do not believe that any belligerent country, when they know that our merchant ships are not armed, and that they are so identified otherwise than by the flag that their nationality will be certain; and that they will stop upon demand and submit peaceably to visit and search, will sink our merchant vessels without notice, and without complying with the humane customs of visit, search, and seizure universally accepted by nations. If this is true, then this provision, together with the provision prohibiting American citizens traveling upon belligerent ships, should eliminate the danger of the loss of life to our citizens, and remove the greatest cause that could incite us to war.
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> I sincerely believe that the enactment of this joint resolution will keep us out of the next great foreign war I appeal for the passage of this resolution.

In the face of this statement, and the further fact that there is no known record of an armed merchant ship sinking an armed submarine during the World War, but to the contrary that many of our armed merchant ships were sunk by submarines, we are asked to repeal section 6 of the neutrality bill by those who contend that it will be an act to keep the United States out of war. We are unwilling to heed the lesson learned in the great school of experience and are asked to repeat the mistake that was made 25 years ago.

Arming our merchant ships will not strengthen the morale of the men who man those ships. It will invite their destruction and loss of our cargoes and the men who must serve not only as the crew of the ship but the men who must serve the guns placed on them.

To adopt this resolution and arm our merchant ships is another step toward war. There is no such thing as armed neutrality. From the very beginning, in the special session of 1939, I have opposed every proposal to emasculate and destroy the neutrality law; sharing the belief with my colleagues that it was a forward step in preserving the peace of the United States and preventing our involvement in war.

The position of the United States has grown steadily worse and more critical with every unneutral step we have taken and the repeal of section 6 of the Neutrality Act of 1939 is but another step that will lead us to the brink of armed conflict.

You will observe that only 24 days elapsed between President Woodrow Wilson's proclaiming armed neutrality and the arming of merchant vessels and the declaration of war by this Government against Germany. The distinguished Senator from Nevada characterized Woodrow Wilson's step as "a foolish act" and I believe that we are committing a grave mistake to repeat at this time what immediately preceded our plunge into the first World War.

The very heart and central idea of the adoption of our neutrality legislation has been to keep the United States out of war. We began its emasculation and destruction with the repeal of the embargo on arms in 1939. Today we are asked to strip it again and render the Neutrality Act meaningless by providing for the arming of our merchant vessels. If the policy of the neutrality bill was sound when it was adopted and amended, then we are making a grave mistake today by repealing this all-important provision of the law. If the mistake was made when the law was adopted, then indeed we are guilty of short-sighted statesmanship in not foreseeing conditions such as exist today and which forms the only basis and reason for asking its repeal.

By adopting this resolution, we are giving notice to the world that we are no longer engaged in preserving peace but that we are taking a step that will lead us into war. This is a grave responsibility. What we do here today may change the destiny and decide the fate of this Republic.

We are not permitted to know what evidence was submitted to the Foreign Affairs Committee of this House on which that committee based its favorable report to the House. We are asked, however, without facts, without evidence, and without knowing the underlying reasons for this request, to accept the responsibility and voice the approval of the people of this Nation for this dangerous proposal. Any nation that changes its position of neutrality after a war has begun between two other nations commits an unneutral step. We stand guilty as a Nation for having committed that mistake in 1939. This joint resolution asks us to repeat that mistake. In the light of history and experience and the record of this Nation, which involved us in the last World War, I cannot support this resolution and shall vote against it.

Mr. TINKHAM. Mr. Chairman, I yield such time as he may desire to the gentleman from Tennessee [Mr. JENNINGS].

Mr. JENNINGS. Mr. Chairman, House Joint Resolution 237, to repeal section 6 of the Neutrality Act of 1939, and for other purposes, authorizes the President to arm, permit, or cause to be armed, any American merchant vessel.

To grasp and understand the full purpose and effect of this measure, more than a mere reading of it is required. We must look to the entire legislation affected by this proposed repeal of section 6. We must look to the facts and conditions which brought about the enactment of our neutrality laws.

In 1935 it became apparent to the American people and to the Congress that the countries of Europe were on the verge of one of their periodic wars among themselves. The judgment of the American people was then calm and sane. Congress at that time was uninfluenced by a flood of foreign propaganda, and a joint resolution was passed prohibiting the export of arms, ammunition, and implements of war to belligerent countries, prohibiting the transport of arms, ammunition, and implements of war by vessels of the United States for the use of belligerent states, and otherwise regulating the business and manufacturing and dealing in arms and ammunition, and restricting travel by American citizens on belligerent ships during war. This act was approved by the President on August 31, 1935. By an amendment to it, passed by the Seventy-fifth Congress and signed by the President on May 1, 1937, the purpose of this Nation to stay out of Europe's wars was reaffirmed and strengthened.

After the present World War got under way and was in full blast, on September 21, 1939, President Roosevelt addressed a joint meeting of the House and Senate in the House Chamber in support of the passage of the very law which it is now proposed to repeal and nullify by the present resolution. At this time when American citizens who disagree with one another on the question of whether or not we should plunge into the war or stay out of it, if possible, are at one another's throats, are questioning one another's patriotism and motives, I believe it would be helpful to recall the words of President Roosevelt which he used in his address to the Congress on that occasion. The President said in that address:

> At the outset I proceed on the assumption that every Member of the Senate and the House of Representatives and every member of the Executive branch of the Government, including the President and his associates, personally and officially, are equally and without reservation in favor of such measures as will protect the neutrality, the safety, and the integrity of our country and at the same time keep us out of war.
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> Because I am wholly willing to ascribe an honorable desire for peace to those who hold different views from my own as to what those measures should be, I trust that these gentlemen will be sufficiently generous to ascribe equally lofty purposes to those with whom they disagree. Let no man or group in any walk of life assume exclusive protectorate over the future well-being of America, because I conceive that regardless of party or section the mantle of peace and of patriotism is wide enough to cover us all. Let no group assume the exclusive label of the peace bloc. We all belong to it.

The President then reviewed the efforts of the American people to keep out of Europe's wars, and said:

> For many years the primary purpose of our foreign policy has been that this Nation and this Government should strive to the utmost to aid in avoiding war among other nations. But if and when war unhappily comes, the Government and the Nation must exert every possible effort to avoid being drawn into the war.
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> The executive branch of the Government did its utmost, within our traditional policy of noninvolvement, to aid in averting the present appalling war. Having thus striven and failed, this Government must lose no time or effort to keep the Nation from being drawn into the war.
>
> In my candid judgment we shall succeed in these efforts.

The act, section 6 of which it is now sought to repeal, has been referred to as the "cash and carry" act. Under its terms, warring foreign governments are permitted to purchase and export from this country munitions of war provided that all right, title, and interest therein shall have been transferred to the purchaser before such munitions leave the ports of this country. The practical effect of this act was to permit England and France and their allies to purchase war materials in this country for use in their war against Germany. Under this act the President was clothed with power to issue proclamations naming nations at war, and after the issuance of such proclamation it became uniawful for any American vessel to carry any passengers or any articles or materials to any nation named in such proclamation. Under this law the President was given power by proclamation to define combat areas, and the law makes it illegal for any citizen of the United States or any American vessel to proceed into or through any such combat area. The act also forbids the use of our ports by the armed vessels of any foreign nation at war.

OUR NEUTRALITY LAWS HAVE KEPT US OUT OF WAR

The purpose of this act and the acts which preceded it was and is to keep this Nation out of Europe's wars. The act has succeeded in its purpose. It has kept this Nation out of this present World War by keeping our ships out of combat zones. We have kept out of this war by staying away from the war except as we have been put into it by the operation of the Lease-Lend Act and by various Executive orders.

THE PURPOSE OF THE REPEAL OF SECTION 6 OF OUR NEUTRALITY LAW IS TO GET US INTO WAR

What is the purpose of this proposed repeal of section 6 of the act? What effect will its repeal have? It is gener-

ally understood that the plan is to make of this repeal of section 6 of the act of 1939, and the authority conferred upon the President to arm American merchant vessels, an entering wedge which will lead to the repeal of all of our neutrality laws which have up to this time kept us out of this war.

Upon the passage of this resolution by this House it will go to the Senate, and there it will be amended so as to authorize the President not only to arm American merchant ships but to load them with the munitions of war and send them, under the American flag, into combat zones. An armed ship, in neutral waters, where there is no enemy to attack it by submarine, by other war craft, or by bombing planes, would not serve the purpose of those back of this legislation, but an armed American ship flying our flag, manned by American sailors and by a naval gun crew, sent into waters where a furious shooting war is being waged, would sooner or later become the target of a German, Italian, or Japanese submarine, other war vessel or warplane, and thereby lead to the shedding of American blood and to the furnishing of an incident which those desiring our entrance into this war long have sought.

ARMING OF AMERICAN MERCHANT SHIPS INCREASES THEIR DANGER

The arming of American merchant vessels will not contribute to their safety. It will increase their danger and imperil the lives of those aboard them. What was our experience in the World War? On February 26 1917, President Wilson asked Congress for authority to arm United States merchant ships. On March 1 to March 8 Congress granted this authority. On March 9 President Wilson ordered the arming of American merchant ships. On March 12 the State Department gave the world formal notice of the arming of these ships. On April 6, 1917, President Wilson signed the war bill and proclaimed a state of war. After our ships were thus armed in the first World War 35 armed American ships were sunk by the enemy, 58 American lives were lost, and not 1 submarine or foreign war craft was sunk by an armed American merchantman. The reason for this is not far to seek. Merchant ships are not designed, built, armored, or equipped for warfare. Submarines, destroyers, cruisers, and war planes are designed and equipped for warfare. Consequently an armed merchant vessel enters combat with a hostile enemy craft wholly at a disadvantage.

AMERICAN BOYS ON THE BATTLEFIELDS OF EUROPE, ASIA, AND AFRICA ARE WHAT THEY WANT

For the first time in the history of this country its course of action and destiny, the expenditure of its wealth and the shedding of the blood of its sons, have been taken over and are largely under the control of those in charge of the British Empire. And this has been accomplished despite the promises of both the Democratic and the Republican national platforms of 1940 and in the teeth of the repeated promises of the President and those who are now crying loudest for war. One of the most distinguished and one of the ablest members of the majority party, the Honorable CLIFTON A. WOODRUM, of the great State of Virginia, prior to the delivery of the address of the President of the United States from which I quoted above, delivered a radio address to the people of Virginia, which was inserted in the CONGRESSIONAL RECORD of September 21, 1939, and in this address he used these wise and patriotic words:

The question uppermost in the minds of every American citizen today is, Can America keep out of this war? As the matter stands at the moment, I think the question can be very definitely answered in the affirmative. If you mean by keeping out of the war, can we avoid any aggressive action against other nations which will necessitate the sending of troops to foreign soil—then certainly the answer is "yes." We will keep out of that kind of war.

He then goes on to state:

For my own part, I have adopted a slogan for this crisis There is nothing particularly new or novel about it, but I believe it represents the sentiments of my constituents and feel confident that it expresses the thought of an overwhelming majority of the American citizens. It is this: "Keep America safe for Americans in America." I commend this sentiment to your careful consideration. In whatever may come before Congress and in whatever official action I may be called upon to take as your representative, this shall be my guiding star. * * *

We all agree that America must stay out of this conflict. There is no difference of opinion on that score.

And then, upon the very issue involved in the question now before this House, our distinguished colleague, upon the question of permitting foreign nations at war to buy war goods in this country, said:

Right at this point let us dispose of the chief argument of the opposition to revision. They say our Army and Navy will follow the war goods sold to belligerents; that such sales will lead us into war. That would be a most potent argument if we intended to sell the supplies, load them on ships flying the American flag, and manned by American seamen, and deliver such supplies to the purchaser in foreign ports. Of course, in such a case an American ship loaded with goods at that time belonging to Americans and manned by American seamen would be attacked and destroyed—then international complications would arise. But we propose to do no such thing. The purchaser must pay cash and come to the American port and get his goods in his own ship and under his own flag. If he gets into trouble after he leaves our shores that's his business. Such a transaction is perfectly in accord with American custom—with international law.

And then he closed with these words:

In closing, let me express the hope that in these days of frequent dramatic news broadcasts of happenings abroad that we try to keep our heads and not get excited about emotional and melodramatic appeals. Let us go about our daily tasks and daily duties in a normal and orderly manner, and try to keep out of our hearts hatred and bitterness for anyone. Let us, individually and as a Nation, remember that there will come a day when these warring nations, torn and bleeding and tired of conflict, will be ready to listen to reason and to respond to logic. In such a day our country will have a mission to perform.

These are wise words well spoken. But if the distinguished Member from Virginia should give utterance to similar sentiments in the debate that is taking place upon the pending measure I greatly fear that he would be denounced as an appeaser and as a noninterventionist.

In 1935, when this House had under consideration the passage of the 1935 Neutrality Act, the gentleman from Texas [Mr. LUTHER A. JOHNSON], long a distinguished Member of this House, then and now a member of the Committee on Foreign Affairs, on August 23, in addressing the House in favor of this Nation keeping out of Europe's wars, said:

The peace of the world is in danger and the outlook is as dark as it was in 1914 just prior to the beginning of the World War. It behooves us to set our house in order and eliminate every hazard which may tend to drag us into the vortex of war. The purpose of this resolution is to do that very thing.

And again he said:

Let me say in conclusion that, regardless of the conflicting views that may be entertained by the Members of this House as to the character of neutrality legislation that should be passed, I think we are all agreed that we have had enough of war and are resolved that our Nation must not again become involved in a war between foreign countries.

We are still paying the penalties of the last great war, and our children and the generations yet to come will continue to do so. The signing of the armistice and the subsequent treaty of peace ended hostilities. It did not end the suffering and sacrifices of our people nor of the other peoples of the world. I am glad, therefore, to vote for this resolution which is designed to and I think will materially reduce the danger of our country's becoming involved in war, if other nations should decide to fight.

The prevention of war is one of the highest duties that government owes society, and any nation that will not take every precaution and use every legitimate means to avert the holocaust of war is unworthy to stand among civilized nations of the world.

The Democratic Party, in its national convention in Chicago, pledged the American people:

We will not participate in foreign wars and we will not send our Army, naval or air forces to fight in foreign lands outside of the Americas, except in case of attack.

The President accepted the nomination for a third term on that platform, and in his speeches he reaffirmed, repeated, and expanded the promises of the platform on which he was nominated and elected.

On September 11, 1940, in his address to the Teamsters' Union in Washington, D. C., he said:

I hate war, now more than ever. I have one supreme determination—to do all that I can to keep war away from these shores for all time. I stand, with my party, and outside of my party as President of all the people, on the platform, the wording that was adopted in Chicago less than 2 months ago. It said:

"We will not participate in foreign wars, and we will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas, except in case of attack."

On October 23, 1940, in his address at Philadelphia, he used these words:

We are arming ourselves not for any purposes of conquest or intervention in foreign disputes. I repeat again that I stand on the platform of our party: "We will not

participate in foreign wars and we will not send our Army, naval, or air forces to fight in foreign lands outside of the Americas, except in case of attack."

On October 30, 1940, in his address at Boston Garden, he again promised the people—

Your boys are not going to be sent into any foreign wars.

They are going into training to form a force so strong that, by its very existence, it will keep the threat of war far away from our shores.

The purpose of our defense is defense.

And while I am talking to you fathers and mothers, I give you one more assurance. I have said this before, but I shall say it again and again and again: Your boys are not going to be sent into any foreign wars.

And in his fireside chat of December 29, 1940, the President used these words:

There is no demand for sending an American expeditionary force outside our own borders. There is no intention by any member of your Government to send such a force. You can therefore nail any talk about sending armies to Europe as deliberate untruth.

But a change has come over the spirit of the dreams of many of those who promised to keep this country out of war. It is generally conceded that the President of the United States knows how to gage and interpret public opinion. He realized in June, July, August, September, and October of 1940 that the overwhelming majority of the American people were opposed to having their sons sacrificed in the present World War. During the 1940 campaign Prime Minister Churchill stated, in effect, that England would not need an American expeditionary force until 1942. The reaction of the American people was so hostile to this suggestion that in a few days Mr. Churchill modified his statement and said that England did not at any time expect or need an American expeditionary force and stated: "Give us the tools and we will do the job." But since the election in November 1940 Mr. Churchill has spoken with increasing boldness in announcing the foreign policy of our Government. He has stated that the wrath of the American people was rising to the very verge of war. He has told the world that the armed forces of this Nation, together with those of England, would win this war and thereafter police the world. In short, he has virtually taken Uncle Sam by the hand and led him down the road to the very brink of this war. The British generals, Wavell and Auchinleck, have both announced that if Hitler is conquered on the continent of Europe an American expeditionary force will be necessary. And this week the London Daily Sketch assumes to tell the American people to dismiss as insane the idea that the war can be won without the shedding of American blood. It prophesied the approach of the day when American soldier boys will "mingle their blood, sweat, and tears in the common drain."

I have the deepest sympathy for Britain. I have voted in favor of appropriations totaling $13,000,000,000 to furnish her the tools, with which Mr. Churchill promised she would do the job. But the issue presented by this resolution authorizing the President to arm American vessels, and I am convinced their arming will mean that they ultimately will go into combat zones and into belligerent ports, goes beyond material things. It involves the lives of our boys. I cannot lightly or in an emotional moment, as their representative and as the representative of their fathers and mothers, decree their death by the thousands. We are called upon to make a fateful decision. I intend to do all in my power to help the President keep his promises to the American people to keep their boys out of Europe's wars. I made the same promise, and I intend to keep it.

If, in spite of all we do to stay out of war, this country becomes involved, there will then be no division among the American people, and I, along with every other Member of this House, will leave no stone unturned to win any war in which we may become involved.

It would seem that enough has been done by this Government to satisfy those who lust for the shedding of American blood. We have placed American armed forces in the bases we acquired from Great Britain. Our armed forces are on guard in the Caribbean, in Greenland, in Iceland, at Honolulu, and in the Philippines. Our naval vessels are scouring the seas; our war planes are criss-crossing the skies in search for German submarines, raiders, and aircraft, with orders from the President to shoot on sight. In the Far East we are face to face with a dangerous and desperate adversary in Japan. If those who cry so loudly for armed conflict will but possess their souls in patience, war may come to us all too soon. That we are not prepared for war is realized by all of us. In his message to this Congress, read to the House of Representatives on October 9 of this year, the President said:

We know that we could not defend ourselves in Long Island Sound or in San Francisco Bay.

And then further in that message he revealed the clear purpose of not only seeking the power to arm merchant ships but to send our ships, loaded with articles of war, into the dangerous waters and ports of Great Britain. It thus appears that the passage of this resolution is designed to put the camel's head under the tent, and then when it reaches the Senate we will be led in under the big top into a shooting war.

Why all this haste? We all recognize the fact that we are not now prepared for war. In his testimony before the Senate committee investigating the national-defense program, on April 23, 1941, General Twaddle, of the General Staff, stated, upon the question of the Army's ability to fight now:

We couldn't make a very good showing, I don't believe, sir. We could fight defensively with some units, a few of our units.

We have neither the guns nor the gun crews to spare for the purpose of arming American merchant ships. Secretary Knox admits that it will be 4 months before these ships can be armed. We are building a two-ocean Navy. Many of our naval vessels are now unmanned and unarmed for the lack of trained personnel and weapons. Sending armed merchantment into the war zone will imperil the lives of not only the gun crews, who will, of course, be enlisted men of our naval forces, but such action will imperil the lives of every member of the crew of such a vessel. Ordinarily, in actual warfare, men who compose suicide squads are given the opportunity to volunteer for such service. What moral right has the Government to imperil the lives of ordinary seamen, the employees of the owners of the vessels, in such a venture?

All the world knows that our naval forces have been ordered to shoot at a hostile craft on sight. If the word goes out that our merchantmen are armed, no hostile submarine, ship, or bomber will dare take time to find out whether or not a vessel flying the American flag is armed. Such a course of action on our part will intensify the assaults and make more ruthless our adversaries.

But it is a striking fact that up to this time, although orders to shoot on sight have been given to our naval and air forces, no conflict has resulted between our forces and those of Germany.

It is conceded that if we get into this war it will be a long war. Although this Government has made appropriations sufficient to raise, clothe, equip, and train an army of from ten to twelve million men, we all know that such an army cannot be raised, equipped, and trained short of from 2 to 3 years, and that it will take a longer period, in the event we should decide on an American expeditionary force, to acquire and prepare ships sufficient to transport such a force abroad. And it is by no means certain that we could transport and land on the Continent of Europe any such an army, with supporting personnel, equipment, and foods sufficient to keep them in the field as a fighting force.

It is cause for the utmost alarm that the present course of action should be decided upon in a closed hearing of only 2 days in length, upon testimony that has been suppressed and is being withheld from the Members of this House and from the American people. Those who are clamoring the loudest for the passage of this resolution know full well that neither they nor any son of their's will get out where it is dirty and dangerous. If this resolution passes and if it is expanded in the Senate, and if our merchant ships are armed and sent into hostile zones and into the ports of warring nations, and if as a result the lives of American citizens are lost and we become involved in this war and our boys perish by the thousands, those who are responsible for the passage of this measure will have condemned to death the boys of this country without a hearing. Under the laws of this country even a criminal has his day in court.

The truth of it is Great Britain seems unable to give battle on land in this war. Her record is one of failure, defeat, and indecision. In June of this year her great opportunity came. Hitler invaded Russia. He hurled the pick of his armies and equipment against the legions of Stalin, and thereupon British efforts, with respect to an invasion of the Continent of Europe and in her war in Africa

and in the middle east, came to a sudden end. While Russians fought and bled and died, what has Britain done? She is waiting for our boys to fight and bleed and die. I cannot, by my vote, be a party to the death of American boys in an unnecessary war. It is my settled and mature judgment, in the light of all the facts, in the light of what we have done for Great Britain in a material way, and in the light of what we are doing for her today, and shall continue to do, that we should arm to the teeth, that we should become so strong on land and on the sea and in the air that no foreign power can successfully attack us. And, if we do this, no foreign power can successfully attack us. We are pouring out our treasure for Britain like sand, but we are not justified in pouring out the blood of our boys like water in a conflict beyond the seas.

Mr. TINKHAM. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. SAUTHOFF].

HISTORY REPEATS ITSELF

Mr. SAUTHOFF. Mr. Chairman, the aftermath of the first World War was a general let-down. Soldiers and civilians were both disillusioned. Our people generally said, "Never again." Then came a flow of gold that brought in an era of easy money. Our troubles were forgotten, and for most of us the war was a thing of the past. Speculation was in the air and everyone got the fever. The jazz age had us in its grip. And then came the deluge which once more restored our reason and made us conscious of realities. The depression deflated our egoes and cut us down to our normal size.

Among the realities was the ever-recurring question, "How did we get this way?" And so we thought about the Great War and its causes. The Senate created a special committee to investigate, and this committee exposed the sordid motives of munition makers and international bankers. As a result of these disclosures, we felt ourselves grossly deceived, and decided that we would do all we could to prevent it happening to us again. So we passed the Neutrality Act in 1935, and expanded and altered it in 1936, 1937, 1939, and 1940. The main objectives of this act were:

That the Congress, as well as the President, might find that a state of war existed between foreign nations; permit the sale of arms, ammunition, and implements of war to the belligerents for cash, but forbade American ships to carry arms, and so forth, to the ports of the belligerents in any part of the world; barred American vessels from transporting supplies or passengers to the ports of the belligerents, with certain ports excepted which were not in the European war zone; and forbade export or transport of any articles or materials to the belligerents until all right, title, and interest therein should have been transferred to some foreign government, agency, or national, except that private shipments to ports within the exempted areas and inland transportation to Canada could be made without transfer of title.

It was the intention of the framers of the act to do two things:

First. Curtail the influence of munition makers and international bankers.

Second. Avoid controversy and involvement with belligerents.

Admiral Sims said in a radio address given May 8, 1935:

We cannot keep out of war and at the same time enforce the freedom of the seas; that is, the freedom to make profits out of countries in a death struggle. If a war rises, we must therefore choose between two courses—between great profits with grave risk of war, on the one hand, or small profits and less risk, on the other. Our trade as a neutral must be at the risk of the traders; our Army and Navy must not be used to protect this trade. It is a choice of profit or peace. Our country must remain at peace.

By design or otherwise, much of the Neutrality Act has gone into the discard, but two important provisions remain:

First. Merchant vessels of the United States shall not be armed.

Second. Merchant vessels of the United States shall not enter ports of a belligerent.

We are now requested to repeal the section prohibiting the arming of American-flag merchant ships, and we are also requested to seriously consider the repeal of the section barring Americans and American ships from the war zones.

To date not a single American life has been lost and only one or two American-flag ships have been sunk. Why, then, do we discard our safe course and embark upon a course that we know will mean death to a number of our people? Can there be any other reason, save that such a course will serve as an "incident" which the interventionists need to plunge this country into war?

The arming of merchant vessels gives such vessels no protection. On the contrary, it robs them of the security they now possess and sends them to the bottom without warning, and the reason for this is obvious. When a merchant vessel is not armed, a submarine may safely show itself and give warning that the ship must be abandoned because it is about to be sunk. If, however, merchant vessels are armed, then the submarine cannot safely arise to the surface and give warning because it faces the danger of being sunk by the guns of the armed merchant vessel. Hence the torpedoing of a merchant ship is done silently and without warning, with the result that the ship sinks rapidly, and few, if any, lives can be saved. All this is known and has been known for 24 years.

We passed the Neutrality Act deliberately to stay out of war, and each time the act was passed or revised, the President signed it and declared that it was our bulwark against involvement in foreign wars.

I quote the President's exact words from an address made in Madison Square Garden, October 24, 1940:

By the Neutrality Act of 1935, and by other steps, we made it possible to prohibit American citizens from traveling on vessels belonging to countries at war. Was that right? We made it clear that American investors who put their money into enterprises in foreign nations could not call on American warships or soldiers to bail out their investments. Was that right?

We made it clear that ships flying the American flag could not carry munitions to a belligerent, and that they must stay out of war zones. Was that right?

In all these ways, we made it clear to every American, and to every foreign nation, that we would avoid becoming entangled through some episode beyond our borders. These were measures to keep us at peace. And through all the years of war since 1935, there has been no entanglement, and there will be no entanglement.

LESSONS OF 1917

In order that we may evaluate to the fullest extent the significance of the section relating to the arming of merchant vessels we should review the evidence and incidents following that course immediately prior to the first World War. Let me remind my hearers that President Wilson advocated the same identical thing for the merchant vessels of the United States immediately prior to the close of the Sixty-fourth Congress, and that a group of able and determined United States Senators, led by Wisconsin's greatest statesman, the late Robert M. La Follette, filibustered that section to death, but it was again brought up in the succeeding Congress and passed. What were the results of arming our merchant vessels?

Representative KARL E. MUNDT, of South Dakota, recently wrote Admiral Harold R. Stark, Chief of Naval Operations, as to the number of German submarines, aircraft, or service ships that were destroyed during the first World War by American merchantmen armed by President Wilson. Here is his answer:

No armed-guard vessel was officially credited with fatally damaging an enemy vessel.

The admiral furnished figures showing that 35 armed American merchantmen were sunk by German war craft, with a loss of 58 American lives. In plain English, the arming of merchant vessels did not protect these vessels, but did serve the purpose of sinking many American merchantmen and of sending to their death many American lives along with the ships.

We are now asked to tear down that bulwark which can mean only one thing—a desire to involve us in the present World War.

In appraising this situation we have experience to guide us. Let us review briefly what happened in 1917. On February 26, President Wilson asked Congress to place the United States in a position of "armed neutrality." Part of this plan was to arm merchant ships. On March 1 the House voted the measure 403 to 13, but a handful of Senators filibustered it to death. Congress automatically expired at noon on March 4. After President Wilson's second inauguration he received a legal opinion that he had the power to order the arming of American merchant vessels without the consent of Congress. A week later he issued the necessary orders. The date was March 12. On March 16, 17, and 18 the *Vigilancia*, the *City of Memphis*, and the *Illinois* were sunk by submarines. These were American-owned, American-built, and American-manned. On April 2 President Wilson asked Congress to declare war, which was just 21 days from the date President Wilson issued formal orders to arm American merchant

vessels against German U-boats and raiders. The situations then and now are almost identical.

The arming of American merchant vessels will not be the end to the destruction of the Neutrality Act. If the passage of this measure does not create an incident which will bring us into the war, then Congress will be asked to repeal the provisions relating to the barring of American-flag ships from entering war zones. When that happens, and our vessels ply the Atlantic, taking not only arms, munitions, and implements of war to English ports, but also food supplies and other materials, no doubt the U-boat warfare will increase and our ships will be sunk. That will serve the purpose of creating a war incident, firing the war hysteria to war madness and plunging us without delay into the World War.

IS IT NECESSARY?

The New York Times, in its issue of September 28, 1941, sets forth that the British Empire now has more ships than she had a year ago, while the merchant marine of the United States has declined. As of January 1, 1941, the bulletin of the American Bureau of Shipping shows that the British Empire had 2,664 seagoing vessels of 2,000 gross tons or more, aggregating 16,806,378 gross tons. The United States-owned ships of this size were 1,150 vessels of 7,078,909 gross tons, representing 14.1 percent of the world total. The British percentage at that time was 33.4 gross tons. A year ago the British Empire had 31.4 percent of the world total, while the American total was 15.2 percent. In other words, the British gross tonnage has increased in the past year while ours has declined.

Furthermore, this year's total does not include the amount of shipping now operating under the flags of British allies or shipping operated by countries friendly to the British cause. If we consider this tonnage in addition to what we have already mentioned, then the total gross tonnage of Britain and countries friendly to Britain would amount to 45 percent of the world's total tonnage, and it must not be forgotten that both Britain and the United States are building new ships in great quantities. It is estimated that Britain will produce approximately 1,200,000 tons of merchant ships this year; informed reliable sources place that estimate as high as 1,700,000 tons, while the total expected of the United States for the year 1941 will be over 1,000,000 tons. In addition to all that, present commitments in this country call for 1,153 new ships of approximately 12,410,000 tons to be placed in operation between July of this year and the end of 1943. Then why in the world should we alter our present law, since it can only increase the loss of ships and the loss of many lives, and the probability of our entrance into the war?

ARE WE IN THE WAR?

Many people felt, including myself, that the passage of the Lend-Lease Act was an undeclared declaration of war, and as the Saturday Evening Post of October 11 pointed out, the debates during and following the passage of the Lend-Lease Act raised the question "Are we in the war?" Before that question was even answered, the next question arose, "When and how did we enter the war?" As we all know, Congress alone has the power to declare war under the Constitution. Congress has not declared war. Therefore, constitutionally we are not in the war. But are we in a de facto war; and if so, when and how did we get in?

This question is difficult to answer because we have been like a small boy who edges out on the end of a pier looking at the water and wondering how close he can get to it before he falls off the edge. As a nonbelligerent, we were presumed to maintain a hands-off policy. Did we do so? Not by a long shot. On the contrary, we seemed to be itching to take a hand in the game. We traded 50 of our destroyers for bases on British territory. As a business deal it was a total loss, but as a step into the conflict it met with the approval of all those who were in favor of our becoming involved.

Again, we seized neutral vessels in our ports on the pretext of being necessary to our own defense, and then we turned them over to Britain. This was another act of war and could by no stretch of the imagination be construed as a neutral attitude.

Then we permitted the damaged vessels of the British Navy to enter our ports, use our dry docks and other facilities for repairs and to be refitted and supplied. This again was an act of war, but highly satisfactory to those who wished our Nation to be involved.

Another act of war was our patrolling the Atlantic and advising the British of the location of German U-boats and raiders so that she might attack them. Even this flagrant act of war did not create the incident, and so we went one step farther and occupied Iceland, in contravention to the terms of the Monroe Doctrine. Iceland is 600 miles from the British Isles, while it is 2,650 miles from New York City. Iceland has been bombed and ships have been sunk off her coast, but in spite of that fact our soldiers have been commingled with the British soldiers stationed at Iceland, and we have only recently been advised, are under the command of British officers.

Still no incident resulted which could involve us in the war.

Now we are to take another step, namely, the arming of merchant vessels which cannot protect the vessels nor those on board the vessels but, on the contrary, will place any Americans on those ships in extreme danger. If this does not create the incident hoped for, then it is my guess that we will repeal the only remaining clause of the Neutrality Act, namely, the barring of American flag ships from English ports.

And may I make one more prediction. That in addition to the elimination of the last section of the Neutrality Act, we will seize one or two more islands in the Eastern Hemisphere so that we may establish additional bases, all under the pretext of national defense, but in truth and in fact, for the purpose of involving us in the second World War.

LET BRITAIN JOIN THE WAR

Before we condemn our own boys to agony and death, let us examine the record. This war is now 2 years old. Let us see what happened.

First. The War of Poland was fought by Poland. England sent a high commission.

Second. The War of France and Belgium was fought by France and Belgium. They quit because England failed to support them.

Third. The War of Greece and Yugoslavia was fought by Greece and Yugoslavia. England sent them promises, but no help.

Fourth. The War of Russia is being fought by Russia. England has done nothing to date.

Losses of nations to date—killed, wounded, captured

Poland	1,675,000
France	2,365,000
Belgium	230,000
Holland	160,000
Greece	95,000
Norway	5,000
Yugoslavia	225,000
Russia (3 months)	2,585,000
Britain (2 years)	134,000

Figures obtained from embassies, U. S. War Department, and Library of Congress.

If our warmongers are bound to plunge us into this war, let us wait at least until England gets in.

We recently passed in the House the second lease-lend appropriation for Britain and her allies amounting to $6,000,000,000. In March we had passed the first appropriation amounting to $7,000,000,000. These two make a total of $13,000,000,000. It is proposed and intended that part of this second appropriation shall go to Russia. This money will be an outright gift, as all of us know. I want to call the attention of the House to this particular thing: England demands a dollar for every dollar's worth of material she sends for her all-out aid to Russia. The British Government is right now in war by the side of Soviet Russia, and yet the Foreign Commerce Weekly prints a payments agreement between the United Kingdom and the Union of Soviet Socialist Republics — Russia — which provides that the two Governments agree to deliver goods to one another at world prices with contracts in sterling, and accounts to be balanced quarterly. Evidently Britain has no lend-lease aid for Russia, and Britain is in the war and has been for 2 years, but the United States, which is not in the war, must have a lend-lease program for both Britain and Russia.

Why cannot Uncle Sam get a square deal from Britain and Russia as Britain demands from her ally, inasmuch as the people of the United States know that every dollar of this money must be paid by them? The only way they can avoid paying for it is to repudiate the debt. This $13,000,000,000 appropriated under the Lend-Lease Act means $100 for every man, woman, and child in the United States. If that kept us out of the war, or was for our own defense, I would say it was a good thing, but this is not for our own defense, nor is it keeping us out of war. On the contrary, the repeal

of the Neutrality Act, which is under way, will mean that we shall, no doubt, find our way into the war.

Let us consider another factor. The entire defense program to date expended on contract, authorized and on order, amounts to $66,000,000,000. This is a stupendous sum, and no one realizes what it means. Let me try to bring it closer home to you. It means $500 for every man, woman, and child in the United States. For the counties in the Second Congressional District of Wisconsin, which I have the honor to represent, it means the following:

Columbia	$16,258,500
Jefferson	19,434,000
Dodge	27,140,000
Waukesha	31,372,000
Dane	65,330,000

A total for the second district of $159,534,500. A total for the State of Wisconsin of $1,568,793,500. These figures are based on the population as issued by the Department of Commerce for the census of 1940.

BUSINESS AS USUAL

American firms are constantly complaining to their Representatives in Congress that they are unable to secure goods, and this applies to almost everything under the sun. On the other hand, British firms are advertising "business as usual." We are advised by our people back home that British firms can furnish material and manufacture goods that our firms cannot secure. It is highly significant that British exports to the Argentine have increased 17 percent for the past month over what they were a year ago, and those increases have been in steel, tin, and copper, strategic materials which our manufacturers are frequently writing to us that they cannot get. The charge has been made openly on the floor of the House that goods are taken from us by the British and resold by them in the open market in competition with American firms manufacturing the same articles. If this unjust discrimination against American business is allowed to continue, then the small businessman must see the handwriting on the wall. His business is doomed.

It would seem that Washington realizes that such a condition exists because an increase in W. P. A. funds is already being considered.

A recent speaker at a priority meeting advised those present that he saw no hope for small business and he expected 6,000 those on board the vessels but, on the picture by this time next year. That will mean economic maladjustments and hardships for thousands of people. It will mean increased demands for W. P. A. It will mean loss of millions for food, clothing, and many other items. It will mean that the economy of our country will be disrupted and only the large concerns will be left, which the Government may take over later on after we have been in war for some time. Then we will be in the position that to protect ourselves from the ideologies of Hitler and Stalin we have adopted them ourselves.

I want to give this further warning. As this is being written—October 14—Russia is being pounded hard. No one in this country can tell when Stalin and Hitler will settle their differences and again join hands—next week, next month; who knows? You cannot do business with Hitler or Stalin.

The best policy for us to pursue is the defense of the United States. We have put our hearts and our minds so intently upon foreign countries and foreign people that we have lost sight of our own. Save our own country first, and then if we are so minded we can help others with money, food, and supplies, but not with men. Our hopes and fears, our faith and our prayers, must be centered upon our own country and our own people. Let our every thought and deed be concerned with your people and my people, now and forever.

Mr. TINKHAM. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Chairman, as one who has listened to all of the arguments made on the pending resolution today, it would almost seem that we are debating the question whether or not we shall declare war. That thought seems to permeate the minds of most of the proponents of this measure. I am wondering if the real design and purpose of this and previous acts do not actually mean that we will tomorrow, if we pass this resolution, declare war.

Why the deception, why the attempt to maintain the illusion that the adoption of this resolution is a step in the direction of the maintenance of peace for America? Why not be honest with the American people? Why not face the facts squarely, head on, and if, as these gentlemen have stated in the Well of the House, lo these many months, the interest and welfare of the people of America and the future existence of our form of government is dependent on the outcome of the war now raging in Europe, why are we not men enough to meet this issue? If that fact is true, then bring the issue on the floor of this House and let us say once and for all either we will or we will not go to war.

No; instead of doing that, we are indulging in the same old system of deceit, the same old system of trickery, the same old system of misleading not only the Members of Congress but the American people themselves. They do not dare take the fatal plunge, but they are edging us up to the precipice step by step, well knowing that in doing so it means war. One man on the Democratic side during all the debates on these various issues has had the courage to stand here and challenge the House. The gentleman from Georgia [Mr. Cox], has repeatedly stated that when he voted for these measures he was under no illusions that it was in the interest of peace. He has told you truthfully and honestly what it means. It means war, and the adoption of this resolution means war if it means anything.

Now you say "we must protect these ships." Why do you want to protect them? You say "because we must carry lease-lend merchandise to the nations engaged in war. You must deliver the goods. If you intend to deliver the goods, where do you intend to deliver them to be effective? If they are to be effectively delivered, it will not do to deliver them to South America or to Panama or even to Iceland. They must be delivered where they can be used, the battle front over there in Soviet Russia. You intend, do you not, to deliver these lease-lend materials?

If you intend to deliver them, why do you not say so? Why do you come in here with a simple resolution asking the Congress to repeal the provision that prohibits the arming of American ships? When you have passed that resolution will you be able to deliver the goods to belligerent nations so that they can use them? Of course not, because you have still left in this law the other provision which prohibits this Nation from sending its merchant vessels into the combat zones or to the ports of belligerent nations.

Are you honest with the American people when you say in one bill that you intend by this legislation to deliver lease-lend material to the nations that need them, that are fighting Hitler, and at the same time you fail to ask for the repeal of that section of the law which prevents and prohibits an American-flag ship from entering a belligerent port? You are deceiving the people, you are concealing the issue, you do not dare come out whole hog and face the issue. You know that would mean war and the opposition would be tremendous. So you ask this House, under misrepresentation of the intention, to pass this resolution, well knowing that it will not in itself accomplish the thing that the President spoke of when he delivered his message on this subject to the Congress. You expect, and we know that, when this bill passes and goes to the other body they will deal with the subject. Then the American people will find that the whole neutrality law has been abandoned and emasculated and the people of the country have not been told the facts from the Well of this House.

If it is not your intention to repeal section 3, which prohibits American-flag ships from sailing into combat zones or to belligerent ports, how do you expect to deliver these lease-lend goods in American-flag ships? There is no answer. The ominous silence shows there is no answer. You do not intend any such thing. You do not intend to stop there. You intend to repeal the whole thing. Why not be honest with the Members of this House and the American people and tell them the truth? God knows the people who must suffer and who must die, perchance, are entitled at least to have the truth. That is democracy. Anything else is pure tyranny.

I hope the chairman of the committee, before this debate closes, will answer the question I have propounded. I call your attention to the fact that the President in his message made this statement:

> A vast number of ships are sliding into the water from American shipbuilding ways. We are lending them to the enemies of Hitlerism, and they are carrying food and supplies and munitions to belligerent ports in order to withstand Hitler's juggernaut. Most of the vital goods authorized by the Congress are being delivered, yet many of them are being sunk.

Why, if those goods are being delivered now as fast as we can produce them, in ships built in America but loaned to Britain or other belligerent nations under the terms of our lease-lend law, do you not continue that practice instead of coming in here and asking for the privilege of arming merchant ships to be permitted to sail in neutral waters? Sailing in neutral waters does not deliver lease-lend materials.

I have all due respect in the world for the man or the woman who, believing that the future of America is at stake, stands here and says, "I am ready now to go to war," but I have nothing but contempt for the individual who attempts to achieve that purpose by deceit, deception, trickery, and the withholding of facts. Mr. Chairman, being convinced that the secret purpose of this and succeeding proposals is to take this Nation to war, I shall vote "No."

[Here the gavel fell.]

Mr. JONKMAN. Mr. Chairman, I yield 10 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Chairman, the President on October 9, 1941, sent to Congress his written message, wherein he urged the Congress to repeal two very important provisions of the present Neutrality Act, the passage of which was urged by him and approved by him on March 4, 1939:

(a) The provision forbidding the arming of merchant ships.

(b) The provision forbidding the entrance of American ships with articles or American citizens into the danger of the war zone of warring nations.

NEUTRAL NEUTRALITY

The word "neutrality" stems from the word "neutral" and is defined by Webster's Unabridged Dictionary as:

Belonging to neither of two contestants; and to refrain from interfering with contests; not taking part of either.

The President and many American statesmen were convinced that we became involved in the first World War because we were not neutral and engaged in the traffic of munitions of war, furnishing war supplies to one particular group of warring nations. In order to make this country neutral in fact and avoid the involvement of this Nation in another world war, the President urged Congress to pass, and it did pass and he approved on August 31, 1935, the first Neutrality Act. This act, among other things, provided:

That upon the outbreak or during the progress of a war between two or more foreign nations, on the proclamation of the President it should be unlawful to export arms, munitions, or implements of war from any place in the United States or any of our possessions to any port of such warring nation or nations or to any neutral port for transshipment to or for the use of a belligerent.

The act provided a penalty of not more than $10,000 and not more than 5 years' imprisonment, or both, for violation of any of its provisions. The President felt so deeply on this question of our foreign policy in 1936 he urged Congress to adopt an amendment broadening and strengthening the Neutrality Act of August 31, 1935. This amendment increases the penalty in the amount of $50,000 or 5 years' imprisonment, or both. It was approved by the President February 29, 1936.

These neutrality acts were considered by the President as one of the great achievements of his first term of office. In opening his campaign for the second term at Chautauqua, N. Y., on August 14, 1936, the President referred to these acts at length. He said:

If war should break out again in another continent, let us not blink to the fact that we would find thousands of Americans who would be tempted for the sake of fool's gold to break down or evade our neutrality.

He called the profits derived from the sale of munitions of war fool's gold. He also said it would be urged upon the American people that the manufacture of these munitions of war would bring employment, build homes, factories, and pay our debts, and would greatly expand trade. But in response to this he said:

It would be hard to resist this clamor; it would be hard for many Americans, I fear, to look beyond to realize the inevitable penalties, the inevitable day of reckoning that comes from false prosperity. To resist the clamor of that greed, if war should come, would require the unswerving support of all Americans who love peace. If we face the choice of profits or peace, the Nation will answer, "We choose peace."

The President knew that the traffic in munitions of war and profits were the most fruitful sources of war

"FOOL'S GOLD" MEANS DEBTS, TAXES, BLOOD, AND TEARS

The warmongers and foreign propagandists won a notable victory in the amendment of the Neutrality Act of November 4, 1939. The green light was given to those seeking "fool's gold," war profits; munition plants were enlarged; new plants sprung up everywhere; foreign orders were received for billions of dollars' worth of munitions. Profits began to roll in and the propaganda demanding all-out aid for foreign countries was intensified. The President forced through in February 1941 his so-called lend-lease bill. This gave him extraordinary power and authorized unlimited credits to carry on undeclared wars for or against any nation or nations on the globe. Of course, there had to be an appropriation under the so-called lend-lease bill. The President urged an appropriation of $7,000,000,000. This was passed and approved on or about March 11, 1941. In less than 6 months the President urged another lend-lease appropriation for approximately $6,000,000,000. These two appropriations did not include the great quantities of ships, guns, planes, and other munitions of war that were turned over to Great Britain before the lend-lease bills were passed. The press reports the President as saying that the $7,000,000,000 has been used up. That statement is not true. A few days ago when the second lend-lease (give-away) bill was up, the record disclosed that only half of the seven billions had been let to contract and only $388,000,000 worth of materials had been turned out. This was less than 6 percent, and our factories and plants are filled to the limit with prior orders, and it will be at least a year and one-half before all the $7,000,000,000 will be actually turned into materials and payments finally made. There was no reason why the American taxpayers should have been forced at this time to give another $6,000,000,000 of gifts to foreign countries. My opinion is that Great Britain wanted to get this additional six billions while the getting was good. The American people will wake up one of these days and realize what has been done and what is being done to them. We have also been told by those in authority that there will be another lend-lease bill presented about next March, for how much God only knows, and if we become involved in a shooting war no one can say how many "give-away" bills will be forced through Congress to aid various countries in other parts of the world.

Congress recently completed, and the President approved, a tax bill that will take $14,000,000,000 in taxes from the American people. This is an enormous sum. It means more than $100 in taxes on the average for every man, woman, and child, and $500 for the average family living under the American flag. Everything is being taxed. This, of course, is greatly boosting the price of living in this country. It will take this tremendous sum of money in taxes this year to pay the billions Congress has voted to give to other countries.

What about money to pay for ships, guns, planes, tanks, and shells, and other munitions of war for the defense of our own country? We must borrow billions of dollars for that purpose. Although our national debt is now more than $50,000,000,000 and is climbing by leaps and bounds we are told that additional taxes will be put on the American people within the next few months. The fool's gold—the profits, so far as the American people are concerned—is beginning to fade away. The inevitable penalties, the inevitable day of reckoning that comes from false prosperity, warned of by the President in the Chautauqua speech in 1936 is at hand. Of course, a lot of those who are clamoring for war and making as much as 250-percent profits on their products are not being hurt, but the American people are beginning to pay and they will continue to pay and their children and their children's children will pay through the nose for a half century or more. There will be no profits to the average American citizen, and, if we persist in the course that the administration and its leaders have marked out, one of these days we will pay as we did in the last World War—with blood and tears.

WAR PROFITS OR PEACE, HAPPINESS, AND FREEDOM

The President, in speaking of "fool's gold" and "inevitable penalties" and "the inevitable day of reckoning," remembered our bitter experience in the first World War. We started out to be neutral in 1914. We furnished the munitions and credits in 1915, 1916, and the early part of 1917 in great quantities. We were rolling in big war profits—fool's gold—that we were fishing out of the blood and tears of the people of Europe. A false slogan; greed and profits made us unneutral and extremely partisan. We unwisely believed

we could have the profits, the fool's gold, without blood and tears. The inevitable penalties and the inevitable day of reckoning came. We had to furnish blood and tears. Hundreds of thousands of the flower of our young manhood died on account of wounds or disease, and hundreds of thousands have died since of wounds and disease. We made hundreds of thousands of widows and orphans and wound up with a national debt of $26,000,000,000. We received nothing, not even the gratitude from those for whom we gave our treasure, blood, and tears. The great principle for which we fought vanished in thin air. It was the purpose of the President and the Congress to avoid involvement of this Nation in another such costly bloody world war. We were determined never again to become involved in the centuries-old quarrels, hates, prejudices, and jealousies of Europe, Asia, and Africa. The President again urged Congress to approve an amendment and broaden and strengthen the Neutrality Acts of August 31, 1935, and February 29, 1936, and this amendment was adopted by Congress and approved by the President on May 1, 1936. Another amendment was suggested by the President and adopted by the Congress and approved by him to have the Neutrality Act to apply to the civil-war factions fighting in Spain. He insisted that this Nation, in order to avoid war, should not seek fool's gold among warring nations or even as between factions engaged in civil war in a single nation. When several of these acts were passed wars were going on between China and Japan, Italy and Ethiopia, and a civil war in Spain. These several acts made it unlawful, providing a penalty as much as $50,000 or 5 years' imprisonment, or both, for the violation of the provisions of these acts. These acts provided that American citizens should not finance warring countries, should not sell to them munitions of war or deliver same to them, and American citizens should not sail on belligerent ships. It grieves us deeply to recall that the President issued no embargoes against Japan until recently. During Japan's 4 years or more of ruthless conquest of China we furnished her 57 percent or more of her munitions of war. The United States, Great Britain, and the Dutch East Indies furnished Japan more than 90 percent of her munitions of war. It is now agreed but for these munitions of war Japan could not have overrun China, destroyed her cities, and slaughtered and murdered more than 4,000,000 of her citizens—men, women, and children. We made it possible for Japan to almost destroy our friend, and at the same time our country, with Great Britain and Holland, made our potential enemy, Japan, powerful and strong.

There could be no answer to this except that the administration wanted the trade, the profits, and the "fools' gold" of Japan. We let Japan strip this country of its scrap iron and steel, and now we are short and thousands of our plants and factories must close down and throw millions of American citizens out of employment, and Japan during this time joined our potential enemies, Germany and Italy. She could not have successfully operated her ships, her planes, or carried on her war program without the oil and high-test gasoline, steel, and other supplies received from the United States, Great Britain, and Holland. It is said that Japan has put away enough of oil and high-test gasoline to last her 14 months, perhaps to be used against us. In my opinion, the greatest threat of war to this country is in the west from Japan, and not from Europe. The war broke out in Europe about the first of September 1939. Germany attacked Poland; France and England declared war on Germany. The munition makers and others saw huge profits looming up in the distance. France and England, of course, wanted our help, as usual. The propagandists got busy. The scare mongers were not idle; the seekers of "fools' gold" urged that we should supply France and Britain with munitions of war, but there was the President's neutrality laws designed to keep us out of another world war. The cry went up, "Down with the neutrality law; it must be repealed." The President listened to these statements and called Congress into extraordinary session on September 21, 1939, to repeal or modify our neutrality laws. The rank and file of the American people and the majority of the Members of the House and Senate believed in these great peace measures. The President and his supporters finally pushed through Congress our present Neutrality Act, which was approved by him November 4, 1939. The forces for peace and against involvement of this country into another bloody world war were powerful enough to prevent the repeal of the neutrality law. The President claimed his amendment to the Neutrality Act was necessary to make the United States neutral and keep this country out of the war. They could not successfully carry a direct attack against the Neutrality Act; they made a flank attack. They insisted that they did not desire to repeal the act but that we ought to amend it so as to be able to make and sell to the so-called democracies munitions of war. They launched the cash-and-carry formula. The bill as finally passed was predicated on the cash-and-carry principle. We could limit the sale of our munitions of war to such country or countries as we desired to favor and they had to come to this country and pay cash and take the war materials away in their own ships; title must pass to the purchaser before the munitions left the American ports. We were told in this way we could get the profits—"fools' gold"—and without assuming any liability or being involved in the war and at the same time help England and France. American ships were especially prohibited from entering the danger or war zones defined by the President, and American ships, under section 6, could not be armed. It also provided that war craft of belligerent nations could not take refuge in our harbors and they could not be reconditioned in our harbors or in our docks. The magic words, "cash and carry," weighed heavily upon many. Huge profits with no responsibility or liability appealed to them.

THE ROAD TO WAR

Under section 6 of our present neutrality law, American merchant ships are not permitted to be armed, and can carry only such weapons as is necessary to maintain discipline on the ships. The resolution before us proposes to repeal section 6 of the Neutrality Act and to grant authority to the President to arm all American merchant ships. At first blush, the average person would think this a good thing. Let us look at this matter in the light of experience. We had about the same condition in Europe in 1915–16 and the early part of 1917 as we have today in Europe. President Wilson asked the Congress to give him the power to arm our merchant ships. The bill passed in the House but failed to pass in the Senate. President Wilson then claimed, as Commander in Chief of the Army and Navy, he had the power to arm our merchant ships, and he did arm them, and in 21 days—in April 1917—we found ourselves plunged into bloody and costly World War No. 1.

A merchant ship does not have the armor protection. It cannot carry large guns. Its crew are really not trained in handling guns. Although we used these armed merchant ships and kept them armed throughout the last World War, Admiral Stark, Chief of United States Naval Operations, stated the other day in a letter to Congressman MUNDT, of South Dakota, that there was no record of one of these armed merchant ships sinking a submarine or any other war vessel and no record of one having shot down an airplane, but 35 of those armed ships were attacked and sunk and 58 sailors lost their lives. Of course, the guns on one of these ships could not sink a submarine, destroyer, or cruiser, or battleship.

The law of the sea is that in time of war an armed merchant ship is put on the same footing as a submarine, destroyer, cruiser, or battleship. They can be shot at without notice or warning; while, on the other hand, if a merchant ship is not armed and even though it is carrying contraband of war, the crew of a warship of a belligerent nation could go aboard and search it but could not fire on it, and if contraband of war is found, the belligerent warship must look to the safety of the sailors on the merchant ship, and, of course, the warship could, if necessary, sink or destroy the ship carrying the contraband. To put small guns on these merchant ships is merely an invitation for the warships of the belligerent nations to fire on the ships. That not only endangers the ships but the lives of the sailors on the ships. It could do no harm to the warships or airplanes. It would be like a lot of men going out to battle with .22 rifles against men armed with long-range, high-powered Garand rifles.

There will be another bill before us in a few days to repeal the provisions of the Neutrality Act forbidding American merchant ships going into war zones. For instance, into the mined and dangerous waters in and about Great Britain and other warring countries. The President wants that provision repealed so that he can send these merchant ships, with their

small guns on them, into these dangerous waters of these warring nations. Anyone can see at once the results of such action. These ships will be sunk and American sailors will be killed, and then we will be called upon to declare war and plunge this Nation into the longest, costliest, and bloodiest war in all the annals of history. Who supporting this bill would be willing to travel on such ships?

It is insisted that we have appropriated more than $13,000,000,000 to provide planes, guns, and other war supplies and munitions of war to Great Britain, China, and Russia, and although we are giving these billions of materials to these countries, it is said we must deliver them. We were told when the lend-lease-give-away bill was passed that it was for the purpose of keeping us out of war and preserving the peace of this country, and that these nations would come to us and get these supplies, we would not endanger our American ships and American lives in delivering them. In fact, we were given to understand that our warships would not be used. Now, they propose inadequately to arm our merchant ships and send them into the war zones, provided Congress repeals these provisions of the Neutrality Act.

Sincerely believing this can mean nothing but to involve this country in a shooting war and taking the lives perhaps of millions of American boys and bankrupt our country and in the end lose our own freedom, I shall vote against the bill now before us and the other bill the administration will bring in in a few days.

Is not the President seeking a bloody incident to involve us in this war? I have believed that ever since he called Congress together in September 1939 that he and a group of men around him would finally involve this country in this second world war. I have consistently voted against each and every measure which, in my opinion, would involve us in such a war.

War moves can be seen on every hand. The Presidential election of 1940 came around. The President and his party were wanting votes. The Democratic National Convention adopted the following plank in their platform:

> We will not participate in foreign wars and we will not send our Army, Navy, or air force to fight on foreign lands, outside the Americas, except in case of attack.

The President said in his campaign speech in Philadelphia on October 23, 1940:

> I repeat again, I stand on the platform of our party, we will not participate in foreign wars, and will not send our Army, Navy, or air force to fight on foreign lands, outside the Americas, except in case of attack.

President Roosevelt in his campaign speech at Boston on October 30, 1940, broadened this pledge to the American people when he said:

> And while I am talking to you fathers and mothers, I give you one more assurance—I have said this before, but I shall say it again, again, and again—your boys are not going to be sent into any foreign wars.

The Republican Party made a strong pledge against our country becoming involved in any foreign wars, or meddling in the affairs of the people of Europe, Asia, and Africa, and our candidate, Wendell Willkie, in a campaign speech, on a Nation-wide hook-up on October 12, 1940, said:

> I have given you my pledge many times before, we are working for peace. We are against sending our boys to any war other than in defense of our own country. To begin with, we shall not undertake to fight anybody else's wars. Our boys shall stay out of European wars. We must build for ourselves an air force, an Army and Navy so strong that no dictator will dare tamper with our freedom.

I subscribe 100 percent to the platform declaration of both parties, and both candidates and I made substantially the same pledges to the people of my district last fall. I have undertaken sincerely and honestly to carry out the pledges of the Republican Party, our candidate and myself, and that is where I stand today.

No one could be more strongly in favor of arming our country to the teeth than I am, but I am opposed to our boys being sent into foreign lands and on foreign seas to fight the wars of Russia, or any other nation. Let us defend our own country. These nations get into these wars in Europe, Asia, and Africa without consulting us and then they undertake to propagandize us into the war. The people of those countries will, as they have always done, handle their own war lords and bullies.

I do not propose to break my pledge to the young men and the fathers and mothers of America and sacrifice the lives of perhaps millions of our young men and make another million widows and orphans and, at the same time, disrupt and bankrupt our own country. More than 80 percent of the American people are against our involvement in a shooting war in Europe, Asia, and Africa. It would greatly add to the strength and unity of this Nation if the President and his party and Mr. Willkie would live up to and carry out their pledges made to the American people in the election of 1940. They cannot escape by saying that conditions are worse today than they were in the fall before the election in 1940. At that time Russia was aiding Germany. Today they have destroyed literally millions of their own armies fighting each other and have destroyed tens of thousands of guns, tanks, planes, and other war equipment. Mussolini has practically been driven out of Africa. The people of the conquered countries are rising up everywhere. Britain is admittedly much stronger than she was a year ago, and so are we, yet Mr. Roosevelt and his administration day by day and step by step are leading us into this bloody conflict.

Germany has been engaged against Russia for 4 months, but what has Britain done? Practically nothing. What is Britain waiting for? She has received American ships, American guns, planes, and money. She is waiting for American boys. Britain has more to defend than any other country involved in that war in Europe, Asia, or Africa. She has 16,000,000 square miles of territory, and has taken over 1,350,000 square miles more since this war started. She has a population of more than 500,000,000 people, yet there has not been half as many Englishmen killed as were killed in little Greece, or in little Finland. The British are smart. They do not fight except to protect their own territory and their own soil.

When the guns are put on our merchant ships, they will be sent to the Pacific, through the waters around China and Japan, into the Red Sea and other dangerous zones to aid Russia. Hitler and Stalin started this terrible war. If Russia goes down in Europe, Japan will likely take on Russia in Siberia, and then Japan will attempt, more than likely, to sink our merchant ships, and a war will be on in that part of the world. I am inclined to think today there is much more likelihood of the war starting against us in the Pacific from Japan rather than from Germany or Italy.

We would have been in the war long ago but for the determined opposition of 80 percent or more of the American people and a majority of Congress. This bill and others are mere subterfuges of the administration to have the Congress to give the President a green light for war. We should not sit supinely by and permit the President and his Cabinet to carry on these undeclared wars.

AVOID ENTANGLING ALLIANCES

We must make our own country strong and not depend upon the countries of Europe, Asia, and Africa to protect and defend the United States and the Western Hemisphere. The President said in his message to Congress on October 9, 1941:

> We know that we could not defend Long Island Sound or San Francisco Bay.

He meant this Nation could not defend either New York City or San Francisco. Yet we are sending our bombing planes, antiaircraft guns and other munitions of war to Europe, Asia, and Africa. We have and are still stripping our own Nation of its defenses. Is it not our paramount duty to defend the United States and our possessions? This lack of defense cannot be laid at the door of the Congress. Congress has voted approximately $50,000,000,000 for our own defense program; Congress has voted a tax bill yielding approximately $14,000,000,000 and yet the President says we could not defend New York City, more than 4,000 miles from Germany and Italy, or San Francisco, more than 5,000 miles from Japan. This is a terrible indictment of the inefficiency of this administration.

Let us not forget in their urge to arm American merchant ships that not a single American sailor has lost his life on any ship flying the American flag and only two have been sunk. One of these was sunk in the Red Sea, 12,000 miles from our country, in the war zone carrying contrabrand of war to the British forces; the other was thousands of miles from the American coast carrying contraband of war to the British forces in Africa. The other four ships that have been sunk were leased by Americans and sailed under the flag of Panama. These also were carrying contrabrand of war to Europe and the people operating these ships in these war zones received very high rates and their sailors received high

wages. Their anxiety for fool's gold caused them to take chances. They even resorted to the subterfuge of flying the flag of a little country down in Central America. If these few Americans and their foreign sailors want to take chances for the big profits involved, should American boys and the fathers and mothers of this country and the taxpayers be required to fight a long, costly, and bloody war? Especially when they were violating the spirit and the letter of our Neutrality Acts.

HITLER AND NAPOLEON

Today the situation of the United States under the threat of Hitler parallels closely the conditions in the United States when Napoleon was running wild in Europe. Thomas Jefferson and other American Presidents and statesmen of their day were urged to get into that war on the side of Great Britain and a lot of the press and people in this country insisted that the United States would be invaded by Napoleon unless we joined the British and defeated him. May I call to your attention some excerpts. President Thomas Jefferson on March 21, 1801, wrote a letter in which he used the following language:

It ought to be the very first object of our pursuits to have nothing to do with European interests and politics. Let them be free or slaves at will, navigators or agricultural, swallowed into one government or divided into a thousand; we have nothing to fear from them in any form.

In October 1803 Jefferson wrote to Benjamin Rush in part as follows:

Tremendous times in Europe. How mighty this battle of lions and tigers. With what sensations should the common herd of cattle look upon it? With no partialities, certainly.

President John Adams on July 25, 1808, commented as follows:

Our gazettes and pamphlets tell us that Bonaparte * * * will conquer England, and command all the British Navy, and send I do not know how many hundred thousand soldiers here and conquer from New Orleans to Passamaquoddy. Though everyone of these bugbears is an empty phantom, yet the people seem to believe every article of this bombastical creed and tremble and shudder in consequence. Who shall touch these blind eyes?

Our statesmen in those days stood up. We had a population of about 5,000,000 and only about 15 States bordered on the south by Florida belonging to Spain; bordered on the west and southwest by Louisiana territory belonging to France, yet our people refused to join with England in the conflict in which Napoleon was the great dictator and military bully of Europe in his time. Europeans then as now have their hands full in looking after themselves. The 22 miles of English Channel has kept Hitler out of Britain. If we are half prepared and don't give all of our money and war materials away the 3,000 miles of Atlantic Ocean and the 5,000 miles of the Pacific Ocean are still great bulwarks of protection to this country. Our great danger is in dissipating our wonderful resources, our wealth, and lives of our young men in a futile effort to settle the age-old quarrels and wars of the nations of Europe, Asia, and Africa.

Mr. BLOOM. Mr. Chairman, I yield 5 minutes to the gentleman from Pennsylvania [Mr. WRIGHT].

Mr. WRIGHT. Mr. Chairman, we should try our best to think clearly and speak plainly. In dark and troubled periods of the past, when our fate was in the balance, we have always been given leadership of a most high order, patriotic, wise, and sincere. Had it not been for such leadership, it is conceivable that this Congress would not assemble today as the free elected Representatives of a free people.

It is our obligation, then, to pass on unimpaired to our successors the same traditions of freedom and greatness that we have inherited.

It is futile to disguise or minimize the danger of our present position. We have said as a Nation that Hitler's defeat is necessary to our free existence. Having so decided, it becomes our duty to accomplish this defeat. In furtherance of our purpose, we have furnished goods to the democracies while we have denied it to the aggressors. When it became impossible for those nations to pay in cash for this aid we decided, as a legislative body, to waive such payment. We are repairing the warships of those nations. We are training some of their men. We have recognized our danger by fortifying outposts which might be used as bases against us. We have a million soldiers training in our camps. We have embarked upon a campaign to eliminate attacks by submarines and planes from the waters adjacent to us.

In all this there is danger; but the danger was not of our own choosing. The steps we have taken are defensive measures against the danger which we all apprehend from foreign attack.

The present bill would permit the arming of our merchantmen, in order that they might themselves resist attack from surface vessels, from submarines, and from the air, as they sail the seas. There should be no controversy about the necessity of taking this step. For, if our destroyers and our aircraft have orders to destroy any enemy craft of any type upon the sea, in order that our shipping might be protected, why should not our merchant ships themselves render what assistance they can in this task?

I insist that our present position is one of danger; but I likewise insist that this danger will not be appreciably increased by the arming of our vessels. This is merely common prudence. The neglect of this expedient will not only be dangerous but unreasonable. For there can be no reason in holding that our Navy or our Army may sink a hostile craft, but that our merchant vessels, for whose protection these orders have been given, may not assist them in their task. Thus, by all means, pass this bill; not as a step toward war, not as a further extension of our aid to the democracies, but simply as an ordinary safeguard.

But, I wish to speak about the broader aspects of our present policy. Let us first analyze the position in which we find ourselves. We are not a belligerent. We have had no declaration of war; we have not acknowledged the status of a belligerent; indeed, there are many of the instances of belligerency which do not exist in this country. Our armies are not embarked in the field against an enemy; neither is there any reasonable contemplation of their immediate attack. Our Navy, though it may be ridding our waters of hostile craft, is not engaged in any national offensive which would characterize a state of war. We still exchange diplomatic representatives with the Axis Powers, and maintain diplomatic relations with them. We have lately even supplied Japan, a member of the Axis, with materials of warfare. We are still in theory at peace. But, we are not neutral. We have chosen sides in this conflict, and we recognize that it is to our national interests that the Axis Powers be defeated. Our foreign policy has, as its sustaining motive, the defeat of those nations whose success we have decided would imperil our country. We have transformed our peacetime industry into an immense Nation-wide defense plan, wherein tanks, planes, trucks, ordnance, and ammunitions are being manufactured on a scale hitherto unknown in this country. These products are partially for our own defense, but huge quantities of them are being shipped to those countries which are fighting the Axis, in the hope that they might accomplish an Axis defeat. It is the judgment of many thoughtful persons that without our help the Axis Powers would surely conquer. We are then direct participants in this war, with a vital interest in its outcome, even though we may never fire a gun.

This somewhat anomalous position in which we find ourselves does not spring from a desire on the part of the administration to lead us into war or to conceal the facts from the American people. It flows naturally from the desire of the American people to secure the defeat of Hitler, and at the same time, their unwillingness to be involved in a shooting war.

The President, in my opinion, reflects almost exactly this dual desire of our citizens. He has, by his various moves in foreign affairs, influenced the course of events by employing diplomatically the great prestige of this country in favor of the democracies. He has advocated a policy which has turned this Nation into a vast arsenal, a mighty arsenal, wherein the weapons of war are forged. These resources have been turned over to the democracies. Yet after over 2 years of conflict, in which the Nazis in Europe and Africa have threatened the entire fabric of Christian civilization, and after the Japanese have manifested their imperialistic ambitions to advance southward and cut off our vital supplies, still we are not at war. As yet there has been no irreconcilable conflict between the two imperatives of the American Nation; it has been possible to assist in the defeat of nazi-ism and at the same time avoid war.

How long will this state of affairs continue? When, if ever, will it be necessary for America to throw its military as well as its industrial might into the task of defeating the Axis Powers? A contingency might well occur in which we will have to choose. We may have to decide

whether our desire to defeat nazi-ism is sufficiently profound for us to adopt wartime measures to accomplish it, or whether, on the other hand, our national wish to keep out of war is so strong that we will permit the triumph of the Axis forces throughout the world. This is a bridge which need not yet be crossed; but I think it is our duty, as representatives of the people, to point out to them that this decision may confront us. I think likewise that it is our duty as a Nation to weigh deeply these considerations in advance and to be prepared to make our choice.

Much as I abhor the immorality and the brutality of the Axis' new order, much as I deplore the destruction of those values which we have built up through 20 centuries of Christian civilization, I doubt very seriously whether we, as a nation, should imperil our own existence to remedy these conditions abroad. I rest my opposition to the Axis, an opposition which will not relax until their gangster governments are completely overthrown, not upon my wholehearted sympathy with the ideals that they are destroying, and the people who are being enslaved, but on a more immediate and present ground, which is the preservation of our national life.

I do not think it possible for America to exist as a free and independent nation if the Nazis dominate the rest of the world. I cannot see a tolerant and Christian America living side by side and in competition with a pagan world. But I would never vote to avert it by the appeasement of the Axis Powers.

The isolationists, I think, misconceive the nature of our problems. To me, there is not a choice between peace and war. The alternatives are defeat of nazi-ism, possibly, but not certainly, without war, on the one hand; and an ultimate defeat, or at the very least, a stripping from us of our national power and dignity, on the other. I cannot vision that America, whose fleet is powerless, whose ships cannot leave their ports, and whose neighbors have been weaned away from it and who are now hostile, living under the burden of a vast permanent military establishment, and in continuous fear of attack. This is the new order that Hitler would impose. There would be no free business among individuals; but rather, subsidized business with an arrogant conqueror. There would be no free labor. The free workmen of America could not compete with conquered conscripts. The self-respecting, tolerant, kindly America that Whitman has visioned would disappear. We would be forced ourselves to adopt a total economy in order to preserve our existence.

I do not believe that any human knows what course the present struggle will take nor how far it will spread. We see Japan threatening to advance southward and to cut off supplies which are vital to us as a nation. We know that in the South American countries propaganda is rife, seeking to alienate those people from us and to incline them toward the Axis philosophy. We know that Britain has been fighting valiantly against the greatest armed forces of history, and that if her fight be unsuccessful we would be the last large democracy in the world. We know that everywhere that Hitler has conquered the most brutal and abject slavery has been imposed upon the people. We know that peaceful relations cannot be permanently maintained with such a government as that now dominating Europe; that former periods of peace have been used only as a period of respite and preparation for further conquest. We know that with cynical cunning they use our own disinclination to war and our own love for democracy as a weapon against us. They seek to corrupt and confuse us from within before they attack from without. No one knows when they might find it to their interest to move against the United States, either by economic pressure or military attack. I feel that we are in grave peril.

There is just one more thought. The entire world is looking toward the United States. We must not falter in the resolute position we have taken. Where would England be today without our aid? What course would South American politics have taken had we weakened in our stand and showed a willingness to appease? In what direction would Japan have moved had it not been faced by a certain conflict with our powerful Navy? It is our national duty to present to the world a united front. We cannot have a division between our executive and our legislative arms of the Government. We cannot show the world that we are divided as a nation. It is only by concentrated action that we can hope to avert this war from ourselves and at the same time to confound the enemies of our civilization.

So much for the future. In the meantime let us pass this resolution. Let us also face the future without fear, and in the confidence that our cause is just and that we have been given the responsibility of holding up the torch of civilization in a war-torn and barbarous world.

Mr. TINKHAM. Mr. Chairman, I yield as much time as he may desire to the gentleman from Indiana [Mr. GILLIE].

Mr. GILLIE. Mr. Chairman, I have just placed on the Clerk's desk a petition protesting the repeal of the Neutrality Act, bearing the signatures of several hundred citizens of Fort Wayne, Ind., and vicinity. The petition was circulated by the Fort Wayne Committee of Parents, Families, and Friends of Selectees, an organization which is becoming increasingly active in the fight to keep America out of war. It reads as follows:

> Whereas the act known as the Neutrality Act was enacted after due deliberation and in a democratic manner when open and unbiased discussion was possible, for the express purpose of guiding our course safely at a time when international turmoil and an avalanche of propaganda should cloud our reason and make calm judgment difficult to attain, and
>
> Whereas this time is now upon us, we, the undersigned families and friends of selectees, do earnestly petition that this act be retained without modification and that you strongly oppose any and all efforts to repeal or modify it.

Mr. Chairman, I am in hearty accord with the views expressed in this petition. Repeal of the Neutrality Act, in my opinion, would inevitably be followed by our participation in the European War as an active belligerent. This would be the next natural step and even the interventionists, who in the past have described every war measure as a measure to keep us out of war, do not deny it.

The issue as I see it is simple and clear-cut. It is war or peace. For who is to doubt that if we arm our merchant ships, load them with munitions, and send them into the Atlantic war zones, we will not be in the war before the start of another year.

The administration is seeking the destruction of this last safeguard for peace in typical piecemeal fashion. Today we are asked to repeal section 6 of the Neutrality Act and permit the arming of American merchant vessels. If we do this, in a few days we will be requested to repeal section 2 of the act and permit our armed ships to enter the European war zones.

The only reason repeal of section 2 is not sought at this time is the fear on the part of the war party that the American people have not been fully conditioned to take the final, shooting step.

Mr. Chairman, this is a typical administration trick. If the people will not take their medicine in one big gulp, give it to them in little, sugar-coated doses. It all adds up to the same thing—active participation in a shooting war.

I am convinced, Mr. Chairman, that the American people prefer to be dealt with honestly and openly. They are against fighting an undeclared war. They believe that if we are going to get into this fight it should only be after a formal declaration of war by a majority of the people's Congress.

Let us serve notice to the world by our vote on this amendment that the Yanks are not coming, that our sailors are not going to be sent to die in European waters, and that 80 percent of the American people are still firm in their resolve not to become involved in a shooting war on foreign soil.

Mr. TINKHAM. Mr. Chairman, I yield such time as he may desire to the gentleman from Wisconsin [Mr. THILL].

Mr. THILL. Mr. Chairman, I ask unanimous consent to extend my remarks.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. THILL. Mr. Chairman, seldom does the administration present a bill in which the arguments are so compelling against their proposal. House Joint Resolution 237, which is intended to repeal section 6 of the Neutrality Act of 1939 and incidentally to do away with the requirement for bonds from armed vessels on clearing, is such a bill. How anyone can in good conscience vote for this measure is more than I can see, for we all know that this bill is merely the forerunner of the repeal of the entire Neutrality Act, merely the forerunner of a shooting war, merely the forerunner of what might again be another American expeditionary force.

Certainly the Neutrality Act has operated to keep us out of the war, to this extent at least, that it has prevented

those incidents which precipitated this country into the last war. The Neutrality Act has by its provisions kept our merchant ships from entering combat areas—has prevented American citizens from traveling on belligerent vessels, and it has not permitted some of those war-provoking incidents which led us into the first World War.

If the purpose behind the repeal of section 6 of the Neutrality Act is to aid Britain, it is a slow and dangerous device. I say it is slow because the objective to aid England can be accomplished by forthright action of the President in making available to Britain some of our merchant vessels to be returned upon demand. The vessels would be "lease-lend" ships, so to speak, to be turned back to us whenever we needed or desired them. I say it is a dangerous device to arm our merchantmen—because experience has proved that armed merchantmen are no match for submarines. I am advised that in the present war there is no record of the sinking of a submarine by an armed merchant ship. During the last war all evidence points to the fact that armed merchantmen were ineffective against submarines. In a report from London in 1917 Admiral Sims stated:

> Guns are no defense against torpedo attack without warning. In this area alone during the last 6 weeks 30 armed ships were sunk by torpedoes without a submarine being seen.

The psychological effect upon the crew of an armed merchant ship must be bad, because they realize they cannot maneuver their ship and they cannot get the speed out of their ship that the crew of an enemy warcraft can get out of their vessel. Is it not to be assumed that an armed merchant ship will be fired upon without warning because no submarine commander is so foolhardy that he would subject himself and his vessel to shell fire by announcing his presence.

After listening to the arguments made on the floor today, I have come to the conclusion that the vote tomorrow will be one of the last "peace or war" votes we will have. Members of Congress still have it within their power to vote against this bill and to keep the blood of American boys from staining their hands. So far as I am concerned I will vote "No" on this bill, in accordance with the dictates of my conscience and the desires of my constituents who want to stay out of war. No American boy shall die in the cold waters of the seven seas because of my vote.

Mr. TINKHAM. Mr. Chairman, I now yield 10 minutes to the gentleman from Minnesota [Mr. O'HARA].

Mr. BLOOM. Mr. Chairman, will the gentleman from Minnesota yield?

Mr. O'HARA. Yes.

Mr. BLOOM. Mr. Chairman, I thought that the only time to be used for the remainder of the evening was such time as might be required to extend remarks. I did not know that the gentleman from Massachusetts was going to yield 10 or 15 minutes. He is considerably ahead of me in respect to time now.

Mr. TINKHAM. I have one more speaker.

Mr. MICHENER. Mr. Chairman, the understanding is that this evening's session is to continue as long as anybody desires to speak. That is the understanding with the leadership and with the majority leader. It is not a question of a division of time at all, but the agreement was made with the express understanding that the session is to continue as long as anybody wants to talk.

Mr. BLOOM. The understanding between myself and the gentleman from Ohio [Mr. VORYS] a few minutes ago was that there were to be no more speakers on that side.

Mr. MICHENER. Oh, there are many more.

Mr. BLOOM. I merely suggested that a few moments ago it was stated to me that there would be no more speakers on that side.

Mr. VORYS of Ohio. Mr. Chairman, what the gentleman from New York [Mr. BLOOM] just said is correct, but when I told him I was in error. I did not know that the gentleman from Minnesota [Mr. O'HARA] had not yet spoken.

Mr. O'HARA. Mr. Chairman, it is my thought that when a traveler commences a journey, it is well to know what his destination is, because each step that he takes leads him toward some destination. I have been concerned with the arguments which have been made today, as I have been concerned with the arguments which have been made heretofore upon the various phases of the neutrality. For example, when one of the distinguished members of the Foreign Affairs Committee was speaking this morning, I asked him to yield for the purpose of getting some statements into the RECORD. In the remarks I make, addressed to the remarks of that gentleman, they are in no wise personal, because I am an intense admirer of him, even though he belongs to the majority. I have checked up on some of the remarks made by the gentleman in the course of time in the debates upon the neutrality bill. I refer to the distinguished gentleman from Texas [Mr. LUTHER A. JOHNSON]. Back in August, on the 23d, 1935, the gentleman from Texas in addressing the House made this and later other splendid statements. Quoting now from the CONGRESSIONAL RECORD, page 14366, of August 23, 1936, the gentleman from Texas [Mr. LUTHER A. JOHNSON] said:

> We know from experience how difficult it is to maintain neutrality when major powers are at war, and our love of peace should prompt us to bury our differences as to the form such legislation should take, and agree to pass now this resolution which we are assured may be enacted into law.

Again, on February 17, 1936, the gentleman from Texas [Mr. LUTHER A. JOHNSON] is quoted in the RECORD as follows:

> Be it said to the credit of the United States of America that it has been conspicuous among the nations of the earth in seeking to promote peace.
>
> The proposed legislation on neutrality is another evidence of our desire to prevent war and is destined to eliminate or minimize the hazard of our country becoming involved in war.

Again in 1937, March 16, Mr. JOHNSON said:

> The word "neutrality" is used as a short-term designation of this legislation, but a more appropriate and possibly a more accurate title should be "A bill declaring the hostility of the United States against war, and to prevent our Nation from becoming involved in foreign wars."

Again, this same distinguished gentleman from Texas, speaking on June 27, 1939, with reference to the neutrality law, said—and I think this is an excellent statement, a statesmanlike statement, which is just as true today when we consider the repeal of section 6:

> The sole purpose of this and of all previous neutrality legislation is and was to remove irritating causes that might arise out of the treatment of our people by belligerents which might inflame the passions of our citizens and thereby involve us in war.

In referring to these statements I assure you that my purpose was to call your attention to things which were said in the debates upon phases of the neutrality law which were true then and which are true today. I am sure they disagree with the statements of the gentleman from Texas [Mr. JOHNSON], when he urges the repeal of section 6 of the neutrality law.

It is my intention to vote against this repeal for the reason that I believe it will be, in simple language, another step down the roadway which we as travelers are taking, which will ultimately mean war and tragedy for the people of this country. I say to you in all seriousness that the action which you are about to take affects every mother and every father and every son and every daughter in this country. I hope when the membership of Congress passes upon this matter you will consider that this is not just a gesture that we are to make, but one which affects every individual and the happiness of every citizen.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield 5 minutes to the gentleman from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. Chairman, in the closing minutes of this first day of debate on the proposition of the partial revision of the present Neutrality Act, I think it can be said to the membership still present on the floor that we are increasingly conscious of the seriousness of the international situation as it affects the policy of this Republic in the days and weeks and months that are just ahead.

I have listened, as you have listened, during the debate of the afternoon and evening, to the arguments of those who believe it would be absolutely wrong to revise our present Neutrality Act, because, as they say, in effect it is another step on the road placing America in war. I have listened to those of the opposite opinion in this discussion, who vigorously contend that America now, not later, must stand firm for what she believes to be the constitutional rights of our Nation.

Just a few minutes ago I listened to a radio news commentator as he told of the plight of Moscow. It appears that city is a capital in name only tonight; that the officials of the Russian Government have departed, leaving the

metropolis in a state of siege, wholly dependent upon the armies of that country. Earlier today I listened to another news broadcast which told us of the resignation, en masse, of the Japanese Cabinet; that group of men who apparently were attempting to find some common ground upon which to discuss further negotiations, looking toward a continued peace between that growing menace in the Far East and our own country. It is clear to me that leadership hostile to the United States is in the saddle in the Nipponese regime.

Mr. Chairman, I have supported legislation which has been brought to this House looking toward the strengthening of the defenses of America. Many decisions have been difficult to make. Some of those votes have not been easy for me to cast.

I remember so very well one night late I received a telephone call from a constituent of mine. He said, "Mr. RANDOLPH, why don't you take the floor tomorrow and speak for a certain bill," which is now the law. I replied to him, "It is going to keep me busy knowing how to vote, let alone making a speech." I am certain that attitude has also been evident in many of my colleagues. We cannot always with certainty feel confident of our acts. But no sidestepping of duty should come to a Member of this body.

In these defense matters which have engaged our anxious attention in recent weeks I am sure Congress has acted as it has felt best for the Nation's safety. My feelings do not touch the personalities. Issues are paramount. This view is not peculiar to me alone but is shared by the men and women who disagree on this problem as they have on other balloting tests affecting the procedure of bolstering the defenses of America.

When we passed the Neutrality Act in 1937 we had not, previous to that time, written into the statutes of this country a provision such as we are attempting to repeal here. I am certain you will recall the distinguished service in the Senate of the United States of the late Key Pittman, of Nevada. When that act was passed some 4 years ago it was he who was chairman of the Committee on Foreign Relations. At that time Key Pittman said in effect that if we were to have another war our merchant ships should not be armed. He believed the prohibition would be respected in another war, but the miscalculation we now realize.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. BLOOM. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. RANDOLPH. Mr. Pittman stated in his remarks at that time:

> In the event of another war we have provided that our merchant vessels shall not be armed and that notice shall be given to all belligerents that our ships are ordered to stop and yield peacefully to visit and search—our ships being identified not by a flag, which may be misused, but by markings on the side. I believe that no submarine will ever again sink an American ship in such circumstances. • • • There might be a loss of goods, but there would not be a loss of human life as a result of the sinking of our merchant vessels by submarines without notice and without making any preparation for saving the lives of the seamen.

That was the theory. But it seems it was based on wishful thinking in a world gone mad with dictators bent on conquest regardless of law. It was conceived, however, in the belief that peace was better for mankind than war, and that it would help this country remain apart from conflict. With that hope we can all agree. We know, however, that what men anticipated and looked forward to, what the Congress and the Nation viewed in the long look of this matter has not been achieved. We recognize that in this present struggle the crew of the *Robin Moor*, an American ship, was turned out into open boats 700 miles at sea. We also realize that the crews of American-owned vessels, the *I. C. White*, was named in honor of a distinguished West Virginian, and also the *Sessa*, were not even given the chance that the sailors on the *Robin Moor* had, since their ships were sunk without even a warning from the ruthless raiders on the high seas.

The policy which Nazi Germany has conceived and tonight successfully executes, means certainly that Hitler proposes to knock out the argument made in 1937 by Key Pittman and others. It was founded in the interest of peace and the belief that belligerents would not attack our vessels if they were not armed. It is time, Mr. Chairman, to give protection to the crews and to the merchant ships flying the banner of this Republic.

What I have said is not spoken in hysteria. The words I have uttered do not come from an alarmist. I have stated only the thoughts which spring from a determined belief within me that it will be the part of realistic Americanism to advocate passage of this measure.

I support this bill as it comes from the Committee on Foreign Affairs after being backed by the sound judgment of men like Cordell Hull in whom I have confidence.

Tonight the war clouds in the Far East grow ever darker. The battle lines in Russia become increasingly difficult for that army fighting Hitler to hold. We read the signs of the times. We know that America and the people who believe in the tenets of our Government are faced with a decision and not an easy decision. What we shall do here will I believe reflect the consensus of the country.

As I take my seat I only say this crisis is very real. Would that complacency could be dropped. I hope somehow there will come an understanding by the majority and the minority, by employers and employees, and by the President himself that in the world-wide battle which rages that the front line for this Republic is the production line. I for one cannot understand how we can continue to allow the flow of material to be hampered. We must with courage attack this basic problem. We must see to it that the battle of production is won in the United States of America. It will be won not by tack hammer taps; it will be won only by sledge hammer blows. For such a task we should prepare—if we do not, then America cannot be in truth and fact the arsenal of the democracies.

[Here the gavel fell.]

Mr. TINKHAM. Mr. Chairman, I yield 10 minutes to the gentleman from Missouri [Mr. SHANNON], a distinguished Democrat.

Mr. SHANNON. Mr. Chairman, I picked up the paper this morning and read that the chairman of the Foreign Affairs Committee had made the statement, referring to this bill, "There is nothing to it." I do not know whether he was being frivolous, I do not know whether he was being theatrical, nor do I know if that is his belief. But surely no thinking person can brush this legislation aside as a "there is nothing to it" proposal, for there is a great deal to it.

This is a measure that strikes into every American home, and into the heart of every American father, and every American mother, and every young boy who has been conscripted under the first peacetime conscription in the history of this Nation. The boy has been taken from his home, and his father, his mother, and the boy himself does not know where he is going to be sent.

When I read that the gentleman from New York said there was nothing to this piece of legislation, I could not help but place myself in that American home. I thought of the father, and of the mother, and, what is more, I thought of this 21-year old boy who was taken from the home. His father was a gentle soul who would not kill a bird in the air; the mother would not kill the chicken that was served on the table; the boy would not go to a picture show five blocks away from home without reporting to his parents where he could be found.

That is the boy who is told to stand before a sack painted red and stab into it. He is told to get tough. He is told to do everything he never dreamed of doing in his American home or in his own American neighborhood. He is trained to be a desperado. He is taught the niceties of gouging out an eye and choking out the breath of a human being.

[Here the gavel fell.]

Mr. TINKHAM. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. SHANNON. I should like to make a longer speech, but I am not physically able to do it tonight. I want to add this, however:

I heard the chairman of the Foreign Affairs Committee read a list, a round robin, if you please, of Senators who, in 1917, had committed themselves to vote for a similar ship-arming bill, but who were prevented from casting a vote because of the successful fight of the opposition in that body.

So that you may have the whole story, I should like to read the list of the Senators who opposed the bill in 1917 and prevented a vote thereon. They were Senators La Follette, Norris, Cummins, Gronna, Clapp, Works, Stone, O'Gorman, Kirby, Lane, and Vardaman. And I say they were Americans, every one of them.

Now I want to read the list of Members of the House who voted against the ship-arming bill in 1917 in that body: Representatives Benedict, Cary, Cooper, Davis, Decker, Helgesen, Lindbergh, Lan-

dan, Nelson, Porter, Shackleford, Sherwood, Stafford, and Wilson.

The chairman of the Foreign Affairs Committee read only the name of Lindbergh when referring to the vote in the House. I want you to have them all. I cannot sit here, knowing as I did that magnificent soul, Perl Decker, of Missouri, who has gone to his reward, and knowing as I did, that other gallant Missourian, Dorsey Shackleford, who also voted against the bill, and not raise my voice in praise of them. The State of Missouri was never represented in this House by better men than Perl Decker and Dorsey Shackleford.

This is what I want to say in conclusion: I believe this bill, if enacted, will take us into war. Speaking on the subject of neutrality in this House 2 years ago, I had this to say:

This [question of neutrality] is a serious matter. It strikes at every home in America.

And I said further on that occasion:

Should I cast a vote that would contribute in any way to sending an American boy to his death in Europe's holocaust, I would put the brand of murder right across my brow.

[Here the gavel fell.]

Mr. TINKHAM. Mr. Chairman, I yield 15 minutes to the gentleman from Michigan [Mr. BRADLEY].

Mr. BRADLEY of Michigan. Mr. Chairman, the hour is late. We have listened to a great many speeches here this afternoon, none of which, in my opinion, surpassed that earnest plea just delivered to you by that venerable Democrat, that admirable gentleman from the great State of Missouri [Mr. SHANNON] that by his long and faithful service in this body he has proven himself to be.

I like to feel that I am a stanch American. I question neither the patriotism nor the sincerity of any man on this floor, however he may cast his vote on this bill, but I do think that America and all Americans, and particularly the Members of the House, should be struck full in the face by the force of the blow of truth and reason that today it seems to have become somewhat out of date and somewhat unpopular to think of America first.

Mr. Chairman, experience is a great teacher. We should profit by experience, and when experience teaches us that we have made a mistake, we should profit by that experience and not make the same mistake again. Early in 1917, the House voted to permit President Wilson to arm American merchant ships. It was filibustered to death in the Senate, and finally by Presidential order, on March 14, 1917, we started to arm the American flag ships. Twenty-one days later we were in the war—we had lost the lives of 63 American seamen. That is the No. 1 lesson of experience.

For experience lesson No. 2, let me ask you this question. Was there a case on record in World War No. 1 in which an armed American merchant ship successfully defended herself against attack and sank her adversary? The Secretary of the Navy's answer is unmistakably that there is no such case on record. On the contrary, Mr. Chairman, we have the record before us that 35 American armed merchant ships were sunk in the last war and 58 American seamen lost their lives.

Lesson No. 3. British ships, and many other foreign flag ships, are today armed, with guns fore and aft, and they are being sent to the bottom. I have seen no glaring headlines proclaiming the sinking of a German submarine by an armed merchant ship in this war. On the other hand, it cannot be denied that the mere arming of a ship invites attack. In fact, to date in this war, experience tells us that all four Panama flag ships so far sunk have been armed.

The lesson of experience No. 4. Two years ago, when en route to Panama, I had numerous discussions with a retired naval officer who during the last war had been in charge of the arming of merchant ships in our large navy yards. He told me of the many difficult problems they ran into. I have sought in vain to learn from members of the Foreign Affairs Committee whether any discussion was had relative to the difficulty of arming these ships. Mr. Chairman, it is no child's play to mount a 3-inch or a 5-inch gun on the deck of an average merchant ship. They are not built for it. They require redesigning. They require considerable strengthening of vital parts of the ship's hull and her deck support; there is far more involved in this question than simply setting a gun on the top deck, fore and aft.

Further than that, we have the conflicting statements of the Secretary of the Navy to the press just about a month ago to the effect that we did not have sufficient guns with which to arm our merchant ships and yet before the Committee on Foreign Affairs, he now testifies that we can arm all of our merchant ships in 4 months. It seems to me that is quite an order, because just today I noticed in the papers that it is estimated we will arm 1,200 ships, and that means, Mr. Chairman, that the Navy has now informed the committee that they will be able to arm these at the rate of 10 per day; and I am just wondering where they are so promptly going to get the guns and the structural steel needed to support those guns and, furthermore, I am just wondering how our Navy is physically set at the moment, in view of what I shall say a little later, to release the gun crews, which will of necessity probably number somewhere between ten and twenty thousand to man these guns. We are rapidly expanding into a two-ocean Navy—whence come these still additional trained gunners? Guns without gunners are useless.

No, it seems to me that experience teaches us that, perhaps, we are barking up the wrong tree, because once we arm the first boat, the assumption of the Nazis—the implication—will be that all American-flag ships are armed, because that is the policy we are declaring when this bill is overwhelmingly passed, as the attendance on the other side of the aisle would indicate that it will be passed. We cannot help but notice, Mr. Chairman, that for some reason many Members on the majority side, by their lack of attendance, seem to indicate that their minds are made up and that no arguments to the contrary can change their decision. This same situation seemed to have existed last week when it was noted that very few—often not over 3 to 15—sat on the majority side while we were considering the bill to give away $6,000,000,000 of the American taxpayers' money to other nations.

Now, Mr. Chairman, we are again told that this is a bill designed to keep us out of this war. It would seem that the pressure for the repeal of section 6 emanated principally from the date of the President's last dramatic radio broadcast of September 11. You will recall that at that time he called our attention to attacks on five American ships. One of these, the *Robin Moor*, unarmed but carrying contraband of war to a belligerent country—British South Africa—was sunk by a German submarine in the South Atlantic on May 21. The *Steel Seafarer*, unarmed and under the American flag, was sunk September 7 in the Red Sea while carrying contraband of war for Britain. Then the President referred to the *Sessa*, a Danish ship seized by the United States and chartered to a private American firm but registered under the Panamanian flag and which was sunk near Iceland on August 17. It is, of course, true, but the President, perhaps, did not know at the time he delivered his address, that another Danish ship, registered under the Panamanian flag but seized by the United States and chartered to a private American firm, was sunk on that very day, September 11.

And then the President mentioned at considerable length two attacks which had been made on American warships. He said, and I quote:

In July 1941 an American battleship in North American waters was followed by a submarine, which for a long time sought to maneuver itself into a position of attack. The periscope of the submarine was clearly seen. No British or American submarines were within hundreds of miles of this spot at the time, so the nationality of the submarine is clear.

The facts in that case are that a submarine was reported in the vicinity of an American battleship headed across the Atlantic. As a matter of fact, it bobbed to the surface directly in front of the battleship. Its periscope was seen. It immediately dove. The American battleship proceeded at full speed straight ahead. A convoying destroyer escorting the battleship hovered near the spot. Some time later, in fact, when the American battleship was an hour away, the submarine reappeared at the same spot. That does not appear to me to show that she was maneuvering in position to attack, or was shadowing. an American battleship.

But the principal reason for his speech was the attack on the destroyer U. S. S. *Greer*. In his closing arguments, the President said—and I quote him further:

We have sought no shooting war with Hitler. We do not seek it now.

And I qucte him further:

It is no act of war on our part when we decide to protect the seas which are vital to American defense. The aggression is not ours. Ours is solely defense. But let this warning be clear. From now on, if German or Italian vessels of war enter the waters, the

protection of which is necessary for American defense, they do so at their own peril.

This statement, we will recall, Mr. Chairman, was followed by the statement from the Secretary of the Navy a few days later that he had then ordered the American Navy to shoot on sight. This, remember, was in the middle of September. What neither he nor the President did not tell the American public, however, was the fact that on July 31 the Secretary of the Navy had radioed an order to all American naval vessels at sea "to prepare to take offensive action against all Axis surface craft." Consequently it seems to me that this is another flagrant example of the truth that the American people are being kept in the dark, and they do not know until this very hour that the American Navy has for 2½ months been ordered to take offensive action rather than defensive action.

Consequently the article which appeared in the Washington Evening Star last evening, describing the attack on the U. S. S. *Greer*, should be a matter of great interest to this Congress and the American people. The authority for much of the article is a statement by Admiral Harold R. Stark, Chief of Naval Operations. It may be true, as the President stated in his speech, that the *Greer* did not drop depth bombs before the first torpedo was fired, but the fact does remain that the submarine was spotted by a British plane first; that the *Greer* proceeded on the attack, and was fully carrying out orders which she had received some weeks prior, as had every other naval craft, to take offensive action against enemy submarines, as well as surface craft.

The article to which I have referred follows:

[From the Washington Evening Star of October 15, 1941]

BRITISH PLANE AIDED "GREER" AGAINST U-BOAT, STARK'S REPORT SAYS—OFFICIAL ACCOUNT OF SEA ATTACK REVEALED BY SENATOR WALSH

The Navy's official account of the shooting clash between the U. S. S. *Greer* and a German submarine disclosed today that a report from a British patrol plane put the destroyer on the trail of the U-boat.

It also flatly contradicted the German claim that the *Greer* started dumping depth bombs on the submarine more than 2 hours before the U-boat commander loosed his first torpedo.

The Navy stated that the torpedo was fired first and 8 minutes later the first depth charges went over the *Greer's* side.

The report on the encounter in the North Atlantic was made public last night by Chairman WALSH, of the Senate Naval Affairs Committee, which requested the information from Secretary of the Navy KNOX.

It was submitted in the form of a statement by Admiral Harold R. Stark, Chief of Naval Operations, who accompanied it with answers to a series of questions propounded by the committee with reference to the incident.

RUNNING STORY OF CLASH

The matter-of-fact recital gave this running story of the encounter:

On September 4 the *Greer* was plowing along en route to Iceland with United States mail, passengers, and some freight. She was 175 miles southwest of the island and "directly in the path of communication between American ports and Iceland"—a lane which President Roosevelt specifically ordered the Navy on July 7 to keep "free of all hostile activity or threat thereof."

At 8:40 a. m. a British plane notified the *Greer* that a submarine was submerged 10 miles ahead directly on the course the destroyer was following.

The *Greer* immediately crowded on speed and zigzagged her way to the location reported. At 9:20, 5 minutes after reaching the vicinity, the destroyer's underwater sound-detection equipment picked up the propeller beat of the submerged U-boat and started to trail it, broadcasting the submarine's position.

"This," said Admiral Stark," "was in accordance with her orders; that is, to give information but not to attack."

PLANE WITHDRAWS

No further assistance, meanwhile, came from the patrol plane. However, at 10:32 the plane dropped four depth charges which missed their mark on the U-boat, and 20 minutes later withdrew from the hunt.

The *Greer* clung tenaciously to the trail of its quarry for 3 hours and 28 minutes, always maneuvering to keep the U-boat ahead of it.

Then at 12:40 p. m. the game of hide-and-seek became grimmer—the submarine changed course and closed on the *Greer*.

At 12:48 an air bubble broke the surface of the sea not far from the *Greer*—a sign that a torpedo had been fired. A minute later the feathery wake of its track was sighted, but the aim was bad and the torpedo passed 100 yards astern of the destroyer.

At 12:56 the *Greer* counterattacked with eight depth charges. (The German communique on September 6 claimed that the depth charges were dropped at 12:30, but the U-boat held its fire until 2:19.)

The track of the second torpedo was sighted 500 yards away at 12:58 in time for the *Greer* to maneuver out of its way. This time the *Greer* sent 11 depth charges hurtling into the sea, but without observing any signs that would indicate a hit.

REJECTED BRITISH OFFER

During this attack a British destroyer was in sight 5 miles away and inquired if the United States vessel wished to conduct a coordinated hunt for the U-boat. The *Greer* answered "No," and the Britisher left the scene.

The *Greer* continued its search until 6 p. m. and then resumed its voyage to Iceland.

At no time was the submarine's periscope visible. This fact, coupled with the bad marksmanship, led to the belief that the torpedoes were fired blindly by listening devices.

President Roosevelt mentioned this possibility in his shoot-on-sight speech September 11. He said if the submarine had seen its would-be prey, the attack was a deliberate attempt to sink a plainly identified American warship.

"On the other hand," he went on, "if the submarine was beneath the surface and, with the aid of its listening devices, fired in the direction of the sound of the American destroyer without taking the trouble to learn its identity, then the attack was even more outrageous."

No, Mr. Chairman, I cannot vote for this legislation. I promised my people back in my district that I would do everything I could to keep this Nation out of war, and I intend to keep that promise to the very last. If I thought the arming of American merchant ships, based on the lessons of experience, would keep this Nation out of war, I would vote for this bill. But we have before us those lessons of experience. And experience dictates that arming these ships will not in any sense guarantee American freedom of the seas. A point at issue today is whether or not we in this House want to throw aside the lessons of experience and once more serve notice on the enemies of our friends that we are inviting an attack on American merchant ships, because it will henceforth be assumed that all of them are armed.

Then, too, you know, Mr. Chairman, just as well as I am standing here, that it is the intent of this administration, when this bill reaches the Senate, to amend it there—or failing in that, to immediately ask us here to repeal section 3 and permit the sending of American ships into war zones. And then when those two steps have been taken, you know full well American ships will be sunk, and that when these ships are sunk, when these American seamen have lost their lives, a cry of indignation will go up—yes, that cry which has been sought for months by the warmongers—will go up, to put this country whole hog into this war—throw us all out into another "war to end all wars."

It has been said here that the American seamen, that the American vessel owners want this bill. If so, is it because they are deluding themselves into thinking that arming these ships will make them any safer or will save the lives of seamen? Oh, no, if they are sincere in wanting these restrictions removed, it will be only because of one thing—the lust for money. The same lust for money, blood money, that led them to create this "Frankenstein"—Hitler. Those American seamen who risk their lives, will be getting war wages, as high as they can demand by collective bargaining, and already we have witnessed strikes which have tied American merchant ships to the docks because seamen wanted these war wages, not to trade in the war zones but simply to go down into the Caribbean, to British-owned island possessions, far removed from the actual war zones. If the vessel owners want it, it is because they realize that they can again reap tremendous war profits while at the same time being protected by Government war-risk insurance. No, Mr. Chairman, let us be guided by experience, experience is the yardstick, and that yardstick tells us that our experience of 1917 proves to us that arming the American merchant marine will not keep this Nation out of war. Think your vote over seriously tonight, my colleagues, because this may be your last chance to cast a vote for war or peace. Constitutionally declared wars are out of date—war today is by Presidential, by dictatorial decree—not by voice of the people.

If we are in reality determined to keep out of this war, then we must continue to do everything in our power to keep American ships out of the war trade completely, in all seas, and let them engage solely in peaceful pursuits and refrain from arming them. Then, and only then, can we truthfully carry out the assertion of the President—

We have sought no shooting war with Hitler. We do not seek it now.

Some may ask if we do this, how are we going to get all of these defense materials over to Britain and her Allies? To those I say, in the first place it has been affirmed and reaffirmed many

times on this floor that we have never assumed any obligation to deliver these materials and in fact British spokesmen in the past have often assured and reassured us that all Britain wanted was for us to make the materials available to her on our docks and she would come and get them. As a matter of record, the policy of the Congress with respect to delivery of lend-lease materials was clearly written into the original act in these words:

Nothing in this act shall be construed to authorize or to permit the authorization of the e. try of any American vessel into a combat area in violation of section 3 of the Neutrality Act of 1939. Nothing in this act shall be construed to authorize or to permit the authorization of convoying vessels by naval vessels of the United States.

As further proof that we are now being asked to tread dangerous ground, let me quote the Secretary of State, Cordell Hull, from a letter which he wrote to the chairman of the House Committee on Foreign Affairs under date of May 27, 1939:

I furthermore believe that the most effective legislative contribution at this time toward keeping this country out of war, if war comes, would be made by enacting or reenacting provisions on these lines as follows:

To prohibit American ships, irrespective of what they may be carrying from entering combat areas;

To restrict travel by American citizens in combat areas;

To provide that the export of goods destined for belligerents shall be preceded by transfer of title to the foreign purchaser.

As I pointed out last week, we have been transporting much of this lend-lease material and have been paying Britain and others to transport it and charged it against lend-lease. If Britain is short of ships, then why cannot we continue the policy established by the Lend-Lease Administration and loan her these ships, transferring them to British flag and let Britain, a belligerent nation, assume the full responsibility for them? In making such a transfer contract, however, we must be certain that there is a clause therein which will compel Britain to return these loaned ships to our own merchant marine once the hostilities have ended, in order, that by the very transfer, we shall not be in any sense surrendering to Britain our ships, in order, to permit her—once the war has ended—to gain such a superiority either in numbers or quality as to drive the American merchant marine off the high seas in fair competition for world maritime trade.

We have established outlying bases, for our Army, Navy, and Marine Corps. These bases must be supplied and we are fully within our rights, in my opinion, in insisting upon our right to deliver the necessary American supplies for American troops, wherever they are. Arming our merchant ships for this purpose, experience proves to us, will not give them the protection necessary to insure their safety. They can secure this safety only by full use, and through the protection of, our American Navy. This we have been giving. This we can, and should, continue to give to American ships engaged solely in American trade. I think we are inviting trouble and I do not approve of the all-inclusive freedom of the seas policy expressed by the President in his speech of September 11, when he said:

• • • that means, very simply and clearly, that our patrolling vessels and planes will protect all merchant ships—not only American ships but ships of any flag—engaged in commerce in our defensive waters.

I do not approve of this policy in view of the fact that he broadens his definition of defensive waters to include all the waters of the entire globe and, therefore, in effect would set up the American Navy as the armed belligerent policeman of all the seas of the universe. Nor do I approve or, given an opportunity, would I vote affirmatively to support his order of July 31 sent to all American naval craft at sea "to prepare to take offensive action against all Axis surface craft," which was later amended to include submarines. This is an all-inclusive order to the American Navy to start an undeclared offensive naval warfare, and in my opinion it is wholly unconstitutional in that the responsibility to declare war rests in the Congress, and in the Congress alone. Defending American shipping is one thing, taking the offensive is another, of which I do not approve. Based on the many, many polls of public opinion, I think the majority of the American people thoroughly disapprove. We still have a slim, a very slim hope of keeping out of this war. Let us not dim that hope by our vote tomorrow.

Mr. MUNDT. Mr. Chairman, that concludes all requests for time that we have on our side for this evening.

Mr. BLOOM. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and Mr. COOPER having assumed the chair as Speaker pro tempore, Mr. SOUTH, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration House Joint Resolution 237, to repeal section 6 of the Neutrality Act of 1939, and for other purposes, had come to no resolution thereon.

Mr. BLOOM. Mr. Speaker, may I ask how much time has been consumed on each side?

The SPEAKER pro tempore. The gentleman from New York [Mr. BLOOM] has consumed 2 hours and 56 minutes. The gentleman from New York [Mr. FISH] has consumed 3 hours and 59 minutes.

Mr. BLOOM. According to that, Mr. Speaker, the other side has used 1 hour and 3 minutes more than this side.

Mr. Speaker, I ask unanimous consent at this time that the additional hour allowed by the rule for general debate tomorrow be equally divided between the gentleman from New York [Mr. FISH], and myself, notwithstanding the fact that the other side has used this additional hour and 3 minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. VORYS of Ohio. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. DEWEY] may have permission to extend the remarks he made in the Committee of the Whole today and include therein portions of a letter to which he referred.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. VORYS of Ohio. Mr. Speaker, I also ask unanimous consent that the gentleman from Pennsylvania [Mr. SCOTT] may be given permission to extend his remarks in the RECORD and include therein a letter from a constituent.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

GENERAL PERMISSION TO EXTEND REMARKS ON HOUSE JOINT RESOLUTION 237, REPEALING SECTION 6 OF THE NEUTRALITY ACT

Mr. BLOOM. Mr. Speaker, at this time I ask unanimous consent that all Members be given 5 legislative days in which to extend their own remarks on the resolution under consideration today, House Joint Resolution 237, to repeal section 6 of the Neutrality Act of 1939, and for other purposes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, the general request just granted at the instance of the gentleman from New York is not quite broad enough to cover my case. I ask unanimous consent to include in the remarks I made in the Committee of the Whole this afternoon certain quotations.

The SPEAKER pro tempore. Without objection it is so ordered.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a speech made in the House by my late husband, John Jacob Rogers, on March 1, 1917, regarding the arming of our merchant ships, in which he pointed out that they could be armed without our sending soldiers to foreign shores.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a radio speech delivered by me.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent to include in the remarks I made in the Committee of the Whole today certain excerpts from the CONGRESSIONAL RECORD, certain declarations made by the President and Members of the House, and excerpts from certain newspapers.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent that in revising the remarks I made in the Com-

mittee of the Whole today I may include therein certain brief excerpts referred to.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. BRADLEY of Michigan. Mr. Speaker, I ask unanimous consent that in connection with my remarks, I may be permitted to insert an article which appeared last evening in the Washington Evening Star.

The SPEAKER. Is there objection to the request of the gentleman from Michigan [Mr. BRADLEY]?

There was no objection.

Mr. MUNDT. Mr. Speaker, I have two requests. First, that I be permitted to extend my own remarks and to include therein an editorial from a South Dakota newspaper, and the other, that in connection with the unanimous consent request I made earlier today I may be permitted to include therein the minority report of the House Committee on Foreign Affairs. It occurs to me that this may be slightly over the regular printing limit and I ask unanimous consent to include it in tomorrow's RECORD regardless.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota [Mr. MUNDT]?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted, as follows:

To Mr. HALLECK (at the request of Mr. ARENDS), on account of death of mother.

To Mr. SCHAEFER of Illinois (at the request of Mr. BARNES), indefinitely, on account of illness.

To Mr. MERRITT, for 10 days, on account of official business.

To Mr. JACOBSEN (at the request of Mr. LECOMPTE), for 1 week, on account of important business.

BILLS PRESENTED TO THE PRESIDENT

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 5511. An act to amend the Nationality Act of 1940 to preserve the nationality of citizens residing abroad; and

H. R. 5667. An act to authorize the Reconstruction Finance Corporation to issue notes, bonds, and debentures in the sum of $1,500,000,000 in excess of existing authority.

ADJOURNMENT

Mr. BLOOM. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock p. m.), under its previous order, the House adjourned until tomorrow, Friday, October 17, 1941, at 11 o'clock a. m.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will continue public hearings on Thursday, October 23, 1941, at 10 a. m., on H. R. 3254, to safeguard and protect further the lives of fishermen at sea and to place fishing boats under the supervision of the Department of Commerce, Bureau of Marine Inspection and Navigation, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

997. A letter from the Secretary of the Navy, transmitting a draft of a proposed bill to amend the act approved June 23, 1938, entitled "An act to regulate the distribution, promotion, and retirement of officers of the line of the Navy, and for other purposes"; to the Committee on Naval Affairs.

998. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to provide for the prompt settlement of claims for damages occasioned by naval forces in foreign countries; to the Committee on Naval Affairs.

999. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 28, 1941, submitting a report, together with accompanying papers and an illustration, on a preliminary examination and survey of Moose and Black Rivers, N. Y., authorized by the Flood Control Act approved June 22, 1936 (H. Doc. No. 405); to the Committee on Flood Control and ordered to be printed, with an illustration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAY: Committee on Military Affairs. S. 165. An act to provide for continuing in the service of the Army, Navy, Marine Corps, and Coast Guard of the United States beyond the term of their enlistment, those suffering from service-connected disease or injury, and in need of medical care or hospitalization until recovery through such medical care and hospitalization; without amendment (Rept. No. 1279). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. S. 1060. An act to extent the 6 months' death gratuity benefits, now paid only to dependents of officers and enlisted men of the Regular Army, to dependents of all officers, warrant officers, and enlisted men of the Army of the United States who die in line of duty while in active military service of the United States; with amendment (Rept. No. 1280). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 5850. A bill to amend section 4526 of the Revised Statutes of the United States; to the Committee on the Merchant Marine and Fisheries.

By Mr. DEWEY:

H. R. 5851. A bill creating a War Debts and Defense Aid Payments Commission; to the Committee on Ways and Means.

By Mr. GEARHART:

H. R. 5852. A bill to amend section 2888 of the Internal Revenue Code pertaining to the production of alcohol for national defense; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. JONES:

H. R. 5853. A bill for the relief of Retta Rumbaugh and Beatrice Myrtle Rumbaugh; to the Committee on Claims.

By Mr. COLMER:

H. R. 5854. A bill for the relief of Madeleine Hammett, Olive Hammett, Walter Young, the estate of Laura O'Malley Young, deceased, and the legal guardian of Laura Elizabeth Young; to the Committee on Claims.

By Mr. DOWNS:

H. R. 5855. A bill for the relief of Wilma Listorti; to the Committee on Claims.

By Mr. McGEHEE:

H. R. 5856. A bill for the relief of Francis Howard Robinson; to the Committee on Claims.

H. R. 5857. A bill for the relief of Roy F. Lassly, former acting chief disbursing clerk, Department of the Interior, and G. F. Allen, chief disbursing officer, Division of Disbursement, Treasury Department; to the Committee on Claims.

By Mr. PETERSON of Florida:

H. R. 5858. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Harry H. Bell & Sons, Inc., its personal representatives or assigns, against the United States; to the Committee on Claims.

By Mr. REECE of Tennessee:

H. R. 5859. A bill for the relief of W. W. Watkins; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1906. By Mr. CROWTHER: Petition of sundry citizens of the Thirtieth Congressional District of New York, urging enactment of Senate bill 860; to the Committee on Military Affairs.

1907. By Mr. GILLIE: Petition of 1,000 members of the Fort Wayne Committee of Parents, Families, and Friends of Selectees, protesting against any modification or revision of the Neutrality Act; to the Committee on Foreign Affairs.

1908. By Mr. LAMBERTSON: Petition of O. W. Lagerwell, president of the First District Townsend Club of Kansas, and 228 others of Horton, Kans., urging the signing of petition to bring House bill 1036 to the floor of the House for discussion; to the Committee on Ways and Means.

1909. Also, petition of Laura France, and 136 others of Manhattan, Kans., urging the signing of petition No. 7 to bring the Townsend bill to the floor of the House for discussion; to the Committee on Ways and Means.

1910. By Mr. SHAFER of Michigan: Petition of Mrs. George J. Gray, of Erie, Pa., and approximately 1,500 other citizens of the United States, opposing the repeal of the Neutrality Act and in opposition to aid to any foreign government which espouses nazi-ism, communism, or imperialism; to the Committee on Foreign Affairs.

1911. By Mr. TINKHAM: Petition of Mothers and Daughters of America, protesting against any amendments to the Neutrality Act; to the Committee on Foreign Affairs.

HOUSE OF REPRESENTATIVES

FRIDAY, OCTOBER 17, 1941

The House met at 11 o'clock a. m.

Rev. John Compton Ball, D. D., pastor, Metropolitan Baptist Church, Washington, D. C., offered the following prayer:

Almighty God, in the distress of the world, with its chaotic condition, we come to Thee rejoicing in the privilege that we can call on the One who, having created, ultimately controls the destiny of nations.

We come, claiming the promise that "righteousness exalteth a nation," and pleading that Thou wilt help us to fulfill that requirement.

O God of all power and wisdom forbid that we should let go of the things that have made us great. May the cry of our hearts be—

Faith of our Fathers, holy faith;
We will be true to Thee till death—

and stand firm for all the realities that contribute to the freedom and liberties we now enjoy. To this end bless the deliberations of this House of Representatives on this very important day. Give to our honored and beloved Speaker of Thy wisdom, and to every Member of the House, the resolve to put the will of God before the wishes of men. May patriotism be saturated with piety and the land of the open Bible be kept free from the dominations of Beelzebub. In the name of Thy beloved Son we ask it. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 1884. An act to make provision for the construction activities of the Army.

J. JOSEPH SMITH

Mr. SHANLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. SHANLEY. Mr. Speaker, it is with pardonable pride that we of New England, and especially of Connecticut, today enjoy the knowledge of the official and formal nomination of our distinguished colleague, the Honorable J. JOSEPH SMITH, to the high office of United States district judge for the circuit of Connecticut. We, who have served with him for his three full terms and are now at the start of our fourth term, have special reasons for congratulating and expressing to him the best of good wishes.

We know that he has given unstintedly of his services to his district and to his Nation. As a member of the Military Affairs Committee since his first election to this House, he has thrown into his work all that mental and physical energy which has ever characterized his activities in and out of the Congress.

Today his fellow members on that great committee, which deals with the defense and preparation of our Nation, pay tribute to his brilliant contributions. There is not a factory working on defense orders in this country today that is not the beneficiary of his foresight in the obtainment and perfection of educational orders. In addition to that, he has won an enduring reputation for his interest in all over-all defense and his conduct as a Member of this great House of Representatives.

He will enter upon his duties with a training and experience that will add to the stature of our judiciary. He graduated from Yale College and from the Yale Law School, was a research fellow in the Yale School of Law, and is a member of the Connecticut bar. To his legal experience and training he adds the immeasurable facets of a congressional experience in the most trying periods in our modern history. We are confident that his work will merit the fullest of praise and judicial honors in the days to come.

Mr. PLUMLEY. Mr. Speaker, after many years of association with the distinguished gentleman from Connecticut [Mr. SMITH], I should like to say on behalf of the entire Vermont delegation that we approve the appointment as made.

I regret he is to leave Congress. We need his conservative, well-considered judgment here and now. May he enjoy the fruition of our hope that he is making a step which advances him toward the realization of his ambition. An honorable partisan opponent, he has been my friend and always will be, as I wish him well and congratulate him on the well-ordered recognition of his ability.

Mr. TREADWAY. Mr. Speaker, as the dean of the New England delegation, I should like to confirm the remarks just made by my colleague the gentleman from Connecticut [Mr. SHANLEY] in reference to the nomination of our colleague from Connecticut [Mr. SMITH] as judge of the Federal district court of Connecticut. I am sure the people of New England, irrespective of party, will heartily approve the selection of our colleague to that honorable position. He has made an enviable record as a Member of this House and in his work here has shown a marked judicial temperament. As a comparatively young man he has before him a splendid opportunity to add dignity and ability in his elevation to the Federal bench. His colleagues will regret his departure from the House but extend hearty congratulations on his advancement in his chosen profession.

CONSERVATION OF SCRAP METAL

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, once again I want to call the attention of this House to the great importance of saving and utilizing unused metal, so vital to our defense industries.

We have been amazingly wasteful in this country, and unless we turn squarely about and begin at once to conserve our materials, eliminate waste, and stop throwing away articles of value, our country will be wrecked and ruined.

Psalms 118, verse 22, says:

The stone which the builders refused is become the headstone of the corner.

There are today about 250,000 tons of steel rails lying unused in our city streets. The W. P. A. generally is willing to pay 75 percent of the cost of resurfacing the streets after these rails are torn up, if the local authorities will pay the other 25 percent. This grade of scrap is the finest obtainable.

There are between four and five million wrecked and obsolete motorcars lying in the auto graveyards at the present time. Two and one-half million cars are wrecked and become obsolete each year. The public is asked to add 1,000,000 more to this total for this year. Automobiles are fine scrap material. Every car yields 1,500 to 1,800 pounds of iron and steel, about 20 pounds of aluminum, and about 60 pounds of brass, copper, and other metal. Automobiles should furnish another source for scrap. Each year about 40,000,000 cars change number plates. Twelve thousand tons of metal go into these, and all of this could be saved.

EXTENSION OF REMARKS

Mr. WOODRUM of Virginia. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by my colleague the gentleman from Virginia [Mr. ROBERTSON] before the Virginia Manufacturers' Association at Roanoke, Va.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. CHENOWETH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution adopted by the Colorado State Society in memory of our late deceased colleague, Hon. Edward T. Taylor.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

(Mr. LAMBERTSON asked and was given permission to extend his own remarks in the RECORD.)

AMENDING NEUTRALITY ACT OF 1939

Mr. BLOOM. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the joint resolution (H. J. Res. 237) to repeal section 6 of the Neu-

trality Act of 1939, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 237, with Mr. WOODRUM of Virginia in the chair.

The Clerk read the title of the joint resolution.

Mr. BLOOM. Mr. Chairman, in order that it may be clearly understood, may I say that notwithstanding the time that was used yesterday on this joint resolution, the hour of general debate this morning will be divided equally between the sides. In accordance with the unanimous-consent request I submitted last night, any overtime accrued yesterday will not be charged to either side.

Mr. PLUMLEY. There will be a half hour for each side?

Mr. BLOOM. The gentleman is correct.

The CHAIRMAN. The Chair so understands the arrangement.

Mr. BLOOM. Mr. Chairman, I yield 7 minutes to the gentleman from Pennsylvania [Mr. FADDIS].

Mr. FADDIS. Mr. Chairman, as a nation, we have been seeking an illusive security in a peace which did not exist. We have endeavored to establish peace throughout the world and security for ourselves by legislative decree, just as we attempted some 20 years ago to legislate temperance upon this Nation. Our short-sighted attempts to keep serenely in the middle of the road while democracy was being destroyed in Europe and in Asia—while the balance of power in the world, which is our factor of safety, is being destroyed—has been a tragic mistake. We cannot continue to follow it and survive. We must contribute whatever is needed, both in Europe and in Asia, to turn the scales in favor of the democracies, or we will eventually be destroyed—a victim of our own apathy and indecision.

Events will not always work in our favor. When Russia is gone there will be no other nation powerful enough to create another diversion and gain for us valuable time. Speed is, and always has been, the secret of strategy—the very essence of successful military operations. Theodore Roosevelt said:

> Nine-tenths of wisdom consists of being wise on time.

"Time is everything," said Napoleon, who won wars by use of the time factor. Time was the keystone of Stonewall Jackson's arch of strategy. Every great captain in the history of the world has realized the value of time and the tragedy of being too late.

One of the cornerstones of German policy has been the belief that America can be lulled or deceived into an apathetic attitude until too late to assist the democracies or to take steps to save herself. Every move we make which breaks down this belief in the minds of the German people is a blow to German morale. It will serve to hearten the British and Russians and every one of the neutral and conquered nations of Europe. There are millions of veterans of the last World War in Germany who remember all too vividly the splendid American Army, backed up by our mighty industrial system of that time.

Our Neutrality Act was a noble experiment, which vainly sought to prevent war. Many other nations—Norway, Denmark, Holland, Belgium, Yugoslavia, and Greece—were also hopeful. Today they are conquered and enslaved. For all of our good intentions, our Neutrality Act proved to be an illusion, of which only a few remnants remain.

From the start of this war we have been neutral only in pretense. Our sympathies have rightly been with those nations having a political philosophy in sympathy with ours. Our pretended neutrality has had only one practical effect: It has been of benefit to Hitler by impeding the delivery of war material to points where it is badly needed and can be the most effectively used.

Furthermore, if the Japs proclaim a state of war in the East, if our Neutrality Act is observed, we will be unable to assist either the Russians or the Chinese with much-needed supplies. The only measures short of actual war with us to be feared by the Japanese are economic or military reprisals or assistance to the Chinese.

We should settle this matter of Japan's arrogance. We would then release for use in the Near East, Africa, or Europe some 300,000 soldiers, 2,500 airplanes, besides the naval forces now in the South Seas. Then, too, the Russians would be free to use the large armies and air forces now in eastern Siberia against her Nazi invaders.

Throughout all of our history our merchant vessels were armed whenever it was believed to be necessary. Until the passage of our cowardly Neutrality Act such action was not contrary to any law, either national or international.

Since this legislation, by which we surrendered our historic right to the freedom of the seas, in defense of which we have fought several wars, some declared and some undeclared, and under which policy we grew to be a powerful and prosperous Nation, has rendered us impotent, our commerce, unarmed, unprotected, and restricted, has been forced to remain off the seas or be exposed to the ravages of pirates.

The Neutrality Act tied our hands and coerced our thinking, with the result that we were unable to extend to France and Britain that full measure of assistance which we now know we must also extend to China and Russia if we are to look forward to a single day of peace, to a single moment of real security in the next generation. We must not prevent a fictional neutrality to interfere with the giving of this help, not for sentimental reasons but because in that manner alone can we provide for our security. We should serve notice on the Japanese that if they move in any direction we will destroy their navy. The Chinese will then be able to destroy their army and they will fade from the picture as a world power.

The best argument for arming ships is the policy of unrestricted sinking of ships carried out by the German Government today, as in 1917. They recognize no zone wherein our ships are free to sail unmolested by their murderous pirates. They are out to sink all ships, wherever found, without regard to the consequences to passengers or crew. The passengers and crew of the *Robin Moor* were set adrift in open boats 700 miles from shore. The *Sessa* and *I. C. White* were sunk without warning. Many other ships have been dealt with in a similar fashion.

The policy under which this Nation grew rich and powerful was one under which we protected our commence. Freedom of the seas made us what we are today. International commerce is as necessary to our welfare today as it was a hundred years ago. Let us protect and preserve our right to use the seas unmolested for our children, as our fathers protected and preserved it for us. Let us pass this bill and proclaim to the world that we are still a Nation of hardy, courageous men.

German success in Russia has once more inspired the Japanese war party with false courage and they are rattling the saber. Their Director of Naval Intelligence has proclaimed that the Japanese Navy is ready and itching for action. Perhaps this is so, but Japan is a great bluffer. If it is so, they are itching for action against a crippled foe, not a hale and hearty one. Let us not repeat our former mistakes of speaking softly to Japan. We must not allow them to stab the Russians in the back or to continue their practice of jumping upon cripples. If they move against Russia, we must stop them. I believe we can do this by extreme economic measures. If we can do so, so much the better, as we must realize that our major aim is to destroy Hitler. The political and economic leaders of Japan know full well that without her trade with Britain and the United States her economic system will collapse. Even her military leaders must know that Germany cannot come to her assistance and should know better than to be fooled into pulling Germany's chestnuts out of the fire.

We should at once increase the air strength of the Chinese Army to the fullest extent of their ability to make use of planes, both combat and bomber.

Mr. BLOOM. Mr. Chairman, I yield 5 minutes to the gentleman from Tennessee [Mr. COURTNEY].

Mr. COURTNEY. Mr. Chairman, almost every possible argument for and against the issue presented by this resolution has been advanced either in this debate or in former debates on this floor, and little can be added.

I do want to take this opportunity, however, to pay tribute to a great and good man who spoke yesterday. I refer to the gentleman from New Jersey [Mr. EATON], respected and highly regarded by every Member of the House, and especially loved by all members of our committee.

A Republican by birth and training, in his patriotism he rises above all partisanship. To my mind his address yesterday in favor of this resolution was one of the most moving and inspiring that I have heard in this Chamber. As it goes

out to the country it will do more to crystallize and solidify public sentiment for this resolution than can be readily estimated.

His position and his remarks were a rebuke to the isolationist group on his side of the House that backed a neutrality program so harsh as to encourage war instead of preventing it; that prevented us from removing the arms embargo at a time when its removal might have prevented this war with its resulting loss of millions of lives and billions in property. A group that, after the defeat of France, with German hordes knocking at the very door of England, opposed our building up our own defenses; that opposed the naval-base deal, the new Selective Service Act. A group that never since I have been in this House has ever offered a constructive program along these kindred subjects; just bitter and partisan opposition.

The whole theory of the neutrality law was wrong in the first instance. It was contrary to the custom and usage of this country for 150 years, and its principles, especially while the arms-embargo feature survived, had been condemned by great statesmen from the time of Alexander Hamilton to Theodore Roosevelt. It was not sanctioned by international law and was entirely at variance with the resolution of the Hague Convention in 1907, which Germany, along with many other nations, had signed. As one of the officials said before our committee it was an attempt to do the impossible. An attempt to provide against a situation which we could not know in advance.

But the only feature of the neutrality law now under consideration is this resolution permitting the arming of merchant ships. It has been pointed out that eight American ships have already been sunk or attacked by German submarines, four of them flying the American flag and four the Panamanian flag, resulting in considerable loss of life, all attacks being made without warning and all in waters even outside the arbitrary limit arrogantly set by Hitler. Shall we continue to send our ships to the possibility of certain destruction and their crews to the possibility of certain death without a chance for defense?

Those who claim the adoption of this resolution will get us into war advance the argument that incidents will be created bringing us into the conflict. The answer to that is plain. There have been eight incidents, piratical in their nature, yet there has been no war hysteria and the American people have remained calm, collected, and determined in their attitude not to be involved in war by incidents.

Secretary Knox, in his testimony, had this pertinent statement to make along this line, carrying the idea further to its logical conclusion:

> If you say that you want to keep the act because we are afraid some American may get hurt, then the answer is that if we keep on our statute books a law that sends our ships to sea without defense against submarines and raiders and prevents us from giving maximum aid to those who are fighting Germany, we are inviting a situation that may put in jeopardy the success of those who are fighting Hitler and thus hurt ourselves far more. The risk we incur in arming our ships and sending them to sea is far less than the risk of allowing Germany to win the war.

With the present provision upon the statute books we lose our self-respect upon the sea, not only our self-respect but the most ancient right known by law to man or nation, the right of self-defense.

There is a further consideration to be given the issue. Some months ago this body passed the first lend-lease bill by a decisive majority. A few days ago it passed a second similar law almost unanimously. It is the settled policy, therefore, to extend all-out aid, munitions, and supplies to Britain to aid her in her defense and thus promote our own. Shall we appropriate these huge sums at staggering cost to the American taxpayer, gear up our whole industrial system to a point never before attained, and at great sacrifice to our own people to produce these materials and supplies only to have them go to the bottom of the seas in waters where we have every right to be and in ships wholly defenseless and unable to fire even a token shot of protest? To my mind, this is the height of stupidity and cowardice.

Let us regain our national honor and self-respect and by a repeal of this section give warning to Axis Powers that they may not prey upon our shipping and nationals at will. Let us go back to the time-honored policy of arming our merchant ships, in vogue in every other nation and in ours since we began our independent existence, never prohibited by international law nor by any statute of the United States until the passage of the ill-advised and now outmoded neutrality law.

Mr. BLOOM. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia [Mr. COX].

Mr. COX. Mr. Chairman, I have been out of Washington and, therefore, have not had the benefit of the debate on the pending bill thus far. I would, however, like to make one general observation, and that is that with the adoption of this measure we come to the dead line for all criticism of the foreign policy of the administration. This bill, while not a declaration of war, is, however, substantially a recognition of the existence of a state of war, and with its adoption we become an army of 130,000,000 people, every one of us pledged to the overthrow and the destruction of Hitlerism which now has its iron heel upon the neck of the whole of Europe.

Mr. TINKHAM. Mr. Chairman, I yield 10 minutes to the gentleman from Vermont [Mr. PLUMLEY].

THE FREEDOM OF THE SEAS

Mr. PLUMLEY. Mr. Chairman, international events of yesterday and today crowd so rapidly to encircle and to directly involve us in a fight for the defense of our actual existence; they speak so much more forcefully and so much louder and unanswerably than all the words in the dictionary I could use in favor of this bill, that I shall not take much time for talk. The United States destroyer *Kearny* was torpedoed off Iceland by a submarine this morning. A reality confronts us.

A world conspiracy of all the basest, foulest, most wicked criminals in history, saturated with a crazy determination to crush our civilization, threatens to stop all human progress, to destroy the work of centuries, and to establish their new order over our dead bodies.

It follows, therefore, that what we are discussing is a trivial item as compared with the whole account to be rendered, or with the issues that really confront us. The man who will submit to slavery deserves to be a slave. "Free men set themselves free."

Just for a change, and to get away from the surfeit of oratory, let us put the proposition on the cold-blooded, nonpartisan, nonpolitical, common-sense basis of 100 percent Americanism for America of old, of today, and for tomorrow; let us see where that leaves us.

An old story

Only a person with a very short memory can fail to recall the fact that when the neutrality bill was before the House in June 1939 the House voted to oppose the inclusion of a provision almost, if not precisely, identical with that with the repeal of which we are concerned today. It is an old, old story to some of us. We are not even interested in the pyrotechnics, and the noise does not disturb us.

After a month or so the bill came back from the Senate with this provision we are today considering urged as an amendment. In an unguarded moment the House carelessly, unwisely, and ill-advisedly concurred therein.

The debates incident to the consideration of the bill in June 1939 make interesting and instructive reading.

The House should reiterate its original position and reaffirm its sound judgment exercised when it originally refused to consent to the inclusion of what is now section 6 of the act. The story of the rise and fall of nations proves that conclusively.

Originally, and from 1937 to 1939 the restriction of the act was imposed, and the prohibition confined to American vessels trading with a belligerent state; then it was extended to American vessels trading with any foreign state. As was urged in 1939 by those who opposed the section we are considering, it is impossible under the law for an American vessel on a perfectly legitimate voyage to some nonbelligerent neutral port to defend itself against piratical attack. That should not be so. Yet that is the way we are sending out our seamen and our ships today, unprotected and without the right, to say nothing about the equipment, to try to defend themselves, save their property and their lives.

I am no party to this proposal.

A drastic departure

The inclusion of this provision was an ill-considered act and a drastic departure from our time-honored customs and traditions and our historic assertions and actions looking toward the maintenance of our doctrine of the freedom of the seas, which by the way, we will defend or die. Or will we? Under international law any merchant vessel may arm for self-defense. Under American law it could so arm until 1937, when we made

the first wrong step and prohibited such use of protective armament. A blot on our escutcheon.

In this connection it is interesting to recall that we armed and equipped our merchantmen way back in 1798 when the French raiders, armed as they were, preyed on the commerce of our little, struggling Republic. Those were days when men were men. Then we licked the Barbary pirates off the seas; but now, when the greatest pirate the world has ever seen is ruthlessly sinking without trace, and shooting without warning, our helpless ships and seamen, we, the greatest Nation on earth, let us tell it, propose to keep on our statute books that section of an act which makes it unlawful for our merchant vessels to defend themselves. That does not make sense. Shame on us.

Decency and humanity

Just ordinary common decency and humanity, and the recognized rules of warfare are supposed to suggest, if not prove, that merchant vessels are not to be sunk unless adequate provision has been made for the security and safety of the passengers and crew. This man Hitler follows no established rules and recognizes no laws of decency or humanity, although the rule above suggested has been accepted by 47 nations, including Germany. He will get no help from us.

Hitler's submarines and bombers are sinking, and have sunk, defenseless merchant vessels without warning and without permitting passengers and crew to have a fair chance to save their lives. "Without trace" are his orders. This should not be permitted to continue. That is a polite way of saying we will stop him.

Fairness to those who sail the seas for us demands that we should equip our merchant vessels with arms and the men to defend themselves. This will, despite all that has been said, at least offer some slight means of protection, afford some bare possibility of saving themselves. That is common sense stripped of oratory. It will not increase their danger in the slightest degree, because and for that Hitler shoots and sinks at sight, armed or unarmed, and wherever his instruments of devastation discover a helpless ship. Answer that. You cannot.

Do not enter

I have understood and have been officially advised that Germany has marked off on paper great areas of the seas and announced that no ship might enter these areas for any purpose, except at peril of being sunk. One of these areas includes waters near Iceland and Greenland, which we have determined are vital to our own defense. Germany does not say that only armed ships are in peril of being sunk, she says any ships. Furthermore, of the several million tons of shipping sunk by Germany, no distinction has been made between armed and unarmed vessels. Even in waters far outside of the paper war zones which Germany has proclaimed, she has attacked and sunk armed and unarmed vessels indiscriminately. Do you propose to surrender to that piracy? Under such conditions arming our vessels would certainly give them some protection and a greater degree of safety, and in nowise increase their peril, all the oratory in the world to the contrary, notwithstanding. You just cannot change a fact into a fancy by talk.

Too many have found that to be true to have to prove it again.

Secretary Hull in advocating before the Committee on Foreign Affairs the repeal of section 6 said in part:

The blunt truth is that the world is steadily being dragged downward and backward by the mightiest movement of conquest ever attempted in all history. Armed and militant predatory forces are marching across continents and invading the seas, leaving desolation in their wake. * * *

To many people, especially in a peace-loving country like ours, this attempt at world conquest, now proceeding on an ever-expanding scale, appears so unusual and unprecedented that they do not at all perceive the danger to this country that this movement portends. This failure to realize and comprehend the vastness of the plan and the savagery of its unlimited objectives has been and still is the greatest single source of peril to those free peoples who are yet unconquered and who still possess and enjoy their priceless institutions. If the 16 nations that already have been overrun and enslaved could break their enforced silence and speak to us, they would cry out with a single voice, "Do not delay your defense until it is too late."

We should confirm our good judgment as of June 30, 1939, and vote to repeal section 6 of the Neutrality Act of 1939.

You cannot laugh off lightning

The indisposition of so many good people to realize the truth and that the war which is sweeping everything before it under the leadership of Hitler is not going to wait for us, or our indecision and hesitation, is alarming. You cannot laugh off the lightning, nor does it get you anywhere to talk about what you would and will do if hit. The time to seek shelter is before the storm turns toward you.

We have had, though perhaps we do not now have, full time to protect ourselves. We have not made the best use of our time. We have permitted strikes in defense industries to hinder and delay us. We have allowed a lot of things to be said and to happen that never should have been permitted to occur. Now we are up against a situation, not a theory. The hour has struck.

Are we Americans?

I doubt if the American people understand that while our warships can go anywhere in the world, and while our merchant ships can go to Russia and China and Japan, they cannot go to England to deliver the goods and the munitions we have spent so much money to make and have promised to deliver. That does not make sense, and the neutrality law is the monkey wrench in the machinery.

We have committed ourselves by congressional action and Presidential proclamation to the aid of Britain and Russia—yes, Russia; and why not? Stripped of all the tinfoil and the veneer of civilization, we are out to win a war, to fight a brutal battle in self-defense, and at such a time and under such circumstances we should be all out for those who are for us without regard to their color, creed, or condition.

Let's lick Hitler

The thing to do is to lick Hitler, and those who try to drag partisan politics and religious bias into a situation that involves the question of life and death for them and their country make mountains out of mole hills and do themselves no service.

We will have to call on every resource at our command to carry out our determination to win. Our swelled head is about to be deflated. We cannot lick the world or Hitler, unaided.

I agree with Heptisax, of the New York Herald Tribune. He says:

You cannot change the nature of the "red" bear by demanding that if it wants planes it must subscribe to the four freedoms; if it wants tanks, it must grant more religious liberty; and that if it wants aviation gas for its Siberian armies it must pull its forelock to democracy, whatever that is. But by imposing, or trying to impose, such conditions upon the masters of a nation fighting for survival, who would kiss the feet of Moloch for a belt of ammunition, you are not only fostering resentment, where you might elicit from the most cynical hearts a little gratitude, but you are confirming the suspicion in more millions of American minds that you are trying to make Russia respectable and bring the Kremlin into spiritual fellowship with this country.

I think we owe it to ourselves, to the remaining free peoples, and to all the once-free peoples of Europe, now under the shadow of the swastika, to give the Russian Armies and people all the help we can possibly spare to do three jobs. One is to exhaust Hitler. Another is to hold Japan in check. The third is to keep themselves and their lands intact for a better destiny than that which either the mad Marxists or the Stalin dictatorship has shaped for them. I think we ought to say that through our Government, reluctant as our Government may be to say it for us, so that our people will feel wholly free, as they do not now feel, to express with generous and unbegrudged material aid their natural admiration for a nation of transcendental scrappers.

Russia

We need Russia in our business more than she needs us. The sooner we come down off our pinnacle of self-sufficiency and cooperate to coordinate our resources and join the forces of those who have shown their intestinal fortitude, the quicker we will be self-respecting and self-defending.

I voted for the Neutrality Act because I assumed at the time that as a "formal legislative proclamation" of American neutrality in advance of hostilities it would tend to discourage the making of war by others, and for the reason that if war should come despite this effort we could take shelter from its consequence behind the fictitious barrier of a legislated neutrality.

Time and events have proven I was wrong. I admit it.

Everybody knows it is true that—

If public opinion were based solely upon logic, this country would not now be debating a Presidential proposal to abolish that shred of neutrality which keeps our merchant ships from defending themselves when illegally attacked by Nazi submarines or surface raiders; and at the same time clinging to that other

shred of neutrality which keeps the same ships from carrying needed and promised cargoes into friendly ports which are not legally blockaded—

As a New York Times editorial writer said on Sunday.

And he tells us that—

Except for a provision for licensing exports of war materials, the Neutrality Act has ceased to represent the policies of our Government, the necessities of the situation, or, on the basis of congressional votes and indications of popular sentiment, the wishes of our people.

* * * * *

The emotion was genuine; the illusion fondly cherished. We did not want war in 1939. We do not want it now. In 1939 we might still hope that war could be avoided by our own acts of self-denial. Other nations, including Norway, Denmark, the Netherlands, Belgium, Yugoslavia, and Greece, were similarly hopeful. Russia made a shameful surrender, now being redeemed by the blood of tens of thousands of courageous soldiers, in order to maintain her "neutrality." For these other nations neutrality was a will-o'-the-wisp. It is manifestly so for us.

We have not fooled anybody nor helped anybody by our diplomatic hypocrisy and dissimulation. The same writer characterized the present situation correctly in referring to the act as the "rags and tatters of an outworn illusion."

If anything were necessary to be said in order to justify that statement, it is found in the fact that, as he suggests—

The destroyer transfer, the occupation of the Atlantic bases, the Lease-Lend Act, the naval patrol of the lanes leading to Iceland, the Roosevelt-Churchill declaration of last August, the orders to our naval commanders to hunt down and sink Nazi raiders invading our defensive waters—these were acts of a Government determined to maintain our rights and interests, but no one can call them neutral acts.

* * * * *

We have never been neutral in our sympathies. It is more than a year since we have been neutral in our policies. The pretense of neutrality has had only one practical effect: It has helped Hitler by impeding the delivery of war material at the points where it was and is desperately needed.

We have never had but one choice: To aid Hitler or to help strike him down. Our fiction of neutrality has helped him and has hurt those who are fighting him. It is time to end it once and for all. It is time to defend our right to send our ships into any waters and any friendly ports that will welcome them, carrying such cargoes as we choose to send.

I hope it is not true that this country, despite the utter gravity of the hour, has not yet reached the point where it is willing to cast off the paralyzing effects of an invalid policy, although the policy itself, for all practical purposes, has been discarded in its entirety.

Anybody who reads understandingly and can face facts fearlessly knows that it is true, as others have said, that—

the effort to isolate the United States from the rest of the world actually gave aid and comfort to the war makers, and there can be no doubt whatsoever that our daydream of permanent neutrality was shattered when the first gun was fired.

As Hitler's ambitious plans for world conquest began to take shape we were compelled by the fundamental motive of self-preservation to re-form our policy. Step by step we have progressed from the repeal of the arms embargo down through the enactment of the lease-lend legislation, until now it is idle to talk of American neutrality. We have cast off neutrality because, in our own interest, we could not remain neutral, but we have not fully accepted the self-imposed obligations of our new status, whatever one may choose to call it.

The Neutrality Act should be repealed

The President in his message asks for amendment of the law to permit the arming of American merchant ships. He makes clear his belief that it is imperative for us to lift the restrictions preventing American ships from entering the war zones. Obviously, for reasons of political strategy, Congress is not asked to make both changes now.

I do not approve of the procedure nor admit the necessity for the strategy. We should act now, definitely and positively, else we are cowards, as I see it. It is not a question of partisan politics. The issue might as well be fought to a finish now as too late. We have no license, and we should not take the liberty to let the days and weeks roll by as we sleep on our oars. That is my opinion, despite which I shall support the act as it is submitted, for I prefer half a loaf to no bread at all.

And now perhaps it may be said this is no time to talk about any domestic issue except that of our foreign policy, than which, I admit, none could concern us more closely or be more important or more domestic, in the last analysis. We win this war or lose it, depending upon whether or not we support or fail to support our proclaimed and affirmed foreign policy.

The future of our domestic economy rests totteringly today on this foreign-policy balance. We will fight out our other problems if and when we win.

To those who caution me not to talk too much about the present situation, let me say that this is no time to keep silent. It is time to speak now or hereafter forever hold one's peace. The crisis is too near at hand not to be seen.

We will be wedded to a program of totalitarianism or we will not, depending upon whether we win or lose this war. Now is the time and this is the place for those who put country and life and liberty above and beyond all else to tell the world that, irrespective of politics or partisanship, we do not propose to yield to Hitler domination, that we defy him, will defend ourselves against him, will defeat him, and utterly destroy his devilish determination to rule the world by force.

Already I may have said too much. To have said less would have been a failure on my part to discharge my duty as a Member of Congress and an American citizen. I do not see the fun in this situation, politically and from a partisan standpoint, which some folks on both sides of the aisle seem to get out of their opposition to an American policy. I may be dumb. If that be dumbness, I am glad I am dumb, and yet I am not blind or deaf to the effect that the actions of a certain group have had and are still having against the best interests of all of us. That is why I have said what I have said, and those who disagree with me have exactly the same privilege that I have exercised and enjoyed.

I don't care whether you are a Republican or a Democrat, or whether you like what I say. The truth should not be spoken at all times, but now is the time to tell the whole truth, all the truth, and nothing but the truth.

Let the chips fall where they may. This is too close to a national crisis to tolerate this chopping and chipping at national defense by those who are so much interested in politics as to be willing to play that game when the very foundations of our liberty and Government are threatened by a man with a Napoleonic complex who has said that his form of government and ours cannot coexist.

We are next

He has run riot over that portion of the world he advertised he would first seek to conquer. We are next—unless we stop trying to impede the progress of our defense against him and get together to defend ourselves and the world against the mad monarch of totalitarianism.

That is the issue beside which all others sink into insignificance. Those who contribute to Hitler's success by hindering that policy which in unity alone will make it possible for us to save ourselves assume a very grave responsibility at this time and in this crisis.

For the benefit of some people who have short memories, may I say that I opposed the original recognition of Russia. The Russian idea of what constitutes the right form of government and mine do not jibe.

But they are fighting for me and to lick Hitler. With that I agree 100 percent. That is the answer for the time being. I want to be saved by somebody, if I cannot save myself, in order eventually to be able to assert myself and my beliefs in respect to government and religion and everything else. That is selfish, perhaps, but it is my position.

Just now how to be saved is what is bothering me. I am for those friends of mine who have shown themselves friendly to me and who are trying to save me and themselves.

I am not too choosy as to my allies when life and liberty are at stake. If and when they come to my rescue in a riot, I cannot stop to ask what church they belong to, if any, or what their political creed may be. In a fight to the finish I would rather be saved by most anybody than to be a dead opportunist, or partisan political obstructionist, without portfolio.

The people are not fooled for a minute. Partisan opportunism to them is an open book.

The foreign policy of this country has been determined, right or wrong, and the people of this country are for it and for themselves.

Nobody has asked me for advice; so it will cost nothing, but it may be worth more than it costs.

Like it or not, I tell you Democrats and Republicans in the friendliest spirit that the time has come to stop talking and do something besides obstructing and playing politics. The life of this country is at stake. You are playing with a consuming fire.

Let us not fool ourselves any longer. The truth is that we are in this war and if you and I are smart enough to be Representatives in Congress, we know it. We fool nobody but ourselves by taking any other position than that of support in regard to the international situation and the foreign policy of this country proclaimed by the Commander in Chief, ratified by Congress, and defended by the great majority of the people.

Every minute counts

You know and I know and the people know that every day, every hour, every minute counts in this contest. Our allies must have the matériel we could furnish except for the neutrality law. Will we let them down? I will not. Why should you? The people will hold responsible for delayed succor and relief those who for a grandstand play would make a Roman holiday out of delayed relief to a needy ally.

There can be no partisan politics in a matter of life and death to or for a country, its people, and its ideals. Those who would try to be opportunists at such a time and under such circumstances will reap the reward that is their due.

And after all is said and done, that is all there is to it. We are in a hurry to save ourselves, and those who would delay us must expect to take the responsibility and accept the consequences therefor.

At this time and in this place I do not speak as a partisan, but as an American. Democrat or Republican, under whatever political, partisan banner you may march, are you for America? Let your vote be your answer.

We are only at the beginning of a world revolution—not the end.

Mr. TINKHAM. Mr. Chairman, I yield 10 minutes to the gentleman from South Dakota [Mr. MUNDT].

Mr. MUNDT. Mr. Chairman, I hope as we approach this period now when we are soon going to have the responsibility of voting on one of the most monumental measures, I am sure, on which any Member of this body has ever had to cast a vote, no Member will consider his position and arrive at his conclusions from the standpoint of partisanship.

I hope no Republican opposes this measure because he is a Republican. I hope no Democrat supports the measure because he is a Democrat. I think in this important hour each of us should forget the partisan, the petty, and the personal and search as carefully as he can the resources of his own conscience and determine what, in his opinion, is the best decision for America. I do not know what the intention of either gentleman is, but I venture the hope today that neither the minority leader nor the majority leader will take the floor in the closing hours of this debate and try to rally to the standards of their position, whatever it may be, the partisan support of any group in the House today. I think the decision is too important to wave political banners or to make any political appeal.

There are leading men in both parties who oppose this measure, leading men in both parties who support it. You have just listened to a distinguished Republican speaking on behalf of the legislation. You heard many distinguished Democrats speaking yesterday in opposition to it. This measure transcends the boundaries of party lines, in my opinion. So I venture to express this hope, as we are about to conclude the general debate: Let us not impugn the motives of either group. After all, only from honest conflict of opinion can come the tested and tried decisions of wisdom and prudence which alone can serve America effectively today.

We all detest Hitler and oppose the things for which he stands. I know there is nothing good that I can think of Hitler and only bad that I can hope for him. We all admire Churchill and his gallant leadership. I know that there is only victory and success that I desire for him and his people. However, we should not and we must not let our abhorrence for the one or our admiration for the other blind us to the best interests of our country in this crying hour.

As Members of an American Congress we Americans all must give our first allegiance to America always. This is especially important at an hour like this.

In this vein let us consider some of the arguments by which we should arrive at our decision. The proposal to repeal section 6 of the Neutrality Act and to affirmatively permit the arming of our merchant ships is of far more significance than the simplicity of the resolution implies. Let no one be deceived in the feeling that the importance of this legislation is indicated by its brevity. When a man is standing on a precipice even a slight forward step may bring him to disaster and calamity.

I submit that it is not so much the length of the proposed step as the direction which it takes us that imperils America and threatens to join the New World in the bloody holocaust which now engulfs the Old.

The arguments presented in support of this bill are few in number, and it is my honest opinion that they are as shallow as they are scarce. It is argued, first of all, that arming our ships will make them safe, but the record of history points the disillusioning fact that such has never been the case. In the World War no armed merchantmen sunk an enemy vessel, and 35 American armed merchantmen in turn were sunk. Wars are fought with battle wagons and big, bruising, attacking implements of war, and putting a popgun on a merchant ship never makes it safe. I think this is borne out by the fact that risks of insurance are calculated by mathematicians interested alone in the business aspects of an undertaking. Insurance rates are higher on armed ships. Crews on armed ships demand a war bonus as an extra wage. It is recognized that armed ships sailing into belligerent zones tend to increase the hazards of a sinking without warning. No American ships not carrying contraband of war have been sunk in the present conflict. In its sane and deliberate judgment a number of years ago Congress recognized the historic fact that arming ships and sending them into belligerent zones increases the hazards of war, and so it passed the resolution which it is presently proposed to repeal.

Mr. Chairman, let me remind you that neither Admiral Land nor Admiral Stark, who appeared before our committee, would say that arming merchant ships was an effective protection for either the ships or the men. The gentleman from Minnesota, Congressman MAAS, who is a flight commander in the Navy aviation forces at this moment and who will vote against this bill, believes that arming merchant ships increases rather than decreases the peril to the men. He speaks from the first-hand knowledge of experience rather than from behind a mahogany desk or from the vantage point of theories which have not been tested. The gentleman from Ohio, Congressman VORYS, on our own committee, spent nearly 2 years in the last war on convoy duty, first with the British and then with our own forces. He served for a while on an armed merchant ship. He knows from experience also whereof he speaks. He feels as do many others that arming merchantmen not only imperils the peace of this country but increases rather than decreases the personal safety of the men who sail our merchant ships.

Why risk the serious consequences of such a change in our neutrality laws when the world is at war in the face of evidence which throws such serious question on the effectiveness of arming ships and which history shows has failed to make our ships safer in the last World War? Today's rumors bring us reports that an American destroyer of the latest class has been hit by a torpedo between England and Iceland. If a destroyer with its great armament and its protective armor can be attacked by submarines, Mr. Chairman, of what protection to a merchant ship, without armor, would be the mounting of a few small guns upon its fore and after decks?

We must not forget that while a bewildered Congress may change its mind, the lessons of history, those stern realities of fact, never change.

A second argument in support of this resolution admits that while the arming of our ships does not make them safe, that it is worth the risk to American life and property to arm these ships and send them out with contraband of war, in order to help our friends who are fighting the aggressors in Asia, Africa, and Europe. The supporters of this argument are more realistic in their thinking than those who advocate the theory that by mounting guns on merchantmen they will make them safe. But here, again, the issue is not as simple as it seems. The President in his message to Congress stated that arming ships unless they are to be sent into belligerent waters will not do the job of delivering the goods to those fighting the aggressors. Every thinking Member of this House knows that is the truth. Three Cabinet officers testified before our committee, and all three of them specifically stated that arming our ships was not enough to do the job they had in mind. The staff officers were silent on the question. Because of some strange suspicion of the action of this House, however, or because of some calculated scheme to circumvent its

function, this resolution does not ask for the things which the administration's spokesmen say they want. They want the Neutrality Act repealed—they said so by implication, by indirection, and by public statement—so that our gun crews aboard these merchantmen, wearing the uniform of the United States Navy and being a part thereof, can sail into the war-torn harbors of the world. Such action, as you all must know, presages the direct involvement of this country in the war, first by a naval war, then by an air war, and then inevitably by an American expeditionary force, which means the sending of an American expeditionary force of fighting men to use the fighting tools we send through dangerous waters to belligerent countries.

How many American men must die to fulfill such a mission is never mentioned. How much the cost in terms of lost liberties and heartaches and vacant firesides is never even discussed in public. You are asked to vote for a step in this bill which starts a parade toward war's total desolation, which even you cannot stop if you attach your name in permanent record in your vote for its approval. No Member of this body deceives himself or his constituency as to what lies at the end of such a course.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. TINKHAM. Mr. Chairman, I yield 3 minutes more to the gentleman from South Dakota.

Mr. MUNDT. Thank you. Mr. Chairman, if fighting in this fiendish war were the only way, the only course available to us, then I would say that we should do that and push it through to a successful conclusion, but fortunately for us such is not yet the case. In fact, there is a better method, a speedier method, a more effective method of accomplishing the objects of the proposal with which we are confronted. I hope Members will read the proposal contained in the minority report to transfer to British registry by legal Presidential action, under the terms of the lend-lease bill and other legislation, the available merchant ships which we have in this country, so that Britain can deliver the goods, so that Britain can have access to these ships and sail them through belligerent waters into harbors to deliver the weapons and supplies we are producing for her.

We have heard so much said on the floor that time is of the essence, and it is, we have heard of new difficulties in the Far East, and we have heard by report of radio this morning that an American destroyer has been fired upon. To get aid to Britain, now and most effectively, I urge those of you who would support this bill to vote with us to oppose it because by not passing this bill we will impell the President to exercise his Executive authority to begin now transferring these ships, so that the delivery of goods can go to Britain and her allies, not in a month, not in 2 weeks, but tomorrow morning. In this manner you would not attempt by indirection to do that which can be accomplished by direction, with safety, with dispatch, with certainty, without delay consequent to legislative procedure. The President is now authorized to take that action. He is now authorized to extend aid and he is now authorized to deliver the goods by transferring these ships to British registry. He can and I submit he should take this legal action now so that Britain can secure the aid she needs when she needs it most, and so that we can have for ourselves in this country the greatest security against involvement in this war.

Time does not wait for these circuitous methods of asking for piecemeal consideration of law, having as their objective something which cannot possibly be attained by the legislation now confronting us. If you reject this legislation today I predict the President, by Executive action, will rightfully and legally begin tomorrow the transfer of American supply ships and merchantmen to British registry. The best service you can render to those fighting aggression is to defeat this legislation and start this country, by a system of delivering goods through legal methods in American bottoms leased to Britain, to work on the job of helping those fighting aggression.

Mr. Chairman, Members might ask whether the plan of transferring available American ships to British registry is workable. Whether it is one which can be developed without endangering our own shipping interests. Let me cite you, sir, a high authority on that. I refer to a letter received by the gentleman from Illinois, Congressman DEWEY, and printed in the RECORD yesterday, from Robert C. Lee, of New York, executive vice president of the great Moore-McCormack Lines, one of America's largest shipping firms. Mr. Lee's letter says:

> From a strictly commercial point of view, there is no reason at all why all of the goods carried to Great Britain cannot be carried under British registry, thus removing the dangers of an international incident as far as the United States is concerned, if one of these vessels should be sunk.

Mr. Chairman, the testimony of Vice President Lee stands without challenge; it has not been refuted; it points the direct and speedy way of utilizing American ships in getting supplies to Britain and her allies without risk of war to ourselves. Why run the risk of war when the delivery of goods to Britain can be accomplished speedier and more effectively by methods already available to the President under existing law?

Many Members may not realize that the 10 to 20 men of the United States Navy personnel who would man the guns on these merchant ships will be paid by the United States Navy. They will wear the uniform of the United States Navy. They will be a part of the United States Navy, but the profits earned by the ships on which they sail will all go to private shipping interests, mostly bordering on the eastern seaboard. Mr. Lee further points out in his letter appearing in yesterday's CONGRESSIONAL RECORD and I quote, "As a matter of fact most ships make a great deal more money during war than at any other time." Mr. Chairman, it is this "great deal more money" which the President once referred to as the fool's gold which men seek to mine out of the fortunes and the misfortunes of war. Let us follow the advice of President Roosevelt who was then speaking as candidate Roosevelt but whose logic was sound and whose judgment was right when he urged America to choose peace rather than profits. And mind you, Mr. Chairman, there is no other reason left for passing this resolution save to satisfy the profit motive of certain private interests in this country since the evidence clearly shows that by leasing our ships to Britain rather than luring our sailors into belligerent waters we will more effectively aid our friends across the seas in securing the shipping space they need to carry supplies into their ports and harbors.

I doubt that there is a Member here today so credulous that he believes that this ship-arming resolution is meant to stand or fall on its own merits. You know in your heart, whether you will admit it or not, that this bill is just a key to unlock the door for the entire repeal of the neutrality law, which even Secretary of Navy Knox testified before our commitee had worked to keep us out of war. I hope Members will all vote their convictions on this legislation; I hope none will vote their hallucinations.

Mr. Chairman, it is a fateful decision the President is about to make—whether to transfer our merchant ships to Britain or take this country further down the road to war. You and I can, and you and I must, help him make that decision. By our vote today each of us inscribes on the permanent record our recommendations on this matter. By a vote against this resolution you not only exert your personal pressure against the drive toward war but you help the President to decide to transfer ships to Britain now, rather than risking the terrible possibility of again sending our soldiers to the foreign battlefields.

The choice lies in your hands. The lives of millions of Americans stand subject to supreme sacrifice as you cast your vote and exert your influence on this historic matter. Leasing ships to Britain would provide delivery of aid to Britain from a month to 4 months earlier than the ship-arming program. It would do it without increasing the hazards of war for this beloved country of yours and mine.

If you who hear me now want to aid Britain, and I do; if you want to get it there when it is needed most, and I do; if you want to give aid short of war and be sure that we stop short of war, and I do, I plead with you with every fiber of my being to vote down this resolution. If you vote it down, I predict the President will take action this week in providing the bridge of ships which he alone can make available in a legal manner which will not only be of greatest aid to Britain but which will also serve most greatly to protect this country from involvement in the war.

Mr. BLOOM. Mr. Chairman, I yield 2 minutes to the gentleman from Texas [Mr. LUTHER A. JOHNSON].

Mr. LUTHER A. JOHNSON. Mr. Chairman, I want to use these 2 minutes in reply to the position taken by the gentleman from South Dakota [Mr. MUNDT], who has just left the floor, that we should

transfer our ships to England. If you will turn to the hearings on pages 80 and 81 you will find statements by Admiral Stark, Chief of Naval Operations, and Admiral Land, Chairman of the Maritime Commission, who go at length into the reasons why that would be inadvisable and unwise. Among other reasons, one is that manpower in Great Britain at this time is at a premium and they would not have the necessary men to man those ships.

The other reason is they say we ought to control our own ships and ought not place them outside of the control of our own Government because we might want them to go to South America or to some other ports. It should be the policy of our country that those ships should be retained.

I agree with one statement that the gentleman from South Dakota made, that we should act now and we should act quickly, because the crisis grows graver. Conditions have grown worse since we reported this bill, both in Japan and from submarine attacks. Today's news tells of an attack on one of our destroyers 250 miles southwest of Iceland, and threats from Japan may make it necessary to arm our merchant ships in the Pacific as well as the Atlantic. They talk about us taking step by step. Yes, and as Hitler and Japan take steps toward us we will take steps to defend ourselves. This is one small step, a slight step, but it ought to be taken quickly and by a decisive majority of this House.

Under leave granted to extend my remarks, I submit herewith the following excerpts from a letter to me from Admiral H. R. Stark, Chief of Naval Operations, pointing out the reasons why it would be unwise to transfer our merchant ships to the British for them to operate.

2. As to the possibility of turning over a considerable number of our merchant ships to the British in order that they might man and operate them:

(a) It is my understanding that manpower in Britain is at a premium. I invited the attention of the committee to the fact that press reports have stated the British are even considering the conscripting of women. I also mentioned the fact that the British were spread over this wide world, not only with troops but with a large Navy and a large merchant marine, and that in my opinion it would be difficult for them to take over now and themselves man a large number of merchant ships in addition to those which they are building and to those for which they have already contracted in this country. In any case they could do so only by serious compromise of their present plans.

(b) There are other points involved; for example, we believe that American crews on American built ships, because of their familiarity with them, can run the ships more efficiently and keep them in better material condition, and hence can get more speed out of them than could the British, which is another factor of safety against submarines. Furthermore, with the complicated world shipping situation, we must reserve to ourselves the ability to send our own ships wherever and whenever we ourselves deem necessary. This, not only to carry defense aid materials where, in our judgment, they should go, but also at the same time to preserve to ourselves the ability to get urgently needed essential raw materials from all parts of the world. To do this, we must retain control of our ships and their allocations to shipping routes.

The United States has an enormous stake in this entire situation. It is my considered judgment that we should not voluntarily place beyond our immediate control a considerable portion of our all-too-small merchant marine. To do so might seriously jeopardize our industrial and defense effort.

Sincerely yours,

H. R. STARK.

Admiral E. S. Land, Chairman of the United States Maritime Commission, also wrote me on the same subject, and I quote from his letter, as follows:

1. The transfer of vessels to British registry is inadvisable for the reason that the British, being a major maritime power, have detailed laws as to the operation of vessels under the British flag. Transfer of our vessels to the British flag would therefore result in a degree of control over such vessels by the British which it is inadvisable and unnecessary, in our own national interest, to incur. Under the arrangements we are using, we have complete control over the vessels and certainly, in my judgment, it is best for the control to remain with the United States. This is the unanimous opinion of the Maritime Commission and its staff.

2. From the best information available it is definitely true that seamen prefer to have merchant vessels armed under present conditions for protection against attack. In obtaining crews the Maritime Commission has had expression from the men to this effect while we have had no protest from the seamen to such a course.

Sincerely yours,

E. S. LAND, *Chairman.*

Mr. BLOOM. Mr. Chairman, I yield 5 minutes to the gentleman from Kentucky [Mr. MAY].

Mr. MAY. Mr. Chairman, I wish to say that occupying the position I do in the House of Representatives, I cannot afford to allow this legislation to pass without stating my position on it.

To begin with I have never been and I am not now neutral in the war now going on in Europe and Asia. There is no ground on which I can be neutral. I cannot agree with a rattlesnake or a copperhead on any sort of terms. When I think of that impersonation of hatred, malice, murder, and crime by the wholesale, named Adolf Hitler, when I look back over the last few years that have passed and read his actions and his conduct and his military accomplishments, there is no ground on which I can be neutral.

Furthermore, after many years of practice of the law, and particularly upon the criminal docket where the doctrine of self-defense was to be dealt with, I have never yet reached the conclusion that a man, when assaulted without excuse, was not justified in defending his person from assault and injury—likewise with my beloved country in this time of terrible crisis through which it is passing.

When I read my history and I go back to that proud old Commonwealth of Virginia and I realize that more than a hundred years ago the immortal Patrick Henry, in a time when the clanking of arms was heard upon our own continent, told the Virginia Assembly that he had "but one lamp by which his footsteps could be guided, and that was the lamp of experience"; when I think about the past 3 years and when I know it is not going to be for the American Government to determine whether we shall have war or not, but that question will be determined by the Axis Powers and nobody else, I cannot be neutral. The Axis Powers are on the march for aggression throughout the world and they will never stop until they drive us into it. Those are my views about the thing.

I never knew of a school election in my community or a county election or a State election or a congressional election that I was not on one side or the other of it. I have never been neutral, and, I repeat, I am not neutral today. I do not propose to abandon the blood-bought doctrine of the freedom of the seas, nor do I propose to send American citizens on missions of mercy, unarmed and defenseless.

Furthermore, I may be somewhat hypocritical about some things, but I never did believe in hypocrisy. When we passed the Neutrality Act we simply closed the door and said in one paragraph that we would make people come and get the things which they needed and pay cash on the barrel head, as you said. Then we proceeded to say that we could not send our ships into zones of danger, and that we were going to keep them out. My God, has the time come in America when we have reached 136,000,000 population, that we are not as brave as those brave souls were when we had only 3,000,000 people and would say that we believe in the doctrine of the freedom of the seas and we would die for it, as they did? Without freedom of the seas American commerce would dwindle and die, and the Nation would suffer disaster in some respects worse than war. Adolf Hitler red-handed, bloody murderer that he is, has already demonstrated to the world that he believes only in the doctrine of brute force. He has abundantly demonstrated that he is totally void of any element of human sympathy or human love as proven by his continued bombing of helpless women and children and his ruthless murder of prisoners in chains. He does not believe in God, and is "hell-bent," and I use the word "hell" advisedly, on domination of the whole world with his godless doctrines and how can you or I be neutral in a contest of life and death with such a demon? I repeat there is no room for being neutral.

As for me, I shall never return to my home community and look my people in the face and say to them that I am neutral when civilization is on trial and when the enemies of civilization are pounding at the gates of every city of importance of the last remaining opponent on the European Continent. I am not going back to my home to tell my people that I am neutral. I expect to stand in the courthouse of my home town tomorrow afternoon and tell them where I stand, and that is to do whatever is necessary to defend American liberty and American freedom.

I shall vote for the pending resolution, Mr. Chairman.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, may I inquire how much time is left on each side?

The CHAIRMAN (Mr. SOUTH). The gentleman from New York [Mr. FISH] has 13 minutes remaining; the gentle-

man from New York [Mr. BLOOM] has 12½ minutes remaining.

Mr. FISH. May I inquire of the gentleman from New York [Mr. BLOOM] how many speakers he has left on his side?

Mr. BLOOM. Two, one of whom will speak but briefly.

Mr. FISH. Mr. Chairman, I yield the balance of my time to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS of Ohio. Mr. Chairman, taken by itself, just alone, as an act for this Congress to be considering at this time, arming merchant ships is not an effective way to protect them or their crews. You can read through Admiral Stark's testimony and Admiral Land's testimony, or talk with any naval officer you know, and you will not find anybody who knows anything about seafaring or the Navy who will say that arming merchantmen will protect them. I urge you to look at page A4689 of the Appendix of the RECORD and read a letter which the gentleman from Pennsylvania [Mr. SCOTT] inserted, a letter written by a man who has been to sea for 50 years on merchantmen. The writer of this letter, from that vast experience, urges that we not arm merchant ships, because leaving them unarmed will make it safer for the crews.

I know something about this myself, for during the World War I spent most of my time as a pilot in the Naval Air Service on convoy patrol and on antisubmarine patrol. I crossed the ocean on the *St. Paul*, an armed merchantman. She was armed with Spanish War guns, and about every third time you slammed the breech shut the gun went off, so it had to be aimed at a submarine before they closed the breech. We knew that was not any protection. Our speed and the convoys we picked up on the other side were our protection.

International law has fallen into disrepute and is a frail reed shaken in the wind in these days; but let me remind you that international law means international custom and experience; it is whatever has been proven by time and experience to work best in international relations. For instance, it is the custom that when a soldier puts up his hands you do not shoot him. That is international law. This custom has been abused by both sides. Sometimes an enemy shoots soldiers when they have their hands up—and there is a man within the hearing of my voice who was shot at by German soldiers during the World War after they had their hands up. The custom is abused, but it is still the international rule, and it works most of the time. Just in the same way, it is an international custom based on experience that you should not shoot at unarmed merchant vessels and that you shoot without warning at armed merchant vessels. So it is because of this international custom that arming merchantmen, giving them warship status without warship protection, does more harm than good.

Every one of us knows, however, that this little bill taken by itself is not the whole story or the real story. Does anybody within the sound of my voice think that with a world on fire the total change in the foreign policy of the United States is the arming of our merchant ships and sending them into neutral waters? Here we have a world in turmoil; Moscow is tottering; we have a Cabinet crisis in Japan; we have a most significant and unprecedented treaty announced with Argentina, showing that we are going ahead with our own business in the Western Hemisphere. We have the fateful announcement this morning that a destroyer has been torpedoed in dangerous waters southwest of Iceland. Do you mean to tell me that the total answer to all the questions raised is, "We will arm our ships"? Oh, you know that is not so. We know that we are not permitted to consider the real question; we know that this really unimportant, impotent measure is being put before us here because the House is not considered wise enough or brave enough to consider the full policy.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. VORYS of Ohio. I yield.

Mr. LUTHER A. JOHNSON. The gentleman says we are not going far enough. If we went further would the gentleman agree that we should further modify the neutrality law?

Mr. VORYS of Ohio. I will discuss that in a moment.

This bill is a sort of Gallup poll, a stalking horse, a trial balloon to try out the House on what is the real intended change in our policy. We know that the next step, based on how this vote goes today, will be to try us out on repealing section 2 of the neutrality law and permitting our ships to go to belligerent ports. We know if that is successful there will be further changes, further steps. We are not permitted to have the whole picture. It seems to me this House should say, "Mr. President, we can take it. Tell us what you have on your mind. What do you really mean to be the foreign policy of our country in the fall of 1941? Tell us and we will consider it all together and decide what should be done."

In the meantime we can go ahead furnishing arms to Britain and those resisting aggression by furnishing ships under the policy that has already been determined—the lend-lease law. We can do it promptly and practically, and that is the best way to do it. I wish you would look at the letter which the gentleman from Illinois [Mr. DEWEY] included in his speech on page 7975, from the head of a great steamship company, which shows that the practical thing to do is to turn these ships that we are going to use for carrying munitions over to the British so they can arm them or not, but put them under British registry.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. VORYS of Ohio. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Does it not seem absurd to give away our ships to the British at this time when we may need them for our defense? What assurance is there that we will get them back again in that event? I cannot see that for a minute.

Mr. VORYS of Ohio. I will answer the question the gentlewoman asks. I thought the lend-lease policy was absurd—of lending the British all kinds of weapons—but Congress has adopted it, and now I am for it. I am like the man who tasted the gooseberry pie made with gooseberries with the spines on. He said, "It is the darnedest thing I have ever tasted, but I like it." If we cannot trust the British to turn these ships back to us, then we should not trust them with our tanks, with our planes, and all the rest of the materials we are sending over there.

The "incident" has happened. A destroyer has been sunk and we get word of it during this critical debate. What does that prove?

Mr. BLOOM. Will the gentleman yield?

Mr. VORYS of Ohio. I cannot yield.

Mr. BLOOM. This is a very important question.

Mr. VORYS of Ohio. I am sorry.

What does it prove? It proves, for one thing, that even a destroyer, which is pretty thoroughly armed, may be sunk, may be torpedoed by a submarine. It does not prove the efficiency of putting tramp steamers armed with old World War guns up against submarines as their match. It also proves that if we persist in going into dangerous waters such incidents will happen. It also follows through what was revealed on this floor yesterday—that the "shoot on sight" order which was made public by the President on September 12 was actually issued on the 30th of July, and that order was not to wait for defense but to proceed offensively against the ships of a power with which we are at peace.

What should we do? We should recommit this bill. We should recommit it for further hearings by the Foreign Affairs Committee on what our real foreign policy is to be. We can "take it." We can understand here in the House. We are old enough, we are wise enough, we are big enough to listen to the whole story and then decide it. There may be some here who favor a naval war, but I urge them to vote to recommit this bill so that they may bring before them the real implementation of a naval war. My friend from Georgia [Mr. COX] said this morning that, while he did not consider this a declaration of war, that this is "recognition of the existence of a state of war." If that is what it really is, then we should recommit it because we have not been considering this as we did the war resolution in 1917. This trifling, impotent, pusillanimous, tricky, contemptible way of going about determining our foreign policy should be sent back to the committee. We can then have a real debate on what our foreign policy is to be.

I will tell you what I think on that score; I will tell you what I hope our decision will be. I hope that we can be united on a policy of being the arsenal for those resisting aggressors—being the treasure house of a free economy—and I

hope that instead of entering the war America can stand as the powerhouse for peace in a world gone mad.

Mr. FISH. Mr. Chairman, I yield to the gentleman from Missouri [Mr. BENNETT] such time as he may desire.

Mr. BENNETT. Mr. Chairman, last Saturday night I delivered an address over radio station KMOX at St. Louis, Mo. As a result, many messages have come to my office commending me for my stand against steps that are leading this Nation to war against the wishes of a majority of our people and the pledged word of its elected leaders. Only one critical message has come from the Sixth Missouri Congressional District, which I have the honor to represent. One individual, living in Barton County, Mo., and ineligible for combat duty, asks that I break my campaign pledge of opposition to fighting other people's wars. He asks that I ignore the fact that Congress has not yet declared the current conflict raging in unhappy Europe, Asia, and Africa as "our war." Yes, he even asks that I support the President at the risk of revolution and dictatorship in America if necessary to defeat the dictators abroad, excluding, of course, Comrade "Saint Joe" Stalin.

Mr. Chairman, the President to whom I am prepared to give undivided support and loyalty in this crisis is the President who has said, and I quote:

We stand for peace. We shun political commitments which might entangle us in foreign wars. We are not isolationists except insofar as we seek to isolate ourselves completely from war.

I hate war. I wish I could keep war from all nations; but that is beyond my power. I can at least make certain that no act of the United States helps to produce or promote war.

If war should break out again in another continent let us not blink at the fact that we would find in this country thousands of Americans who, seeking immediate riches, fool's gold, would attempt to break down or evade our neutrality.

We can keep out of war if those who watch and decide have a sufficiently detailed understanding of international affairs to make certain that the small decisions of each day do not lead toward war and if, at the same time, they possess the courage to say "no" to those who selfishly or unwisely would let us go to war.

It is my determination to pursue a policy of peace and to adopt every practicable measure to avoid involvement in war.

Let no man or woman thoughtlessly or falsely talk of America sending its armies to European fields. This Nation will remain a neutral Nation.

We are arming ourselves not for any foreign war. We are arming ourselves not for any purpose of conquest or intervention in foreign disputes.

This neutrality law is a good law. This is the kind of law that will keep us out of other people's wars.

The definite policy of the United States from now on is one opposed to armed intervention.

The maintenance of constitutional government in other nations is not a sacred obligation devolving on the United States alone.

The first President of the United States warned us against entangling foreign alliances. The present President subscribes to and follows that precept.

Our acts must be guided by one single hard-headed thought, keeping America out of this war.

Words may be futile, but war is not the only means of commanding a decent respect for the opinions of mankind.

I am a pacifist. You, my fellow citizens of 21 American republics, are pacifists.

The Government of the United States has no political involvements in Europe, and will assume no obligations in the conduct of the present negotiations.

If we face the choice of profits or peace, the Nation will answer—must answer, "We choose peace."

I have seen war. I hate war. The effective maintenance of American neutrality depends today, as in the past, on the wisdom and determination of whoever at the moment occupy the offices of President and Secretary of State. Industrial and agricultural production for a war market may give immense fortunes to a few men; for the Nation as a whole it produces disaster.

I can at least make certain that no act of the United States helps to produce or to promote war. I can at least make clear that the conscience of America revolts against war and that any nation which provokes war forfeits the sympathy of the people of the United States.

We will not participate in foreign wars and will not send our Army, naval, or air forces to fight in foreign lands except in case of attack. Your President is following the road to peace. We are arming ourselves not for any conquest or intervention in foreign disputes.

Our President, on October 30, 1940, just a few days before election, said:

And while I am talking to you fathers and mothers I give you one more assurance. I have said this before, but I shall say it again and again and again, your boys are not going to be sent into any foreign wars.

If war should break out again in another continent, let us not blink the fact that we would find in this country thousands of Americans who would tell you—and, unfortunately, their views would get wide publicity—that if they could produce and ship this and that and the other article to belligerent nations the unemployed of America would all find work. They would tell you if they could extend credit to warring nations that credit would be used in the United States to build homes and factories and pay our debts. They would tell you that America once more would capture the trade of the world. It would be hard to resist that clamor. To resist that clamor of greed, if war should come, would require the unswerving support of all Americans who love peace.

Because I am wholly willing to ascribe an honorable desire for peace to those who hold different views from my own as to what those measures should be, I trust that these gentlemen will be sufficiently generous to ascribe equally lofty purposes to those with whom they disagree. Let no man or group in any walk of life assume exclusive protectorate over the future well-being of America, because I conceive that regardless of party or section the mantle of peace and of patriotism is wide enough to cover us all.

There is no demand for sending an American expeditionary force outside our own borders. There is no intention by any member of your Government to send such a force. You can, therefore, nail any talk about sending armies to Europe as deliberate untruth.

The Neutrality Act and other steps were measures to keep us at peace. And through all the years since 1935 there has been no entanglement and there will be no entanglement.

Convoys mean shooting and shooting means war.

The Congress of the United States has given me certain authority to provide safeguards of American neutrality in case of war. The President of the United States, who, under our Constitution is vested with primary authority to conduct our international relations, thus has been given new weapons with which to maintain our neutrality.

It was the prospect of war profits that made our farmers in the West plow up prairie land that should never have been plowed, but should have been left for grazing cattle. Today we are reaping the harvest of those war profits in the dust storms which have devastated those war-plowed areas. It was the prospect of war profits that caused the extension of monopoly and unjustified expansion of industry and a price level so high that the normal relationship between debtor and creditor was destroyed.

All of the wisdom of America is not to be found in the White House or in the Department of State.

The purpose of our defense is defense.

And while we are developing that coolness of judgment, we need in public affairs, above all things, men wise enough to avoid passing incidents where passion and force try to substitute themselves for judgment and negotiation. During my 4 years as Governor and during my years as President, I am proud of the fact that I have never called out the armed forces of the State or Nation except on errands of mercy.

Our first concern is peace—for we know that war destroys, not only human lives and happiness, but destroys as well the ideals of individual liberty and of the democratic form of representative government which is the goal of all American republics.

I am glad to reiterate here a declaration I have previously made that the people of America and the Government of those people intend and expect to remain at peace with all the world.

I give to the people of this country this most solemn assurance. There is no secret treaty, no secret obligation, no secret commitment, no secret understanding in any shape or form, direct or indirect, with any other government, or any other nation in any part of the world—no such secrecy that might or could, in any shape, involve this Nation in any war or for any other purpose.

Mr. Chairman, the President I cannot support is the one, who, after making all the fine promises just enumerated, is now doing all in his power to lead this Nation into war one step at a time. He is surrounded by Cabinet members and aliens who are even more outspoken in their desire to comply with requests of British Army leaders for an American expeditionary force at the earliest possible moment, and seek to create war hysteria by provoking an attack upon us through evasion of law and disregard of the principles of neutrality. If the people are willing to permit flagrant breaking of campaign promises, which involve their very lives and fortunes, they need not expect ever again in this country to have or be entitled to any confidence in campaign promises and oratory. I do not think that they are going to permit such moral decay to dry rot our country, preparing it for collapse in face of real dangers, domestic and foreign, which face us today.

NATIONAL DEFENSE AT ANY EXPENSE, BUT KEEP OUR BOYS AT HOME

Mr. Chairman, like the present Chief Executive of this Nation, I was elected

on a platform that promised to keep this Nation out of foreign war. But, unlike the President, I am endeavoring to live up to my campaign promises. During the campaign of 1940 I pledged to the people of my district that if elected to Congress, I would never vote to send their boys across the sea to fight in somebody else's war. I shall stand by that promise. I further pledged to the people that if elected, I would do all in my power to help put over a program to provide our country with strong national defense. In spite of the waste, graft, and inefficiency shown by the executive department in handling our defense program, I have supported every measure looking to the safety of our country. I know that the administration publicly admits plans to take this Nation into war a step at a time. Every advantage that would be ours in a defensive war would be to our disadvantage in an offensive war. The President says that Hitler must be destroyed. I would like to see Hitler destroyed, but I am unwilling to send 10,000,000 American boys to try to make a landing on unfriendly shores in the face of great bombers, submarines, tanks, and coastal-defense guns. Europe is inhabited by more than 20 races speaking more than 20 different languages and having many hatreds as a result of frequent wars that have occurred since history has been recorded. This Nation cannot police the world and maintain its own freedom. I have observed that those who are so anxious for our participation in the bloody wars now raging in Europe, Asia, and Africa are not the men and women who would shed their blood in the undertaking. They are those invincible in peace, invisible in war.

Mr. Chairman, I know not what course other Members of this House may take with respect to the pending bill, but my respect for my pledged word, my love of peace, and of this great Republic, which has become the greatest Nation of the world under a policy of minding its own business, prompts me to do what I can to defeat the pending resolution which seeks to get around the constitutional provision that Congress alone can declare war.

NATIONAL UNITY

If the President seeks national unity in this dark hour let him submit to Congress a request for a declaration of war. If a majority of the people's representatives favor that resolution I will support the war effort and urge unity until victory. On the other hand, if that resolution should fail, it should be understood that the President will cease his warlike efforts and silence the warmongers in his Cabinet. That is the honest way, the forthright way, the American way. It should be done now. For myself, I would represent the majority of the people in my district by voting against such a declaration which would weaken our position as the arsenal of those fighting aggression, destroy our form of government, and bankrupt the country. We can defend ourselves but cannot police and finance the world.

Mr. Chairman, in these dark hours I agree with President Lincoln's stand taken in his famous speech of February 27, 1860, before Cooper Institute in New York City, when he declared:

> Neither let us be slandered from our duty by false accusations against us; nor frightened from it by menaces of destruction to the Government, nor of dungeons to ourselves. Let us have faith that right makes might; and in that faith, let us, to the end, dare to do our duty as we understand it.

Mr. FISH. Mr. Chairman, I yield such time as he may desire to the gentleman from Oregon [Mr. ANGELL].

Mr. ANGELL. Mr. Chairman, I will vote for this resolution which repeals section 6 of the Neutrality Act. There is much confusion not only among our own Members but throughout the country at large as to the meaning of House Joint Resolution 237, which we are now considering. As a matter of fact it is a simple proposition having for its purpose the repeal of section 6 of the Neutrality Act, which provides that whenever the President shall have issued a proclamation that a state of war exists between foreign nations until such proclamation is revoked, it shall be unlawful for any American vessel engaged in commerce with any foreign state to be armed. This is not a mandate of international law. It is purely a restriction which we ourselves placed upon our foreign commerce. In fact, it is a domestic policy and one with which foreign countries are not concerned. We voluntarily imposed it, and we may voluntarily repeal it if we deem that our best interests will be served by such repeal. It is not a repeal of our neutrality law. Its repeal will not remove the ban against our merchant ships entering combat zones. It is not a declaration of war nor a recognition of the existence of a war in which we are a belligerent. It is simply a precaution taken to provide for our self-defense, the defense of our merchantmen on the high seas. We who favor this resolution say to our citizens who "go down to the sea in ships": "You are not to be exposed to ruthless attack with no means of self-defense. We are going to give you arms—the protection to which freemen are entitled." We are in effect saying to these men: "You shall have the right to bear arms, to protect yourselves against unwarranted assaults." The ships will be equipped with modern guns and equipment and manned with trained Navy personnel in order to cope successfully with bombers in the air or submarines in the sea if attacked in violation of the laws governing the freedom of the seas.

The United States has always been most zealous in protecting the freedom of the seas. In fact, we fought the War of 1812 with England over that very issue. We now guard with great care our right to have our commerce move freely upon the seas without let or hindrance from any nation. We have never as a Nation stultified ourselves by asking of any nation permission to use the high seas for our commerce. Throughout our history we have always maintained the open seas in free trade.

Throughout my service in the Congress I have adhered to the policy of all-out national defense for our country. I believe we should build our defenses so strong that we will be impregnable against attack from any source not only that we may protect our Nation and our citizens but their property and their rights. As a part of this program of national defense the protection of our commerce upon the high seas is most important. We all know of the tragic sinking recently of many American-owned unarmed merchant ships, some of them flying the American flag. It is thus clearly demonstrated that, notwithstanding the self-imposed restriction that our merchant ships shall not be armed for their protection, they are nevertheless being ruthlessly attacked and sunk by the Axis Powers. If there is anything that can be done to afford greater security to our merchant ships and our own American citizens who are manning them, without question that should be done. Under international law merchant ships may freely arm themselves for protection. In fact the ships of other nations are armed. Early in our own history we armed our merchantmen.

I attended the hearings of the House Military Affairs Committee and heard the testimony of Admiral Stark, Chief of Naval Operations, and Admiral Land, head of the Maritime Commission, whose life training and responsibilities qualify them to speak on this technical subject. Each of them testified unreservedly that the arming of our merchant ships will afford greater protection to the ships, their cargoes, and our American citizens upon them. Particularly, they called attention to the fact that an unarmed merchant ship is the easy prey to airplane attack. These airplanes may dive down in easy and deadly range of the unarmed ship before releasing their death-dealing fire, whereas if the merchant ship is armed it may keep the airplane at such an altitude that its aim may not only be less accurate but may indeed protect the ship from any destructive hits. The same is true with reference to submarines. Submarines are exceptionally vulnerable to attack when on the surface. By coming to the surface they may easily destroy an unarmed merchant ship by gunfire, but if they are compelled to use their torpedoes while submerged their opportunity for successful hits are much more remote, and in addition they must use their precious torpedoes of which they only have 10 or a dozen in each ship, costing from six to eight thousand dollars apiece.

I do not profess to have any expert or accurate knowledge of the feasibility of arming our merchant ships and the effectiveness of protecting them by such means. I must rely upon the expert testimony of those we have placed in charge of our defense program and who are in a position to know the facts. As I have stated, these experts have given us the benefit of their experience and knowledge and unhesitatingly advised us that the arming of our merchant ships will place the merchant marine in a much stronger position for defense in case of ruthless attack, such as the ones which have already taken place.

While I believe that we should use every means at our command to build up our national defenses, to preserve the freedom of the seas, to uphold the Monroe Doctrine, and to protect our Western Hemisphere, I also hold the belief that we should not send our American troops overseas beyond the Americas to engage in this or any foreign war unless we are attacked. I do not believe, however, that the arming of our merchant ships—a right granted by international law and a right that we have always adhered to except when voluntarily surrendered—in any way imperils our peace and our security. It certainly does not join us as a belligerent in the war.

Mr. Chairman, the American people are united in the program of arming America to the full and in giving aid to Great Britain and her allies in their struggle against the ruthless Axis Powers. I have given full support and will continue to give such support to this program. All of us, as loyal Americans, will, regardless of party affiliation, join hands in upholding this policy to the end that our own country may be protected and preserved.

Mr. FISH. Mr. Chairman, I yield such time as he may desire to the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Chairman, this legislation is, in my opinion, another step toward war and a definite advancement on the road to another A. E. F.

Any Member of this House who is sincere in his pledge to his people back home that he would never vote to send American boys again into foreign wars cannot do other than to vote against the repeal of section 6 of our Neutrality Act.

It has been definitely stated by our own naval officials that during the World War No. 1, armed merchant ships did not account for a single enemy submarine. On the other hand, more than 30 of these armed merchant ships were sent to the bottom.

We hear much about the sinking of our American ships in this war. The fact, undisputed here, is that not one American life has been lost in this war through the sinking of an American ship flying the American flag.

Oh, yes, the newspapers carry headlines about American-owned ships, with some loss of life, being sunk. These headlines do not state that these ships were under the flag of Panama. No, nor that these Panamanian-operated ships were armed. Flying the flag of Panama for what reason? Just to evade the spirit and letter of our Neutrality Act.

No law will operate as Congress has desired unless the administration will enforce it. Through permitting American-owned ships to go under the Panama flag so ship owners could profit in war traffic is a violation of our Neutrality Act. To come to Congress and ask for this legislation because some of these ships are sunk in their quest for fool's gold is hypocrisy.

Mr. Chairman, the President could today, if he so wished, transfer to the British for operation under the British flag as much of our merchant fleet as is necessary to transport our products to their shores. He has this power. Why does he not use it?

Must we send our sailors and men into war zones on ships some of which will undoubtedly be sunk? Why cannot the British accept delivery of our lend-lease material at our ports?

The administration has here today unsuccessfully attempted to show why this would not be practical. They ask for speed; in this way they can get almost immediate action. They could take our goods direct from our ports to British ports. If a few ships were sunk, no American lives would be lost, and consequently no incident would be created for the fanning of war embers.

You know and I know that once section 6 is struck out of the Neutrality Act, that then will come a demand that our ships be permitted to go directly into the war zone. We know that the Neutrality Act, with the ship-arming provision out of it, is due for further decapitation. We cannot be half way in or out of this war.

Last October 23 the Nation was told by the President:

> We will not participate in foreign wars, and we will not send our Army, naval or air forces to fight in foreign lands, except in case of attack.

Had the President not been swerved from this statement given during an election campaign, our troops would not have gone to Iceland, and no incident such as the attack on our destroyer near Iceland would have occurred today.

If we expect to ship munitions of war to one belligerent, we must expect losses in our shipping. To arm our merchant vessels with one or two light guns will not prevent such loss. That was definitely proven in World War No. 1.

Let the British people come to our shores, sailing ships we give them, under their own flag, and take away all the material they need to crush the enemy. We can produce it; we want to help them, but we do not want to get into this war because a few ships carrying these gifts of ours are sunk with American seamen aboard.

Mr. FISH. Mr. Chairman, I yield such time as he may desire to the gentleman from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. Chairman, we are today forced to make a most vital decision. The action taken on the modification of the Neutrality Act will no doubt have a direct bearing on our entry into the European war as an active belligerent. It is my hope that we can discuss this issue and cast our votes on its merits. We must not be swayed by sentiment in this important decision.

As I approach this issue I am going to submit to myself several questions.

First, why did we enact a neutrality law? In about 1934 or 1935 the citizens of our Nation observed that another European war was threatening. Congress at that time set about carefully studying the enactment of legislation that would keep us from involvement in that or any other future foreign war. From that date on we enacted several versions of Neutrality Acts. Extensive studies were made as a result of our first World War experience. The President of the United States sent an urgent message to Congress recommending the enactment of this type of legislation, and on November 3, 1939, we enacted the present version of the Neutrality Act. Right or wrong, this act was passed with but one idea in mind, and that was to keep this Nation from becoming involved in the European war. When President Roosevelt signed the act into law he made this comment:

> This is a good law. This is the kind of a law that will keep us out of other people's wars.

Secondly, has the Neutrality Act kept us out of war, and what are the facts regarding it? The Neutrality Act has served its purpose well. It has prevented direct loss of American lives and property in the war zones. Secretary of the Navy Frank Knox has stated, in demanding repeal of the law, that "it is no longer an asset, but a liability." It might be well for us to look back upon the effect of the arming of merchant ships in 1917 during the first World War. The President, by Executive order, armed our merchantmen when Congress failed to take direct action. We are advised that following the arming of our merchantmen we lost 35 armed ships which were sunk with a loss of 58 lives. Not only that, not one armed merchant ship was credited with sinking a submarine, or according to Admiral Stark, with inflicting substantial damage on any enemy craft. In view of the past history of arming merchant ships, would we be justified in authorizing the arming of our present merchant fleet?

The third question is whether or not the arming of our merchant ships will get us into the European war. Some may say that we are already at war, and with this will not take issue, but if we are it is a clandestine war, and the fact is that so far we have not lost an American seaman and only one or two American-flag merchant ships have been lost. We must also remember that in 1917 war was declared only 24 days after the President's Executive order in regard to arming our merchant ships. The distinguished Senator from Nebraska [Mr. NORRIS], who is the only present Senator who voted against our entry into the World War, recently stated that repeal of the Neutrality Act would mean war. The matter under discussion today does not call for the entire repeal of the act, but it does call for a modification that will probably be but another step in that direction. The facts are that by one modification after another we will soon have repealed the entire act.

Immediately on arming our merchant ships they become, according to international law, men-of-war and are subject to no more consideration than destroyers or other war craft. It is easy to imagine how helpless a slow-moving armed freighter becomes to airplane and submarine attack. It is unfair to American sailors and seamen. Taken alone, the arming of our merchant ships and putting them in direct war trade might not mean war, but in the present situation and in conjunction with other recent moves it will be taken at home and

abroad as a blank check for an undeclared war.

It is my opinion that the arguments are much stronger against arming our merchant ships than the arguments that have been presented for the modification of the act.

Mr. FISH. Mr. Chairman, I yield such time as he may desire to the gentleman from Minnesota [Mr. O'HARA].

Mr. O'HARA. Mr. Chairman, in considering House Joint Resolution 237, to repeal section 6 of the Neutrality Act of 1939, and for other purposes, I have listened closely to the debate which has taken place and I have also read with interest what the RECORD shows has been said in debates upon various phases of our neutrality law since 1935.

Mr. Chairman, I feel that the country as a whole and Members of Congress would be interested in having before them what the RECORD shows has been said upon the important subject of neutrality, and under leave to include my remarks I submit the following compilation:

NEUTRALITY ACT OF 1935

Mr. PITTMAN. Mr. President, I have stated the substance of the entire joint resolution. I say frankly that the committee did not deal with the question of credits during war, although a joint resolution on behalf of the Senator from Missouri [Mr. CLARK], the Senator from North Dakota [Mr. NYE], and the Senator from Idaho [Mr. POPE], and others, did deal with that question and was referred to our committee.

After long conferences and many meetings with the committee of the office of the Secretary of State, including the Secretary himself, the Under Secretary, Mr. Moore, the Assistant Secretary, and their experts, our subcommittee came to the unanimous conclusion that these provisions were so protective in themselves that there would be little reason for a country wishing to borrow money from the United States, and there were other reasons why they would not; that the whole question of existing debts owing to the United States by foreign countries under the legislation which has already been enacted with regard to those countries which have not paid their debts, reached the large countries, and the committee were unanimously of the opinion that the subject was too intricate, too involved, for us to attempt to pass a measure dealing with it at this session of the Congress. (CONGRESSIONAL RECORD, August 21, 1935, p. 13954.)

Mr. VANDENBERG. When the Senate acted upon the neutrality joint resolution it was generally asserted in the press of the country that we were in violent difference with the State Department upon the entire matter. I ask the Senator whether it is not a fact that the State Department was in agreement with the Committee on Foreign Relations in respect to the joint resolution which was reported from the Foreign Relations Committee and passed by the Senate?

Mr. PITTMAN. I may state that either the Secretary of State, the Under Secretary of State, or the Assistant Secretary of State was in conference with the Senate subcommittee for 5 or 6 weeks. There was general agreement with regard to all the matters that are here included. As to section 1, the State Department had a section drawn which gave to the President of the United States a discretion as to whether or not he would put in force an embargo upon the shipment of arms and ammunition and implements of war. The majority of the subcommittee desired that it should be unlawful, upon the finding of the fact of war, to ship arms or ammunition or implements of war to any of the belligerent countries. The State Department stated that they preferred their discretionary section, but that they would not oppose the section proposed by the subcommittee and would consent, so far as they could, to the joint resolution as finally adopted by the full Committee on Foreign Relations. (CONGRESSIONAL RECORD, August 23, 1935, p. 14282.)

Mr. MAVERICK. Now, Mr. Speaker, the resolution which is presented today is, in my opinion, not a very good one and does not cover the situation fully. It is by no means complete; I believe it better than nothing. The rule provides that it be adopted without amendment. I am generally opposed to those rules, but I believe we should go home now and that we should do something before we leave. Therefore, I hope we will vote for this rule and vote for the bill and put the whole thing over. It will at least be one step ahead.

* * * * *

Now, my third point is that when we return we should then go into this fully and enact far-reaching, comprehensive, clear-cut legislation, and not be afraid of crusty advisers of the State Department or noisy admirals. We know that by precedent nothing has been done to stop war, so let us break some precedents, and next year let us not wait until the last minute and vote for some more incomplete legislation. Let us all resolve to study the question in the meantime and come back in January and do our duty promptly. (CONGRESSIONAL RECORD, August 23, 1935, pp. 14356–14357.)

Mr. SISSON. Mr. Speaker, I am very earnestly in favor of the immediate passage of this rule, because I am equally earnestly in favor of the passage of this bill and of the bill as it is. It is not a case of a gag rule, because it is obviously unthinkable that we should attempt to legislate from the floor on a matter of this character which has been considered for months and months and months by both the Senate and House committees.

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I may say for the benefit of those who have not had an opportunity to examine it that this is the Senate bill. The issue as between mandatory legislation and permissive or discretionary legislation has been settled, at least for the time being, and I hope for all time, in favor of mandatory legislation. I, for one, want to assure the gentleman from Massachusetts that if I am back here at the next and succeeding sessions, I will use my voice and vote never to permit any President of the United States to become a dictator in reference to our foreign policy. (CONGRESSIONAL RECORD, August 23, 1935, p. 14358.)

Mr. LUDLOW. Mr. Speaker, I agree with my distinguished colleague, Mr. Sisson, of New York, that from the standpoint of vital importance to the welfare of America the bill we are passing today, the so-called Senate mandatory neutrality bill, takes first rank among the accomplishments of the first session of the Seventy-fourth Congress. With the world in turmoil due to the activities of a dictator who seems to be hell bent on war, and with war already brooding over Europe, Africa, and the Orient, it is of the most extreme and pressing necessity that we shall do something to keep America from becoming involved In these exigent circumstances this bill is a wise, salutary, and timely piece of legislation and it should pass this body unanimously so that the world may know by this significant action of the Chamber of the American Congress which stands closest to the people, and therefore is in a position to interpret the heart and conscience of this Nation, that in the event of another world war America is determined to remain neutral, attend to its own business, and keep its skirts free from the carnival of blood.

* * * * *

This neutrality bill is one form of manifestation of the philosophy to which I have referred, and, in my opinion, it reflects the heart and soul of America. If there is one thing on which the people of America are determined, it is that our boys shall not be sent to far distant lands to mix in quarrels that are not our own, to kill other boys, and to be killed by other boys who have no personal grievance against us, as we have none against them, and who do not speak our language. (CONGRESSIONAL RECORD, August 23, 1935, p. 14359.)

Mr. FORD of California. Mr. Speaker, I am approving of this resolution for the reason I believe it is the best we can get at this time.

The world stands at the brink of a very grave crisis. Europe is once more threatened by the grim specter of war, and any step that the Congress of the United States can now take that will keep America from becoming embroiled in that bloody strife is a step which I, for one, am willing to support.

I repeat, I am going to vote for this resolution, although it is not as drastic as I had hoped it would be. One defect in this resolution is the leaving out of the provision barring loans to or the sale of the securities of the warring nations in the United States (p. 14360).

Mr. MARCANTONIO. Mr. Speaker, for one, I was in favor of trying to have adopted a resolution which would have fixed for all time a permanent policy, rather than fixing it up to February 29, 1936. However, as Senator CLARK has stated, it is better to have a little bit of something than to have a great deal of nothing; and fully realizing that unless we can have harmony on this particular resolution, and fully realizing that it is more than likely that if we offer amendments or attempt to vote down the previous question, we may get into such a legislative jam at this late hour of Congress that even this resolution might be defeated and lost, I prefer to go along with the previous question and support the resolution.

* * * * *

A neutrality policy should not be left to the discretion of the Executive or any branch of the executive department. A neutrality policy should be legislated by the House and by the Senate, legislated by the representatives of the American people, and that policy should be fixed permanently by us. (CONGRESSIONAL RECORD, August 23, 1935, p. 14360.)

Mr. KOPPLEMANN. Mr. Speaker, * * * if we pass this resolution, those who incite to race riots and who are perhaps looking to race warfare will realize that such activity will be of no avail. With the adoption of this neutrality resolution there will be an immediate end to race riots in this country, because those participating in them, because they feel themselves in allegiance bound to one or other of the belligerent countries, will know that the United States is without equivocation neutral, and that the people of this country will not stand for any display of friendship for either Italy or Ethiopia on the part of residents here, which friendship evidences itself in any sort of conflict. Race riots, unless they are immediately stopped, and their stopping backed by neutrality legislation which will keep this country absolutely impartial to warring nations, will lead to race wars.

This question of neutrality is not one of passive interest to the American people. They want neutrality and they want neutrality legislation which will leave no doubt that the United States will in no way aid any nation at war. My mail in the last few days has not increased but my telegrams have. Our people dare not take the time to write a letter. They dare not wait for the mails to bring us their pleas that we keep out of the impending war. They are afraid that we will not act, or act the wrong way, if they do not immediately and by the quickest route tell us that we must pass the strong neutrality

legislation. (CONGRESSIONAL RECORD, August 23, 1935, p. 14361.)

Mr. JOHNSON of Texas. We know from experience how difficult it is to maintain neutrality when major powers are at war, and our love of peace should prompt us to bury our differences as to the form such legislation should take and agree to pass now this resolution which we are assured may be enacted into law. The end of the session is too near at hand to jeopardize the passage of this important resolution by loading it down with amendments which would necessitate a conference between the two Houses and likely result in no legislation. (CONGRESSIONAL RECORD, August 23, 1935, p. 14366.)

Mr. JOHNSON of Oklahoma. If the gentleman will permit, I am in hearty accord with the purpose of the pending resolution. But under the terms of this bill I am wondering if there is anything to prevent manufacturers in this country from shipping implements of war to a neutral country and their being reshipped from the neutral country to one of the belligerents? We know that has happened in the past.

* * * * *

I am glad, therefore, to vote for this resolution which is designed to and I think will materially reduce the danger of our country's becoming involved in war if other nations should decide to fight. (CONGRESSIONAL RECORD, August 23, 1935, p. 14367.)

EXTENSION OF NEUTRALITY ACT, 1936

Mr. KLOEB of Ohio. Mr. Speaker, I desire, first, to commend the chairman of the Foreign Affairs Committee of the House and the members of that committee, my colleagues, for their fine work during the past 6 weeks in the consideration of neutrality legislation. Personally, I come here not to defend, but I come here to maintain. This bill that we are considering needs no defense. We have not forgotten the heart of the McReynolds bill. We have taken the heart from that bill, the section prohibiting loans and credits, and inserted it in this measure.

* * * * *

When the *Lusitania* went to the bottom of the sea she carried on her decks and in her hold three glaring errors that contributed toward our entry into that war. First, she carried 4,200 cases of ammunition. Second, she carried that ammunition sold on credit. Third, she carried on her decks 159 American citizens going for a joy ride on a belligerent vessel, bound for belligerent shores, and 124 of them went to the bottom of the sea. Hence, a law designed to plug those holes, that would prohibit the sale and exportation of munitions of war, that would forbid the making of loans and the extension of credit wherewith to purchase commodities to conduct war, and that would forbid American citizens to travel on belligerent vessels, would give us a comprehensive neutrality law that certainly, at this time, would accomplish everything that, with safety, we could hope to accomplish in this body. The bill before us meets these very requirements. (CONGRESSIONAL RECORD, February 17, 1936, p. 2243.)

Mr. JOHNSON of Texas. Be it said to the credit of the United States of America that it has been conspicuous among the nations of the earth in seeking to promote peace.

The proposed legislation on neutrality is another evidence of our desire to prevent war and is designed to eliminate or minimize the hazard of our country becoming involved in a war between other countries.

* * * * *

The value of this legislation is fourfold:

First. It proclaims to the world that the United States stands for peace and will not become involved in the wars between foreign countries.

Second. It sets an example in pioneering in the passage of neutrality legislation, which it is hoped that other governments may emulate.

Third. It discourages war between other countries by our Government refusing to furnish arms, ammunition, or implements of war and also credit. No war can be successfully carried on without these, and a bill that prohibits our country or its citizens from contributing these essentials of war is a substantial discouragement to the conduct of war by other countries.

Fourth. It removes some of the irritating causes which might lead our country into war by restricting our citizens in their dealings with belligerent nations. We cannot pass any legislation here that will prevent war, for war is produced by a state of mind, and when the passions of a people become inflamed, war is inevitable. But we can remove some of those irritating causes when other nations are engaged in war, which will make it less likely that we shall become involved therein.

We are still paying the penalties of the last great war, and our children and the generations yet to come will continue to do so. The signing of the armistice and the subsequent treaty of peace ended hostilities, but it did not end the suffering and sacrifices of our people nor of the other peoples of the world. (CONGRESSIONAL RECORD, February 17, 1936, pp. 2244–2245.)

Mr. HEALEY of Massachusetts. The eyes of the world are upon the action of this Congress today. This legislation is of tremendous importance and it is fraught with many possibilities so vital to our own future happiness and security. Thousands of our own citizens of Italian extraction, who are naturally interested in the fate of the mother country, are looking anxiously toward us. They have been fine, industrious, patriotic citizens, men and women who have hallowed our shores with their homes, have raised their families here and given willingly of their children to the service of their adopted country in the World War. Surely, the American people recognize too great a debt of gratitude to Italy for its contributions to this Nation in the development of our common country and our civilization in the realm of exploration, arts, sciences, and other fields of human endeavor to pass legislation, which by all accepted principles of international law, would amount to an unfriendly and hostile act toward a traditionally friendly nation.

* * * * *

Now, Mr. Speaker, the American people do not desire to be projected into the whirlpool of dubious diplomacy and intrigue of Europe, but want only to safeguard their own future peace and security.

Mr. Speaker, it is with a sense of gratification that I will cast my vote for this bill because I believe it will best serve the interests of our common country and because I believe that such legislation is the only sane measure to pass under present circumstances (p. 2247).

Mr. JOHNSON of Oklahoma. * * * Mr. Speaker, it is my understanding that if and when this resolution is passed it will expire within about 14 months. In the meantime the American people will at least have a breathing spell from the probability of America's being dragged into any foreign war. Do not tell me that is worse than nothing. Do not tell me that is not worth the effort put forth by the committee. We heard our distinguished chairman say this is the best compromise measure possible to secure at this time, and we know that he is an honorable, truthful gentleman who has the confidence and respect of every Member of this House, irrespective of political affiliations.

Let us support the pending resolution today—a resolution that is at least a great forward step toward maintaining the peace of the world. Then let us come back here next year and pass a more far-reaching bill with real teeth in it (p. 2248).

Mr. LAMBETH, of North Carolina. * * * I do not wish the United States to remain for belligerents, as it was during the last war, a base of supply of essential war materials in abnormal quantities, and this was the purpose and philosophy of section 4 of the McReynolds bill.

The bill now under consideration represents a forward step, and an important step, in that it restricts loans and credits to belligerents. We should make haste slowly in this extremely difficult and complicated area of neutrality legislation. (CONGRESSIONAL RECORD, February 17, 1936, p. 2252.)

Senator BONE of Washington. * * * I am not concerned whether we call it neutrality, or keeping out of war. I want this country to keep out of war, and if it is necessary, in order to save America and keep our boys home, to stifle the right of every man to make a nickel out of that kind of business, I am willing to go to that length. Were I the only man in the Senate with that viewpoint, I should have no hesitancy in expressing it.

The American people are being forced to face some grim facts. Last year we appropriated a billion dollars for the peacetime needs of the Army and Navy, and this year we are appropriating more than a billion dollars. How long can we continue such expenditures on top of all the other costs incident to the dislocations of war and the depression? We all realize that many of these tragic things with which we wrestle in this depression were due to war. They were the legitimate offspring of war.

I submit that the Senate should adopt an amendment of the kind I have offered. It was apparently so logical that it was tendered by the able Senator from Nevada, and I think he was sincere and honest when tendering it, and I do not know why he withdraws it.

I am sorry that the administration takes the position that it should not adopt this, that there is something extraordinary or bizarre about this proposal to compel men who want to do a war business, to do it in war zones at their own risk. (CONGRESSIONAL RECORD, February 18, 1936, p. 2294.)

NEUTRALITY ACT, 1937

Mr. PITTMAN. * * * On the 13th day of March 1917, President Wilson proclaimed armed neutrality and ordered the arming of our merchant vessels. This was the gravest mistake that our Government made. It was even a foolish act. A cannon on a merchant ship is no defense against a submerged submarine and only invited attack, as was subsequently proven. From the beginning of the war down to the date of the proclamation for the arming of our ships only 7 lives were taken of American citizens by reason of the sinking by submarines of American merchantmen. Between that date and our entry into the war on April 6, 1917, from such cause we lost the lives of 63 citizens. President Wilson, in his war message, recognized the failure of armed neutrality.

* * * * *

I can conceive of no argument against the adoption of the section of the resolution prohibiting the arming of our merchant ships. While there is grave danger of another world war, and while I expect to see submarines used as commerce destroyers in the next war in the manner they were used in the last, I do not believe that any belligerent country, when they know that our merchant ships are not armed, and that they are so identified otherwise than by the flag that their nationality will be certain, and that they will stop upon demand and submit peaceably to visit and search, will sink our merchant vessels without notice, and without complying with the humane customs of visit, search, and seizure universally accepted by nations. If this is true, then this provision, together with the provision prohibiting American citizens traveling upon belligerent ships, should eliminate the danger of the loss of life of our citizens, and remove the greatest cause that could incite us to war.

I now come to the discussion of subsection (a) of section 2. This subsection grants to the President authority to prohibit American merchant ships from transporting to belligerents articles and materials other than and in addition to arms, ammunition, and implements of war, when he shall find and proclaim that the placing of such restrictions is necessary to promote the security or preserve the peace or neutrality of the United States, or to protect the lives and commerce of nationals of the United States. Such restrictions do not apply until the President has issued his proclamation as to the existence of war and has named the belligerents. When this has been done and the restrictions are so placed on our ships, they apply to transportation to all belligerents, equally and alike.

Let us keep in mind the fact that the restrictions provided for in subsection (a) of section 2 apply solely to American vessels. The chief object of such restrictions upon American vessels in the event of a widespread war in which we are neutral is to protect the lives of our seamen on American merchantmen transporting freight to belligerents or for transshipment to belligerents. We must look to our experience in the World War in attempting to protect the lives of our citizens in the next world war.

* * * * *

I have heretofore discussed the provision in this resolution prohibiting the arming of our merchant ships, and requiring proper identification of our ships other than by the use of the flag. If this provision should be adopted, I am convinced that no submarine would sink our ships without notice, and that they would follow the humane and customary rule of visit and search. If such should be the case, then there would be no necessity for the enforcement of this restriction on American ships. It is true that some of the goods on board might be confiscated, and American ships might desire to take that risk, but, in any event, the lives of our seamen would be preserved.

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We are dealing in this legislation with what we consider restrictions that will keep us from being involved in such controversies, for fear that the controversies may lead to war, rather than attempted adjustment of matters after war.

The United States is not in a position sincerely further to protest against the action of the belligerent governments with regard to contraband, because just as soon as we entered the World War we issued and proclaimed an absolute contraband list which included substantially every material essential to the industry and life of the people of a country; and we also adopted substantially the same definition with regard to contraband that was originally adopted by Great Britain and her allies.

* * * * *

Such a war may come again; in fact, the world today is preparing for such a war. If it comes, let us not be in the position we were in before we entered the last World War. Let us not drift along through diplomatic correspondence and protestation with regard to neutral and belligerent rights while the destruction of the lives of our citizens goes on, until eventually there is repeated the death and destruction and misery and grief that we experienced and the conditions that we have suffered ever since the last great war.

I sincerely believe that the enactment of this joint resolution will keep us out of the next great foreign war. I appeal for the passage of this resolution. (CONGRESSIONAL RECORD, March 1, 1937, pp. 1669–1673.)

Mr. MCREYNOLDS. * * * Mr. Chairman, every Member recognizes the interest of the people of the United States in proper neutrality legislation. The idea is prevalent that neutrality legislation can be so perfected that it can keep us out of war. No legislation can keep us out of war, but we can pass legislation perhaps controlling shipments of war materials and controlling the conduct of our people with certain limitations that will enable us and assist us in keeping out of war. All are trying to reach the same goal. The question is the remedy. (CONGRESSIONAL RECORD, March 12, 1937, p. 2155.)

Mr. KLOEB. * * * Mr. Chairman, we are the last remaining bulwark of western civilization. If we permit ourselves to become engulfed in another world catastrophe and our manhood to be bled white, then it can mean but one thing—the abdication of the supremacy of the white race and the ascendancy of the yellow race.

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The verdict, my friends, whether we shall go in or stay out of the next world war, if and when it comes—and God grant that it does not come—rests finally with the American people. By enacting the McReynolds bill into law we will be taking such precautionary steps as are reasonable and advisable from our present-day viewpoint. (CONGRESSIONAL RECORD, March 12, 1937, p. 2171.)

Mr. HOUSTON. * * * And so our neutrality policy, on the one hand, and the mobilization of industry if war comes may involve some loss of profit to some of our citizens. It may not find favor among the manufacturers of munitions and of supplies for belligerents, but loss of profit is not comparable to loss of lives and the suffering occasioned by war. A repetition of the mistakes of the World War period must not be made, and the mobilization of the Nation will eliminate one of the causes of war—the ability of men to profiteer.

The situation in Europe and the Far East is grave, but a general conflict may yet be avoided, and until it is determined that hope for world peace is futile, we must enforce the cessation of all trade in arms with belligerents, and work for the removal of barriers to trade with nations at peace. Economic isolation is not a protection against war; in fact, those nations of the world who most nearly approach that state are now menacing world peace. Peaceful negotiation and commercial ties making nations more dependent upon one another must be encouraged. (CONGRESSIONAL RECORD, March 12, 1937, p. 2180.)

Mr. FORD of Mississippi. Mr. Chairman, were it not for the lessons we learned in the World War, the time of the Congress would not be taken in considering this piece of legislation. It is with the hope that it will prevent future wars, or at least have some beneficial result upon keeping this country out of war, that the Committee on Foreign Affairs has brought this legislation to the Congress.

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When we undertake to transport our goods to belligerent countries we are placed in a position where our vessels are likely to be sunk, and if our ships are sunk and lives of our citizens are lost then we find ourselves in the position of declaring war against the country causing our loss and we do it to maintain the freedom of the seas. That gets us right back to the proposition argued a little while ago of surrendering the freedom of the seas. We do not surrender anything whatever in the way of freedom of the seas under the provisions of the McReynolds bill except that we say to our vessels that we are not going to invade the territory and war zones of those countries engaged in war. We will carry our commerce to those people when they are at peace, but when they become engaged in war we leave it to them to come and get the products of this country if they desire them with the exception of arms, ammunition, and actual implements of war, which, under the terms of the bill, cannot be exported to a belligerent in any manner when the President has issued a proclamation that there exists a state of war. (CONGRESSIONAL RECORD, March 12, 1937, p. 2180.)

Mr. LUCAS of Illinois. Mr. Chairman, I am very much interested in this neutrality bill. In my humble judgment next to the reorganization of the Federal judiciary as recommended by the President of the United States, there is no other question of such importance.

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Under these circumstances, if we forget the policies and precedents of yesterday, we have a right to adopt policies and precedents that are in keeping with the spirit of the day. In my opinion, this bill is a sober and durable triumph of cold American reason and logic over an outmoded policy under which for a period of 150 years private interests have been protected by the beneficent arm of a grateful Government. The time has come when private interests and some national pride must be submerged in the interest of public necessity and national demand (CONGRESSIONAL, March 15, 1937, pp. 2255–2256).

Mr. JOHNSON of Texas. I shall now address myself to a consideration of the pending bill. The word "neutrality" is used as a short-term designation of this legislation, but a more appropriate and possibly a more accurate title would be, "a bill declaring the hostility of the United States against war, and to prevent our Nation from becoming involved in foreign wars."

That is the laudable purpose and the intent actuating the author of the bill, the distinguished chairman of the Foreign Affairs Committee [Mr. MCREYNOLDS] and the other members of the committee who have worked with him in its preparation. It was not hastily prepared, the subject has been considered by our committee for several years, and the bill as reported represents the composite judgment of the majority of that committee after lengthy and exhaustive hearings at this and previous sessions of Congress. The subject of neutrality is a complex and complicated one, and the views of those who have given it long, serious, and conscientious consideration are entitled to have weight with the membership of the House.

It is a bill in which the American people are deeply interested, because if there is one question on which we are all united, it is a determination to keep this country out of war (CONGRESSIONAL RECORD, March 16, 1937, p. 2266).

Mr. ALLEN of Pennsylvania. * * * Careful reflection will convince you that the McReynolds bill is the most logical and constructive step which has yet been taken to insure neutrality to the United States. It is a pioneering effort in legislation which is comparatively new in its purpose. Experience and experience alone will teach us wherein it is weak. Remember that it can be changed and amended if necessary in future months. It is my earnest hope that this Congress will pass the bill now without amendment and give it the opportunity which it rightfully deserves (CONGRESSIONAL RECORD, March 16, 1937, p. 2277).

Mr. KOPPLEMANN of Connecticut. Mr. Chairman, the subject we now have under consideration, that of formulating a permanent neutrality policy for the United States, is to my mind the most important subject that has come before the country during this session. The expression of interest from all parts of the country indicates that the American people want to be fully protected against the danger of involvement in a foreign war. It is important, therefore, that we consider any specific neutrality proposal from this viewpoint. Will the bill before us help keep this country out of war? If it will not, then the bill must be amended so as to provide the maximum protection against the danger of war. To do less than adopt the strongest possible program would, in my judgment, be a mistake.

Personally I would prefer a situation wherein the United States could act in concert with other nations of the world for the settlement of international disputes without recourse to war. I believe the United States occupies too prominent and necessary a position in the world sphere to permanently remain aloof from world problems. The influence and counsel of this Nation should be and would be of help to other countries. Even a minor war has its disastrous repercussions and for civilization's sake war should be abolished. Naturally the most effective method for the abolition of war lies in concerted action by all nations.

But it seems that the world is not ripe for a union of nations to solve disputes amicably. War threats in Europe, and Asia for that matter, cannot be minimized. The American people do not want war. Therefore, we have no recourse but the selfish protection of neutrality. If we cannot help stop world war, at least we can save ourselves, thus avoiding war, avoiding the devastating after effects we will be in a better position when the world has settled down again to lead the way to world peace.

Since selfish protection is the only thing left for us today, we must go all the way. No loophole must remain through which the American people may be dragged into a foreign war not of their making and not of their will. (CONGRESSIONAL RECORD, March 16, 1937, p. 2284.)

Mr. JOHNSON of Oklahoma. * * * The pending bill plugs at least three holes, any one of which might drag this Nation into another ghastly and expensive war:

First, it contains a mandatory provision making an automatic embargo upon the sale of munitions to belligerent nations.

Second, it contains a mandatory prohibition against extending loans and credits to such warring nations.

Third, it makes it illegal for American citizens to travel on the high seas on belligerent vessels and also makes a mandatory prohibition against same except at their own risk.

So it is absurd to say that the pending legislation is an empty gesture or to intimate that it is worse than nothing at all.

With these cardinal principles as a background, as a bulwark on which we have constructed this important legislation, a warmad world will be given to understand that America does not propose to be inveigled into another war beyond the sea but will heed the advice of George Washington, who gave mighty sound advice when he urged America to stay out of entangling alliances in the Old World.

* * * * *

* * * Although this legislation does not go as far as I had hoped it would go, it is built upon sound, just, and unselfish principles and is a milestone toward which America and peace-loving Americans are now endeavoring to travel toward the goal of world-wide peace. (CONGRESSIONAL RECORD, March 16, 1937, p. 2290.)

Mr. EEITER of New York. Mr. Chairman, in considering the neutrality bill now before the Congress, it seems to me that, if anything, it does not go far enough in achieving real neutrality, which is the concern of every American citizen. This matter has never been more important than it is today, and popular opinion demands a strong neutrality policy which will afford every protection against our country being involved in a foreign war.

* * * * *

If this new law is to offer protection against dangerous entanglement in future wars, it must provide for an embargo against munitions as well as other war materials to belligerent nations. No loans or credits shall be permitted to countries involved in war, and these embargoes shall be enforced against both sides in the conflict. In order to achieve true neutrality, American citizens will not have the protection of this Government when traveling in war territory, and no citizen of this country will be permitted to retain an interest in any shipments made to warring nations after they leave the ports of the United States. This neutrality shall be applicable to civil as well as international strife, as civil war at the present time carries an ever-increasing threat of international or world war.

I heartily endorse all suggestions for a mandatory neutrality policy which will definitely show that the United States is opposed to war. When this country can no longer be used as a source of war supplies, warring nations will be forced to find some other method of adjusting conflicts rather than wars which depend to a large extent on munitions and other war materials manufactured in the United States.

It is urgent that neutrality legislation be enacted without delay, before war which threatens actually comes. It is a difficult matter to write a neutrality policy after war has come without appearing to favor one side or the other in that war. When war comes, it is going to be increasingly difficult to remain out of that war unless we are protected by a strong neutrality law, as the temptation to prosper by that war may in time tend to destroy our neutrality and lead us into war. Any neutrality policy which may be strong enough to keep this country out of war will result in the loss of a cash gain and deny to all of us participation in that prosperity which comes out of economic participation in foreign wars. However, from our experience in the last war, we all know that we cannot share economic gain from a war and not be involved politically, and loss of profit is not so great a loss as the lives of our sons and other suffering caused by our being involved in war. (CONGRESSIONAL RECORD, March 16, 1937, pp. 2290–2291.)

AMENDMENTS TO THE NEUTRALITY ACT—1939

STATEMENTS OF PRESIDENT ROOSEVELT ON THE NEED FOR AMENDING THE NEUTRALITY ACT—1939

At the very least, we can and should avoid any action, or any lack of action, which will encourage, assist, or build up an aggressor. We have learned that when we deliberately try to legislate neutrality, our neutrality laws may operate unevenly and unfairly—may actually give aid to an aggressor and deny it to the victim. The instinct of self-preservation should warn us that we ought not to let that happen any more. (Message to Congress, January 4, 1939.)

I am advised that by a vote of 12 to 11 the Senate Committee on Foreign Relations has deferred action on peace and neutrality legislation until the next session of Congress.

I am appending hereto a statement from the Secretary of State which has my full approval, and which I trust will receive your earnest attention.

It has been abundantly clear to me for some time that for the cause of peace and in the interest of American neutrality and security, it is highly advisable that the Congress at this session should take certain much needed action. In the light of present world conditions, I see no reason to change that opinion. (Message to Congress, July 14, 1939.)

At the outset I proceed on the assumption that every Member of the Senate and of the House of Representatives, and every member of the Executive branch of the Government, including the President and his associates, personally and officially, are equally and without reservation in favor of such measures as will protect the neutrality, the safety, and the integrity of our country and at the same time keep us out of war.

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For many years the primary purpose of our foreign policy has been that this Nation and this Government should strive to the utmost to aid in avoiding war among other nations. But if and when war unhappily comes, the Government and the Nation must exert every possible effort to avoid being drawn into the war.

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Last January, in the same message, I also said: "We have learned that when we deliberately try to legislate neutrality, our neutrality laws may operate unevenly and unfairly—may actually give aid to an aggressor and deny it to the victim. The instinct of self-preservation should warn us that we ought not to let that happen any more."

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On July 14 of this year I asked the Congress, in the cause of peace and in the interest of real American neutrality and security, to take action to change that act.

I now ask again that such action be taken in respect to that part of the act which is wholly inconsistent with ancient precepts of the law of nations—the embargo provisions. I ask it because they are, in my opinion, most vitally dangerous to American neutrality, American security, and American peace.

These embargo provisions, as they exist today, prevent the sale to a belligerent by an American factory of any completed implements of war, but they allow the sale of many types of uncompleted implements of war, as well as all kinds of general material and supplies. They, furthermore, allow such products of industry and agriculture to be taken in American-flag ships to belligerent nations. There in itself—under the present law—lies definite danger to our neutrality and our peace.

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Let me set forth the present paradox of the existing legislation in its simplest terms. If, prior to 1935, a general war had broken out in Europe, the United States would have sold to and bought from belligerent nations such goods and products of all kinds as the belligerent nations, with their existing facilities and geographical situations, were able to buy from us or sell to us. This would have been the normal practice under the age-old doctrines of international law. Our prior position accepted the facts of geography and of conditions of land power and sea power alike as they existed in all parts of the world. If a war in Europe had broken out prior to 1935, there would have been no difference, for example, between our exports of sheets of aluminum and airplane wings; today there is an artificial legal difference. Before 1935 there would have been no difference between the shipment of brass tubing in pipe form and brass tubing in shell form. Today there is. Before 1935 there would have been no difference between the export of a motortruck and an armored motortruck. Today there is.

Let us be factual and recognize that a belligerent nation often needs wheat and lard and cotton for the survival of its population just as much as it needs antiaircraft guns and antisubmarine depth charges. Let those who seek to retain the present embargo position be wholly consistent and seek new legislation to cut off cloth and copper and meat and wheat and a thousand other articles from all of the nations at war.

I seek a greater consistency through the repeal of the embargo provisions and a return to international law. I seek reenactment of the historic and traditional American policy which, except for the disastrous interlude of the Embargo and Nonintercourse Acts, has served us well for nearly a century and a half.

It has been erroneously said that return to that policy might bring us nearer to war. I give to you my deep and unalterable conviction, based on years of experience as a worker in the field of international peace, that by the repeal of the embargo the United States will more probably remain at peace than if the law remains as it stands today. I say this because with the repeal of the em-

bargo this Government clearly and definitely will insist that American citizens and American ships keep away from the immediate perils of the actual zones of conflict.

Repeal of the embargo and a return to international law are the crux of this issue.

The enactment of the embargo provisions did more than merely reverse our traditional policy. It had the effect of putting land powers on the same footing as naval powers, so far as sea-borne commerce was concerned. A land power which threatened war could thus feel assured in advance that any prospective sea-power antagonist would be weakened through denial of its ancient right to buy anything anywhere. This, 4 years ago, gave a definite advantage to one belligerent as against another, not through his own strength or geographic position, but through an affirmative act of ours. Removal of the embargo is merely reverting to the sounder international practice, and pursuing in time of war as in time of peace our ordinary trade policies. This will be liked by some and disliked by others, depending on the view they take of the present war, but that is not the issue. The step I recommend is to put this country back on the solid footing of real and traditional neutrality. (Message to special session of Congress, September 21, 1939.)

STATEMENT OF THE SECRETARY OF STATE CORDELL HULL ON NEUTRALITY AND PEACE

The proponents, including the Executive branch of the Government, at the time when the arms embargo was originally adopted called attention to the fact that its enactment constituted a hazardous departure from the principle of international law which recognizes the right of neutrals to trade with belligerents and of belligerents to trade with neutrals. They believe that neutrality means impartiality, and in their view an arms embargo is directly opposed to the idea of neutrality. It is not humanly possible, by enacting an arms embargo, or by refraining from such enactment, to hold the scales exactly even between two belligerents. In either case and due to shifting circumstances one belligerent may find itself in a position of relative advantage or disadvantage. The important difference between the two cases is that when such a condition arises in the absence of an arms embargo on our part, no responsibility attaches to this country, whereas in the presence of an embargo, the responsibility of this country for the creation of the condition is inevitably direct and clear.

There is no theory or practice to be found in international law pertaining to neutrality to the effect that the advantages that any particular belligerent might procure through its geographic location, its superiority on land or at sea, or through other circumstances, should be offset by the establishment by neutral nations of embargoes.

The opposition to the present substitute proposal joins issue on this point, and stands for existing rigid embargo as a permanent part of our neutrality policy. And yet by insisting on an arms embargo in time of war they are, to that extent, for the reasons I have stated, urging not neutrality but what might well result in actual unneutrality, the serious consequences of which no one can predict.

Those who urge the retention of the present embargo continue to advance the view that it will keep this country out of war—thereby misleading the American people to rely upon a false and illogical delusion as a means of keeping out of war.

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Those of us who support the recommendations formulated for the elimination of the embargo are convinced that the arms embargo plays into the hands of those nations which have taken the lead in building up their fighting power. It works directly against the interests of peace-loving nations, especially those which do not possess their own munitions plants. It means that if any country is disposed toward conquest, and devotes its energy and resources to establish itself as a superior fighting power, that country may be more tempted to try the fortunes of war if it knows that its less well prepared opponents would be shut off from those supplies which, under every rule of international law, they should be able to buy in all neutral countries, including the United States. It means also that some of those countries which have only limited facilities for the production of arms, ammunition, and implements of war are put in a position of increased dependence. During a peacetime they would feel the compulsion of shaping their political as well as their economic policy to suit the military strength of others, and during wartime their powers of defense would be limited.

In the present grave conditions of international anarchy and of danger to peace, in more than one part of the world, I profoundly believe that the first great step toward safeguarding this Nation from being drawn into war is to use whatever influence it can, compatible with the traditional policy of our country of noninvolvement, so as to make less likely the outbreak of a major war. This is a duty placed upon our Government which some may fail to perceive or choose to reject. But it must be clear to every one of us that the outbreak of a general war increases the dangers confronting the United States. This fact cannot be ignored.

These proposals are intended to aid in keeping the United States from becoming involved in war. They contemplate, primarily, a state of affairs in which relations in the world have ceased to be peaceful. In the event of a foreign war we would be immediately faced with the problem of maintaining our neutrality.

When a war begins, that body of rules for the regulation of international relations which applies in time of peace becomes impaired. Under international law the belligerent states then acquire certain rights which do not appertain to states at peace; and at the same time states which remain at peace become affected by a body of rules under which they have the rights of and obligations of neutrals.

In considering whether legislative restrictions upon our freedom of action can advantageously be maintained or adopted to ensure against our being drawn into war, we should, in my opinion, avoid the error of assuming that provisions which are at the same time rigid and of universal application, will serve our interests satisfactorily in every situation which may arise. The course of world affairs is unpredictable. What we should try to do for the purpose of keeping this country out of war is to enact measures adapted to the safeguarding of our interests in all situations of which we can conceive and at the same time imposing a minimum of abnormal and unnecessary burdens upon our nationals and a minimum of disruption of our peaceful economic life.

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If we go in for embargoes on exports for the purpose of keeping ourselves out of war, the logical thing to do would be to make our embargo all-inclusive. Modern warfare is no longer warfare between armed forces only; it is warfare between nations in every phase of their national life. Lists of contraband are no longer limited to arms and ammunition and closely related commodities. They include not only those items which contribute toward making warfare possible but almost every item useful in the life of the enemy nation. A nation at war is no less anxious to keep cotton or petroleum, or, indeed, any useful product, from reaching an enemy nation than it is to keep guns and airplanes from reaching the enemy's armed forces. I doubt whether we can help ourselves to keep out of war by an attempt on our part to distinguish between categories of exports. Yet a complete embargo upon all exports would obviously be ruinous to our economic life. It therefore seems clear that we should have no general and automatic embargo inflexibly and rigidly imposed on any class or group of exports.

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For the reasons heretofore stated, it is my firm conviction that the arms embargo provision of the existing law should be eliminated. I furthermore believe that the most effective legislative contribution at this time toward keeping this country out of war, if war comes, would be made by enacting or reenacting provisions on lines as follows:

To prohibit American ships, irrespective of what they may be carrying, from entering combat areas.

To restrict travel by American citizens in combat areas.

To provide that the export of goods destined for belligerents shall be preceded by transfer of title to the foreign purchaser.

To continue the existing legislation respecting loans and credits to nations at war.

To regulate the solicitation and collection in this country of funds for belligerents.

To continue the National Munitions Control Board and the system of arms export and import licenses.

Provisions on the suggested lines would, I think, help to keep this country out of war and facilitate our adherence to a position of neutrality. They would make easier our twofold task of keeping this country at peace and avoiding imposition of unnecessary and abnormal burdens upon our citizens. (Letter from Secretary of State to chairman of the Committee on Foreign Affairs of the House, May 27, 1939, H. Rept. 856, pp. 5, 6.)

REPORT OF THE SENATE COMMITTEE ON FOREIGN AFFAIRS ON LEGISLATION TO AMEND THE NEUTRALITY ACT, 1939

The committee further reports the purpose of the substitute is to preserve the neutrality and the peace of the United States and to secure the safety of its citizens and their interests. In attempting to accomplish this purpose the committee has written into the proposed substitute definite and mandatory legislation wherever discretion could be eliminated.

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The committee was of the opinion that the provisions in existing law providing for an embargo upon arms, ammunition, and implements of war should be repealed and not reenacted in any form. Therefore, such provisions are not carried in the present proposed substitute. The committee is of the opinion that the United States cannot maintain its neutrality so long as such embargo provisions remain upon our statute books. It is contrary to the accepted precepts of international law which prescribe that any belligerent may purchase any article or materials in any neutral country. Belligerents as well as neutrals have relied from time immemorial upon this law. It has for hundreds of years been recognized by both belligerents and neutrals to govern their conduct toward each other and is today so recognized by the governments of the world with the exception of the United States. It was a voluntary departure from international law by the United States Government and cannot, in the opinion of the committee, be administered in an equitable or neutral manner nor will it serve to maintain the peace of the United States. (Report, Senate Committee on Foreign Relations, S. Rept. 1155, pp. 1, 4.)

The committee is convinced that the adoption of the resolution will serve the double purpose of discouraging war and preventing this country from becoming involved in any foreign war that may possibly occur. (Report, House Committee on Foreign Affairs, H. Rept. 856, p. 4.)

STATEMENTS OF MEMBERS OF THE HOUSE ON NEUTRALITY ACT, 1939

Mr. LUTHER A. JOHNSON. * * * All of the remaining sections of the bill relate to the regulations of the conduct of our own citizens and our own ships when a war is raging between two or more foreign countries, by restricting our citizens in their travels upon the ocean and their dealings with belligerent nations. We cannot pass legislation that will prevent war, for war is produced by a state of mind and when the passions of a people become inflamed war is inevitable, but we can remove and make less likely the happening of injury to our citizens or their property by warring nations and thus prevent irritating causes calculated to inflame the passions of our people that might lead us into war.

No other government has ever made such restrictions upon its citizens, but America is so anxious for peace that we feel that the liberty and restriction of the rights of our citizens must be sacrificed to prevent our country from becoming involved in a foreign war.

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The sole purpose of this and of all previous neutrality legislation is and was to remove irritating causes that might arise out of the treatment of our people by belligerents which might inflame the passions of our citizens and thereby involve us in war.

An embargo on arms will not tend to keep this country out of war. Considering that arms are absolute contraband and subject to seizure by a belligerent without right of recourse by the neutral shipper or his government, there is no reason for an embargo on such articles if the purpose is to avoid controversies. Moreover, it would be wholly inconsistent and illogical to place an embargo on these articles and leave the door open with respect to other materials that are just as essential in war operations.

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It behooves us to set our house in order now, so that if war breaks we shall have, not a partial, but a full and complete neutrality law, designed in every way possible to prevent our involvement, and we will be recreant to our duty if we do not, before Congress adjourns, pass a law designed in the light of present conditions to safeguard our own country. (CONGRESSIONAL RECORD, June 27, 1939, pp. 7989–7990.)

Mr. BLOOM of New York. * * * It is hoped that the resolution will cushion the United States from the impact of any general conflict and that it shall include every reasonable precaution against the involvement of our country in that conflict. (CONGRESSIONAL RECORD, June 27, 1939, p. 7990.)

Mr. RICHARDS of South Carolina. * * * As a matter of fact, this act is a Neutrality Act, and its primary objective is to keep this country out of war. It should stand or fall on that premise. If we can do that, the means will justify the end; but if it happens that the act aids one nation more than the other, it is incidental and of secondary consideration. I believe that President Roosevelt or any other President, by wise and thoughtful administration of the flexible provisions of this bill, can do much to keep this country out of war by preventing unfriendly incidents affecting our nationals and property from happening. To attain that end we must necessarily circumscribe some peacetime rights of our citizens. (CONGRESSIONAL RECORD, June 27, 1939, p. 7998.)

Mr. BULWINKLE of North Carolina. * * * In my opinion, it would be far better to pass the House joint resolution and allow it to become law than to leave the law as it now exists. As I have stated before, any sensible person wants this country to stay out of war, and especially I believe this is true of those of us who had service during the World War. We want as everyone else does, everything possible done to keep this country out of war, and the recommendations of the Secretary of State should be carried out, and I trust that this resolution will shortly become law. (CONGRESSIONAL RECORD, June 27, 1939, p. 8014.)

Mr. MARTIN of Colorado. * * * If the present mandatory embargo on arms, munitions, and implements of war favors the dictators, and this is admitted; and if the pending bill favors the democracies, and this is the claim of its enemies, that fact alone is sufficient consideration for my support of the bill. First, last, and all the time, I am for the democracies and against the dictators, and I am for them, Neutrality Act or no Neutrality Act. (CONGRESSIONAL RECORD, June 29, 1939, p. 8245.)

Mr. THOMAS F. FORD of California. * * * As I see it, now is the time to take preventive measures, through the adoption of a neutrality policy that shall make clear to all nations our stand in case of another world war.

Study of the resolution before us convinces me that it will help to prevent the outbreak of war in Europe and that it will go a long way to prevent our being drawn into such a war, if one comes.

The existing Neutrality Act would prevent the exportation of arms and implements of war to all belligerents. But it neither prevents nor restricts the sale and transportation in American ships of supplies necessary to warring nations, such as cotton, oil, steel, foodstuffs.

Plainly, the existing act exposes us to the imminent danger of being drawn into a European war. Let an American ship carrying American commodities be stopped or sunk by a belligerent, and war would follow, as it did after the sinking of the *Lusitania*. Nothing could stop it. (CONGRESSIONAL RECORD, June 29, 1939, p. 8247.)

Mr. LUTHER A. JOHNSON. * * * I say this to the Members of the House: If we want to get ready to prevent our involvement in war, let us stand by this resolution. Let us enact now, before war breaks, these provisions which I believe will go a long way toward preventing our involvement. (CONGRESSIONAL RECORD, June 29, 1939, p. 8281.)

STATEMENTS OF SENATORS—NEUTRALITY ACT, 1939

Mr. PITTMAN. * * * In my opinion, this is the most important legislation that has ever been proposed to Congress or ever enacted into law for the purpose of keeping us out of a European war. If our vessels cannot carry on commerce with belligerents and the belligerent powers know it, there will be little excuse, if any, for the destruction of American vessels on the high seas with the inevitable loss of the lives of our seamen. Certainly the peace-loving Senators who oppose the proposed substitute are in favor of such mandatory legislation. (CONGRESSIONAL RECORD, October 2, 1939, p. 53.)

Mr. CONNALLY. * * * It has been intimated, over the radio and through the press, that some of those who are advocating this joint resolution are actuated by some desire to take this step and then to take another step and then to take another step which would bring us closer and closer and closer to the brink of war, and then plunge us over the Niagara of terror. Speaking for those who favor the joint resolution, I deny and denounce any such assumption or belief. We are trying to keep out of war—not get closer to it.

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What is the answer? Those of us on the Committee on Foreign Relations have been undertaking to translate our views into a joint resolution which is not alone that of the President. This joint resolution perhaps is not exactly in every detail what the President of the United States would desire. It represents not alone the views of the committee, but we have undertaken to represent the views of the American people. They did not write the language, but we know what is in their hearts, and we have undertaken to put in the joint resolution that which we believe is in the hearts of the American people: First, that they want no involvement in this European war; second, that they want no act of ours, by law or by legislation, to be unneutral or unfair to the nations now at war. (CONGRESSIONAL RECORD, October 2, 1939, p. 83.)

Mr. CONNALLY. * * * So while I believe that the pending joint resolution will keep us out of war, yet America, in the interest of its own people, its own territory, and its own institutions, must be prepared in this sort of a world to defend itself from conquest and military mastery. We have got to be prepared to defend ourselves against foreign armies and foreign conquerors and foreign dictators. Those ambitious dictators who build great armies intend to fight some nation when they are ready. We are rich in soil, we are rich in resources, we possess much to which the cupidity and the lust for loot might well be attracted. While we hope and pray that, under God, this joint resolution will keep us out of war, I think that, going along with it, we should make still greater preparations not for offense but for defense, not for war but for peace, of our Navy and of our Army and of our aircraft and of our antiaircraft defenses. (CONGRESSIONAL RECORD, October 4, 1939, p. 94.)

Mr. SCHWELLENBACH. * * * So I believe the objections which have been advanced to the repeal of the arms embargo, when analyzed in the light of the experience of this country and the experience and knowledge of the neutral nations of the world, fall to the ground. It is not a changing of rules after the game begins. It is not the first step toward war. It is not a matter of becoming an arsenal for one side with the danger of becoming a target for the other. It is a careful, painstaking effort to try to keep this Nation out of war. (CONGRESSIONAL RECORD, October 5, 1939, p. 131.)

Mr. WAGNER. * * * After the most careful study of the legislative details which divide us, I am convinced that the changes in our neutrality law reported by the committee give the best promise of keeping America out of war and keeping war away from America. (CONGRESSIONAL RECORD, October 10, 1939, p. 240.)

Mr. LUCAS. * * * Mr. President, I deny that we are on the road to war. I submit with all the sincerity I possess that the Pittman joint resolution negates everything that brought us into the war in 1917 and 1918. I submit that the Pittman joint resolution, instead of placing us on the road to war, as has frequently been said on the floor of the Senate, which charge has caused so much excitement throughout the country, is a step toward maintaining peace. No country in all the history of nations has ever made such tremendous sacrifices in the interest of our own national defense and our welfare for the 130,000,000 people as we shall make when we enact the Pittman joint resolution into law. (CONGRESSIONAL RECORD, October 20, 1939, p. 647.)

Mr. MCKELLAR. * * * I am for the repeal of the embargo—

Because I am for peace, first, last, and all the time, and believe that the policy of an embargo is at war with the policy of peace.

Because in our experience with embargoes they have always gotten our Government and our people in trouble.

Because the only real embargo this country ever adopted, the one of 1807 and years following, was largely instrumental in getting us into war with England and came very near to getting us into the war with France.

I am for repeal—

Because an earlier attempt at embargo came near involving us in war during Washington's and Adams' administrations.

Because the embargo of 1807 came very near destroying our merchant marine, and if this embargo is continued it will endanger, cripple, or destroy our present merchant marine.

I am for repeal—

Because the embargo of 1807 impoverished our people on the entire Atlantic seacoast.

Because the embargo of 1807 came exceedingly near to causing the New England States to secede from the Union. The State of my friend the Senator from Connecticut [Mr. DANAHER] was very anxious to secede when that embargo was imposed, and a convention was held in Hartford to discuss the question.

Mr. President, I am for repeal—

Because an embargo is contrary to the processes of peaceful adjustment of differences between nations;

Because I believe that embargoes are injurious alike to the nations against which they are aimed, and more injurious to the nation which enacts the embargoes;

Because I do not desire this war to injure American trade and commerce on the seas any more than necessary in order to preserve our peace.

I am in favor of repeal—

Because the present embargo, while not intended by anyone who voted for it as an aid to an aggressor nation, has in practice been found to aid such aggressor nation, and I do not favor aiding aggressor nations;

Because, while I believe England and France, in repudiating their war debts to us contracted during and after the World War, have failed in their duty to us and deserve nothing at our hands, on the other hand, Germany also owes us and has not paid us, and I believe that it is unwise for the United States to take part against Great Britain and France in this war and in favor of Hitler. To be specific, the present embargo aids Hitler in his war of aggression upon Poland, France, and Great Britain, and I do not think our people wish to aid him in any such aggressive tactics. (CONGRESSIONAL RECORD, October 20, 1939, p. 653.)

Mr. ANDREWS. * * * After weighing all the facts, many of us have reached the conclusion, I take it, that the repeal of the embargo will have a greater tendency to keep the United States out of war. That is the real question being debated, and the one in which the American people are most interested.

It is evident that the shorter the war the less likely the United States is to become involved. Likewise the war will more likely be prolonged if the Allies cannot buy arms and munitions and the materials from which they are made from neutral nations like the United States. Without repeal the Allies will have to remain on the defensive until they can build up new and greater arsenals, airplane factories, and manufacturing plants for the creation of war material and instruments of war.

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We do not wish for war, and past experience has shown conclusively that the surest way to become involved, particularly with Germany, will be to show any sign of weakness. Certainly foreign opinion to the effect that this country will not resent abuse should be contradicted. We have heard argument on the floor of the Senate in the past few days that would indicate that Americans should be willing to sacrifice some of our most cherished and inherent rights in order to appease German feeling.

We do not wish to fight, but we do not propose to be kicked around, and any great nation that does submit to it will soon lose respect for itself, and dissolution will follow; and if we lose our self-respect as a Nation there will be little left worth having. (CONGRESSIONAL RECORD, October 21, 1939, p. 680.)

Mr. BLOOM. Mr. Chairman, I yield 10 minutes to the gentleman from West Virginia [Mr. KEE].

Mr. KEE. Mr. Chairman, before attempting a discussion of the merits of the pending legislation, I believe I owe it as a duty to myself as one of the majority members of the Committee on Foreign Affairs to discuss for just a few moments the procedure in the committee in arranging for the consideration of this measure.

We were well aware in the committee that in introducing evidence in support of this resolution it would be necessary for us to call in some of the very important officials of the Government. Heretofore we have had some rather embarrassing experiences in the matter of the examination of these officials in the committee at public hearings. We have had occasions when only by extreme care was the examination of witnesses confined to proper channels. Therefore, we called a meeting of the committee on Friday of last week, at which the minority members were present, and we told them that we would have 2 days of hearings, beginning on Monday; that on Monday we would introduce five witnesses, to wit, Secretaries Hull, Stimson, and Knox and Admirals Stark and Land, and that this evidence would complete the case of the proponents of the resolution; that we would give the minority members of the committee all day Tuesday, and would sit as long as they desired, in order to permit them to introduce any evidence they might care to offer.

There was objection to this arrangement. Some members of the minority insisted upon having 6 days of hearings. To this the majority could not agree. But, as a matter of fact, in the 1 day we gave the opposition we occupied 7 hours hearing witnesses. This, in the ordinary course of hearings, would have amounted to approximately 4 days because, usually, hearings last from 10 until 12 o'clock. We insisted, however, upon our position that we would take 1 day and we would give them an equal amount of time and would, on the day assigned to the minority, sit as long as desired.

This was on Friday. We then notified the minority members to have their witnesses present on the day assigned to them. I know personally that no requests were made to the chairman of our committee by any of the minority members to invite any persons to appear before the committee in support of the position of the minority on this question, although they had from Friday until Tuesday to extend that invitation. In the meanwhile, however, the chairman of the committee received telegrams from five persons requesting to be heard, and to these telegrams he replied promptly offering them an opportunity to come before the committee on Tuesday. As a matter of fact, three persons did appear on Tuesday in behalf of the position taken by the minority. Upon a perusal of the evidence of these three persons, as it appears in the printed hearing, it will be determined, I believe, that even they did not contribute to an understanding of the issue in this case; nor did they contribute anything to the general enlightenment of the public.

I assure you that this is a fair and true statement of what occurred when the committee arranged for hearings on this resolution. I call attention to it at this moment because of the unjustified and unfortunate criticism to which the chairman of our committee has been subjected.

Mr. Chairman, I have been extremely interested in this debate but have been struck by the fact that during its entire course very little has been said with reference to the merits of the resolution. We have, indeed, as the members of the minority of the committee seemed to hope we would, gone far afield in discussing the measure, which has but one object. The object of this resolution is to place arms upon American ships. By its passage we will unshackle ourselves from the handcuffs which were placed upon us by the Neutrality Act. Our object is not to take unto ourselves a new right but to reach out and take back a right which we have had and have exercised ever since the founding of the Government—a right that is ours not only naturally but under international law.

We have been liberal in our treatment of the peoples and the governments engaged in the great conflict now going on in the world. Shortly after the inception of the trouble we busied ourselves with measures for our protection. To preserve our neutrality we put upon our statute books the embargo clause—a surrender of one of our great rights. We placed upon our statute books the authority given to the President to zone every sea upon the face of the globe and to say to American shipowners and American merchants, "You cannot exercise a right that is inherent in the American people; you cannot send your ships into these forbidden zones." We were not forced to do these things. We voluntarily surrendered our rights in order to keep, preserve, and maintain peace.

Mr. Chairman, we went further. In 1939 we placed upon the statute books this iniquitous section 6, which absolutely strips American seamen of all means of defense. It takes guns off of all ships flying the American flag and leaves our seamen, if they travel at all upon the high seas, whether in danger zones, in combat zones, or upon the free seas of the world from pole to Equator, without any protection and without any hope of defense whatever.

It was not necessary for us to do that. It was not necessary that section 6 should have ever had a place in the Neutrality Act, and I was bitterly opposed to the clause at the time it was passed. But we did put it into our statutes, voluntarily surrendering another right, in the vain hope that American ships flying the American flag would be treated by the Nazis or other belligerents with some degree of consideration and decency. But what has been the result? Our ships are sunk just the same. Our friends on the other side would have you believe that the arming of our vessels would place our seamen in greater danger, that the arming of our vessels would be an inducement and the giving of an authority to Hitler to sink our ships. Is that true? It is not. That might be an argument if the contrary had not been shown by recently reported events.

Mr. Chairman, we of America seem to be possessed of a peculiar complex.

Whether it is because we are more law-abiding than other people or whether we are in love with law merely because it is law, we seem to be obsessed with the idea that every ill can be cured by legislation. Whenever we are confronted with a condition or situation having about it the promise of embarrassment or trouble, we immediately seek a legislative remedy—in other words, we pass a law. "There ought to be a law" is a sentence readily and often phrased by Americans, and, no doubt, the easily aroused belief that all new ills can be cured by new laws, accounts largely for the mass of legislation from year to year ground out by our legislative mills.

From the time of the establishment of this Government down to the present day, when there have been serious conflicts and disturbances between foreign countries, the Congress of the United States has from time to time endeavored to make and keep this Nation neutral by legislative enactments. In some rare instances, perhaps, the method may have had some degree of success. It would, of course, be difficult if not impossible to definitely determine how much, if at all, any neutrality law has ever contributed toward keeping the country neutral, but it can be and has been conclusively shown that, to a very large extent, all neutrality legislation has been a failure. In the present world-wide conflict, the failure to keep us neutral has been absolutely complete.

As between Adolf Hitler and the nations now battling against him, we are not neutral now and never have been neutral. We are an honest people and no honest man can compromise with evil. Hitler's theories and practices violate every American tradition and every American standard of morals and decency, and the collective American conscience rebels at the thought of being neutral in a controversy which threatens this standard. Therefore, we of America have not been neutral in thought, word, nor action, and so far as the Neutrality Act has ever influenced the American mind or so far as it now affects the mental attitude of our people, it might well be now repealed in its entirety.

Whether or not the passage of the act has accomplished anything worth while or served any useful purpose, is indeed questionable. That question, however, need not here and now be argued, in view of the fact that the resolution before us calls only for the repeal of section 6. We can safely and truthfully assert, and I do assert, that regardless of benefits, if any, derived to us from any and all other sections of the act, we certainly have not in any way been benefited by having and retaining section 6 as part of our statutes. That section, forbidding as it does, the carrying of defensive arms by American ships, has been, as I have stated, a part of the law of the land since its enactment in 1939. Hitler was fully advised of its passage and we can say with assurance that every Nazi naval officer, including all submarine commanders, and every German seaman, know today and have known since 1939 that no arms are carried by American vessels. They knew this when they sank the *Sessa* and the *Robin Moor*. What protection, I ask you, has that knowledge given to American ships or American sailors. None whatever. On the contrary, as has already been shown in this debate and by the record, our unarmed ships have been sunk with impunity and with no danger to the Nazis and with the least effort and cost to them.

Risking repetition, I return to the only proposition advanced by opponents of appeal that can be supported by any reasonable argument, to wit, that the arming of our ships will be an invitation to the Nazis to sink them without warning and that they, the Nazis, would be justified in their action. This argument might appeal to us if we had the assurance that Hitler would observe the rules of decency, to say nothing of law, in reference to unarmed and defenseless vessels. Not only is this assurance lacking, but, to the contrary, we have, in the example of American ships already attacked and sunk, as well as from the lips of Hitler himself, the positive assurance that our ships, even though unarmed, will be sunk when and where it suits the Nazi will and pleasure.

What, then, I ask you, is to be gained for us by keeping upon our books a self-imposed denial of our right of self-defense, when the provision wins for us neither respect nor immunity? In the vain hope that we might uncover some evidence of human decency in the character of the Nazi leader and secure a minimum of safety for our ships upon the high seas, we initiated the heretofore unheard-of practice of surrendering rights which have been ours, unchallenged and unquestioned since the birth of the Republic. As I have already pointed out, we established an arms embargo in derogation of the rights of our people. We established combat zones into which American ships were forbidden to enter, thus surrendering our right to the freedom of the seas. We enacted this section 6 of the Neutrality Act disarming all American ships and leaving them helpless and defenseless as they sailed the particular seas to which they are restricted. All of these provisions were sacrifices made by us in the vain hope that the few rights we retained might be respected. They were all domestic regulations of our people and were in derogation of their rights as American citizens. These sacrifices were futile; they gained us nothing. Instead of recognizing our combat zones, Hitler established his own zones and issued to us his commands. His pronouncement is, "Into whatever seas my submarines and my aircraft can reach, there no American ship can sail."

Is it not time, I ask you, that we reassert the rights we have had and held and exercised without question since the establishment of this Republic? In any event, let us today, by repealing section 6 of the Neutrality Act, strike from ourselves one of the self-imposed shackles and let our sailors go down to the sea, not like cringing and helpless cowards but like freemen, bearing arms and able and willing to use them in self-defense.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I yield the remaining time to the gentleman from Texas [Mr. LUTHER A. JOHNSON].

Mr. LUTHER A. JOHNSON. Mr. Chairman, this is not a pusillanimous resolution, as designated by one of the gentlemen who addressed the Committee. It is a resolution to give the right of self-defense to our American seamen and sailors upon the high seas. It is either right or it is wrong and no man who regards the welfare of his country upon an important question like this is going to let some peevishness on his part or the fact that he is mad because the hearings did not consume more time, prevent him from considering the resolution on its merits.

The Secretary of the Navy, the Maritime Commission, the Secretary of War, and the Secretary of State tell us it is necessary and necessary now for the defense of our people upon the high seas, and, since they have testified, that condition has grown graver. We may have to arm our ships, not only in the Atlantic but in the Pacific. Mr. Chairman, it is a sensible, sane, and easy proposition to vote upon. We should take the shackles out of the law which deny to our sailors and seamen the right they have always had until 1937 to have their ships armed for defense, and now that this great danger confronts our country, I say vote "yea."

[Here the gavel fell.]

The CHAIRMAN. All time has expired. The Clerk will read the joint resolution for amendment.

The Clerk read as follows:

Resolved, etc., That section 6 of the Neutrality Act of 1939 (relating to the arming of American vessels) is hereby repealed; and, during the unlimited national emergency proclaimed by the President on May 27, 1941, the President is authorized, through such agency as he may designate, to arm, or to permit or cause to be armed, any American vessel as defined in such act. The provisions of section 16 of the Criminal Code (relating to bonds from armed vessels on clearing), shall not apply to any such vessel.

Mr. IZAC. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. IZAC: In line 11, after period, add the following: "For life insurance protection to the families of armed guard detachments detailed as guns' crews on American vessels so armed, all personnel on active duty in the Navy, Marine Corps, and Coast Guard on the date of enactment of this joint resolution, shall be granted insurance under sections 602 (a), (b), (c), and (d) of the National Service Life Insurance Act of 1940, without further medical examination if application therefor is filed within 120 days after the date of enactment of this joint resolution."

Mr. BLOOM. Mr. Chairman, I make a point of order against the amendment.

Mr. IZAC. Will the gentleman reserve his point of order?

Mr. BLOOM. I will be very pleased to reserve the point of order, Mr. Chairman.

Mr. IZAC. Mr. Chairman, I do not admit that a point of order lies against this amendment. I believe there is an established precedent that I could quote. However, in the brief time allotted me I cannot discuss the full merits of either the

joint resolution or my amendment. However, I will endeavor to give the Committee the benefit of what information I have on this subject.

If it is our wish to arm these merchantmen and the Congress so decides, and that is the action I favor, I think contrary to the feelings of several Members, that it will help in the over-all picture by keeping the submarine below the surface. There is no question about that, and keeping submarines below the surface reduces their effectiveness.

Mr. ARNOLD. Mr. Chairman, will the gentleman yield for a question?

Mr. IZAC. I yield to the gentleman.

Mr. ARNOLD. Does the gentleman base that statement on years of actual experience in the Navy?

Mr. IZAC. Absolutely. I had to train many of the gun crews that fought in the last war, and I know the limitations of the submarine.

This resolution is necessary, in my opinion, if we are going to not only manufacture the $13,000,000,000 worth of goods under the Lend-Lease Act, but if we are going to see that they become effective to resist the aggressors, as apparently was our wish when we passed that act.

I say that the arming of the merchantmen in the face of a submarine attack will keep the submarine below the surface, and, naturally, it is therefore much less effective. Now, how about the men we are going to put on these ships? It is all well and good to say that we will put a 4-inch or a 5-inch gun on the deck of one of these merchantmen, but that is not arming the ship. The ship is not armed unless there is a crew to fight with that gun, and that crew must be furnished by either the Navy, Marine Corps, or Coast Guard.

Under the present law passed by the Congress and approved by the President on the 8th of October last year, we have a national life-insurance act which provides that everyone going into the service after that date will have 120 days in which to file for insurance without an examination. But all of the men in the Army, Navy, or Coast Guard who were in service at that time cannot have insurance unless in the opinion of the Veterans' Administration they are physically qualified for it, which means that men who have served in the Navy for 10, 20, or 30 years cannot get insurance today. I have three cases that have just been brought to my attention. Is not this a sad state of affairs? The Navy wants these men to be protected, and the officers and men themselves pay for their own insurance. We are not giving them anything.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. IZAC. I yield.

Mr. LUTHER A. JOHNSON. Does not the gentleman think that the importance of the matter is such that it should be considered separately by the House? I would like to support the gentleman's resolution, but I do not believe it is germane. However, I hope the House may be permitted to vote on it.

Mr. IZAC. I may say to the gentleman that if it is declared nongermane, of course, I shall introduce a separate bill, and I would like to have action upon it as quickly as possible, because we can arm some of these ships in a few days, and I do not like to see these men going out on the open sea on armed merchantmen unprotected by life insurance. It adds to the morale if they know that their widows and orphans are going to be taken care of.

Mr. VAN ZANDT. Mr. Chairman, will the gentleman yield?

Mr. IZAC. Yes.

Mr. VAN ZANDT. The gentleman knows the high physical requirements that the Navy demands of an individual when he becomes an aviator.

Mr. IZAC. Yes.

Mr. VAN ZANDT. And that the Veterans' Administration turns down a first-class aviator for his insurance.

Mr. IZAC. Yes. We have many instances where the Veterans' Administration has not granted insurance to these men. There are many inequalities in the law. If I had time, I could very well go into it and instance this. For example, we have a law that gives double gratuity when a man ships over, but he has to ship over within 24 hours to qualify, and yet under the Veterans' Administration rulings that man would have to leave the service and then come in again as a new enrollee in order to entitle him to insurance, without physical examination.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. IZAC. Mr. Chairman, I ask unanimous consent to proceed for 5 minutes more.

The CHAIRMAN. Is there objection? There was no objection.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. IZAC. Yes.

Mr. COLMER. The gentleman has a meritorious amendment. Gentlemen on the Foreign Affairs Committee seem to be inclined to agree with the gentleman from California. Then, if they do not raise the point of order, there is no reason why the gentleman's amendment should not be adopted.

Mr. IZAC. I thank the gentleman for that observation. Of course, I cannot hold the Foreign Affairs Committee to something that they feel they are not justified in accepting, but in view of the importance not only of this resolution itself, but of the fact that the men who serve the guns on these ships must be protected before this act becomes effective, I think it should be held germane.

I might mention another thing. We extended this same privilege to the selectees when we passed the extension to 30 months. We gave them another 120 days at that time in which they could qualify for insurance without physical examination, and everyone coming into the armed service, when he enters and is accepted by either the Army or the Navy, is immediately granted 120 days in which to get that insurance. I know of three cases, as I mentioned before. You gentlemen would be surprised why the Veterans' Administration will not grant them insurance. One had high blood pressure. I imagine that most of us who served in the World War had high blood pressure at various times. When the submarine O–9 went down recently 33 men went to their death. Only 17 of them were protected by life insurance. Therefore the widows and the families of the others today are without any means of support. Those people have come to me because some of the men were from my home town. San Diego was their home port. Their families lived there. I tried to get jobs for the widows. It is a demoralizing state of affairs. Certainly everyone whose life is in jeopardy as a result of the passage of this or any other act of Congress should be given the protection of life insurance. In fact, I go so far as to grant a $10,000 life insurance to everyone who serves in hazardous duty, such as service in the submarine zone.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, will the gentleman yield?

Mr. IZAC. Yes.

Mr. EDWIN ARTHUR HALL. I take this opportunity to make the observation that I sincerely hope that a point of order will not be made against this amendment, because I for one would like to have a chance to vote for it. I feel that the gentleman has been very considerate in offering the amendment, and I think the House should adopt it for many reasons.

Mr. IZAC. I am sure that the House feels exactly the same way, and I propose to introduce a bill immediately if the amendment correcting this condition is declared not germane to the resolution under consideration.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. BLOOM. Mr. Chairman, I insist on the point of order and make the point of order that the amendment is not germane.

The CHAIRMAN. The Chair has examined the amendment. It relates to a provision for insurance for men who arm these vessels, a provision fairly within the jurisdiction of committees other than the Foreign Affairs Committee. Unquestionably the amendment is not germane to this resolution and the Chair, therefore, sustains the point of order.

Mr. TREADWAY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, on all questions of foreign policy I have consistently voted in accordance with what I deemed to be the best method of keeping America out of war.

It has been my constant aim to do everything in my power to help to keep this country clear of any involvement in the present world conflict which might result in the sending of American troops to fight on foreign battlefields.

At the same time, I have supported all measures designed to strengthen this country's own military and naval forces so that foreign powers would respect our rights and so that we would be adequately prepared to defend them in case of attack.

I voted for the original Neutrality Act because I hoped and believed that it would help to prevent the world-wide conflagration which has since resulted, and that in any event it would at least lessen the chances of our becoming a

party. When, after war broke out abroad, action was taken to break down our Neutrality Act by repealing the arms embargo, I opposed this course in the sincere belief that such action on our part would be a step toward involvement.

Opinions may differ as to whether it has had that result, but the fact is that we have now, as a matter of national policy, adopted a program which makes this country, in fact, the arsenal of the nations now alined against the Axis Powers—in other words, we have become what might be termed a nonbelligerent ally of Great Britain and the other countries opposing Hitlerism. The great majority of the people of this Nation support that program, which we know as the Lend-Lease Act. I originally voted against that act, but when it became law I felt it my patriotic duty to give it my wholehearted support, and I have since voted for the thirteen billions which have been appropriated to carry out its purpose. In so doing, I have regarded the lend-lease program as possibly the best way to avoid the sending of another American expeditionary force abroad. By furnishing Britain and her allies the munitions, arms, and supplies needed to crush the aggressors, we help them more effectively than by sending troops, and we do not sacrifice a single American life. Whatever the cost of this policy may be in dollars and cents, and whatever the burden it may impose upon us, our contribution will be insignificant compared to the dreaded loss of life and suffering and hardship which would come as a result of our participation as a military ally.

Coming to the proposed legislation now before us, it seems to me it can be regarded in much the same light as our other defense measures. I do not regard the arming of American merchant ships, by itself, as any breach of neutrality, or as constituting a further break-down of the Neutrality Act. We have built up our military and naval forces to defend our shores against foreign aggression. We have help to arm the democracies in their battle for survival, believing that we thereby help to defend ourselves against the same agressor nations. Why, then, should we not permit our merchant vessels to defend themselves, and the lives of American citizens traveling thereon, from unprovoked attack by these aggressors?

It is no act of war to take measures in self-defense. It is no act of aggression to be prepared to defend one's self. Why, therefore, should we hesitate one moment to take this step?

The arming of merchant vessels is a right recognized by international law, which this country has insisted upon throughout all its history. Not until the prohibition against such arming was inserted in the 1937 revision of the Neutrality Act has any statute of the United States ever sought to prevent defensive armament of American merchantmen. The repeal of this provision is essential if American lives upon the high seas are to be given the protection to which they are entitled, if the freedom of the seas is to be preserved, and if the honor and dignity of the Nation is to be maintained.

I realize the cleavage between those who favor repeal of the prohibition against arming our merchant vessels and those who oppose such action. We must give each side credit for being perfectly sincere in their position. I recently was present with a group of friends who, without my knowledge, took a straw vote on the question. Of those present, 4 voted in favor of arming our ships and 3 voted against. I am under the impression that as close a percentage of votes would be cast throughout my district, judging from communications I have received.

I regard this question as one which should be considered entirely without partisanship, and free of prejudice or hysteria. It is one on which the individual citizen should assert himself in accordance with his judgment as to what is for the best interests of the country.

Among the many letters I have received I was particularly impressed with one which came from the mother of three sons, all of service age, who advocated the arming of merchant ships as some measure of protection to American lives upon the high seas. That is how I personally regard it. I feel that our ships are less likely to be sunk, and American lives are less likely to be lost, if it is known that our vessels engaged in their lawful pursuits are capable of defending themselves against attack.

As I have said, I do not regard the arming of American merchant vessels, by itself, as in any sense a step toward war. If Hitler has any desire to make war upon us, he already has ample excuses, if any are needed, without this. The danger of war, it seems to me, will come if in connection with the arming of merchant vessels, further legislation is sought to repeal the present prohibition against merchant ships going into the actual war zones. The President has already indicated that he desires this restriction to be lifted, but has not pressed the matter at this time for reasons of legislative expediency. However, it is expected that a definite request for this repeal legislation will come later. There is a possibility that an amendment may be offered to a pending bill in the other body providing for such repeal. If that should occur, I do not hesitate to say that I would vote against the adoption of the Senate amendment, or any conference report which might embrace it. My support of the pending bill is conditioned on its not being tied up with the repeal of the present provision of the Neutrality Act prohibiting American vessels from going into the actual war zones. It is one thing to arm our vessels defensively, so that they may engage in lawful commerce upon the high seas, but it is something else to arm them and send them defiantly into the war zones, unless, of course, we are prepared here and now to engage in a naval war with the Axis Powers.

The question of sending our ships into the war zones, either armed or unarmed, is of far more consequence than the measure now before us. It is far more likely to involve our participation in a shooting war. Therefore I regret that the two issues cannot be considered together. It is certain that the administration thinks of them together.

This leads me to say that while I have, in general, supported the foreign policy of the President, I greatly deplore his failure to take the Congress and the people into his confidence and tell us what he has in his mind. I have some sympathy with those who feel that we ought to face the war issue squarely, if it is to be faced, rather than by some piecemeal method, as by following the pending measure with a request for legislation to authorize the sending of our ships into the war zones. If the administration is in fact preparing to take the country into war, we, as the representatives of the people, ought to be told about it so that we can debate the issue and decide it directly and courageously. Full and complete hearings should be held upon the question. After all, the Congress, and not the President, has the sole power to make war under the Constitution.

I likewise have some sympathy with the minority's position that not sufficient opportunity was given to consider the subject now under consideration, and that certain information was suppressed. On the other hand, with conditions as critical as they are, we must repose a certain degree of confidence in those clothed with the responsibility for protecting our country's interests and assume that they are justified in taking the position that a part of the testimony given at the hearings was of such a nature that it would if made public, give vital military information to the Axis Powers.

In conclusion, let me again repeat that in all my votes on foreign policy my sincere desire has been to help to keep this country out of war. I am for an adequate national defense, and for all possible aid to Britain and her allies short of war. I favor the arming of American merchant ships as a defensive measure, and shall therefore vote for the pending bill, but I do not favor the sending of our ships into the war zones as such action on our part would inevitably lead to our actual involvement in a shooting war.

Mr. McLEAN. Mr. Chairman, I rise in opposition to the pro forma amendment. There are many reasons in justification for the position I take concerning this resolution. They all lead me to the conclusion that I should give it my support, and I expect to vote for it. Its enactment into law means the arming of American merchant vessels.

If for no other reason, I find justification for my vote in what I understand to be the German Government's conception of the rule of search and seizure in international law. That time-honored rule was undisputed until the advent of the submarine. That rule required that before a ship could be captured as a prize of war or otherwise disposed of the attacking vessel should search it to determine whether or not it was carrying contraband of war to be used by a belligerent. It is the contention of the German Government, asserted during

the last war, that owing to the frailty of the submarine and its limited powers of defense and the ability of the larger merchant ship to sink it by ramming or other means, and because of the inability of the submarine to escort or convey the prize it is impossible to comply with the rule, and, therefore, it would be assumed that every suspected ship was carrying contraband of war, and the submarine would be justified, as a matter of self-defense, in sinking that merchantman without search and seizure.

Under such circumstances and with knowledge of that attitude on the part of a nation at war should not ships even of the most neutral of nations carry weapons of self-defense? It is as illogical to send a merchantman out upon the high seas without protection as it is to send an ordinary policeman to the discharge of his duties without the weapons necessary to defend himself against the marauders he is apt to meet up with.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. McLEAN. I yield briefly.

Mr. MURDOCK. I appreciate the attitude the gentleman is taking in regard to this matter. May I ask the gentleman whether that new rule of international law, to which he has referred, has been of general acceptance, or is that merely a promulgation of some German Government? I do not think it has, or ought to have, any standing in international law in a civilized world.

Mr. McLEAN. The gentleman is correct, but in the situation in which we now find ourselves it does not make any difference whether it is a rule of general acceptation or not. The forum in which we are now practicing is dominated by the attitude of people we have a right to suspect. We have a right, under the declared purpose and practice of the German Government, to assume that they do not respect the rule of search and seizure as recognized in international law, and that they have given instructions to sink on sight, and assume that all vessels carry contraband of war.

It is said that a vote for this measure will be a step toward war, and the inference is that a vote against it will be a step away from war, at least a deterrent to our entering the war. I am fully conscious of the desire of all of the people, not only in my own congressional district but throughout the country, to avoid the possibility of becoming involved in the existing conflict, but I feel that we have passed that point. As I have watched the trend of events since France and England resented the action of Germany and took upon themselves participation in the conflict, it has been clear to me, as it must have been to many others, that in the light of what happened in the first World War and the forces which brought about the recent conflict, it was inevitable that we would be forced to take a position similar to that which we were forced to take in 1917, and I believe the situation today has come about due to circumstances over which no one has any control except the tyrants who are responsible for it.

We cannot predict the unpredictable. We cannot say how far we may be dragged, nor how long it will be before the ultimate result will be known, and a vote on this measure will not detract from nor add anything to the things that have already happened, and they are plenty, which can be resorted to as an excuse for an attack.

If there was any doubt about our attitude or our position, it was determined with the adoption of the lend-lease bill. I felt that bill was tantamount to a declaration of war, and for that reason I opposed it. But now that it has shaped our policy and has been twice reaffirmed by appropriations to implement it, there can be no doubt as to our position in the matter and what other nations, friendly or otherwise, may expect of us. Therefore every detail, every element necessary for self-defense must be prepared. This measure fades into insignificance with the bigger and the broader issues that we must expect to meet.

Some of us who voted for the Neutrality Act in the first instance in 1935 may seem inconsistent in the attitude we take today. I cast my vote on that occasion with some misgivings as to the value of the Neutrality Act in its purpose to keep us out of war. It was an easy vote to cast because there was no threat of any conflict in which we could possibly become involved. I wonder at our egotism in reasoning that by preventing the shipment of war materials abroad we could prevent nations from going to war with each other. As conditions changed we saw the futility of the neutrality law. It amounted to nothing more than a statement of hopes and aspirations, and we have observed the impossibility of carrying out its purposes. How incongruous was the transfer of American ships to Panama registry. The effect of all that was merely to make us look foolish and lacking in courage to maintain our rights as a great nation on the high seas. It now appears we do not intend to disown these ships, even though they carry the flag of another nation. It was not long before we were compelled to lift the embargo and insert the famous cash-and-carry clause. We did this with full knowledge that only one of the belligerents could get to our shores and avail themselves of our market. Now we have forgotten the cash and there is a strong probability that ere long we will be doing the carrying.

In the light of these circumstances and with a picture borne of a reasonable contemplation of what the future may hold in store, I am convinced that in the interest of keeping the war away from our shores the resolution should be adopted to the end that our merchantmen may carry the necessary weapons for self-defense.

Mr. SHORT. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, today this House is going to make a momentous decision, and the step that we are about to take, in my humble but honest opinion, is not only a dangerous one but one which may easily prove fatal.

In 1917 the President, against the advice of his Secretary of State ordered the arming of merchantmen. What was the result? In less than a month we were in the war. Not one single armed merchantman ever sent to the bottom a submarine or a destroyer of the enemy, but 35 of our merchantmen that were armed were sunk by enemy vessels. Yet we refuse to learn through bitter and tragic experience, and now we propose to do something that we have already tried and which has failed.

When you arm these ships and send them forth you are sending them on suicide sailings. You are making them the target of attack. You are inviting assault from the enemy without warning.

It is significant that in New York City on October 28, 1940, less than 1 year ago, President Roosevelt said:

> In 1935, in the face of growing dangers throughout the world, your Government undertook to eliminate the hazards which in the past had led to war. We made it clear that ships flying the American flag could not carry munitions to a belligerent and that they must stay out of war zones.

Those words were true when they were uttered. Those words are just as true today. Two plus two equals four now the same as they did last year.

It is also significant that the other candidate for the Presidency a few days before that utterance of the President, said out in St. Louis, in my State—oh, it was just a year ago today, October 17 last:

> We do not want to send our boys over there again. We cannot and must not undertake to maintain by force of arms the peace of Europe.

Millions of votes were cast for both candidates because they had pledged to stand upon the platforms adopted by both parties to keep this country out of Europe's wars, and yet we come here today proposing to do the very thing that Mr. Roosevelt said we would not do. We come here attempting to eliminate the very barriers that we set up, when we could think objectively and without passion or prejudice due to the hysteria of the moment.

When you put a gun on a merchantman and send it into dangerous war zones you might as well put boxing gloves on Eddie Cantor and put him in the ring with Joe Louis. It is no protection against aircraft, submarines, or men-of-war. This is simply to create the incident that will plunge us all the way into war. The British generals, Wavell and Auchinleck, have both said that an A. E. F. is as essential now as it was in the last war for the British to win.

Only this week the London Daily Sketch said:

> The idea this titanic struggle can be won without any shedding of American blood may be dismissed by every American as insane. * * *
>
> At the risk of appearing ungrateful, we must tell the Americans it is our view that one declaration of total war at this juncture by America against Germany would accomplish more for victory than the delivery of 3,000 American tanks every month to Russia and ourselves can possibly hope to do.

Russia seems to be fighting this war and the United States are financing it. Though H. G. Wells and Lt. Gen. A. G. L. McNaughton, who commands the Canadian corps in England, have said that

Britain will have to invade the Continent to crush Hitler, John Bull placidly waits for the Yanks to do his fighting and Uncle Sam to pay his bills.

That is perhaps why Mr. Knox a few days ago told the American Bar Association at Indianapolis that an expeditionary force might be necessary.

Oh, this little plain, simple, innocuous, innocent-looking resolution is not so much by itself, but it tells only half the truth, and half the truth often is worse than no truth at all. What will happen if we pass this resolution which repeals section 6 of the neutrality law prohibiting the arming of merchantmen? The act will go to the Senate. The Senate will add something to it. They will repeal section 2 to allow these ships that are being armed to go into belligerent ports and to carry munitions. There is no need of arming vessels and sending them into neutral waters. That would be like a father's carrying a pistol in his home to protect himself from his own children. The intention is to put guns on merchantmen. They are going to rewrite this bill in conference so as to send those armed merchantmen into belligerent waters and war zones to be sent to the bottom. This resolution should be defeated.

[Here the gavel fell.]

Mr. LUTHER A. JOHNSON. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the distinguished gentleman from Missouri says this is an innocuous resolution. I say that if the lives of American sailors and seamen are innocuous, then this resolution is innocuous. The gentleman from Missouri says the resolution will do no good, that we tried arming merchant ships in the World War and it was not effective. My answer is that it has been tried in this war, the British have tried it, and it has been effective. We have improved the type of guns and the method of defense that was used in the World War. Every ship built under the Merchant Marine Act has already been equipped under authority of Congress with bases to receive arms on the ships, because it was realized by the Maritime Commission that it might become necessary to defend these ships.

If the gentleman would investigate he would find that arming merchant ships and sailing them armed has been effective in destroying submarines and in repelling attacks from submarines and airplanes. Contact the Secretary of the Navy's office, Bureau of Naval Intelligence, and you will learn that many German submarines have been sunk by armed merchant ships, and that many armed merchant ships have repulsed attacks upon them by submarines and airplanes. He would not even have to go to the Navy Department to do it if he had watched the newspapers in the last few days, for there he would have found recorded certain instances, one on October 9th under a date line by the United Press from London which tells of a large German submarine surrendering to the British trawler *Lady Shirley* after it had attacked the merchant ship.

Mr. VORYS of Ohio. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield.

Mr. VORYS of Ohio. The gentleman knows that a trawler is not a merchantman.

Mr. LUTHER A. JOHNSON. A trawler is a type of fishing boat that has been armed by England.

Mr. VORYS of Ohio. If the gentleman would go to the Navy Department he would find that a trawler is a naval ship used for sweeping mines and that sort of work.

Mr. LUTHER A. JOHNSON. The gentleman from Ohio does not need to lecture me. He had better take the statement of Admiral Stark who differs with the gentleman from Ohio.

Mr. VORYS of Ohio. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. VORYS of Ohio. Mr. Chairman, I make the point of order that the gentleman from Texas is divulging matters which took place in the extra special secret hearings in discussing confidential matters on the floor of this House.

Mr. LUTHER A. JOHNSON. The gentleman ought not to make a statement which he should know is in conflict with the statement of Admiral Stark of our Navy.

Mr. VORYS of Ohio. I know by my own experience and that of others who served in the Navy.

Mr. DINGELL. A point of order, Mr. Chairman. Does the gentleman know anything about it? Was he there?

Mr. LUTHER A. JOHNSON. I have another incident here, Mr. Chairman. We are dealing with facts, not with fancy, fiction, or fantasy. Here is the case of a Norse whaler that was armed and sank a U-boat. This item is dated at Reykjavik, Iceland, October 13.

A former Norwegian whaling ship, converted into a freighter, arrived safely at Reykjavik today after an encounter with a German submarine in which the U-boat was believed sunk.

And there are other incidents that can be brought to mind which show the effectiveness of arming merchant ships. The gentleman had better consult the Navy Department, the War Department, the Maritime Commission. They all say that arming merchant ships is a protection. This resolution therefore is not an innocuous resolution.

Mr. THOMAS F. FORD. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I will yield later if I have time.

Another point made by the gentleman from Missouri was that when this bill goes to the Senate another amendment will be added there. Probably other amendments should be made to the neutrality law but the reason for speed in the passage of this particular amendment is that it is going to take time to arm these ships. They cannot all be armed at once, they have to be armed as they come into port and it is going to take time to do that. If we could change other features of the neutrality law permitting the sending of ships into belligerent waters, a cable would reach the ship in whatever port she was and advise her of the changed status of the law, but it is going to take time to arm these merchant ships, and that is the reason why the necessity for speed arises for this particular change in the neutrality law.

I say in view of what has happened in the last few days that it is imperative it be done now.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I suppose it is very easy for every one of us to wrap ourselves in the mantle of peace, to put upon our brows the halo of peace. I believe in the end this measure will bring about more peace in the United States. You may think I am claiming that I alone want peace. I feel, in the end and in the immediate future, that the passage of this measure is the best thing we can do; the best thing we can do to secure the greatest measure of peace. I cannot for one minute think of sending our men out on merchant ships unarmed and unable to defend themselves. So many have talked of how the mothers feel. I say to you that the mothers of men want the thing that in the long run will save the greatest number of their sons.

I look back over our past history. I look back to 1789 when there were pirates on the sea and Napoleon was in his great war for world conquest. We armed our merchant ships then. At other times in our history the United States armed its ships, and as a result of it, soldiers were not sent to land on foreign shores. Today, Mr. Chairman, there is the greatest pirate the world has ever known upon the sea. It is being said that this will invite attack. Already one of our ships has been sunk. Two of our ships flying the American flag in neutral waters have been attacked, and today we learned that one of our destroyers has been attacked in Iceland.

Mr. FISH. Will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from New York.

Mr. FISH. The gentlewoman said Iceland. It was half-way between Iceland and England in the war zone. That is an entirely different situation.

Mrs. ROGERS of Massachusetts. I thought it was near Iceland. But it was our ship just the same and should be respected as such.

Mr. FISH. It was 400 miles off of Iceland.

Mr. McCORMACK. Will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. But it was an American destroyer.

Mrs. ROGERS of Massachusetts. It was an American destroyer.

Mr. FISH. In the war zone.

Mrs. ROGERS of Massachusetts. But it was flying our flag, and an American ship.

Mr. McCORMACK. The gentleman is always making those sleight-of-hand speeches.

Mr. FISH. I am telling the truth.

[Here the gavel fell.]

Mrs. ROGERS of Massachusetts. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Massachusetts [Mrs. ROGERS]?

There was no objection.

Mrs. ROGERS of Massachusetts. It has been stated upon the floor of this House that no merchant ship during the World War sank a submarine. It is well known, Mr. Chairman, that during this present war the British have sunk a good many submarines by their merchant ships, and I maintain if the British are smart enough to sink submarines our merchantmen are smart enough to do the same thing if they are attacked.

I should like to point out that the United States destroyer was torpedoed, according to the Times-Herald of today, 350 miles southwest of Iceland in neutral waters.

Mr. FISH. No; not in neutral waters.

Mrs. ROGERS of Massachusetts. That is not important at the moment. The ship was an American ship carrying the flag of the United States.

It has been pointed out by experts that certain things are true, and I prefer to take their opinion rather than the opinion of laymen, although each one of us is entitled to his or her opinion. The experts tell us that a submarine is much less likely to attack a ship that is armed. All of us who crossed in 1917 know that submarines keep submerged so far as possible. They keep submerged because they do not want to be annihilated. They know they are more vulnerable to attack when on the surface of the water.

It is well known, also, Mr. Chairman, that airplanes do not like to attack a ship that is armed. So, as a matter of our own protection, as a matter of espousing a cause that we have embarked upon, because by the votes of the Congress, the Congress as well as the President wants Great Britain to be victorious, I feel it is much better for our own safety to arm our ships. I will say to the House, Mr. Chairman, that in 1917 the fact that our merchant ships were armed did not precipitate our entrance into the World War. It was the fact that Germany had declared that it would sink any and all ships on sight, and the Congress then could not bear to bow its head and to send ships unarmed into dangerous waters.

I would like to touch upon the motion to recommit for a moment. The gentleman from Ohio [Mr. VORYS] stated that the motion to recommit will provide that we transfer our ships to British registry. If we do that we may never get our ships back again under our own flag. The reasons for that are obvious. I would like to take you back some months ago when all of New England and all of the East was very much aroused because oil tankers were given to the British. It was thought, and the thought still prevails in many sources, that the giving of those oil tankers materially lessened our supply of oil and that our supply of coal will be short, our oil and coal which are needed greatly by our industries that are making defense materials.

Mr. Chairman, it is important for us to have those ships under our own flag in order to go ahead with our commerce which is necessary not only for the welfare of our hospitals, our public institutions of charity, and our homes but vitally necessary to our defense industries if they are to produce materials of war for our own defense and for the defense of the Allies.

Those are several reasons why I shall vote against the motion to recommit. I maintain that we must keep this Nation strong. We must be strong people and not weak people. The gentleman from Ohio has spoken of the fact that we must keep ourselves in a position to be a great powerhouse for peace. How can you and you and you keep this country in a position of power if you weaken it, if you weaken our own strength, if you weaken our national defense? I have voted for every national-defense measure that has ever come before the Congress, and I am extremely glad I did so. If I were the only one in this entire Congress to vote for this measure to protect our merchant marine, thereby protecting our own country, our own national defense, still I should do so. I can see no possible excuse for doing anything else.

In the days and years to come, Mr. Chairman, each one of us is going down along the road to the end with our own conscience. I must keep my conscience clear.

[Here the gavel fell.]

Mr. McCORMACK. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, I was rather amazed at the observation made by the gentleman from New York [Mr. FISH] while the gentlewoman from Massachusetts [Mrs. ROGERS] was speaking, referring to the torpedoing of an American destroyer. The gentleman from New York undertook to say that the destroyer was not in a neutral zone; as if that made any difference. If we are to follow that reasoning, then we might as well haul down the Stars and Stripes on the high seas of the world. When the time comes that an American naval vessel—assuming this one was in an unneutral zone created by the Nazi government—cannot enter any zone in the pursuit of its assignment, we might just as well say to the world, "We shall pull our naval vessels into our navy yards, moor them at the docks, and let them remain inactive and idle, and pull down the American flag." That would be a new rule for America. The same would apply to American merchant vessels. I do not subscribe to that policy or reasoning.

All I know is that an American destroyer has been torpedoed. The exact facts are immaterial to me. There is no doubt in my mind what nation's vessel torpedoed the American destroyer.

The gentleman from New York tries to distinguish between neutral and unneutral zones. I, as an American, see no distinction. All I know is that the Nazi government has said to the world that for 1,600 miles in one direction and 1,500 miles in another direction neutral vessel shall enter that zone at their peril. I do not know what authority the Nazi government has to create such a zone. One thing, however, is certain: I recognize the right of the American flag on the naval vessels of the United States to fly any place on the high seas that our country thinks it is necessary for our best interests to send our vessels.

Let me make a few observations about some of the statements made concerning the polls asking, "Are you for or are you against war?" Nobody but a person having an antisocial mind, nobody but a person possessed of a destructive mind, would be for war. I am against war. The gentleman from New York and others have referred to post cards that have been sent around in polls asking, "Are you for war or are you against war?" I am against war. If a poll had been taken of the people of Germany before Hitler first moved, the people of Germany would overwhelmingly have been against war.

If a post card were sent out asking the people of any district, "Are you for Hitler or are you against Hitler?" I know what the response would be. If a post card were sent out asking the people of any district, "Are you for the Monroe Doctrine or are you against the Monroe Doctrine?" I know what the answer would be.

These polls in which the question is asked, "Are you for war or are you against war?" are a subterfuge in the main for the purpose of creating further division among our people. In the light of what George Sylvester Viereck and others have been doing, and in the light of what has been disclosed recently, I wonder if George Sylvester Viereck has not had his hand in conceiving the idea that such polls should be conducted.

Mr. Chairman, this resolution should be enacted into law.

[Here the gavel fell.]

Mr. FISH. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the distinguished majority leader is always trying to drag red herrings across the trail. No poll has ever been taken of the American people as to whether they like war or hate war. Everybody knows the American people hate war, and that would be the response 100 percent if that were the question asked in the poll. Every poll that has been taken has been on the basis of "Do you think we should go into this war now?" Any schoolboy can make up his answer on that, "Yes" or "No." I believe the distinguished gentleman from Massachusetts has at least the same degree of intelligence as the lowliest schoolboy.

It is ridiculous for a gentleman with his ability to get up on the floor of the House and try to delude the American people about polls. Nobody has ever taken a poll on liking or disliking war. The question asked is always the simple one, "Shall we go into this war now?" or "Is it in the interest of the American people to go in, or is it in the interest of the American people to stay out?"

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. FISH. Certainly, I yield to the gentleman from Michigan.

Mr. DINGELL. Why does not the gentleman defend his position on a destroyer and never mind the poll?

Mr. FISH. I am getting to that; do not worry about that.

Mr. DINGELL. That is what I should like to find out.

Mr. FISH. One thing at a time.

Mr. DINGELL. Is the gentleman for the American flag or against it?

Mr. FISH. I upheld the American flag in the last war, but I do not remember seeing the gentleman from Michigan. Now, Mr. Chairman, that I have concluded on the poll, I shall take up the destroyer statement.

The gentleman from Massachusetts says he is not interested in facts, that facts mean nothing to him whatever. Of course, he did talk about a poll regarding Hitler, but what about a poll asking the American people what they think of Stalin? Do you believe the American people prefer Stalin to Hitler?

Let us get on to the attack on the destroyer. The gentleman from Massachusetts is not interested in facts; they make no difference to him. An American destroyer has been attacked. Suppose that American destroyer were in the Baltic Sea, or at Heligoland, at Gibraltar, or looking for German submarines right off the British coast.

Mr. DINGELL. Suppose it was right where it was.

Mr. FISH. That is what I am talking about. If an American destroyer is hunting German submarines in the war zones, there will naturally be incidents. If our warships are sent looking for German submarines right off the British coast and a destroyer is attacked chasing a German submarine in such war zone, that is an entirely different thing from convoying our ships to Iceland. I have taken this floor before and said I would support the administration in keeping open the sea lanes to Iceland, but the minute our warships are diverted from that 1 mile and go into the war zone looking for belligerent ships, then that would be practically declaring war by the President in defiance of the Constitution, the Congress, and the American people. It makes all the difference in the world what the facts are. I would prefer to reserve final judgment until all the facts are known.

Mr. SHORT. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield to the gentleman.

Mr. SHORT. I would like to ask if Britain's blockade of the Continent and her refusal to allow even mercy ships to carry food to the starving millions in the European countries guarantees us freedom of the seas.

Mr. FISH. There is no such thing as freedom of the seas and has not been since this war started, and we have been violating it as much as any nation when we repair British ships in our harbors. Let us stop talking about that kind of hypocrisy and bunk. We are concerned with facts, and everybody knows that if we send our warships right into the war zones to hunt enemy ships they are going to be hurt and we are not going to get alarmed in Congress. We are interested in facts. As far as keeping the avenues or the channels open between Iceland and the United States, I am back of the President in protecting our ships going there with food and war supplies, but sending them out into a war zone is a different matter.

Mr. BRADLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. FISH. I yield to the gentleman from Michigan.

Mr. BRADLEY of Michigan. Does not the gentleman know that on July 31 the Secretary of the Navy issued an order to all American ships at sea to prepare to take the offensive against Axis craft?

Mr. FISH. I am not in the confidence of the Secretary of the Navy, and if he did that he was declaring war on his own account in defiance of the Congress.

[Here the gavel fell.]

Mr. BLOOM. Mr. Chairman, I ask unanimous consent that all debate on this joint resolution and all amendments thereto close in 30 minutes.

Mr. O'CONNOR. Reserving the right to object, Mr. Chairman——

Mr. RICH. Reserving the right to object, Mr. Chairman, I would like 5 minutes.

Mr. O'CONNOR. There are some of us who did not get an opportunity to speak on this bill, and I object, Mr Chairman.

The CHAIRMAN. Let the Chair state to the gentleman from New York [Mr. BLOOM] that the Chair has a list of six gentlemen who have been to the desk and informed the Chair they would like to be recognized.

Mr. BLOOM. Mr. Chairman, let everyone stand up who wishes to speak, and then we can arrange the time accordingly.

Mr. MICHENER. Mr. Chairman, reserving the right to object, I have not taken any time in this debate, and I do not expect to take a lot of time, but this bill was brought in under a rule and an agreement with the Speaker, with the majority leader, the Foreign Affairs Committee, the Rules Committee, and others that there would be sufficient time so that all desiring might speak. It is now 1 o'clock and we have been here just 2 hours. It is too early to commence to use the steam-roller methods, and I hope the gentleman from New York will withdraw his request.

Mr. BLOOM. Mr. Chairman, may I say that I must object to the term "steam roller." I gave the minority side last evening 1 hour and 9 minutes of additional time, and the RECORD will show that. I was willing to stay here as long as they wanted to stay and use up the time, and therefore I think it is very unfair that anyone at this time should refer to steam-roller tactics.

The CHAIRMAN. Let the Chair state that the Chair has endeavored to take down the names of the Members who have applied to the Chair for recognition, and the Chair has noted nine names. Forty-five minutes have been requested.

Mr. BLOOM. Suppose we agree upon 1 hour of general debate. Will that be satisfactory?

Mr. COLMER. Mr. Chairman, reserving the right to object——

Mr. BLOOM. If that is not agreed to, I will withdraw the request, Mr. Chairman.

The CHAIRMAN. The gentleman from Montana [Mr. O'CONNOR] is recognized for 5 minutes in opposition to the amendment.

Mr. O'CONNOR. Mr. Chairman, I endeavored to get time yesterday and could not. I now ask unanimous consent to proceed for an additional 3 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. O'CONNOR. Mr. Chairman, I have not the time to go into detail as to what I think about this bill. I paid my respects to this measure the day before it was brought up on the floor of this House. There are a few things I wanted to add. I endeavored to secure time yesterday from my distinguished chairman, but he would not give me any time until last night, when he offered me an hour if I wanted it, but there were no Democrats on the floor of the House except the gentleman and myself, and, of course, I knew I could not even make a dent in the gentleman, so I refused the time. I say this to my distinguished friend, the chairman of this committee: I hope this is the only assault he is going to make on this neutrality law; but I am afraid that he is now just nibbling on the cherry and that he is finally going to come in here with a bill that will entirely eat it up. I know that he is not proceeding in this way because he likes publicity at all by heading two bills, because he shuns having his picture taken, but I think he is proceeding upon the theory that this is a sort of trial balloon to get at the thing that really is hurting him, and that is keeping our ships out of dangerous zones and keeping our people out of combat areas and off belligerent ships. This is the question I was going to ask the gentleman yesterday. I hear him now in thunderous tones as he told the House when the neutrality bill was under consideration:

> If the pending legislation provides for nothing else but the prohibition of American ships and travel where laws do not exist, where death awaits the peaceful traveler, I would support it as the most effective means of keeping us out of war.

Those were the words of the gentleman, and he is going to come in here a little later on, if he gets this bill through—and I know that he will—and take up the remainder.

Mr. THOMAS F. FORD. Mr. Chairman, will the gentleman yield?

Mr. O'CONNOR. No. I speak now to the lawyers of this House. First, I take issue with the gentleman from New York [Mr. FISH] when he casts aspersions upon the gentleman from Massachusetts [Mr. MCCORMACK] and says that he is not intelligent. As a lawyer the distinguished gentleman from Massachusetts, our beloved majority leader, JOHN MCCORMACK, stands on a high and lonely pinnacle with perhaps one of the greatest legal minds anyone could find in any aggregation of men. I only wish the gentleman would have taken time, however, to have read closely the Neutrality Act. I believe he would have seen that there is no necessity for the resolution now before us. And I believe if the other members of the bar in the House will read that act they will agree with my statement.

It now lies within the power of the President to unshackle his hands, if his hands are shackled, because the whole matter of combat zones and all the rest of it is entirely discretionary with the

President of the United States. The President can revoke any proclamation that he has issued. If he figures that he should arm these vessels it lies within his power to revoke the proclamations that he has already issued and arm them. To show his discretion he has not yet named Japan, China, and Russia as being at war. He issued a proclamation declaring the Red Sea a combat area, and he revoked that, and shortly after he revoked it a ship was sunk which was flying the American flag. So I say, any proclamation that he issues he may revoke. All you have to do is to read the law to convince yourself of that. The law reads as follows:

Whenever the state of war which shall have caused the President to issue any proclamation under the authority of this section shall have ceased to exist with respect to any state named in such proclamation, he shall revoke such proclamation with respect to such state.

Whenever the President shall have issued a proclamation under the authority of section 1 (a) it shall thereafter be unlawful for any American vessel to carry any passenger or any articles or materials to any state named in such proclamation.

You will see from the above that the President may revoke any proclamation that he issues under section 1 (a) and when he does so it automatically raises the ban against arming merchant ships. So do you know why he does not? The President of the United States is, I think, one of the greatest patriots and has one of the greatest minds this world has ever known. He was in the administration of Woodrow Wilson, another great President, and the President remembers the words of Mr. Lansing to Mr. Wilson. And in passing let me say that if England and France and those countries had not sold Wilson out, we would not have had any war in Europe at this minute. Wilson's Fourteen Points were kicked into the waste basket. Later on Hitlerism was born. What did Lansing say to Woodrow Wilson on the identical question before this House:

It would certainly entail a certain measure of danger of creating a state of war between the neutrals and the belligerents.

The President knows it is fraught with danger.

Now, in the closing hours of debate on this bill I am going to appeal to you, in behalf of our young men who are on these merchant vessels which will, at best, be poorly armed and poorly protected, to leave this neutrality law alone. We should not betray the 58 boys whose lives were sacrificed in the 30 boats that were sunk which were armed before war was declared before. Certainly we should learn from what happened not to make the same mistake. We should remember Mr. Lansing's words to Mr. Wilson, and we should also remember the fact that when they were armed, they were sunk, and shortly after they were armed the Congress was asked to declare war. I firmly believe that if we take this step, it will lead to massacre on the ocean. Just today we are told by the newspapers that one of our destroyers was torpedoed by a submarine somewhere between Iceland and England. A destroyer is the last word in running down a submarine, yet apparently the destroyer was disabled, and crippled to shore. An armed merchant vessel in its place would most likely have been sunk with the loss of the lives of its crew. I am not an expert and do not claim to be on whether or not merchant vessels may be successfully armed. Maybe they can be, and maybe the untrained crew in gunnery on these merchant vessels may be good shots, and so forth, but have we the right to gamble on the lives of those men? They are our boys whether they are on ships or on land. Should not we, as Congressmen, try to protect them as much as we can? Is that not our duty? Well, the President knows that this is a dangerous step, and, as I said before, fraught with danger from two angles. First, it may mean the loss of the lives of the crews. Second, it is very apt to mean war. Now, the President has the power under the Neutrality Act to do all this, to revoke his proclamation and throw the seas everywhere wide open with no restriction on our citizens or vessels, but he does not wish to do that. The President wants the Congress to revoke his proclamations. The President has done a fine job in applying the provisions of the Neutrality Act. There has been scarcely any loss of the lives of Americans. Of course, after all, that is the most important. There has been little loss of ships considering the terrible situation in the eastern Atlantic. Now, let us continue a while longer as we are and build up our defenses to the very limit to protect the Western Hemisphere and our own country.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Michigan [Mr. MICHENER] is recognized for 5 minutes.

Mr. MICHENER. Mr. Chairman, I have read the statements of those officials representing the administration who appeared before the Foreign Affairs Committee in behalf of arming our merchant marine. I realize the important part of what these witnesses said was in executive session and that the House, therefore, has no knowledge as to that portion of their testimony. I have remained on the floor consistently throughout this entire debate and have heard practically every word spoken for or against this bill. I have studied the historic background of our neutrality legislation and feel that I am pretty well informed as to what can be expected if this bill passes the House and what will be, or will not be, accomplished by the repeal of this vital part of our neutrality law.

Before and at the time of the enactment of the neutrality law, I was in hearty accord with the overwhelming sentiment of our people in opposition to any future A. E. F. in Europe, Asia, or Africa. I do not believe the sentiment of the people has changed in this respect. Ever since the World War I have consistently supported any foreign policy which seemed to me to be best fitted to avoid again sending our boys to do battle in foreign lands. In an effort to be consistent and apply this policy to the measure now before us, I am constrained to believe that the superficial arming of the merchant ships, as described in this debate, is not a measure the intent of which is to keep this country out of foreign wars, but is legislation that will be inadequate, hazardous, and leads directly toward total involvement in World War No. 2.

Possibly I have not reached the proper conclusion. Nevertheless, it is a carefully considered conclusion. I shall therefore vote against this measure.

In 1935, at a time when our country was at peace with the world, when our judgment was calm, when prejudice, hatred, and emotion were not the controlling factors, we placed upon the statute books a neutrality law. The purpose of this act had the approbation of practically all of our people. We said then that in time of peace we would attempt to write a formula that would keep us out of other countries' wars unless our own security was imperiled.

In 1937, the Congress and the country still had faith in our neutrality law and, by amendment, strengthened it.

In 1939 the administration asked for certain amendments to the law, the express purpose of which, we were told, was to more surely guarantee our peace and safety when other nations were carrying on their traditional and almost continuous wars. We then adopted the cash-and-carry provision of the present neutrality law, the effect and purpose of which was to furnish aid to Britain, at the same time guaranteeing that we would become involved only to the extent of being the arsenal for those countries capable of receiving our implements of war on a cash-and-carry basis. Our ships were not to go into belligerent waters and our merchant ships were not to be armed.

In short, there is one objective to our neutrality law, and that is to safeguard our country against any kind of involvement in any foreign war anywhere.

This policy has certainly been of much help. I do not believe there is a Member on the floor who would have the temerity to assert that we would not be more involved in the present war than we are at this time had it not been for the safeguards provided in the neutrality law.

In addressing the House when the 1939 amendments were under consideration, I pointed out some of the defects in the law. I expressed the hope that at some time in the future, when there was no threat of war and when our people were possessed of the same composure prevailing at the time the original neutrality law was written, further consideration might be given to the whole act. At such a time, changing the law would not be changing the rules in the middle of the game.

When the original Neutrality Act was placed upon the books, it was a direct change in our foreign policy. The 1939 amendments were a step in retreat on that policy.

The Lend-Lease Act was an additional and inconceivably far-reaching change in our foreign policy, and an attempted change in international law. This change, however, was advocated by the President, approved and vitalized by a majority of the people's representatives in the legislative branch of the government and is now the law of the land.

I did not support the lend-lease law because I felt that it was a war measure and not a peace measure, as contended. I did, however, support appropriations to implement the lend-lease law because the policy had been legally determined upon. Implementing a policy is entirely different than establishing a policy.

The bill before us today changes a policy proclaimed in the Neutrality Act and reaffirmed and reasserted in the Lend-Lease Act. If the President's recent message to Congress justifies the passage of the bill, it also justifies the repealing of the entire neutrality law. If it justifies repealing of the neutrality law, it justifies a declaration of war, because, for all intents and purposes, the effect is the same. With the power given to the President in the lend-lease law, and with the protection of the neutrality law removed, I know of nothing that would prevent the President from carrying on undeclared war anywhere in the world, just so long as, in his judgment, it was in the interest of our own national defense. I do not believe there is anyone in the Congress who will take issue with this conclusion.

Now, I am not prepared to give any President any such power. I still believe in the Constitution and have not yet been persuaded that the Congress should by legislation abdicate its right to pass upon a declaration of war.

There has been mighty little argument in this debate to show that the arming of our merchant marine will be effective so far as our commerce is concerned or beneficial so far as protecting the lives of our seamen is concerned. On yesterday, the gentleman from Michigan [Mr. DONDERO] called attention to argument made by the late Senator Pittman, chairman of the Foreign Relations Committee in the Senate, on March 1, 1937, when the amendment to the neutrality law, which we are today attempting to repeal, was under consideration. Mr. Pittman said:

> On the 13th day of March 1917 President Wilson proclaimed armed neutrality and ordered the arming of our merchant vessels. This was the gravest mistake that our Government made. It was even a foolish act. A cannon on a merchant ship is no defense against a submerged submarine and only invited attack as was subsequently proven. From the beginning of the war down to the date of the proclamation for the arming of our ships, only seven lives were taken of American citizens by reason of the sinking by submarines of American merchantmen. Between that date and our entry into the war on April 6, 1917, from such cause we lost the lives of 63 citizens, and President Wilson, in his war message, recognized the failure of armed neutrality.
>
> I can conceive of no argument against the adoption of the section of the resolution prohibiting the arming of our merchant ships. While there is grave danger of another World War, and while I expect to see submarines used as commerce destroyers in the next war in the manner they were used in the last, I do not believe that any belligerent country, when they know that our merchant ships are not armed, and that they are so identified otherwise than by the flag that their nationality will be certain; and that they will stop upon demand and submit peaceably to visit and search, will sink our merchant vessels without notice, and without complying with the humane customs of visit, search, and seizure universally accepted by nations. If this is true, then this provision, together with the provision prohibiting American citizens traveling upon belligerent ships, should eliminate the danger of the loss of life to our citizens, and remove the greatest cause that could incite us to war.
>
> I sincerely believe that the enactment of this joint resolution will keep us out of the next great foreign war. I appeal for the passage of this resolution.

It will be remembered that Chairman Pittman was the President's spokesman on foreign affairs in the Senate. There has not been a scintilla of proof, so far as I can ascertain, during the consideration of the present bill to change the conclusion reached by Senator Pittman, which conclusion undoubtedly had great weight and was most effective in placing in the law section 6, which this bill would repeal.

There is little that I can say at this late hour in the debate that would not be repetition. I do want to say that this is not a political issue, and it is regrettable that certain ill-advised proponents of a policy that would involve this country in total war see fit to accuse of partisan politics those Members of Congress who do not see eye to eye with them. The debate during the last 2 days is almost barren of even insinuation along this line. This is because the Members here realize the truth. Some of the outstanding Democrats are vehemently opposed to this legislation. The same is true of Republicans. On the other hand, some of the leading Republicans are enthusiastically supporting this bill, as are many Democrats. Of course, this is an administration measure, and we all know that political pressure is being and has been brought to bear by the administration on Democratic Members of the House in an effort to compel them to follow the administration in its foreign policy. I find no fault with this other than to call the attention of some of these critics to the fact that the administration is in a position to, and does, exercise its political power and persuasion to control the votes of Members elected on the Democratic ticket. I am sure, as can be easily ascertained by inquiry anywhere, that no effort has been made in the House, so far as the Republicans are concerned, to make this a party issue. On none of these foreign issues have the Republicans voted as a unit for or against any measure demanded by the administration. Neither have the Democrats. If the Members of Congress vote their own convictions as representatives of their several districts, having in mind always the national interest, it would seem that this is truly the democratic process in action. Our people are opposed to political bosses, whether they be in the Democratic Party or in the Republican Party, and so long as a Member of Congress responds in his vote to the dictates of his own conscience, generally speaking, the country will be safe.

In my judgment, the President has no notion that this bill will come to the White House in its present form. It will pass the House because many Members feel it is innocuous under present circumstances. The President's message makes it clear that the elimination of section 6 is one of the minor changes which he demands. However, with the bill passed by the House, the Senate will be in a position to add such further amendments to the neutrality law as the President wants. If there are enough votes in the Senate to repeal the entire law, that will be done. If there are only enough votes to repeal the prohibition against sending our ships into belligerent waters, then that will be added. I think the House can look forward to the bill being returned materially changed. The final law will be written by the conference committee, and the House will have an opportunity to vote "yes" or "no" on the conference report. There will be very little debate and no effective way to change what the conferees determine the law should be. This is too important a bill to start on its way in the hope that it will not be broadened. No one is justified in casting his vote today on any such theory.

Let me repeat, I am convinced that this bill will take us further into a shooting war with another A. E. F. I protest against this circumvention, this indirection, this lack of candor, and this subterfuge. The American people are getting tired of this kind of conduct on the part of the administration. If this is our war, the administration should say so and should place all the cards on the table face up, take the people into its confidence, and if a shooting war is necessary, ask for a constitutional declaration of war. If this is done, the vote of the representatives of the people will establish the policy. It is inconceivable that any patriotic citizen would fail to cooperate, even in an all-out war, when such a policy has been established. This is the proper way to secure the much-desired and much-talked-about national unity.

The CHAIRMAN. The gentleman from Oregon [Mr. PIERCE] is recognized.

Mr. PIERCE. Mr. Chairman, the proposal which is before us is one intended to declare to all the world our national strength and purpose. An exhibition of national weakness is always an invitation to conquerors. This proposed act would establish our position as a Nation determined to protect, not only our own rights, but the common heritage of man—his freedom and his ideals. This is not a declaration of war. It is a further effort to avoid war.

I am in favor of the present pending bill to modify the Neutrality Act and shall vote for it. It is the best bill on this subject that we can get at this time, and the emergency is such that we must have quick action upon which we can unite for the protection of our country.

Speaking in this House on November 2, 1939, on the Neutrality Act then before the House for consideration, I called it our first appeasement to Hitler. I said during those 2 days of debate:

> Many Congressmen who voted for the original Neutrality Act in 1935 have deeply re-operation, materially assisted the aggressor gretted such action, because the Act has, in nations and has worked to the decided detriment and disadvantage of the struggling weaker nations. * * *
>
> By this bill, we are surrendering many of our privileges—freedom of the seas, world

trade, and certain rights which we have regarded as part of our heritage.

Like many other Members of Congress, I have deeply regretted that in 1935 we passed the original Neutrality Act. In November 1939 when we passed the present law on this subject, amending the original Act, we should have realized the utter futility and folly of our action.

WE AIDED THE AXIS POWERS

By the act of 1935 we tied our hands so we could not sell guns or munitions to the newly awakened liberty-loving people of Spain. We cruelly withheld the instruments of defense which might have saved them from complete defeat and final surrender. The people of Spain were trying to maintain a Republic in their approach to a democratic form of government. They had established a government which could have been maintained by the people, had they had sufficient materials of war for their defense and had it not been for the war machinery furnished Franco by Italy and Germany, whose allies we then shamefully became. The passage of the Neutrality Act of 1935 served to rivet the chains of slavery upon the people of Spain and generally aided in giving the Axis Powers one of their first victories. In no way did this original Neutrality Act interfere with the progress of the totalitarian governments, but it did tie our Government's hands so that we could not help an oppressed people who had made such sacrifices to gain their freedom, liberty, and independence. "The only reply to one-by-one attack is all-together defense."

As we look at the paintings flanking our Speaker's desk—Washington and Lafayette—we may wonder what would have become of our heroes of Revolutionary days if France had treated our fathers as we treated Spain.

SOME EFFECTS OF THE NEUTRALITY ACT

We made a black mark on the records of the American Congress in 1935 when we gave up freedom of the seas and the right of world trade. In November 1939 we again listened to entrenched privilege when we passed the Neutrality Act under which we are now living. What has been the result? Has it checked the German war machine? Has it aided the cause of liberty and government by the people? It has had exactly the opposite effect. The present neutrality law actually gave encouragement to the German war machine. It said, in so many words:

We will tie our hands so that you, the directors of the mighty German war machine, may drive it to victory from the Mediterranean to the Arctic.

Our so-called "neutrality legislation" has certainly encouraged the conquering German war machine to believe that sentiment is vastly divided in this country. Our legislation has greatly discouraged the defenders of democracy everywhere. The President reminded us that it is, indeed, time for the country to quit playing Hitler's game and to unshackle our hands.

Hope for a season bade the world farewell,
And freedom shriek'd as Kosciusko fell.

Thus spoke the poet Campbell. Liberty must have wept bitterly when the American Congress, through the Neutrality Act, said to a distressed world at war: "We are now rich and powerful, happy, contented, and complacent. We won't sell either a gun or a cartridge to any of our hard-pressed friends or relations, rich or poor—not even for defense against the most aggressive, fiendish attacks that have ever been made upon a nation at any time in human history. Yes, we realize the aggressors would destroy our liberties also, but we will help only if the defenders of liberty and law come to our shores to get those munitions, take them away in their own vessels, and pay us in cash on the barrel head."

What would Thomas Jefferson, Patrick Henry, and Samuel Adams have said about such conduct? I wonder if their slumbers are not disturbed by the conduct of the American Congress during the world conflagration. We ought to repeat morning, noon, and night the words of Patrick Henry:

Is life so dear or peace so sweet as to be purchased at the price of chains and slavery? Forbid it, Almighty God. I know not what course others may take, but as for me, give me liberty or give me death.

On this occasion, we are called upon to change the present Neutrality Act in a minute degree only. The President, in his message, recommended that we repeal section 6 of the 1939 act, which prohibits the arming of American-flag ships engaged in foreign commerce. If it were in my power, I would repeal the entire act.

When I think back on the position this country took when it was weak, and in its infancy, during the War of 1812, it seems to me we have not grown morally stronger with the passing years. We then declared, boldly, to the most powerful nation on earth, Great Britain, that we believed in the freedom of the seas and would fight for it—as we did.

DOES THE GERMAN WAR MACHINE ENDANGER AMERICA?

We are united on the defense of America. We are divided as to method. I am firmly convinced that the German war machine endangers the perpetuity of our Government and of all the American republics.

Hitler's Mein Kampf is, in some respects the most remarkable book that has ever been written. In that amazing work he has detailed in cold blood that which he hopes to accomplish. His aim is complete domination of world affairs by his organization. The rest of the world would be slaves of the German war machine. Many Germans would also be enslaved. We are told by our isolationist friends that Hitler cannot invade America, and, therefore, all we need is a few airplanes, a few vessels on the seas, and a trained army. Those who hold to this idea ignore entirely the technique of the Hitler war machine in this new age of world conquest by mechanized power.

I do not think that anyone honestly believes the panzer divisions are coming down the streets of Washington or New York, or that Hitler has any idea of landing troops on our shores, or making an invasion. That is not the way he works. He would cut off our trade, not only with Europe, but with all the world. Should he conquer Russia and Great Britain, he will make it absolutely necessary for us to maintain a large well-trained Army, a strong air force, and a powerful navy. With our standard of living, maintenance of such forces would break our structure financially. We are in danger from the German war machine, not only as a military and economic menace, but as a constant and ever-present threat to our peace, happiness, and welfare. Furthermore, no decent people can be oblivious to the tragic suffering throughout the world. The cancer of Hitlerism must be eradicated before it spreads to the Western Hemisphere.

ISOLATION AND APPEASERS

Our friends of the appeaser type constantly tell us that we can live in perfect isolation. They say we have everything we need or that our ingenuity can find substitutes therefor. We can feed ourselves, clothe ourselves, entertain and indulge ourselves, and let the rest of the world go hang. The isolationists would erect a Chinese wall around our continental United States, and say to every brave adventurer who would go forth to trade or to visit beyond our ocean borders: "Brother, you must stay within this wall, or at your peril, venture beyond the boundaries of the United States."

It seems to me the merest folly and the sheerest cowardice to talk about isolation in this day of shortened distances, when there are airplanes that can fly across the Atlantic with a load of bombs and return without landing. Designs are now being drawn for planes that will go clear around the world, loaded. To plan for isolation in this mechanized and inventors' age, when you can talk to the world over the radio; when you can fly over the earth; when the necessities of life demand products from other lands, is worse than folly. It is treason to our national character and to our ideals. We can never accept national isolation and retain the self-respect essential to true patriotism and love of country.

NEGOTIATED PEACE

I cannot see how anyone can believe that we can ask for an armistice and negotiated peace with the totalitarian powers. Of course, Hitler would gladly grant the armistice and then proceed at once with might and main to undermine our Government by the most dishonest "fifth column" tactics. We cannot live at peace with Hitler controlling all the other nations and keeping his spies and manipulators in our midst. This war is not a war of commerce; it is not a war for trade. It is not a war in the ordinary sense for which wars have been fought throughout the ages, but it is a struggle to the death between different ideals of government. The totalitarian powers—Germany, Italy, and Japan—are determined upon world conquest and world domination. All authority in their form of government comes down from the top. Their ideals are the complete antithesis of everything for which we stand. In a

democracy, authority rests with and comes from the people. America first taught the world that the powers of government emanated from the masses. In a certain sense, this contest has been going on for centuries. When our American Government came into existence, a century and a half ago, it seemed to students of philosophy and history that it meant the death of the age-old idea that some people were anointed and specially chosen to rule others.

The Axis Nations—Germany, Italy, and Japan—are simply satellites and victims of their war machines. Germany is the head and front and the brains of the ruthless and terrific movement for world conquest by arms. For centuries Germans have been taught by certain leaders that they are superior to the other people of the earth; that they should rule and point the way and the rest of the world should be their slaves and they the masters. What a monstrous notion for a Christian nation to hold in the twentieth century, when we have world commerce in ideas as well as in material goods! I believe there are thousands, probably millions, of heavy hearts in Germany today. I also believe that they are governed and held in line by fear rather than by enthusiasm for the murderous course of their war machine.

The German war machine, headed by Hitler, has been astonishingly successful so far in world conquest. The reasons for its great success will be sought by historians in coming centuries. I think it is largely due, first, to ruthlessness and the fear of torture; secondly, to its marvelous efficiency in carrying out a carefully planned and closely integrated program. Machines devised by modern invention have been appropriated by the Hitler group for conquest and for the enslavement of humanity on a gigantic scale almost beyond the comprehension of man.

The German mind has been trained for efficiency. It is now bent to an organized effort dominated by ruthlessness and by cruelty as exemplified by the Gestapo. Honor, truth, integrity, humanity have been discarded. Treaties are but scraps of paper and international obligations are ignored. No treaties have been made with Austria, France, Holland, Belgium, Norway, or Poland. These countries have had no choice but to yield to the conqueror. Our country will become the same sort of dependency if we yield to the appeasers and isolationists. "America first" would inevitably result in "America last."

GERMANY AND THE CONQUERED NATIONS

The Germans first weaken, by "fifth column" activities, the country they seek to conquer; they find the tools and the means to break down the patriotic sentiment of a country, as they did in France. They buy some newspapers and periodicals; they win with money or by insidious flattery the public men who can be bought; they unerringly locate the weaklings and the egoists who are ready to turn to the enemy because of some imagined injury, or following skilful handling. They use these unfortunate perverts to divide the enemy they seek to conquer. They did it in France. They have done it in every country they have overrun so far. They are masters in the art of "divide and conquer." Germany resorted to cold-blooded murder to weaken Austria before she absorbed her. Germany violated every law of the moral code of nations at Munich, where the conciliators and appeasers showed such cowardice and made such a tragic mistake. In her conquest of Norway, Germany stands convicted of every crime against civilization. Germany deliberately violated her pledged word and her treaty obligations as she moved with her conquering devices into Denmark, Holland, and Belgium. Germany had promised those people, by treaty most sacred, by plighted word, that no conquest was contemplated.

Look upon poor, bleeding France. No one can study the fall of France without being horrified at the perfidy of her own leaders. Poor, betrayed, misled France, gone forever from the group of powerful nations, unless the Hitler war machine can be crushed.

It is hard, indeed, for us to believe that, in this age, people could be so cruel and heartless. These conquerors are, indeed, real sadists who derive pleasure from human suffering. Read if you can, A Thousand Shall Fall. It tells in detail the sad, sad story of France.

By fraud and misrepresentation, Germany built up a force of submarines, airplanes, and fighting machines during the years when the other nations were trusting her pledged word that she was not arming. There is no excuse for the neglect, ignorance, and appeasements of the other European nations—but that is past history upon which we need not dwell except as an awful example.

CAN THE CONQUERED NATIONS REBEL?

In ages gone, conquered people have often risen in rebellion against their conquerors, have thrown off the chains of slavery, tyranny, and oppression. This is absolutely impossible in this day of gigantic war machines, of the airplane and radio, of the swiftly moving motorized armies. The bravest people who ever lived are simply helpless when pitted against a nation fully armed, trained, and mechanized. The whole matter of defense and warfare has changed in our lifetime.

I was a small boy when the Battle of Gettysburg was fought, that most spectacular and dramatic battle of the world's history, and the last one where foe met foe in the open. How we have all been thrilled as we have read of the heroic but futile charge of Pickett's men on that third day of July 1863. One battery of modern machine guns properly placed could have killed half of Pickett's men as they charged Cemetery Ridge, before they reached the stone wall. A few men armed with modern machines of destruction can hold a conquered country in entire subjection. Leaders, and persons who might become leaders, are shot. A reign of terror follows every outburst of patriotic feeling. There is simply no chance for an uprising against such conquerors.

We read, a few days ago, that a modern Joan of Arc undertook to arouse her fellow citizens of Bulgaria. It was but a few hours until she met the fate accorded to every man or woman who disputes the sway of the conqueror. Unarmed people are helpless and arming now requires machine industries and chemicals to be had only for large sums of money. Secrecy is impossible.

There will be no peace in this troubled world of ours until the German war machine has been destroyed and right and justice once more enthroned. Force must give way to right, or all human history has been told for naught.

OUR RESPONSIBILITY

In debating this Neutrality Act today, we must consider present conditions and not the world condition existing when we passed this Act two years ago. It is dangerous and foolish for us to bury our heads in the sand like the typical ostrich and refuse to see the facts that are so apparent.

Many, many times have I heard words ring out from the Well of this House, "This is not our war." My colleagues, I have firmly made up my mind that we have some responsibility, for it is a war against civilization. It is a war against our ideals. It is a war against humanity. It is a war against justice. It is a war against decency and human dignity. It is a war against equity and right. It is a war of fear, frightfulness, and studied cruelty—of oppression and horror. We cannot smilingly go about our business as usual while the whole world is seared by the fierce flames of the war. We cannot ignore the probable consequences to our own hemisphere and to our own Nation.

Should Russia be compelled to yield and Great Britain meet her doom, is there any Member of this House who believes Hitler will then say, "I have no designs on America"? Would he then let the rest of the world live in peace? He must keep his war machine going; he cannot safely dismantle it. So, through Asia, he must complete the conquest, then into Africa. Who is foolish enough to believe that he will be content with South America only? Why we are the largest and fattest goose in all the yard for him to pluck.

We know that Germany has urged Japan to attack us on the Pacific and that such an attack is imminent. Some can see no solution of this situation except the defeat of Japan. The Japanese, too, believe that they are a people with a special mission—in Asia. They are efficient. We can never win them by appeasement. We must not "lose face" when dealing with orientals.

Germany considers us a mongrel nation. It is true the blood which courses through the veins of most Americans is a mixture from many nationalities. How quickly those who have come to our shores have reached the higher standard of living of which we are so proud! Here in our country, man has freedom and dares hope for blessings and satisfactions not dreamed of elsewhere. As a people we believe in sharing the good which has come from our system.

Now two worlds are in conflict. Two philosophies are struggling on a field of

battle and in the minds and hearts of men. We have agreed to furnish supplies unstintedly to every power fighting against the totalitarian governments. Germany knows, just as well as we know, that we are supplying, and preparing to supply in even greater quantity, materials of war for the democracies of earth. Germany knows that here is the arsenal of her enemies. Germany knows perfectly well that we are the real citadel of democracy.

We must admit that, should Russia and Great Britain fall and should we lose the strength of our Allies, we then will have lost the chance to take the initiative. Then, we may realize that it was all along, in fact, our war. Then the German war machine can move on us as we stand alone. There is no way for the democracies to win except through the collapse of the German war machine.

We have invested more than $50,000,000,000 for peace, and the only way we can attain it is to back up our financial contributions by making clear our purpose and our aims in relation to the world struggle. It should always be plain that what we seek is an honorable and lasting peace based on democratic ideals and assurance that freedom will be guaranteed to nations and to all their people.

IS AN AUTOCRACY STRONGER THAN A DEMOCRACY?

I think we must all admit that in actual war the governmental machinery of an autocracy is stronger than the emergency governmental organization of a democracy. There is, however, something more than organization and tanks in such a struggle. The morale in an aroused democracy is far stronger than in an autocracy. In an autocracy the hope of power and spoils is the goal. In a democracy there is an ideal that spurs men on to do almost the impossible.

It is less than a year since this Nation elected President Franklin Delano Roosevelt. He still has 39 months to serve. He is our Commander in Chief. Our country and our institutions are in dire peril. During these critical days, is it asking too much of those who are so intensely interested in party politics to forget partisanship and support the administration that must guide us in these desperate days? Why partisan politics now?

LINCOLN SPEAKS

On June 28, 1863, General Hooker, commanding the Army of the Potomac, handed in his resignation. A courier left the White House with a commission making Gen. George G. Meade commander of the Army of the Potomac. He reached Meade's headquarters a little after midnight—70 hours before the firing commenced at Gettysburg. Suppose with the commission given by Lincoln to Meade making him commander in chief he had sent a letter of instructions telling the general that a great financier had been at the White House and had demonstrated to him beyond the possibility of a doubt that the debt being created in the War between the States could never be paid and that there could, therefore, be no more fighting. What would then have become of the Union?

Suppose a great mathematician should appear at the White House now, explaining that the national debt already contracted and amounts to be added could never be liquidated? Would that be any reason why we should cease sending war material under the Lend-Lease Act to those who are fighting on the blood-red lines to defend democracy—China, Russia, and Great Britain? Indeed, we cannot see through, but it is simply ours to continue to back up those who fight in the hope that mankind will once more live in a world free from war.

There comes to my mind again another Lincoln story—and such stories are suited to these dark hours. This is an incident that took place at the White House during the darkest days of War between the States—perhaps it was in 1864. A group of critics of the Administration appeared at the White House telling their troubles and making their carping criticisms to the tired, worn Lincoln who was bearing the burdens of the Nation. Lincoln replied in this manner:

Gentlemen, suppose all the property you were worth was in gold, and you had put it in the hands of Blondin to carry across the Niagara River on a rope, would you shake the cable, or keep shouting out to him, "Blondin, stand up a little straighter! Blondin, stoop a little more—go a little faster—lean a little more to the north—lean a little more to the south"?

No; you would hold your breath as well as your tongue, and keep your hands off until he was safe over. The Government is carrying an immense weight. Untold treasures are in their hands. They are doing the very best they can. Don't badger them. Keep silence, and we'll get you safe across.

THE ALTERNATIVES

Hitler and his satellites, or those bound to him in fear, are absolutely different from the democracies in political doctrines, methods of doing business, and ideals of life. You do not have to assume anything to arrive at the conclusion that no dependable treaty can be made with them. We could surrender. We could become their slaves. We could accept their terms and conditions and agree to live in their world.

If our Nation must yield, let us not do so on our knees, begging, but let us go down fighting for our inherent rights and privileges. I wonder how many Members of this House have read Shirer's Berlin Diary? It is a day-to-day story of the things seen and felt, including the growth of the German war machine which now threatens our peace and our happiness. You Can't Do Business With Hitler, by Miller, is another convincing and timely book. A study of the evidence shows conclusively that our fate is wrapped up in the outcome of this struggle. There can be no partnership with the totalitarian governments. There can be no peace between absolute opposites. The war must go on until one or the other of the contestants goes down in total defeat. May our determination and our united strength keep us from suffering the fate of the conquered countries of Europe!

Mr. THOMAS F. FORD. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, I want to make just a very short observation. I simply want to say that the argument made here that arming American ships will put us in more danger of getting into war than we are is just not in accordance with the facts.

I want to say further that to say that arming these ships will not protect the lives of the sailors on board or the cargoes of ships is also not in accordance with the facts. The British experience has been the following, and I take my facts from the Secretary of the Navy:

British armed merchantmen have successfully beaten off 70 German submarine attacks since the war began. At the same time those armed ships have destroyed 80 German planes.

If that itself is not a sufficiently impressive record, I do not know what is. I, for one, am going to vote for this resolution because I am not in favor of letting our sailors go down to the sea in ships without any protection at all.

Mr. YOUNG. Mr. Chairman, the experiment of neutrality against a dictator who strikes without warning peace-loving nations like Belgium, Norway, Denmark, and Holland failed. The American Congress passed this prohibition against our own citizens arming American merchant vessels and this experiment, though noble in purpose as was another prohibition experiment, restricted our own nationals from exercising the ancient and well-recognized right to trade peacefully anywhere in the world. This Nation is not neutral. We are a nonbelligerent ally of all nations fighting dictatorship aggression. I will support President Roosevelt and vote to arm American merchant vessels. What is the use of sacrifices our people are being called upon to make if we are to send vessels unarmed into the Atlantic, prey to submarines and raiders? After all, our American way of living is being upset. Due to our national-defense efforts hundreds of little businesses are being injured. Because of Hitler's aggressions we have drafted thousands of young men who have spent years training for the professions of peace. They have been taken from their homes and peaceful pursuits and trained arduously with the most modern weapons for slaughter and destruction. We are building a two-ocean Navy. Because of Hitler we are imposing enormous taxes on our people to pay for the energy and material that must now go into national defense. There can be no security for this Nation nor assurance of peace unless Britain and Russia stop Adolf Hitler. If they fall, we alone in all the world must defend against dictatorship aggression. Freedom of the seas is a traditional and American right for which our frigates and ironclads fought. It was illogical to surrender this historic right. President Roosevelt is seeking to keep the war away from the Western Hemisphere and to save American lives. This administration bill to authorize arming of American merchant vessels deals with American rights. It has no connection with international law or international relations.

Reference has been made to rattlesnakes. Rattlesnakes give warning be-

fore they strike. Hitler struck Norway, Denmark, Belgium, and Holland without warning. They were peace-loving people the same as we are peace-loving people. Norway had not been involved in war in 102 years, and the Dutch had not waged war in 147 years. They did not want war. Hitler took the war to them. I reject and repudiate the statement of the gentleman from New York [Mr. FISH] that the American people prefer Hitler to Stalin. Hitler entered into a 10-year nonaggression agreement with Stalin. Then, without warning, he invaded that country, and Russians are fighting magnificently for their homes. Millions of Russian peasants have been slaughtered; millions of Russian children will die, because Hitler seeks the oil which drives the tractors, and wheat which feeds the people. In the defense Russians are making to keep their country from domination by Hitler we are witnessing the rebirth of a great nation, traditionally the friend of the United States. In the bitterest days of the Civil War, when the cause of the Union was at its lowest ebb, the Emperor Louis Napoleon, of France, was about to recognize the Southern Confederacy as an independent sovereign nation, the Russian Government dispatched its war fleet to New York harbor as a gesture of friendship to the Federal Government. Louis Napoleon backed down, and the history of the United States was changed.

[Here the gavel fell.]

The CHAIRMAN. The gentleman from Michigan [Mr. HOOK] is recognized.

Mr. HOOK. Mr. Chairman, we are now debating on whether we shall repeal section 6 of the Neutrality Act. Previous to the time the Neutrality Act was put on the statute books I made the statement that—

> Neutrality is a question of policy, not legislation; that neutrality cannot be legislated. There cannot be such a thing as partial neutrality.

We cannot have a successful foreign policy with responsibility for it divided.

We have three branches of the Government—the legislative, the executive, and the judicial. On the executive branch of the Government, ever since the beginning of the history of this Nation, rested responsibility of forming our foreign policy, and that is where it should have remained. Through the passage and adoption of the Neutrality Act that responsibility was cleverly shifted from the executive branch of the Government and placed partially in the hands of Congress. The policy is framed in the Government bureaus by a group who feel they are supermen. After that policy is framed, then legislation is sent to Congress. When you vote on this legislation, you are accepting responsibility for something you have no voice in bringing about. Now you Members of Congress are on the hot spot and you must answer to the people. We passed the Neutrality Act and thereby changed the traditional policy. We accepted the responsibility. Let us keep it here. The executive branch shifted the responsibility from its shoulders to us. Let us keep it as our responsibility now. If we are going to be responsible to our people for the policy of neutrality, then let us keep it here, but let us have it all or nothing. Let us not be half fish and half fowl. Either it is our duty to handle this or it is not. I do not see why we are here wasting time on debate, however. I think it is about time to close debate, because, according to the Washington Daily News of Friday, October 17, 1941—and this is according to the clock just after 1 o'clock—these are the headlines: "House passes ship-arming bill today." Before debate is closed; before a vote is taken!

I wonder whether we are operating as a Congress any more. As long as we have no more authority than we have had in the past, I presume all you men will go right down the line now and not let this newspaper down. Please do not make a liar out of a newspaper; do not do that. We need the free press. They come out and say to you before you have cast your vote, before you have finished debate: "House passes ship-arming bill today." I realize the die is cast. It will not be passed, however, with my vote. Close debate and go along with the newspapers, because they are framing your policy, anyhow. They are keeping up with the times. There was a time when the press, through their editorials, advised as to the policy that in their opinion Congress should follow. Then came the day when they bluntly declared how Members should vote. Now it has come to pass they announce that legislation has been passed before a vote is taken and before debate has finished. How soon will the newspapers announce that Congress has declared war? That question, I think, can be answered by the passage of this bill. In 1917 it happened 21 days after we armed the merchant ships. Pray God history will not repeat itself.

I am opposed to an A. E. F., and for that reason shall vote against this change in our Neutrality Act.

Mr. MURDOCK. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, about 15 minutes ago the gentleman from Michigan expressed himself very briefly as being opposed to this resolution and stated that he would vote against it because he felt that a vote for this measure would mean a vote for an American expeditionary force. I cannot at all see eye to eye with the gentleman in that respect. I do not feel I am voting for an American expeditionary force when I vote to arm our merchant ships, and I certainly do propose to vote to arm our ships and give them a chance.

I, too, have been a student of history, and I have often heard the statement that "history repeats itself," and have heard the statement made many times during this debate from both sides of the aisle—but particularly on the Republican side, that is—that we are following exactly along the path of the first World War, step by step. When I hear critics condemn every move of the administration in its conduct of our foreign affairs, when we are doing our best for the safety of our country, it seems to me most of it is based on false assumptions. Would they have us in each and every case do nothing to offend the aggressors and take it?

If we are going to admit that history repeats itself identically—and no student of history will admit that—for if history repeats or seems to repeat itself, it is not in a merry-go-round circle but in an ascending and widening spiral. We might just as well assume, if we are going to run wild on assumptions, that by voting for this resolution we are going to vote for a declaration of war, that we are going to vote for a second expeditionary force, that we are going to vote another Treaty of Versailles, that we are going to vote for another League of Nations, and then that we are going to emasculate it. We have no more right to assume such things than we have to assume, as many have done, that every move of our Nation in the first World War was a blunder. Some mistakes were made the other time, but America saved the world then from Prussian junkerism, and who will say that that was useless or a blunder?

Mr. McGREGOR. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. I beg the gentleman's pardon, but I cannot. I have but 5 minutes.

I have heard it said here time and again that if we pass this bill it will be useless because, forsooth, a quarter of a century ago no armed merchantman sank a submarine. You might just as well assume that an armed policeman down here on the street should not carry a gun or even be there, because in the last 25 years on his beat he had not shot a man. How can you assume that that policeman has been worthless during 25 years on that beat because he has not shot a man? How many criminals has he prevented from committing their criminal acts? The presence of a policeman prevents many crimes. The presence of guns will prevent many attacks.

It may be that 25 years ago no armed merchantman sank a submarine, but most certainly the arming of our merchant ships will make it very much more difficult for submarines to send them to the bottom, especially today with the increased efficiency of our guns. I believe the arming of ships may save many, many ships even though no submarine is sunk by one of these armed merchantmen.

As I see it, Mr. Chairman, as we come to a vote on this measure there are three possible courses: First, shall we entirely withdraw ourselves from the seven seas, pull in every American ship and haul down the American flag on every ocean of the globe? Shades of Paul Jones! As a landlubber I might be willing to do that temporarily for an advantage, but I could not look my children in the face with such a permanent arrangement.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. I have not time.

Secondly, shall we let our vessels go as they have been going, let the seamen take their own risk, let them be drowned like rats in a trap, as were those on the *Robin Moor* and doubtless on other ships? Who

would dare advocate such a thing? Or, thirdly, shall we let them arm to protect themselves?

As for me, I will not consent for American sailors to risk watery graves without their having some chance of protecting themselves. That is what we are trying to do today in seeking the passage of this bill, seeking to enable them to defend themselves. And in passing this measure we are not committing our Nation to any other step or course, except to make the high seas more hazardous for the international outlaws.

[Here the gavel fell.]

By unanimous consent the pro forma amendments were withdrawn.

Mr. RICH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I could not help thinking of what the gentleman from Arizona said in reference to the arming of ships in order to protect American citizens. If we were not in this war, as we are, trying to have every ship that leaves American shores loaded down with supplies to destroy nations in Europe, I do not think anybody over there would harm our ships; but when the time comes that we take an active part in this war, as we are doing now—and expect the other fellow whom our war supplies are to injure—and expect them to let our ships stay afloat we are not acting as sensible people. Who would do such a thing? Do not delude yourself into thinking they are nothing but damn fools over there; do not get that idea in your head. It seems to me if there is any place we have them it is over here. Right here is where we are doing the most hypocritical thing I have ever seen in all my life, right here in this House of Representatives. Two years ago we passed the Neutrality Act and everybody here was for it. You were all waving the flag and saying, "We are going to stay out of any European entanglement. We will not interfere in European entanglements." Today, because of the pressure that is being put on you by the administration and by the majority leader, who in the well of the House awhile ago tried to ring the bell, you fellows are going to walk down here when the roll is called and record your names for this bill as the administration expects of you, so that you can get us actively engaged in war. You are the fellows who are turning somersaults backward.

I have not much time any more for hypocrites. I believe the time has come when the American people ought to be for the things that are best for the interests of America. The majority leader said awhile ago if we had to vote on the Monroe Doctrine we would all be for it. Let me say to you if you are for the Monroe Doctrine, just remember the Monroe Doctrine said that we would not interfere with Europe. If that is the case, then we ought to know enough to stay out of the affairs of Europe. America has enough to do to look after the United States and stop meddling with European affairs.

Mr. O'CONNOR. Will the gentleman yield?

Mr. RICH. I yield to the gentleman from Montana.

Mr. O'CONNOR. Did we not put a lot of rubber in the Monroe Doctrine when we established a base over in Iceland, which is confessedly in the Eastern Hemisphere?

Mr. RICH. Yes; then the President stated that was for the Western Hemisphere when it is only 450 miles from England, and Iceland is 2,500 miles from New York City.

What is England doing today to try to draw the Germans away from Russia, the people of which country are fighting for their own lives? They are not engaging their own armies. The English today are sapping the lifeblood out of America. If you want to know what I think about it, may I say that by the time you fellows get through with the things you are doing for America you will bankrupt our country. You will wreck our institutions and set up a dictator. All of the business being contracted today is for war materials, and those war materials are going across to help England and Russia. That is not trying to defend America. If England were trying to help herself, she would try to get over on the Continent with her armies instead of sending Lord Halifax over here to tell the American people that they want our help. For God's sake, let them help themselves. I say let us help America first before we give everything away and have nothing for the people of the United States. You are selling America short every day here in Congress. You are giving away everything America has in war supplies, and she will have nothing to defend herself with if the time ever comes that she will need to defend her own shores.

America may find herself short of implements of war if you give all we have away to foreign countries; it will tend to bankrupt us, to keep us from building our own national defense, and these implements of war may be used against us some of these days.

Oh, I think that the Members of Congress are not fools, but we certainly are doing the things that fools would do. All of our ships go from our shores laden with war materials. Now you are going to put guns on them, then man them for fighting. Is that war? Will the guns shoot at any vessel which attacks a vessel loaded with war materials? You certainly intend to do that by this bill. Then is that war? The President said, and I quote: "To convoy means to shoot, and to shoot means war."

I say to put guns on merchant vessels means to shoot; to shoot means war. Oh, fools anybody is to get into war. No lasting peace will ever come from a conquest by arms in Europe or Asia. Our country has not used its good offices to settle this conquest by peaceful means. That is the only way we will ever settle this affair and have a lasting peace.

Mr. Chairman, I am against the pending legislation.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, it seems to me that many of the things just said by the gentleman from Pennsylvania are an argument in favor of the resolution, rather than against it. We are not deciding whether or not to permit the arming of ships carrying on an ordinary trade. We are not voting on this resolution in a vacuum nor in a theoretical situation. We are voting on it in a situation where we already know that American ships are carrying munitions of war across certain distances of the ocean. We also know that there has been made a part of our policy, though not by action of the Congress, that American naval vessels shall give active protection to shipping. Under those circumstances, it seems to me completely impossible to think that by prohibiting the arming of merchantmen we will give them any safety whatsoever; therefore, if it be true that there will be any additional safety for those ships or their seamen by arming them, it seems to me it is rather a simple question and one that should be supported. It is not the same kind of a question as the question with reference to where those ships shall go, which goes more deeply into the question of national policy.

It has been mentioned here by gentlemen in the course of this debate that they were concerned about the position of Congress. So am I. We know that in a time like this it is inevitable that a great deal of power is going to be exercised by the Executive, far more than in ordinary times; but the place of Congress in the future is going to depend not on opposition by Congress but on how well the Congress does its job with regard to the fundamental question and the fundamental issue before the world today. It is not just this bill, it is not even a case of international war that lies at the root of the present situation. It is a case of a world-wide contest between two systems of government, on the one hand a system of dictatorship that with reasonable ease can put people wherever it wants to and put people to work at some kind of a job, and a system of democracy on the other hand, which must attempt to solve its economic problems under more difficult circumstances; but which retains meanwhile certain basic liberties. But the democracies have got to meet those economic problems if they are to win through over the long pull.

That is the heart of the matter, and the future of the Congress will depend upon how well we do that job. Believe me, if we neglect the job of working out a solution on a long-range basis of our own country's problems, our hope in this contest with the dictatorships will be dimmed most seriously. What are we going to do as we attack the problem of health, already brought to our attention by the rejection of many young men from the Army? Will we solve it on the basis of a fundamental attack on the question of undernourishment in this country? Will we dodge the question of providing a full market for our future farm production after this is over? Or will we go about it as a matter of national policy and establish it as a part of a long-range defense program that never again will we have large farm and agricultural surpluses in this country while at the same time there exist hungry men, women, and children?

What are we going to do when we attack the problem of price control? Are we going to simply set up a bureau temporarily to attempt to control the situation, or will we attack the problems of inflation and deflation in a fundamental fashion, realizing that at the bottom we will have to have a monetary system which will give us a sound, stable dollar throughout the years if you are going to prevent that?

What will we do when we face the problem of social security? Will we merely peck away at the act or will we see the necessity in the future of replacing some $30,000,000,000 of present governmental expenditures with a corresponding increase of consumer buying power in America if we are to retain full employment?

I cannot go over all these things in 5 minutes, but I do appeal to the Members of the House to understand that the way we deal with some of these problems now will determine the degree of hope that springs in the breast of every citizen, not only of our own country but of every democratic nation throughout the whole world.

[Here the gavel fell.]

The CHAIRMAN. The Chair recognizes the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Chairman, whatever may be said about the merits of this bill and whatever may be said with respect to the procedure under which the proposal has been considered, the fact is that we are giving more time to the consideration of the repeal of this section than was given to its consideration when it was inserted in the Roosevelt Neutrality Act of 1937.

This section dealing with the arming of ships was not in the bill that was passed by the House. It came over in the conference report from the Senate. That conference report was considered for 1 hour and was then adopted by the House. The section prohibiting the arming of ships got only passing notice.

The history of the 1937 neutrality legislation sticks in my mind because it started with the Spanish neutrality bill, which was passed the first afternoon of a regular session after I took my seat in this body. We had a stormy, steamroller session with the specter of a Spanish agent steaming out of New York harbor with rifles for Spain if we did not get the bill through that afternoon. We finally passed it with only one vote in opposition. We were told then that we would have time to consider a full neutrality bill later.

Well, we did have considerable time for consideration of the McReynolds bill, but in the end we were told that it was a part of President Roosevelt's plan to keep us out of war. Only a few votes were cast against it, and most of them came from the Republican side of the aisle. I mention that because occasionally someone tries to give the impression that the Congress forced the Neutrality Act upon the President. The truth is that, if there was any forcing, it was the other way around.

Two days before the old Neutrality Act of 1935 was to expire, for the first time in the session, on April 29, 1937, the House convened at 11 o'clock. Much to the surprise of many of the Members, the conference report on the neutrality bill was called up for immediate consideration. I still recall the discussion that occurred at that time with respect to the short debate we were having. Hardly anyone could find out what changes had been made. The insertion of the prohibition against arming of merchant vessels got only brief mention. Now here we are all adither over getting rid of that section.

Personally, I expect to vote for the adoption of this resolution. To me it seems that we have only one question before us, and that is the subject of the resolution, the repeal of that one section on the arming of merchant ships.

The issue as to whether or not we shall lift belligerent zones is not before us. It may come before us if the Senate acts upon that question and adds it to the resolution. If that question comes before us, the position of some of us may be different from what it will be upon the specific resolution before us, which is the question of arming our ships.

When the 1937 conference report came here that brought into neutrality legislation the prohibition on arming of ships, the gentleman from Tennessee, Mr. McReynolds, spoke one brief paragraph in support of this provision to prohibit the arming of merchant vessels. The gentleman from New York [Mr. FISH] spoke one brief paragraph more or less in opposition to inserting this provision in the first place. Let me quote from the RECORD of April 29, 1937. Mr. McReynolds said:

> There was another section placed in this bill which was not in the House bill, to which we had no serious objection. That was a section which I think is a pretty good one. This section provides that in case of war no American merchant vessel shall be armed, in dealing with belligerents, reserving the right to the President to prescribe such small arms, and so forth, as are necessary for the protection of the vessel.

He spoke four or five sentences more on the subject, explaining the theory of arming and search, and that was all. He had made the whole case on which the section was inserted and adopted which is the sole subject of all the debate we have had here the last 2 days.

Somewhat critically, the ranking minority member, the gentleman from New York [Mr. FISH], referred to the section. In his 5 minutes of time he said:

> When we see what is going on in Spain, where it is alleged that German airplanes with German pilots are attacking defenseless towns and murdering the civilian population by dropping bombs on them and then machine gunning them in the streets, it is obvious that our ships may not be immune. If German aviators will attack unarmed civilians and unarmed cities in Spain, they will not stop at sinking American ships without warning.

That is from the RECORD of April 29, 1937. It was a word of warning, but there was no chance to discuss it, no chance to amend the bill then. The conference report was adopted.

Mr. FISH. I thank the gentleman for putting that in the RECORD.

Mr. CASE of South Dakota. The gentleman from Pennsylvania [Mr. RICH] said that we were damned fools if we thought that Germany would fail to attack our merchant marine in the face of what we were doing—repairing belligerent ships in our harbors, making and taking arms and guns to one side and not the other. If that be true—and it is, although many of us strove to avoid it—then it seems to me that every argument against voting for this resolution is destroyed. If the Germans would be damned fools not to attack our ships because of what we are doing, then how can we, entrusted with the defense of this country, fail to give these cargo ships what little protection the arming of them may give them?

The situation has changed since the last war. Then airplanes were not going far out to sea. Today they do. It is a demonstrable fact that the arming of merchant vessels may keep those airplanes higher and may keep submarines lower, and between those two positions it may be possible for our vessels to get through.

The value of antiaircraft guns is not the planes they bring down; it is the distance they keep the planes in the air, spoiling their target. The value of arming cargo ships is not the planes they drop but the dive bombing and machine gunning that they prevent and the submarines that they keep under water at a distance too great to send torpedoes effectively.

Our cargo ships are already carrying contraband. The Germans know it. We are repairing British ships in our harbors and we are sending them guns, planes, and ammunition. The Germans know that. The Navy has orders to shoot on sight any raiders or submarines infesting the waters these ships are traveling. The Germans know that, too. Of course, they are going to try to sink those ships. I did not vote to create that condition, but I believe in giving the men on those ships a chance to defend themselves. That is why I am going to vote for the adoption of the resolution.

[Here the gavel fell.]

The CHAIRMAN. Without objection, the pro forma amendments are withdrawn.

There was no objection.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. WOODRUM of Virginia, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the joint resolution (H. J. Res. 237) to repeal section 6 of the Neutrality Act of 1939, and for other purposes, pursuant to House Resolution 320, he reported the same back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, and was read the third time.

Mr. TINKHAM. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the joint resolution?

Mr. TINKHAM. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. TINKHAM moves to recommit House Joint Resolution 237 to the Foreign Affairs Committee for further hearings.

Mr. BLOOM. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. TINKHAM. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 136, nays 257, not voting 37, as follows:

[Roll No. 113]

YEAS—136

Allen, Ill.	Hall, Leonard W.	Pheiffer, William T.
Andersen, H. Carl	Harness	Pittenger
Anderson, Calif.	Hartley	Ploeser
Andresen, August H.	Heidinger	Rabaut
Andrews	Hess	Rankin, Mont.
Arends	Hill, Colo.	Reece, Tenn.
Barry	Hill, Wash.	Reed, Ill.
Baumhart	Hoffman	Reed, N. Y.
Bennett	Hook	Rees, Kans.
Bishop	Hope	Rich
Blackney	Howell	Rizley
Bolton	Hull	Robertson, N. Dak.
Bradley, Mich.	Hunter	Robsion, Ky.
Brown, Ohio	Jarrett	Rockefeller
Buckler, Minn.	Jenkins, Ohio	Rodgers, Pa.
Burdick	Jenks, N. H.	Rolph
Butler	Jensen	Sauthoff
Carlson	Johns	Scott
Carter	Johnson, Calif.	Shafer, Mich.
Chenoweth	Johnson, Ill.	Shanley
Chiperfield	Johnson, Ind.	Shannon
Clevenger	Jones	Short
Coffee, Nebr.	Jonkman	Simpson
Copeland	Kean	Smith, Ohio
Crawford	Keefe	Smith, Wis.
Crowther	Kennedy, Martin J.	Springer
Curtis	Kinzer	Stefan
Day	Knutson	Stevenson
Dewey	Lambertson	Stratton
Ditter	Landis	Sumner, Ill.
Dondero	Ludlow	Sweeney
Dworshak	McArdle	Talle
Elston	McGregor	Tenerowicz
Engel	Maas	Thill
Englebright	Martin, Mass.	Tibbott
Fenton	Mason	Tinkham
Fish	Michener	Tolan
Fogarty	Mundt	Van Zandt
Gehrmann	Murray	Vorys, Ohio
Gillie	O'Brien, Mich.	Welch
Graham	O'Connor	Wilson
Grant, Ind.	O'Hara	Wolcott
Guyer	O'Leary	Wolfenden, Pa.
Gwynne	Oliver	Woodruff, Mich.
Hall, Edwin Arthur	Osmers	Youngdahl
	Paddock	

NAYS—257

Allen, La.	Buck	Cooper
Angell	Buckley, N. Y.	Courtney
Arnold	Bulwinkle	Cox
Baldwin	Burch	Cravens
Barden	Burgin	Creal
Barnes	Byrne	Crosser
Bates, Mass.	Camp	Culkin
Beam	Canfield	Cullen
Beckworth	Cannon, Fla.	Cunningham
Beiter	Capozzoli	D'Alesandro
Bell	Cartwright	Davis, Ohio
Bender	Casey, Mass.	Davis, Tenn.
Bland	Celler	Delaney
Bloom	Chapman	Dickstein
Boehne	Clark	Dies
Boggs	Claypool	Dingell
Boland	Cluett	Domengeaux
Bonner	Cochran	Doughton
Boren	Coffee, Wash.	Downs
Boykin	Cole, Md.	Drewry
Bradley, Pa.	Cole, N. Y.	Duncan
Brooks	Collins	Durham
Brown, Ga.	Colmer	Eaton
Bryson	Cooley	Eberharter
Edmiston	Kocialkowski	Robertson, Va.
Eliot, Mass.	Koppleman	Robinson, Utah
Elliott, Calif.	Kramer	Rogers, Mass.
Faddis	Kunkel	Rogers, Okla.
Fellows	Lanham	Romjue
Fitzgerald	Larrabee	Sabath
Fitzpatrick	Lea	Sacks
Flaherty	Leavy	Sanders
Flannagan	LeCompte	Sasscer
Folger	Lesinski	Satterfield
Forand	Lewis	Scanlon
Ford, Leland M.	Lynch	Schuetz
Ford, Miss.	McCormack	Schulte
Ford, Thomas F.	McGehee	Scrugham
Fulmer	McGranery	Secrest
Gale	McIntyre	Sheppard
Gamble	McKeough	Sikes
Gathings	McLaughlin	Smith, Conn.
Gavagan	McLean	Smith, Maine
Gearhart	McMillan	Smith, Pa.
Gerlach	Maciejewski	Smith, Va.
Gore	Maciora	Smith, Wash.
Granger	Magnuson	Smith, W. Va.
Grant, Ala.	Mahon	Snyder
Green	Manasco	Somers, N. Y.
Gregory	Mansfield	South
Haines	Marcantonio	Sparkman
Hancock	May	Spence
Hare	Meyer, Md.	Steagall
Harrington	Mills, Ark.	Stearns, N. H.
Harris, Ark.	Mitchell	Sullivan
Harris, Va.	Monroney	Sumners, Tex.
Hart	Moser	Sutphin
Harter	Mott	Tarver
Healey	Murdock	Terry
Hébert	Myers, Pa.	Thom
Heffernan	Nelson	Thomas, N. J.
Hendricks	Norrell	Thomas, Tex.
Hobbs	Norton	Thomason
Holbrock	O'Brien, N. Y.	Traynor
Holmes	O'Neal	Treadway
Houston	O'Toole	Vincent, Ky.
Imhoff	Pace	Voorhis, Calif.
Izac	Patman	Vreeland
Jackson	Patrick	Wadsworth
Jarman	Patton	Walter
Johnson, Luther A.	Pearson	Ward
	Peterson, Fla.	Wasielewski
Johnson, Lyndon B.	Peterson, Ga.	Weaver
	Pfeifer Joseph L.	Weiss
Johnson, Okla.	Pierce	Wene
Johnson, W. Va.	Plauché	West
Kee	Plumley	Whelchel
Kefauver	Poage	Whittington
Kelley, Pa.	Powers	Wickersham
Kelly, Ill.	Priest	Wigglesworth
Kennedy, Michael J.	Ramsay	Williams
	Ramspeck	Winter
Keogh	Randolph	Wolverton, N. J.
Kerr	Rankin, Miss.	Worley
Kilburn	Richards	Wright
Kirwan	Rivers	Young
Klein		Zimmerman

NOT VOTING—37

Anderson, N. Mex.	Flannery	Mills, La.
	Gibson	Nichols
Bates, Ky.	Gifford	O'Day
Byron	Gilchrist	Russell
Cannon, Mo.	Gossett	Schaefer, Ill.
Case, S. Dak.	Halleck	Sheridan
Clason	Hinshaw	Starnes, Ala.
Connery	Jacobsen	Taber
Costello	Jennings	Vinson, Ga.
Dirksen	Kilday	Wheat
Disney	Kleberg	White
Douglas	Martin, Iowa	Woodrum, Va.
Ellis	Merritt	

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Wheat (for) with Mr. Cannon of Missouri (against).

Until further notice:

Mr. Vinson of Georgia with Mr. Taber.

Mr. Anderson of New Mexico with Mr. Halleck.

Mr. Gossett with Mr. Gifford.

Mr. Russell with Mr. Martin of Iowa.

Mr. Costello with Mr. Clason.

Mr. Starnes of Alabama with Mr. Douglas.

Mr. Gibson with Mr. Hinshaw.

Mr. Schaefer of Illinois with Mr. Case of South Dakota.

Mrs. Byron with Mr. Jennings.

Mr. Jacobsen with Mr. Connery.

Mr. Ellis with Mr. Kilday.

Mr. Flannery with Mr. Mills of Louisiana.

Mr. Sheridan with Mr. Bates of Kentucky.

Mr. Kleberg with Mr. Merritt.

Mr. Disney with Mrs. O'Day.

Mr. Nichols with Mr. White.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. BLOOM. On that, Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 259, nays 138, not voting 33, as follows:

[Roll No. 114]

YEAS—259

Allen, La.	Folger	Mills, Ark.
Angell	Forand	Mitchell
Arnold	Ford, Leland M.	Monroney
Baldwin	Ford, Miss.	Moser
Barden	Ford, Thomas F.	Mott
Barnes	Fulmer	Murdock
Bates, Mass.	Gamble	Myers, Pa.
Beam	Gathings	Nelson
Beckworth	Gavagan	Norrell
Beiter	Gearhart	Norton
Bell	Gerlach	O'Neal
Bender	Gore	O'Toole
Bland	Granger	Pace
Bloom	Grant, Ala.	Patman
Boehne	Green	Patrick
Boggs	Gregory	Patton
Boland	Haines	Pearson
Bonner	Hall, Edwin Arthur	Peterson, Fla.
Boren		Peterson, Ga.
Boykin	Hancock	Pfeifer, Joseph L.
Bradley, Pa.	Hare	
Brooks	Harris, Ark.	Pheiffer, William T.
Brown, Ga.	Harris, Va.	
Bryson	Hart	Pierce
Buck	Harter	Plauché
Buckley, N. Y.	Healey	Plumley
Bulwinkle	Hébert	Poage
Burch	Heffernan	Powers
Burgin	Hendricks	Priest
Byrne	Hobbs	Ramsay
Camp	Holbrock	Ramspeck
Canfield	Holmes	Randolph
Cannon, Fla.	Houston	Rankin, Miss.
Capozzoli	Imhoff	Richards
Cartwright	Izac	Rivers
Case, S. Dak.	Jackson	Robertson Va.
Casey, Mass.	Jarman	Robinson, Utah
Celler	Johnson, Luther A.	Rockefeller
Chapman		Rogers, Mass.
Clark	Johnson, Lyndon B.	Rogers, Okla.
Claypool		Romjue
Cluett	Johnson, Okla.	Sabath
Cochran	Johnson, W. Va.	Sacks
Coffee, Wash.	Kee	Sanders
Cole, Md.	Kefauver	Sasscer
Cole, N. Y.	Kelley, Pa.	Satterfield
Collins	Kelly Ill.	Scanlon
Colmer	Kennedy, Michael J.	Schuetz
Cooley		Schulte
Cooper	Keogh	Scrugham
Courtney	Kerr	Sheppard
Cox	Kilburn	Sheridan
Cravens	Kirwan	Sikes
Creal	Klein	Smith, Conn.
Crosser	Kocialkowski	Smith, Maine
Culkin	Koppleman	Smith Pa.
Cullen	Kramer	Smith, Va.
Cunningham	Kunkel	Smith, Wash.
D'Alesandro	Lanham	Smith, W. Va.
Davis, Ohio	Larrabee	Snyder
Davis, Tenn.	Lea	South
Delaney	Leavy	Sparkman
Dickstein	LeCompte	Spence
Dies	Lesinski	Steagall
Dingell	Lewis	Stearns, N H.
Domengeaux	Lynch	Sullivan
Doughton	McCormack	Sumners, Tex.
Downs	McGehee	Sutphin
Drewry	McGranery	Tarver
Duncan	McIntyre	Terry
Durham	McKeough	Thom
Eaton	McLaughlin	Thomas, N. J.
Eberharter	McLean	Thomas, Tex.
Edmiston	McMillan	Thomason
Eliot, Mass.	Maciejewski	Traynor
Elliott, Calif.	Maciora	Treadway
Faddis	Magnuson	Vincent, Ky.
Fellows	Mahon	Voorhis, Calif.
Fish	Manasco	Vreeland
Fitzgerald	Mansfield	Wadsworth
Fitzpatrick	Marcantonio	Walter
Flaherty	May	Ward
Flannagan	Meyer, Md.	Wasielewski

Weaver	Wickersham	Worley
Weiss	Wigglesworth	Wright
Wene	Williams	Young
West	Winter	Zimmerman
Whelchel	Wolverton, N. J.	
Whittington	Woodrum, Va.	

NAYS—138

Allen, Ill.	Harness	Paddock
Andersen, H. Carl	Harrington	Pittenger
Anderson, Calif.	Hartley	Ploeser
Andresen, August H.	Heidinger	Rabaut
Andrews	Hess	Rankin, Mont.
Arends	Hill, Colo.	Reece, Tenn.
Barry	Hill, Wash.	Reed, Ill.
Baumhart	Hoffman	Reed, N. Y.
Bennett	Hook	Rees, Kans.
Bishop	Hope	Rich
Blackney	Howell	Risley
Bolton	Hull	Robertson, N. Dak.
Bradley, Mich.	Hunter	Robsion, Ky.
Brown, Ohio	Jarrett	Rodgers, Pa.
Buckler, Minn.	Jenkins, Ohio	Rolph
Burdick	Jenks, N. H.	Sauthoff
Butler	Jennings	Scott
Carlson	Jensen	Secrest
Carter	Johns	Shafer, Mich.
Chenoweth	Johnson, Calif.	Shanley
Chiperfield	Johnson, Ill.	Shannon
Clevenger	Johnson, Ind.	Short
Coffee, Nebr.	Jones	Simpson
Copeland	Jonkman	Smith, Ohio
Crawford	Kean	Smith, Wis.
Crowther	Keefe	Springer
Curtis	Kennedy, Martin J.	Stefan
Day	Kinzer	Stevenson
Dewey	Knutson	Stratton
Ditter	Lambertson	Sumner, Ill.
Dondero	Landis	Sweeney
Dworshak	Ludlow	Taile
Elston	McArdle	Tenerowicz
Engel	McGregor	Thill
Engiebright	Maas	Tibbott
Fenton	Martin, Mass.	Tinkham
Fogarty	Mason	Tolan
Gale	Michener	Van Zandt
Gehrmann	Mundt	Vorys, Ohio
Gillie	Murray	Welch
Graham	O'Brien, Mich.	White
Grant, Ind.	O'Brien, N. Y.	Wilson
Guyer, Kans.	O'Connor	Wolcott
Gwynne	O'Hara	Wolfenden, Pa.
Hall, Leonard W.	O'Leary	Woodruff, Mich.
	Oliver	Youngdahl
	Osmers	

NOT VOTING—33

Anderson, N. Mex.	Flannery	Mills, La.
Bates, Ky.	Gibson	Nichols
Byron	Gifford	O'Day
Cannon, Mo.	Gilchrist	Russell
Clason	Gossett	Schaefer, Ill.
Connery	Halleck	Somers, N. Y.
Costello	Hinshaw	Starnes, Ala.
Dirksen	Jacobsen	Taber
Disney	Kilday	Vinson, Ga.
Douglas	Kleberg	Wheat
Ellis	Martin, Iowa	
	Merritt	

So the resolution was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. Cannon of Missouri (for) with Mr. Wheat (against).

Until further notice:

Mr. Vinson of Georgia with Mr. Taber.
Mr. Anderson of New Mexico with Mr. Halleck.
Mr. Gossett with Mr. Gifford.
Mr. Russell with Mr. Martin of Iowa.
Mr. Costello with Mr. Clason.
Mr. Starnes of Alabama with Mr. Douglas.
Mr. Gibson with Mr. Hinshaw.
Mr. Schaefer of Illinois with Mrs. Byron.
Mr. Jacobsen with Mr. Connery.
Mr. Ellis with Mr. Kilday.
Mr. Flannery with Mr. Mills of Louisiana.
Mr. Kleberg with Mr. Merritt.
Mr. Disney with Mrs. O'Day.
Mr. Nichols with Mr. Bates of Kentucky.

The result of the vote was announced as above recorded.

A motion to reconsider the vote by which the resolution was agreed to was laid on the table.

GENERAL LEAVE TO PRINT

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that all Members be permitted 5 legislative days within which to extend their remarks in the RECORD on the resolution just agreed to.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. KEE. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. LUTHER A. JOHNSON] be permitted to extend his remarks he made today and include two letters, from Admirals Stark and Land.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection?

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object, and I do so for the purpose of inquiring about the program for next week.

Mr. McCORMACK. Mr. Speaker, on Monday, there will be the call of the Consent Calendar and there will be one suspension on the road bill. After that, District business.

Mr. MARTIN of Massachusetts. Does the gentleman know what the District business is?

Mr. McCORMACK. No; I am unable to say.

Mr. MARTIN of Massachusetts. And the road bill is the one substituted for the one vetoed by the President?

Mr. McCORMACK. Yes. On Tuesday there will be a conference report from the Committee on Ways and Means. That is in connection with a plant obtaining a certificate relative to amortization.

Mr. MARTIN of Massachusetts. I understand there is some controversy with respect to that?

Mr. McCORMACK. Yes.

Mr. BUCK. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. Yes.

Mr. BUCK. For the information of the House I may say that there were two relatively minor bills reported out of the Committee on Ways and Means yesterday, which we expect to call up by unanimous consent.

Mr. McCORMACK. The gentleman need not be concerned about that. Bills that can be called up by unanimous consent are always in order if their calling up can be agreed to by the minority members of the committee or the minority leader.

Mr. WHITE. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. After I get through answering the question of the gentleman from Massachusetts. To recapitulate, on Tuesday there will be a conference report from the Committee on Ways and Means, to which I have referred, and then the private omnibus bill. I shall ask unanimous consent that business in order on Calendar Wednesday be dispensed with, and if that is granted we will consider a bill out of the Committee on the Judiciary in connection with the trial of judges by judges. That is about the best way that I can summarize it. On Thursday, under a rule, or by unanimous consent, if that is agreed to, we will consider Senate 210, a transportation bill out of the Committee on Interstate and Foreign Commerce.

Mr. MARTIN of Massachusetts. Is that what is known as the freight forwarders bill?

Mr. McCORMACK. Yes.

Mr. WHITE. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. Yes.

Mr. WHITE. On what day will the road bill be called up?

Mr. McCORMACK. On Monday next, under suspension.

Mr. MARTIN of Massachusetts. And probably on Thursday, the gentleman will move to adjourn until Monday?

Mr. McCORMACK. I hope so.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts that when the House adjourns today it adjourn to meet on Monday next?

There was no objection.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order on Calendar Wednesday next week may be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. HOOK. Mr. Speaker, I ask unanimous consent to extend my remarks and include a letter and resolution addressed to the Governor of the State of Michigan.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. HOUSTON. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a brief editorial from the Kansas City Star.

The SPEAKER. Is there objection?

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SHAFER of Michigan. Mr. Speaker, I ask unanimous consent to extend my remarks and include therein a resolution.

The SPEAKER. Is there objection?

There was no objection.

Mr. PIERCE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain quotations.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include therein an article.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Miss RANKIN of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an article by Vicente Villamin on the Japanese question.

The SPEAKER. Is there objection?

There was no objection.

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include therein a newspaper item.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent to extend my remarks and include some information concerning agriculture in Van Zandt County.

The SPEAKER. Is there objection?

There was no objection.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from a committee:

OCTOBER 17, 1941.

The Honorable SAM RAYBURN,
Speaker of the House of Representatives.

SIR: I hereby tender my resignation as a member of the Indian Affairs Committee.

Very truly yours,

WILLIAM S. HILL.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

ELECTION TO STANDING COMMITTEE

Mr. MARTIN of Massachusetts. Mr. Speaker, I send to the desk a resolution (H. Res. 322) and ask for its immediate adoption.

The Clerk read as follows:

Resolved, That WILLIAM S. HILL, of Colorado, be, and he is hereby, elected to the Committee on Public Buildings and Grounds of the House of Representatives.

The resolution was agreed to.

PERSONAL EXPLANATION

Mr. HARRIS of Virginia. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore (Mr. COLE of Maryland). Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. HARRIS of Virginia. Mr. Speaker, I have been absent from the House under leave of absence because of a serious illness for several days. During my absence the House passed the bill, H. R. 5788, the Second Supplemental National Defense Appropriation Act of 1942, or the second Lend-Lease Act. I was unable to obtain a specific pair on this important emergency. I desire the RECORD to show that had I been able to be present I would have voted for the bill on final passage.

EXTENSION OF REMARKS

Mr. CARTWRIGHT. Mr. Speaker, I ask unanimous consent to insert in the RECORD the welcome address by Senor Vicente Cortes Herrera, at the Fourth Pan American Congress in Mexico City.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to extend my remarks on two subjects and to include in one a statement by a member of an important committee in California, and in the other a short statement by William Allen White.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. SHORT. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain quotations.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. LARRABEE. Mr. Speaker, I ask unanimous consent to extend my remarks and include an address by Arthur L. Johnson on general welfare.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. GORE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address made by Edward A. O'Neal, president of the American Farm Bureau Federation, on Saturday, October 11, 1941.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an editorial from the New York World-Telegram on the United States-Argentine reciprocal trade agreement.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. BEITER. Mr. Speaker, I desire to submit two unanimous-consent requests: First, that I be permitted to extend my own remarks and include therein a letter from Mr. C. O. von Dannenberg; and, second, to extend my remarks and include a statement from the Chamber of Commerce of the Borough of Queens, New York City.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include an article from the New York Sun of October 10.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an address delivered by the gentleman from Massachusetts [Mr. MARTIN], at Lebanon, Ohio, on October 11.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

(Mr. HOFFMAN, Mr. BRADLEY of Michigan, and Mr. WILSON asked and were given permission to extend their own remarks in the RECORD.)

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on Monday next, after the conclusion of the legislative business for the day and any other special orders I may address the House for 10 minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent that on Wednesday, October 22, after the conclusion of the legislative business for the day, I may address the House for 15 minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

EXTENSION OF REMARKS

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address I made in New York last night.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. HOWELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a well-written editorial recently published in the Taylorville Breeze Courier with which I find myself in full accord.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein an article written by Father John A. O'Brien, of Notre Dame University.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. RIVERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein a statement written by the president of the Young Democratic Clubs of North Carolina.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. RIVERS. Mr. Speaker, one of the most democratic persons in the United States resides in Estill, S. C. She, an elderly lady, sat down with her own pen and inscribed a piece of poetry which I ask to extend in the RECORD.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

DOMESTIC MANGANESE

Mr. REECE of Tennessee. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. REECE of Tennessee. Mr. Speaker, I wish to bring to the attention

of Members a serious situation confronting the Nation—that is, a possible shortage of the strategic mineral manganese.

Manganese is absolutely necessary in the manufacture of steel—there is no substitute. Due to the lack of foresight in not developing our own deposits, we continue largely dependent on imported ore. Our chief source of supply was formerly Russia, but for the past year this source has been cut off.

The United States Geological Survey has a record of 400 or 500 deposits in the Appalachian area between Philadelphia and Birmingham—1,000 miles in extent. The richest portion of this area, as shown by Bureau of Mines maps, includes east Tennessee, parts of Virginia, West Virginia, North and South Carolina, and northern Georgia.

In spite of the fact that we are now consuming around 1,400,000 tons of manganese ore a year, I am informed the total domestic production for the year 1941 will not exceed 100,000 tons.

We cannot afford to continue dependent on foreign sources of supply 4,000 miles away. We should move with all possible speed in the development of our own manganese resources.

One mining company in my district, in June of this year, offered to supply the Government 150,000 tons of manganese ore running 40 percent and higher. In July the O. P. M. advised that our existing stock, supplemented by domestic and Cuban production, was sufficient to last us nearly 2 years.

It is now claimed that we do not have a year's supply on hand and we are facing greatly increased consumption.

Government agencies are considering the construction of plants to treat ores running as low as 5 to 10 percent manganese. Such plants would cost approximately $5,000,000 each and require probably 2 years to start production. Producers in my area are prepared to start production of ore running 40 percent and more manganese almost immediately and are asking for an opportunity to get going before the winter months set in. I understand that similar situations exist in other areas of the United States and that a greatly increased production will come forward if a proper price for domestic ore is offered by the Government.

It seems that full development of our manganese resources is being unduly suppressed and that our national defense is being jeopardized in favor of foreign manganese developments. The situation warrants a full study and investigation. I wish to include a brief statement appearing in the American Metal Market, as follows:

WASHINGTON, October 16.—"We are heading into a crisis on account of a probable shortage of the No. 1 strategic mineral manganese essential in the manufacture of steel," J. Carson Adkerson, president of the American Manganese Producers Association, said today.

"Government agencies have claimed a 2-year supply on hand. Today we do not have a year's supply actually on hand. We are relying largely on imported ore and uninterrupted shipping.

"Orders for domestic ore have been given, but on account of Government policies and the risks involved private capital is not available to build additional plants, and most domestic mines remain idle.

"We are now consuming manganese ore at the rate of around 1,400,000 tons per year and producing 100,000 tons, or 7 percent of our needs.

"The Government has contracted for manganese from Russia. Delivery is obviously impossible until the emergency is over. Money is being advanced to Brazil and other foreign countries to develop manganese. This means the building of railroads, development of mines, and construction of plants 4,000 miles away. This also means ships to transport and probably more ships to convoy. A few enemy bombs or torpedoes could disrupt the program and seriously curtail our steel production.

"Danger has threatened for many months while Government agencies seek foreign ores. We will never regain our lost time.

"The situation demands immediate action. The Government should start widespread and vigorous production of domestic raw ores containing 40 percent and more manganese, then blend or beneficiate the ores to whatever grade desired."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. COLE of New York, for 2 weeks, on account of official business.

To Mr. HESS, for 2 weeks, on account of official business.

ENROLLED BILL SIGNED

Mr. KIRWAN, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 2985. An act to prescribe the time basis for computing pay for overtime work performed by laborers in the Railway Mail Service.

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 260. An act to permit mining within the Organ Pipe Cactus National Monument in Arizona.

ADJOURNMENT

Mr. JARMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 53 minutes p. m.) the House, pursuant to its previous order, adjourned until Monday, October 20, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will continue public hearings on Thursday, October 23, 1941, at 10 a. m., on H. R. 3254, to safeguard and protect further the lives of fishermen at sea and to place fishing boats under the supervision of the Department of Commerce, Bureau of Marine Inspection and Navigation, and for other purposes.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Tuesday, October 28, 1941, to begin hearings on proposed amendments to Securities Act 1933 and Stock Exchange Act, 1934.

EXECUTIVE COMMUNICATIONS, ETC.

1000. Under clause 2 of rule XXIV a letter from the national adjutant, Disabled American Veterans of the World War, transmitting the proceedings of the twenty-first national convention, Louisville, Ky., August 16, 1941 (H. Doc. No. 406), was taken from the Speaker's table, referred to the Committee on World War Veterans' Legislation, and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROGERS of Oklahoma: Committee on Indian Affairs. H. R. 5704. A bill to amend the act entitled "An act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California," approved May 18, 1928 (45 Stat. 602); without amendment (Rept. No. 1261). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 5486. A bill to provide for means of egress for buildings in the District of Columbia, and for other purposes; with amendment (Rept. No. 1282). Referred to the Committee of the Whole House on the state of the Union.

Mr. DINGELL: Committee on Ways and Means. H. R. 3330. A bill to authorize the sale, exchange, or other disposition of certain securities held by the Secretary of the Treasury; without amendment (Rept. No. 1283). Referred to the Committee of the Whole House on the state of the Union.

Mr. BUCK: Committee on Ways and Means. H. R. 5802, a bill to amend certain provisions of law relative to the withdrawal of brandy for fortification of wines and production of wines, brandy, and fruit spirits so as to remove therefrom certain unnecessary restrictions; with amendment (Rept. No. 1284). Referred to the Committee on the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ROBINSON of Utah:

H. R. 5860. A bill declaring certain lands to be part of the public domain and providing for the administration thereof; to the Committee on the Public Lands.

H. R. 5861. A bill to authorize the transfer of jurisdiction of a portion of the Colonial National Historical Park, Yorktown, Va., from the Department of the Interior to the Department of the Navy; to the Committee on the Public Lands.

By Mr. BROWN of Georgia:

H. R. 5862. A bill providing a formula for arriving at parity prices on farm commodities; to the Committee on Agriculture.

By Mr. IZAC:

H. R. 5863. A bill to extend the provisions of section 602 (a) of the National Service Life Insurance Act of 1940 to personnel on active duty in the Navy, Marine Corps, and Coast Guard; to the Committee on Ways and Means.

By Mr. VINCENT of Kentucky:

H. R. 5864. A bill to exempt from the wage-and-hour provisions of the Fair Labor Standards Act of 1938 persons employed in tying, drying, stemming, or stripping tobacco; to the Committee on Labor.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Oklahoma, memorializing the President and the Congress of the United States to consider their Senate Resolution No. 7, relative to priority allocation of materials; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. RAMSPECK:

H. R. 5865. A bill for the relief of Builders Specialties Co.; to the Committee on Claims.

H. R. 5866. A bill for the relief of the city of Atlanta, Ga.; to the Committee on Claims.

By Mr. BUCKLEY of New York:

H. R. 5867. A bill for the relief of Silman Realty Corporation; to the Committee on Claims.

By Mr. LELAND M. FORD:

H. R. 5868. A bill granting a pension to Adelaide E. Frieseke; to the Committee on Invalid Pensions.

By Mr. KLEIN:

H. R. 5869. A bill for the relief of Antonino Valenti; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred, as follows:

1912. By Mr. TENEROWICZ: Resolution of the Detroit Municipal Employees Association, Detroit, Mich., recommending a limit of 6 percent to be placed on profits on defense awards; to the Committee on Ways and Means.

1913. By the SPEAKER: Petition of the Southwest District Kiwanis International, Las Cruces, N. Mex., petitioning consideration of their resolution with reference to legislation for the perpetuation of our timber resources; to the Committee on Agriculture.

1914. Also, petition of the Veterans of Belleau Wood, United States Marine Brigade, Inc., New York, N. Y., petitioning consideration of their resolution with reference to foreign affairs; to the Committee on Foreign Affairs.

1915. Also, petition of the Board of Estimate of the City of New York, petitioning consideration of their resolution with reference to House bill 5269, relative to plans and borings to tunnel between the Boroughs of Richmond and Brooklyn; to the Committee on Rivers and Harbors.

SENATE

MONDAY, OCTOBER 20, 1941

(Legislative day of Thursday, October 16, 1941)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. ZeBarney T. Phillips, D. D., offered the following prayer:

O, Truth who art Eternity! And Love who art Truth! And Eternity who art Love! Thou art our God before whom we bend in lowly reverence and in fervent gratitude. Thou hast brought us to this new day with its revelation of Thy faithfulness, its duties and responsibilities, its unknown joys and sorrows, and we look unto Thee in faith, beseeching Thee to grant us strength to do the thing that is nearest and wisdom to guide us in the doing of it.

In our gladness may we ne'er forget Thee and in times of doubt and difficulty may we feel the guiding hand of the blessed Christ. As the days are swiftly passing may we fill them with pure thoughts, kind words and noble deeds, that when the evening comes we may know that Thou hast made us for Thyself, that there is no rest for us until we find our rest in Thee. In the dear Saviour's name we ask it. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day of Thursday, October 16, 1941, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, who also announced that on October 16, 1941, the President had approved and signed the following acts:

S. 755. An act for the relief of W. W. Carlton;

S. 807. An act for the relief of Eva Mueller;

S. 1052. An act relating to the traveling and subsistence expenses of judges and retired judges of the Court of Claims;

S. 1345. An act to authorize the sale of certain Government-owned lands in the Territory of Hawaii to the Honolulu Plantation Co.;

S. 1579. An act to authorize the President of the United States to requisition property required for the defense of the United States;

S. 1608. An act for the relief of the Neal Storage Co.;

S. 1649. An act to authorize the payment of certain claims of employees of the Bureau of Reclamation arising out of loss of tools destroyed by fire at Parker Dam, Ariz.; and

S. 1813. An act for the relief of Harry F. Baker.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its clerks, announced that the House had passed a joint resolution (H. J. Res. 237) to repeal section 6 of the Neutrality Act of 1939, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

S. 260. An act to permit mining within the Organ Pipe Cactus National Monument in Arizona; and

H. R. 2985. An act to prescribe the time basis for computing pay for overtime work performed by laborers in the Railway Mail Service.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Gerry	Peace
Aiken	Gillette	Pepper
Andrews	Glass	Radcliffe
Bailey	Green	Reed
Ball	Guffey	Russell
Barbour	Gurney	Schwartz
Barkley	Hatch	Shipstead
Bilbo	Herring	Smathers
Brewster	Hill	Spencer
Bridges	Johnson, Calif.	Stewart
Brooks	Kilgore	Taft
Brown	La Follette	Thomas, Idaho
Bunker	Langer	Thomas, Okla.
Burton	Lee	Thomas, Utah
Butler	McFarland	Truman
Capper	McKellar	Tunnell
Caraway	McNary	Vandenberg
Chavez	Maloney	Van Nuys
Clark, Idaho	Mead	Wallgren
Clark, Mo.	Murdock	Walsh
Connally	Murray	Wheeler
Danaher	Norris	White
Davis	Nye	Wiley
Doxey	O'Daniel	
Ellender	O'Mahoney	

Mr. HILL. I announce that the Senator from Washington [Mr. BONE] and the Senator from New York [Mr. WAGNER] are absent from the Senate because of illness.

The Senator from Alabama [Mr. BANKHEAD], the Senator from South Dakota [Mr. BULOW], the Senator from Virginia [Mr. BYRD], the Senator from Kentucky [Mr. CHANDLER], the Senator from California [Mr. DOWNEY], the Senator from Georgia [Mr. GEORGE], the Senator from Arizona [Mr. HAYDEN], the Senator from Delaware [Mr. HUGHES], the Senator from Colorado [Mr. JOHNSON], the Senator from Illinois [Mr. LUCAS], the Senator from Nevada [Mr. MCCARRAN], the Senator from Louisiana [Mr. OVERTON], the Senator from North Carolina [Mr. REYNOLDS], the Senator from South Carolina [Mr. SMITH], and the Senator from Maryland [Mr. TYDINGS] are necessarily absent.

Mr. MCNARY. My colleague the junior Senator from Oregon [Mr. HOLMAN] is absent on public business.

The following Senators are necessarily absent:

The Senator from Vermont [Mr. AUSTIN], the Senator from Massachusetts [Mr. LODGE], the Senator from Kansas [Mr. REED], and the Senator from Indiana [Mr. WILLIS].

The VICE PRESIDENT. Seventy-three Senators have answered to their names. A quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated

FOREIGN WAR RELIEF

A letter from the Secretary of State relative to the proposed appropriation of $50,000,000 for foreign war relief, fiscal year 1942, to be used in connection with the relief of suffering and distress of the populations of countries affected by the present hostilities; to the Committee on Appropriations.

AWARDS OF CONTRACTS FOR THE ARMY

Two letters from the Secretary of War, reporting, pursuant to law, relative to divisions of awards of certain quantity contracts for aircraft, aircraft parts, and accessories therefor entered into with more than one bidder

under authority of law; to the Committee on Military Affairs.

ROBERT FECHNER MEMORIAL FUND

A letter from the Administrator of the Federal Security Agency, transmitting a draft of proposed legislation establishing the Robert Fechner Memorial Fund (with an accompanying paper); to the Committee on the Library.

PETITIONS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Senate of the State of Oklahoma; to the Committee on Military Affairs:

Enrolled Senate Resolution 7

Resolution with reference to the Federal system of priority allocation of material and the effect upon Oklahoma industries; memorializing Congress to take action to protect such industries; requesting the Governor and the State defense committee to take certain action; stating that it is the sense of the senate that Congress provide protection for those industries forced to curtail or cease production because of being unable to secure materials or defense contracts; providing for the spreading of this resolution on the journal and the mailing of copies to certain Federal and State officials

Whereas the United States Government is now engaged in a great national-defense program for the purpose of preserving this Nation, its form of government, the lives and liberties of its people, and our democratic institutions; and

Whereas a large part of that program is based on "preparedness through production," involving directly the industries of our Nation and the labor and materials necessary for said industries; and

Whereas if the national-defense program is to be administered effectively and our democratic system preserved, it is necessary that all of our industries, both large and small, qualified to participate, be used in that program, and that those industries which cannot be used should not be required to go out of business; and

Whereas there are approximately 100 industries of Oklahoma of various types manned and equipped to participate in the national-defense program, either as primary contractors or subcontractors, and to date only a very limited number of them have been used by the Federal Government in national-defense production; and

Whereas there are approximately 1,600 manufacturers and thousands of jobbers, wholesalers and retailers, and their employees in this State whose continuous operation and employment are indispensable to the economic welfare of the State of Oklahoma whose present and future operations are being injuriously affected by virtue of materials being denied them by the Federal Government under its system of priority allocations of materials; and

Whereas under a recent test survey made by the Oklahoma Employment Security Commission of 50 representative manufacturing plants in 15 different localities in Oklahoma, it was found that the number of employees of said plants was originally 3,335; that due to a shortage of materials said concerns, as of October 1, 1941, discharged 257 of their employees, and unless said plants are able to obtain materials 943 additional employees will be released between October 1, 1941, and January 1, 1942, making a total of 1,200 unemployed citizens of this State, representing approximately 36 percent of the manpower of said industries; and

Whereas if these manufacturing plants in the State of Oklahoma are required to curtail or cease their production, and are not given defense work or contracts to take the place of such loss of business, many of our citizens will be unemployed, industries will be lost to this State, and the economic welfare of the State of Oklahoma and its citizens will be seriously injured and affected; and

Whereas it appears that the situation confronting the industries of this State and their employees, injuriously affecting the economic welfare of the State as a whole, is due to the stringency of material control as administered by the Federal Government under its system of priority allocation of materials, it being believed that materials in excess of defense needs are being unnecessarily withheld from nondefense industries; and

Whereas it should be borne in mind that the contribution which our Government makes in the cause of democracy will prove to be of doubtful value if by a too drastic and stringent Federal control of materials we cripple and ruin our industries and paralyze our American system of private enterprise, which is the basis of our democratic way of life; and

Whereas a similar situation to that confronting Oklahoma and its industries is confronting most of the other States of the Union and their industries, especially those in the Midwest—that is, Kansas, Missouri, Nebraska, Iowa, Illinois, Michigan, Ohio, Indiana, Wisconsin, and Minnesota: Now, therefore, be it

Resolved by the State Senate of the Eighteenth Legislature of the State of Oklahoma, in extraordinary session assembled:

1. That the Congress of the United States be, and it is hereby, memorialized to take such action as will relieve the industries of Oklahoma from the effects of the present Federal priority system of allocating materials so that such industries will not be forced to go out of business or to curtail their production, and that materials necessary for rural electrification and that the rural areas receive equal consideration with the cities and towns of the State of Oklahoma in receiving materials for the completion of any and all R. E. A. projects pending or hereafter submitted by any now existing or hereafter created.

2. That the Governor of this State be, and he is hereby, requested to cause to be presented to Congress and to high defense officials in Washington the plight of our Oklahoma industries and the inequities of the present Federal priority system of rationing materials, to the end that the system will be changed so that materials in excess of defense needs will not be arbitrarily or unnecessarily withheld from nondefense industries, but will be released and made available to such industries before they are forced to go out of business or curtail their production.

3. Realizing the deep concern felt by many Oklahoma businessmen and their employees as to their future under the priorities program, the Governor of this State and the State defense committee be, and they are hereby, requested to devise ways of securing the cooperation of other Midwestern States to loosen priority allocations so continued operation of servicing plants for this State's two major industries—oil and agriculture—can be assured.

4. That it is the sense of this body that Congress should provide by proper legislation for the protection of those industries which may be forced under any priority system of rationing materials to go out of business or curtail their production because of being unable to secure materials or defense contracts; be it further

Resolved, That a copy of this resolution be spread at length in the journal and that the secretary of the Oklahoma State Senate forward copies of this resolution to the President of the United States of America; the President of the United States Senate; the Speaker of the United States House of Representatives; each member of the Oklahoma delegation in Congress; Hon. HENRY A. WALLACE, Vice President of the United States and Chairman of the S. P. A. B.; the Governor of each State; and the chairman of the defense council of each State.

Adopted by the senate the 6th day of October 1941.

JAMES E. BERRY,
President of the Senate.

By Mr. TYDINGS:

A resolution of the Washington County (Md.) Pomona Grange, favoring the establishment of better recreational facilities for soldiers in cantonments and training camps; to the Committee on Military Affairs.

By Mr. CAPPER:

Petitions, numerously signed, of sundry citizens of Clay County, Kans., praying for the enactment of the bill (S. 860) to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States and to provide for the suppression of vice in the vicinity of military camps and naval establishments; to the table.

RESOLUTION OF NORTH DAKOTA FARMERS' UNION

Mr. CAPPER. Mr. President, I present and ask unanimous consent to have printed in the RECORD and appropriately referred a resolution adopted by the North Dakota Farmers' Union at their annual convention at Jamestown, N. Dak., on October 11, asking Congress to take early and favorable action on a bill introduced by me, Senate bill 650, creating a Division of Cooperatives in the Department of Agriculture.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Resolution to establish a Division of Cooperatives in the Department of Agriculture

Whereas cooperatives through a century of successful operation have been of great benefit to both producer and consumer, and the cooperative system is definitely established as a strong, useful, and indispensable unit of well-ordered society; and

Whereas Senator ARTHUR CAPPER, of Kansas, has introduced a bill (S. 650) to establish a Division of Cooperatives in the United States Department of Agriculture, the purposes of which are: To serve as a source of information and cooperation to producers and consumers in cooperative buying and selling; to conduct research and assemble statistical data on cooperation; to prepare publications on cooperative subjects, which will be placed on the distribution lists of Members of Congress; and authorizing the Secretary of Agriculture to establish cooperative relationships between this Division and the other branches of the Department that carry on services in the cooperative field; and

Whereas Senator ELLISON D. SMITH, of South Carolina, chairman of the Senate Committee on Agriculture and Forestry, during the third session of the Seventy-sixth Congress appointed a subcommittee to hold hearings on the proposed measure, and thereafter National and State cooperative and farm leaders appeared at the hearings and presented testimony in support of the provisions of the bill; and

Whereas Hon. HENRY A. WALLACE, as Secretary of Agriculture, on April 24, 1940, appeared before the Schwellenbach subcommittee, commended the purposes of the Capper bill, and endorsed the plan for the establishment of a Cooperative Division in his Department, offering valued suggestions

and amendments, all of which have been incorporated in S. 650, and this bill now having a favorable official report from the Department of Agriculture; and

Whereas the North Dakota Legislative Assembly, on February 26, 1941, memorialized Congress to take early and favorable action on the Capper bill: Now, therefore, be it

Resolved by the North Dakota Farmers' Union, in convention assembled October 8–11, 1941, at Jamestown, N. Dak., That we hereby petition and urge Congress to take early and favorable action on the Capper bill (S. 650) to create a Division of Cooperatives in the Department of Agriculture; and be it further

Resolved, That copies of this resolution be sent to the chairman of the Senate Committee on Agriculture and Forestry, the chairman of the House Committee on Agriculture, to Senator ARTHUR CAPPER, and to the press of the State and Nation.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WALSH, from the Committee on Naval Affairs:

H. R. 5783. A bill to authorize the construction or acquisition of certain naval local defense vessels, and for other purposes; without amendment (Rept. No. 715).

By Mr. GURNEY, from the Committee on Military Affairs:

S. 1372. A bill to amend article IV of the Soldiers' and Sailors' Civil Relief Act of 1940; with an amendment (Rept. No. 716),.

By Mr. SCHWARTZ, from the Committee on Mines and Mining:

H. R. 3019. A bill to amend the act entitled "An act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives; providing regulations for the safe manufacture, distribution, storage, use, and possession of the same; and for other purposes," approved October 6, 1917 (40 Stat. 385) (this bill had been recommitted); with amendments (Rept. No. 717).

ENROLLED BILLS PRESENTED

Mrs. CARAWAY, from the Committee on Enrolled Bills, reported that on October 16, 1941, that committee presented to the President of the United States the following enrolled bills:

S. 377. An act to repeal sections 512, 513, 514, 515, as amended, of the Revised Statutes; sections 1 and 3 of the Act approved February 4, 1929 (45 Stat. 1147); and section 3744, as amended; 3745, 3746, and 3747 of the Revised Statutes;

S. 1426. An act for the relief of Otis Thompson; and

S. 1695. An act for the relief of Reginald H. Carter, Jr.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

S. 1985. A bill relating to the administrative jurisdiction of certain public lands in the State of Oregon; to the Committee on Public Lands and Surveys.

By Mr. CLARK of Missouri:

S. 1986. A bill to amend the Canal Zone Code so as to provide for control of photographing, possession of cameras, etc., in areas of the Canal Zone; to the Committee on Interoceanic Canals.

By Mr. HATCH:

S. 1987. A bill to amend section 190 of the Revised Statutes so as to further restrict officers and employees of the United States heretofore or hereafter separated from the service from acting as counsel or agents in matters affecting the United States; to the Committee on the Judiciary.

S. 1988. A bill to amend the act entitled "An act to prevent pernicious political activities," approved August 2, 1939, as amended, with respect to its application to officers and employees of the Federal Government and of State and local agencies; to the Committee on Privileges and Elections.

By Mr. McKELLAR:

S. 1989. A bill to provide that no person shall be barred from serving in the military or naval forces of the United States because of conviction of a felony for which he has been pardoned; to the Committee on the Judiciary.

By Mr. BAILEY:

S. 1990. A bill to regulate the distribution and promotion of commissioned officers of the Coast and Geodetic Survey, and for other purposes; to the Committee on Commerce.

By Mr. TRUMAN:

S. 1991. A bill for the relief of Mrs. William Meister; and

S. 1992. A bill for the relief of the Rock Hill Stone & Gravel Co., of St. Louis, Mo.; to the Committee on Claims.

By Mr. WALSH:

S. 1993. A bill for the relief of Pasqualina Lazzaro; to the Committee on Claims.

S. 1994. A bill to provide for the prompt settlement of claims for damages occasioned by naval forces in foreign countries; and

S. 1995. A bill to amend the act approved June 23, 1938, entitled "An act to regulate the distribution, promotion, and retirement of officers of the line of the Navy, and for other purposes"; to the Committee on Naval Affairs.

By Mr. MEAD:

S. 1996. A bill for the relief of the estate of Elwood Grissinger; to the Committee on Claims

By Mr. KILGORE:

S. 1997. A bill granting a pension to Ora Frances Watts; to the Committee on Finance.

By Mr. ELLENDER:

S. 1998. A bill to amend the act of September 1, 1937, as amended; to the Committee on Education and Labor.

By Mr. MURRAY:

S. 1999. A bill to make emergency relief funds available for the construction of buildings for the use of Reserve Officers' Training Corps units at privately controlled schools, colleges, and universities; to the Committee on Appropriations.

By Mr. ELLENDER:

S. J. Res. 110. Joint resolution consenting that certain States may sue the United States, and providing for trial on the merits of any suit brought hereunder by a State to recover direct taxes alleged to have been illegally collected by th United States during the fiscal years ending June 30, 1866, 1867, and 1868, and vesting the right in each State to sue in its own name; to the Committee on Claims.

By Mr. LEE (for himself, Mr. PEPPER, and Mr. GREEN):

S. J. Res. 111. Joint resolution to remove certain restrictions voluntarily imposed by the United States upon its nationals by the Neutrality Act of 1939, and for other purposes; to the Committee on Foreign Relations.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 237) to repeal section 6 of the Neutrality Act of 1939, and for other purposes, was read twice by its title and referred to the Committee on Foreign Relations.

JAMES D. REILLY

Mr. MEAD submitted the following resolution (S. Res. 182), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Sergeant at Arms of the Senate be, and he is hereby, authorized and directed to appoint James D. Reilly a messenger (acting as an additional assistant doorkeeper), who shall be paid at the rate of $2,400 per annum from the contingent fund of the Senate until otherwise provided by law.

GOVERNMENT POLICY ON BUILDING CONSTRUCTION

Mr. WILEY. Mr. President, some days ago I had the pleasure of talking to Donald M. Nelson, Executive Director of the Supply Priorities and Allocations Board. The purpose of my visit to him was confirmed by a letter I wrote to him in which I asked for certain information relative to the rights of small builders and contractors. Today I received a letter from him, and I ask that it be printed in the RECORD, because it contains information of particular interest to thousands of small builders throughout the Nation.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SUPPLY PRIORITIES AND ALLOCATIONS BOARD,
Washington, D. C., October 18, 1941.

Hon. ALEXANDER WILEY,
United States Senate,
Washington, D. C.

MY DEAR SENATOR WILEY: This letter is in response to your telephone request for further information about the policy on building construction laid down last week by the Supply Priorities and Allocations Board.

I believe the nature of this policy has been somewhat misunderstood. In substance, it is a policy for the O. P. M. Division of Priorities to follow hereafter in granting priorities assistance on construction projects. As existing shortages in the critical metals become more and more acute, it becomes more and more difficult for a builder to obtain structural steel, plumbing and heating equipment, electric wiring and equipment, and so on, without a priority rating. Within a few months it may be practically impossible for the builder to get such items without priority assistance. Consequently the policy means that henceforward, if a builder is unable to get these metal items without a priority rating, he will not be able to get them at all unless he can satisfy the Division of Priorities that the job he is working on is essential to the Nation, either directly for national defense or indirectly as a safeguard to civilian health and safety.

Thus, while the policy will put sharp limits on new construction which may hereafter be initiated, it is far from being a blanket stop-building order. Such basic building materials as lumber, brick, stone, mortar, concrete, and the various clay products are not particularly scarce, are not under priority control, and hence may be obtained freely for any building job whatever. The man who plans a construction job which uses only those materials and does not involve the use of steel, copper, and brass components is as free to go ahead now as he was a year ago.

As time passes, of course, the increasing scarcity of copper and steel will almost certainly make it impossible to get them without a priority rating. It is that scarcity which has made this policy unavoidable. Currently, the purely military demand for copper in this month of October actually exceeds the total month's production of copper in the United States plus the total quantity of copper which the Nation will be able to import during the month. The situation in regard to steel is somewhat less acute, although a

sizable shortage appears to be in prospect for 1942. It seems to be obvious that under such circumstances the country can do no less than make it a policy to use none of these materials on any job which can be postponed until the end of the emergency.

I think it is important for everyone to understand the following point as well: That although we have undertaken to grant help where possible, in order that needed buildings now under construction and substantially along the road to completion may be finished, that policy will not apply to buildings begun hereafter. Certainly, if a builder undertakes now to start a new building without priority assistance and finds when it is half finished that he cannot complete it without getting a priority rating, he will not be able to get that rating merely on the plea that he must have help to wind up his job.

Materials will continue to be made available for defense housing, for all defense industrial construction, and for other jobs which are vitally necessary to the country's civilian health and safety. We cannot do less than that; I believe you will agree that, considering the urgency of the situation today, we cannot well do more.

Sincerely yours,

DONALD M. NELSON.

ADDRESS BY HERBERT HOOVER ON FEEDING PEOPLE OF SMALL INVADED DEMOCRACIES OF EUROPE

Mr. BUTLER. Mr. President, last night, Sunday, October 19, the foremost private citizen of the United States, former President Herbert Hoover, addressed the Nation over a national radio hook-up on behalf of 40,000,000 helpless and starving women and children in the small invaded democracies of Europe. Millions of our fellow Americans listened in on the broadcast, which was carried over 125 stations.

Mr. Hoover's moving and compassionate speech covered every point regarding the tragic problem affecting the unarmed and helpless women and children in the invaded countries. Fairly and squarely he met every objection that has been raised to the feeding proposals, on which he and thousands of other highly respected American citizens have worked unremittingly, despite discouragement and rebuffs, for the past year. In my opinion, the address delivered by Mr. Hoover is one of the greatest made to the American people in our day.

I am one of the 37 Members of this body who are sponsoring a resolution, known as Senate Resolution 124, which calls for an experimental feeding of 2,000,000 children and 1,000,000 destitute adults in brave little Belgium, a nation with whom we have always had ties of friendship. I am glad to be one of the sponsors of the resolution because it provides a program of lifesaving rather than life destruction. In having Mr. Hoover as its sponsor the program has the backing of one who has had more experience than any other man in the history of the world in mass relief administration.

I wish to remind the Members of this body, regardless of their political affiliation, that the Belgium relief operation in the last great war, through which the lives of 10,000,000 humans in Belgium and northern France were saved from starvation, was instituted during the Democratic regime of the late President Woodrow Wilson and for 4 long years had his unswerving backing and support. The then Allies, Great Britain and France, approved this humanitarian endeavor. They supported it. They helped finance it to the extent of many million dollars.

Senate Resolution 124, which calls for the finding of a feeding formula by our Government, in company with Great Britain and other interested powers, and outlines in detail the experimental soup-kitchen feeding proposed for Belgium, has been in the hands—one could almost say "custody" in the sense that term is ordinarily used—of the Senate Foreign Relations Committee for more than 4 months. I am one of those who would like to see the committee take action on the resolution. I am reliably informed that a majority of the Members of this body favor its adoption.

At this time I ask permission to insert in the CONGRESSIONAL RECORD as a part of these remarks the address delivered by Herbert Hoover, to which I have referred. I hope it will be given a thorough, thoughtful reading by every Member of this distinguished body.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

CAN EUROPE'S CHILDREN BE SAVED?

PART I

Just a year ago I and a large committee of American religious and public leaders proposed a plan to prevent wholesale starvation in the German-invaded democracies. They were being ground between the millstones of German requisitions and the British blockade. I appealed for international cooperation to prevent a holocaust of death and stunted bodies and minds in their millions of children.

Since we presented this terrible problem a year ago Serbia, Greece, Lithuania, Latvia, and Esthonia have been conquered. Today there are somewhere near 40,000,000 of children in German-invaded democracies. Millions of them are in jeopardy. And these are peoples who fought for their freedom, who were overpowered, who have been subjected to terrible oppressions. Their pleas ascend hourly to the free democracies of the west for food.

According to the press dispatches His Holiness the Pope has raised his powerful voice for cooperation in the future interest of humanity.

PART II

The starvation we forecast a year ago and which we hoped to prevent has swept over many of these innocent people during the last winter and spring. I have no wish to recite the heart-breaking reports which come to us daily. I will mention but two of them.

A survey of Belgium 3 months ago by the leading physicians and health authorities showed the march of the tragedy we had tried to prevent. The report reaffirms that strong adults can survive for a while on a meager ration of bread and potatoes, of late mostly furnished by the Germans. The shortage in meats, fats, and milk is crucifying the children. This report showed that the people are devoting practically all their meager fats and milk to the children under 3 years of age. Yet with all this sacrifice there is a deficiency in food for even the little ones. The report continues that the worst effects of starvation show among the children from 3 years upward. They say that 47 percent of the children in the kindergartens, 63 percent in primary schools, and 42 percent in the higher schools were in a definitely weak condition. They inform us that many children were unable to come to school at all. There has been appalling stop in growth, rise in disease, and mortality among them. The report ends with the statement: "The health of several generations will be irremediably impaired if nothing is done to relieve the present situation."

Then there is a report from Poland. This report concerns the Jews in the city of Warsaw. It shows that in July deaths had increased to 15 times the normal rate. The municipal newspaper was appealing to the people not to throw the corpses in the streets. Normally the birth rate there exceeds the death rate, yet the death rate among children was 10 times the birth rate. The report closes: "If any substantial part of Polish Jewry is to survive the horrors of next winter, it can be done only under such a plan as Mr. Hoover has proposed." Does anyone doubt that Greek children are starving in thousands?

I have no desire to repeat horrors beyond indicating the situation.

The situation during the forthcoming winter over Europe will be far worse even than last winter and spring. Except in Germany, the harvests have been less than they were even a year ago. The blockade has somewhat reduced the meats and fats in Germany. But its effect upon meat, fat, and food for children is far greater in the occupied democracies. They bear the full impact.

There are other tragedies of this war. I am not blind to the thousands of women and children killed from the sky. I am not blind to the horrors of sinking ships at sea. I am not blind to the execution of hostages. And I am not blind to the millions of men dying and wounded upon the battlefields. I am not blind to the oppression of occupying armies. I pray all these things may be stopped. But I know they will not be stopped now. There is, however, the possibility that this one horror of the sacrifice of children could be stopped.

PART III

I raised the question a year ago in response to an appeal to me from the peoples inside those countries and officials of their exiled governments. That appeal was directed to me and my colleagues because we, with the backing of American Government, had in 1914 found the method and brought about the cooperation for this purpose of the warring nations. And by that cooperation 10,000,000 people in Belgium and northern France were saved under precisely the same tragic circumstances of German invasion and British blockade that exist today.

Based on that experience, we have made various proposals in an effort to find a solution. We proposed such methods and safeguards that there could be no military advantage to either side. We originally proposed that the same broad measures which were used in the last war should be adopted. It was to be administered by some nonofficial body. As this was refused we then proposed that we try a small experiment in Belgium to feed 2,000,000 children and 1,000,000 destitute adults. I clearly labeled it an experiment to determine what could be done. The Germans went a long way toward that agreement. The British decided against it, although it was to be safeguarded to meet their every military objection.

After that time American relations to the war so shifted that it was no longer possible for an American individual or any nonofficial body to conduct such negotiation or operations. To meet these changed conditions I therefore proposed last April to our State Department that our Government should enlist the services of some of the remaining neutral governments, such as Switzerland, Sweden, Argentina, or Ireland, to act as the trustee for these helpless people. I suggested that such a neutral government should, with American encouragement, negotiate with both of the belligerents such safeguards that would give no military advantage to either side. As a basis of such negotiation I proposed that the Germans, having a surplus of

breadstuffs, should supply from their own stocks what breadstuffs were needed to save these children. I suggested that only the fats and special food for children which, due to the blockade are deficient all over Europe, should be imported overseas. I proposed that the Germans should cease to take any of the native food products of these countries. I proposed that the trustee government should undertake to administer and safeguard the relief by its own agents. I proposed that the administration take over the whole question. So far as I have been able to learn, our Government took no steps in that direction.

PART IV

During all these discussions many objections have been raised. It is desirable that I deal with these arguments again.

The natural fear of many people is that this food would benefit Hitler. The whole basis of our proposals is that the Germans cease to take food from the countries put under relief. And, moreover, that they themselves furnish the breadstuffs needed from their own stocks. Their cooperation thus takes food from them, not to them.

There are others who do not see how this process can be controlled, even if agreed to. I and 300 living Americans know this can be done, for we did it 20 years ago. I will explain again, and use our recent proposal for an experiment in Belgium as an example. The food from overseas is to be paid for by the Belgians, and the funds are available. It is to be brought in ships not otherwise available to supply Britain. It would be shipped over the frontier to central warehouses. These warehouses are to be under neutral control. The warehouse is notified of every shipment. From the warehouses smaller shipments are made directly to soup kitchens. They are notified of every shipment. These kitchens are operated by Belgian women. Every child or its mother who receives food must come to the soup kitchen and eat it on the spot. Those who get it must produce tickets issued by other committees of Belgian women based upon need. None but Belgians are given tickets. The supreme anxiety of every Belgian woman is that no food should escape from the children of their race.

If there is any failure of food to arrive anywhere, it is instantly reported to the neutral supervisors.

Part of this plan is that the German Army should take no food from Belgium, either native or imported. It is only Belgian farmers who grow food. If it is taken by a German, it is taken from a Belgian, and the Belgians know it. They report it at once to the neutral commission. Also, under this proposal the Germans must provide the breadstuffs from their own stocks. Obviously the Belgians know if they don't get it they don't eat. Thus the neutral commission knows it. If the food stream fails anywhere, it is traced, and if infractions of the guaranties are involved, they must be made good. If they are not made good, the whole effort fails. Further shipments are stopped.

PART V

But entirely apart from these natural fears, a vast organized propaganda of misrepresentation was spread over the United States and Britain. I have always refused to answer lies and smearing. I could speak with great bitterness. But I shall say only this: The national committee, of which I am a member, embraces 1,000 leaders of every religious faith. It embraces interventionists and noninterventionists, Democrats and Republicans. There is no politics in this appeal for the lives of children. If, by the grace of God, governments could be moved to act, relief would be administered by the agents of neutral government, and not by our organization.

And there are other fantastic statements spread across the country by foreign propaganda. It is said the Germans would seize breadstuffs and make alcohol from them and use the alcohol to propel their airplanes. And yet we have never proposed that a pound of breadstuffs should be imported. But, on the contrary, we proposed the Germans should contribute these breadstuffs. The statement has been spread that the Germans could seize the imported fats and transform them into glycerine and thus into explosives. Yet any munitions manufacturer will say that modern explosives are not made from glycerine or fats.

There are lies spread that the Germans took the food from the Belgian Relief Commission in the last war. There were occasional infractions of those agreements. But these infractions were all remedied. And the officials of the British and French Governments, who contributed hundreds of millions of dollars to it, who had everything at stake, are on the public record time and time again expressing their satisfaction. And they based that satisfaction on the reports of their own agents.

There are those who say that decision having been taken against these proposals by the British Government, we should no longer agitate it. When has free speech departed? The British people do not hesitate to differ on the policies of their Government. But, more important, this is not solely a British question. It concerns a dozen democracies, including ourselves. In any event, has the time come when we in America cannot discuss the issues of human life and civilization?

These misrepresentations are important only in that they contribute to the death of millions of children.

And I would like to ask those who have opposed these proposals: Is the Allied cause any further advanced today as a consequence of this starvation of children? Are Hitler's armies any less victorious than if these children had been saved? Are Britain's children better fed today, because these millions of former Allied children have been hungry or died? Can you point to one benefit that has been gained from this holocaust? Isn't it time that we realize these attitudes cannot be continued if our own spiritual life is not to be soiled?

PART VI

There are important events that have happened since I first proposed this action that seem to me to warrant renewed hope that cooperation could be brought about between nations.

America is today furnishing food to the British women and children. We do it gladly, but have not the other women and children of democracies the right to life also?

The British have themselves relaxed the blockade in important ways. For instance, Britain is furnishing food to some 40,000 British prisoners of war in Germany. Thus our British friends themselves open their own blockade to their countrymen. Moreover, the British Government trusts the German Government to distribute this British food. And the British officials state it is distributed with fidelity. These prisoners already have the ration of a German soldier, and indeed they merit every comfort. If it is practical to feed captive British soldiers, is it not practical to feed captive women and children who do not have the ration of the German soldier?

Also the blockade has been relaxed for Sweden. The Swedes occupy a position where all governments are solicitous for their political attitudes. They are today allowed to pass needed supplies from American ports through the blockade. But by what logic or humanity can neutrals be given supplies and peoples who have fought and died in the Allied cause be discriminated against?

And the blockade has been relaxed for Greece. Within the last month the Turkish Government, with no great reserves of food, has agreed to large shipments to save the Greeks. They have secured cooperation from both Britain and Germany. It will be partly paid for by Americans. That food is permitted to pass the British blockade. The Turks are Mohammedans, they are not Christians. I wish that Belgium, Poland, Norway, and the others had a friend as compassionate as Turkey.

I may add to this that my colleagues and I have from the beginning of this war until 8 months ago carried a small stream of relief to some 50,000 children in Poland. Initially we were permitted to take food through the British blockade. When that became impossible we purchased food in the Baltic and Balkan countries which did not pass through the blockade. When that became impossible, through their being involved in war, we then appealed directly to Russia. The Russians, because these same associates of mine had fed millions of Russian children in the famine of 1922, allowed us to buy food in their country and ship it to these children in Warsaw.

Indeed, it was a small trickle, because our resources were small. That is today ended unless supplies can come from overseas. But this relief functioned over 18 months without interference from the Germans. That experience gives further confidence that international cooperation can still be established to save these millions.

PART VII

The dead children of last winter and spring are gone. Whatever our bitterness may be for their useless sacrifice, they are past help. Our problem now is to look to saving the millions of others. That can be done if the American, the British, the German, and the neutral governments of Europe will cooperate.

To the German people I can say that I know that the great mass of Germans do not wish for this suffering of women and children. To the German Government I can say that they may perhaps remember that I led the fight for the removal of the food blockade from the day of the armistice in the last World War, that I fed millions of German children after that war.

To the British Government I can say that in the last World War it was largely their generosity, their compassion, that saved 10,000,000 of Belgians and French during that dreadful time. And I can say more—that I have at this moment advices from many responsible English men and women that they hope I will not stop my appeals and their belief that their Government should act favorably upon this question.

And I would like to say something to the exiled governments of some of the small democracies. A year ago officials of each of them appealed to me to lead this cause for their people. I am well aware that they have ceased in these appeals. Some of them inform me they must obey the policies of the western democracies. But the appeals from their people in their countries have not ceased. They come daily to me in heartbreaking missives. And some day the political leaders of these small democracies will need to face their own people at home.

I can say to the neutral government, whether it might be Switzerland or Ireland or Sweden or the Argentine, or all of them, that might be entrusted with the trusteeship of these millions of human beings, that no greater glory could ever come to them than to be entrusted with such a mission.

To the American Government I have the right as a citizen to speak even more freely. I can say that the initiative in the last war which saved millions of lives came from the American State Department. The President of that time, Woodrow Wilson, was the constant guardian of that relief during all those

4 years. And I can say to the American Government: You are now in such relationship to this war that you have a right to a voice. What is more, you are contributing to the blockade of these small democracies. And deny it if you will, there is some moral responsibility attached to America now. It is not enough to plead international law. I agree Germany has the moral responsibility to feed them. There is a vague legal responsibility. But the overpowering fact is Germany does not, as the result of the blockade, have the kind of food needed for these women and children. They will not feed them. That stark fact faces the world. And these helpless people cannot eat morals and international law. Those Americans who deny moral responsibility cannot deny the obligations of compassion and the self-interest in the future of civilization.

I have recently read many statements by American and Allied leaders that large stocks of food will be accumulated with which to relieve these people after they are free from German domination. When that day may come no man can tell. But these promises sound hollow in my ears. Food for dead people has little consequence. I am in favor of providing food with which to fight the inevitable famine which will follow this war. I trust it is not being offered these people as a substitute for action now. It is not necessary to give such promises to people who are suffering and dying. That does not offer hope to them. It adds bitterness to their fate.

I can say further to our own Government that last spring a number of the Members of our Senate and House of Representatives became interested in this question. Jointly Democrats and Republicans introduced a resolution into both Houses making a simple request of our Government that it should initiate negotiations for international action on this question. The resolution in the Senate was signed by 37 of its Members, and I understand a majority of the whole Senate favors it. It was endorsed by a majority of Members of the House. This resolution was endorsed by some 6,000 public bodies, church organizations, committees, and other responsible groups throughout our country. Those resolutions alone represent the voice of at least 20,000,000 people. Surely such an expression of American compassion deserves more adequate attention from our Government than to be dismissed by a curt letter from our State Department.

We have been engaged in much discussion over the freedom of religion in foreign countries. I learned at my mother's knee that compassion and responsibility for my neighbors were a part of our American faith.

Has hate so entered our souls that we are indifferent to innocent suffering? Have we lost our way entirely? I do not believe it.

We talk much of our responsibility to the future of civilization. Is not the preservation of these children also a part of this responsibility Hitler cannot be defeated with armies of starving children.

PART VIII

In conclusion I do not believe it would make the slightest difference in the military outcome of this war if we assured food to the needy among the whole 40,000,000 democratic children in Europe. The Germans will not lose this war from a shortage of food. And eminent soldiers agree with me.

To those who say it is impossible to secure cooperation among nations for this purpose I wish again to repeat two reasons that make it worth trying:

First. It was done for 4 long years during the last war, and it was done to the satisfaction, publicly expressed, of all the governments concerned.

Second. Last February the German Government negotiated favorably upon such action in respect to Belgium. And, furthermore, there are breaks in the British blockade by the relaxations that I have mentioned.

To doubting Americans let me say this: Suppose the western democracies should place this problem in the hands of some one of the neutral governments of Europe for solution. Suppose that neutral government was not able to make a satisfactory agreement with the German Government. Then an effort would have been made which at least demonstrated the compassion and solicitude of the western world. There would then be no hate stored against America for failure.

Suppose the Germans did make such an agreement and should subsequently violate it, then at once the effort would be stopped. If they seized all the stocks of imported food, they would not have secured a day's ration for Germany. And again the western democracies would have demonstrated their ideals to the world.

Our Government should make an effort with every influence in its power. If its effort should fail, its duty is to develop publicly who is responsible for failure. The administration of Woodrow Wilson did find the solution. It can be done again if there is the will to do it. Our Government has a grave responsibility today.

My countrymen, unless this effort is made our failure to act will some day come back to fill this Nation with grief and remorse.

UNITE BEHIND OUR FOREIGN POLICY—ADDRESS BY SENATOR LEE

[Mr. LEE asked and obtained leave to have printed in the RECORD a radio address entitled "Unite Behind Our Foreign Policy," delivered by him on October 9, which appears in the Appendix.]

COLUMBUS DAY ADDRESS BY SENATOR MALONEY

[Mr. MALONEY asked and obtained leave to have printed in the RECORD a Columbus Day address delivered by him at New Britain, Conn., on October 12, 1941, which appears in the Appendix.]

BOTTLENECKS—ADDRESS BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address delivered by him before the Metal Treating Institute, Inc., at Philadelphia, Pa., October 19, 1941, which appears in the Appendix.]

DEFENSE AND THE NEUTRALITY ACT—INTERVIEW WITH SENATOR BURTON

[Mr. BURTON asked and obtained leave to have printed in the RECORD a radio interview with him on the subject Defense and the Neutrality Act, which appears in the Appendix.]

CONTRIBUTION OF REPUBLICAN PARTY TO NATIONAL DEFENSE—ADDRESS BY ALF M. LANDON

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address delivered by Hon. Alf M. Landon on October 17, 1941, at Kansas City, Kans., on the subject The Contribution of the Republican Party to National Defense, which appears in the Appendix.]

ANSWER TO SENATOR NYE BY GEORGE N. SHUSTER

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address delivered by George N. Shuster, president of Hunter College, entitled "Answer to Senator NYE," published in The Commonweal, of October 17, 1941, which appears in the Appendix.]

ARGENTINE TRADE PACT—EDITORIAL FROM WASHINGTON EVENING STAR

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD an editorial published in the Washington Evening Star of October 15, 1941, on the occasion of the signing of the reciprocal trade agreement between the United States and Argentina, which appears in the Appendix.]

ADDRESS BY FRED S. WALLACE BEFORE REGIONAL R. E. A. CONFERENCE AT GRAND ISLAND, NEBR.

[Mr. NORRIS asked and obtained leave to have printed in the RECORD an address on the subject The Prairie Farmer Lines up for Defense, delivered by Fred S. Wallace before the regional R. E. A. conference held at Grand Island, Nebr., on August 14, 15, and 16, 1941, which appears in the Appendix.]

ADDRESS BY RAY W. GILL ON WOOL PRODUCTS LABELING ACT

[Mr. SCHWARTZ asked and obtained leave to have printed in the RECORD a radio address on the subject Wool Products Labeling Act Offers Great Advantages, delivered by Ray W. Gill, of Portland, Oreg., master of the Oregon State Grange, on September 20, 1941, which appears in the Appendix.]

SOCIAL INSECURITY—ARTICLE BY RAYMOND MOLEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD an article by Raymond Moley entitled "Social Insecurity," published in Newsweek of October 20, 1941, which appears in the Appendix.]

FREEDOM OF THE PRESS

[Mr. MEAD asked and obtained leave to have printed in the RECORD an editorial from the Long Beach Life, of Long Beach, N. Y., entitled "The Newspaper Lights the Way to Freedom," which appears in the Appendix.]

THE SUGAR RESTRICTION—EDITORIAL FROM THE LABOR RECORD

[Mr. ELLENDER asked and obtained leave to have printed in the RECORD an editorial entitled "Lift the Sugar Restriction," published in The Labor Record of New Orleans issue of August 1941, which appears in the Appendix.]

APPORTIONMENT OF REPRESENTATIVES IN CONGRESS

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 2665) to provide for apportioning Representatives in Congress among the several States by the equal-proportions method, which had been reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and insert:

That section 22 of the act entitled "An act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress," approved June 18, 1929, as amended, is amended to read as follows:

"SEC. 22. (a) On the first day, or within 1 week thereafter, of the first regular session of the Eighty-second Congress and of each fifth Congress thereafter, the President shall transmit to the Congress a statement showing the whole number of persons in each State, excluding Indians not taxed, as ascertained under the seventeenth and each subsequent decennial census of the population, and the number of Representatives to which each State would be entitled under an apportionment of the then existing number of Representatives by the method known as the method of equal proportions, no State to receive less than one Member.

"(b) Each State shall be entitled, in the Eighty-third Congress and in each Congress thereafter until the taking effect of a reapportionment under this section or subse-

quent statute, to the number of Representatives shown in the statement required by subsection (a) of this section, no State to receive less than one Member. It shall be the duty of the Clerk of the House of Representatives, within 15 calendar days after the receipt of such statement, to send to the executive of each State a certificate of the number of Representatives to which such State is entitled under this section. In case of a vacancy in the office of Clerk, or of his absence or inability to discharge this duty, then such duty shall devolve upon the Sergeant at Arms of the House of Representatives; and in case of vacancies in the offices of both the Clerk and the Sergeant at Arms, or the absence or inability of both to act, such duty shall devolve upon the Doorkeeper of the House of Representatives.

"(c) Until a State is redistricted in the manner provided by the law thereof after any apportionment, the Representatives to which such State is entitled under such apportionment shall be elected in the following manner: (1) If there is no change in the number of Representatives, they shall be elected from the districts then prescribed by the law of such State, and if any of them are elected from the State at large, they shall continue to be so elected; (2) if there is an increase in the number of Representatives, such additional Representative or Representatives shall be elected from the State at large and the other Representatives from the districts then prescribed by the law of such State; (3) if there is a decrease in the number of Representatives but the number of districts in such State is equal to such decreased number of Representatives, they shall be elected from the districts then prescribed by the law of such State; (4) if there is a decrease in the number of Representatives but the number of districts in such State is less than such number of Representatives, the number of Representatives by which such number of districts is exceeded shall be elected from the State at large and the other Representatives from the districts then prescribed by the law of such State; or (5) if there is a decrease in the number of Representatives and the number of districts in such State exceeds such decreased number of Representatives, they shall be elected from the State at large."

SEC. 2. (a) Each State shall be entitled, in the Seventy-eighth and in each Congress thereafter until the taking effect of a reapportionment under a subsequent statute or such section 22, as amended by this act, to the number of Representatives shown in the statement transmitted to the Congress on January 8, 1941, based upon the method known as the method of equal proportions, no State to receive less than one Member.

(b) If before the enactment of this act a certificate has been sent to the executive of any State under the provisions of such section 22, as in force before the enactment of this act, the Clerk of the House of Representatives shall, within 15 calendar days after the date of enactment of this act, send a new certificate to such executive stating the number of Representatives to which such State is entitled under this section.

The VICE PRESIDENT. The question is on the amendment in the nature of a substitute reported by the committee. The amendment is open to amendment.

Mrs. CARAWAY. Mr. President, I wish to discuss briefly the bill (H. R. 2665) to provide for apportioning Representatives in Congress among the several States by the equal-proportions method.

I do not think it is necessary to discuss this measure at length. I feel sure that the Senators who have read the bill as amended will readily grasp the wisdom and importance of its passage.

This bill passed the House many weeks ago. I think the House bill would have been favorably reported by the Committee on Commerce in the Senate and would have passed this body. However, the lend-lease bill was under consideration in the Senate. Some time was taken in its consideration and passage. Because of this, the apportionment bill could not be considered in time to meet the situation existing at the time.

The bill required an amendment which I offered in the committee. The amendment was adopted by the committee, and the bill as amended has been favorably reported to this body by a 2 to 1 vote.

The committee report is very conclusive, and I desire to read it as a part of my remarks:

The Committee on Commerce, to whom was referred the bill (H. R. 2665) to provide for apportioning Representatives in Congress among the several States by the equal-proportions method, having considered the same report favorably thereon with an amendment and recommend that the bill as amended do pass.

Under the act in existence at the present time and for which the pending legislation is intended to be substituted, the rule of major fractions prevails, and the existing law provided that unless the rule were changed within 60 days after the statement required by subsection (a), or by March 8, 1941, the rule of major fractions should apply to the apportionment of Representatives in Congress under the census of 1940.

The House of Representatives did pass a bill intended to change the rule on February 18, 1941. This bill came over to the Senate but was not acted upon, due to a congestion of legislation caused by the lend-lease bill and other causes. The Senate having failed to pass the House bill, the rule of major fractions was and is now in existence. Under this rule the State of Michigan gained one Representative and the State of Arkansas lost one.

Thereafter the Senate Committee on Commerce took up the House bill and has amended it as now reported to adopt the rule or method of equal proportions in lieu of the rule of major fractions. Under the equal-proportions rule Arkansas would maintain its present representation of 7, and Michigan would retain its present representation of 17.

In view of the fact that the legislation had not been enacted within the time limit prescribed in the act of 1929, the Senate Committee on Commerce inserted section 2, which reads as follows:

"SEC. 2. (a) Each State shall be entitled, in the Seventy-eighth and in each Congress thereafter until the taking effect of a reapportionment under a subsequent statute or said section 22, as amended by this act, to the number of Representatives shown in the statement transmitted to the Congress on January 8, 1941, based upon the method known as the method of equal proportions, no State to receive less than one Member.

"(b) If before the enactment of this act a certificate has been sent to the executive of any State under the provisions of such section 22, as in force before the enactment of this act, the Clerk of the House of Representatives shall, within 15 calendar days after the date of enactment of this act, send a new certificate to such executive stating the number of Representatives to which such State is entitled under this section."

The effect of this section is to prevent the loss of one Representative in the House by the State of Arkansas, and to prevent the gain of one by the State of Michigan by a failure of the Senate to pass the House bill within the 60-day period following the submission of the statement by the President. The pending legislation establishes the principle of equal proportions and remedies the failure of the Senate to act within the time prescribed in the act of 1929. The effect of the pending legislation is to maintain the same number of Representatives of the House as a whole and the same number from the State of Arkansas and the same number from the State of Michigan. The two principles considered were the principle of major fractions and the principle of equal proportions. Under each of these principles the effect upon the other States was the same; that is to say, some States lost, some gained, with the exception of the States of Arkansas and Michigan.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mrs. CARAWAY. I yield.

Mr. McKELLAR. Would it disturb the Senator if I asked a question at this point?

Mrs. CARAWAY. Not at all.

Mr. McKELLAR. May I ask if this bill will affect any other States than the two mentioned?

Mrs. CARAWAY. No; none at all. No other States would be affected.

In 1910, when the Congress reapportioned, there was no difference between these two methods as applied to any two States. This was also true in 1930.

I believe there would be very little, if any, opposition to this bill if it were not for the fact that the question of representation from my State of Arkansas and that of Michigan is involved. It so happens that if this bill should be passed, my State would not lose a Member of the House, as would occur under the present method of apportionment. It has been stated that the State of Michigan would lose a Member if the bill were passed. That is not altogether correct; it simply would not gain one. The State of Arkansas would not lose one.

Mr. HATCH. Mr. President, will the Senator yield at that point?

Mrs. CARAWAY. Certainly.

Mr. HATCH. Did I correctly understand the Senator to say that the representation of Michigan would remain the same if this bill should pass?

Mrs. CARAWAY. It would remain the same, and the representation of Arkansas would remain the same.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mrs. CARAWAY. I yield.

Mr. BARKLEY. Does that mean that if Arkansas lost one Representative under the contrary proposal, Michigan would gain the one that Arkansas lost?

Mrs. CARAWAY. Yes; what Arkansas would lose, Michigan would gain.

In 1910 the method of major fractions was adopted. At that time it was the only known method that would avoid the Alabama paradox. In 1921 Dr. Huntington, an outstanding mathematician at Harvard University, after a careful analysis of the problem, devised the method of equal proportions. Since then there has been no issue until now, for both methods gave the same results in 1930. In all this time no change has been made in Dr. Huntington's findings.

The committee decided to—

First. Select one method, and one only, so that no disagreement can arise to

create dissatisfaction with an automatic apportionment.

Second. Which method shall we select?

(a) We recommend the method which has the approval of all scientific committees which have studied the question:

First. National Academy of Science Committee, which reported to Congress at the request of Speaker Longworth in 1929.

Second. Advisory Committee to the Bureau of the Census, composed of prominent members of the American Statistical Association, and the American Economic Association, 1921.

(b) We recommend the method which has been discussed for 20 years and has not been disproved, but, on the other hand, has constantly gained new adherents who have investigated the subject. For example, Dr. L. F. Schmekebier, who investigated the subject for the Brookings Institution, came out unequivocally for the method of equal proportions.

(c) We recommend the method which eliminates all considerations other than population. By using a relative difference rather than absolute difference, we do not have to consider whether to use the ratio of Representatives to population or the ratio of population to Representatives as a measure of justice. By using the method of EP, either ratio will give the same result. By not using EP, we must have a choice between the two ratios, for each leads to a different method, major fractions, and harmonic mean, respectively.

(d) The House of Representatives, after thorough study and extensive hearings, has expressed itself as favoring the method of equal proportions by passing H. R. 2665.

The method of major fractions and also the method of the harmonic mean both adhere to absolute differences. The advocates of either method ought to be able to give a reason for accepting the absolute measure rather than the relative measure; and it is equally true that the advocates of the method of equal proportions should be able to give reasons for accepting the relative rather than the absolute difference. But the burden of proof, as I look at it, rests a little heavier on the advocates of the major-fractions method, because they have to justify their choice of a ratio as well as their choice of the absolute or subtraction methods of measuring differences rather than the relative or percentage measure.

As stated in Senate Document No. 304, Seventy-sixth Congress, third session, page 6—

> The method of equal proportions may be defined as the only method which will apportion a given number of Representatives among the several States so that the ratio of population to Representatives, and also the ratio of Representatives to population, shall be as equal as may be among the several States.

There is no doubt that the equal-proportions method brings about the greatest degree of fairness and is the method by which future apportionment should be figured.

There is no question that the method of equal proportionment is considered by outstanding statisticians as the most equitable method to be used in the apportioning of Congress.

The pending bill as amended does not change the membership of the House of Representatives but retains its present membership of 435. The method of equal proportions is not only the most scientific yet devised but it is also the most equitable. The reapportionment of Representatives being primarily a problem of the House, I feel that the House having decided that the method of equal proportions should be used the Senate should concur in that decision. As I said before, had it not been for the national emergency and the protracted debate on the Lend-Lease Act, it is believed that the committee would have reported and the Senate would have passed H. R. 2665 before the expiration of the 60-day limitation contained in clause 22–B of the 1929 act as amended. Because of the protracted debate, it is not correct to presume that the Senate, not having taken action within the 60-day period, intended to disregard the action of the House in the matter. This bill deals exclusively with the membership of the House. I think the Senate should take that fact into consideration and grant to the House its wishes on this legislation.

Mr. President, I have taken but little of the time of the Senate to discuss this matter. I do not think it is necessary to take much time. The debate should be brief. The issues are clear. The House has acted favorably on the measure. The committee has also taken favorable action by a 2-to-1 vote, as I have heretofore stated. Therefore, Mr. President, I hope and believe the Senate will follow the wishes of the House of Representatives in this matter and pass the pending bill.

Mr. VANDENBERG obtained the floor.

Mr. BROWN. Mr. President, will my colleague yield to me?

Mr. VANDENBERG. I yield.

Mr. BROWN. I note that on the desk of each Senator is a copy of the bill and a copy of the majority report. I think the views of the minority should also be on the desk of each Senator in order that they may be read and considered.

The VICE PRESIDENT. The views of the minority will be distributed, as requested.

Mr. VANDENBERG. Mr. President, I know it is very difficult, in stressful times such as these, when so many issues of transcendent importance are pressing upon Senators, to attract the attention of the Senate to a matter of this character in any sort of effective fashion, but, from my point of view, as I shall presently indicate, I think the issue which confronts the Senate today goes to the very fundamentals of representative government, and at a time when we are tremendously interested in preserving representative institutions all around the world I hope the Senate will be willing to give at least casual attention to the preservation of our own.

The pending bill presents a very simple issue: Shall the Senate strike down the principle of automatic congressional reapportionment at its first test? Shall the Senate desert this vital constitutional safeguard of an equally vital constitutional mandate the very first time it collides with political appetite? Shall we, at its first trial, scrap the statute which was written 11 years ago, amid great travail, to prevent constitutional nullification in the matter of congressional reapportionment? I think I can make it crystal clear that this is the deeply important proposition upon which Senators are now about to pass.

Superficially, the pending bill may seem to deal with the transient and comparatively trivial question of whether Arkansas or Michigan shall get one seat in the House of Representatives as a result of reapportionment incidental to the 1940 Census. True, that is the motive of the proponents of the bill—namely, to save one congressional seat for Arkansas. It is the same old motive, as old as politics itself, the motive of the gerrymander, which has been the curse of decennial reapportionment for 150 years—the motive, I may add, which those of us who were chiefly responsible for the automatic reapportionment law of 1930 thought and hoped we had outlawed for keeps. But the real issue is the integrity of this new statutory device to stop gerrymanders, to stop nullification, and to guarantee the decennial validity of that section of the Constitution which requires a decennial reapportionment of the House of Representatives.

I regret that, through a prank of fate, Michigan seems to have a selfish interest in the outcome. I cannot expect to be wholly acquitted, therefore, of a selfish interest in the result. But those who were here 11 years ago when the automatic reapportionment law was passed will remember my sponsorship of it, if I may be permitted this personal reference, and my personal part in the long and vivid battle which preceded its enactment. They will understand my attachment to the principle involved, and they will believe me when I say that, regardless of any incidental effect, I would resist to the limit of my capacity any present-day effort to checkmate that great advance in the protection of this essential constitutional warrant.

I remind Senators that reapportionment of the House has always been a bone of vast contention. It has always involved a perfectly human and perfectly understandable desire of each and every State in the Union to retain all of its House seats, regardless of the shifts in population which the Constitution says shall be measured every 10 years by a reapportionment reflecting these physical facts.

In the earlier days of the Republic it was comparatively easy to accommodate the aspirations of all concerned by the simple recourse of increasing the size of the House to save all the seats of whatever State stood to lose the most. This was the process by which the total membership of the House finally reached 435. But there came the time when statesmanship realized that this process could not go on forever lest the House became so numerous that it could not hope to function, and it was then that the decennial reapportionment problem became acute. It was then—when it was deter-

mined that the total size of the House should be increased no further—that trouble began to multiply in proportion as populations shifted.

This problem reached its climax in the decennium of 1920 to 1930. There were such violent shifts in population preceding 1920 and thereafter that the Constitution obviously required correspondingly violent reallocations of those 435 House seats. For 10 long years the prospective losers were able to stall the reapportionment machinery, which is to say that they were able to nullify one of the most fundamental provisions and principles of the Constitution of the United States; and from 1910 until 1930 there was no reapportionment at all, although great populous sections of the country were manifestly disfranchised as a result. Consequently, by way of illustration, in 1930, although the average congressional district was presumed to have about 200,000 people, some districts had as many as a million people—indeed, I believe one district had a million and a half people. It was a prime scandal in its sordid, selfish, nullifying disregard of the Constitution of the United States.

In 1930, Mr. President, we seriously faced this nullification; and we said that it should never occur again. We said, by solemn statute, that thereafter whenever a decennial census, as required by the Constitution, was concluded, the President should report the results to Congress, and, along with his report, should show how this census required Congress thereafter to be apportioned, by two well-known scientific methods, the method of so-called major fractions on the one hand and the method of so-called equal proportions upon the other. I shall speak about these technical methods in a moment. The important thing fundamentally is to follow through with this chronology, because it is the sum total of the whole case which should present itself to the conscience of the Senate.

This Constitution-saving statute said that the technical method applying in previous reapportionments should continue to apply unless Congress ordered otherwise within 60 days. In other words, unless Congress acted otherwise within 60 days, the next subsequent House would be reapportioned by the last prevailing method on the basis of the new census. Put somewhat differently, it said that the Constitution should no longer be cheated, that great American constituencies should no longer be cheated, by the old nullifying gerrymanders unless a majority of both branches of Congress agreed to the affront within 60 days.

Now comes 1941, and the report of the 1940 census and the first trial of this automatic reapportionment. The President reported the new census the first week in 1941. He also reported the appropriate reapportionment by the two methods prescribed by the statute. The method of so-called major fractions has been followed since the days of Daniel Webster. Therefore, it was controlling under the terms of the statute unless the Congress ordered otherwise within 60 days. Within this 60-day period the House voted to use the other method of computation this time, namely, "equal propositions." The only physical difference was that the traditional method gave the State of Michigan one additional Congressman at the expense of the State of Arkansas, whereas the method of so-called equal proportions preserved the existing representation of these two States.

The Senate did not act within the 60 days required by statute. It makes no difference why it did not act. The statute does not deal in metaphysics. It sets down a hard and fast rule, and Heaven knows, out of the American experience, that rules have got to be hard and fast if constitutional nullification in a large sense is to be prevented in connection with the reapportionment of the House of Representatives. When the Senate did not act within 60 days, the statute made reapportionment by so-called major fractions final and conclusive and binding upon all concerned. The case was closed; the incident was finished; and the Clerk of the House so notified the States.

What happened then? The State of Arkansas, of course, still wanted to keep the one seat which was at stake in the House. I speak with the greatest respect of the State of Arkansas, and I fully understand the justification for the position taken by the able senior Senator from Arkansas [Mrs. CARAWAY] in this connection. I commend the tenacity and ingenuity to those who have sought to retain this seat for Arkansas. There was, however, only one possible recourse for them. They could not get that seat under the existing law of the land. They could not get it under the automatic reapportionment law which Congress said 11 years ago hereafter should be the hard-and-fast rule under which constituencies should have equitable constitutional representation in this Capitol. They could not get that seat under existing statutes which implement the Constitution. There was only one possible thing they could do, namely, to reach back into the 1930 law and rip it to pieces in good old gerrymander style for the sake of controlling one seat in the House of Representatives. Precisely that thing has been done and will be done by the pending substitute amendment now at the bar of the Senate. It makes no difference that only one House seat is involved. The principle would be the same if there were 50. Indeed, the bill in its pending form seeks to rewrite the automatic reapportionment law to satisfy the political representation of one State and to save its present representation. Dress it up as you please, Senators, that is the same old spirit of gerrymander which has been the vice of reapportionment for a century and a half, and which Congress thought it had terminated in the automatic law of 1930.

Mr. President, these gerrymanderers have been exceedingly clever. There is a certain degree of superficial piety about what they have done. They say the automatic law recognizes the method of "equal proportions" along with the method of "major fractions," and that the weight of technical authority favors equal proportions as more equitable, although we have used major fractions for an unbroken century. So they plump for equal proportions—which saves this House seat to Arkansas—despite the clear fact that the existing law of the land, under existing circumstances, says that major fractions shall be used precisely as they have been used for 100 years. They say in the pending bill, Let us strengthen the automatic reapportionment law by removing this option as to method; let us simplify the formula by making equal proportions mandatory hereafter; and it is a very persuasive plea, Mr. President, because it does seem to simplify the automatic law.

Very well; so far so good. I do not think it makes any important difference whether the future apportionments are figured by major fractions or equal proportions. Usually they come out exactly the same; indeed, this is the first time there has been any difference. I would not attempt to give an authentic definition of the technical, mathematical discrimination between the two methods, because they are so involved and so apparently parallel. It takes an expert half an hour to explain the difference, and the nonexpert is totally befogged at the end of the 30 minutes.

If I could hope to reduce the difference to simple terms, as a layman, I should say it is approximately this: When reapportionment is figured, there is always a remainder in every State after full district quotas have been assigned. "Major fractions" measures each remainder in proportion to the population of the country as a whole. "Equal proportions" measures each remainder relatively in proportion to the size of the State in which it occurs. In other words, speaking loosely, a remainder of 20,000 in a State of 1,000,000 would enjoy priority over a remainder of 40,000 in a State of 5,000,000 people under "equal proportions" and vice versa under "major fractions." This greatly oversimplifies the problem but it will suffice to illustrate. Perhaps it might be put this way: "Major fractions" deals in pure remainders and "equal proportions" in weighted remainders.

Or it might be put this way: "Major fractions" seeks to put every citizen, no matter in what State he may live, upon an equality as respects his right to representation in the Congress of the United States, whereas "equal proportions" undertakes under certain indicated circumstances, as I have shown, to give one citizen an advantage over another in respect to the degree of his representation.

But, Mr. President, I dismiss this mathematical maze as irrelevant, inconsequential, and immaterial at the moment. While I have always preferred the method of major fractions, because I think the House as nearly as possible should reflect the distribution of the whole population of the Nation regardless of where a person lives, I am quite ready to yield to the method of equal proportions for future—with emphasis upon that word—for future reapportionments for the sake of writing one, firm method of reapportionment into the automatic law. It will probably not affect reapportionment once in 50 years. I agree, however, that it simplifies the law; and by so doing it strengthens the principle and minimizes

the argument. So I am prepared to vote for the portion of this bill down to section 2.

But, Mr. President, section 2 robs the remainder of the measure of any virtue which it could claim upon any pretext, from my point of view. In section 2 comes the vice of this whole miserable business. Section 2 proposes to make this exclusive use of "equal proportions" retroactive. It proposes to reach back into the 1930 law and apply this new principle to 1940. It proposes to tear up the 1940 reapportionment as already concluded under the existing law of the land. This is not for any love of "equal proportions" or for any zeal in behalf of preserving future automatic reapportionments. Perish the thought! It is to save one House seat for one State in good, old gerrymander style. This bill would never have been heard of—and everybody knows it—except as, by fortuitous circumstance, the present espousal of "equal proportions" would upset present automatic reapportionment as required by existing law. Section 2 reflects the same old manipulation which cheated constitutional reapportionment at the turn of the century. It implements the precise constitutional menace which the automatic reapportionment law sought to cure.

Mr. President, if, as this bill does in section 2, we are to rewrite the basic reapportionment law every 10 years in order to accommodate some political purpose, then we will have no automatic reapportionment law. Each decennium will again produce its own plausible excuse to upset the law every 10 years. We shall have lost the vast constitutional advantage which was gained in 1930 when we sought to put an end to this nullification. It may be said that the status of only one seat in the House, as involved in the present controversy, is a thing of minor consequence. So it is within itself. But it is the direction rather than the length of the step which is of paramount concern. Section 2 is a gerrymander precedent. If established, it will live to plague the very basis of constitutional, representative government in years to come, precisely as the lack of an automatic reapportionment law plagued constitutional representation for 20 years from 1910 to 1930.

Mr. President, nothing I have said is intended remotely as a reflection on the great State of Arkansas nor upon its representation in Congress. It is perfectly understandable human nature that any State should be tenacious of its undiluted representation in the Congress. But that, Mr. President, is the precise reason why I resist section 2 in this bill. I do not want any precedent established here and now which will encourage "human nature" to set the Constitution at naught in decenniums to come as it was nullified from 1920 to 1930, when "human nature" rather than the Constitution had the right-of-way.

I submit, Mr. President, that section 2 should be eliminated from the bill. Thereafter, and under those circumstances, I shall be glad to give the bill my support.

Let me say this in conclusion: If I am asked why I am willing to yield to equal proportions for 1950 and thereafter, and yet unwilling to yield to equal proportions in 1941, I answer that the former action sets the rules in advance of their application, which is the only way that automatic reapportionment ever can be saved, whereas the latter action seeks to fit the rules retroactively to existing circumstance, which is the traditional and favorite scheme for defeating representative equity.

Mr. President, that is my case. Over a decade ago I stood upon this floor by the hour, through many difficult days and weeks, seeking to establish the principle of automatic reapportionment in order to save the country from a repetition of the disgraceful circumstances under which there was no congressional reapportionment at all from 1920 to 1930. I am wedded to the principle. I think it is a fundamental constitutional necessity. I think it will always be found to be a necessity every 10 years when the census is taken. Obviously it is essential today. It will be essential every 10 years to come. If we are to set a precedent for consulting human nature and political appetite, instead of consulting the fundamental rule of the Constitution of the United States, then the section of the Constitution which guarantees equality of representation under the law will always be in jeopardy.

Mr. BURTON. Mr. President, the Senate has heard from the senior Senator from Arkansas [Mrs. CARAWAY] and the senior Senator from Michigan [Mr. VANDENBERG] on this bill. It was my privilege to serve as a member of the subcommittee which redrafted the bill and is reporting it here, and I voted for the bill. I have been asked to present the point of view of a Senator from a neutral State and as a neutral member of the subcommittee to state what the issue is and why I believe the bill to be sound, not a gerrymander in any sense, and entitled to be passed by the Senate in the interest of permanent sound procedure hereafter.

I believe that every Member of the Senate is fundamentally interested in the proposition involved. It can be made mysterious, but if we take the time to study the history of the matter and to analyze the bill it is not mysterious.

I wish to pay my respects and to extend my compliments to the senior Senator from Michigan [Mr. VANDENBERG] who rendered a distinguished service to the Nation when the act of 1929 was passed and a definite plan was agreed upon for the determination of future reapportionments. That plan, however, contained in it two alternatives. If this bill is passed it will complete the work begun in 1929 by eliminating one of those alternatives. Thereafter we shall have a completely automatic procedure every 10 years.

In order to understand the bill fully it is necessary to review the history of apportionment precedents, to analyze the provisions of the bill, and to give brief consideration to the merits of those provisions. I shall undertake to do that.

First of all, it is necessary to get a general picture of the bill. The bill before us, House bill 2665, comes before us in the form of a substitute presented by the committee. It consists of two sections. Section 1 provides that beginning with the census of 1950, and with the Congress to be elected in 1952, the equal-proportions method alone shall be used. Section 2 provides that the same method, thus chosen to be applied to the census of 1950, shall be applied to the census of 1940, inasmuch as the elections for the next Congress following that census have not yet taken place.

If we are to get the background for this bill, let us see first the constitutional history and then the statutory history of it. It is interesting, and not long.

There are two important constitutional provisions relating to it. The first is found in article I, section 2, clause 3, of the original Constitution, and reads as follows:

> Representatives and direct taxes shall be apportioned among the several States which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons.

Then it says:

> The actual enumeration shall be made within 3 years after the first meeting of the Congress of the United States, and within every subsequent term of 10 years, in such manner as they shall by law direct.

This indicates that the rest must be determined by statute.

It then proceeds to state:

> The number of Representatives shall not exceed 1 for every 30,000, but each State shall have at least one Representative.

The Constitution, therefore, merely says that there shall not be less than 48, or at the present time there shall not be more than 4,343 Members of the House. The statutes must determine the remainder of the problem.

An attempt was made to amend the Constitution of the United States at the time of the passage of the so-called Bill of Rights. Ten amendments were adopted, and two were defeated. One of the two defeated related to this section; but, of course, since it was defeated, we need not spend time upon it, except to realize that from the beginning this subject has been a matter of controversy and a matter of great study.

However, in 1868, there was a change made in article I, section 2, by the fourteenth amendment. In particular, this changed the first sentence of the paragraph to read as follows:

> Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed.

This left out the reference to the slaves, indirectly contained in the original clause, but it still mentions "Indians not taxed." Now that Indians have been placed under the income-tax law, as a matter of practice, they all are now included in the population for apportionment purposes.

The Constitution does not settle our issue. The statutes must meet it.

There have been 16 censuses taken up to and including that of 1940. They fall into several different groups.

It is first interesting to note that the very first veto issued under the Federal Constitution was a veto by George Washington on April 5, 1792, of the first apportionment bill. He found that it did not conform to the Constitution for the reason that the 30,000 population figure had not been applied to the several States but had been applied only to the Nation as a whole. He insisted that it be applied to the several States, and that there should be no State in which there should be more than 1 Representative for every 30,000 persons.

That bill was vetoed on April 5, 1792. The first Apportionment Act to take effect was approved on April 14, 1792, 9 days later, and it used what was known as the Jefferson plan. What it did was this: It fixed a ratio of 1 Representative to every 33,000 persons, and then disregarded all fractions that resulted. Necessarily it can be seen that some fractions are obtained when we divide 33,000 into the existing populations of the several States. The Jefferson plan was to eliminate all fractions and use the next lower whole figure. That produced a House of 105 Members. That plan remained in effect for the next 4 censuses and let me point out that the statute passed each time fixing the new ratio was passed after the census and in the full light of its consequences.

In 1802 the ratio used was again 33,000. In 1811, a year after the census, it was 35,000. In 1822, 2 years after the census, it was 1 Representative to 40,000; and in 1832, 2 years after that census, it was 1 Representative to every 47,700.

In 1840 there came the Webster plan, which sometimes has been referred to as the major-fractions plan. It is not the major-fractions plan referred to in the present statute. It was a simple major-fractions plan which resulted from the following computation: A ratio was fixed and at that time it was 1 Representative to 76,680 persons. Incidentally, the census then taken was the first census after Arkansas and Michigan had come into the Union. Their education in apportionment started right then.

This quota was divided into the populations of the several States; and, instead of disregarding all fractions, the fractions were given representation wherever they showed the State to be entitled to more than one-half of an additional Representative or a major fraction. The Webster plan, therefore, was given the name of the major-fractions plan; and, of course, it could readily be applied as long as Congress was willing to readjust the total membership of the House up or down to fit it. At that time it produced a House of 223 Members. The plan lasted in that form for just 1 census.

In 1850, the Vinton plan was adopted. It was named after Samuel F. Vinton, a Representative from the State of Ohio; and I think it is appropriate for me to read into the RECORD at this point just one or two sentences from his speech of April 30, 1850, advocating the plan and bearing upon the subject. He said:

> As one of the members of a large State, which can afford as well as any other to bear the loss of a fraction, I am willing to waive the advantage Ohio would have over a small State in the adjustment of an apportionment bill and that she shall take her equal chance only with her smaller sisters. I know no reason why the large States, such as Ohio or Virginia, shall have any advantage over New Hampshire or Arkansas.

I propose to show later by quotations from competent authorities that the equal-proportions method now being advocated is the only one of the modern scientific methods that does give equal treatment to all States, be they large or be they small.

Let me say that Vinton was the pioneer in trying to work out a plan to be adopted before the census was taken and before the apportionment was made; and he did succeed in securing a statute which provided that the House should be fixed at 233 Members before the 1850 census was taken. After the census was taken, it was raised to 234. On that basis the statute determined the ratio for the Nation, applied it automatically to the States, and prescribed that that same method be used from then on after all succeeding censuses for all succeeding apportionments.

The Vinton plan further provided, when the fractional point came up, that fractions should be recognized as far as the predetermined size of the House of Representatives would permit their recognition. It would go down through the major fractions into the minor fractions. In fact, it really was the method "higher fractions," be they major or minor. The natural attack on it was to change the size of the membership of the House. This Vinton plan of higher fractions survived from 1850 to 1900, but the size of the House of Representatives was increased in 1862 to 241; in 1872, to 283; in 1882, to 325; in 1891, to 356; and in 1901, to 386. The House was becoming unwieldly.

In 1910 there was an attempt made to reach a solution which would settle the matter. There was then adopted the modified major fractions plan, which is substantially the plan now being used, together with the aid of a mathematical procedure involving a priority list that has simplified its use. This modified major-fractions plan was adopted on the basis of a House of 433 Members, with a provision that if Arizona and New Mexico came into the Union they were each to start with one additional Representative. This fixed the size of the House at 435, and there it still stands.

Difficulty then arose in attempting to work out a plan to meet changes in population without changing the size of the House. To apply the major-fractions plan to the 435-man House, even in 1910, it was found that under the strict major-fractions rule there would be 4 men left over. This would require a 439-man House; so that the major-fractions plan was modified by arbitrarily increasing ratio figure until it would leave only 435 Representatives, including the major fractions. This produced a modified major-fractions plan which, in fact, forced the major-fractions plan into the predetermined number fixed for the House. That was the 1910 program.

In 1920 the thing occurred to which the senior Senator from Michigan has referred. No reapportionment was made, in spite of the Constitution, in spite of the new census, and in spite of the fact that 42 bills were introduced to attempt it. The 1920 census never was made use of as a basis for apportionment. The House of Representatives continued to be of the same membership, per State, as had been fixed by the 1910 apportionment, even though it was completely out of line and getting worse with every year.

It was then that the now senior Senator from Michigan took a leading part in rendering a great service by securing the passage of section 22 of the act of June 18, 1929, which still is the basis for the procedure now in effect. It was passed before the results of the 1930 census were known. I think it would be of benefit, for the RECORD and ourselves, if we recognize that in 1929 when this question was under discussion there then was had, for the first time, serious recourse to scientific and higher mathematics in an effort to determine, apart from politics, what might be the solution suggested by pure mathematics as providing the fairest result.

Mathematicians came forward with five different plans, one of which was the equal-proportions plan, one of which was the major-fractions plan, but I think that it will be helpful if we list all five here, analyze them briefly, and recognize their effects upon the interests of the smaller States and the larger States as determined by those who made a scientific study of the problem.

I quote from a book on Congressional Apportionment, published in 1941, by the Brookings Institution, and written by L. F. Schmeckebier, who has studied a great many District and Federal problems. On page 69 he makes these interesting statements about the five methods involved:

> Considering the methods separately we thus find that, as compared with the method of equal proportions, the method of smallest divisors gives larger representation to the small States; that the method of greatest divisors gives larger representation to the large States; that the method of harmonic mean tends to give a larger representation to the small States, but not as great as the method of smallest divisors; and that the method of major fractions tends to favor the large States, but not to the same degree as the method of greatest divisors. The method of equal proportions tends to give the most equitable distribution among the States regardless of size.

Then, on page 72, after quoting the constitutional provision, he says:

> There is nothing in the clause that connotes any conflict between large and small States, either singly or as groups. The apportionment is to be according to the respective numbers. The Constitution contemplates equality, but as it is impossible to attain absolute mathematical equality, the apportionment must be such as to reduce inequality to a minimum. As explained on preceding pages, varying differences are used in the several methods to measure the degree or amount of inequality, but both the weight of authority and the equity of the apportionment indicate that the method of

equal proportions is more desirable than any other method that has been devised.

The law of 1929 recognized both the methods of major fractions and equal proportions. It was an ingenious solution, and it prescribed that the President 1 week after the opening of the second session of the existing Congress in December, following the taking of the census and allowing over 8 months for the preparation of the count, should certify what the apportionment would be under the method known as the method of major fractions, what it would be under the method known as the method of equal proportions, and what it would be under the method used in the last preceding apportionment. Of course, the last-used plan at that time was the major fractions plan of 1910. Therefore, there really were two computions, and, interestingly enough, when the 1930 census came to be examined, it was found that the major fractions plan and the equal proportions plan produced exactly the same representation. Therefore, there was no occasion in 1930 to raise the point that is being raised now, because there was no difference between the two plans at the time. There would have been a difference in 1920 and there is one in 1940, but in 1930 there was no difference. Congress, therefore, did nothing in 1930, and, by virtue of doing nothing, the method used in the last preceding apportionment automatically became applicable. As a result, the apportionment was made in 1930 in accordance with the method of major fractions, which produced the same apportionment as would have been produced by the method of equal proportions.

Now we come to our present situation, with one intervening incident. In 1933 the Constitution had been changed as to the time when the Congress should meet. It was provided that Congress would meet on January 3, 1940, instead of December 1940, following the 1940 census. Obviously it was not possible for the census count to be ready by January 3, and, therefore, the law was amended so as to provide that within 1 week after the meeting of the next Congress, namely, on January 3, 1941, the President should certify his computations to the Congress and that within 60 days after that date Congress should elect between the two plans.

When the apportionments were computed on the 1940 census it then became clear that under both plans there would be many changes, but the two plans would work out alike in all of these changes, except that under equal proportions plan, the apportionment would leave Arkansas and Michigan as they were and under the major fractions plan the apportionment would give Michigan one more Representative and Arkansas one less Representative.

Under those circumstances, it became of some importance to choose between the two plans. The House of Representatives on February 18, 1941, I believe, as I recall the date, elected under this procedure to choose the equal-proportions method, as it had a right to do. The bill then came to the Senate. The Senate was discussing the lend-lease bill. The last day on which the Senate could act on the measure within the 60-day limit was March 8, 1941. On March 7 and March 8 the Senate was voting all day on the lend-lease bill, and the matter never did come to the floor of the Senate before March 8, 1941. Thereupon, by virtue, not of a consideration of its merits by the Senate but by virtue of international circumstances such as they were, the 60-day period expired, and no action was taken, with the result that the 1910 method of major fractions again became applicable, although the House of Representatives, which was most vitally affected, had elected to proceed under the equal-proportions plan. Consequently, when this matter comes up today, it is not a matter of gerrymandering; it is a matter of acting now with the same freedom as could have been exercised before March 8 if there had not been other matters before the Senate which precluded any consideration of the bill at all by the Senate. The Senate should now proceed to select the plan for apportionment under the 1940 census and to determine for the future which plan shall be used. It therefore becomes necessary to examine the bill, which contains several vitally important provisions.

In section 1 the first thing it does is to substitute a single standard for a double standard. It selects permanently the equal-proportions method to be applied to the 1950 census and thereafter. Next it adapts the procedure of section 1 to this single standard.

It provides, among other things, that the clerk, after having received a determination of what the apportionment shall be, shall within 15 days, give notice to the executive of each State, stating the number of Representatives to be allotted to that State. There is then a change made in the detail of the act which I need not discuss here, except to say, for the benefit of the RECORD, that in the former act it was provided that in the absence of the clerk, this notice should be given by the officer who, under section 32 or 33 of the Revised Statutes, is charged with the preparation of the rolls of Representatives-elect. An examination of the statutes shows that that officer is an officer of the preceding Congress, and therefore, in order to eliminate that difficulty, it is now provided that in the absence of the clerk it shall be done by the Sergeant at Arms, or in his absence, by the Doorkeeper of the House of Representatives of the current Congress, those being the same officers who formerly would have been named as officers of the preceding Congress.

In subsection (c) of section 1 it is prescribed what shall take place in a State that receives a change of its apportionment before it has provided new districts to fit the new apportionment. This merely writes into the law the situation as it seems to be now settled by decisions of the courts. It clarifies and lends authority to the existing practice.

Now section 2: This section does not gerrymander anything. Section 2 merely makes applicable now, before the next session of the Congress and before the next election, the rule determined on, on its merits under section 1. If we were determining section 2 first, and then were trying to conform our permanent policy, to that choice, that would be one thing; but if, as the senior Senator from Michigan [Mr. VANDENBERG] has indicated, the permanent policy for the United States, from now on is to be, as I believe it should be, on the authorities I shall quote, the equal-proportions plan, then, having made our decision upon principle there certainly is not a reason for saying that the application of the sound principle of the future to the present is a gerrymander of anything.

Mr. VANDENBERG. Mr. President, may I ask the Senator one question, and one only?

Mr. BURTON. Certainly.

Mr. VANDENBERG. I compliment the Senator upon the very able historical presentation he is making of the subject. On his final comment, however, I want to ask him this question:

Does he think this bill would be here at all if the only motive were a tremendous loyalty to the mathematical superiority of the system of equal proportions; or is not the bill here in order to transfer one seat in Congress contrary to the terms of existing law? Is not that the reason why the bill is here; and does not that prove that it is a political move, and not the magnificent thing to which I know the Senator from Ohio himself is deeply wedded?

Mr. BURTON. Speaking from a neutral State, let me point out what I think the situation is.

The reason why the bill is here is because the act of 1929 forced upon the Congress the obligation of electing between two different methods of apportionment when there was a difference between them. It became necessary for the Congress to elect or not elect under those circumstances. Therefore, in 1941 it became appropriate that a bill be introduced—whether by someone representing Michigan or Arkansas or someone else—providing that Congress should make its selection. The situation today is that because the Senate was unable to reach this issue under the existing statute by March 8, it is now highly appropriate that the Senate reach the issue on its merits now that there is time to consider it on the merits. There still is ample time before the next election in the several States. Necessarily, every time there has to be a choice between one method or the other under the existing statute, it will affect one State or another. The existing law—which I commend the Senator for putting into our system—nevertheless carries with it a certain vice, namely, that every 10 years, for a period of 60 days after certification of the figures to Congress, there will be forced upon Congress this particular controversy. My contention now is that we should eliminate that double standard, put in one standard, and, having determined that question on the merits, and on the merits alone, we should not now dissuade ourselves from putting it into effect at once merely because it has a certain effect upon certain States at this time.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BURTON. Yes, sir.

Mr. BARKLEY. I am not sure that I fully understand the Senator's contention with respect to the act of 1929. I served in the House of Representatives for a good many years, and on two occasions during my membership we had before us the question of apportionment among the States of the Members of the House. The House of Representatives had become so unwieldy that nobody really wanted to increase its membership, as it had been increased every 10 years prior to that time, in order that no State should lose a Member of the House; and that more or less artificial increase every 10 years was kept up largely because States which were about to lose Representatives naturally protested.

I have forgotten whether it was in 1920, but I think it was as a result of the census of 1920 that the House of Representatives determined, and the Senate concurred, that there should be no increase in the membership of the House. Many States lost Members because of a disproportionate increase in population in some States. My own State lost two Members of the House in 1920. The legislature did not redistrict, and they all had to be elected from the State at large. The sentiment being pretty general that there ought not to be any increase in the membership of the House—if I had my way about it, after serving there 14 years, I would decrease the membership of the House rather than increase it—having reached that conclusion, they undertook to provide a formula that would prevent the temptation thereafter to increase the membership of the House in order to take care of local situations. In that attempt, if I correctly understand the Senator, they rather more or less left in the air still the question of major fractions and equal proportions, so that every 10 years the House still is confronted with the question of whether it would stand by one method or the other. Is that correct?

Mr. BURTON. That is correct.

Mr. BARKLEY. That presupposed that at the end of every decennial census Congress would take some kind of action, because they had to make a decision; so that it was really not an automatic, perpetual law that was put into effect, which by itself took care of the situation as it arose every 10 years.

Mr. BURTON. Except that the act did say that if the Congress failed to reach a conclusion as to which method they choose, the apportionment should then be made under "the method used in the last preceding apportionment." To that extent it was automatic.

Mr. BARKLEY. Yes; that is true; but it still left it open to Congress to decide one way or the other.

I am not personally interested in the controversy between Michigan and Arkansas as States. It just so happens that the population increase in those States brings about this controversy. As a matter of precedent, I am not concerned about it one way or the other, and I would not inject myself into a controversy between the two States on that score; but I have always had a feeling that inasmuch as this question involved the membership of the House alone, we ought to give great deference to the viewpoint of the House in determining its own membership and the method by which they were to be apportioned and elected; and I think that is a reasonable view to take of the matter. Does the Senator give any weight to that suggestion?

Mr. BURTON. I think that is true; but I also think that under the Constitution we have a grave responsibility on our own account to perform.

Mr. BARKLEY. Oh, yes; we have a joint responsibility in regard to that, too; but, so far as I know, the Senate has never attempted to change the viewpoint of the House with respect to the number of men who shall serve there. All during these years, when they increased their membership every 10 years so as to take care of these local situations, the Senate did not interfere with the action of the House, and it might not have done so in 1920 if there had been an increase in the membership, which there was not, so that the question did not arise. But I cannot avoid the feeling, and it may have some effect on my vote, that on a matter of this sort, involving the membership of the House, though we cannot escape our responsibility, the burden of proof is on somebody to prove to me that the House is wrong in determining the method by which its own membership shall be selected.

Mr. BURTON. It would be fair to state to the Senator that the pending bill as it now stands does go a bit further than that of mere election. When the House voted on February 18, 1941, they did choose the equal-proportions method for the 1940 census. That is as far as they had to go under the statute, and that is as far as they did go. Now that that period has gone by, and we act upon it now, we would go further and propose to change the fundamental law and adopt the equal-proportions method from now on, beginning in 1950, and then, we say, that inasmuch as we have determined on it from now on, we see no reason why we should not apply it to the 1940 census at the present time, and that conforms to the choice made by the House on February 18, 1941.

Mr. BARKLEY. This bill, as I read it, applies to the Eighty-second Congress.

Mr. BURTON. The first section does.

Mr. BARKLEY. To the Eighty-second Congress, and therefore does not take effect until after the next decennial census in 1950; but the second section would make it in a sense retroactive, to take effect under the 1940 census.

Mr. BURTON. Let me say to the Senator that I believe it is a misnomer to say "retroactive," because we are acting on the matter at just about the same time that every Congress has heretofore acted upon the question of apportionment—that is, before the next election following the census. It would be retroactive if it attempted to proceed technically under the present statute; but if we are changing the statute and are to have a single standard from now on, it seems to me it is not retroactive, and is amply in proper time.

Mr. BARKLEY. It is probably retroactive only as compared to 1950, but it does take effect on the basis of the 1940 census.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BURTON. Yes.

Mr. VANDENBERG. I desire to make a suggestion to the Senator. I am perfectly willing to agree with him, as I indicated in my presentation of this subject, that it is to the advantage of the automatic reapportionment law to eliminate the optional methods. I have told him that repeatedly.

Therefore I agree to the first half of the bill, and I agree that the first half, standing by itself, does what the Senator indicates, namely, eliminates one further, final friction which might interfere with the subsequent automatic operation of the law.

As the Senator knows, my objection is to section 2, which, in spite of his disclaimer, I insist is retroactive legislation, because it definitely applies after the formula which exists in the statute was written and became effective in respect to this year's reapportionment. My sole objection is to the vice of reaching back into this situation and remodeling the representation in Congress to fit a political situation. Why can we not agree on the fundamental principle to which the Senator devotes his great loyalty, and let us unanimously pass section 1, and then let us have the able Senator from Ohio join me in eliminating section 2, which is the vice involved? Then we will have a happy conclusion, to which both of us, in our virtue, can yield our fidelity.

Mr. BURTON. Replying to the Senator, the reason for not joining in the compromise is that, having determined upon "equal proportions" as being the sound and proper basis of representation for the people of Arkansas and Michigan from 1950 on, it seems to me we are not justified on any principle in not applying it to their next intervening elections. There will be five elections between now and that of 1952, and if the principle is good in 1952, following the 1950 census, the principle is good now. There are arguments affecting the existing situation into which I need not go, but the one I have stated is the one upon the consideration of which I think the Senator should be moved to stay with me, instead of insisting that there be a variation from the principle based on proper mathematics that we are to adopt for the long future.

Mr. VANDENBERG. If the Senator is logical in what he now says, then we would be equally justified in taking our new tax law, which we say is essential to provide adequate appropriations for the defense of the United States, and apply it backward to the incomes of 1940 and 1939 because we need the money. If it is good law now, it would have been good law then. Why not apply it?

Mr. BURTON. Not at all, because section 1 sets up a matter of principle, and we have not reached the point where it has discommoded or changed anything under the existing law. We have ample time, at this date, before the primaries,

and before the elections for the next Congress, to apply the sound principle to it. It is not retroactive in anything except in the Senator's idea that it goes back over the step by which notices now have gone out to the country based upon the failure of Congress to make any choice within the 60-day period presented by the existing law. But there have not been changes of position by anyone. If we can adopt the proper principle for the election in 1952 and all thereafter, I see no reason why we should not adopt the proper principle for those that intervene.

Mr. VANDENBERG. I shall not interrupt the Senator further, but I merely wish to observe that under section 2 there is opportunity for a gerrymander; and if we are to change the statute, it has to be retroactive.

Mr. BURTON. Just one word about the term "gerrymander." I understand it takes its name from the fact that Gov. Elbridge Gerry, of Massachusetts, at one time secured a rearrangement of voting districts to favor the party in power. In the instant case we have just the opposite of gerrymandering, because we are adopting, in section 2, a principle which has been approved by the most scientific students of representation there are in the United States. It is the opposite of a gerrymander, it is an attempt to apply the most equitable basis possible.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. BURTON. I yield.

Mr. VANDENBERG. I promised the Senator not to interrupt him again, but I am forced to because of my insistence on the other magnificent panel of technicians. I am sure they are entitled to the same consideration the Senator gives to his, and to be considered along with the experts he is now about to quote.

Mr. BURTON. I should be glad to have the Senator bring forward those experts, because when I have read from those I am about to quote it will be recognized that they are the ones who are naturally recognized, because of the circumstances under which they make their representations.

I now call to the attention of the Senate, and I wish to have them clearly stated in the RECORD, several brief statements from authorities whose qualifications all Senators readily will recognize. First I call attention to the report of the Advisory Committee to the Director of the Census in 1921. In brief, this Census Advisory Committee states:

> The method of equal proportions, consistent as it is with the literal meaning of the words of the Constitution, is logically superior to the method of major fractions. (CONGRESSIONAL RECORD, April 7, 1926.)

Next I refer to the report of the National Academy of Sciences in 1929, prepared, I may say, at the request of Speaker Nicholas Longworth, of the House of Representatives. On this controversial question it concluded thus:

> The method of equal proportions is preferred by the committee because it satisfies the test (of proportionality) when applied either to the sizes of congressional districts or to numbers of Representatives per person, and because it occupies mathematically a neutral position with respect to emphasis on larger and smaller States. (CONGRESSIONAL RECORD, March 2, 1929.)

Laurence F. Schmeckebier, at page 72 of his excellent book on Congressional Apportionment, published in 1941, by the Brookings Institution, says this:

> The Constitution contemplates equality, but as it is impossible to attain absolute mathematical equality, the apportionment must be such as to reduce inequality to a minimum. * * * both the weight of authority and the equity of apportionment indicate that the method of equal proportions is more desirable than any other method that has been devised.

Prof. Zechariah Chafee, of the Harvard Law School, in an article on Congressional Reapportionment, published in the Harvard Law Review, volume 42, 1929, pages 1015–1047, says the following:

> Of the political factors already considered, none weighs appreciably against the method of equal proportions. It remains to state the strongest political argument in its favor. The preservation of a respect for law will, in the long run, be best obtained by the adoption of the plan which is least likely to produce a sense of unfairness in those who are forced to obey legislation. Each successive reapportionment will cause an increasingly critical examination of inequalities by the States which lose seats. Consequently, the mathematical superiority of the method of equal proportions is also a political merit. Because of its mathematical soundness, it is the method which can best stand up under this unavoidable and intense critical examination.

Dr. E. V. Huntington, of the department of mathematics of Harvard University, writing in A Survey of Methods of Apportionment in Congress, presented to the Senate by the Senator from Massachusetts [Mr. WALSH] and ordered printed on October 7, 1940, stated:

> It was not until 1921 that a satisfactory mathematical analysis became available. This led directly to the method of equal proportions, which has since been approved by the highest scientific authorities (p. iii).

In Dr. Huntington's letter to the members of the Committee on Commerce of the Senate, dated February 22, 1941, he said:

> If Congress desires to equalize the congressional districts as far as possible among the States, the method of equal proportions will always give a better result than the method of major fractions.

He illustrates this by saying that under the major-fractions method, under the 1940 census, the difference between Arkansas and Michigan would be 11.26 percent, and under the equal-proportions method the difference would be 11.02 percent.

Again I quote from Dr. Huntington:

> If Congress desires to equalize the number of Representatives per million inhabitants as far as possible among the several States, the method of equal proportions will always give a better result, on a percentage basis, than the method of major fractions.

Finally, I cite Dr. Calvert L. Dedrick, now Chief Statistician of the Statistical Research Division of the Bureau of the Census, who, while not attempting to advise on the question of policy, has approved equal proportions as the most scientific method. In a statement to the committee he approved, as the definition of "equal proportions," the statement contained in Senate Document 304, issued by the Seventy-sixth Congress, third session, as follows:

> The method of equal proportions may be defined as the only method which will apportion a given number of Representatives among the several States so that the ratios of population to Representatives, and also the ratios of Representatives to population, shall be as equal as may be among the several States.

That completes the citation of authorities for the equal-proportions method, and I believe they will be convincing to anyone who is seeking the mathematical soundness of the result.

In concluding, and referring to section 2 of the bill, I believe that if we approve section 1 on principle, section 2 should also be approved on principle, first, because it is right for the reasons just stated; second, because it also happens to be most convenient under the present circumstances.

Ordinarily hard conditions make hard law. In this case hard conditions make good law, because in this case if we follow the method of equal proportions, which is the sounder method, we then leave the representation of both States which have been mentioned precisely as it is, whereas if we adopt the other method, which is not as good, under these authorities, then we disturb the existing representation. In Arkansas, in particular, where there would be a reduction of one Representative in Congress, we would force them into an election at large, which would result in much more expense, for filing fees and the like, and create considerable hardship for all candidates for Congress in that State in 1942.

Third. It has been passed already by the House of Representatives, which is, of course, primarily concerned in this matter.

Fourth. It does not seek to overthrow the rule of the 1929 law. It merely seeks to apply that rule and apply it in accordance with sound principle.

I believe, therefore, that the Senate owes it to itself to make it clear at this time that it is simplifying the procedure, and that it is favoring the most scientific method, not only for the long future, but now.

Mr. President, at this point, immediately following my remarks on House bill 2665, I ask unanimous consent to have printed in the RECORD an article by Calvert L. Dedrick, chief statistician of statistical research of the Bureau of the Census, entitled "Some Essentials of Apportionment Methods," which mathematically demonstrates the application of these several principles to the cases in Michigan and Arkansas.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SOME ESSENTIALS OF APPORTIONMENT METHODS

(By Calvert L. Dedrick)

Let us begin our discussion of methods of apportionment by assuming that a distribu-

tion of the 435 seats in the House of Representatives has been made; for example, table 1 of the President's message on apportionment.[1]

We can test this distribution by a very simple process of arithmetic, requiring only a knowledge of division, subtraction, and decimals. Our aim will be to get a better or more equitable distribution of seats by taking a Representative away from one State and giving it to another. It is obvious, of course, that we are assuming that the size of the House is fixed at a definite number—in this instance, 435 Members—but it could be any number larger than 48 and smaller than 4,343.[2]

We need not consider how a better distribution of seats could be obtained by increasing the size of the House and thus shifting the border-line States, for that problem is political, not mathematical.

The gentleman from Arkansas says, "We now have 7 Members and a population of 1,949,387. Michigan has 17 Members and a population of 5,256,106. By the method of major fractions you propose to take a Member away from Arkansas and give it to Michigan. Why?"

The answer is simple. Table 1 indicates that with 7 Representatives and 1,949,387 people, Arkansas has 3.5909 votes in the House of Representatives for each 1,000,000 people. Michigan, with 17 Representatives for 5,256,106 people, has only 3.2343 votes in the House for each 1,000,000 people. Michigan is underrepresented by 0.3566 votes per million people as compared with Arkansas. This is determined by subtracting Michigan's ratio from that for Arkansas. If a Representative is taken away from Arkansas and given to Michigan, the ratios will be: Arkansas, 3.0779; Michigan, 3.4246. Arkansas is now underrepresented by 0.3467 votes per million people as compared with Michigan. But the transfer has reduced the difference between the States from 0.3566 to 0.3467; that is, the absolute amount of underrepresentation has been made smaller. It would be ideal to have no difference at all, but in the absence of an ideal situation we should attempt to make the disparity as small as possible.

TABLE 1.—*Comparison of Representatives per million people*

	1940 population	Before transfer		After transfer	
		Representatives	Representatives per million	Representatives	Representatives per million
Michigan	5,256,106	17	3.2343	18	3.4246
Arkansas	1,949,387	7	3.5909	6	3.0779
Absolute difference			.3566		.3467

"But," says the gentleman from Arkansas, "I am thinking of how big our congressional districts will be if we have only 6. With a population of 1,949,387 and 7 Representatives, each of us has an average district of 278,484 people; with only 6 Members, we would have an average district of 324,898. On the other hand, the average population per district in Michigan would be decreased from 309,183 to 292,006. Now, let me show you some simple arithmetic:

[1] H. Doc. No. 45, 77th Cong., 1st sess.

[2] The Constitution requires that each State be given at least 1 Representative and limits the number to 1 for each 30,000 people in a State.

TABLE 2.—*Comparison of average congressional districts*

	1940 population	Before transfer		After transfer	
		Representatives	Average district	Representatives	Average district
Michigan	5,256,106	17	309,183	18	292,006
Arkansas	1,949,387	7	278,484	6	324,898
Absolute difference			30,699		32,892

"To use the same reasoning as before, ideally there should be no difference at all, and, in the absence of an ideal situation, we should try to get the smallest possible difference. By shifting a Representative from Arkansas to Michigan (as required by the method of major fractions) you have increased the absolute amount of difference between the average congressional district in the two States."

The gentleman is right. The method of major fractions does not equalize as nearly as possible the average congressional districts among the States. It only equalizes the votes in the House of Representatives per million people in the States.

There is a method which we might call that of "equalized districts." It equalizes as nearly as possible the congressional districts of the States, if the inequality between average districts is measured as an absolute difference. The reason this method is not mentioned in the apportionment law is its awesome title; it is the method of the harmonic mean.

By this method Arkansas should retain its present 7 seats and Michigan its 17 seats.

Now comes a gentleman from Michigan to say, and with some mathematical and legal justification, "The measure of difference should be in terms of votes in the House of Representatives per million people in the State. Therefore we should use the major-fractions method." Equally justified is the gentleman from Arkansas when he says, "No; the measure of difference should be in terms of the average size of a congressional district. Therefore we should use the harmonic-mean method."

Let us now introduce a mathematician. His remarks on the subject would be somewhat like this: "You are really interested in securing a method which will make the difference between the two ratios as small as possible. You should consider using the percentage of difference instead of the absolute amount of difference.

"If the gentleman from Michigan and the gentleman from Arkansas would only agree that the object of apportionment was to get the smallest relative (i. e., percentage) difference in their measures of 'fairness' they would get precisely the same answer."

To use the above examples:

TABLE 3.—*Comparison of percent differences*

Measure	Before transfer	After transfer
Representatives per million people (from table 1):		
Michigan	3.2343	3.4246
Arkansas	3.5909	3.0779
Percent difference	11.02	11.26
Average size of district (from table 2):		
Michigan	309,183	292,006
Arkansas	278,484	324,898
Percent difference	11.02	11.26

The method which equalizes as far as possible the congressional districts of any two States (and therefore of all States), and at the same time equalizes as far as possible the representation per million people, the disparity in each case being measured as a relative or percentage difference, is the method of equal proportions.

"The method of equal proportions may be defined as the only method which will apportion a given number of Representatives among the several States, so that the ratios of population to Representatives, and also the ratios of Representatives to population, shall be as equal as may be among the several States." (S. Doc. No. 304, 76th Cong., 3d sess., p. 6.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, communicated to the Senate the intelligence of the death of Hon. LAWRENCE J. CONNERY, late a Representative from the State of Massachusetts, and transmitted the resolutions of the House thereon.

NAVAL SALVAGE FACILITIES

The PRESIDING OFFICER (Mr. MURDOCK in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1731) to authorize the Secretary of the Navy to provide salvage facilities, and for other purposes, which was, on page 2, line 8, after the word "funds", to insert a comma and "not in excess of $3,000,000 annually,".

Mr. WALSH. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

OUTRIGHT REPEAL OF NEUTRALITY ACT

Mr. BRIDGES obtained the floor.

Mr. WALLGREN. Mr. President, will the Senator from New Hampshire yield so that I may suggest the absence of a quorum?

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from Washington for that purpose?

Mr. BRIDGES. I yield.

Mr. WALLGREN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Adams	Gerry	Peace
Aiken	Gillette	Pepper
Andrews	Glass	Radcliffe
Bailey	Green	Rosier
Ball	Guffey	Russell
Barbour	Gurney	Schwartz
Barkley	Hatch	Shipstead
Bilbo	Herring	Smathers
Brewster	Hill	Spencer
Bridges	Johnson, Calif.	Stewart
Brooks	Kilgore	Taft
Brown	La Follette	Thomas, Idaho
Bunker	Langer	Thomas, Okla.
Burton	Lee	Thomas, Utah
Butler	McFarland	Truman
Capper	McKellar	Tunnell
Caraway	McNary	Vandenberg
Chavez	Maloney	Van Nuys
Clark, Idaho	Mead	Wallgren
Clark, Mo.	Murdock	Walsh
Connally	Murray	Wheeler
Danaher	Norris	White
Davis	Nye	Wiley
Doxey	O'Daniel	
Ellender	O'Mahoney	

The PRESIDING OFFICER. Seventy-three Senators having answered to their names, a quorum is present.

Mr. BRIDGES. Mr. President, for the senior Senator from Vermont [Mr. AUSTIN], the junior Senator from South Dakota [Mr. GURNEY], and myself, I send to the desk an amendment to House Joint Resolution 237; and I should like to speak upon the amendment.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. It is proposed to amend the joint resolution (H. J. Res. 237) to repeal section 6 of the Neutrality Act of 1939, and for other purposes, by striking out all after the enacting clause and inserting in lieu thereof the following:

That the Neutrality Act of 1939 is hereby repealed; but offenses committed under such act prior to the date of enactment of this joint resolution may be prosecuted and punished, and suits and proceedings for violations of such act or any rule or regulation issued for the enforcement thereof may be commenced and prosecuted, in the same manner and with the same effect as if such act had not been repealed.

Mr. BRIDGES. Mr. President, in offering this amendment for the Senator from Vermont [Mr. AUSTIN], the Senator from South Dakota [Mr. GURNEY], and myself, I believe we are expressing the wish and desire of many Americans who hope that the Neutrality Act which today binds the hands of this country should be repealed. In 1937 I was one of six United States Senators to vote against adoption of the so-called neutrality legislation. It may not be out of place to mention who the six Senators were. They were the Senator from Vermont [Mr. AUSTIN], the Senator from Rhode Island [Mr. GERRY], the Senator from California [Mr. JOHNSON], the Senator from Massachusetts [Mr. LODGE], and the late Senator from Idaho, Mr. Borah, and myself. I said then, and I say now, that no matter how much peace is desired we cannot legislate peace. In such a time of crisis, when free men and free institutions are being systematically wiped from the face of the earth, our Government should not be hamstrung and shackled by laws of its own making, laws which were adopted during a period when wholly different conditions prevailed.

The House of Representatives has adopted a resolution calling for the elimination from the so-called Neutrality Act of the provision which prohibits the arming of American merchant vessels. The Senate is asked to concur in that resolution that ships flying the American flag and carrying American materials of defense to the enemies of the dictator Hitler may be armed for defense against attacks by Nazi pirates who lurk on or beneath waters which traditionally have been free for our intercourse with other nations.

I and those on behalf of whom I present this amendment have from the very beginning supported every national-defense measure and every national-defense appropriation. We have supported without exception every measure by which the material assistance of American industry has been made available to the defenders of freedom. Our steadfast opposition to many of the domestic policies of the present administration is not unknown to the Members of this body or to the American people, but we have long since recognized that this country is passing through one of its most troubled periods, a period which requires the full devotion of every American to our system of government and our way of living.

In offering this amendment to House Joint Resolution 237 I feel we are keeping faith with the patriots who founded this Nation and created our heritage of freedom and progress. I feel that we are keeping faith with the vast majority of Americans whose intent it is that this Nation shall remain forever independent and free, that this Nation shall not be called upon to exist as the sole bulwark of democratic life in a world enslaved by Nazi conquerers. The Congress of the United States is duty bound here and now to subscribe to a truth which is altogether self-evident to most Americans. That truth is that the so-called Neutrality Act has been and is detrimental to the best interests of the United States.

It is my judgment and the judgment of many Americans that if the so-called Neutrality Act had not been placed upon the statute books of this country in 1937 we might have avoided the present European war. I cannot make that as a definite assertion, but it might have been possible to avoid that European war. When we by almost unanimous vote of both branches of Congress, and with the American people and the administration behind us, passed the Neutrality Act we served upon Hitler a notice that the green light was on in America and that he could proceed without any great interference from us. In other words, we advised Hitler that he could proceed with his published schedule of conquest without fear that the American people would in any way attempt to obstruct his march. By the adoption of the so-called Neutrality Act we served notice upon all free men in the world that should they face attack or defeat they could expect no assistance from this free nation. The Neutrality Act was the signal for Hitler to go ahead. It is an encouragement for appeasement today for those few independent nations which have not yet felt the heels of the conqueror. The Neutrality Act was prompted by a people and adopted by a government desperately anxious to stay at peace and to avoid incidents which might mean war. The Neutrality Act, in my judgment, contributed to the cause of the war; and in spite of the act, American merchant ships have been sunk, American warships have been attacked and torpedoed, American citizens have been killed, and the act has prevented this Government and this people from giving free men the most effective aid in their stand against Hitlerism. The act is today a glaring inconsistency with a more recently established policy of our Government and our people, and today it shackles our freedom of action in the defense of our national security. The Neutrality Act is today what I said in 1937—it would be a failure.

Theodore Roosevelt once said, "Nine-tenths of wisdom consists of being wise on time." We believe that there is yet time to render effective aid to those who would stop Hitler in his tracks. We believe that such effective aid can be made possible by the outright repeal of the Neutrality Act and by facing the present situation and future developments with measures prompted by our experiences in recent years and months.

The repeal of the Neutrality Act would have most important repercussions in all parts of the world where American interests are so vitally at stake. German successes in Russia are tempting Japan to strike at Siberia and are seriously affecting the morale of the Allies as well as the policy of France, Turkey, and other countries. Outright repeal of the Neutrality Act, by its evidence of America's determination to protect her interests, would exert a powerful influence on Japan. It would tend directly to restrain her from spreading this war over the Pacific. It would thus be a most practical step to avert American involvement upon both oceans.

Our sincere and able Secretary of State, Cordell Hull, put it well when he said:

The blunt truth is that the world is steadily being dragged downward and backward by the mightiest movement of conquest ever attempted in all history. Armed and militant predatory forces are marching across continents and invading the seas, leaving desolation in their wake. With them rides a policy of frightfulness, pillage, murder, and calculated cruelty which fills all civilized mankind with horror and indignation. * * * If the 16 nations that already have been overrun and enslaved could break their enforced silence and speak to us, they would cry out in a single voice, "Do not delay your defense until it is too late."

The cry "Do not delay your defense until it is too late" contains the cry of the vast majority of Americans and the majority of their representatives in this Government, "Do not delay the repeal of this ill-conceived, unsuccessful, unworkable, and evaded Neutrality Act until it is too late."

We must do more than release fingers. We must release the hands. Halfway measures bring to us even greater dangers and make the future of our Nation even less secure. We who put forward this amendment believe that the Congress of the Untied States will be continuing to gamble with the safety and security of this Nation if outright repeal of the Neutrality Act is further delayed. The American Nation has dedicated its material resources to the proposition of assisting freemen in their defense against the forces of scientific barbarism. The whole Neutrality Act, not merely the provision against the arming of merchant vessels, is absolutely contrary to that proposition and to America's traditions of freedom and progress.

There is not one of us who, if he knew that in the shrub beside his door one waited to kill him in the darkness of the night, would not arm himself before he walked that way. There is not one of us who would not release any shackle that would prevent the defense of his person. Today, at the very threshold of this continent, prowling the sea, lurks a menace to Americans and American rights. In my judgment, action upon the Neutrality Act should come, and come quickly.

As men who love their country's freedom, as men who want their country's future to be secure, we must today be willing to discard any act which shackles us in our effort to help the forces of decency and honor prevail against Hitlerism.

In offering this amendment to House Joint Resolution 237, we speak with a frankness the American people want and expect, and we point out the road that America wants and should now take. The safety and security of the United States demand that on the question of the repeal of the so-called Neutrality Act there shall be no compromise; there shall be no middle ground. The American people do not want appeasement. The day of taking action piecemeal is over. The day has come to be frank with the American people, with the country at large, and to meet the vital issues squarely.

Mr. President, I think the American people have a very definite choice and the Congress of the United States has a definite choice. It is a choice between untying fingers or untying hands. In my judgment, only by untying hands can we intelligently and effectively eliminate threats now present and threats yet to come to America.

We have now pending before the Senate House Joint Resolution 237, on which the House has acted. It has been referred to the Foreign Relations Committee of the United States Senate. Apparently there is general agreement to go forward with the repeal of one section of that act. In my judgment, it would be much better, to face the facts, and to meet the issue squarely by repealing the entire act.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. BRIDGES. Certainly.

Mr. DANAHER. Let me commend the Senator from New Hampshire for what he describes as a frank approach to the objective which he and those associated with him seek; but, while on that subject, let me ask the Senator if he contemplates asking for hearings on his proposed amendment before the Committee on Foreign Relations?

Mr. BRIDGES. Yes; I do.

Mr. DANAHER. Does the Senator not feel that such hearings should be equally frank and open as the Senator's espousal of his objective?

Mr. BRIDGES. Yes; I do.

Mr. DANAHER. Does the Senator know that the Committee on Foreign Relations only this very day voted, by a vote of 12 to 9, to preclude the possibility of any public hearings on this particular subject?

Mr. BRIDGES. I do not.

Mr. DANAHER. Let me ask the Senator whether he does not feel, with such an issue so vitally affecting the intimate and immediate concerns of the American people, that there should be frank and open hearings and all the facts put before the American people?

Mr. BRIDGES. I do. I believe the hearings should be open on the subject, and I believe in placing it squarely before the American people and not attack a major problem that is fundamental to our interest in a piecemeal fashion.

Mr. DANAHER. Let me say to the Senator that is an American statement, and when we find an abuse of power by a majority in control of a committee absolutely considering in secret a subject matter of such concern to the American people by such a vote as was taken in that committee this morning, there is, indeed, real need for us to wonder whether we are following here the principles of freedom which we would espouse throughout the rest of the world?

Let me ask the Senator from New Hampshire another question, if he will, please. Does the Senator know with reference to this armed-ship proposal which as he says lamely and not of itself adequately goes to the heart of the issue before us, that there never was a submarine sunk by an armed merchant vessel during the last World War?

Mr. BRIDGES. I know of no armed merchantmen that sunk a submarine, but many of them were enabled by being armed to defend themselves against submarines and keep submarines at a distance.

Mr. DANAHER. Does the Senator know that we armed some 395 American merchantmen during the last World War?

Mr. BRIDGES. I do.

Mr. DANAHER. So that when the Senator knows such facts it is perfectly apparent to him, is it not, that the procedure by which the Senate is being asked to take action in the matter of the Neutrality Act, simply to repeal section 6, does not adequately or honestly phrase or frame the issue which should be presented at this time?

Mr. BRIDGES. That is right.

Mr. DANAHER. I thank the Senator.

Mr. GURNEY. Mr. President, because of my firm conviction that the Neutrality Act of 1939 is a detriment to the best interests of the United States I have joined with the senior Senator from Vermont [Mr. AUSTIN] and the senior Senator from New Hampshire [Mr. BRIDGES] in offering the amendment seeking its repeal.

It is my sincere, firm belief that we have come to the limit of compromise. We can no longer capitulate; we can no longer gamble with the present and future welfare of this Nation. We are faced with a great decision. Here and now, we must decide either to put aside the policy so far followed, of halfway measures, in an effort to half help our friends and at the same time half placate our avowed enemies, or we must definitely state that our help to the beleaguered nations shall be withheld.

For my part, I am convinced that we have but one course. This country faces disaster if Hitler wins. I am convinced we cannot live as a free nation in a nazified world. Either we will become a permanent armed camp, or conform to Hitler's form of government. Either alternative is repugnant to true Americans.

In proposing to repeal the clause of the Neutrality Act which forbids the arming of merchant vessels, we are guilty of another halfway measure. Its purpose is ostensibly to give such American vessels a better chance to survive against the submarine and dive bomber. Actually, we all know, the purpose is to better assure the delivery of much-needed munitions of war to Britain. It is obvious that Britain must have increased deliveries. It is further obvious that she cannot survive unless lend-lease materials are actually delivered in greatly increased quantities. We know that the best that can be hoped for under even nominally increased deliveries is a stalemate with Hitler. We know that anything short of complete victory is complete defeat.

Knowing these things, we are now asked to pass another halfway measure. Such action will inevitably bring disaster. It can only hold off the fateful day, and that not for long.

Mr. President, I say again we have come to the limit of compromise. We must cease compromising with those who control the hands of labor. We must cease compromising with the timid and short-sighted who cannot read the handwriting on the wall. Write the facts in letters so high that "he who runs may read." We are even now at the crossroads. One road leads to the graveyard where the free governments of many nations already lie buried. The other leads to certain survival for this country, and resurrection for those now lying crushed under the iron cross.

The neutrality law precipitated the might of Hitler at the throat of free people. I voted for it, and thought it was right. It seemed logical 2 years ago. Today it stands out as a colossal error. It stands in the way of this country putting forth its full power against the Frankenstein monster that threatens to destroy the world as we know and love it.

If it is a hindrance, if it is wrong, then it is all wrong. Let us not remove it in part. Let us tear it up root and branch, and take it out of the stream down which flows our mighty production of food and munitions to the nations to whom they are pledged. Our neutrality law and Adolf Hitler have said, "You shall not pass." As Americans we cannot violate a law that we ourselves have passed. Remove it, and we will deal with the threats of Hitler as freemen always deal with pirates and tyrants.

It is time to take full steps in the necessary defense of our country. If those steps lead in the direction of war, I say, they are still necessary. Let us repeal the Neutrality Act in its entirety, and thus announce to the world that in the preservation of our freedom and in the defense of all principles on which our Government is based we are through with halfway measures.

Mr. THOMAS of Utah. Mr. President, I ask whether the amendment of the Senator from New Hampshire [Mr. BRIDGES] is to be referred to the Foreign Relations Committee or whether it is to lie on the table.

The PRESIDING OFFICER. Without objection, the amendment will be printed and referred to the Committee on Foreign Relations.

Mr. THOMAS of Utah. Then I think that out of fairness to that committee and the action which it took today, I should at least point out that this is

the first time this joint resolution has been brought before the Senate. The action taken by the Foreign Relations Committee this morning was an action concerning a matter which was pending before that committee; not concerning matters which might be introduced in the future, not concerning matters which might come up in future debate. I say that because the remarks of the Senator from Connecticut [Mr. DANAHER] in regard to the action of the Foreign Relations Committee were patently very unfair, for the simple reason that the Foreign Relations Committee had before it but a single matter, and it acted completely and fully in regard to the matter which lay before it.

Mr. DANAHER. Mr. President, let me call to the attention of the Senator from Utah—and the RECORD will show—that my remarks bore upon the action taken by the Committee on Foreign Relations this morning with reference to the question pending before it this morning, and solely that. In that connection, let me add that I further elicited from the Senator from New Hampshire his complete acquiescence, and properly so, that so far as his amendment to the joint resolution brought up from the House today is concerned, he wants open hearings on his matter.

Mr. THOMAS of Utah. Mr. President, may I reply to that?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Utah?

Mr. DANAHER. Yes; I shall be glad to yield.

Mr. THOMAS of Utah. If the Senator will permit me, I think it is contrary to all formal and all proper parliamentary procedure for any committee to act upon that which the committee has not before it. The committee should not anticipate, should not say, "We cannot hold hearings on this particular proposition because probably some Senator will introduce another proposition."

Mr. DANAHER. Mr. President, will the Senator yield to me?

Mr. THOMAS of Utah. Just one moment, and then I shall have finished.

Mr. DANAHER. I thank the Senator.

Mr. THOMAS of Utah. The Senator from Connecticut knows that when I asked the Presiding Officer of the Senate whether this amendment was to lie on the table or whether it was to be referred to the Committee on Foreign Relations, I received the answer that it was to be referred to the Committee on Foreign Relations. I assume that the Committee on Foreign Relations will live up to its obligations as a committee of this body and will act upon this amendment in its proper time and in its proper place and that when it took action this morning it took action in regard to a matter that was before it, not in regard to a matter that might come before it at some future time.

Mr. DANAHER. Mr. President, will the Senator yield to me for a question?

Mr. THOMAS of Utah. I shall be glad to yield.

Mr. DANAHER. The matter which the Senator says was before the Committee on Foreign Relations was a joint resolution which was introduced in the House and which called for the repeal of section 6 of the Neutrality Act, was it not?

Mr. THOMAS of Utah. Certainly.

Mr. DANAHER. And, as a matter of actual fact, that joint resolution had not even reached the Committee on Foreign Relations this morning, had it?

Mr. THOMAS of Utah. I do not know about that.

Mr. DANAHER. It was brought in here only about half an hour ago.

Mr. THOMAS of Utah. Everyone knew that the action had been taken in the House of Representatives, and a formal meeting of the Foreign Relations Committee had been called to consider the question of holding hearings upon a particular proposition which had passed the House of Representatives. I think the Senator from Connecticut will find everything in order, and that his criticism of the action of the Committee on Foreign Relations this morning was quite out of order, because we never had a chance to act upon that which he wishes us to act upon.

Mr. BARKLEY. Mr. President——

Mr. DANAHER. If the Senator from Utah will bear with me one moment more, I shall conclude. The Committee on Foreign Relations this morning did take a vote, did it not, on the matter of whether there would or would not be public hearings on the question of whether section 6 of the Neutrality Act should be repealed?

Mr. THOMAS of Utah. They took a vote on both those propositions, as everyone knows—I think it has been made perfectly public—but there was not before the Senate the amendment of the Senator from New Hampshire.

Mr. DANAHER. I know that. I have not said that it was. In fact, I did not know that the Senator from New Hampshire was going to bring in an amendment until I heard him a little while ago; but let me ask the Senator from Utah one other question, please:

In the vote that was taken, did not the Committee on Foreign Relations decide by a vote of 12 to 9 that it would hold closed hearings only with reference to whether section 6 of the Neutrality Act shouold be repealed?

Mr. THOMAS of Utah. That was the only proposition which was before us.

Mr. DANAHER. Did the committee so decide?

Mr. THOMAS of Utah. It decided to hold executive hearings.

Mr. DANAHER. Executive hearings—not closed hearings. I see. I thank the Senator.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I shall be glad to yield to the Senator from Texas.

Mr. DANAHER. No; I have the floor. I will yield to the Senator from Texas.

Mr. CONNALLY. I do not want to take the Senator off the floor. I thank the Senator from Connecticut. I prefer to speak in my own time.

Mr. DANAHER. Very well.

I want the RECORD to show that when the Senator from Utah said, as he did, that my remarks were unfair, by the questions I have propounded and the answers elicited, it is made perfectly apparent that the only thing that I did criticize—and the RECORD will show it—was that the Committee on Foreign Relations this morning by a vote of 12 to 9 decided to hold not closed hearings, which was the expression I used, but executive hearings, which was the expression the Senator from Utah used, only with reference to whether section 6 of the Neutrality Act should be repealed.

Mr. President, disregarding the obvious—that the American people are not being given the facts—there will not become apparent to the American people the circumstances under which the action of the committee ultimately will be taken—there is no showing as to whether or not there is adequate British and neutral shipping to accomplish all the ends which are in view to be had as a result of the repeal of section 6 of the Neutrality Act, if it shall be repealed; no showing as to the efficacy of the assumed action, assuming again that it may be taken. We all know that up to the time that Woodrow Wilson asked for permission to arm merchantmen in the last war, only two unarmed American vessels had been sunk in nearly 3 years; but we armed 395 merchantmen thereafter, and 35 were sunk, and sunk without warning, time and again; and not once did an armed merchantman ever sink a submarine. Naturally questions arise, therefore, I am protesting against the elusiveness; as the Senator from New Hampshire put it, the "half-hearted" way in which the situation is being approached, once more with chicane, once more with machination, once more denying to the American people what they ought to know to make up their minds, namely, What are the consequences of the actions that are being taken; and they are going to be taken not in closed session, as I used the expression; they are going to be taken in executive session. The result is the same. The hearings are closed.

Mr. CONNALLY. Mr. President——

Mr. DANAHER. I now yield the floor to the Senator.

Mr. CONNALLY. Mr. President, I think it is very unfortunate that the Committee on Foreign Relations does not have the advice and counsel of the Senator from Connecticut, but we have some rather able members of the Republican Party in that committee. Most of them were there this morning. We have the able and distinguished and aggressive Senator from Michigan [Mr. VANDENBERG]; we have the shrewd and industrious and gracious Senator from Wisconsin [Mr. LA FOLLETTE]; we have the great old gladiator, the Senator from California [Mr. JOHNSON]; the patriotism of none of whom I have ever heard impugned or attacked. We have the Senator from Minnesota [Mr. SHIPSTEAD]. We have other able, patriotic, and faithful members of the minority party.

Mr. DANAHER. Mr. President, will the Senator yield to me?

Mr. CONNALLY. I yield.

Mr. DANAHER. Were the Senators whom the Senator from Texas has just named among the 12 who voted for closed hearings on the pending joint resolution?

Mr. CONNALLY. The Senator knows.

Mr. DANAHER. No; I am asking the Senator.

Mr. CONNALLY. Does not the Senator know? Why does he ask me?

Mr. DANAHER. Because I want the Senator to tell the country.

Mr. CONNALLY. The Senator from Connecticut will tell the country. The Senator tells the country every day when he gets the chance.

Mr. DANAHER. I am not on the Committee on Foreign Relations, and I do not know how they voted, but I do know that in view of the intelligence the Senator has ascribed to them, they were not among the majority. [Laughter.]

Mr. CONNALLY. I am not trying to conceal anything from the Senator from Connecticut. As a matter of fact, the Senators whom he mentioned did not vote for open hearings, but they will be there to protect the interests of the people of the United States.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. VANDENBERG. I think the Senator misspoke himself just now. He said the Senators to whom the Senator from Connecticut just referred did not vote for open hearings. The Senator meant to say they did vote for open hearings.

Mr. CONNALLY. I thank the Senator. I meant they voted against closed hearings.

Mr. VANDENBERG. That is correct.

Mr. CONNALLY. That is correct. That just illustrates the point I was making, that with sharp minds like that of the Senator from Michigan present nothing is going to escape attention of the Senator and of other Senators.

We are not going to have open hearings; no. Several Senators have already announced that they expect to reveal everything they desire to reveal as soon as the doors are opened.

No; we are not going to have open hearings, because there are those people in this country who would like to embarrass Cabinet officers by questions which they do not want to and cannot answer publicly in the press; not that they have anything to hide, but when international situations are critical, when they are delicate, when the welfare and the safety of the American people are in the balance—that is no time to harass and annoy and cross-examine and heckle members of the Cabinet who do not desire to talk publicly.

What would be the result if there were open hearings? A witness might reply to some question, "I cannot answer that," or he might not know anything about it; but in a closed hearing we can get very frank statements; we can get more complete information for the people they should influence, that is, the Members of the United States Senate, instead of doing what a lot of folks want, use the Senate committees as sounding boards from which to parade their political opinions, their private prejudices, and their exalted ego. It is not because we want to keep anything from the American people. We want to get information as to the facts.

Mr. President, I know, and everyone knows, that there are a lot of witnesses all around who would be present if there were open hearings. It does not make any difference what the subject, is whether it is taxation or neutrality, there are a lot of old "crackpots" who hang around Washington who would be there taking up the time. I can name many of them, and we do not propose to spend a lot of time hearing that kind of witnesses. If anyone has any information, we shall be glad to hear him. If the Senator from Connecticut has any information, we shall be glad to hear him.

My own theory about these closed hearings is that we shall hold the closed hearings in a businesslike way, and will get through with them, and when they are all over, so far as I am concerned, I shall be willing to remove the ban of secrecy and publish every line that has been heard, except those portions of the testimony which Cabinet officers say they do not want divulged to the public.

Is there anything wrong with that? Not at all. It may be said by some, "That will not help get our old grouch before the public. We want to growl about something. We want to stir up a row. We want to cuss Woodrow Wilson about what he did 23 or 24 years ago in regard to the ship-arming bill."

We did not have to have any hearings at all. The House had hearings. We had the votes to bring the bill in without a minute's hearing, if we had desired, but we acceded to the wishes of the minority, and accorded 4 days of hearings, when the House confined its hearings to only 2 days.

If anyone desires to be heard, let him come and be heard. The proponents of the joint resolution are going to give more than half the time to the opponents. Do we look for any new ideas? Everyone knows the arguments. They have been used before. The Senator from Montana [Mr. WHEELER], the Senator from North Dakota [Mr. NYE], Mr. Lindbergh—these gentlemen have been parading these arguments, and these supposed reasons, all over the United States for months. There will be nothing new. Those who appear will not contribute anything new. It will simply be a phonographic reproduction of what has been told before, twicetold tales.

Mr. President, there will be no new argument, no new fact developed, except perhaps in the way of some facts we shall get from the Navy Department and the State Department with reference to incidents and transactions which have happened within the past few days. The press has already referred to several of the incidents. They will all be in the papers. The sinkings of ships, campaigns in the east, in Asia, in Europe—there will be nothing of that kind referred to in the hearings, but we will probably have some revelations of delicate matters by the Secretary of the Navy and the Secretary of State.

I congratulate the Senate on having such an able representation of the minority party on the Committee on Foreign Relations. They are able men, they are patriotic men, they are diligent men, and it is a great pleasure and a great joy for the Senator from Texas to serve with them, as he has served over a period of years. I am willing, and I think the country is willing, to trust the interests of the United States in the hands of these members of the Republican and the Progressive parties who are serving on the Committee on Foreign Relations.

Mr. VANDENBERG. Mr. President, knowing the anxiety of the able Senator from Texas always to be conservative, judicious, restrained, and tolerant in his observations, I am sure he will not object if I indicate that he has left what I am sure he himself would admit is not a fair implication as to the reasons why some of us thought public hearings should be held upon this all-important matter, so that the American people, so far as possible, might at least have some casual information about the life-and-death decision which is to be made for them by us.

Mr. President, there was no purpose on the part of any minority member of the Committee on Foreign Relations who voted for open hearings to embarrass any Cabinet Minister. On the contrary, I myself asserted that, even though there were open hearings, I thought it would be impossible to cross-examine Cabinet officers in public at all There was no purpose on our part to mobilize the "crackpots" or give them a new forum. There was no purpose to invade any of the proprieties. There was no purpose to invade the essential defense of American institutions, which we recognize to be wrapped up in the fact that there are things which today cannot be publicly discussed. But, Mr. President, with all those exceptions out of the way, there still remains a vast mass of information which ought to be made available not only to the Congress but to the country. There remains a vast opportunity to inform the American people regarding the things that are to be done in their behalf.

So far as I am concerned, I continue to believe that the Foreign Relations Committee would have made a far wiser decision, reasserting as I do that we of the minority had no purpose to embarrass anybody by seeking information which could not be made public—I think the committee would have been infinitely wiser if it had been willing at least, to that limited extent, to take the American people into our confidence regarding the decision that is to be made for them.

Mr. LEE obtained the floor.

Mr. DANAHER. Mr. President, will the Senator yield to me for a minute?

Mr. LEE. I decline to yield at the present time.

Mr. DANAHER. Very well.

Mr. LEE. Unless the Senator wants to ask a question?

Mr. DANAHER. No; I do not want to interrogate the Senator from Oklahoma. I thank the Senator.

Mr. LEE. Mr. President, we saw Hitler drive the democracies across the Low Countries because the democracies did not have enough heavy armament. We then saw Hitler turn his machine toward the Balkans and drive Yugoslavia and Greece step by step backward, because the democracies did not have enough heavy armament. We saw Hitler drive the democracies from the island of Crete

because the democracies never had equality in heavy armament.

Today a battle which may decide the slavery or liberty of the world is being fought in Russia. Inch by inch and foot by foot the Russian Army is being forced backward because they do not have equality in heavy armament. If the United States were able today to deliver enough heavy armament in Russia to make that contest an equal contest, the Russian Army would stop the German juggernaut in its tracks. If the Russians only had equality in heavy armament, which we have promised to them, which we promised to the Allies after Dunkerque, which we promised to Yugoslavia and Greece, they could stop Hitler. They want weapons in order to stop Hitler, and we give them words.

Today we are asked to hold a hearing in the committee. In the first place there ought not even to be a hearing. There will not be one new argument presented, there will be no straw go through the threshing machine that has not been threshed over and over. The matter was debated when we revised the Neutrality Act and repealed the embargo provision. The question today is the question of foreign policy. It was threshed out then. It was debated again when we passed the first draft law. It was debated again when we passed the lease-lend bill. It was debated again when we passed the Second Draft Act. And now, because of this proposal to revise the Neutrality Act further, it is asked of us that we go into the matter all over again. On what question? On a new question? Certainly not. The same old question that has been debated each step of our defense program. A question which the American people have already passed upon, the question of foreign policy, is the only question that is before the committee and later will be before the Senate. There will not be a new argument presented. There is no reason why we should hold any hearings at all, except we make a concession to those who say the American people should be heard. If the duly-elected Members of the House and the duly-elected Members of the Senate, who must return to the people periodically, do not represent the people of this country, then they cannot be represented.

Is this a new issue? Certainly not. It is the same issue that was passed upon in the last Presidential election, and has the stamp of approval of more people than ever voted on any issue in the history of the world. And the answer was conclusive. It was a definite answer. The candidates on both major tickets both sponsored the present foreign policy. It was written into the platforms of both political parties. The only party that took the stand now represented by those who are trying further to delay our aid to the allies was represented by Mr. Norman Thomas, who, as Wendell Willkie well said once, received so small a number of votes that they had never gotten into public print so far as he had seen. Norman Thomas advocated the very policy being advocated by those who are now hollering because we do not throw open this matter to an open hearing. A week of delay while the world falls. Are we to debate a new question? No; we are to debate the same question over again which the American people have passed on; which Congress, the duly elected representatives of the people, in passing the lease-lend, passed upon. Now, because we simply want in a systematic manner to hold a hearing which is unnecessary, but to hold it in executive session, so there will be some degree of protection, those who raise the question act as if we were trying to keep something from the American people. We are trying to keep a little bit for the American people. That is the reason for executive sessions. Executive sessions are not unusual. There are representatives on that committee of every party and every section of the country. Yet it is implied that we are trying to cover up something; that the American people will not be represented, when, as a matter of fact, they are well represented there.

President Roosevelt, in order to try to carry out the policy already approved by the people, of aid to the allies, asked Congress to revise the Neutrality Act so we could arm merchant vessels, and in the same speech made it quite clear not only to Congress but to the whole world that he not only needed that, but he needed another amendment which would give authority to send our ships wherever we wanted to send them—to remove a self-imposed limitation which we put upon ourselves because of the emergency.

Why should we limit ourselves by a self-imposed neutrality and limitations, when it is evident, not once or twice or three times, but as many times as there are countries overrun, that neutrality will not save any country from the wrath and greed and ambition of Adolf Hitler?

There are men over there fighting to extinguish a fire which is spreading all over the world, and yet we hesitate to send them fire extinguishers in our ships.

This administration started out with the hope of escaping war by a policy of short-of-war aid to those who were fighting Hitler over there. We had hopes that we might escape war if we furnished the materials on the implied agreement that other countries would furnish the men to use those materials. The success of that program, the success of that policy, depended upon the vigor with which it was administered, with which it was carried out, and from the very first the isolationists have done everything they can to slow down that program, to sabotage the program which offered the only chance in the world of escaping war.

Mr. President, the isolationists are free with their charges and in calling other people warmongers, and yet they themselves are fast destroying America's one chance of escaping war by destroying our short-of-war program, which offered the only way of escaping actual participation in war.

How are they destroying it? By a slow-down process, by a slow-down process. Now they want us to give a week of hearing, and one Senator even advocated until the hearing ran its course. The hearings are proposed not to go over a new subject. The hearings will not change a vote. Yet they want us to hold this hearing. Why? So it will give them another chance to rip this country wide open again on a question it has already decided.

But no, we must not close them down. That would be abridging free speech. The American people are temperate and tolerant. We would rather have a right abused than to have it refused. We would rather have the right of free speech abused than to have it refused.

I say that the Senator from Montana [Mr. WHEELER] and Colonel Lindbergh and the others of that political persuasion have the legal right of free speech, but with every right comes an obligation. They have been mighty quick to demand the right of free speech but mighty slow to admit their obligation to the flag of this country, and have neglected their obligation of loyalty to their country while they are demanding the right of free speech. The world falling—and we are to hold a week in inquest to see if it is falling, and yet we are criticized because we said, "Yes; we will hold a hearing, against the better judgment of some of us, but we want to hold it systematically; we will hold it in executive session."

If Russia had the materials, there is no doubt in my mind that the Russian Army would stop Hitler's Nazi wolf pack. But if the Nazis are not stopped, if they drive the Russians back to the mountains, what, then, will be the result? Hitler will stop to lick his wounds; there will be quiet for a while. The isolationists in this country will take advantage of the lull and will say, "See. We are right. It is all over." They will start out again, preaching—as they have never let up, for that matter—their false philosophy of appeasement that has led to their doom all the democracies that have followed it. Then, in the meantime, Hitler's mechanics will be busy; in every one of the machine plants and factories that have been captured by the Nazis he will place technicians. The light from the furnaces will light up every black night of the long winter. There will be no stop there; there will be no shut-down there. Those factories will be thrown into high gear, with the German efficiency. The Nazi tanks and planes and heavy artillery will be repaired. They will be repaired for the spring drive. We have seen Hitler and his Nazi hordes make their gains, then stop and consolidate those gains, and then reach out for more. We saw them drive through the Balkans and over to Greece. If Hitler can drive the Russian Army back to the mountains, he then will have in the grasp of his hand all of Europe and the Mediterranean Basin. With the coming of spring we shall see his Nazi hordes cross Spain and spill over into Africa. We shall see them seize Dakar, on the Atlantic coast of Africa, where they will establish submarine bases and bases for Nazi bombing planes, and then the foul birds will nest and multiply there. Then we shall see the Nazi hand reach out for the narrow throat of the Atlantic, between Africa and South America, where Hitler will be in a position to harass the American Fleet if we should try to bring it around to the east coast of South America,

through the South Atlantic Ocean. With one well-directed bomb he could disable the Panama Canal so that we could not bring our fleet through there. Then Hitler will have surrounded the Atlantic Ocean. By means of land forces, he will have won the battle of the Atlantic, because by means of dive bombers operating from those African ports and from the western coast of Africa he can control the narrow throat of the Atlantic, and our fleet will be bottled up in the Pacific.

Yet it is argued that we must stop now and must hold an open hearing that will tear our country wide open again over this same old question, in order to satisfy a certain group in this country, a group of men who have never, it seemed to me, grasped a realization of the danger that threatens not only the eastern world but the United States. They ask us to stop and to debate this matter longer. In previous debates we have tried both methods. We tried to keep quiet so our side would not take up any time and thereby delay the passage of measures. The result of that sort of plan is that the other fellows get before the people of our country the publicity and the arguments for their side, and all of that has its effect. Then if we try to answer their arguments we find ourselves helping them by delaying action on the measure. So the determination of what we should do in such a situation is a serious question.

When there came up for the committee's decision the question of whether we should hold an open hearing and inflame the people of the country all over again on a question upon which they have already passed we decided we would hold a hearing, we would give the opponents of the measure most of the time, but we would try to keep it as systematic as we could by keeping it in executive session. And we get criticized as though we are doing something that is contrary to the best interests of the American people—following a precedent that has been here as long as the Capitol has been—a precedent of executive session.

Mr. President, the arguments of the opponents have been all along, "If you do this you will get us into war." Any question to be considered fairly must be considered in the light of the alternative. What is the alternative? Do nothing. If you do nothing you are sure to invite attack. The isolationists have fought us on our defense program every step of the way. Every major measure that has resulted in the greatest amount of defense to this country has been opposed and fought on the floor of this tribunal; and I do not qualify that statement. I say the major measures. What was the first major measure that has resulted in more defense to this country than any other? It was the repeal of the embargo on arms so that our own factories could throw their production into high gear and, by supplying foreign countries, could increase their capacity to produce. That resulted in a greater step than any step we had taken up to that time and yet that was fought bitterly on the floor of the Senate.

Then what was the next? Why, we had to have an army to use the material that we were asking the factories to produce.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. LEE. I yield.

Mr. PEPPER. Did the war not begin between the time when the proposed repeal of the embargo was made by the President and the time when Congress actually passed that legislation?

Mr. LEE. I believe the Senator is correct.

The second step was to call out an army in order to have someone to use this material. And we remember the story of that. That was the second major step in our present defense program, and that was fought bitterly by the same group that has criticized us today because we do not hold an open hearing and an extended hearing.

The third step was the passage of the lease-lend bill to translate into action a policy we had already passed upon; and that was fought bitterly. I heard the Senator from Montana [Mr. WHEELER] on the floor of this rostrum tear open every old political wound he could think of. I heard him chide every Senator who had been on the purge list, in order to try to inflame his feelings. I heard him call up every difference that a Senator on this floor had had with the President or with the administration. I heard him use every appeal to the prejudices of the American people. I heard him harp on every discordant chord in America. Is that argument? That is inflammatory; that is a play to prejudice. It has no place here, when the world is falling apart; and yet I heard it done. Now, we are asked for opportunity to carry that on still further by holding open hearings.

Have they been right? If they had been right, then we should give some credence to them. First, they said there was not going to be any war. They were wrong. Then they said it was a phoney war. They were wrong again. Then they said Norway and Denmark, because of neutrality, would escape war. They were wrong again. Then they said Hitler would never get his 70-ton tanks across the Albert Canal. They were wrong again. Then they said Hitler would never take the Maginot line. They were wrong again.

Now they are asking us to believe them. They say no danger threatens us. They ridicule the idea that Hitler has designs on the United States. Hitler has never joked, so far as I can learn. He has never joked. Hitler has been as plain in his threats as to what he would do in the western world as he was with respect to what he would do in Europe. He has carried out to the letter every threat he made with respect to Europe. Why should we then say that he did not mean equally as strongly his plans with respect to Latin America and the United States? Certainly he means them.

Yet we are told that is not true—and we are told it by men who are giving lip service to national defense but whose every utterance has been to slow down our program of material aid to the Allies. They have fought it all the way.

They argue that we are not in danger because Hitler will be exhausted when he conquers Russia and England. Hitler is one victor who has gained strength with every victory. The conquest of every new country has added strength to the German juggernaut.

They argue that Hitler will be overthrown from revolution from within, overlooking entirely the Gestapo which daily, by mass murder, is "liquidating" even every suspect who might be a strong enough man to lead a revolution.

They argue that Hitler will not have any interest in the western world. The one thing that has chagrined Mr. Hitler is that he has not acquired command of the sea. He has attained superiority in the air and on the land but he has not secured superiority on the sea. He has gained superiority on the water wherever a sea fight has been sufficiently close to the land to enable land-based dive bombers to take part in the engagement. Therefore Mr. Hitler decided to march around the ocean and dominate the sea by means of planes and submarines.

Furthermore, Mr. Hitler wants to secure control of a sufficient number of navies to dominate the ocean. If Russia goes down under the present assault and Hitler turns then on England, and if England under present conditions does not have a large enough army to start a western front or an expeditionary force, then, could England, without the aid of the United States, hope to hold out indefinitely against Hitler, who has already conquered the Continent of Europe? Could England hope to stand against the continued assault of Adolf Hitler with plenty of food and plenty of fuel, with manpower greater than has ever been under the control of any one man in the history of the world, with an inexhaustible supply of machinery, and with an inexhaustible supply of raw products?

But they argue there is no danger. Go back to sleep, America; no danger threatens. Yet in our own defensive waters our own ships are torpedoed; today our own seamen are missing and no doubt are dead because of the unsatisfied ambition of this man who is reaching out to control the sea. Yet they can picture Hitler, the master mind which has planned and executed the most diabolical scheme in all history—Hitler, master of land, sea, and air, after he has destroyed Russia and England, sitting down calmly and waiting for the United States to arm. What a foolish assumption! If Hitler is able to strike down Russia and England, he would then have shipbuilding capacity several times greater than our own, he would have an actual flotilla of ships greater than our own, he would join hands with Japan at the other end of the axis, and Japan would see to it that a major portion of the United States Navy must be kept in the Pacific. Yet with a picture such as that, the isolationists contend that we would not be in any danger.

Do you think, Mr. President, that we could any longer defend South America in a situation such as that? Do you think we could continue to maintain the Monroe Doctrine? How could we protect South America? We would find ourselves in a last-ditch fight in the Caribbean; we would find ourselves

imprisoned on a continent, and even if we were able to repel an actual physical assault and an attempted invasion of the United States, it would be only a short time, with a world control such as Hitler's, that his economic war upon the United States would cause his ideologies to come past our guard and invade the United States. Then we would be facing a situation which was described by Walter Dare, the Reich minister of agriculture, who said about a year ago at the instance of Mr. Hitler:

> We are going to win this war, and here are our aims: We propose to set up a German aristocracy and assign to it slaves composed of non-German nationals. Please do not think I use the word "slavery" rhetorically. We have in mind an actual, physical, medieval slavery, which is necessary to our purposes to produce a superior product and sell it at prices that the United States cannot meet.

Then he said:

> President Roosevelt will, on his knees, come to the Fuehrer and ask him to buy products, not manufactured, but raw products, at prices which we shall dictate.

Yet there are those who say that the United States is not in danger; the same ones who have said that convict themselves of extravagance, for they have voted for billions of dollars for national defense; yet by their very opposition to the major defense measures they have done everything possible to destroy our one hope of escaping war in our "short-of-war" program, by slowing it down.

The Senator from Montana [Mr. WHEELER] and Colonel Lindbergh came to Oklahoma. Some persons there who controlled one of the public buildings decided they did not want such a speech delivered there. So they denied the use of that public building. Oklahoma is only a cross section of the United States. Oklahomans who do not even agree with but violently oppose the Lindbergh and Wheeler philosophy thought they ought to be heard. So they got another place and they were heard.

What was the result of that meeting? What is the result of every one of those meetings, if it is not to forge weapons for Hitler? What did Hitler say? He summed up his philsophy of modern military science when he said "Confused thinking, contradiction of feeling, indecisiveness, panic, these are our weapons."

If these meetings, at many of which the authorities have doubled the police guard in order to keep down riots, are not forging weapons for Hitler, then, what are they doing? What is the purpose of such meetings? Why are such meetings held? Let them answer. Why are they holding those meetings on a question on which the people have already passed? What good do they hope to gain? Are they helping our defense program? They are slowing it down. Are they helping Russia? Certainly not. Are they helping England? They are hurting England. Then who are they helping? There is but one answer. Hitler! This campaign of opposition is forging weapons for Hitler.

Mr. DANAHER obtained the floor.

Mr. McNARY. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MCFARLAND in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Adams	Gerry	Peace
Aiken	Gillette	Pepper
Andrews	Glass	Radcliffe
Bailey	Green	Rosier
Ball	Guffey	Russell
Barbour	Gurney	Schwartz
Barkley	Hatch	Shipstead
Bilbo	Herring	Smathers
Brewster	Hill	Spencer
Bridges	Johnson, Calif.	Stewart
Brooks	Kilgore	Taft
Brown	La Follette	Thomas, Idaho
Bunker	Langer	Thomas, Okla.
Burton	Lee	Thomas, Utah
Butler	McFarland	Truman
Capper	McKellar	Tunnell
Caraway	McNary	Vandenberg
Chavez	Maloney	Van Nuys
Clark, Idaho	Mead	Wallgren
Clark, Mo.	Murdock	Walsh
Connally	Murray	Wheeler
Danaher	Norris	White
Davis	Nye	Wiley
Doxey	O'Daniel	
Elender	O'Mahoney	

The PRESIDING OFFICER. Seventy-three Senators having answered to their names, a quorum is present.

Mr. BARKLEY. Mr. President, it had been my hope that we might conclude the unfinished business today; but the hour is getting late, and it now appears unlikely that we shall be able to do so. Therefore, I ask unanimous consent that at an hour not later than 2 o'clock p. m. tomorrow the Senate proceed to vote without further discussion on the pending unfinished business.

Mr. BROWN. Mr. President, I realize that it is not possible to make an arrangement by which a Senator may obtain the floor; but I should like an understanding, so far as it is possible to make it, that I shall be recognized tomorrow, because of my great interest in the subject matter of the pending bill.

Mr. BARKLEY. That is entirely agreeable to me. I suggest to the Senator that just before we conclude the session today he obtain recognition, with the understanding that he will conclude his remarks tomorrow.

Mr. BROWN. I thank the Senator for his suggestion.

Mr. BARKLEY. In that connection, Mr. President, in order to comply with the rules, I ask unanimous consent that the requirement for a roll call before an agreement is made for a final vote be dispensed with.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

REVISION OF NEUTRALITY ACT

Mr. DANAHER. Mr. President, a while since there was under discussion the matter of the action of the Committee on Foreign Relations taken this morning in closing, against the public, the hearings on the joint resolution which would repeal section 6 of the Neutrality Act. Both by questions directed to the Senator from New Hampshire [Mr. BRIDGES], who had the floor, with reference to his own proposed amendment, and those directed to the Senator from Utah [Mr. THOMAS], who rose to speak on the subject, I elicited what the facts were with reference to the vote, and what its full import might be. It became perfectly apparent that the American people were to be denied access to the facts which bear most intimately on the question of how far they are to become involved in the war.

There are those of us who temperately and moderately and sanely would approach the question, in the thought that the public interest should be canvassed, that the national interests should be determined, and that the course to which our agents and our people are to be committed should be the wisest possible one.

Mr. President, the Senator from Texas [Mr. CONNALLY], who is chairman of the Committee on Foreign Relations, rose, to take the floor, as he put it, in his own right, not, as it promptly developed, for the purpose of discussing the merits of the situation before the Senate but for the purpose of venting a caustic, jeering, mocking type of approach, which has been all too common emanating from him in this body. The last time he undertook such tactics, with reference to the Senator from Ohio, who had made a splendid speech, I then criticized, I hope in a dispassionate way, the gyrations, the acting, of the Senator from Texas, his interest toward the gallery, eliciting from them some present, temporary applause. But he leveled against the Senator from Ohio such terms as "bushwhacker," "sniping," and the like.

Mr. President, I took the pains to examine the CONGRESSIONAL RECORD on the following day, and I suppose the Senator from Texas himself might have been surprised, as I was, to find the speech that was in the RECORD the next day. I am certain it was not the speech he made on the Senate floor. I suppose that there are those who claim the right to revise their speeches, but I do not suppose that the right to revise includes writing or causing to be written a new speech, to be inserted in the RECORD in lieu of what was said on the Senate floor. I ask any man in the Senate to compare the speech of the Senator from Texas as it appeared in the RECORD the following day with the New York Times and the Washington press accounts of his remarks.

Mr. President, I mention this in opening my observations because we have again this afternoon been treated to the same type of approach. The Senator has indulged in all the same sort of mockery and ridicule toward the Senator from Connecticut, who properly rises, I think, to ask in behalf of the people of his State and of the country just where we are going and where we are heading. I did not rise to a point of order, though I could have done so. The rules justify it. There is no question in the world that the Senator from Texas himself must know that that kind of cheap, police-court-lawyer tactics may have a certain appeal in some places, but this is not such a place.

Mr. President, I do not intend to talk further along that line, other than to remark that in the past there have been

able men presiding over the Committee on Foreign Relations; in the past there have been great men occupying that chair. But if the President of the United States desires to enlist unity and concert of action on the part of the people of the United States and the United States Senate, and if the White House finds that people here are treated to that sort of exhibition of tactics and of attitude, if you choose, by men of the ability of the Senator from Texas, small wonder it is that the Congress of the United States is daily being circumvented by the President in his effort to avoid submitting the issue both to the Congress and to the people.

Turning to a really fine speech delivered by the late able Senator from Nevada, then chairman of the Committee on Foreign Relations, Mr. Pittman, let me point out that he said in this body:

On the 13th day of March 1917, President Wilson proclaimed armed neutrality and ordered the arming of our merchant vessels. This was the gravest mistake that our Government made. It was even a foolish act. A cannon on a merchant ship is no defense against a submerged submarine and only invited attack, as was subsequently proven. From the beginning of the war down to the date of the proclamation for the arming of our ships only 7 lives were taken of American citizens by reason of the sinking by submarines of American merchantmen. Between that date and our entry into the war on April 6, 1917, from such cause we lost the lives of 63 citizens. President Wilson, in his war message, recognized the failure of armed neutrality.

Senator Pittman proceeded:

I can conceive of no argument against the adoption of the section of the resolution prohibiting the arming of our merchant ships. While there is grave danger of another world war, and while I expect to see submarines used as commerce destroyers in the next war in the manner they were used in the last, I do not believe that any belligerent country, when they know that our merchant ships are not armed, and that they are so identified otherwise than by the flag that their nationality will be certain, and that they will stop upon demand and submit peaceably to visit and search, will sink our merchant vessels without notice, and without complying with the humane customs of visit, search, and seizure universally accepted by nations

Mr. President, on the 21st of September 1939 the President of the United States called Congress into a joint session. He told us that he was speaking to us out of his years of experience as a worker in the field of international peace. He said:

I give to you my deep and unalterable conviction that by the repeal of the embargo the United States will more probably remain at peace than if the law remains as it stands today. I say this because with the repeal of the embargo this Government clearly and definitely will insist that American citizens and American ships keep away from the immediate perils of the actual zones of conflict.

He outlined to us a program. He said:

I believe that American vessels should, so far as possible, be restricted from entering danger zones.

He told us that we must prevent American citizens from traveling on belligerent vessels or in danger areas. He told us that we must impose the cash-and-carry system and to transfer the title in this country to goods to be sent overseas. He told us we must prevent war credits to belligerents. And he concluded, insofar as is pertinent to this discussion:

To those who say that this program would involve a step toward war on our part, I reply that it offers far greater safeguards than we now possess or have ever possessed to protect American lives and property from danger. It is a positive program for giving safety. This means less likelihood of incidents and controversies which tend to draw us into conflict, as they did in the last World War. There lies the road to peace.

"There lies the road to peace" said our President. But now, if we ask that we have hearings to ascertain under what circumstances and as a result of what conditions we should abjure that path to safety which the President himself outlined to us, we are ridiculed; we have reached the point, when we come in in the name of the people of the United States and say, "Why should we take this road, why should we abandon the advice of our President, that great worker in the field of international peace, why should we now head toward war, pell-mell, and rushing?" When we ask that question we are mocked and scorned.

But take warning, Mr. President, of the situation which confronts us when we find a state of mind indicating lack of a calm, cool appreciation of the situation facing us. It is an astonishing revelation, and I think it is probably just as well that the matter should come to a head in this way at this time. It may clear the air, lead to a fuller appreciation of the danger in which our country is, when we find our leaders of thought and action taking such an attitude and resorting to such tactics in the United States Senate, the more so as it comes on top of the fact that only this morning the same committee of which the Senator from Texas is chairman voted not to hold public hearings on the questions before the American people.

The President of the United States sent to us a special message on October 9. He told us in that special message that we should repeal section 6 of the Neutrality Act. He now says we should arm our merchantmen.

If we are to arm our merchantmen, would not anyone say it would be well to ascertain whether we should arm our merchantmen in the interest of delivering goods to Britain? If that is a fair inquiry, is it not one of the things which should be canvassed before the decision is made to send American ships into danger zones? Should we not ascertain whether or not there is other shipping, particularly British shipping, to take the risk, if risk there be; and if it should develop that there is such shipping available, why should we take the course of submitting American ships to the risks incident to such business if there be British shipping to go through the danger zones?

Those are fair questions. If I can develop now that one British line operating out of New York City shipped more goods and made more sailings to Australia in 1 month in 1941 alone than it ever did at the peak of its peacetime business, I say that is a touchstone by which we could decide whether or not we should take our ships and put them on the line to Australia, thus releasing the British ships.

Let us service those peaceful lines, if you like. We never intended that we should go to into this war. Our President told us he would not take us to war. He told us this path was the path of peace. And, Mr. President, the American people relied upon that statement. But when he sent this special message up here a week ago he also said this.

I earnestly trust that the Congress will carry out the true intent—

"The true intent" he says—

of the Lend-Lease Act by making it possible for the United States to help to deliver the articles to those who are in a position effectively to use them. In other words, I ask for congressional action to implement congressional policy. Let us be consistent.

Now, Mr. President, not only was there no such "true intent" that the American people should deliver those goods, but if there is any way, any medium by which language can be used to belie any such intent I ask Senators to examine the Lend-Lease Act. When that matter was debated here on this floor the Senator from Maine raised the question of whether or not the word "transfer" meant "delivery," and lest there be any question about it, after a very considerable debate, the then chairman of the Committee on Foreign Relations, the Senator from Georgia [Mr. GEORGE], an able chairman, let me add, Mr. President, arose, and he amended the word "transfer" by adding the words "title to," and the section now reads:

Lease, lend, transfer title to, exchange, give away—

And so forth. Mr. President, we deliberately inserted that language in there to deny any claim that we were to deliver the goods, and quite the contrary, the public was told and the Congress was told that Britain was to come here and get the goods, take them away in her own ships, and the only difference between that situation and the cash-and-carry rule that prevailed up to that time, was that the American people were to pay for the goods. That was, in essence, what was to be done. But, Mr. President, lest there be any question further, we even wrote section 3 (d) into that act, in which we said that nothing in this act shall authorize or be construed to authorize the use of convoys in the course of delivering these goods. That provision is in the law.

Mr. President, I ask, in the face of that sort of legislative pronouncement, and in the face of the debate on this floor, where can there be any claim that the Congress now must be consistent to carry out "the true intent," if I may borrow a term, of the Lend-Lease Act? And yet if we ask for hearings, if we ask for a chance to let the American people know what this situation is, we are going to be ridiculed, Mr. President. That is what will happen to us in the present situation.

Mr. President, the American people had a right to believe their President. I do not know how many ways it takes him to

say a given thing, but let me point out a couple of them that are right at hand. He said:

This neutrality law is a good law.

I am quoting.

This is the kind of law that will keep us out of other people's wars.

The President continued:

I have seen war. I hate war. The effective maintenance of American neutrality depends today, as in the past, on the wisdom and determination of whoever at the moment occupy the offices of President and Secretary of State. Industrial and agricultural production for a war market may give immense fortunes to a few men; for the Nation as a whole it produces disaster.

He concluded:

We will not participate in foreign wars, and will not send our Army, naval, or air forces to fight in foreign lands except in case of attack. Your President is following the road to peace. We are arming ourselves not for any conquest or intervention in foreign disputes.

Again on October 30 of 1940 he said:

And while I am talking to you fathers and mothers I give you one more assurance. I have said this before, but I shall say it again and again and again—your boys are not going to be sent into any foreign wars.

He said further:

There is no demand for sending an American expeditionary force outside our own borders. There is no intention by any member of your Government to send such a force. You can, therefore, nail any talk about sending armies to Europe as deliberate untruth.

The Neutrality Act and other steps were measures to keep us at peace. And through all the years since 1935 there has been no entanglement and there will be no entanglement.

Convoys mean shooting and shooting means war.

Now, Mr. President, in the light of the declaration of the President of the United States, his solemn assurances to the American people, his recommendations to the Congress, we now are having urged upon us a contrary course of action. It becomes perfectly apparent that if we are a neutral nation we have no right to put a gun on a merchant ship and have it shoot at a belligerent. If it does, the shooting at a belligerent is an act of war. If we are a belligerent, Mr. President, and we put a gun on a merchant ship, then we are subject to being sunk without trace any time a submarine submerged or otherwise, as the submarine may be, attacks; or the same applies to attacks from the air for that matter. You cannot have it both ways. You cannot have it other than our shooting becomes an act of war, and the President of the United States and the Committee on Foreign Relations and the United States Senate know it. But do the American people know? Do they know that they are being taken now down the road to war and away from the road to peace? No, Mr. President. And if they do know what the consequences are, if they can envision what this will mean to us, and if the hearings before the Committee on Foreign Relations will serve in some small way to acquaint them with this situation, then, Mr. President, those hearings not only are indicated, they are absolutely essential.

In the light of the situation, Mr. President, I submit that there has been a grievous abuse of power by the majority in the Committee on Foreign Relations overriding the minority. As the Senator from Texas [Mr. CONNALLY] says, "We have the votes," and, of course, that is the attitude taken. What has become of the greatest deliberative body of the United States? The majority says, "We have the votes, and because we have the votes we are going to run the show. We are going to roll over the inarticulate minority. We are going to keep them from having any part of the public know what is going on."

That is an old story. It has all been told. That is the sort of thing we have been getting. And, Mr. President, do not forget, if you come in here and make any protest about it, you are going to be ridiculed.

Stay in the chair, Mr. President. It is a safe place.

[Laughter and manifestations of applause in the galleries.]

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in the nature of a substitute.

Mr. BROWN obtained the floor.

Mr. BARKLEY. Mr. President, I do not understand that it is desired to have a vote on the committee amendment today.

Mr. BROWN. No; I merely wish to submit a conference report.

Mr. BARKLEY. My understanding is that the vote on the entire matter is to go over until tomorrow.

Mr. BROWN. Yes.

MARGARET M. CUTTS—CONFERENCE REPORT

Mr. BROWN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 4270) for the relief of Margaret M. Cutts, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the figures "$2,500" insert "$7,074.54"; and the Senate agree to the same.

PRENTISS M. BROWN,
JAMES H. HUGHES,
ARTHUR CAPPER,
Managers on the part of the Senate.

DAN R. MCGEHEE,
ROBERT RAMSPECK,
Managers on the part of the House.

The report was agreed to.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business. We will go back into legislative session at the conclusion of the executive session.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. MURDOCK in the chair) laid before the Senate a message from the President of the United States submitting several nominations in the Marine Corps, which was referred to the Committee on Naval Affairs.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. MCKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

By Mr. CONNALLY, from the Committee on Foreign Relations:

Herschel V. Johnson, of North Carolina, a Foreign Service officer of class 1, now serving as Minister Counselor at London, to be Envoy Extraordinary and Minister Plenipotentiary to Sweden.

The following-named persons, now Foreign Service officers of class 3 and secretaries in the Diplomatic Service, to be also consuls general:

Lester L. Schnare, of Georgia; and
Austin C. Brady, of New Mexico.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the calendar.

THE NAVY

The legislative clerk read the nomination of Capt. Ezra G. Allen to be Director of the Budget and Reports with the rank of rear admiral.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COAST GUARD OF THE UNITED STATES

The legislative clerk read the nomination of Capt. Lloyd T. Chalker to be assistant commandant with the rank of rear admiral, for a period of 4 years, to rank as such from January 1, 1942.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COAST AND GEODETIC SURVEY

The legislative clerk proceeded to read sundry nominations in the Coast and Geodetic Survey.

Mr. BARKLEY. I ask that the nominations in the Coast and Geodetic Survey be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. Mr. President, I ask that the nominations of postmasters on the calendar be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc.

THE ARMY

The legislative clerk read the nomination of Brig. Gen. Dawson Olmstead to be Chief Signal Officer of the Army, with the rank of major general, for a term of 4 years from date of acceptance, with rank from October 1, 1941.

Mr. BRIDGES. Mr. President, the nomination of Brig. Gen. Dawson Olmstead to be Chief Signal Officer of the Army was approved by the initialing of the nomination by, I think, a majority

of the members of the Military Affairs Committee. Since that was done, various protests have been received in relation to General Olmstead. Some persons desire to be heard on the nomination. Inasmuch as the chairman of the Military Affairs Committee [Mr. REYNOLDS] and the ranking Republican member of the committee, the Senator from Vermont [Mr. AUSTIN] are away, I ask that consideration of this nomination go over, because it may be necessary to recommit the matter to the Committee on Military Affairs. I ask that the nomination go over for the time being.

The PRESIDING OFFICER. Is there objection to postponement of consideration of the nomination? The Chair hears none, and the request is granted.

LEGISLATIVE SESSION

Mr. BARKLEY. Mr. President, I ask that the Senate resume the consideration of legislative business.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEATH OF REPRESENTATIVE LAWRENCE J. CONNERY

The Presiding Officer laid before the Senate, resolutions of the House of Representatives (H. Res. 323), which were read, as follows:

IN THE HOUSE OF REPRESENTATIVES,
October 20, 1941.

Resolved, That the House has heard with profound sorrow of the death of Hon. LAWRENCE J. CONNERY, a Representative from the State of Massachusetts.

Resolved, That a committee of four Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provision of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect the House do now adjourn.

Mr. WALSH. Mr. President, I send to the desk a resolution, which I ask to have read, and for which I ask immediate consideration.

The PRESIDING OFFICER. The resolution will be read.

The resolution (S. Res. 183) was read, considered by unanimous consent, and unanimously agreed to, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. LAWRENCE J. CONNERY, late a Representative from the State of Massachusetts.

Resolved, That a committee of two Senators be appointed by the Vice President to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Under the second resolving clause, the Presiding Officer appointed Mr. WALSH and Mr. LODGE the committee on the part of the Senate to attend the funeral of the deceased Representative.

Mr. WALSH. Mr. President, as a further mark of respect to the memory of the deceased Representative, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was unanimously agreed to; and (at 3 o'clock and 50 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, October 21, 1941, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate October 20 (legislative day of October 16), 1941:

PROMOTIONS IN THE NAVY

MARINE CORPS

Brig. Gen. Seth Williams, the Quartermaster, to be the Quartermaster of the Marine Corps, with the rank of brigadier general, for a period of 4 years from the 1st day of December 1941.

The following-named first lieutenants to be captains in the Marine Corps from the 8th day of July 1940:

Donald J. Decker — Leo R. Smith
Herbert H. Williamson

The following-named first lieutenants to be captains in the Marine Corps from the 1st day of March 1941:

Benjamin L. McMakin — Lewis H. Pickup
Elby D. Martin, Jr. — Robert E. Galer
William D. Roberson — Milo G. Haines
John W. Graham — Robert W. Thomas
Bryghte D. Godbold — Allen B. Geiger
Glenn C. Funk — William E. Gise
Albert H Bohne — Richard A. Evans
John D. Harshberger

The following-named first lieutenants to be captains in the Marine Corps from the 1st day of July 1941:

William H. Barba — Edward H. Drake
Noel O. Castle — Arthur P. McArthur

First Lt. Thomas G. Roe to be a captain in the Marine Corps from the 1st day of September 1941.

Alfred M. Mahoney, a citizen of Massachusetts, to be a second lieutenant in the Marine Corps from the 27th day of May 1941.

Finley T. Clarke, Jr., a citizen of North Carolina, to be a second lieutenant in the Marine Corps from the 28th day of May 1941.

Robert D. Kennedy, a citizen of Massachusetts, to be a second lieutenant in the Marine Corps from the 28th day of May 1941.

Myles C. FOX, a citizen of Connecticut, to be a second lieutenant in the Marine Corps from the 29th day of May 1941.

The following-named citizens to be second lieutenants in the Marine Corps from the 1st day of September 1941:

Grant S. Baze, a citizen of Texas.
William T. Bray, a citizen of Illinois.
Chester L. Christenson, a citizen of Oregon.
Howard M. Conner, a citizen of New Jersey.
Joe H. Daniel, a citizen of Mississippi.
Melvin J. Dilbeck, a citizen of California.
George H. Dole, a citizen of California.
John L. Frothingham, a citizen of Illinois.
Louis E. Haenel, a citizen of Texas.
Robert H. Haggerty, a citizen of New York.
John S. Hartz, a citizen of Pennsylvania.
Olin W. Jones, Jr., a citizen of Oklahoma.
James T. Kisgen, a citizen of Iowa.
Horace E. Knapp, Jr., a citizen of Colorado.
Stewart L. Leonard, a citizen of New York.
Charles P. McAuliffe, Jr., a citizen of Indiana.
Bernard W. McLean, a citizen of Tennessee.
Stephen C. Munson, Jr., a citizen of Louisiana.
Robert P. Neuffer, a citizen of New York.
Horace C. Parks, a citizen of New York.
Ralph L. Powell, a citizen of California.
Henry H. Reichner, Jr., a citizen of Pennsylvania.
Charles R. Rogers, Jr., a citizen of Alabama.
Eugene T. Schoenfelder, a citizen of New York.
Vincent J. Scully, Jr., a citizen of Connecticut.
Roy L. Sherrill, Jr., a citizen of Texas.
Thomas H. Shobbrook, a citizen of Illinois.
Karl N. Smith, a citizen of Louisiana.
Robert W. Sullivan, a citizen of Kansas.
John B. Sweeney, a citizen of Ohio.
John J. Wade, Jr., a citizen of California.
Joe B. Wallen, a citizen of Tennessee.
Fraser E. West, a citizen of Nevada.
Edwin B. Wheeler, a citizen of New York.
Robert D. Wilt, a citizen of Pennsylvania.
Earl K. Yost, Jr., a citizen of Oklahoma.
Charles T. Young III, a citizen of New York.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 20 (legislative day of October 16), 1941:

NAVY DEPARTMENT

Capt. Ezra G. Allen to be Director of the Budget and Reports with the rank of rear admiral for a term of 3 years.

COAST GUARD OF THE UNITED STATES

Capt. Lloyd T. Chalker to be Assistant Commandant with the rank of rear admiral, for a period of 4 years, to rank as such from January 1, 1942.

COAST AND GEODETIC SURVEY

TO BE HYDROGRAPHIC AND GEODETIC ENGINEER (WITH RELATIVE RANK OF LIEUTENANT IN THE NAVY)

Ector B. Latham

TO BE HYDROGRAPHIC AND GEODETIC ENGINEER (WITH RELATIVE RANK OF LIEUTENANT, JUNIOR GRADE, IN THE NAVY)

Emmett H. Sheridan

TO BE AIDES (WITH RELATIVE RANK OF ENSIGN IN THE NAVY)

William B. Page
Norman Porter

POSTMASTERS

ALABAMA

Cly T. Smith, Bay Minette.
Marcus Andrew Straughn, Repton.
Joseph A. Brittain, Roanoke.

ARKANSAS

Horace G. Boyd, McGehee.

CALIFORNIA

Ernest M. Carsten, Camino.
Max Lynn Green, Glendale.
Harry R. Wendelken, Idyllwild.
Edwin C. Halverson, Lynwood.
Chester P. Dunning, Porterville.
Morgan J. Kavanagh, Trona.

CONNECTICUT

William H. Ryan, Newington.
Audore O. Barnaby, Simsbury.

FLORIDA

Maurice G. Langford, Lake Butler.

GEORGIA

Claude M. Swain, Norwood.

ILLINOIS

Joseph L. Langan, Odell.

IOWA

Aaron R. Bohnenkamp, Breda.

KANSAS

Treva E. Peters, Valley Center.

MARYLAND

Gerard G. Brockmeyer, Severna Park.

MICHIGAN

Lee C. Sellers, Port Huron.

MINNESOTA

Alvin S. Steen, Clinton.

MISSISSIPPI

Atlas M. Avery, Purvis.
Hershel Loamma Lott, Seminary.

MISSOURI

Egbert F. Arnold, Lewistown.

NEBRASKA

Clyd Calder, Utica.

NEW MEXICO

Mary Y. Ray, Roy.

NEW YORK

David B. McLaughlin, East Syracuse.
Frances A. Howland, Leonardsville.
Arthur C. Moyer, Phoenix.
Cornelius J. Nugent, Syracuse.

NORTH CAROLINA

Helen B. McColman, Gibson.

OKLAHOMA

Alvin Scott Bradshaw, Skiatook.

VIRGINIA

Mr. Olive Matthew Sisson, Quantico.

WISCONSIN

Thomas N. Gretz, Cleveland.

HOUSE OF REPRESENTATIVES

MONDAY, OCTOBER 20, 1941

The House met at 12 o'clock noon and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Eternal God, our Father, unveil to us the secret of the divine purpose for humanity with its yearnings upward and unfathomless needs. If our loyalty has swerved from the majestic mission of Him who is the inspiration and genius of human salvation, forgive us. Immerse our cramped spirits in the teaching of our Saviour, and in the power of a triumphant faith may we live and toil. From underbeating doubts that may brood over us and from partial glimpses of broken lights do Thou deliver us. We praise Thee for the tides of love and wisdom which flow from the heart of the living God; Oh, that men would praise Him for His goodness and for His wonderful works to the children of men. Oh, bid us to exult and rejoice in the strength of our Lord.

We linger with loving thoughts upon the gentle one who has been laid low. With a brotherly and quiet grace that murmured with his presence he nobly did his part to the end. He sought with no barren desire to mold his character into the likeness of our Saviour with the treasure of a faith that comforts and inspires unto the last; after suffering comes peace, and after earth comes heaven. Be Thou the comfort and support of the broken circle. In the name of our Redeemer. Amen.

The Journal of the proceedings of Friday, October 17, 1941, was read and approved.

BUSINESS IN ORDER TOMORROW

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that business in order today be transferred to tomorrow, which includes consideration of bills on the Consent Calendar and the District-day business and such suspensions as the Speaker desires to recognize. I understand there is one bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts [Mr. McCORMACK]?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. L. MENDEL RIVERS, for 2 weeks on account of official business.

THE LATE LAWRENCE J. CONNERY

Mr. McCORMACK. Mr. Speaker, it is my sad duty to announce to the House the death on Sunday morning, October 19, of one of our most beloved Members, our late friend and colleague, LAWRENCE J. CONNERY, of Massachusetts. His passing is a great shock to all of us. It is a personal shock and loss to me, as we were very close friends.

It is impossible for me to express in words the deep feeling of regret that I entertain in the passing on of our late colleague and beloved friend. It is also impossible for me to express the profound feelings of sympathy I entertain for Mrs. Connery and his child, who survive him.

Those of us who served in this body a little over 4 years ago remember well, in fact we will never forget, the fine, lovable, genial, and able Billy Connery, late brother of LARRY CONNERY, and Billy's sad, unexpected death. Billy Connery was loved by all of his colleagues. His brother, our late colleague, who was his secretary, succeeded him and has served in this body since.

LARRY CONNERY endeared himself to all of his colleagues just the same as his late brother did. His fine outlook on life, his love for his fellow men, his tolerance, and his devotion to duty aroused and commanded the respect of all of his colleagues. He leaves with us as a result of our association with him a memory of fine character, of high purpose, and of friendship that you and I who served with him will never forget. The fine life he led and his nobility of character and purpose will constitute a great source of consolation to his widow and in later years to his child.

Well might it be said of our late friend, "His life is an example for all to follow." Our late colleague was an outstanding Member of the Congress, a great American, a courageous soldier. He devoted his energies in times of peace or in the dangers of war always in the best interests of our country. He lived up to the spiritual truths he believed in, leading a beautiful spiritual life, tolerant always of the religious views of all others.

Our late friend not only respected but he had a strong feeling of affection for every Member of this body. Every Member felt the same way toward him. I know of no Member with whom I served who had a stronger feeling of humble pride of his membership in this body or of love for the Congress of the United States than did our late friend and colleague. In life LARRY CONNERY made a strong, favorable imprint upon the minds of all who had the honor to know him. In death that imprint becomes a memory that will always remain with us. His death is a great loss to this body, to the Nation, the State, and the constituency he so devotedly served. It is an irreparable loss to Mrs. Connery and his child, and our deepest sympathy is extended to them.

Mr. Speaker, I yield to the distinguished minority leader, the gentleman from Massachusetts [Mr. MARTIN].

Mr. MARTIN of Massachusetts. Mr. Speaker, in the death of LARRY CONNERY the country has lost a fine public servant and we in the House a colleague whom we greatly admired and respected. I have lost a personal friend whom I have known for a good many years. To know LARRY CONNERY was to love and respect him. He was a high type of an American citizen; a man of sterling convictions and one who could be steadfast in support of those convictions.

His warm heart beat for his fellow countrymen and his great talent was devoted in behalf of the workers and the unfortunates of our country. He hoped through his efforts to bring a little more sunshine into their life.

The career of our beloved colleague was devoted like that of his brilliant brother predecessor was devoted to the public service. He served his country in military arms and was an active participant of many of the major battles of the first World War. He sacrificed and suffered that Americanism should be perpetuated. In later life he served his country in legislative work. In both careers he served with great distinction and credit to his district, his State, his country, as well as to himself and his family.

The death of LARRY CONNERY causes us to pause for a moment to pay tribute to a useful life. As he responds to the heavenly call we are sure he will receive the reward which comes from a well-spent life. Today we who were his friends and who loved him say, "Well done, thou good and faithful servant."

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. HEALEY].

Mr. HEALEY. Mr. Speaker, The House today is meeting on an occasion of great sadness. All of us have been greatly affected and shocked and saddened by the sudden and untimely passing of our friend and colleague, Hon. LAWRENCE J. CONNERY. He succeeded his illustrious brother, the late William P. Connery, as the Representative of the Seventh Massachusetts District.

Accustomed as this House is to rapid and unexpected happenings in these tumultuous days, the sudden death of this young man is a blow which has fallen very heavily upon us all. Most of us remember with great affection the late Billy Connery. We remember his animated and lovable personality and the vigorous and energetic manner in which he pursued his duties here, yet full of good cheer and infectious humor.

When the Democratic Party took over the organization of this House in 1932, Billy Connery succeeded to the chairmanship of the Committee on Labor and

thereupon assumed the most onerous duties in a field fraught with controversy. He gave to his task unsparingly of his energy and ability. I believe it can be said without exaggeration that Billy Connery literally gave his life to the service of his fellow human beings, and particularly to the toilers of this Nation, whose lot he strove to better by the type of legislation he proposed and worked for in the Congress of the United States.

There was a striking parallel in the lives of these brothers. Both of them served with distinction and valor in the World War, being members of the Twenty-sixth Division, which saw action in every major engagement in which the forces of this country took part during the World War. Billy was elected to the Congress, and Larry became his secretary. Larry's personality was somewhat different from Billy's. Larry was very unassuming and self-effacing, modest, and diffident, but both had many of the same characteristics and sterling qualities. Both radiated warm friendship for their colleagues and other persons with whom life brought them in contact. Both of them had that same burning zeal to be of service to mankind. They were ruggedly honest and sincere and possessed a high moral integrity.

Larry followed in the footsteps of his famous brother as a member of the Committee on Labor. He brought to that committee the same liberal philosophy and sympathetic understanding of human problems possessed by his brother, and a fealty and devotion to the duties of the committee.

Today it is the fervent prayer of all of his colleagues that these two brothers, who had such a beautiful comradeship in life, have been united, and that that friendship and that comradeship may be perpetuated in eternity.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Speaker, I very seldom have had a more sudden shock than I sustained yesterday morning. I was walking toward the Capitol and noticed our flags at half mast. In entering the Office Building I inquired of the guard in whose honor and memory the flags were displayed at half mast, and was informed that it was our colleague from Massachusetts, LAWRENCE CONNERY. You can imagine my astonishment and surprise at hearing of his sudden departure, having seen Larry here within a very few days.

My associates from Massachusetts have amply referred to his skill and his ability as a soldier, a legislator, and as a man. It seems only yesterday that we were mourning the death of Billy Connery, and now to think that Larry has joined him, as my colleague just mentioned, in eternal life, is certainly a tremendous shock to all of us.

We do not need at this time to eulogize Billy Connery. Those of us who served with him have him fresh in our memories. Neither do we need to eulogize LARRY CONNERY, except to place a wreath at his grave and utter a prayer for his eternal salvation. Two brothers serving together as soldiers and as patriotic citizens and public servants have made their record in the great book of life, and we may feel confident will be eternal companions.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. CASEY].

Mr. CASEY of Massachusetts. Mr. Speaker, once more the hand of death has reached our body and taken from us a man in his forties, in the prime of life. It seems that this has been happening with such frequency of late that it has been almost like the falling of leaves in autumn. Of course, the pace is rapid and the pace is swift. We in public life know that we are living in a time of stress and strain and emotionalism. It is an exacting task.

LARRY CONNERY never was a showman but was always a hard worker, working for the welfare of an active constituency; and working on all these great public issues that confront us he has given his life as a sacrifice in the service of his country, just as if it were on the field of battle.

LARRY CONNERY and Billy Connery were brothers. I do not know of any more beautiful friendship or any more beautiful example of brotherly love than that between Larry and Billy Connery.

Billy was the older by a few years. They were inseparable in childhood and as young men. When the war broke out Billy joined, and admonished Larry that he ought to stay home to look after things, but Larry, against his admonition, wishing to be by the side of his brother, also joined, and together they went through 19 months of service on the battlefields of France.

When Billy was elected to Congess Larry came down here as his secretary. He worked side by side with him on the problems of labor, which were near to their hearts. When Billy died, Larry succeeded him and took over on the Committee on Labor.

It is a beautiful thing to contemplate the great love and the great friendship that existed between these two brothers.

We are born; we die. In between there is a brief span we call life. During that life we are generous, we are good, we are sublime, when we are so; but we are mean, petty, and small when we are so. We only hope that the good we do will far outbalance the bad.

LARRY CONNERY was an exception to the general rule. He was always good. He was in truth a lovable character, always kindly and considerate. He was an honest and clean man. Both he and Billy were a great credit to the mother and father who bore them. LARRY CONNERY's wholesome influence for good will be missed by his constituents, and will be sorely missed by those of us who knew him and loved him.

Human capacity to assuage grief or soothe a sorrow stands pitifully ineffective in the face of such a great loss. This beautiful tribute to the memory of LARRY CONNERY given in the House of Representatives of the United States by his fellow public servants who hail from North, South, East, and West of this vast country will, when time has tempered grief, be a source of comfort and great pride to his mother, his sisters, his widow, and his son.

It will be, particularly with reference to his young son, Billy Connery, a legacy more valuable than gold. The proof, if there needs be any, that he bears the name of an uncle beloved and respected by all who knew him and that from his father descends to him a reputation fine and unblemished.

Mr. McCORMACK. Mr. Speaker, I yield to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, our hearts are saddened by the sudden passing of LAWRENCE J. CONNERY. His loss is very great. It is a great personal loss to me; our congressional districts adjoined, and the family are old and beloved friends. He was a gentle, kindly man, a true friend, and an able and conscientious worker. Highly religious, he led a beautiful and spiritual life. He was a noble character and set a splendid example.

LARRY CONNERY "picked up the guidon" when his brother, William P. Connery, died. He carried on the fine record of service for the underprivileged his brother had established. It was natural that he did so, for the brothers had been together all of their lives, in business, in war, and in politics. During the World War these brothers served in the same regiment, Billy a color sergeant, Larry a commissioned officer. Their military record was gallant and outstanding. They saw service on 5 active fronts in France and participated in more than 25 battles. After the armistice, when the elder brother came to Congress, Larry accompanied him as his secretary and succeeded him when he passed away on June 15, 1937. In carrying on his brother's work Larry always tried to do what he thought Billy would like. He held it to be a sacred trust. The affection of these two was not broken by the death of one; rather, it was strengthened. His loyalty and devotion to his mother during her lifetime was outstanding and one of the most beautiful things those who knew him had ever seen.

Massachusetts and the Nation will deeply mourn his passing. He had a host of friends who held him in the highest regard. We who knew him so well and who appreciated his fine qualities join together in a bond of sympathy to comfort his lovely widow and young son in their hour of sorrow. They were a devoted and happy family.

We shall miss LARRY CONNERY more than we can say, but his sterling character and noble traits will always be remembered and treasured by those who knew him. He gave his life in the service of his country. A great soldier and patriot has gone to his reward.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. ELIOT].

Mr. ELIOT of Massachusetts. Mr. Speaker, among the many happy memories we will have of LAWRENCE CONNERY, I want to mention only two. First, as a part of that great gift of friendship which has been mentioned here today, there was his unusual simple, sympathetic, and understanding respect for the opinions, the

sincere opinions of others, whether or not he agreed with them. Second, I have known no man whose life was more brightened or who was more sustained through sorrow than was LARRY CONNERY through his very deep and abiding faith in God.

I find it impossible to express my own personal feelings except, perhaps, to sum them up and sum up the feelings of many of us here by saying that we feel we have lost a real friend.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. BOLAND].

Mr. BOLAND. Mr. Speaker, it is truly with sadness that I voice this expression of sorrow in the passing of the late LARRY CONNERY. I enjoyed a personal friendship with both him and his brother. Words cannot express the deep feeling of sorrow that is within me this morning. The State of Massachusetts has lost a wonderful Representative. His constituency will miss him. He was one of the outstanding friends in this Congress of the underprivileged in this country. He was a gentleman who possessed outstanding character and ability. His genial disposition commanded respect from all who knew him. I shall surely always recall LARRY CONNERY'S attitude here in this House and I am sure the people of Massachusetts will have many fond memories of his activity here in this body and his family will have these same memories throughout the rest of their lives. I feel very, very sorry over his passing.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Missouri [Mr. COCHRAN].

Mr. COCHRAN. Mr. Speaker, words cannot express my sorrow this morning. Again we are reminded of the terrible strain under which we labor as death continues its heavy toll among Members of Congress. Strong, pure, and noble, our deceased colleague, LAWRENCE J. CONNERY, who died so suddenly, was my close personal friend since the day he came to Washington as the secretary to his brother Billy. He possessed that same desire to serve as his brother, whom he succeeded in this body. Our offices adjoined for many years and naturally we crossed each other's path daily. Well do I recall when both Larry and Billy decided to study law. After discharging their obligations to their constituents they read law in their office late into the night, and how happy they were when they were admitted to the bar.

Fair to all, still LARRY CONNERY was always the champion of the underprivileged—those less fortunate in life. As I knelt in the little chapel across the river this morning it was hard for me to realize my friend had gone to a better world. He has, for he was one who loved and practiced his religion.

Mr. Speaker, a devoted husband and father has passed away; his district and State have lost an outstanding Representative, the Nation a loyal and patriotic servant, and I a companion whose friendship I will always cherish.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. Speaker,

I gave a tramp from my scanty store a wealth of gold.
He spent the shining ore and then returned again and still again,
Still cold and hungry as before.
I gave a thought, and from that thought of mine
He found himself the man he was, supreme, divine.
And now, fed, clothed, and crowned with blessings manifold, he begs no more.

These lines of the poet, which I quote only from memory, are particularly fitting as today we meet to mourn the passing of LARRY CONNERY. We reflect rightly upon the fine qualities of his character and upon the genuine acts of his duties as a Member of this body.

It was my privilege to be associated with him. I visited the congressional district which he had the honor to represent. I knew him when he was secretary to his brother. In their home town by my contacts with their fellows I came to understand that here were two gentlemen, joined in brotherhood, who gave not money to those with whom they came in contact, because they had not that to give. They, however, gave in full measure those splendid traits within them both, which were recognized over such a period of years as to cause both Billy and then Larry, to serve with distinction in the House of Representatives.

As a member of the Committee on Labor I sat during the sessions close beside LARRY CONNERY. I understood the depth of his feelings for those less fortunate than himself, and this, ofttimes, was translated into legislative proposals which have received approval by our colleagues. A fine Member of this body is gone. We shall deeply miss him.

Mr. McCORMACK. Mr. Speaker, I yield now to the gentleman from Massachusetts [Mr. BATES].

Mr. BATES of Massachusetts. Mr. Speaker, as the relentless days sweep into the silent past, so must all men join the quiet company who rest peacefully in the everlasting shadows. Notwithstanding this realization, the death of a close friend is a great shock, and the passing of my colleague, the Honorable LAWRENCE J. CONNERY, brings sincere sorrow and a great personal loss.

It was my rare privilege to be associated with his family for many years. He followed in the footsteps of his famous brother, William J., and both Larry and Bill were descended from a father who gave generously of his life to the public service.

The sons had courage and ambition which carried them far in the field of service to their country both in time of war and peace. Larry was not only my friend but a neighbor as well, and as a Member of Congress he represented ward 4 of my home city of Salem, Mass., and where he endeared himself to a host of friends by the charm of his genial nature. In the House of Representatives his colleagues knew him for his high devotion to duty. He was courteous, affable, and gentlemanly at all times, and all of us admired him for his sincerity, fine sense of humor, and rugged honesty. He was an experienced legislator, who could think questions through, and who voted his convictions for the benefit of the Nation as well as for the interest of his State.

Larry's fine record on the Mexican border in 1916 with the Massachusetts National Guard and during the World War in France for 19 months with the One Hundred and First Infantry Regiment of the Yankee Division bespeaks of his patriotism and love for his country. In war or in peace, he was faithful to every trust, conscientious in the performance of every duty, and at all times did what his best judgment told him was right for those whom he sought to serve.

The greatest measure of devotion that any man can show for his country is to die for it in its service. So history will record in the life of our beloved colleague. It is to be deeply regretted that his work in this House of Representatives was of such short duration.

His friendship will remain a precious legacy to those of us who had the privilege of knowing him. He leaves with all a memory that will glow brightly against the background of fading years.

Mr. McCORMACK. Mr. Speaker, I yield now to the gentleman from Georgia [Mr. COX].

Mr. COX. Mr. Speaker, in thought and deed and in heart and soul our departed friend was just the kind of man that a fond and devoted father might well wish his son to be.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from New Hampshire [Mr. STEARNS].

Mr. STEARNS of New Hampshire. Mr. Speaker, like all his friends, I have been profoundly shocked by the news of the passing of LAWRENCE CONNERY. Beginning his Washington life as secretary to his brother, the late Representative William P. Connery, Jr., the experience thus gained fitted him to continue his services to his district as that brother's successor. Throughout the life now untimely cut short he was a devoted and self-sacrificing public servant and a true Christian gentleman.

His neighbors in New Hampshire join with his colleagues from Massachusetts, and, indeed, with all who knew him, in mourning his loss, and in extending to his family the expression of their deepest sympathy.

Mr. McCORMACK. Mr. Speaker, I now yield to the gentleman from Alabama [Mr. JARMAN].

Mr. JARMAN. Mr. Speaker, I have never during my service in this body risen to my feet with a more profound feeling of sadness and sorrow and bereavement than I do today, because I so wholeheartedly share the tremendous feeling of shock and grief which is entertained by all whose privilege it was to know and serve here with the distinguished gentleman from Massachusetts, Hon. LAWRENCE J. CONNERY, whose life has been cut short in the flower of its fulfillment. This House, the State of Massachusetts, the Seventh District of Massachusetts have suffered an irreparable loss. The time is not near when his place will be filled adequately, if ever. I think we learn in this body to know our colleagues best through our service with them upon committees. The more active the committee, generally

speaking, the better do we learn to know them. Furthermore, the smaller the committee, provided it is active, the more thoroughly acquainted with them do we become. It was my lot and privilege to serve for nearly 2 years on one of the smallest committees of the House, although a rather active one, with LARRY CONNERY. That service brought me a close knowledge of the fine character of the man which I do not believe I could ever have gained otherwise. That intimate association caused me to know his innermost thoughts, his fine characteristics, his sterling character, and his great courage. It caused me to appreciate him as I otherwise probably never could have done, as a brave soldier, an industrious public servant, an able statesman, a charming gentleman, and a lovable and devoted friend. Such, my colleagues, is our loss today. While he is gone, not only is he not forgotten but he never will be. On the other hand, I feel very confident that his fine influence will be felt in this body so long as any of us who were privileged to serve with him remain here. May God bless and keep his greatly bereaved ones, to whom, as you know, he was so thoroughly devoted.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from California [Mr. KRAMER].

Mr. KRAMER. Mr. Speaker, my heart was saddened yesterday morning when I heard of the passing of our dear, devoted friend and colleague, LARRY CONNERY.

Like his brother, Billy Connery, his death was sudden. When he came to the House, succeeeding his brother Bill, he immediately came to the Committee on Patents. I have served with him during the years of his term in the House. He was very devoted to the work. He was conscientious. He was loyal in his every undertaking. During the time he served with me on the committee there was never a time when I asked Larry to accept a responsibility but what he was always willing and always served every purpose well.

The people of his district at Lynn, Mass., have again lost a very faithful public servant. The House of Representatives will miss that great friendship which he has made during his stay here.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. VAN ZANDT].

Mr. VAN ZANDT. Mr. Speaker, the sudden death of our esteemed colleague, LAWRENCE J. CONNERY, removes from our midst one of the best-loved Members of Congress.

Last evening when I learned by radio that the great soul of LARRY CONNERY had taken its homeward flight I was overcome with emotion, and I realized his passing was a personal loss to me and marked the end of a useful and active life. Larry, as he was affectionately known to all of us, succeeded his distinguished brother, the Honorable William Connery, long a Member of this House, and whose sudden passing was universally mourned. LARRY CONNERY proved an able successor to his illustrious brother, and his sincere devotion to his congressional duties won him the respect and confidence of not only his own constituents but of the entire membership of this House.

Billy and LARRY CONNERY both served their country during the World War and spent many months overseas as members of the famous Twenty-sixth Yankee Division. The veterans of the United States had no greater friends in Congress than the Connery brothers, and when Billy was summoned home Larry continued his brilliant efforts to guarantee that the disabled veteran, his widow, and orphan might receive their just due from a grateful government.

In paying tribute to the memory of LARRY CONNERY I speak not alone as a Member of Congress but from first-hand observation as one actively identified with organized veterandom. The veterans of the United States have sustained a distinct loss in the death of LARRY CONNERY, and his sudden death will be universally mourned by his comrades of 1917–18.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from California [Mr. LEA].

Mr. LEA. Mr. Speaker, in a few words I join with those who have spoken words of appreciative tribute to our late colleague, LAWRENCE CONNERY. As an individual he was fine, lovable, and manly. No man in this House or in all of his broad circle of friends could call him friend without happiness and pride in the thought. As a Member of this body he was earnest, faithful, considerate, and zealous. Those who knew him well, as many in this House did, will long cherish his memory with affection and with a degree of happiness that it was their privilege to be his friend and colleague.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Connecticut [Mr. FITZGERALD].

Mr. FITZGERALD. Mr. Speaker, it is with a great sense of emotion this morning that I rise to pay tribute to the late LARRY CONNERY. I met this fine man in the Seventy-fifth Congress and served with him on the Committee on Labor and Education. It was a great shock to me yesterday to learn of his death. I have always admired and loved him for the great virtues that he possessed, for his fine character, his love, devotion, and loyalty to those he served.

My prayer this morning is that God will be merciful to him and that His Blessed Mother will comfort his loved ones now in their hour of deepest sorrow.

Mr. McKEOUGH. Mr. Speaker, I rise with considerable sadness because of the sudden passing of our friend from Massachusetts, LARRY CONNERY.

The words of an old philosopher I think best describe the life of LARRY CONNERY. Those words I think inspired and encompassed his every thought, word, and action during his earthly life. Those words are:

To smile at trials which fret and fag,
And not to murmur, nor to lag.
The test of greatness is the way
One meets the eternal everyday.

The gentlewoman from Massachusetts truthfully spoke of his fervor in his religious belief and practice. LARRY CONNERY was a crusader in the interest of justice, truth, and charity. He came to this body, as did his brother before him, well-grounded in the philosophy of Christian liberal idealism. He never swerved from its principles. Political expediency never influenced his utterances or actions.

The people of Massachusetts and particularly his home district will, I know, as they did in the passing of his illustrious brother, Billy, fully realize that they have lost not only a great legislator but a great American, and a true friend. And to his wife and his infant son I express on behalf of the delegation from the city of Chicago our profound sympathy; and I prayerfully ask a kindly Judge to grant eternal rest to his immortal soul.

Mr. McCORMACK. Mr. Speaker, I yield to the gentleman from Michigan [Mr. RABAUT].

Mr. RABAUT. Mr. Speaker, LARRY CONNERY came to this body with a song in his heart, he came here with a hymn in his soul, he came here with a certain look on his face that told the innermost thoughts of the man. LARRY CONNERY so conducted himself in this body, in his social affairs, and in his contacts with his friends that he ever emanated to those with whom he associated the fact that he seemed to understand the old admonitory question of St. Matthew:

For what doth it profit a man, if he gain the whole world and suffer the loss of his own soul?

LARRY CONNERY will be missed in this body, and I pray today that God may assuage the grief which his passing has brought to his loved ones.

Mr. McCORMACK. Mr. Speaker, I offer the following resolution, and ask its immediate consideration.

The Clerk read as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. LAWRENCE J. CONNERY, a Representative from the State of Massachusetts.

Resolved, That a committee of four Members of the House with such Members of the Senate as may be joined be appointed to attend the funeral.

Resolved, That the Sergeant at Arms of the House be authorized and directed to take such steps as may be necessary for carrying out the provision of these resolutions and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

The resolution was agreed to.

The SPEAKER. The Chair appoints the following Members of the House to attend the funeral: Messrs. HEALEY, CASEY of Massachusetts, ELIOT of Massachusetts, and BATES of Massachusetts.

ADJOURNMENT

The SPEAKER. The Clerk will report the remainder of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect the House do now adjourn.

The resolution was agreed to; accordingly (at 12 o'clock and 54 minutes p. m.) the House adjourned until tomorrow, Tuesday, October 21, 1941, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 a. m., Tuesday, October 21, 1941, to hold hearings on H. R. 3984—amending Railroad Retirement Act.

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 a. m., Tuesday, October 28, 1941, to begin hearings on proposed amendments to Securities Act, 1933, and Stock Exchange Act, 1934.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will continue public hearings on Thursday, October 23, 1941, at 10 a. m., on H. R. 3254, to safeguard and protect further the lives of fishermen at sea and to place fishing boats under the supervision of the Department of Commerce, Bureau of Marine Inspection and Navigation, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1001. A letter from the Secretary of War, transmitting a report of contracts awarded under the act of March 5, 1940; to the Committee on Military Affairs.

1002. A letter from the Administrator, Federal Security Agency, transmitting a draft of a joint resolution establishing the Robert Fechner memorial fund; to the Committee on Labor.

1003. A letter from the Secretary of War, transmitting a draft of a proposed bill to amend the Canal Zone Code so as to provide for control of photographing, possession of cameras, etc., in areas of the Canal Zone; to the Committee on the Merchant Marine and Fisheries.

1004. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill for the relief of Willard R. Centerwall, formerly superintendent and special disbursing agent at the Tongue River Indian Agency; to the Committee on Claims.

1005. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 17, 1941, submitting a report, together with accompanying papers on reexamination of Niagara River, N. Y., with a view to improvement from its mouth to Youngstown, N. Y., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted April 17, 1940; to the Committee on Rivers and Harbors.

1006. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated July 25, 1941, submitting a report, together with accompanying papers, on reexamination of Farm Creek, Md., requested by resolution of the Committee on Rivers and Harbors, adopted August 28, 1940; to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RAMSPECK: Committee on the Civil Service. H. R. 3487. A bill to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended; with amendment (Rept. No. 1285). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr DICKSTEIN:

H. R. 5870. A bill to amend section 24 of the Immigration Act of February 5, 1917; to the Committee on Immigration and Naturalization.

By Mr. MOTT:

H. R. 5871. A bill providing for a preliminary examination and survey of Alsea Bay, Oreg., with a view to constructing a harbor of refuge; to the Committee on Rivers and Harbors.

By Mr. SCHULTE:

H. R. 5872. A bill to grant permission for the erection in the District of Columbia of a suitable statue of Alexander Fell Whitney; to the Committee on the Library.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Territory of Hawaii, requesting the Congress of the United States to appropriate and make available the sum of $2,000,000 for the acquisition of essential material and supplies for use during the defense period when called; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. LANHAM:

H. R. 5873. A bill relative to the military record of Charles C. Rascoe, deceased; to the Committee on Military Affairs.

By Mr. MOTT:

H. R. 5874. A bill for the relief of Julia A. S. O'Brien; to the Committee on World War Veterans' Legislation.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1916. By Mr. McGREGOR: Petition of Mrs. Clayton Mayer, president, Woman's Society of Christian Service of the Methodist Church, Shelby, Ohio, and other officers and members of the organization, urging the enactment of Senate bill 860, to provide for the common defense in relation to the sale of alcoholic liquors to the members of the land and naval forces of the United States, and for the suppression of vice in the vicinity of military camps and naval establishments; to the Committee on Military Affairs.

1917. By Miss RANKIN of Montana: Petition of Carl Johnson and 73 other residents of Ravalli County, Mont., protesting against the ruling of Mr. McNutt, Federal Security Administrator, permitting oleomargarine to be colored, etc., to resemble butter, and to be sold on the market in imitation of butter, and requesting an investigation thereof; to the Committee on Agriculture.

1918. By Mr. SHAFER of Michigan: Resolution of the Kalamazoo Post, No. 332, American Legion, protesting against the ruling of the War Department returning to inactive status all National Guard officers who have reached the maximum age limit prescribed for officers of the next higher grade; to the Committee on Military Affairs.

1919. By the SPEAKER: Resolution of the committee of the Democratic county convention, Montrose, Colo., requesting consideration of their resolution in reference to the death of Hon. Edward T. Taylor; to the Committee on Memorials.

1920. Also, petition of the United Office and Professional Workers of America, Local 16, New York, requesting consideration of their resolution with reference to national unity; to the Committee on the Judiciary.

1921. Also, petition of the United Brotherhood of Carpenters and Joiners of America, Union No. 2018, Lakewood, N. J., requesting consideration of their petition in regard to House bill 1410; to the Committee on Ways and Means.

1922. Also, petition of the Men's Bible Class of the First Baptist Church of Live Oak, Fla., requesting consideration of their resolution with reference to the foreign affairs of the United States; to the Committee on Foreign Affairs.

1923. Also, petition of sundry members of the staff of the University of California at Los Angeles, Calif., requesting consideration of their petition with reference to the defeat of Hitlerism; to the Committee on Foreign Affairs.

1924. Also, petition of the Anacortes General Welfare Club, Anacortes, Wash., petitioning consideration of their resolution with reference to House bill 1410; to the Committee on Ways and Means.

1925. Also, petition of the Carpenters Local Union 67, Roxbury, Mass., petitioning consideration of their resolution with reference to House bill 1410; to the Committee on Ways and Means.